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Congressional Record

SEVENTY-FIFTH CONGRESS, FIRST SESSION

SENATE

TUESDAY, JANUARY 5, 1937

Under authority of the twentieth amendment to the Constitution of the United States the 5th of January having been appointed by law (Public Res. 120, 74th Cong., 2d sess.) for the annual meeting of Congress, the first session of the Seventy-fifth Congress commenced this day.

The Senate assembled in its Chamber at the Capitol.

JOHN N. GARNER, of Texas, Vice President of the United States, called the Senate to order at 12 o'clock meridian.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., of the city of Washington, offered the following

PRAYER

Master of all things and Lord of love, in whom we live and move and have our being: fill our souls with a sense of Thy sheltering care and quicken our energies into newness of life as again we respond to Thy call.

Grant, we beseech Thee, to our President, Vice President, the Members of the Congress and all who hold office in our land, wisdom and strength to know and to do Thy will, and whatsoever else of Thy bounty shall be needful for the fulfillment of their duty as leaders of men and exemplars of the nobler virtues.

Let this be a day of rededication on the part of every Member and officer of the Senate to the highest and holiest things of life, to the love of God and country and to the service of our fellow men.

Give to our Nation the will to peace, that, scorning all lesser aims, we may, in the spirit of utter selflessness, share with each other not only what we have but what we are through the enabling of Thy love. We ask it in the name of Him who is the Prince of Peace, Jesus Christ our Lord. Amen.

SENATOR FROM FLORIDA

The VICE PRESIDENT laid before the Senate the credentials of WILLIAM L. HILL, of Florida, appointing him a Senator from that State to fill the vacancy caused by the death, on June 17, 1936, of Hon. Duncan U. Fletcher, late a Senator from the State of Florida, to commence on that date and continue until his successor shall be duly elected and shall have qualified as provided by law, which, with the accompanying oath administered to Mr. HILL, was read and ordered to be placed on file, as follows:

STATE OF FLORIDA.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that, pursuant to the powers vested in me by the Constitution of the United States and the laws of the State of Florida, I, David Sholtz, the Governor of said State, do hereby appoint WILLIAM L. HILL a Senator from said State to represent said State in the Senate of the United States to fill the vacancy caused by the death, June 17, 1936, of the Honorable Duncan U. Fletcher, Senator from Florida, to commence on this date and continue until his successor has been duly elected and qualifies as provided by law.

Witness: His Excellency our Governor, David Sholtz, and our seal hereto affixed, at Tallahassee, the capital, this the 1st day of July, A. D. 1936, and of the independence of the United States of America the one hundred and sixtieth year.

DAVID SHOLTZ, *Governor.*

By the Governor:
[SEAL] R. A. GRAY, *Secretary of State.*

Oath administered by Chief Justice James B. Whitfield, of the Supreme Court of Florida, to WILLIAM L. HILL, at Tallahassee, Fla., July 2, 1936:

"I, WILLIAM L. HILL, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

Mr. ROBINSON. Mr. President, it is my understanding that Mr. HILL is present, but that, his term having expired, he is not to take the oath of office.

The VICE PRESIDENT. The Chair understands that is the course to be followed.

SENATOR FROM MINNESOTA

The VICE PRESIDENT laid before the Senate the credentials of GUY V. HOWARD, of Minnesota, chosen a Senator from that State for the term beginning on the 4th day of November 1936 and ending on the 2d day of January 1937, which were read and ordered to be placed on file, as follows:

STATE OF MINNESOTA,
EXECUTIVE DEPARTMENT,
St. Paul.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 GUY V. HOWARD was duly chosen by the qualified electors of the State of Minnesota a Senator from said State to represent said State in the Senate of the United States for the term beginning on the 4th day of November 1936 and ending on the 2d day of January 1937.

Witness: His Excellency our Governor, Hjalmar Petersen, and our seal hereto affixed at St. Paul, Minn., this 27th day of November, A. D. 1936.

HJALMAR PETERSEN,
Governor.

By the Governor:
[SEAL] MIKE HOLM,
Secretary of State.

CREDENTIALS

The VICE PRESIDENT. It has been suggested that the credentials of Senators-elect be laid before the Senate by the Chair rather than to follow the usual order of presentation from the floor. Without objection, the clerk will read the credentials.

The credentials of the Senators-elect were read by the Chief Clerk (John C. Crockett) and ordered to be placed on file, as follows:

STATE OF FLORIDA.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 Hon. C. O. ANDREWS was duly chosen by the qualified electors of the State of Florida as Senator from said State to fill the vacancy in the term ending January 3, 1941, caused by the death of Hon. Park Trammell.

Witness: His Excellency our Governor, David Sholtz, and our seal hereto affixed at Tallahassee, the capital, this the 5th day of November, A. D. 1936.

DAVID SHOLTZ, *Governor.*

By the Governor:
[SEAL] R. A. GRAY,
Secretary of State.

TENNESSEE,
EXECUTIVE CHAMBER,
Nashville, December 2, 1936.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 NATHAN L. BACHMAN was duly chosen by the qualified electors of the State of Tennessee, a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1937.

Witness: His Excellency our Governor, Hill McAlister, and our seal hereto affixed at Nashville this 2d day of December, A. D. 1936.

HILL MCALISTER, *Governor.*

By the Governor:
[SEAL] ERNEST N. HASTON,
Secretary of State.

STATE OF NORTH CAROLINA,
DEPARTMENT OF STATE.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 JOSIAH W. BAILEY was duly chosen by the qualified electors of the State of North Carolina a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1937.

Witness: His Excellency our Governor, J. C. B. Ehringhaus, and our seal hereto affixed at Raleigh, this 25th day of November, A. D. 1936.

J. C. B. EHRINGHAUS, *Governor.*

By the Governor:
[SEAL]
C. G. POWELL,
Secretary of State.

THE STATE OF ALABAMA,
DEPARTMENT OF STATE.

CERTIFICATE OF ELECTION

I, Howell Turner, secretary of state, in accordance with the provisions of section 516 of the Code of Alabama, do hereby certify that as shown by the returns of election on file in this office, JOHN H. BANKHEAD was elected United States Senator at the general election held in this State on Tuesday, the 3d day of November 1936.

Witness my hand this 13th day of November 1936.

[SEAL]
HOWELL TURNER,
Secretary of State.

STATE OF IDAHO,
DEPARTMENT OF STATE.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 WILLIAM E. BORAH was duly chosen by the qualified electors of the State of Idaho a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1937.

Witness: His Excellency our Governor, C. Ben Ross, and our seal hereto affixed at Boise this 1st day of December, A. D. 1936.

C. BEN ROSS, *Governor.*

By the Governor:
[SEAL]
FRANKLIN GIRARD,
Secretary of State.

STATE OF NEW HAMPSHIRE,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 H. STYLES BRIDGES was duly chosen by the qualified electors of the State of New Hampshire a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1937.

Witness: His Excellency our Governor, H. STYLES BRIDGES, and our seal hereto affixed at Concord this 13th day of November, A. D. 1936.

H. STYLES BRIDGES, *Governor.*

By the Governor:
[SEAL]
ENOCH D. FULLER,
Secretary of State.

STATE OF MICHIGAN,
EXECUTIVE OFFICE,
Lansing.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 PRENTISS M. BROWN was duly chosen by the qualified electors of the State of Michigan a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1937.

Witness: His Excellency our Governor, Frank D. Fitzgerald, and our seal hereto fixed at Lansing, this 23d day of November, A. D. 1936.

FRANK D. FITZGERALD, *Governor.*

By the Governor:
[SEAL]
ORVILLE E. ATWOOD,
Secretary of State.

STATE OF SOUTH CAROLINA,
OFFICE OF THE GOVERNOR,
Columbia, December 3, 1936.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 Hon. JAMES F. BYRNES was duly chosen by the qualified electors of the State of South Carolina a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1937.

Witness: His Excellency our Governor, Olin D. Johnston, and our seal hereto affixed at Columbia this 3d day of December, A. D. 1936.

OLIN D. JOHNSTON, *Governor.*

By the Governor:
[SEAL]
W. P. BLACKWELL,
Secretary of State.

STATE OF SOUTH DAKOTA,
EXECUTIVE DEPARTMENT,
Pierre, December 28, 1936.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 W. J. BULOW was duly chosen by the qualified electors of the State of South Dakota a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1937.

Witness: His Excellency our Governor, Tom Berry, and our seal hereto affixed at Pierre, S. Dak., this 28th day of December, A. D. 1936.

TOM BERRY, *Governor.*

By the Governor:
[SEAL]
MYRTLE MORRISON,
Secretary of State.
By C. E. DIEFENDORF,
Assistant Secretary of State.

STATE OF KANSAS,
EXECUTIVE DEPARTMENT.

CERTIFICATE OF ELECTION

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 ARTHUR CAPPER was duly chosen by the qualified electors of the State of Kansas a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1937.

Witness: His Excellency our Governor, Alf M. Landon, and our seal hereto affixed at Topeka, Kans., this 12th day of December, A. D. 1936.

ALF M. LANDON, *Governor.*

By the Governor:
[SEAL]
FRANK J. RYAN,
Secretary of State.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 DENNIS CHAVEZ was duly chosen by the qualified electors of the State of New Mexico a Senator from said State to fill the vacancy in the term ending January 3, 1941, caused by the death of Bronson Cutting.

Witness: His Excellency our Governor, Clyde Tingley, and our seal hereto affixed at Santa Fe, N. Mex., this 17th day of December, A. D. 1936.

CLYDE TINGLEY, *Governor.*

By the Governor:
[SEAL]
ELIZABETH F. GONZALES,
Secretary of State.

STATE OF LOUISIANA,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 ALLEN J. ELLENDER was duly chosen by the qualified electors of the State of Louisiana a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning at noon on January 3, 1937.

Witness: His Excellency our Governor, Richard W. Leche, and our seal hereto affixed at Baton Rouge, this 16th day of November, A. D. 1936.

RICHARD W. LECHE, *Governor.*

By the Governor:
E. A. CONWAY, *Secretary of State.*

COMMONWEALTH OF VIRGINIA.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 CARTER GLASS was duly chosen by the qualified electors of the State of Virginia a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1937.

Witness: His Excellency our Governor, George C. Peery, and our seal hereto affixed at Richmond this 23d day of November, A. D. 1936.

GEO. C. PEERY, *Governor.*

By the Governor:
[SEAL]
PETER SAUNDERS,
Secretary of the Commonwealth.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS,
EXECUTIVE CHAMBER,
Providence, November 23, 1936.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 THEODORE FRANCIS GREEN, of Providence, was duly chosen by the qualified electors of the State of Rhode Island a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1937.

Witness: His Excellency our Governor, THEODORE FRANCIS GREEN, and our seal hereto affixed at Providence this 23d day of November, A. D. 1936.

THEODORE FRANCIS GREEN,
Governor.

By the Governor:
[SEAL]
LOUIS W. CAPPELLI,
Secretary of State.

MISSISSIPPI,
EXECUTIVE DEPARTMENT,
Jackson.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 BYRON P. HARRISON was duly chosen by the qualified electors of the State of Mississippi a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1937.

Witness: His Excellency our Governor, Hugh White, and our seal hereto affixed at Jackson this 19th day of November, A. D. 1936.

HUGH WHITE, *Governor.*

[SEAL] WALKER WOOD,
Secretary of State.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 CARL A. HATCH was duly chosen by the qualified electors of the State of New Mexico a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1937.

Witness: His Excellency our Governor, Clyde Tingley, and our seal hereto affixed at Santa Fe, N. Mex., this 17th day of December, A. D. 1936.

CLYDE TINGLEY, *Governor.*

By the Governor:

[SEAL] ELIZABETH F. GONZALES,
Secretary of State.

STATE OF IOWA,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES, *greeting:*

It is hereby certified that at an election holden on the 3d day of November 1936 Hon. CLYDE L. HERRING, of the county of Polk, State of Iowa, was duly chosen by the qualified electors of the State of Iowa a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1937.

In testimony whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Iowa. Done at the capitol in the city of Des Moines this 28th day of November, A. D. 1936.

CLYDE L. HERRING, *Governor.*

Countersigned:

[SEAL] MRS. ALEX MILLER,
Secretary of State.

BY AUTHORITY OF THE STATE OF DELAWARE.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

Be it known an election was held in the State of Delaware on Tuesday, the 3d day of November, A. D. 1936, that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution of the United States and the laws of the State of Delaware, in that behalf, for the election of a Senator for the people of the said State in the Senate of the United States.

Whereas the official certificates or returns of the said election held in the several counties of the said State, in due manner made out, signed, and executed, have been delivered to me according to the laws of the said State by the superior court of the said counties; and having examined said returns and enumerated and ascertained the number of votes for each and every candidate or person voted for for such Senator, I have found JAMES H. HUGHES to be the person highest in vote, and therefore duly elected Senator of and for the said State in the Senate of the United States for the constitutional term to commence at noon on the 3d day of January, A. D. 1937.

I, C. D. Buck, Governor, do, therefore, according to the form of the act of the general assembly of the said State and of the act of Congress of the United States, in such case made and provided, declare the said JAMES H. HUGHES the person highest in vote at the election aforesaid, and therefore duly and legally elected Senator of and for the said State of Delaware in the Senate of the United States for the constitutional term to commence at noon on the 3d day of January, A. D. 1937.

Given under my hand and the great seal of the said State, in obedience to the said act of the general assembly and of the said act of Congress, at Dover, the 12th day of November, A. D. 1936, and in the year of the independence of the United States of America the one hundred and sixty-first.

C. D. BUCK, *Governor.*

[SEAL] W. D. SMITH,
Secretary of State.

DENVER, COLO., *December 9, 1936.*

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 ED. C. JOHNSON was duly chosen by the qualified electors of the State of Colorado a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1937.

Witness: His Excellency our Governor, ED. C. JOHNSON, and our seal hereto affixed at Denver this 9th day of December, A. D. 1936.

ED. C. JOHNSON, *Governor.*

By the Governor:

[SEAL] GEORGE E. SAUNDERS,
Secretary of State.

STATE OF OKLAHOMA,
EXECUTIVE DEPARTMENT.

CERTIFICATE

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 JOSH LEE was duly chosen by the qualified electors of the State of Oklahoma a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1937.

Witness: His Excellency our Governor, E. W. Marland, and our seal hereto affixed at the State Capitol in Oklahoma City, Okla., this 19th day of November, A. D. 1936.

E. W. MARLAND,
Governor of the State of Oklahoma.

Countersigned:

[SEAL] FRANK C. CARTER,
Secretary of State of the State of Oklahoma.

STATE OF ILLINOIS.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 JAMES HAMILTON LEWIS was duly chosen by the qualified electors of the State of Illinois a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1937.

Witness: His Excellency our Governor, Henry Horner, and our seal hereto affixed at Springfield this 30th day of November, A. D. 1936.

HENRY HORNER,
Governor.

By the Governor:

[SEAL] EDWARD J. HUGHES,
Secretary of State.

THE COMMONWEALTH OF MASSACHUSETTS.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 HENRY CABOT LODGE, JR., was duly chosen by the qualified electors of the Commonwealth of Massachusetts a Senator from said Commonwealth to represent said Commonwealth in the Senate of the United States for term of 6 years, beginning on the 3d day of January 1937.

Witness: His Excellency our Governor, James M. Curley, and our seal hereto affixed at Boston, this 25th day of November, A. D. 1936.

JAMES M. CURLEY, *Governor.*

By the Governor:

[SEAL] F. W. COOK,
Secretary of the Commonwealth.

COMMONWEALTH OF KENTUCKY,
Frankfort, Ky., November 23, 1936.

The undersigned, a board for examining the returns of an election held on Tuesday, the 3d day of November 1936, for United States Senator of the State of Kentucky, do certify that M. M. LOGAN, Bowling Green, Ky., received the highest number of votes given for that office, as certified to the Secretary of State, and is, therefore, duly and regularly elected for the term prescribed by the Constitution.

CHARLES K. O'CONNELL, *Chairman,*
M. C. HOWARD, *Member,*
J. MATT CHILTON, *Member,*
State Board of Election Commissioners for the Commonwealth of Kentucky.

Attest:

EILEEN MAHONEY,
Secretary, State Board of Election Commissioners.

STATE OF MINNESOTA,
EXECUTIVE DEPARTMENT,
St. Paul.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 ERNEST LUNDEEN was duly chosen by the qualified electors of the State of Minnesota a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1937 and ending on the 2d day of January 1943.

Witness: His Excellency our Governor, Hjalmar Petersen, and our seal hereto affixed at St. Paul, Minn., this 27th day of November, A. D. 1936.

HJALMAR PETERSEN, *Governor.*

By the Governor:

[SEAL] MIKE HOLM, *Secretary of State.*

STATE OF OREGON,
EXECUTIVE DEPARTMENT.

CERTIFICATE OF ELECTION

To all to whom these presents shall come, greeting:

Know ye, that it appearing from the official canvass of the vote cast at the regular general election held within and for the State of Oregon on Tuesday, the 3d day of November, A. D. 1936, that CHARLES L. MCNARY, of Marion County, State of Oregon, received

the highest number of votes cast for the office of United States Senator in Congress at said election.

Now, therefore, I, Charles H. Martin, Governor of the State of Oregon, by virtue of the authority vested in me under the laws of the State of Oregon, do hereby grant this certificate of election and declare said CHARLES L. MCNARY, of Marion County, State of Oregon, to be duly elected to the office of United States Senator in Congress for the State of Oregon for the term of 6 years.

In testimony whereof I have hereunto set my hand and caused the seal of the State of Oregon to be hereto affixed.

Done at the capitol at Salem, Oreg., this 30th day of November, A. D. 1936.

CHARLES H. MARTIN, *Governor.*

By the Governor:
[SEAL] EARL SNELL, *Secretary of State.*

DEPARTMENT OF THE SECRETARY OF STATE
OF THE STATE OF MONTANA.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 JAMES E. MURRAY was duly chosen by the qualified electors of the State of Montana a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1937.

Witness: His Excellency our Governor, Elmer Holt, and our seal hereto affixed this 10th day of December, in the year of our Lord 1936.

ELMER HOLT, *Governor.*

By the Governor:
[SEAL] SAM W. MITCHELL,
Secretary of State.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 MATTHEW M. NEELY was duly chosen by the qualified electors of the State of West Virginia a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1937.

Witness: His Excellency our Governor, H. G. Kump, and our seal hereto affixed at Charleston this 19th day of December, in the year of our Lord 1936.

H. G. KUMP, *Governor.*

By the Governor:
[SEAL] WM. S. O'BRIEN,
Secretary of State.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 GEORGE W. NORRIS was duly chosen by the qualified electors of the State of Nebraska a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1937.

Witness: His Excellency our Governor, R. L. Cochran, and our seal hereto affixed at Lincoln this 8th day of December, in the year of our Lord 1936.

R. L. COCHRAN, *Governor.*

By the Governor:
[SEAL] HARRY B. SWANSON,
Secretary of State.

STATE OF FLORIDA.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 Hon. CLAUDE PEPPER was duly chosen by the qualified electors of the State of Florida as Senator from said State to fill the vacancy in the term ending January 3, 1939, caused by the death of Hon. Duncan U. Fletcher.

Witness: His Excellency our Governor, David Sholtz, and our seal hereto affixed at Tallahassee, the capital, this 5th day of November, A. D. 1936.

DAVID SHOLTZ, *Governor.*

By the Governor:
[SEAL] R. A. GRAY, *Secretary of State.*

STATE OF ARKANSAS,
EXECUTIVE DEPARTMENT.

PROCLAMATION

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 JOSEPH T. ROBINSON was duly chosen by the qualified electors of the State of Arkansas a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1937.

Witness: His Excellency our Governor, J. M. Futrell, and our seal hereto affixed at Little Rock this 30th day of November, A. D. 1936.

J. M. FUTRELL,
Governor.

[SEAL] ED. F. MCDONALD,
Secretary of State.

STATE OF GEORGIA,
EXECUTIVE DEPARTMENT,
Atlanta.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

A general election having been held in the State of Georgia on the 3d day of November 1936 for the selection of a United States Senator from Georgia for a full term to succeed Hon. RICHARD B. RUSSELL, Jr., and the Governor, secretary of state, and comptroller general having canvassed, counted, and consolidated the votes cast in said election and having declared Hon. RICHARD B. RUSSELL, Jr., duly elected to said office—

Therefore, this is to certify that on the 3d day of November 1936 Hon. RICHARD B. RUSSELL, Jr., was duly chosen by the qualified electors of the State of Georgia Senator to represent said State in the Senate of the United States for a full term, beginning the 3d day of January 1937, to succeed himself.

In witness whereof I have hereunto set my hand and caused the great seal of the State of Georgia to be affixed at the capitol, in the city of Atlanta, on the 20th day of November, A. D. 1936, and of the independence of the United States of America the one hundred and sixty-first.

EUGENE TALMADGE,
Governor.

By the Governor:
[SEAL] JOHN B. WILSON,
Secretary of State.

THE STATE OF WYOMING,
EXECUTIVE DEPARTMENT,
Cheyenne, December 7, 1936.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November 1936 H. H. SCHWARTZ was duly chosen by the qualified electors of the State of Wyoming a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1937.

Witness: His Excellency our Governor, Leslie A. Miller, and our seal hereto affixed at Cheyenne this 7th day of December, A. D. 1936.

LESLIE A. MILLER,
Governor.

By the Governor:
[SEAL] LESTER C. HUNT,
Secretary of State.

UNITED STATES OF AMERICA,
STATE OF TEXAS.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 3d day of November, A. D. 1936, MORRIS SHEPPARD was duly chosen by the qualified electors of the State of Texas a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January, A. D. 1937.

Witness: His Excellency our Governor, James V. Allred, and our seal hereto affixed at Austin, this 27th day of November, A. D. 1936.

JAMES V. ALLRED,
Governor.

By the Governor:
[SEAL] B. P. MATOCHA,
Secretary of State.

CERTIFICATE OF ELECTION

STATE OF NEW JERSEY.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on November 3, 1936, WILLIAM H. SMATHERS was duly chosen by the qualified electors of the State of New Jersey a Senator from the said State to represent the said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1937.

In testimony whereof the great seal of the State is hereunto affixed.

Witness the hand of His Excellency our Governor, Harold G. Hoffman, at Trenton, this 1st day of December, A. D. 1936.

HAROLD G. HOFFMAN,
Governor.

By the Governor:
Attest:
[SEAL] THOMAS A. MATHIS,
Secretary of State.

STATE OF MAINE.

To all who shall see these presents, greeting:

Know ye that WALLACE H. WHITE, Jr., of Auburn, in the county of Androscoggin, on the 14th day of September, A. D. 1936, was chosen by the electors of this State a United States Senator to represent the State of Maine in the United States Senate for the term of 6 years, beginning on the 3d day of January 1937.

In testimony whereof I have caused the seal of the State to be hereunto affixed.

Given under my hand at Augusta the 17th day of November, A. D. 1936, and in the one hundred and sixty-first year of the independence of the United States of America.

LOUIS J. BRANN.

By the Governor:
[SEAL] LEWIS O. BARROWS,
Secretary of State.

ADMINISTRATION OF OATH

The VICE PRESIDENT. The suggestion has been made, the Chair will state, that unanimous consent be given that the Senator from Arkansas [Mr. ROBINSON] and the Senator

from Oregon [Mr. McNARY], leaders of their respective parties, and the two Senators-elect from Florida, who were elected on the same day, be permitted to take the oath of office first. Is there objection?

There being no objection, the legislative clerk (Emery L. Frazier) called the names of Mr. ROBINSON, Mr. MCNARY, Mr. ANDREWS, and Mr. PEPPER.

These Senators, escorted by Mrs. CARAWAY, Mr. STEIWER, Mr. GEORGE, and Mr. HARRISON, respectively, advanced to the Vice President's desk, and the oath of office prescribed by law was administered to them by the Vice President.

The VICE PRESIDENT. The clerk will now call the names of the other newly elected Senators, and as their names are called they will present themselves at the desk and take the oath of office.

The legislative clerk called the names of Mr. BACHMAN, Mr. BAILEY, Mr. BANKHEAD, and Mr. BORAH.

These Senators, escorted by Mr. MCKELLAR, Mr. REYNOLDS, Mr. BLACK, and Mr. POPE, respectively, advanced to the Vice President's desk, and the oath of office prescribed by law was administered to them by the Vice President.

The legislative clerk called the names of Mr. BRIDGES, Mr. BROWN of Michigan, Mr. BULOW, and Mr. BYRNES.

These Senators, escorted by Mr. BROWN of New Hampshire, Mr. VANDENBERG, Mr. BARKLEY, and Mr. ROBINSON, respectively, advanced to the Vice President's desk, and the oath of office prescribed by law was administered to them by the Vice President.

The legislative clerk called the names of Mr. CAPPER, Mr. CHAVEZ, Mr. ELLENDER, and Mr. GLASS.

These Senators, escorted by Mr. MCGILL, Mr. LONERGAN, Mr. OVERTON, and Mr. BYRD, respectively, advanced to the Vice President's desk, and the oath of office prescribed by law was administered to them by the Vice President.

The legislative clerk called the names of Mr. GREEN, Mr. HARRISON, Mr. HATCH, and Mr. HUGHES.

These Senators, escorted by Mr. GERRY, Mr. ROBINSON, Mr. CHAVEZ, and Mr. TOWNSEND, respectively, advanced to the Vice President's desk, and the oath of office prescribed by law was administered to them by the Vice President.

The legislative clerk called the names of Mr. JOHNSON of Colorado, Mr. LEE, Mr. LEWIS, and Mr. LODGE.

These Senators, escorted by Mr. ADAMS, Mr. THOMAS of Oklahoma, Mr. DIETERICH, and Mr. WALSH, respectively, advanced to the Vice President's desk, and the oath of office prescribed by law was administered to them by the Vice President.

The legislative clerk called the names of Mr. LOGAN, Mr. LUNDEEN, Mr. MURRAY, and Mr. NEELY.

These Senators, escorted by Mr. BARKLEY, Mr. FRAZIER, Mr. BONE, and Mr. ROBINSON, respectively, advanced to the Vice President's desk, and the oath of office prescribed by law was administered to them by the Vice President.

The legislative clerk called the names of Mr. RUSSELL, Mr. SCHWARTZ, Mr. SHEPPARD, and Mr. WHITE.

These Senators, escorted by Mr. GEORGE, Mr. O'MAHONEY, Mr. CONNALLY, and Mr. HALE, respectively, advanced to the Vice President's desk, and the oath of office prescribed by law was administered to them by the Vice President.

LIST OF SENATORS BY STATES

Alabama.—Hugo L. Black and John H. Bankhead.
Arizona.—Henry F. Ashurst and Carl Hayden.
Arkansas.—Joseph T. Robinson and Mrs. Hattie W. Caraway.
California.—Hiram W. Johnson and William Gibbs McAdoo.
Colorado.—Alva B. Adams and Edwin C. Johnson.
Connecticut.—Augustine Lonergan and Francis T. Maloney.
Delaware.—John G. Townsend, Jr., and James H. Hughes.
Florida.—C. O. Andrews and Claude Pepper.
Georgia.—Walter F. George and Richard B. Russell, Jr.
Idaho.—William E. Borah and James P. Pope.
Illinois.—J. Hamilton Lewis and William H. Dieterich.
Indiana.—Frederick Van Nuys and Sherman Minton.
Iowa.—Guy M. Gillette and Clyde L. Herring.*
Kansas.—Arthur Capper and George McGill.
Kentucky.—Alben W. Barkley and M. M. Logan.
Louisiana.—John H. Overton and Allen J. Ellender.
Maine.—Frederick Hale and Wallace H. White, Jr.
Maryland.—Millard E. Tydings and George L. Radcliffe.
Massachusetts.—David I. Walsh and Henry Cabot Lodge, Jr.
Michigan.—Arthur H. Vandenberg and Prentiss M. Brown.
Minnesota.—Henrik Shipstead and Ernest Lundeen.
Mississippi.—Pat Harrison and Theodore G. Bilbo.
Missouri.—Bennett Champ Clark and Harry S. Truman.
Montana.—Burton K. Wheeler and James E. Murray.
Nebraska.—George W. Norris* and Edward R. Burke.
Nevada.—Key Pittman and Patrick McCarran.
New Hampshire.—Fred H. Brown and H. Styles Bridges.
New Jersey.—A. Harry Moore and W. H. Smathers.*
New Mexico.—Carl A. Hatch and Dennis Chavez.
New York.—Royal S. Copeland and Robert F. Wagner.
North Carolina.—Josiah William Bailey and Robert R. Reynolds.
North Dakota.—Lynn J. Frazier and Gerald P. Nye.
Ohio.—Robert J. Bulkley and Vic Donahey.
Oklahoma.—Elmer Thomas and Josh Lee.
Oregon.—Charles L. McNary and Frederick Steiwer.
Pennsylvania.—James J. Davis and Joseph F. Guffey.
Rhode Island.—Peter G. Gerry and Theodore Francis Green.
South Carolina.—Ellison D. Smith and James F. Byrnes.
South Dakota.—W. J. Bulow and Herbert E. Hitchcock.
Tennessee.—Kenneth McKellar and Nathan L. Bachman.
Texas.—Morris Sheppard and Tom Connally.
Utah.—William H. King and Elbert D. Thomas.
Vermont.—Warren R. Austin and Ernest W. Gibson.
Virginia.—Carter Glass and Harry Flood Byrd.
Washington.—Homer T. Bone and Lewis B. Schwellenbach.
West Virginia.—M. M. Neely and Rush D. Holt.
Wisconsin.—Robert M. La Follette, Jr., and F. Ryan Duffy.
Wyoming.—Joseph C. O'Mahoney and Harry H. Schwartz.

DEATH OF SENATOR LOUIS MURPHY

Mr. ROBINSON. Mr. President, since the Senate was last in session the able and brilliant Senator from Iowa, LOUIS MURPHY, lost his life in an automobile accident near Bloomer, Wis. His death occurred July 16, 1936.

I present the resolutions which I send to the desk relative to the death of Senator MURPHY and ask for their present consideration.

The VICE PRESIDENT. The clerk will read the resolutions.

The resolutions (S. Res. 1) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. LOUIS MURPHY, late a Senator from the State of Iowa.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

DEATH OF SENATOR JAMES COUZENS

Mr. VANDENBERG. Mr. President, I deeply regret to announce that during the recess of the Senate my distinguished colleague the late JAMES COUZENS died at Detroit, Mich., on October 22, 1936. At some time in the near future I hope to speak in the Senate in memory of this distinguished public servant. At the moment I offer the resolutions which I send to the desk, and I ask for their present consideration.

The VICE PRESIDENT. The clerk will read the resolutions.

The resolutions (S. Res. 2) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. JAMES COUZENS, late a Senator from the State of Michigan.

*Not sworn.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

DEATH OF SENATOR PETER NORBECK

Mr. BULOW. Mr. President, it is with sincere regret that I announce the death of my colleague the late senior Senator from South Dakota, Hon. PETER NORBECK, which occurred at Redfield, S. Dak., on December 20 last. I offer the resolutions which I send to the desk, and ask for their immediate consideration.

The VICE PRESIDENT. The clerk will read the resolutions.

The resolutions (S. Res. 3) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. PETER NORBECK, late a Senator from the State of South Dakota.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

SENATOR FROM IOWA

The VICE PRESIDENT laid before the Senate the credentials of GUY M. GILLETTE, of Iowa, chosen a Senator from that State for the residue of the term of Hon. LOUIS MURPHY, late a Senator from the State of Iowa, ending on January 2, 1939, which were read and ordered to be placed on file, as follows:

STATE OF IOWA,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

It is hereby certified that at an election holden on the 3d day of November 1936 Hon. GUY M. GILLETTE, of the county of Cherokee, State of Iowa, was duly chosen by the qualified electors of the State of Iowa a Senator from said State for the residue of the term of Hon. Louis Murphy, ending on the 2d day of January 1939.

In testimony whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Iowa. Done at the capitol in the city of Des Moines this 28th day of November, A. D. 1936.

CLYDE L. HERRING, *Governor*.

Countersigned:
[SEAL]
MRS. ALEX MILLER,
Secretary of State.

SENATOR FROM MICHIGAN

The VICE PRESIDENT laid before the Senate the credentials of PRENTISS M. BROWN, of Michigan, appointed a Senator from that State to fill the vacancy caused by the death of Hon. James Couzens, late a Senator from the State of Michigan, which were read and ordered to be placed on file, as follows:

STATE OF MICHIGAN,
EXECUTIVE OFFICE,
Lansing.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Michigan, I, Frank D. Fitzgerald, the Governor of said State, do hereby appoint PRENTISS M. BROWN a Senator from said State to represent said State in the Senate of the United States until the vacancy therein, caused by the death of James Couzens, is filled by election, as provided by law.

Witness: His Excellency our Governor, Frank D. Fitzgerald, and our seal hereto affixed at Lansing this 16th day of November, A. D. 1936.

FRANK D. FITZGERALD, *Governor*.

By the Governor:
[SEAL]
ORVILLE E. ATWOOD,
Secretary of State.

SENATOR FROM SOUTH DAKOTA

The VICE PRESIDENT laid before the Senate the credentials of HERBERT E. HITCHCOCK, of South Dakota, appointed a Senator from that State to fill the vacancy caused by the death of Hon. Peter Norbeck, late a Senator from the State of South Dakota, which were read and ordered to be placed on file, as follows:

STATE OF SOUTH DAKOTA,
EXECUTIVE DEPARTMENT,
Pierre, December 29, 1936.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that pursuant to the power vested in me by the Constitution of the United States and the laws of the State of South Dakota, I, Tom Berry, the Governor of said State, do hereby appoint HERBERT E. HITCHCOCK a Senator from said State to represent said State in the Senate of the United States until the vacancy therein, caused by the death of Peter Norbeck, is filled by election, as provided by law.

Witness: His Excellency our Governor, Tom Berry, and our seal hereto affixed at Pierre, S. Dak., this 29th day of December, A. D. 1936.

TOM BERRY, *Governor*.

By the Governor:
[SEAL]
C. E. DIEFENDORF,
Assistant Secretary of State.

FURTHER ADMINISTRATION OF OATH

The VICE PRESIDENT. The Senator-elect and the Senator-designate whose credentials have been read will present themselves at the desk and take the oath of office.

Mr. HITCHCOCK, escorted by Mr. BULOW, and Mr. GILLETTE, escorted by Mr. ROBINSON, advanced to the Vice President's desk and the oath prescribed by law was administered to them by the Vice President.

CALL OF THE ROLL

Mr. ROBINSON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Clark	Johnson, Colo.	Pittman
Andrews	Connally	King	Pope
Ashurst	Copeland	Lee	Radcliffe
Austin	Davis	Lewis	Reynolds
Bachman	Dieterich	Lodge	Robinson
Bailey	Duffy	Logan	Russell
Bankhead	Ellender	Lonergan	Schwartz
Barkley	Frazier	Lundeen	Schwellenbach
Black	George	McAdoo	Sheppard
Bone	Gerry	McCarran	Steiwer
Borah	Gibson	McGill	Thomas, Okla.
Bridges	Gillette	McKellar	Thomas, Utah
Brown, Mich.	Glass	McNary	Townsend
Brown, N. H.	Green	Maloney	Truman
Bulkley	Guffey	Minton	Tydings
Bulow	Hale	Moore	Vandenberg
Burke	Harrison	Murray	Van Nuys
Byrd	Hatch	Neely	Walsh
Byrnes	Hayden	Nye	White
Capper	Hitchcock	O'Mahoney	
Caraway	Holt	Overton	
Chavez	Hughes	Pepper	

Mr. LEWIS. I announce the absence of the junior Senator from Mississippi [Mr. BILBO], who is detained, I am advised, because of necessary business at his home.

Mr. BULKLEY. My colleague the junior Senator from Ohio [Mr. DONAHEY] is confined to his apartment with a severe cold, and is unable to be present today.

Mr. BYRNES. I have been requested by my colleague the senior Senator from South Carolina [Mr. SMITH] to announce to the Senate that he is unable to be present because of illness in his family.

Mr. COPELAND. I announce the unavoidable absence of my colleague the junior Senator from New York [Mr. WAGNER].

Mr. McNARY. I announce that the Senator from Minnesota [Mr. SHIPSTEAD] is absent because of illness.

The VICE PRESIDENT. Eighty-five Senators having answered to their names, a quorum is present.

NOTIFICATION TO THE PRESIDENT

Mr. ROBINSON submitted the following resolution (S. Res. 4), which was read, considered by unanimous consent, and agreed to:

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that Congress is ready to receive any communication he may be pleased to make.

The VICE PRESIDENT appointed Mr. ROBINSON and Mr. MCNARY the committee on the part of the Senate.

NOTIFICATION TO THE HOUSE

Mr. McNARY submitted the following resolution (S. Res. 5), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

HOUR OF DAILY MEETING

Mr. ROBINSON submitted the following resolution (S. Res. 6), which was read, considered by unanimous consent, and agreed to:

Resolved, That the hour of daily meeting of the Senate be 12 o'clock m. unless otherwise ordered.

JOINT MEETING FOR PRESIDENT'S MESSAGE

Mr. ROBINSON submitted a concurrent resolution (S. Con. Res. 1), which was read, considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Wednesday the 6th day of January 1937, at 2 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

FINAL ASCERTAINMENT OF ELECTORS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of State transmitting, pursuant to law, copies or originals of the certificates of the Governors of the several States certifying to the final ascertainment of electors for President and Vice President in the respective States on November 3, 1936, which, with the accompanying papers, were ordered to be placed on file.

JOINT MEETING FOR COUNT OF ELECTORAL VOTE

Mr. GEORGE submitted a concurrent resolution (S. Con. Res. 2), which was read, considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall meet in the Hall of the House of Representatives on Wednesday, the 6th day of January, 1937, at 1 o'clock p. m., pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President of the Senate shall be their presiding officer; that two tellers shall be previously appointed by the President of the Senate on the part of the Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter A; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

NOTICE AS TO INTRODUCTION OF BILLS, ETC.

Mr. ROBINSON. Mr. President, for the information of Senators who have inquired when opportunity will be afforded to introduce bills and present resolutions, let it be stated that it is my intention on tomorrow, after the Senate convenes, to ask unanimous consent for the introduction of bills and joint resolutions. This course will be taken in view of the necessity for the early consideration of certain proposed legislation, particularly that relating to the subject of neutrality.

CONTINUATION OF SPECIAL COMMITTEE TO INVESTIGATE CAMPAIGN EXPENDITURES

Mr. LONERGAN submitted a resolution (S. Res. 7), which was considered by unanimous consent and agreed to, as follows:

Resolved, That Resolution No. 225, agreed to April 1, 1936, authorizing a special committee to investigate the campaign expenditures of Presidential, Vice-Presidential, and Senatorial candidates in 1936, hereby is continued in full force and effect until the committee shall submit its final report, which shall not be later than March 6, 1937.

ADJOURNMENT OUT OF RESPECT TO MEMORY OF DECEASED SENATORS

Mr. ROBINSON. Mr. President, as a further mark of respect to the memory of the late Senator MURPHY, of Iowa, the late Senator COUZENS, of Michigan, and the late Senator NORBECK, of South Dakota, whose deaths have been announced today, I move that the Senate do now adjourn until 12:30 o'clock p. m. tomorrow.

The motion was unanimously agreed to; and (at 12 o'clock and 55 minutes p. m.) the Senate adjourned until tomorrow, Wednesday, January 6, 1937, at 12:30 o'clock p. m.

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 5, 1937

The 5th day of January being the day prescribed by the joint resolution of Congress, approved June 22, 1936, for the meeting of the Seventy-fifth Congress, the Members-elect of the House of Representatives met in their Hall, and at 12 o'clock noon were called to order by Hon. South Trimble, Clerk of the last House.

Rev. James Shera Montgomery, D. D., Chaplain of the last House, offered the following

PRAYER

Almighty God, our Father in Heaven and on earth, Thou who hast measured the waters in the hollow of His hand and comprehended the dust of earth, be mercifully near us and make us conscious of Thy presence. Thou who hast endowed us with marvelous faculties of mind and soul, let in a flood of light upon the deeper meaning of our high calling. Crown us with courage, zeal, and fidelity that we may be of the company of those immortals who live in lives made better. Forgive, O Lord, our selfish joys and our selfish sorrows and inspire us to consecrate our best selves to all that is worthy. We most fervently pray that our President may be attended by Thy grace, mercy, and truth. Let Thy spirit come mightily and with rich blessings upon our Speaker and every Member of Congress that they may be guided by the highest conceptions of right and duty. Be pleased to regard in divine favor all officials and employees. Lord God of Hosts, speak Thou to the nations in Thy wrath and vex them with Thy sore displeasure. Stay Thou the blows and the flames that fill the cup of the world's sufferings. O come richly and abundantly to our own beloved homeland with a new voice and with a much-needed accent, and let there be a tremendous surging of peace and brotherhood in the very soul of the Republic. Make it rich in happy homes, wise statesmanship, and a boundless faith in an infinite God and in His Son, Jesus Christ, our Savior. Amen.

The CLERK. Representatives-elect, this is the day fixed by law enacted pursuant to the twentieth amendment to the Constitution for the meeting of the Seventy-fifth Congress. The Clerk of the House of Representatives of the Seventy-fourth Congress will call the names of those present whose credentials show that they were regularly elected as Representatives in accordance with the laws of their respective States or of the United States.

As the names are called following the alphabetical order of the States, Representatives-elect will please answer "present" to determine whether a quorum is present. The Clerk will proceed with the call.

The Clerk called the roll, and the following Members-elect answered to their names:

[Roll No. 1]

ALABAMA

Hill	Hobbs	Jarman	Sparkman
Steagall	Starnes	Bankhead	Patrick

ARIZONA

Murdock

ARKANSAS

Driver	Fuller	McClellan	Kitchens
Miller	Terry		

CALIFORNIA

Lea	Carter	Kramer	Scott
Englebright	Tolan	Ford	Sheppard
Buck	Gearhart	Costello	Isac
Havenner	McGroarty	Dockweiler	
Welch	Voorhis	Colden	

COLORADO

Lewis	Cummings	Martin	Taylor

CONNECTICUT

Kopplemann	Shanley	Smith	Citron
Fitzgerald	Phillips		

DELAWARE

Allen

FLORIDA

Peterson	Caldwell	Wilcox	Hendricks
Green			

GEORGIA

Peterson	Owen	Tarver	Whelchel
Cox	Ramspeck	Deen	Brown
Pace	Vinson		

IDAHO

	White	Clark	

ILLINOIS

Mitchell	Kocialkowski	Boyer	Arnold
McKeough	McAndrews	Dirksen	Parsons
Kelly	Church	Arends	Keller
Beam	Reed	Rigney	Long
Sabath	Mason	Lucas	Champion
O'Brien	Allen	Fries	
Schuetz	Thompson	Schaefer	

INDIANA

Schulte	Farley	Greenwood	Gray
Halleck	Griswold	Boehne	Larrabee
Pettengill	Jenckes	Crowe	Ludlow

IOWA

Eicher	Biermann	Dowell	Gilchrist
Jacobsen	Thurston	Wearin	Harrington
Gwynne			

KANSAS

Lambertson	Patterson	Houston	Hope
Guyer	Rees	Carlson	

KENTUCKY

Gregory	Creal	Chapman	Vinson
O'Neal	Spence	May	Robsion

LOUISIANA

Fernandez	Mouton	Mills	DeRouen
Maloney	Brooks	Griffith	Allen

MAINE

Oliver	Smith	Brewster	

MARYLAND

Goldsborough	Palmisano	Gambrill	Lewis
Cole	Kennedy		

MASSACHUSETTS

Treadway	Rogers	Luce	Wigglesworth
Clason	Bates	Tinkham	Martin
Casey	Connery	Higgins	Gifford
Holmes	Healey	McCormack	

MICHIGAN

Sadowski	Transue	Luecke	Lesinski
Michener	Wolcott	Hook	Dondero
Shafer	Crawford	O'Brien	
Hoffman	Engel	Rabaut	
Mapes	Woodruff	Dingell	

MINNESOTA

Ryan	Johnson	Bernard	Buckler
Mans	Knutson		

MISSISSIPPI

Rankin	Whittington	Collins	McGehee
Doxey	Ford	Colmer	

MISSOURI

Romjue	Shannon	Cannon	Cochran
Nelson	Wood	Zimmerman	
Duncan	Short	Hennings	
Bell	Williams	Anderson	

MONTANA

	O'Connell	O'Connor	

NEBRASKA

Luckey	Stefan	Binderup	Coffee
McLaughlin			

NEVADA

Scrugham

NEW HAMPSHIRE

	Jenks	Tobey	

NEW JERSEY

Wolverton	Eaton	Kenney	Norton
Wene	McLean	Hartley	Hart
Sutphin	Thomas	O'Neill	
Powers	Seger	Towey	

NEW MEXICO

Dempsey

NEW YORK

Bacon	Dickstein	Fitzpatrick	Taber
Barry	Sullivan	Millard	Cole
Pfeifer	Sirovich	Fish	Wadsworth
Cullen	Boylan	Byrne	Andrews
Evans	O'Connor	Cluett	Beiter
Somers	Peyser	Crowther	Mead
Delaney	Kennedy	Snell	Reed
O'Toole	Bloom	Culkin	Merritt
Keogh	Gavagan	Douglas	O'Day
Celler	Curley	Lord	
O'Leary	Buckley	Hancock	

NORTH CAROLINA

Warren	Cooley	Clark	Bulwinkle
Kerr	Hancock	Lambeth	Weaver
Barden	Umstead	Doughton	

NORTH DAKOTA

	Lemke	Burdick	

OHIO

Dixon	Aleshire	White	Kirwan
Bigelow	Fletcher	Harter	Sweeney
Harlan	Hunter	Secrest	Crosser
Kloeb	Jenkins	Thom	Fieger
Kniffin	Claypool	Ashbrook	McSweeney
Polk	Lamneck	Imhoff	Mosier

OKLAHOMA

Disney	Boren	Johnson	Ferguson
Nichols	Hill	Massingale	Rogers
Cartwright			

OREGON

	Pierce	Honeyman	

PENNSYLVANIA

Sacks	Kinzer	Swope	Allen
McGranery	Boland	Jarrett	Crosby
Bradley	Flannery	Walter	DeMuth
Daly	Gildea	Haines	Quinn
Dorsey	Moser	Gingery	Eberharter
Stack	Rutherford	Snyder	Ellenbogen
Drew	Rich	Faddis	Dunn
Wolfenden	Ditter	Eckert	
Frey	Focht	Gray	

RHODE ISLAND

	Forand	O'Connell	

SOUTH CAROLINA

McMillan	Taylor	Richards	Gasque
Fulmer	Mahon		

SOUTH DAKOTA

	Hildebrandt	Case	

TENNESSEE

Reece	Mitchell	Turner	Cooper
Taylor	Atkinson	Pearson	Chandler
McReynolds			

TEXAS

Patman	Johnson	Lanham	Garrett
Dies	Patton	McFarlane	Jones
Sanders	Thomas	Kleberg	Mahon
Rayburn	Buchanan	West	Maverick
Sumners	Poage	Thomason	South

UTAH

Robinson

VERMONT

Plumley

VIRGINIA

Bland	Drewry	Woodrum	Smith
Hamilton	Burch	Robertson	Flannagan

WASHINGTON

Magnuson	Smith	Leavy	Coffee
Wallgren	Hill		

WEST VIRGINIA

Ramsay	Edmiston	Kee	Smith
Randolph	Johnson		

WISCONSIN

Amlie	Cannon	Boileau	Hull
Sauthoff	O'Malley	Schneider	Gehrmann
Withrow	Reilly		

WYOMING

Greever

The CLERK. The roll call discloses the presence of 419 Members. A quorum is present.

The Clerk will state that credentials, regular in form, have been filed showing the election of ANTHONY J. DIMOND as Delegate from the Territory of Alaska, and of SAMUEL W. KING as Delegate from the Territory of Hawaii.

A Resident Commissioner to the United States from Puerto Rico is elected quadrennially. The Clerk has received a

certificate of election signed by the Governor of Puerto Rico showing the election of SANTIAGO IGLESIAS as such Resident Commissioner for the term of 4 years, beginning January 3, 1937.

Since the regular election of Representatives to the Seventy-fifth Congress one change has occurred, as a result of which a vacancy now exists in the Second Congressional District of the State of Kentucky, occasioned by the death of the late Honorable GLOVER H. CARY.

ELECTION OF SPEAKER

The next business is the election of a Speaker to preside over the Seventy-fifth Congress. Nominations are now in order.

Mr. DOUGHTON. Mr. Clerk, as chairman of the Democratic caucus, I am directed by the unanimous vote of that caucus to present for election to the office of Speaker of the House of Representatives of the Seventy-fifth Congress the name of Hon. WILLIAM B. BANKHEAD, a Representative-elect from the State of Alabama. [Applause.]

The CLERK. Are there further nominations?

Mr. WOODRUFF. Mr. Clerk, by direction and authority of the Republican conference, representing the minority party in this House, I nominate for the office of Speaker of the House of Representatives for the Seventy-fifth Congress Hon. BERTRAND H. SNELL, a Representative-elect from the State of New York. [Applause.]

The CLERK. Are there any further nominations?

Mr. WITHROW. Mr. Clerk, as chairman of the Farmer-Labor-Progressive Party's Conference, I have been directed, and I have the authority, to present to this body as a candidate for the Speakership of the Seventy-fifth Congress Hon. GEORGE J. SCHNEIDER, a Representative-elect from the State of Wisconsin. [Applause.]

The CLERK. Are there any further nominations? If not, the nominations will be closed. Hon. WILLIAM B. BANKHEAD, a Representative-elect from the State of Alabama; Hon. BERTRAND H. SNELL, a Representative-elect from the State of New York; and Hon. GEORGE J. SCHNEIDER, a Representative-elect from the State of Wisconsin, have been placed in nomination. There being no further nominations, the Clerk appoints as tellers to tally the vote the gentlewoman from Indiana, Mrs. JENCKES; the gentleman from Colorado, Mr. MARTIN; the gentleman from Kentucky, Mr. ROBSION; the gentleman from Indiana, Mr. HALLECK; and the gentleman from Minnesota, Mr. BUCKLER. The tellers will please take their places at the desk in front of the Speaker's rostrum.

The tellers having taken their places, the House proceeded to vote viva voce for Speaker. The following is the vote in detail:

[Roll No. 2]

BANKHEAD

Aleshire	Caldwell	Daly	Flannagan
Allen, Del.	Cannon, Mo.	Deen	Flannery
Allen, La.	Cannon, Wis.	Delaney	Fleger
Allen, Pa.	Cartwright	Dempsey	Fletcher
Anderson, Mo.	Casey, Mass.	DeMuth	Forand
Arnold	Celler	DeRouen	Ford, Calif.
Ashbrook	Champion	Dickstein	Ford, Miss.
Atkinson	Chandler	Dies	Frey, Pa.
Barden	Chapman	Dingell	Fries, Ill.
Barry	Citron	Disney	Fuller
Beam	Clark, Idaho	Dixon	Fulmer
Beiter	Clark, N. C.	Dockweiler	Gambrill
Bell	Claypool	Dorsey	Garrett
Biermann	Cochran	Doughton	Gasque
Bigelow	Coffee, Nebr.	Doxey	Gavagan
Binderup	Coffee, Wash.	Drew, Pa.	Gildea
Bland	Colden	Drewry, Va.	Gingery
Bloom	Cole, Md.	Driver	Goldsborough
Boehne	Collins	Duncan	Gray, Ind.
Boland, Pa.	Colmer	Dunn	Gray, Pa.
Boren	Connery	Eberharter	Green
Boyer	Cooley	Eckert	Greenwood
Boylan, N. Y.	Cooper	Edmiston	Greever
Bradley	Costello	Eicher	Gregory
Brooks	Cox	Ellenbogen	Griffith
Brown	Creal	Evans	Griswold
Buchanan	Crosby	Faddis	Haines
Buck	Crosser	Farley	Hamilton
Buckley, N. Y.	Crowe	Ferguson	Hancock, N. C.
Bulwinkle	Cullen	Fernandez	Harlan
Burch	Cummings	Fitzgerald	Harrington
Byrne	Curley	Fitzpatrick	Hart
Harter	Lewis, Md.	O'Neal, Ky.	Strovich
Havenner	Long	O'Neill, N. J.	Smith, Conn.
Healey	Lucas	O'Toole	Smith, Va.
Hendricks	Luckey, Nebr.	Owen	Smith, Wash.
Hennings	Ludlow	Pace	Smith, W. Va.
Higgins	Luecke, Mich.	Palmisano	Snyder, Pa.
Hildebrandt	McAndrews	Parsons	Somers, N. Y.
Hill, Ala.	McClellan	Patman	South
Hill, Okla.	McCormack	Patrick	Sparkman
Hill, Wash.	McFarlane	Patterson	Spence
Hobbs	McGehee	Patton	Stack
Honeyman	McGranery	Pearson	Starnes
Hook	McGrath	Peterson, Fla.	Steagall
Houston	McGroarty	Peterson, Ga.	Sullivan
Hunter	McKeough	Pettengill	Sumners, Tex.
Imhoff	McLaughlin	Peyser	Sutphin
Izac	McMillan	Pfeifer	Sweeney
Jacobsen	McReynolds	Phillips	Swope
Jarman	McSweeney	Pierce	Tarver
Jenckes, Ind.	Magnuson	Poage	Taylor, Colo.
Johnson, Okla.	Mahon, S. C.	Polk	Taylor, S. C.
Johnson, Tex.	Mahon, Tex.	Quinn	Terry
Johnson, W. Va.	Maloney	Rabaut	Thom
Jones	Martin, Colo.	Ramsay	Thomas, Tex.
Kee	Massingale	Ramspeck	Thomason, Tex.
Keller	Maverick	Randolph	Thompson, Ill.
Kelly, Ill.	May	Rankin	Tolan
Kelly, N. Y.	Mead	Rayburn	Towey
Kennedy, Md.	Merritt	Reilly	Transue
Kennedy, N. Y.	Miller	Richards	Turner
Kenney	Mills	Rigney	Umstead
Keogh	Mitchell, Ill.	Robertson	Vinson, Ga.
Kerr	Mitchell, Tenn.	Robinson, Utah	Vinson, Ky.
Kirwan	Moser, Pa.	Rogers, Okla.	Voorhis
Kitchens	Mosier, Ohio	Romjue	Wallgren
Kleberg	Mouton	Ryan	Walter
Kloeb	Murdock, Ariz.	Sabath	Warren
Kniffin	Nelson	Sacks	Wearin
Kocialkowski	Nichols	Sadowski	Weaver
Kopplemann	Norton	Sanders	Wene
Kramer	O'Brien, Ill.	Schaefer, Ill.	West
Lambeth	O'Brien, Mich.	Schuetz	Whelchel
Lamneck	O'Connell, Mont.	Schulte	White, Idaho
Lanham	O'Connell, R. I.	Scott	Whittington
Larrabee	O'Connor, Mont.	Scrugham	Wilcox
Lea	O'Connor, N. Y.	Secrest	Williams
Leavy	O'Day	Shanley	Wood
Lesinski	O'Leary	Shannon	Woodrum
Lewis, Colo.	O'Malley	Sheppard	Zimmerman

SNELL

Allen, Ill.	Eaton	Lambertson	Seger
Andrews	Engel	Lord	Shafer, Mich.
Arends	Englebright	Luce	Short
Bacon	Fish	McLean	Smith, Maine
Bates	Focht	Maas	Stefan
Brewster	Gearhart	Mapes	Taber
Carlson	Gifford	Martin, Mass.	Taylor, Tenn.
Carter	Gilchrist	Mason	Thomas, N. J.
Case, S. Dak.	Guyer	Michener	Thurston
Church	Gwynne	Millard	Tinkham
Clason	Halleck	Oliver	Tobey
Cluett	Hancock, N. Y.	Plumley	Treadway
Cole, N. Y.	Hartley	Powers	Wadsworth
Crawford	Hoffman	Reece, Tenn.	Welch
Crowther	Holmes	Reed, Ill.	White, Ohio
Culkin	Hope	Reed, N. Y.	Wigglesworth
Dirksen	Jarrett	Rees, Kans.	Wolcott
Ditter	Jenkins, Ohio	Rich	Wolfenden
Dondero	Jenks, N. H.	Robsion, Ky.	Wolverton
Douglas	Kinzer	Rogers, Mass.	Woodruff
Dowell	Knutson	Rutherford	

SCHNEIDER of Wisconsin

Amlie	Buckler, Minn.	Johnson, Minn.	Teigan
Bernard	Gehrmann	Sauthoff	Withrow
Bolleau	Hull		

CRAWFORD

Burdick	Lemke

ANSWERED "PRESENT"

Bankhead	Schneider, Wis.	Snell

The CLERK. The tellers agree in their tally. The total number of votes cast is 421, of which Hon. WILLIAM B. BANKHEAD has received 324 votes and Hon. BERTRAND H. SNELL has received 83 votes; Hon. GEORGE J. SCHNEIDER has received 10 votes and Hon. FRED L. CRAWFORD 2 votes. Three Members vote "present." Therefore, Hon. WILLIAM B. BANKHEAD, a Representative-elect from the State of Alabama, having received a majority of all of the votes cast, is duly elected Speaker of the House of Representatives for the Seventy-fifth Congress.

The gentleman from New York, Mr. SNELL; the gentleman from Wisconsin, Mr. SCHNEIDER; the gentleman from New York, Mr. O'CONNOR; and the gentleman from Alabama, Mr. STEAGALL, will please conduct the Speaker-elect to the chair.

PRESENTATION OF THE SPEAKER-ELECT

The committee appointed by the Clerk escorted Mr. BANKHEAD to the chair.

Mr. SNELL. Members of the Seventy-fifth Congress, it is my high privilege and honor at this time to present your newly elected Speaker. In my judgment, there is no higher legislative position in the gift of the American people. No man ever rises to this position by mere chance and accident. It is the result of long, hard work and experience in the House of Representatives. He must also prove to his colleagues that he has the ability, character, and sound judgment to well administer the tedious, exacting duties of Speaker of this House.

Mr. Speaker BANKHEAD, your long service on the Committee on Rules, your succesful majority leadership, together with your fine mental attainments, richly endow you with all the qualifications necessary to well and successfully perform the duties of this great office. We know that you will be just and fair to all of us. We also believe that during your service you will add not only respect and honor to yourself but to the great party you represent. And at this time I want to present to you my warm personal congratulations; and in behalf of the membership of the House of Representatives, your colleagues on each side of the aisle, we wish you every success and happiness in the performance of the duties of this office.

To the Members of the House I now have the honor of presenting your Speaker, the Honorable WILLIAM B. BANKHEAD, a Representative from the State of Alabama. [Applause.]

The SPEAKER-ELECT. Mr. Minority Leader and Members of the Seventy-fifth Congress, I am, of course, very deeply and very profoundly grateful to my good and beloved friend the distinguished gentleman from New York [Mr. SNELL], the able minority leader of the last Congress and of this Congress, for the very cordial and complimentary fashion in which he has presented me to you as Speaker of the Seventy-fifth Congress.

I have been associated with Mr. SNELL in the House of Representatives for a fifth of a century, and although it is not my practice ever to engage in fulsome flattery or praise of any kind, I think that all Members who have been associated here with him for a number of years will bear testimony to the fact that he is a man of the highest character, of the greatest probity, of fine intellectual capacity, and, above all other things, whenever BERT SNELL makes a verbal agreement with reference to any parliamentary procedure, it is not necessary to reduce it to writing. [Applause.]

If I may speak a little in a vein of reminiscence upon this occasion, I feel very profoundly indebted to him with reference to a certain species of parliamentary education which he taught me. [Laughter.]

A number of years ago, and it has not been so very long ago, the Republican Party was in charge of the House of Representatives, and the distinguished gentleman from New York was the chairman of the so-called powerful Committee on Rules. Some of you may have noticed in the public press or heard upon the floor of this House something about a thing called "gag rule." [Laughter.] When Mr. SNELL was chairman of that Republican Rules Committee and brought upon the floor of this House so-called gag rules which, it appeared to me, stripped minority Members of every vestige of constitutional and parliamentary power [laughter], I was one of the foremost to pour out upon him and his associates the vials of my wrath, and almost felt justified not only in criticizing the rule but holding him up to the execration of mankind.

Then the tide of political fortunes changed, as they have a habit of doing sometimes in this country, especially in the past few years, and I became chairman of the Committee on Rules. In order to expedite what we conceived to be some legitimate party programs, I occasionally brought in here, as chairman of that committee, some innocent little rules [laughter] of the same nature. Thereupon the distinguished gentleman from New York, in an almost apoplectic frame of mind, would absolutely tear to pieces that rapine of every parliamentary decency. [Laughter.]

So I am reminded of the old Latin maxim, "Tempora mutantur, et nos mutamur in illis"—"Times change and we change with them." [Applause and laughter.]

I am in the position here this afternoon which I undertook to express in the Democratic caucus yesterday afternoon, after my party associates had so generously bestowed upon me the unanimous nomination for this position. I think I shall repeat that, because it expresses my feelings here.

No man who has been in public life, when some particular kindness has been bestowed upon him, when he has been made the mark of some particular manifestation of regard and esteem upon the part of his associates, has not felt absolutely incapable, in mere words, to express genuinely and truly the emotions of gratitude and appreciation that well up in his heart. I find myself in that situation now.

I cannot forget, my friends, the very tragical and distressing circumstances under which I succeeded to this place, and I do not think that it will be amiss upon this occasion—although later adequate memorial services will be held to his memory—to say that out of devotion to his friendship and in admiration for the invaluable public service of my predecessor, the late lamented and beloved Joseph W. Byrns [applause], I cannot but feel that somehow and in some way his spiritual presence and his solicitude still abide within this Chamber.

I thank you, my friends, for this generous manifestation of your confidence and your esteem. I think that it may be properly said that the House of Representatives of the Congress of the United States is certainly one of the greatest deliberative bodies upon the face of this earth. I fully realize, after long observation of the post, the exactions that fall upon the proper execution of the labors of the Speaker, the kind of diligence that he must exercise, the prudence that he must always observe in his decisions, the industry that he must apply to the complicated problems of legislation with which in large measure he is confronted, and at the same time to be fair, courteous, and equitable not only to every segment of public opinion in the House, but particularly meticulous and scrupulous in observing the rights of every individual Member, particularly those upon the minority side.

I realize that some great men have been my predecessors in this position, and I fully realize my inadequacy to measure up to their fine abilities and to the noble traditions they have handed down to those who shall stand in this place. I think it unwise and improper for any incumbent upon taking office to make too many promises, and I shall withhold making any this morning, save to say to you that I shall, in the performance of this duty and responsibility which you have entrusted to me, at all times endeavor to be just and fair and equitable, and to attempt to the very utmost of my limited ability, with the help of God, my Creator, to try to measure up to the illustrious traditions that have been handed down to me by those great predecessors whose portraits hang in the outer corridor. To this end I ask, and I know that I shall receive, your generous cooperation upon both sides of the aisle. [Applause.]

I am now prepared to take the oath of office, and I request that the dean of the House, the gentleman from Illinois [Mr. SABATH], administer the oath. [Applause.]

Mr. SABATH then administered the oath of office to the Speaker.

SWEARING IN OF THE MEMBERS

The SPEAKER. Some years ago a precedent which had theretofore existed of having the oath administered to Members by States was discontinued and a precedent set whereby all Members took the oath of office at one and the same time. in order to avoid confusion the Chair thinks it best to follow the latter precedent, and the Chair asks each Member of the House and each Delegate to rise in his place while the Chair administers the oath of office.

Mr. O'CONNOR of New York. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. O'CONNOR of New York. Mr. Speaker, I ask that the gentleman from New Hampshire [Mr. JENKS] stand aside.

Despite the fact that a certificate of his election has been filed with the Speaker, it may be impeached by certain facts which tend to show that he has not received a plurality of the votes duly cast in that congressional district.

The SPEAKER. The gentleman from New Hampshire will stand aside momentarily.

Mr. SNELL. Mr. Speaker, I have no objection to the gentleman from New Hampshire standing aside at this time, but it is with the definite understanding that in doing this he yields none of his rights or privileges as a Member of this House or the right of taking the oath of office at this time.

The rules and precedents of the House provide that every man who is duly qualified shall take the oath of office at the beginning of the Congress. Our rules provide that qualification is shown by a duly authenticated certificate from the Governor of the State. The gentleman from New Hampshire, Mr. JENKS, has such a certificate and it has been filed with the Clerk of the House.

The laws of the State of New Hampshire provide that a ballot commission is the final adjudicator in regard to these matters.

Mr. O'CONNOR of New York. Mr. Speaker, will the gentleman yield?

Mr. SNELL. Just a moment. I do not yield.

Mr. O'CONNOR of New York. Mr. Speaker, I make the point of order that at this particular time the matter is not debatable.

Mr. SNELL. I know the gentleman from New York wants to be fair and right in this matter. He has asked that the gentleman from New Hampshire stand aside, and I have a perfect right to make a statement.

Mr. O'CONNOR of New York. Not at this time. The gentleman may make his statement later.

Mr. SNELL. I think I have the right to make this statement now and under the circumstances should be allowed to make it.

The SPEAKER. The request made by the gentleman from New York was that the gentleman holding certificate of election from the State of New Hampshire stand aside momentarily.

The Chair is of the opinion that he waives no rights and just as soon as the other Members take the oath the matter can be settled.

Mr. SNELL. Mr. Speaker, I thought it proper for me to make a reasonable statement at this time. It has always been so considered by the House. But if the Speaker and the gentleman from New York [Mr. O'CONNOR] decide I should not do so, I relinquish the floor because I know what I do now must be by unanimous consent and will present a resolution later.

The SPEAKER. The Chair will recognize the gentleman later if he desires to extend his argument.

The Members-elect and the Delegates arose and the Speaker administered the oath of office.

HON. ARTHUR B. JENKS, MEMBER-ELECT, HOUSE OF REPRESENTATIVES

Mr. SNELL. Mr. Speaker, I offer a resolution, which I send to the desk.

The Clerk read the resolution, as follows:

Resolution offered by Mr. SNELL:

House Resolution 1

Resolved, That the gentleman from New Hampshire be now permitted to take the oath of office.

The resolution was agreed to.

Mr. JENKS of New Hampshire appeared at the bar of the House and took the oath of office.

ELECTION OF OFFICERS

Mr. DOUGHTON. Mr. Speaker, I offer a resolution, which I send to the Clerk's desk, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

House Resolution 2

Resolved, That South Trimble, of the State of Kentucky, be, and he is hereby, chosen the Clerk of the House of Representatives;

That Kenneth Romney, of the State of Montana, be, and he is hereby, chosen Sergeant at Arms of the House of Representatives;

That Joseph J. Sinnott, of the State of Virginia, be, and he is hereby, chosen Doorkeeper of the House of Representatives;

That Finis E. Scott, of the State of Tennessee, be, and he is hereby, chosen Postmaster of the House of Representatives; and

That Rev. James Shera Montgomery, D. D., of the District of Columbia, be, and he is hereby, chosen Chaplain of the House of Representatives.

Mr. SNELL. Mr. Speaker, I request that the resolution be divided, that the election of a Chaplain be voted upon separately, and that this vote be taken first. I shall then present a substitute resolution.

The SPEAKER. The gentleman from New York is entitled to a division on the election of the Reverend James Shera Montgomery as Chaplain of the House of Representatives.

The resolution was divided; the question was taken, and Rev. James Shera Montgomery, D. D., was elected Chaplain of the House of Representatives for the Seventy-fifth Congress.

Mr. SNELL. Mr. Speaker, I offer a substitute resolution for the resolution offered by the gentleman from North Carolina [Mr. DOUGHTON], which I send to the Clerk's desk.

The Clerk read the substitute resolution, as follows:

Resolved, That William Tyler Page, of the State of Maryland, be, and he is hereby, chosen Clerk of the House of Representatives;

That Joseph G. Rodgers, of the State of Pennsylvania, be, and he is hereby, chosen Sergeant at Arms of the House of Representatives;

That John Andrews, of the State of Massachusetts, be, and he is hereby, chosen Doorkeeper of the House of Representatives;

That Frank W. Collier, of the State of Wisconsin, be, and he is hereby, chosen Postmaster of the House of Representatives.

The substitute resolution was rejected.

The SPEAKER. The question is on the resolution offered by the gentleman from North Carolina [Mr. DOUGHTON].

The resolution was agreed to.

Mr. South Trimble, Mr. Kenneth Romney, Mr. Joseph J. Sinnott, Mr. Finis E. Scott, and the Reverend James Shera Montgomery, D. D., appeared at the bar of the House and the oath of office was administered to them by the Speaker.

NOTIFICATION OF SENATE OF ORGANIZATION OF THE HOUSE

Mr. DOUGHTON. Mr. Speaker, I offer a resolution, which I send to the Clerk's desk, and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 3

Resolved, That a message be sent to the Senate to inform that body that a quorum of the House of Representatives has assembled; that WILLIAM B. BANKHEAD, a Representative from the State of Alabama, has been elected Speaker, and South Trimble, a citizen of the State of Kentucky, Clerk, of the House of Representatives of the Seventy-fifth Congress.

The resolution was agreed to.

COMMITTEE TO NOTIFY THE PRESIDENT OF THE UNITED STATES

Mr. RAYBURN. Mr. Speaker, I offer a resolution, which I send to the Clerk's desk.

The Clerk read the resolution, as follows:

House Resolution 13

Resolved, That a committee of three members be appointed by the Speaker on the part of the House of Representatives to join with the committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled, and that Congress is ready to receive any communication that he may be pleased to make.

The resolution was agreed to.

The SPEAKER. The Chair appoints as members of the committee to join with the committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled and that the Congress is ready to receive any communication he may be pleased to make, the gentleman from Colorado, Mr. TAYLOR, the gentleman from North Carolina, Mr. DOUGHTON, and the gentleman from New York, Mr. SNELL.

NOTIFICATION OF ELECTION OF SPEAKER AND CLERK

Mr. RAYBURN. Mr. Speaker, I offer a resolution, which I send to the Clerk's desk.

The Clerk read as follows:

House Resolution 14

Resolved, That the Clerk be instructed to inform the President of the United States that the House of Representatives has elected WILLIAM B. BANKHEAD, a Representative from the State of Alabama, Speaker, and South Trimble, a citizen of the State of Kentucky, Clerk of the House of Representatives of the Seventy-fifth Congress.

The resolution was agreed to.

COMMITTEE ON APPROPRIATIONS

Mr. BUCHANAN. Mr. Speaker, I offer a resolution.

The Clerk read as follows:

House Resolution 15

Resolved, That the Committee on Appropriations and the subcommittees thereof be authorized to sit during sessions and recesses of the Seventy-fifth Congress.

The resolution was agreed to.

JOHN ANDREWS, MINORITY EMPLOYEE

Mr. SNELL. Mr. Speaker, I offer a resolution, which I send to the desk.

The Clerk read as follows:

House Resolution 16

Resolved, That under authority of the act making appropriations for the legislative establishment for the fiscal year 1937, John Andrews is hereby named as a minority employee, as successor to Bert W. Kennedy.

The resolution was agreed to.

RECESSES OF THE HOUSE

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that, notwithstanding the rules of the House, it may be in order during the balance of the week to move that the House stand in recess.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ANNOUNCEMENT

Mr. RAYBURN. Mr. Speaker, for fear the House may adjourn suddenly, I wish to announce that immediately upon the adjournment of the House today the Democrats will have a caucus in this room.

COMMITTEE TO NOTIFY THE PRESIDENT

Mr. DOUGHTON. Mr. Speaker, your committee appointed on the part of the House to join a committee on the part of the Senate to wait upon the President of the United States and notify him that a quorum of the two Houses is assembled and that Congress is ready to receive any communication that he may be pleased to make, performed its duty. The President asked us to report that he will be pleased to deliver his message tomorrow at 2 p. m. to a joint session of the two Houses.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Crockett, its Chief Clerk, announced that the Senate had passed concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. Con. Res. 1. Concurrent resolution providing for a joint session of the two Houses of Congress on Wednesday, January 6, 1937, to receive such communication as the President of the United States shall be pleased to make to them; and

S. Con. Res. 2. Concurrent resolution providing for a joint session of the two Houses of Congress on Wednesday, January 6, 1937, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States and authorizing the appointment of tellers to ascertain and announce the result of such election.

The message also announced that the Senate had passed the following resolutions:

Senate Resolution 1

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. LOUIS MURPHY, late a Senator from the State of Iowa.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

Senate Resolution 2

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. JAMES COUZENS, late a Senator from the State of Michigan.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

Senate Resolution 3

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. PETER NORBECK, late a Senator from the State of South Dakota.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

Senate Resolution 4

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

In compliance with the foregoing, the Vice President appointed as said committee Mr. ROBINSON and Mr. MCNARY.

Senate Resolution 5

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

JOINT SESSION TO COUNT ELECTORAL VOTES

Mr. RAYBURN. Mr. Speaker, I call up the concurrent resolution (S. Con. Res. 2) just received from the Senate for immediate consideration.

The Clerk read the concurrent resolution, as follows:

Senate Concurrent Resolution 2

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall meet in the Hall of the House of Representatives on Wednesday, the 6th day of January 1937, at 1 o'clock p. m., pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President of the Senate shall be their presiding officer; that two tellers shall be previously appointed by the President of the Senate on the part of the Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter A; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

The concurrent resolution was agreed to.

The SPEAKER. Pursuant to the provisions of Resolution No. 2, the Chair appoints as tellers on the part of the House to count the electoral vote the gentleman from Ohio [Mr. FLETCHER] and the gentleman from Massachusetts [Mr. TINKHAM].

JOINT SESSION

Mr. RAYBURN. Mr. Speaker, I call up Senate Concurrent Resolution 1.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress assemble in the Hall of Representatives on Wednesday, the 6th day of January 1937, at 2 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

The resolution was agreed to.

THE RULES

Mr. O'CONNOR of New York. Mr. Speaker, I offer the following resolution and move its adoption.

The Clerk read as follows:

House Resolution 17

Resolved, That the rules of the Seventy-fourth Congress be, and they are hereby, adopted as the rules of the Seventy-fifth Congress.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. BOILEAU), there were 285 ayes and 31 noes.

So the resolution was agreed to.

HOUR OF MEETING

Mr. O'CONNOR of New York. Mr. Speaker, I offer the following resolution and move its adoption.

The Clerk read as follows:

House Resolution 18

That until otherwise ordered, the daily hour of meeting of the House of Representatives shall be at 12 o'clock meridian.

The resolution was agreed to.

ELECTION OF COMMITTEES

Mr. DOUGHTON. Mr. Speaker, I present the following House resolution.

The Clerk read as follows:

House Resolution 19

Resolved, That the following Members be, and they are hereby, elected members of the standing committees of the House of Representatives, as follows:

Ways and Means: Robert L. Doughton (chairman), North Carolina; Thomas H. Cullen, New York; Christopher D. Sullivan, New York; Morgan G. Sanders, Texas; John W. McCormack, Massachusetts; David J. Lewis, Maryland; Fred M. Vinson, Kentucky; Jere Cooper, Tennessee; John W. Boehne, Jr., Indiana; Claude A. Fuller, Arkansas; Wesley E. Disney, Oklahoma; Arthur P. Lamneck, Ohio; Frank H. Buck, California; Richard M. Duncan, Missouri; Chester Thompson, Illinois; John D. Dingell, Michigan; A. Willis Robertson, Virginia.

Appropriations: James P. Buchanan (chairman), Texas; Edward T. Taylor, Colorado; Clarence Cannon, Missouri; Clifton A. Woodrum, Virginia; John J. Boylan, New York; Louis Ludlow, Indiana; Thomas S. McMillan, South Carolina; Malcolm C. Tarver, Georgia; Jed Johnson, Oklahoma; J. Buell Snyder, Pennsylvania; William B. Umstead, North Carolina; William R. Thom, Ohio; John F. Dockweiler, California; James McAndrews, Illinois; Emmet O'Neal, Kentucky; George W. Johnson, West Virginia; James G. Scrugham, Nevada; James M. Fitzpatrick, New York; Louis C. Rabaut, Michigan.

Foreign Affairs: Sam D. McReynolds (chairman), Tennessee; Sol Bloom, New York; Luther A. Johnson, Texas; J. Walter Lambeth, North Carolina; Finly H. Gray, Indiana; Frank L. Kloeb, Ohio; Millard F. Caldwell, Florida; John Kee, West Virginia; Lawrence E. Imhoff, Ohio; Oliver W. Frey, Pennsylvania; James P. Richards, South Carolina; Thomas C. Hennings, Jr., Missouri; James A. Shanley, Connecticut; Joseph L. Pfeifer, New York.

Election of President, Vice President, and Representatives in Congress: Brooks Fletcher (chairman), Ohio; Leo Kocialkowski, Illinois; Caroline O'Day, New York; Joseph Gray, Pennsylvania; Phil Ferguson, Oklahoma; Edward W. Curley, New York.

Rules: John O'Connor (chairman), New York; Adolph J. Sabath, Illinois; Arthur H. Greenwood, Indiana; E. E. Cox, Georgia; William J. Driver, Arkansas; Howard W. Smith, Virginia; J. Bayard Clark, North Carolina; Martin Dies, Texas; Byron B. Harlan, Ohio; Lawrence Lewis, Colorado.

The SPEAKER. The question is on the adoption of the resolution.

The resolution was agreed to.

PRINTING AND BINDING

The SPEAKER. The Clerk will report a resolution offered by the gentleman from Texas [Mr. RAYBURN], with reference to printing.

The Clerk read as follows:

House Resolution 20

Resolved, That the standing committees of the House of Representatives and the floor leaders are hereby authorized to have such printing and binding done as may be actually necessary for the transaction of their official business during the Seventy-fifth Congress.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

MAJORITY AND MINORITY FLOOR LEADERS

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. DOUGHTON. Mr. Speaker, the Democratic caucus at a meeting yesterday elected Hon. SAM RAYBURN, of Texas, as floor leader of the Seventy-fifth Congress. [Applause.]

Mr. WOODRUFF. Mr. Speaker, I take this opportunity to announce that by the authority and direction of the Republican conference the honorable gentleman from New York, Mr. BERTRAND H. SNELL, has been selected as minority leader of this House. [Applause.]

Mr. WITHROW. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. WITHROW. Mr. Speaker, I announce to the House that the Farmer-Labor-Progressive Party's conference by unanimous consent selected Hon. GERALD J. BOILEAU, of Wisconsin, as floor leader for the Seventy-fifth Congress. [Applause.]

EXTENSION OF REMARKS

Mr. SHANNON. Mr. Speaker, I ask unanimous consent to insert in the RECORD a speech delivered by myself in Washington, D. C., on December 15, 1936.

The SPEAKER. Is there objection?

There was no objection.

LEAVES OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. KVALE, on account of illness.

To Mr. MANSFIELD, on account of death in his family.

To Mr. LANZETTA, for an indefinite period, on account of illness.

To Mr. CRAVENS, for an indefinite period, on account of illness.

Mr. DUNN. Mr. Speaker, I ask unanimous consent for a few days of absence on account of death in my family.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Chair takes this occasion to announce to the gentleman from Pennsylvania [Mr. DUNN], and for the information of all new Members of the House, that requests for leave of absence for any purpose may be filed in writing on the right of the Chair with the Clerk, and they will be submitted by the Chair to the House before adjournment each day. It is not necessary to make a personal request from the floor.

THE LATE SENATOR LOUIS MURPHY

Mr. BIERMANN. Mr. Speaker, I present the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 21

Resolved, That the House has heard with profound sorrow of the death of Hon. LOUIS MURPHY, a Senator from the State of Iowa.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

THE LATE SENATOR JAMES COUZENS

Mr. MAPES. Mr. Speaker, I present the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 22

Resolved, That the House has heard with profound sorrow of the death of Hon. JAMES COUZENS, a Senator from the State of Michigan.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

THE LATE REPRESENTATIVE BERNHARD M. JACOBSEN

Mr. EICHER. Mr. Speaker, I offer the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 23

Resolved, That the House has heard with profound sorrow of the death of Hon. BERNHARD M. JACOBSEN, a Representative from the State of Iowa.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

THE LATE SENATOR PETER NORBECK

Mr. CASE of South Dakota. Mr. Speaker, I offer the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 24

Resolved, That the House has heard with profound sorrow of the death of Hon. PETER NORBECK, a Senator from the State of South Dakota.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

THE LATE REPRESENTATIVE MARION A. ZIONCHECK

Mr. WALLGREN. Mr. Speaker, I offer the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 25

Resolved, That the House has heard with profound sorrow of the death of Hon. MARION A. ZIONCHECK, a Representative from the State of Washington.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

THE LATE REPRESENTATIVE WARREN J. DUFFEY

Mr. CROSSER. Mr. Speaker, I offer the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 26

Resolved, That the House has heard with profound sorrow of the death of Hon. WARREN J. DUFFEY, a Representative from the State of Ohio.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

THE LATE REPRESENTATIVE GLOVER H. CARY

Mr. VINSON of Kentucky. Mr. Speaker, I offer the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 27

Resolved, That the House has heard with profound sorrow of the death of Hon. GLOVER H. CARY, a Representative from the State of Kentucky.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

THE LATE REPRESENTATIVE WILLIAM V. GREGORY

Mr. CHAPMAN. Mr. Speaker, I offer the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 28

Resolved, That the House has heard with profound sorrow of the death of Hon. WILLIAM V. GREGORY, a Representative from the State of Kentucky.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

THE LATE REPRESENTATIVE JOHN J. M'SWAIN

Mr. MAHON of South Carolina. Mr. Speaker, I offer the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 29

Resolved, That the House has heard with profound sorrow of the death of Hon. JOHN J. MCSWAIN, a Representative from the State of South Carolina.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, as a further mark of respect, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 21 minutes p. m.), the House adjourned until tomorrow, Wednesday, January 6, 1937, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 6, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Ash Creek, Conn., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

2. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 6, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Blaine Harbor, Wash., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

3. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 6, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Aguadilla Harbor, P. R., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

4. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 6, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Boston Canal, Vermilion Parish, La., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

5. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 6, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Alsea Bay, Oreg., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

6. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 6, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Boston Harbor, Mass.; navigable waters adjacent to the shores of Winthrop and East Boston, authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

7. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 6, 1936, submitting a report, together with accompanying papers, on a preliminary examination of waterway from Banana River to Mosquito Lagoon, Merritt Island, Fla., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

8. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 6, 1936, submitting a report, together with accompanying papers, on a preliminary examination and survey of Barcelona Harbor, N. Y., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

9. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 6, 1936, submitting a report, together with accompanying papers, on a preliminary examination of mouth of Black River, or Little Girls Point (Ohmans Creek), Gogebic County, Mich., and of mouth of Black River and at Little Girls Point (Ohmans Creek), Gogebic County, Mich., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

10. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 6, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Bagaduce River, Maine, authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

11. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 6, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Broadwater Creek, Md., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

12. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 6, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Bete Grise Bay, Mich., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

13. A letter from the Chairman, Reconstruction Finance Corporation, transmitting report covering the operations for the second quarter of the year 1936 (H. Doc. No. 83); to the Committee on Banking and Currency and ordered to be printed.

14. A letter from the Chairman, Reconstruction Finance Corporation, transmitting report covering the operations for the first quarter of the year 1936 (H. Doc. No. 82); to the Committee on Banking and Currency and ordered to be printed.

15. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the annual report of the Federal Deposit Insurance Corporation for the year ending December 31, 1935; to the Committee on Banking and Currency.

16. A letter from the Chairman of the Federal Trade Commission, transmitting a report of the Federal Trade Commission with respect to the sale and distribution of milk and milk products in the New York milkshed, and the operations of Nation-wide processors and distributors of milk and milk products with headquarters in New York City (H. Doc. No. 95); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

17. A letter from the Secretary of the Department of the Navy, transmitting a report of accessories purchased by the Navy Department pursuant to section 10 of the act during the fiscal year ended June 30, 1936, the prices therefor and the reason for the award in each case; to the Committee on Expenditures in the Executive Departments.

18. A letter from the Secretary of Commerce, transmitting a report pursuant to House Report No. 3080, Seventy-fourth Congress, second session; to the Committee on the Disposition of Executive Papers.

19. A letter from the Secretary of the War Department, transmitting a letter from the Chief of Ordnance, United States Army, dated October 31, 1936, forwarding statements of the cost of manufacture at the armory and arsenals named therein for the fiscal year ending June 30, 1936; to the Committee on Expenditures in the Executive Departments.

20. A letter from the Secretary of the War Department, transmitting the report of the American Red Cross for the fiscal year ending June 30, 1936; to the Committee on Military Affairs.

21. A letter from the Acting Secretary of the Department of the Interior, transmitting one copy of the budget for the municipality of St. Croix for the fiscal year July 1, 1936, to June 30, 1937, approved by the Governor of the Virgin Islands on July 1, 1936; to the Committee on Insular Affairs.

22. A letter from the Acting Secretary of the Department of the Interior, transmitting one copy, together with justification, of the following legislation passed by the Municipal Council of St. Thomas and St. John at extraordinary meetings held June 23 and June 29, 1936, and approved by the Governor of the Virgin Islands on June 25 and June 30, 1936, respectively; to the Committee on Insular Affairs.

23. A letter from the Acting Secretary of the Department of the Interior, transmitting one copy, together with justification, of the following legislation passed by the Municipal Council of St. Croix and approved by the Governor of the Virgin Islands; to the Committee on Insular Affairs.

24. A letter from the Acting Secretary of the Department of the Interior, transmitting one copy, together with justification, of the following legislation passed by the Municipal Council of St. Thomas and St. John at a meeting held October 8, 1936; to the Committee on Insular Affairs.

25. A letter from the Secretary of the Department of the Interior, transmitting one copy, together with justification, of the following legislation passed by the Municipal Council of St. Croix at an extraordinary meeting held August 25, 1936; to the Committee on Insular Affairs.

26. A letter from the Secretary of the Department of the Interior, transmitting one copy, together with justification, of the following legislation passed by the Municipal Council of St. Thomas and St. John at an extraordinary meeting held August 24, 1936; to the Committee on Insular Affairs.

27. A letter from the Acting Secretary of the Department of the Interior, transmitting one copy, together with jurisdiction, of the following legislation passed by the Municipal Council of St. Thomas and St. John at an extraordinary meeting held September 10, 1936; to the Committee on Insular Affairs.

28. A letter from the Secretary of the Department of the Interior, transmitting one copy, together with jurisdiction, of the following legislation passed by the Municipal Council of St. Croix at an extraordinary meeting held August 5, 1936; to the Committee on Insular Affairs.

29. A letter from the Secretary of the Department of the Interior, transmitting one copy, together with jurisdiction, of the following legislation passed by the Municipal Council of St. Thomas and St. John at extraordinary meeting held July 23, 1936, and July 30, 1936; to the Committee on Insular Affairs.

30. A letter from the Acting Secretary of the Department of the Interior, transmitting a statement consisting of five schedules of cost, cancelations, and other data with respect to Indian irrigation projects as compiled to the end of the fiscal year June 30, 1936; to the Committee on Insular Affairs.

31. A letter from the Acting Secretary of the Department of the Interior, transmitting one copy, together with jurisdiction, of the following legislation passed by the Municipal Council of St. Croix and approved by the Governor of the Virgin Islands; to the Committee on Insular Affairs.

32. A letter from the Acting Secretary of the Department of the Interior, transmitting one copy, together with jurisdiction, of the following legislation passed by the Municipal Council of St. Thomas and St. John at an extraordinary meeting held September 10, 1936, and approved by the Governor of the Virgin Islands on September 16, 1936; to the Committee on Insular Affairs.

33. A letter from the Acting Secretary of the Department of the Interior, transmitting one copy, together with jurisdiction, of the following legislation passed by the Municipal Council of St. Croix at an extraordinary meeting held August 26, 1936, and approved by the Governor of the Virgin Islands on September 5, 1936; to the Committee on Insular Affairs.

34. A letter from the Acting Secretary of the Department of the Interior, transmitting one copy, together with jurisdiction, of the following legislation passed by the Municipal Council of St. Croix at a meeting held June 3, June 30, and July 8, 1936; to the Committee on Insular Affairs.

35. A letter from the Acting Secretary of the Department of the Interior, transmitting one copy, together with justification, of the following legislation passed by the Municipal Council of St. Thomas and St. John at an extraordinary

meeting held September 10, 1936, and approved by the Governor on September 14, 1936; to the Committee on Insular Affairs.

36. A letter from the Acting Secretary of the Department of the Interior, transmitting one copy, together with justification, of legislation passed by the Municipal Council of St. Thomas and St. John at an extraordinary meeting held June 29, 1936; to the Committee on Insular Affairs.

37. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 7, 1936, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey of Rocky River Harbor, Ohio, authorized by the River and Harbor Act approved August 30, 1935 (H. Doc. No. 70); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

38. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 24, 1936, submitting a report, together with accompanying papers and illustrations, on studies and investigations of beach erosion at Manasquan Inlet, N. J., and adjacent beaches, made by the Beach Erosion Board, in cooperation with the State of New Jersey, acting through the Department of Commerce and Navigation, as authorized by the River and Harbor Act approved July 30, 1936 (H. Doc. No. 71); to the Committee on Rivers and Harbors and ordered to be printed, with 19 illustrations.

39. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated September 21, 1936, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey of waterway from Little Annemessex River to Tangier Sound, Md., by way of Cedar Creek, a land cut, and Flat Cap Creek, authorized by the River and Harbor Act approved August 30, 1935 (H. Doc. No. 72); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

40. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated October 5, 1936, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey of Back Creek, Anne Arundel County, Md., authorized by the River and Harbor Act approved August 30, 1935 (H. Doc. No. 73); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

41. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 12, 1936, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey of Onancock River, Va., authorized by the River and Harbor Act approved August 30, 1935 (H. Doc. No. 74); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

42. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 12, 1936, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey of (Little) Island Creek, Talbot County, Md., authorized by the River and Harbor Act approved August 30, 1935 (H. Doc. No. 75); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

43. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 24, 1936, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey of Upper Thoroughfare, Deals Island, Md., authorized by the River and Harbor Act approved August 30, 1935 (H. Doc. No. 76); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

44. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 24, 1936, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey of Milford Harbor, Conn., authorized by the River and Harbor Act approved August 30, 1935 (H. Doc. No. 77); to the Committee on Rivers and Harbors and ordered to be printed.

45. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 11, 1936, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey of waterway from White Lake to Pecan Island, La., authorized by the River and Harbor Act approved August 30, 1935 (H. Doc. No. 78); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

46. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 10, 1936, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey of Westport Slough, Oreg., authorized by the River and Harbor Act approved August 30, 1935 (H. Doc. No. 79); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

47. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 10, 1936, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey of, and review of reports on, Sarasota Bay, Fla., authorized by the River and Harbor Act approved August 30, 1935, and requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted June 13, 1934 (H. Doc. No. 80); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

48. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 10, 1936, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey of Cuttyhunk Harbor, Mass., authorized by the River and Harbor Act approved August 30, 1935 (H. Doc. No. 81); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

49. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 30, 1936, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey of Welles Island, Midway Island, authorized by the River and Harbor Act approved August 30, 1935 (H. Doc. No. 49); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

50. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 30, 1936, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and Survey of Wake Island, authorized by the River and Harbor Act approved August 30, 1935 (H. Doc. No. 84); to the Committee on Rivers and Harbors and ordered to be printed, with two illustrations.

51. A letter from the Quartermaster General, transmitting the proceedings of the stated convention of the Thirty-eighth National Encampment of the United Spanish War Veterans, held at Saratoga Springs, N. Y., August 30, 31–September 3, 1936 (H. Doc. No. 38); to the Committee on Military Affairs and ordered to be printed.

52. A letter from the national legislative committee of the American Legion, transmitting the proceedings of the Eighteenth Annual Convention of the American Legion, held at Cleveland, Ohio, September 21–24, 1936 (H. Doc. No. 41); to the Committee on World War Veterans' Legislation and ordered to be printed, with illustrations.

53. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated September 22, 1936, submitting a report, together with accompanying papers and illustrations, on studies and investigations of beach erosion at Grand Isle, La., made by the Beach Erosion Board, in cooperation with the State of Louisiana, acting through the State board of engineers, as authorized by the River and Harbor Act approved July 3, 1930 (H. Doc. No. 92); to the Committee on Rivers and Harbors and ordered to be printed, with 14 illustrations.

54. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 17, 1936, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey for construction of a sea-level waterway between Great Choptank Waterway and Little Choptank River, Md., authorized by the River and Harbor Act approved August 30, 1935 (H. Doc. No. 91); to the Committee on Rivers and Harbors and ordered to be printed.

55. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 17, 1936, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey of channels in the harbors at Washington Island, Door County, Wis., authorized by the River and Harbor Act approved August 30, 1935 (H. Doc. No. 90); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

56. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 17, 1936, submitting a report, together with accompanying papers, on a preliminary examination of waterway from De Leon Springs to the St. Johns River, Fla., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

57. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 17, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Dogue Run, Va., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

58. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 17, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Chesapeake and Delaware Canal at Chesapeake City, Md., with a view to providing an anchorage basin; also to determine if street improvements, in connection with changes of bridges under the existing project, should be made, authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

59. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 17, 1936, submitting a report, together with accompanying papers, on a preliminary examination and survey of Lewis Bay and the harbor at West Yarmouth, Mass., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

60. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 17, 1936, submitting a report, together with accompanying papers, on a preliminary examination of waterway between Cambridge Creek and Fishing Bay, by way of Little Blackwater River, Md., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

61. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 18, 1936, submitting a report, together with accompanying papers, on a preliminary examination of an inlet or ship channel connecting the Atlantic Ocean with the intracoastal waterway at or near Eau Gallie, Fla., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

62. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 18, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Grand Traverse Bay, Mich., and at the mouth of Tobacco River near Gay, Mich., with a view to providing a harbor of refuge for small vessels, authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

63. A letter from the Secretary of War, transmitting a draft of a bill to authorize the settlement of certain specified claims on account of loss or damage to personal property by reason of the operation of the Civilian Conservation Corps, which have been approved by the Secretary of War; to the Committee on Claims.

64. A letter from the Secretary of War, transmitting the draft of a bill to authorize the settlement of individual claims for damages to private property arising out of the occupancy and use of land by the Army in connection with the first Army maneuvers near Pine Camp, N. Y.; to the Committee on Claims.

65. A letter from the Secretary of War, transmitting the draft of a bill to permit the exchange of used parts of certain types of equipment for new or reconditioned parts of the same equipment; to the Committee on Military Affairs.

66. A letter from the Secretary of War, transmitting a draft of a bill to authorize the settlement of individual claims for the loss of growing crops by reason of the Government's action in diverting the natural flow of surface waters by erecting a railroad embankment and a dike at Kelly Field, Tex.; to the Committee on Claims.

67. A letter from the Chairman of the Reconstruction Finance Corporation, transmitting a report covering its operations for the third quarter of 1936, and for the period from the organization of the Corporation on February 2, 1932, to September 30, 1936, inclusive (H. Doc. No. 89); to the Committee on Banking and Currency and ordered to be printed.

68. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 17, 1936, submitting a report, together with accompanying papers, on a preliminary examination of ship canal from Houma, La., to the Gulf of Mexico, and Houma-Terrebonne Ship Canal, La., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

69. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 17, 1936, submitting a report, together with accompanying papers, on a preliminary examination and survey of Inner Harbor, Block Island, R. I., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

70. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 17, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Caney Creek, Grayson County, Ky., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

71. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 17, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Drum Point Harbor, Md., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

72. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 17, 1936, submitting a report, together with accompanying papers, on a preliminary examination of waterway from Bon Secours Bay, Ala., to the Gulf, by way of Oyster Bay, authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

73. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 17, 1936, submitting a report, together with accompanying papers, on a preliminary examination with a view to establishing a harbor of refuge at Manitowoc and Two Rivers, Wis., and protection of adjoining shores from storm depredation, authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

74. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 17, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Kake Harbor, Alaska, authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

75. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 17, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Columbia River, Lake River, and Vancouver Lake, near Vancouver, Wash., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

76. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 17, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Duwamish River, Wash., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

77. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 17, 1936, submitting a report, together with accompanying papers, on a preliminary examination and survey of Isle au Haut Thoroughfare, Maine, and channel from Isle au Haut to Kimball Island, Maine, authorized by the River and Harbor Act approved August 30, 1935, and requested by resolution of the Committee on Rivers and Harbors of the House of Representatives adopted April 30, 1935; to the Committee on Rivers and Harbors.

78. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 17, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Bayou Du Large, La., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

79. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 17, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Jupiter Inlet, Fla., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

80. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 17, 1936, submitting a report, together with accompanying papers, on a preliminary examination of waterway from Charleston, S. C., to Columbia, S. C., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

81. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 17, 1936, submitting a report, together with accompanying papers, on a preliminary examination of waterway from the Hudson River at or near Piermont, N. Y., to a point at or near the headwaters of the Hackensack River, N. J., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

82. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 17, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Hilo Harbor, Hawaii, authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

83. A letter from the Acting Secretary of the Interior, transmitting one copy, together with justification, of legislation passed by the Municipal Council of St. Croix at a meeting held October 14, 1936, and approved by the Governor October 19, 1936; to the Committee on Insular Affairs.

84. A letter from the Chairman of the Federal Trade Commission, transmitting a report entitled "The Textile Industries in the Last Half of 1935, Part 1, The Cotton Textile Industry (Including Thread, Cordage, and Twine)"; to the Committee on Interstate and Foreign Commerce.

85. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 10, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Hashamomuck (Arshamomaque) Creek, Long Island, N. Y., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

86. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 10, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Alamitos Bay, Calif., authorized by the River and Harbor Act approved July 3, 1930; to the Committee on Rivers and Harbors.

87. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 10, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Monhegan Harbor, Maine, authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

88. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 10, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Haines Harbor, Alaska, authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

89. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 10, 1936, submitting a report, together with accompanying papers, on a preliminary examination of waterway from Lake Michigan through Black Lake, by way of Zeeland, Hudsonville, and Jenison, to a point on Grand River near Grandville, thence up Grand River to Grand Rapids, with a turning basin at Grand Rapids; or any preferable alternative route between Grand Rapids and Lake Michigan, authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

90. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 10, 1936, submitting a report, together with accompanying papers, on a preliminary examination of channel at the entrance of the Claiborne-Annapolis Ferry at Matapeake, Md., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

91. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 10, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Metlakatla Harbor, Alaska, authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

92. A letter from the Chairman of the Federal Trade Commission, transmitting the annual report of the Federal Trade Commission for the fiscal year ended June 30, 1936; to the Committee on Interstate and Foreign Commerce.

93. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 22, 1936, submitting a report, together with accompanying papers, on a preliminary examination of channels to Lake Ogleton and Walnut Lake, Anne Arundel County, Md., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

94. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 23, 1936, submitting a report, together with accompanying papers, on a preliminary examination of, and review of reports on, waterway from Pocomoke River, at or near Snow Hill, Md., to Chincoteague Bay, authorized by the River and Harbor Act approved August 30, 1935, and requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted March 15, 1934; to the Committee on Rivers and Harbors.

95. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 24, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Pee Dee River, S. C., with a view to obtaining a navigable channel from the point where Jericho Creek connects the Pee Dee River with the Waccamaw River to a point approximately 17 miles from Georgetown, where the thoroughfare also connects the Pee Dee River with the Waccamaw River, author-

ized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

96. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 22, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Palo Alto Harbor, San Francisco Bay, Calif., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

97. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 22, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Oklawaha River, Fla., with a view to securing a channel 6 feet in depth and of suitable width to Leesburg and into Lake Harris, authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

98. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 22, 1936, submitting a report, together with accompanying papers, on a preliminary examination of New River Inlet and Sound, Fla., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

99. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 16, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Moriches Inlet, Long Island, N. Y., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

100. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 22, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Noank Cove, Conn., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

101. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 16, 1936, submitting a report, together with accompanying papers, on a preliminary examination of Monongahela River, Pa., with a view to preventing erosion of banks, authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

102. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 16, 1936, submitting a report, together with accompanying papers, on a preliminary examination of New Buffalo, Mich., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

103. A letter from the Clerk of the House of Representatives, transmitting list of reports to be made to Congress by public officers during the Seventy-fifth Congress (H. Doc. No. 43); to the Committee on Accounts and ordered to be printed.

104. A letter from the Secretary of War, transmitting 811 reports of inspections of disbursements made by officers of the Army, which inspections were made by the Inspector General's Department during the fiscal year ended June 30, 1936; to the Committee on Expenditures in the Executive Departments.

105. A letter from the Secretary of War, transmitting a statement of appropriations of the preceding fiscal year (1936) for the War Department; to the Committee on Expenditures in the Executive Departments.

106. A letter from the national legislative committee of the American Legion, transmitting the financial statement from August 1, 1935, to July 1, 1936, of the Eighteenth Annual National Convention of the American Legion held in Cleveland, Ohio, September 21–24, 1936; to the Committee on World War Veterans' Legislation.

107. A letter from the Secretary of War, transmitting a draft of a bill to authorize credit in the accounts of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department; to the Committee on Claims.

108. A letter from the Secretary of the Interior, transmitting report of the War Minerals Relief Commission, covering the period December 1, 1935, to November 30, 1936, inclusive; to the Committee on Expenditures in the Executive Departments.

109. A letter from the Secretary of the Interior, transmitting one copy, together with justification, of the following legislation passed by the Municipal Council of St. Croix at an extraordinary meeting held October 14, 1936; to the Committee on Insular Affairs.

110. A letter from the Secretary of the Navy, transmitting a plan agreement for cooperative development of lands of the United States in Buena Vista Hills oil and gas field, Kern County, Calif.; to the Committee on Naval Affairs.

111. A letter from the Archivist of the United States, transmitting a list of papers, consisting of 175 items, among the archives and records of the Department of the Treasury which the Department has recommended should be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

112. A letter from the Archivist of the United States, transmitting a list of papers, consisting of 45 items, among the archives and records of the Department of War which the Department has recommended should be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

113. A letter from the Archivist of the United States, transmitting a list of papers, consisting of 54 items, among the archives and records of the Department of the Interior which the Department has recommended should be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

114. A letter from the Archivist of the United States, transmitting a list of papers, consisting of 147 items, among the archives and records of the Department of Agriculture which the Department has recommended should be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

115. A letter from the Archivist of the United States, transmitting a list of papers, consisting of 118 items, among the archives and records of the Department of Commerce which the Department has recommended should be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

116. A letter from the Archivist of the United States, transmitting a list of papers, consisting of 99 items, among the archives and records of the Department of Labor which the Department has recommended should be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

117. A letter from the Archivist of the United States, transmitting a list of papers, consisting of 39 items, among the archives and records of the United States Tariff Commission which the Commission has recommended should be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

118. A letter from the Archivist of the United States, transmitting a list of papers, consisting of four items, from the Export-Import Bank of Washington which the bank has recommended be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

119. A letter from the Secretary of Commerce, transmitting the Twenty-fourth Annual Report of the Secretary of Commerce; to the Committee on Interstate and Foreign Commerce.

120. A letter from the Assistant Secretary of Commerce, transmitting part 2, of the Annual Report of the Commissioner of Lighthouses for the fiscal year ended June 30, 1936, a list of purchases made by private contract or in the open market, with the reasons for such method of purchases, during the fiscal year 1936; to the Committee on the Merchant Marine and Fisheries.

121. A letter from the Acting Chairman of the Federal Trade Commission, transmitting a report entitled "The

Textile Industry in the First Half of 1935, Part III, The Silk and Rayon Textile Industry"; to the Committee on Interstate and Foreign Commerce.

122. A letter from the Acting Chairman of the United States Tariff Commission, transmitting a copy of the Digests of Trade Data respecting the products affected by the concessions granted by the United States in the trade agreement with the Kingdom of the Netherlands; to the Committee on Ways and Means.

123. A letter from the Commission on Licensure Healing Arts Practice Act, District of Columbia, transmitting its report showing the activities of the Commission for the fiscal year which ended June 30, 1936; to the Committee on the District of Columbia.

124. A letter from the Chairman of the United States Maritime Commission, transmitting a report on claims arbitrated or settled between October 16, 1935, and October 15, 1936; to the Committee on Merchant Marine and Fisheries.

125. A letter from the Chairman, United States Maritime Commission, transmitting a report of the Commission as directed by section 208 of the Merchant Marine Act, 1936; to the Committee on Merchant Marine and Fisheries.

126. A letter from the president of the Chesapeake & Potomac Telephone Cos., transmitting a report of the Chesapeake & Potomac Telephone Co. to the Congress of the United States for the year 1936; to the Committee on the District of Columbia.

127. A letter from the Acting Secretary of the Interior, transmitting the Annual Report of the Office of Education upon the affairs of Howard University for the year 1935–36; to the Committee on Education.

128. A letter from the Acting Comptroller General of the United States, transmitting a report of various officers who were delinquent in transmitting their accounts reports to the proper officers in Washington; to the Committee on Expenditures in the Executive Departments.

129. A letter from the Administrator of Veterans' Affairs, transmitting the Annual Report of the Administrator of Veterans' Affairs for the fiscal year ended June 30, 1936 (H. Doc. No. 12); to the Committee on World War Veterans' Legislation and ordered to be printed.

130. A letter from the clerk, Court of Claims of the United States, transmitting a statement of all judgments rendered by the Court of Claims for the year ended December 5, 1936; to the Committee on Claims.

131. A letter from the Chairman of the Federal Trade Commission, transmitting a report entitled "Summary Report on Conditions With Respect to the Sale and Distribution of Milk and Dairy Products" (H. Doc. No. 94); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

132. A letter from the Secretary of Labor, transmitting the Annual Report of the Secretary of Labor for the fiscal year ended June 30, 1936; to the Committee on Labor.

133. A letter from the President, Board of Commissioners of the District of Columbia, transmitting a report of the official operations of that government for the fiscal year ended June 30, 1936; to the Committee on the District of Columbia.

134. A letter from the Secretary of the Treasury, transmitting a report of payments of salary, commission, bonus, or other compensation compiled from income returns; to the Committee on Ways and Means.

135. A letter from the Secretary of State, transmitting copies of the certificates of the final ascertainment of electors for President and Vice President appointed in the 48 States of the Union at the election held in those States on November 3, 1936; to the Committee on Election of President, Vice President, and Representatives in Congress.

136. A letter from the Chairman of the Federal Communications Commission, transmitting the second annual report of the fiscal year ended June 30, 1936; to the Committee on Interstate and Foreign Commerce.

137. A letter from the Chairman of the Interstate Commerce Commission, transmitting the Fiftieth Annual Report of the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

138. A letter from the Postmaster General, transmitting a report of operations of the Postal Savings System for the fiscal year ended June 30, 1936 (H. Doc. No. 17); to the Committee on the Post Office and Post Roads and ordered to be printed.

139. A letter from the Chairman of the National Labor Relations Boards, transmitting the First Annual Report of the National Labor Relations Board for the fiscal year ending June 30, 1936; to the Committee on Labor.

140. A letter from the Secretary of the Interior, transmitting a report of certain expenditures under section 10 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), the amount expended totaled $35,836; to the Committee on Indian Affairs.

141. A letter from the Chairman of the United States Tariff Commission, transmitting the Twentieth Annual Report of the United States Tariff Commission; to the Committee on Ways and Means and ordered to be printed.

142. A letter from the Secretary of the Department of Commerce, transmitting a report that papers described therein under item 7, page 4, in Report No. 2758, Seventy-fourth Congress, second session, as "43,000,000 punched cards of 1930 Census of Agriculture, 1930", weighing approximately 165,020 pounds have been sold, and revenue derived amounted to $1,650.20; to the Committee on the Disposition of Executive Papers.

143. A letter from the President of the Electric Home and Farm Authority, transmitting the first annual report, prepared by direction of the Board of Trustees of Electric Home and Farm Authority, covering operations from August 1, 1935; to the Committee on Banking and Currency.

144. A letter from the Archivist of The National Archives, transmitting Second Annual Report of The Archivist of the United States covering the fiscal year ended June 30, 1936; to the Committee on the Library.

145. A letter from the Public Printer of the United States Government Printing Office, transmitting a report of the Public Printer covering the work of the Government Printing Office for the fiscal year ended June 30, 1936; to the Committee on Printing.

146. A letter from the Acting Secretary of the Department of State, transmitting a report from the Nobel committee of the Norwegian Parliament, information with reference to proposals of candidates for the Nobel Peace Prize for the year of 1937, for distribution among those persons in the United States qualified to propose candidates; to the Committee on Foreign Affairs.

147. A letter from the Chairman of the National Mediation Board, transmitting the Second Annual Report of the National Mediation Board, including the report of the National Railroad Adjustment Board; to the Committee on Interstate and Foreign Commerce.

148. A letter from the Chairman of the Federal Power Commission, transmitting the Sixteenth Annual Report of the Federal Power Commission for the fiscal year ended June 30, 1936, with additional activities to December 1936; to the Committee on Interstate and Foreign Commerce.

149. A letter from the Administrator of the Federal Alcohol Administration Division, transmitting the Second Annual Report of the Administration of the functions in accordance with the provisions of section 2 (1) of the Federal Administration Act (H. R. 8870); to the Committee on Ways and Means.

150. A letter from the Chairman of the Interstate Commerce Commission, transmitting a report of the final valuations of properties of certain carriers; to the Committee on Interstate and Foreign Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LUDLOW: A bill (H. R. 1) to create a Federal Industrial Commission to aid in the stabilization of employ-

ment in industry, agriculture, and commerce, and for other purposes; to the Committee on Labor.

By Mr. HILL of Alabama: A bill (H. R. 2) to prevent profiteering in time of war and to equalize the burdens of war and thus provide for the national defense, and promote peace; to the Committee on Military Affairs.

By Mr. McCORMACK: A bill (H. R. 3) providing for the promotion of employees in the Customs Field Service; to the Committee on Ways and Means.

By Mr. KENNEY: A bill (H. R. 4) to create a Federal Lottery Commission, and for other purposes; to the Committee on Ways and Means.

Also, a bill (H. R. 5) to extend the time for State compliance with the provisions of the Social Security Act relating to unemployment compensation; to the Committee on Ways and Means.

By Mr. KEOGH: A bill (H. R. 6) to authorize the construction and use of underground pneumatic-tube service; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of West Virginia: A bill (H. R. 7) to authorize the disposition of the naval ordnance plant, South Charleston, W. Va., and for other purposes; to the Committee on Naval Affairs.

By Mr. JONES: A bill (H. R. 8) to establish the Farmers' Home Corporation, to encourage and promote the ownership of farm homes and to make the possession of such homes more secure, to provide for the general welfare of the United States, to provide additional credit facilities for agricultural development, to create a fiscal agent for the United States, and for other purposes; to the Committee on Agriculture.

By Mr. SABATH: A bill (H. R. 9) to amend the Bankruptcy Act of July 1, 1898; to prevent loss of assets and excessive charges in connection with certain reorganizations, compositions, and extensions under such act; to aid the district courts in the administration thereof; to provide for the registration of protective committees, and for other purposes; to the Committee on the Judiciary.

By Mr. McGROARTY: A bill (H. R. 10) to provide for the general welfare of the United States by retiring certain citizens from active gainful employment, improving and stabilizing gainful employment for other citizens, and alleviating the hazards and insecurity of old age; to provide for the raising of the necessary revenue to operate a continuing plan therefor; and to provide for the proper administration of this act, and for other purposes; to the Committee on Ways and Means.

By Mr. ARENDS: A bill (H. R. 11) to raise the American standard of living, to relieve unemployment, to raise additional revenue, to provide for the registration of aliens, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. CULKIN: A bill (H. R. 12) to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Alexandria Bay, N. Y.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 13) to prohibit the transportation in interstate commerce of advertisements of intoxicating liquors, and for other purposes; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14) to provide for the commemoration of the Battle of Sackets Harbor, in the State of New York; to the Committee on Military Affairs.

Also, a bill (H. R. 15) to amend section 19 of the World War Veterans' Act, 1924, as amended; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 16) to authorize the acquisition for military and other purposes of a certain small tract of land adjoining the reservation of Madison Barracks in the State of New York; to the Committee on Military Affairs.

Also, a bill (H. R. 17) to provide for Senate ratification of foreign-trade agreements; to the Committee on Ways and Means.

Also, a bill (H. R. 18) declaring the policy of the United States with respect to irrigation and reclamation; to the Committee on Irrigation and Reclamation.

Also, a bill (H. R. 19) for the taxation of oleomargarine; to the Committee on Agriculture.

Also, a bill (H. R. 20) to reimburse manufacturers for extra cost of manufacturing due to deepening of Oswego and Erie Canals, New York State; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 21) to authorize the erection on the battlefield of Sackets Harbor, N. Y., of a monument to Maj. Gen. Jacob Brown; to the Committee on Military Affairs.

Also, a bill (H. R. 22) to protect the motion-picture industry against unfair trade practices and monopoly; to provide just settlement of complaints of unfair dealings; to provide for the manufacture of wholesome motion pictures, both silent and talking, at the sources of production; to create a Federal Motion Picture Commission, to define its power; and for other purposes; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 23) to prevent the obstruction of and burdens upon interstate trade and commerce in copyrighted motion-picture films and to prevent restraint upon free competition in the production, distribution, and exhibition of copyrighted motion-picture films; (a) by prohibiting the compulsory block booking of copyrighted motion-picture films; (b) to compel the furnishing of accurate synopses of all pictures offered to theater operators before the same have been released and reviewed; and (c) to amend section 2 of the Clayton Act to make it apply to license agreements and leases as well as sales in interstate commerce; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 24) to provide for the construction of a Coast Guard vessel designed for ice breaking and assistance work on Lake Huron and Lake Superior; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 25) to promote the health of the people of the United States and to encourage the dairy industry in the interest of the general welfare; to the Committee on Agriculture.

By Mr. DICKSTEIN: A bill (H. R. 26) to amend section 23 of the Immigration Act of February 5, 1917 (39 Stat. 874), as amended (U. S. C., title 8, sec. 102); to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 27) to authorize the shortening or termination of temporary stay in the United States of certain aliens not admitted for permanent residence, to authorize the deportation of certain aliens admitted for permanent residence, and for other purposes; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 28) to authorize the deportation of aliens who secured preference-quota or nonquota visas through fraud by contracting marriage solely to fraudulently expedite admission to the United States, and for other purposes; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 29) to declare that a citizen of the United States who votes in a political election in a foreign state or who participates in certain voting abroad to determine sovereignty of foreign territory shall lose United States citizenship and nationality; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 30) to protect the artistic and earning opportunities in the United States for American actors, vocal musicians, operatic singers, solo dancers, solo instrumentalists, and orchestral conductors, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. GOLDSBOROUGH: A bill (H. R. 31) to restore to Congress its constitutional power to issue money and regulate the value thereof; to provide monetary income to the people of the United States at a fixed and equitable purchasing power of the dollar, ample at all times to enable the people to buy wanted goods and services at full capacity of the industries and commercial facilities of the United States; to abolish the practice of creating bank deposits by private groups upon fractional reserves; and for other purposes; to the Committee on Banking and Currency.

Also, a bill (H. R. 32) to provide for the construction of 12 vessels for the Coast Guard designed for ice-breaking and

assistance work; to the Committee on the Merchant Marine and Fisheries.

By Mr. LUCAS: A bill (H. R. 33) providing for the examination and survey of Meredosia Bay on the Illinois River, Ill.; to the Committee on Rivers and Harbors.

By Mr. MEAD: A bill (H. R. 34) to authorize the delivery of surplus forfeited vessels of the Treasury Department to the Boy Scouts of America for use in sea-scout training; to the Committee on the Judiciary.

Also, a bill (H. R. 35) to provide for the creation of the Saratoga National Historical Park in the State of New York, and for other purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 36) to amend section 4 of the United States Grain Standards Act of 1916 as relating to the use of the official grain standards of the United States on grain moved in interstate commerce from shipping points to destination points without official grade determination; to the Committee on Agriculture.

Also, a bill (H. R. 37) to ratify certain leases with the Seneca Nation of Indians; to the Committee on Indian Affairs.

Also, a bill (H. R. 38) to amend the Tariff Act of 1930, as amended; to the Committee on Ways and Means.

Also, a bill (H. R. 39) to tax the Donner-Hanna Coke Corporation; to the Committee on Ways and Means.

Also, a bill (H. R. 40) to give the consent of the United States to the taxation by the State of New York and its subdivisions of certain lands and structures in the city of Buffalo, State of New York, purchased and under construction by the United States as and for a housing development; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 41) regulating the procedure for the award of Government contracts; to the Committee on the Judiciary.

By Mr. MERRITT: A bill (H. R. 42) to authorize the acquisition of land for military purposes in Nassau County, N. Y., for use as an addition to Mitchel Field Military Reservation and to settle certain claims in connection therewith; to the Committee on Military Affairs.

Also, a bill (H. R. 43) holding members of the Customs Intelligence Bureau of the port of New York to have served in the military service of the United States; to the Committee on Military Affairs.

By Mr. RAMSAY: A bill (H. R. 44) to regulate the jurisdiction of Federal courts of the United States; to the Committee on the Judiciary.

Also, a bill (H. R. 45) to reimburse the expenditures of money in forming local organizations of the National Industrial Recovery Administration; to the Committee on Appropriations.

Also, a bill (H. R. 46) to provide for the establishment of a Coast Guard station on the shore of the Ohio River at or near Wheeling, W. Va.; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 47) authorizing the Veterans' Administration to furnish flags for burial purposes of soldiers, sailors, and marines; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 48) to prevent the manufacture, sale, or transportation of adulterated or misbranded liquors, and regulating traffic therein; to the Committee on the Judiciary.

Also, a bill (H. R. 49) giving the consent of the United States for the bringing of certain suits in the Supreme Court of the United States, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 50) limiting the decisions of the courts of the several States and of the United States relative to legislative acts of the Congress of the United States; to the Committee on the Judiciary.

Also, a bill (H. R. 51) to regulate the jurisdiction of Federal courts of the United States of America; to the Committee on the Judiciary.

Also, a bill (H. R. 52) to equalize the purchasing power of the American dollar, when the same comes in competition with inflated foreign moneys, and to fix duties on imports; to the Committee on Ways and Means.

By Mrs. ROGERS of Massachusetts: A bill (H. R. 53) to increase the existing rates of death compensation payable to widows and children of World War veterans; to the Committee on World War Veterans' Legislation.

By Mr. SNELL: A bill (H. R. 54) to provide for an increase of the fees of United States commissioners, the consolidation of same, and to require the payment of those fees by the defendants in certain criminal cases, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 55) to provide for a duty on bread leavened with yeast; to the Committee on Ways and Means.

By Mr. TARVER: A bill (H. R. 56) to provide for the commemoration of the Battles of Dalton, Cassville, New Hope Church, Resaca, and Ringgold, in the State of Georgia, and for the erection of markers along the route followed by armies in Georgia during the War between the States; to the Committee on Military Affairs.

Also, a bill (H. R. 57) to provide for the paving of the Government road, known as the Stephens Gap Road, commencing in the city of Chickamauga, Ga., and extending to Stephens Gap, constituting an approach road to Chickamauga and Chattanooga National Military Park; to the Committee on Roads.

Also, a bill (H. R. 58) to provide for the paving of the Government road, known as the Glass Mill Road, commencing in the city of Chickamauga, Ga., and extending to Stotts Mill, constituting an approach road to Chickamauga and Chattanooga National Military Park; to the Committee on Roads.

Also, a bill (H. R. 59) providing for the refund of taxes collected under Public Law No. 169, Seventy-third Congress, known as the Bankhead Act; to the Committee on Agriculture.

Also, a bill (H. R. 60) to make it a crime to advocate or promote the overthrow of the Government of the United States by force and violence, and for other purposes; to the Committee on the Judiciary.

By Mr. TERRY: A bill (H. R. 61) authorizing a preliminary examination of the Fourche La Fave River, in Perry, Yell, and Scott Counties, Ark., with a view to the control of its floods; to the Committee on Flood Control.

Also, a bill (H. R. 62) to establish the Arkansas Mounds National Monument of America in Lonoke County, Ark.; to the Committee on the Public Lands.

By Mr. WARREN: A bill (H. R. 63) to provide for loans to farmers for crop production and harvesting during the year 1937, and for other purposes; to the Committee on Agriculture.

By Mr. KEOGH: A bill (H. R. 64) to purchase a site for the erection of a post-office building in the section of the Borough of Queens, city of New York, N. Y., known and designated as Woodhaven; to the Committee on Public Buildings and Grounds.

By Mr. KLEBERG: A bill (H. R. 65) prohibiting the shipment in interstate commerce of adulterated oleomargarine; to the Committee on Agriculture.

Also, a bill (H. R. 66) for the taxation of oleomargarine containing any foreign-grown or foreign-produced fat or oil ingredient; to the Committee on Agriculture.

Also, a bill (H. R. 67) to correlate certain governmental functions, and for other purposes; to the Committee on Agriculture.

By Mr. KENNEY: A bill (H. R. 68) to provide for the creation of a commission to examine into and report the clear height above the water of the bridge authorized to be constructed over the Hudson River from Fifty-seventh Street, New York, to New Jersey, and for other purposes; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 69) to authorize the Commissioner of Education in the Department of the Interior to conduct a study and disseminate his findings and recommendations regarding suitable aviation instruction courses for the pub-

lic schools, and for other purposes; to the Committee on Education.

Also, a bill (H. R. 70) to establish a United States Army air base at Teterboro, Bergen County, N. J., to provide a supporting Army air base at a favorable and strategic location for the protection of the North Atlantic coast and coast cities and the national defense; to the Committee on Military Affairs.

Also, a bill (H. R. 71) to provide for the establishment of a national monument on the site of Camp Merritt, N. J.; to the Committee on the Public Lands.

By Mr. RAMSAY: A bill (H. R. 72) to protect employees in their right to vote at national elections; to the Committee on the Judiciary.

By Mr. SANDERS: A bill (H. R. 73) to amend the Tariff Act of 1930; to the Committee on Ways and Means.

By Mr. WALTER: A bill (H. R. 74) to provide for the erection of a monument in Stroudsburg Cemetery, Stroudsburg, Monroe County, Pa., to mark the resting place of J. Sommerfield Staples; to the Committee on Military Affairs.

Also, a bill (H. R. 75) to incorporate the National Association of State Libraries; to the Committee on the District of Columbia.

Also, a bill (H. R. 76) to establish a fish-cultural station at Hamilton Township, Monroe County, Pa.; to the Committee on Merchant Marine and Fisheries.

By Mr. CANNON of Missouri: A bill (H. R. 77) for payment of compensation to persons serving as postmaster at third- and fourth-class post offices; to the Committee on the Post Office and Post Roads.

By Mr. CROWTHER: A bill (H. R. 78) to authorize the coinage of 50-cent pieces in commemoration of the memory of the late Dr. Charles P. Steinmetz; to the Committee on Coinage, Weights, and Measures.

By Mr. EVANS: A bill (H. R. 79) to authorize the coinage of 50-cent silver pieces in commemoration of the one hundred and fiftieth anniversary of the adoption of the Constitution of the United States; to the Committee on Coinage, Weights, and Measures.

By Mr. GOLDSBOROUGH: A bill (H. R. 80) to liberalize the retirement law for members of the former Life Saving Service; to the Committee on Merchant Marine and Fisheries.

By Mr. HALLECK: A bill (H. R. 81) for a survey and examination of the lake shore of the State of Indiana; to the Committee on Rivers and Harbors.

By Mr. LEWIS of Maryland: A bill (H. R. 82) to authorize the coinage of 50-cent pieces in commemoration of the seventy-fifth anniversary of the Battle of Antietam; to the Committee on Coinage, Weights, and Measures.

By Mr. MEAD: A bill (H. R. 83) to amend the act entitled "An act to provide for the appointment of an additional judge of the District Court of the United States for the Western District of New York", approved March 3, 1927 (44 Stat. 1370); to the Committee on the Judiciary.

By Mrs. O'DAY: A bill (H. R. 84) to extend the definition of an alien veteran, for naturalization purposes only, so as to include certain alien enemies and nationals of Turkey and Bulgaria who rendered active service in United States armed forces with personal record of loyalty to the United States, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. POLK: A bill (H. R. 85) for payment of compensation to persons serving as postmaster at third- and fourth-class post offices; to the Committee on the Post Office and Post Roads.

By Mr. QUINN: A bill (H. R. 86) to construe the provisions of the Social Security Act in its relations to national banks, State banks, and trust companies having capital stock represented by shares; and to provide for the amendment of the Social Security Act to permit the exemption of certain corporations, national banks, State banks, trust companies, and savings banks from the provisions of title 2 and title 8 of the said act; to the Committee on Ways and Means.

By Mr. SANDERS: A bill (H. R. 87) to amend section 601 of the Revenue Act of 1932, as amended, to provide for an excise tax on eggs and egg products; to the Committee on Ways and Means.

Also, a bill (H. R. 88) to increase the public revenue of the United States of America by amending the Revenue Act of 1932; to the Committee on Ways and Means.

Also, a bill (H. R. 89) to regulate the manufacture and sale of stamped envelopes; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of Washington: A bill (H. R. 90) to provide for the construction of a post-office building at Camas, Wash.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 91) to provide for the construction of a post-office and Federal buildings at Olympia, Wash.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 92) to authorize completion, maintenance, and operation of certain facilities for navigation on the Columbia River, and for other purposes; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 93) to amend an act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine", approved August 2, 1886, as amended, and for other purposes; to the Committee on Agriculture.

Also, a bill (H. R. 94) to establish a fish-cultural station on the West Fork of the Humptulips River in Grays Harbor County, Wash.; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 95) to promote the health of the people of the United States and to encourage the dairy industry in the interest of the general welfare; to the Committee on Agriculture.

Also, a bill (H. R. 96) to provide a uniform rate of pension for single Spanish-American War veterans without dependents while hospitalized, to extend hospitalization to persons recognized as veterans of the Spanish-American War under laws in effect prior to March 20, 1933, and for other purposes; to the Committee on Pensions.

Also, a bill (H. R. 97) to provide for the construction of a post-office building at Raymond, Wash.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 98) to provide for the construction of a post-office building at Winlock, Wash.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 99) to provide for the construction of a post-office and Federal building at Aberdeen, Wash.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 100) to provide for the construction of a post-office building at South Bend, Wash.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 101) to provide for the construction of a post-office building at Pe Ell, Wash.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 102) to provide for the construction of a post-office and Federal building at Vancouver, Wash.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 103) to provide for the construction of a post-office building at Stevenson, Wash.; to the Committee on Public Buildings and Grounds.

By Mr. WHITE of Idaho: A bill (H. R. 104) to refund the compensatory processing tax on jute bags; to the Committee on Agriculture.

Also, a bill (H. R. 105) to authorize the sale of small home sites in national-forest lands to persons permanently employed in the vicinity, and to promote the improvement of home sites and construction of permanent homes in national-forest areas; to the Committee on Agriculture.

Also, a bill (H. R. 106) to amend the Securities Act, 1933; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 107) to add public lands to the Salmon National Forest in the State of Idaho; to the Committee on the Public Lands.

Also, a bill (H. R. 108) to extend further in certain cases the provisions of the act entitled "An act for the temporary

relief of water users on irrigation projects constructed and operated under the reclamation law", approved April 1, 1932, as extended; to the Committee on Irrigation and Reclamation.

Also, a bill (H. R. 109) to add certain lands to the Challis National Forest; to the Committee on the Public Lands.

Also, a bill (H. R. 110) to add certain lands to the Weiser National Forest; to the Committee on the Public Lands.

Also, a bill (H. R. 111) to amend section 304 of the Tariff Act of 1930 to require the marking of imported articles upon repacking, and for other purposes; to the Committee on Ways and Means.

Also, a bill (H. R. 112) to establish a United States Army air base at Lewiston, Idaho, to provide a supporting Army air base at a favorable and strategic location for the protection of the North Pacific coast and coast cities, and to provide an advantageous location for easy access to the coast, following the Columbia and Snake River Valleys; to the Committee on Military Affairs.

Also, a bill (H. R. 113) to establish a bimetallic system of currency, employing both gold and silver, and to provide for the use of silver as well as gold in the national monetary reserve for the purpose of securing a sound, controlled increase of the monetary units in circulation through the unlimited use of silver as money and as the base for the issuance of money; to the Committee on Coinage, Weights, and Measures.

Also, a bill (H. R. 114) to provide for studies and plans for the development of a hydroelectric power project at Cabinet Gorge, on the Clark Fork of the Columbia River, and a reclamation project for the Rathdrum Prairie area, and for other purposes; to the Committee on Irrigation and Reclamation.

Also, a bill (H. R. 115) to assist and promote the development of the mineral resources located within the national forests of the United States, authorizing the construction of roads by the Secretary of Agriculture for the use of the owners or operators of mining properties, and for other purposes; to the Committee on the Public Lands.

By Mr. WILCOX: A bill (H. R. 116) to regulate bondholders' committees acting in interstate commerce or through the mails, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITE of Idaho: A bill (H. R. 117) to improve the navigability of the Columbia River and its tributaries; to provide for the flood control of the Columbia River and its tributaries; to provide for reforestation and the use of marginal lands in the Columbia River Basin; to provide for the agricultural and industrial development of the Columbia River Basin; to provide for the irrigation of lands in the Columbia River Basin; to provide for the development of electrical power in the Columbia River Basin; and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. BEITER: A bill (H. R. 118) to provide Braille medals for ex-service men who are blind as the result of injuries in action; to the Committee on Military Affairs.

Also, a bill (H. R. 119) to extend certain benefits of the Public Health Service to certain seamen, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BLAND: A bill (H. R. 120) authorizing the use of condemned naval vessels for breakwater purposes; to the Committee on Naval Affairs.

Also, a bill (H. R. 121) to liberalize the retirement law for members of the former Life Saving Service; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 122) authorizing the Secretary of the Treasury to pay subcontractors for material and labor furnished in the construction of Government buildings at Fort Myer, Va.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 123) to provide for the inclusion of Warner Hall, Gloucester County, Va., in the Colonial National Monument, Va., and for other purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 124) to permit antique furniture to be entered at certain ports; to the Committee on Ways and Means.

Also, a bill (H. R. 125) to provide for an examination and survey of Meachim's Creek, Middlesex County, Va., and of channel connecting said creek with Rappahannock River; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 126) to amend section 602 of the Revenue Act of 1934, entitled "An act to provide revenue, equalize taxation, and for other purposes"; to the Committee on Ways and Means.

Also, a bill (H. R. 127) to provide for an examination and survey of Queens Creek, Mathews County, Va., to provide adequate channel to the deep water in Hills Bay, Mathews County, Va.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 128) to provide for a preliminary examination and survey of the channel leading from Broadway Road near Cashville, Accomac County, Va., to the deep water in Onancock River, Va.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 129) for preliminary examination and survey of waters of Chincoteague Bay, Accomac County, Va.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 130) to provide for a preliminary examination and survey of Smaller's Drain, Assateague Island, Va., from the northerly intersection of said drain with the deep water in Assateague Channel to the point to the south where said drain again intersects with the deep waters of Assateague; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 131) to provide for preliminary examination and survey of Hull Creek and Rogers Creek, in Northumberland County, Va.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 132) to compensate Prince William County, Va., and York County, Va., for certain of their public roads and highways seized by the United States for the use of a permanent Marine Corps post at Quantico, Va., and a Navy mine depot at or near Yorktown, Va.; to the Committee on Claims.

Also, a bill (H. R. 133) for the improvement of Deep Creek, Va.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 134) for the improvement of Hoskins Creek, Va.; to the Committee on Rivers and Harbors.

By Mr. CHAPMAN: A bill (H. R. 135) authorizing the erection of a memorial to Col. Richard M. Johnson and his regiment in Scott County, Ky.; to the Committee on Military Affairs.

By Mr. COCHRAN: A bill (H. R. 136) authorizing the Reconstruction Finance Corporation to make loans to certain hospitals; to the Committee on Banking and Currency.

Also, a bill (H. R. 137) to amend section 64 of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

Also, a bill (H. R. 138) to provide for a building in which to store Government records; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 139) to provide for the use of the U. S. S. *Olympia* as a memorial to the men and women who served the United States in the War with Spain; to the Committee on Naval Affairs.

Also, a bill (H. R. 140) to provide for the preservation, as historic naval relics, of the *Constitution*, the *Constellation*, the *Hartford*, the *Olympia*, and the *America;* to the Committee on Naval Affairs.

Also, a bill (H. R. 141) to exempt the real property of the American War Mothers from taxation; to the Committee on the Judiciary.

By Mr. CROWTHER: A bill (H. R. 142) to terminate certain foreign trade agreements and to terminate the authority to enter into them; to the Committee on Ways and Means.

By Mr. FORD of California: A bill (H. R. 143) to assure to persons within the jurisdiction of every State the equal protection of the laws, and to punish the crime of lynching; to the Committee on the Judiciary.

By Mr. GRISWOLD: A bill (H. R. 144) to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad engaged in interstate

and foreign commerce to man locomotives, trains, and other self-propelled engines or machines with competent employees, to provide the least number of men that may be employed on locomotives, trains, and other self-propelled engines or machines, to provide qualifications for certain employees, and providing a penalty for the violation thereof; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 145) to prohibit employers from influencing the vote of their employees in national elections; to the Committee on the Judiciary.

Also, a bill (H. R. 146) to require contractors on public-building projects to name their subcontractors, material men, and supply men, and for other purposes; to the Committee on Expenditures in the Executive Departments.

Also, a bill (H. R. 147) to limit the car length of trains which may be operated upon railroads by common carriers engaged in interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. KENNEDY of Maryland: A bill (H. R. 148) to repeal a proviso relating to teaching or advocating communism in the public schools of the District of Columbia, and appearing in the District of Columbia Appropriation Act for the fiscal year ending June 30, 1936; to the Committee on the District of Columbia.

By Mr. LAMNECK: A bill (H. R. 149) requiring the Home Owners' Loan Corporation to make collections on loans and to file certain records relating thereto in the district in which the property securing the loan is situated, and providing that employees in each district office of the Corporation be residents of the district for which they are appointed, and for other purposes; to the Committee on Banking and Currency.

Also, a bill (H. R. 150) to provide for the appointment as warrant officers, United States Army, of classified clerks, War Department, with 30 years' service as such, and also commissioned service, United States Army, during the World War; to the Committee on Military Affairs.

By Mr. MARTIN of Colorado: A bill (H. R. 151) for the exchange of lands adjacent to national forests in Colorado; to the Committee on the Public Lands.

Also, a bill (H. R. 152) to add certain lands to the Rio Grande National Forest, Colo.; to the Committee on the Public Lands.

Also, a bill (H. R. 153) to appropriate the sum of $9,700,000 for the construction of Caddoa Reservoir, near Lamar, in the State of Colorado; to the Committee on Appropriations.

Also, a bill (H. R. 154) to cancel a specific class of rehabilitation loans against farmers and farm labor in the drought area as an obligation against the recipients and their property; to the Committee on Agriculture.

Also, a bill (H. R. 155) to provide relief and work relief until January 1, 1938, on useful projects; to the Committee on Appropriations.

Also, a bill (H. R. 156) to round out the boundaries of the Pike National Forest, to protect and develop its resources; to the Committee on the Public Lands.

By Mr. RANDOLPH: A bill (H. R. 157) to amend an act entitled "An act to provide for vocational rehabilitation of disabled residents of the District of Columbia, and for other purposes" (Public, No. 801, 70th Cong.); to the Committee on the District of Columbia.

Also, a bill (H. R. 158) to provide for the construction of a post office at Parsons, W. Va.; to the Committee on Public Buildings and Grounds.

By Mr. SNYDER of Pennsylvania: A bill (H. R. 159) to provide for the location and survey by the Bureau of Public Roads of a system of three transcontinental and six north-south highways; to the Committee on Roads.

By Mr. SUTPHIN: A bill (H. R. 160) instructing the Secretary of the Navy to prohibit the transfer of officers above the rank of lieutenant in the Navy and captain in the Marine Corps for flying training and duty, except such officers above that rank who are qualified aviators on the date of the enactment of this act; to the Committee on Naval Affairs.

Also, a bill (H. R. 161) to reduce the rate of interest on obligations of home owners to the Home Owners' Loan Corporation; to the Committee on Banking and Currency.

Also, a bill (H. R. 162) to assure to persons within the jurisdiction of every State the equal protection of the laws by discouraging, preventing, and punishing the crime of lynching; to the Committee on the Judiciary.

Also, a bill (H. R. 163) to lease an unused portion, useless for military purposes, of the Fort Hancock Military Reservation to the State of New Jersey for a public aquatic park and pleasure ground for the benefit and enjoyment of the people of the United States and its visitors; to the Committee on Military Affairs.

By Mr. WOLFENDEN: A bill (H. R. 164) to assure to persons within the jurisdiction of every State the equal protection of the laws by discouraging, preventing, and punishing the crime of lynching; to the Committee on the Judiciary.

By Mr. GRISWOLD: A bill (H. R. 165) to relieve Government employees of undue charges for quarters, subsistence, laundry, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. MARTIN of Colorado: A bill (H. R. 166) to amend an act entitled "An act to provide for the general welfare by establishing a system of Federal old-age benefits, and by enabling the several States to make more adequate provision for aged persons, blind persons, dependent and crippled children, maternal and child welfare, public health, and the administration of their unemployment compensation laws; to establish a Social Security Board; to raise revenue; and for other purposes", approved August 14, 1936; to the Committee on Ways and Means.

By Mr. MEAD: A bill (H. R. 167) to establish a system of longevity pay for postal employees; to the Committee on the Post Office and Post Roads.

By Mr. KELLER: A bill (H. R. 168) to authorize an increase in the annual appropriation for books for the adult blind; to the Committee on the Library.

Also, a bill (H. R. 169) to provide for a term of court at Benton, Ill.; to the Committee on the Judiciary.

Also, a bill (H. R. 170) to purchase and erect in the city of Washington the group of statuary known as the Indian Buffalo Hunt; to the Committee on the Library.

Also, a bill (H. R. 171) to create a United States Board of Awards and to provide for the presentation of certain medals; to the Committee on the Library.

By Mr. SMITH of Washington: A bill (H. R. 172) to provide for the preservation, as a historic relic, of the naval vessel *Olympia;* to the Committee on Naval Affairs.

By Mr. BEITER: A bill (H. R. 173) to authorize the Federal Government to contribute funds in the improvement of a section of the New York State Barge Canal, provided the State of New York makes an appropriation of $10,000,000 for the same purpose; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 174) providing for abandonment of Scajaquada Creek, Erie County, N. Y., as a navigable waterway of the United States; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 175) declaring Scajaquada Creek, Erie County, N. Y., to be a nonnavigable stream; to the Committee on Interstate and Foreign Commerce.

By Mr. BOYKIN: A bill (H. R. 176) to levy a license tax of a sum equal to 5 percent of all moneys paid upon wagers upon horse racing; to provide the method of enforcing and the penalties for the violation of this act; to the Committee on Ways and Means.

By Mr. BURDICK: A bill (H. R. 177) to prohibit the private manufacture of munitions of war, defining the term "munitions", and designed to prevent any war except that of self-defense in the protection of the territory of the United States and the territory over which it now exercises a protectorate, adhering to the principle of the Monroe Doctrine, eliminating all possibility of war profits, and for other purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 178) referring the claims of the Turtle Mountain Band or Bands of Chippewa Indians of North Dakota to the Court of Claims for adjudication and settlement; to the Committee on Indian Affairs.

Also, a bill (H. R. 179) to authorize payment to the Indians of the Fort Berthold, Fort Totten, and Standing Rock Indian

Reservations, N. Dak., of the amounts due on certain delinquent homestead entries; to the Committee on Indian Affairs.

Also, a bill (H. R. 180) to promote the general welfare of the Indians of the United States of America, and for other purposes; to the Committee on Indian Affairs.

Also, a bill (H. R. 181) to promote the general welfare of the Indians of the United States of America, and for other purposes; to the Committee on Indian Affairs.

Also, a bill (H. R. 182) to provide for the control of flood waters of the Missouri Valley; to improve navigation of the Missouri River; to provide for irrigation of arid and semi-arid lands, divert the flood waters of the Missouri River to receding or receded natural lake beds; to provide for the restoration and preservation of the water level of the Missouri Valley; to protect the fertility of the soil of the Missouri Valley; to provide for the generation, distribution, and sale of electricity; and for other purposes; to the Committee on Flood Control.

Also, a bill (H. R. 183) authorizing payment to the Sisseton and Wahpeton Bands of Sioux Indians for certain lands ceded by them to the United States by a treaty of July 23, 1851; to the Committee on Indian Affairs.

Also, a bill (H. R. 184) providing that the Commissioner of Indian Affairs and local superintendents shall be approved by a vote of Indians themselves; providing for the removal of local superintendents; and providing for the manner of calling elections; to the Committee on Indian Affairs.

By Mr. CROSSER: A bill (H. R. 185) to promote the safety of employees and travelers on railroads by requiring common carriers engaged in interstate commerce to install, inspect, test, repair, and maintain block-signal systems, interlocking highway grade crossing protective devices, automatic train-stop, train-control, cab-signal devices, and other appliances, methods, and systems intended to promote the safety of railroad operation; to the Committee on Interstate and Foreign Commerce.

By Mr. GUYER: A bill (H. R. 186) to amend the act approved June 28, 1934, as amended, to compensate widows and children of persons who died while receiving monetary benefits for disabilities directly incurred in or aggravated by active military or naval service in the World War, and for other purposes; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 187) for the relief of officers and soldiers of the Volunteer service of the United States mustered into service for the War with Spain and who were held in service in the Philippine Islands after the ratification of the treaty of peace, April 11, 1899; to the Committee on War Claims.

Also, a bill (H. R. 188) to amend section 3 of the act entitled "An act for the retirement of employees of the classified civil service, and for other purposes", approved May 22, 1920, and acts in amendment thereof, to extend benefits of retirement legislation to employees of the clerk of the United States Court of Appeals for the District of Columbia and of the clerk of the Supreme Court of the District of Columbia; to the Committee on the Civil Service.

Also, a bill (H. R. 189) to prohibit, within the District of Columbia, the manufacture, importation, exportation, transportation, sale, gift, purchase, or possession of any spirituous, vinous, malt, fermented, and all alcoholic liquors whatsoever, which may be used as beverages, excepting natural wine for religious services, and ethyl alcohol for compounding or manufacturing medicines for internal use and as a disinfectant by physicians, surgeons, and dentists in their professions; prescribing penalties for the violation thereof; and for other purposes; to the Committee on the District of Columbia.

By Mr. HAINES: A bill (H. R. 190) to provide for the appointment and promotion of substitute postal employees, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. LAMNECK: A bill (H. R. 191) to provide for the promotion of watchmen, messengers, and laborers employed in the Post Office Department; to the Committee on the Post Office and Post Roads.

By Mr. LUCKEY of Nebraska: A bill (H. R. 192) to authorize the construction of a bridge across the Missouri River at or near Rulo, Nebr.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 193) to extend the times for beginning and completing the construction of a bridge across the Missouri River at or near Rulo, Nebr.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 194) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Brownville, Nebr.; to the Committee on Interstate and Foreign Commerce.

By Mr. MOTT: A bill (H. R. 195) to convey certain lands to Clackamas County, Oreg., for public-park purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 196) to provide $25,000 for the restoring and preserving of the home of Dr. John McLoughlin at Oregon City, Oreg.; to the Committee on the Public Lands.

Also, a bill (H. R. 197) to amend section 3 of the act of July 13, 1926 (44 Stat. 915), entitled "An act for the relief of certain counties in the States of Oregon and Washington, within whose boundaries the revested Oregon & California Railroad Co. grant lands are located"; to the Committee on the Public Lands.

Also, a bill (H. R. 198) authorizing an appropriation for the development of a naval air base at Tongue Point, Oreg.; to the Committee on Naval Affairs.

Also, a bill (H. R. 199) to add certain lands to the Rogue River National Forest in the State of Oregon; to the Committee on the Public Lands.

By Mr. TREADWAY: A bill (H. R. 200) relating to the taxation of community-property income; to the Committee on Ways and Means.

By Mr. WHITE of Idaho: A bill (H. R. 201) to provide a preliminary examination and survey of the Snake River and tributaries in the States of Idaho, Washington, and Oregon, with a view to control of flood waters; to the Committee on Flood Control.

By Mr. BURDICK: A bill (H. R. 202) to provide that Federal court juries shall be drawn from boxes used by the State authorities; to the Committee on the Judiciary.

Also, a bill (H. R. 203) for the relief of the Indians of the Fort Berthold Reservation, N. Dak.; to the Committee on Indian Affairs.

Also, a bill (H. R. 204) providing for Federal crop insurance, imposing a tax therefor, and providing an appropriation therefor; to the Committee on Agriculture.

Also, a bill (H. R. 205) making an appropriation for the purpose of supplying feed, power, and seed for the year 1937 to certain farmers of the United States, and providing for the method of securing such aid; to the Committee on Agriculture.

Also, a bill (H. R. 206) providing old-age pensions for Indians of the United States under the jurisdiction of the Department of the Interior, and for other purposes; to the Committee on Indian Affairs.

Also, a bill (H. R. 207) providing for the cancelation of certain feed and seed loans heretofore made by the United States Government, and providing for an appropriation therefor under the provisions of the War Department appropriation bill; to the Committee on Agriculture.

By Mr. CROSSER: A bill (H. R. 208) to promote the safety of employees and travelers on railroads by providing for the inspection and investigation of conditions prevailing in train-dispatching offices and train-dispatching service, and for the promulgation of necessary rules and regulations governing the working conditions of train dispatchers; to the Committee on Interstate and Foreign Commerce.

By Mr. LAMNECK: A bill (H. R. 209) to restore in their original form sections 3 to 7, inclusive, of the Subsistence Expense Act of 1926, amended by sections 207 and 208 of the Legislative Appropriation Act approved June 30, 1932; to the Committee on the Civil Service.

By Mr. FITZPATRICK: A bill (H. R. 210) to amend an act of Congress approved March 4, 1927, as amended by the act of May 23, 1928; to the Committee on Military Affairs.

Also, a bill (H. R. 211) to provide for the honorary designation of St. Paul's Church, together with the churchyard and

the village green associated therewith, in the town of Eastchester, Westchester County, State of New York, as a national shrine; to the Committee on the Library.

Also, a bill (H. R. 212) authorizing the President of the United States to extend the time for awarding decorations to participants of the World War; to the Committee on Military Affairs.

By Mr. LEMKE: A bill (H. R. 213) to liquidate and refinance agricultural indebtedness at a reduced rate of interest by establishing an efficient credit system through the use of the Farm Credit Administration and the Federal Reserve banking system; to the Committee on Agriculture.

Also, a bill (H. R. 214) to liquidate and refinance existing mortgages on homes in cities and towns at a reduced rate of interest by establishing an efficient credit system through the use of the Home Owners' Loan Corporation and the Federal Reserve banking system; to the Committee on Banking and Currency.

Also, a bill (H. R. 215) to provide revenue, to regulate commerce with foreign countries, and to protect American agriculture, labor, and industry; to the Committee on Ways and Means.

Also, a bill (H. R. 216) to authorize the erection of an addition to the existing Veterans' Administration facility, Fargo, N. Dak.; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 217) to impose an excise tax on certain sodium products imported from foreign countries; to the Committee on Ways and Means.

Also, a bill (H. R. 218) for the cancelation of construction charges outstanding against the landowners in the Yellowstone irrigation project; to the Committee on Irrigation and Reclamation.

Also, a bill (H. R. 219) giving judgment debtors, mortgagors, and subsequent lien holders the right of redemption from a sale of real estate in the District of Columbia by a judgment creditor or mortgagee after execution or foreclosure sale; fixing the amount of commission allowed to mortgage companies for management of encumbered real estate, and for other purposes; to the Committee on the District of Columbia.

Also, a bill (H. R. 220) prohibiting the making of any form of vaccination or inoculation a condition precedent to admission to any public or private school or college, or the exercise and enjoyment of any right or privilege, in the District of Columbia; to the Committee on the District of Columbia.

By Mr. SMITH of Washington: A bill (H. R. 221) to prohibit the importation of pulpwood, wood pulp, or any wood susceptible of use in manufacturing paper; to the Committee on Ways and Means.

Also, a bill (H. R. 222) to render traveling by sightless persons safer and more convenient by entitling them to be accompanied by "seeing-eye" dogs on interstate transportation facilities without additional cost; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 223) to raise revenue by taxing imported chemical wood pulp; to the Committee on Ways and Means.

By Mr. THOMASON of Texas: A bill (H. R. 224) to authorize an appropriation for the purpose of establishing a national cemetery at Fort Bliss, Tex.; to the Committee on Military Affairs.

By Mr. COFFEE of Nebraska: A bill (H. R. 225) levying a 10-percent ad valorem duty upon articles imported from certain countries in default of interest on war debts due the United States; to the Committee on Ways and Means.

By Mr. BUCK: A bill (H. R. 226) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; to the Committee on Naval Affairs.

Also, a bill (H. R. 227) to amend sections 116 and 22 of the Revenue Acts of 1932 and 1934; to the Committee on Ways and Means.

By Mr. FISH: A bill (H. R. 228) to assure to persons within the jurisdiction of every State the equal protection of the laws by discouraging, preventing, and punishing the crime of lynching; to the Committee on the Judiciary.

Also, a bill (H. R. 229) prohibiting the importation of cannabis indica, cannabis sativa, or cannabis americana for the purpose of making the narcotic drug known as marihuana, or for any other purpose; to the Committee on Ways and Means.

By Mr. GUYER: A bill (H. R. 230) for the relief of officers and soldiers of the Volunteer service of the United States mustered into service for the War with Spain and who were held in service in the Philippine Islands after the ratification of the treaty of peace, April 11, 1899; to the Committee on War Claims.

By Mr. LAMNECK: A bill (H. R. 231) to authorize an appropriation for the purpose of establishing a national cemetery at Columbus, Ohio; to the Committee on Military Affairs.

By Mr. REED of New York: A bill (H. R. 232) for a Coast Guard station at or near Dunkirk, N. Y.; to the Committee on Merchant Marine and Fisheries.

By Mr. DOXEY: A bill (H. R. 233) for the erection of a public building at Senatobia, Tate County, Miss.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 234) for the erection of a public building at Batesville, Panola County, Miss.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 235) for the erection of a public building at Charleston, Tallahatchie County, Miss.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 236) to restore the 2-cent rate of postage on first-class mail matter; to the Committee on Ways and Means.

By Mr. GRISWOLD: A bill (H. R. 237) authorizing employees of the Veterans' Administration to accept or reject quarters furnished by the Veterans' Administration; to the Committee on World War Veterans' Legislation.

By Mr. ELLENBOGEN: A bill (H. R. 238) to rehabilitate and stabilize labor conditions in the textile industry of the United States; to prevent unemployment and to provide minimum wages, maximum hours, and other conditions of employment in said industry; to safeguard and promote the general welfare; and for other purposes; to the Committee on Labor.

By Mr. JOHNSON of Texas: A bill (H. R. 239) to restore the 2-cent rate of postage on first-class mail matter; to the Committee on Ways and Means.

By Mr. GIFFORD: A bill (H. R. 240) to liberalize the retirement law for members of the former Life Saving Service; to the Committee on Merchant Marine and Fisheries.

By Mr. FLETCHER: A bill (H. R. 241) to amend the Social Security Act (Public, No. 271, 74th Cong.); to the Committee on Ways and Means.

By Mr. MARTIN of Colorado: A bill (H. R. 242) making an appropriation to provide work relief; to the Committee on Appropriations.

By Mr. MERRITT: A bill (H. R. 243) providing for commercial and industrial loans to small industries by the Reconstruction Finance Corporation; to the Committee on Banking and Currency.

By Mr. VINSON of Georgia: A bill (H. R. 244) to confer additional jurisdiction on the United States Board of Tax Appeals; to the Committee on Ways and Means.

By Mr. CANNON of Missouri: A bill (H. R. 245) for payment of compensation to persons serving as postmaster at third- and fourth-class post offices; to the Committee on the Post Office and Post Roads.

By Mr. COLDEN: A bill (H. R. 246) to apply the quota system to immigration from the Republic of Mexico and the Philippine Islands, and for other purposes; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 247) to provide for the establishment of a naval athletic field at San Pedro, Calif.; to the Committee on Naval Affairs.

Also, a bill (H. R. 248) to increase tariff duties on tuna fish; to the Committee on Ways and Means.

Also, a bill (H. R. 249) to provide for the construction of a marine hospital at Los Angeles Harbor, Los Angeles, Calif.; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 250) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; to the Committee on Naval Affairs.

Also, a bill (H. R. 251) to provide for the construction and operation of a vessel for use in research work with respect to fisheries of the Pacific Ocean, Bering Sea, and the waters of Alaska and of Hawaii; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 252) to provide for the construction of a post-office building in Wilmington, Calif.; to the Committee on Public Buildings and Grounds.

By Mr. DOXEY: A bill (H. R. 253) to reduce interest rates on mortgage loans made by Federal land banks and by the Land Bank Commissioner, and on loans made by the Reconstruction Finance Corporation to drainage and similar districts; to the Committee on Agriculture.

Also, a bill (H. R. 254) to establish and promote the use of standard methods of grading cottonseed, to provide for the collection and dissemination of information on prices and grades of cottonseed and cottonseed products, and for other purposes; to the Committee on Agriculture.

Also, a bill (H. R. 255) to promote sustained-yield forest management, in order thereby (a) to stabilize communities, forest industries, employment, and taxable forest wealth; (b) to assure a continuous and ample supply of forest products; and (c) to secure the benefits of forests in regulation of water supply and stream flow, prevention of soil erosion, amelioration of climate, and preservation of wildlife; to the Committee on Agriculture.

Also, a bill (H. R. 256) authorizing the Secretary of Agriculture to provide for the classification of cotton, to furnish information on market supply, demand, location, condition, and market prices for cotton, and for other purposes; to the Committee on Agriculture.

By Mr. DINGELL: A bill (H. R. 257) to provide for the appointment of an additional district judge for the eastern district of Michigan; to the Committee on the Judiciary.

By Mrs. JENCKES of Indiana: A bill (H. R. 258) to create United States Civil Service Board of Appeals; to the Committee on the Civil Service.

By Mr. JOHNSON of Texas: A bill (H. R. 259) granting relief to American civilian employees of the Navy stationed in the Philippine Islands; to the Committee on Naval Affairs.

Also, a bill (H. R. 260) to provide for the use of net weights in interstate and foreign commerce transactions in cotton, to provide for the standardization of bale covering for cotton, for the purpose of requiring the use of a domestic product, and for other purposes; to the Committee on Agriculture.

By Mr. MEAD: A bill (H. R. 261) to extend the civil-service laws, to establish a Federal Personnel Council, and for other purposes; to the Committee on the Civil Service.

By Mr. SMITH of Virginia: A bill (H. R. 262) to require reports of receipts and disbursements of certain contributions, to require the registration of persons engaged in attempting to influence legislation, to prescribe punishments for violation of this act, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 263) to authorize the Secretary of the Treasury to acquire, by condemnation or otherwise, such land in the town of Fairfax, Fairfax County, Va., as may be necessary for the location of a post-office building in said town, and also to construct a suitable building thereon, and making an appropriation therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 264) to authorize and direct the deportation of criminal aliens; to the Committee on Immigration and Naturalization.

By Mr. SMITH of Washington: A bill (H. R. 265) to establish a Court of Labor Adjustment and Arbitration for the determination of controversies between employers and employees relating to wages, hours, and conditions of employment, and affecting the public interest, and for other purposes; to the Committee on the Judiciary.

By Mr. TOLAN: A bill (H. R. 266) to authorize the acquisition of lands in the San Francisco Bay area as a site for a naval supply base and to authorize the construction and installation of facilities for a naval supply base thereon; to the Committee on Naval Affairs.

By Mr. WOODRUFF: A bill (H. R. 267) to amend subdivisions (a) and (b) of section 400 of the Revenue Act of 1926, as amended, relating to taxes on cigars and cigarettes; to the Committee on Ways and Means.

Also, a bill (H. R. 268) to provide relief from taxation on certain transactions by reorganized banks; to the Committee on Ways and Means.

Also, a bill (H. R. 269) to protect domestic producers of sugar beets and sugar cane and to encourage the domestic production thereof by the regulation of foreign and interstate commerce in sugar; to provide for the fixing and revision of yearly quotas of sugar that may be imported into, transported to, or received in continental United States; to maintain a continuous and stable supply of sugar in continental United States for the benefit of both producers and consumers; and for other purposes; to the Committee on Agriculture.

Also, a bill (H. R. 270) to increase the maximum monthly payment made by States to individuals for old-age assistance which will be matched by the Federal Government; to the Committee on Ways and Means.

Also, a bill (H. R. 271) to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities, to provide for the issuance of export debentures, to secure to farmers a price for their commodities at least equal to the cost of production, and for other purposes; to the Committee on Agriculture.

By Mr. FISH: A bill (H. R. 272) to prevent profiteering in time of war and to equalize the burdens of war and thus provide for the national defense and promote peace; to the Committee on Military Affairs.

By Mr. DUNN: A bill (H. R. 273) to establish a minimum pay for Government employees; to the Committee on the Civil Service.

By Mr. IGLESIAS: A bill (H. R. 274) to correct United States citizenship status of certain persons born in Puerto Rico, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. O'MALLEY: A bill (H. R. 275) to provide for the control of floodwaters in the Wisconsin Valley, to improve navigation on the Wisconsin River and its tributaries, to provide for the irrigation of arid and semiarid lands, and for other purposes; to the Committee on Flood Control.

By Mr. CELLER: A bill (H. R. 276) to reclassify the salaries of employees in the custodial service of the Post Office Department of the United States; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 277) to encourage inventive genius by amending the income-tax laws with respect to the incomes of inventors; to the Committee on Ways and Means.

Also, a bill (H. R. 278) to reclassify the salaries of employees in the custodial service of the Post Office Department of the United States; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 279) to provide for the establishment of unemployment and social insurance, and for other purposes; to the Committee on Labor.

Also, a bill (H. R. 280) to secure compensation to certain World War veterans at a cumulative degree of disability, where such disability originated prior to the World War while such World War veteran was in active military or naval service in line of duty; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 281) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

Also, a bill (H. R. 282) to amend the Federal Register Act; to the Committee on the Judiciary.

Also, a bill (H. R. 283) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory

thereof and supplementary thereto; to the Committee on the Judiciary.

Also, a bill (H. R. 284) to create an Interracial Industrial Commission; to the Committee on the Judiciary.

Also, a bill (H. R. 285) to amend section 2 of the act approved June 30, 1879, so as to permit women to serve on juries in the courts of the United States; to the Committee on the Judiciary.

Also, a bill (H. R. 286) to regulate the fees of referees in bankruptcy and to otherwise amend the Federal Bankruptcy Act; to the Committee on the Judiciary.

Also, a bill (H. R. 287) to provide that moneys paid to contractors shall constitute trust funds; misapplication thereof to constitute a larceny; and to amend and supplement the act entitled "An act for the protection of persons furnishing materials and labor for the construction of public works", approved August 13, 1894, as amended by act approved February 24, 1905; to the Committee on the Judiciary.

Also, a bill (H. R. 288) making income from United States securities subject to the income-tax laws of the United States; to the Committee on Ways and Means.

Also, a bill (H. R. 289) to incorporate the Marine Corps League; to the Committee on the Judiciary.

Also, a bill (H. R. 290) to establish uniform requirements affecting Government contracts, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 291) to provide for the furnishing of artificial limbs and apparatus for resection, or the money value thereof, to certain former members of the military and naval forces; to the Committee on Expenditures in the Executive Departments.

Also, a bill (H. R. 292) to provide for a census of unemployment, occupations, and population; to the Committee on the Census.

Also, a bill (H. R. 293) to amend an act entitled "An act to provide for the fifteenth and subsequent decennial censuses, and to provide for apportionment of Representatives in Congress", approved June 18, 1929; to the Committee on the Census.

Also, a bill (H. R. 294) to amend the act of March 2, 1929 (45 Stat., ch. 536); to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 295) amending the Civil Service Retirement Act; to the Committee on the Civil Service.

Also, a bill (H. R. 296) to reclassify the salaries of employees in the custodial service of the Post Office Department of the United States; to the Committee on the Civil Service.

Also, a bill (H. R. 297) to provide for the promotion of janitors, cleaners, elevator operators, watchmen, and firemen helpers in the Post Office Department of the United States; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 298) to provide for the promotion of employees in the Post Office Department; to the Committee on the Post Office and Post Roads.

By Mr. WADSWORTH: A bill (H. R. 299) to make further provision concerning the method of amending the Constitution of the United States; to the Committee on the Judiciary.

By Mr. CHAPMAN: A bill (H. R. 300) to prevent the adulteration, misbranding, and false advertising of food, drugs, devices, and cosmetics in interstate, foreign, and other commerce subject to the jurisdiction of the United States, for the purposes of safeguarding the public health, preventing deceit upon the purchasing public, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. IGLESIAS: A bill (H. R. 1480) to amend sections 13 and 19 of the act of March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes"; to the Committee on Insular Affairs.

Also, a bill (H. R. 1481) to amend the Revenue Act of 1926, as amended, to exempt persons traveling between Puerto Rico and the continental United States from payment of a stamp tax on steamship tickets; to the Committee on Ways and Means.

Also, a bill (H. R. 1482) to authorize and direct the United States Commissioner of Fisheries to undertake fish-cultural and related activities in Puerto Rico, making appropriations therefor, and for other purposes; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 1483) to amend section 38 of the act of March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes"; to the Committee on Insular Affairs.

Also, a bill (H. R. 1484) to amend the act of August 14, 1935, entitled "Social Security Act", to include Puerto Rico; to the Committee on Ways and Means.

Also, a bill (H. R. 1485) to amend section 40 of the act of March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes"; to the Committee on Insular Affairs.

Also, a bill (H. R. 1486) to amend section 30 of the act of March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes"; to the Committee on Insular Affairs.

By Mr. BOILEAU: A bill (H. R. 1487) for the taxation of oleomargarine; to the Committee on Agriculture.

Also, a bill (H. R. 1488) to establish the Department of National Defense, to limit the activities of the national-defense establishments to defense purposes only, to make such establishments instruments of national peace, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. ELLENBOGEN: A bill (H. R. 1489) to provide financial assistance to the States and political subdivisions thereof for the elimination of unsafe and insanitary housing conditions, for the development of decent, safe, and sanitary dwellings for families of low income, and for the reduction of unemployment and the stimulation of business activity; to create a United States Housing Authority; and for other purposes; to the Committee on Banking and Currency.

By Mr. DIRKSEN: A bill (H. R. 1490) to make available to each State enacting in 1937 an unemployment-compensation law the proceeds from the Federal employers' tax in such State for the taxable year 1936; to the Committee on Ways and Means.

By Mr. KOPPLEMANN: A bill (H. R. 1491) to preserve the neutrality of the United States in armed conflicts occurring outside its territorial limits to which it is not a party, and to define the obligations of citizens and nationals of the United States in respect to such conflicts; to the Committee on Foreign Affairs.

By Mr. ANDREWS: A bill (H. R. 1492) to amend section 4 of the United States Grain Standards Act of 1916 as relating to the use of the official grain standards of the United States on grain moved in interstate commerce from shipping points to destination points without official grade determination; to the Committee on Agriculture.

By Mr. BREWSTER: A bill (H. R. 1493) to authorize a preliminary examination and survey of Stonington Harbor, Maine; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 1494) providing for the examination and survey of Frenchboro Harbor, Maine; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 1495) to provide for the acquisition of additional land for the Acadia National Park; to the Committee on the Public Lands.

By Mr. CELLER: A bill (H. R. 1496) to exempt certain articles from the tax on furs; to the Committee on Ways and Means.

Also, a bill (H. R. 1497) to authorize equitable compensation for circuit court and district court judges; to the Committee on the Judiciary.

By Mr. CARTER: A bill (H. R. 1498) to amend section 601 of the Revenue Act of 1932, as amended, to provide for an excise tax on eggs and egg products; to the Committee on Ways and Means.

By Mr. DEMPSEY: A bill (H. R. 1499) to create a commission and to extend further relief to water users on United

States reclamation projects and on Indian irrigation projects; to the Committee on Irrigation and Reclamation.

By Mr. DOXEY: A bill (H. R. 1500) to make the Civilian Conservation Corps a permanent agency; to the Committee on Labor.

By Mr. DIMOND: A bill (H. R. 1501) to amend an act entitled "An act to amend the act of Congress approved March 4, 1915 (38 Stat. L. 1214–1215), being an act to reserve lands of the Territory of Alaska for educational uses, and for other purposes"; to the Committee on the Public Lands.

Also, a bill (H. R. 1502) to amend Public Law No. 626, Seventy-fourth Congress; to the Committee on the Territories.

Also, a bill (H. R. 1503) to amend the Mining Act of May 10, 1872, as amended; to the Committee on Mines and Mining.

Also, a bill (H. R. 1504) providing old-age pensions for Indians of the United States; to the Committee on Indian Affairs.

By Mr. GREEN: A bill (H. R. 1505) for the completion of the construction of the Atlantic-Gulf Ship Canal across Florida; to the Committee on Rivers and Harbors.

By Mr. GAMBRILL: A bill (H. R. 1506) authorizing an appropriation for the erection of a memorial to the officers and men of the United States Navy who lost their lives as the result of a boiler explosion that totally destroyed the U. S. S. *Tulip*, near St. Inigoes Bay, Md., on November 11, 1864, and for other purposes; to the Committee on the Library.

By Mr. GAVAGAN: A bill (H. R. 1507) to assure to persons within the jurisdiction of every State the equal protection of the laws, and to punish the crime of lynching; to the Committee on the Judiciary.

By Mr. GASQUE: A bill (H. R. 1508) granting uniform pensions to widows, children, and dependent parents of persons who served the United States in time of peace or war, and for other purposes; to the Committee on Pensions.

Also, a bill (H. R. 1509) exempting part-time employees of non-profit-making organizations in the District of Columbia from the Workmen's Compensation Act; to the Committee on the District of Columbia.

Also, a bill (H. R. 1510) for the erection of a public building at Lake City, S. C., and appropriating money therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1511) for erection of a monument to Gen. Marquis de Lafayette; to the Committee on the Library.

Also, a bill (H. R. 1512) to establish a national bureau of fine arts; to the Committee on Education.

Also, a bill (H. R. 1513) to provide for the payment of salaries to certain referees in bankruptcy; to the Committee on the Judiciary.

Also, a bill (H. R. 1514) to prohibit expenditures for members of the military and naval forces of the United States who are not citizens of the United States, and for other purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 1515) to liberalize the provisions of Public Law No. 484, Seventy-third Congress, providing pensions to widows and other dependents of deceased service-connected disabled World War veterans; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 1516) for the erection of a public building at Mullins, S. C., and appropriating money therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1517) for the erection of a public building at Bishopville, S. C., and appropriating money therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1518) granting double pensions for disability from aviation, submarine, or diving duty; to the Committee on Pensions.

By Mr. HOFFMAN: A bill (H. R. 1519) to repeal section 904a of title 26, United States Code, and sections 311a, 316a, 316b, 405a, 448–448e, inclusive, 734a and 734b of title 31 of the United States Code; to the Committee on Ways and Means.

Also, a bill (H. R. 1520) to declare the Benton Harbor Canal at and above the west line of Ninth Street, Benton Harbor, Mich., a nonnavigable stream; to the Committee on Rivers and Harbors.

By Mr. HILDEBRANDT: A bill (H. R. 1521) to amend the act of February 28, 1925 (43 Stat. 1053), relative to postal rates on third-class mail matter; to the Committee on the Post Office and Post Roads.

By Mr. KING: A bill (H. R. 1522) relating to the pensioning of justices of the Supreme Court of the Territory of Hawaii upon resignation or retirement or removal upon the sole ground of mental or physical disability; to the Committee on the Judiciary.

Also, a bill (H. R. 1523) to enable the people of Hawaii to form a constitution and State government, to be admitted into the Union on an equal footing with the original States; to the Committee on the Territories.

By Mr. KELLER: A bill (H. R. 1524) to repeal a proviso (relating to teaching or advocating communism in the public schools of the District of Columbia) in the District of Columbia Appropriation Act for the fiscal year 1936; to the Committee on the District of Columbia.

By Mr. LAMNECK: A bill (H. R. 1525) to exempt inventors and certain transfers by or to inventors from the fire-arms tax; to the Committee on Ways and Means.

By Mr. LAMBERTSON: A bill (H. R. 1526) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Atchison, Kans.; to the Committee on Interstate and Foreign Commerce.

By Mr. MAPES: A bill (H. R. 1527) to provide for the issuance of pension certificates; to the Committee on Pensions.

Also, a bill (H. R. 1528) to promote the safety of employees and travelers upon common carriers engaged in interstate commerce by railroad, by compelling such carriers to maintain tracks, bridges, and appurtenances thereto in safe and suitable condition; to the Committee on Interstate and Foreign Commerce.

By Mr. McCORMACK: A bill (H. R. 1529) for the relief of the State of Massachusetts; to the Committee on the Judiciary.

By Mr. PETERSON of Florida: A bill (H. R. 1530) to provide for the protection and conservation of equities or rights of the Government resulting from railroad land grants; to the Committee on the Judiciary.

By Mr. RAMSPECK: A bill (H. R. 1531) extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes; to the Committee on the Civil Service.

By Mr. ROBSION of Kentucky: A bill (H. R. 1532) granting pensions to veterans of the World War, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. RAMSAY: A bill (H. R. 1533) authorizing the purchase of United States Supreme Court Decisions and Digest; to the Committee on the Library.

By Mr. RIGNEY: A bill (H. R. 1534) to authorize appropriations for construction of buildings, utilities, and appurtenances thereto for the Air Corps Technical School at Chanute Field, Ill.; to the Committee on Military Affairs.

By Mr. REILLY: A bill (H. R. 1535) to prohibit the use of the mails for the taking of a straw vote; to the Committee on the Post Office and Post Roads.

By Mr. RANDOLPH: A bill (H. R. 1536) to aid and promote scientific research of a basic character upon which the inception and development of new industries or the expansion of established industries may be dependent, to encourage increased effort on the part of individuals toward the further advancement of scientific knowledge and discovery, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RANKIN (by request): A bill (H. R. 1537) to amend certain laws and veterans' regulations affecting World War veterans and their dependents, and for other purposes; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 1538) to amend certain laws and veterans' regulations affecting World War veterans and their dependents, and for other purposes; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 1539) to amend the act approved June 28, 1934, to compensate widows and children of persons who died while receiving monetary benefits for disabilities directly incurred in or aggravated by active military or naval service in the World War; to the Committee on World War Veterans' Legislation.

Also (by request), a bill (H. R. 1540) to provide for the refund of certain interest paid by veterans on loans secured by adjusted-service certificates, and for other purposes; to the Committee on Ways and Means.

By Mr. SNYDER of Pennsylvania: A bill (H. R. 1541) to provide for the revoking of United States citizenship; to the Committee on Immigration and Naturalization.

By Mr. SADOWSKI: A bill (H. R. 1542) to restrict habitual commuting of aliens from foreign contiguous territory to engage in skilled or unskilled labor or employment in continental United States; to the Committee on Immigration and Naturalization.

By Mr. SCHULTE: A bill (H. R. 1543) to amend section 24 of the Immigration Act of 1917, relating to the compensation of certain Immigration and Naturalization Service employees, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. STEAGALL: A bill (H. R. 1544) to provide financial assistance to the States and political subdivisions thereof for the elimination of unsafe and insanitary housing conditions, for the development of decent, safe, and sanitary dwellings for families of low income, and for the reduction of unemployment and the stimulation of business activity; to create a United States Housing Authority under the direction and control of the Secretary of the Interior; and for other purposes; to the Committee on Banking and Currency.

By Mr. JONES: A bill (H. R. 1545) to provide for loans to farmers for crop production and harvesting during the year 1937 and from year to year thereafter, and for other purposes; to the Committee on Agriculture.

Also, a bill (H. R. 1546) to extend for 2 additional years, the 3½-percent interest rate on certain Federal land-bank loans, and for other purposes; to the Committee on Agriculture.

By Mr. DIMOND: A bill (H. R. 1547) to amend section 42 of the act of Congress entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended; to the Committee on the Judiciary.

Also, a bill (H. R. 1548) to raise revenue by taxing certain wood pulp and pulpwood and manufactured products thereof; to the Committee on Ways and Means.

Also, a bill (H. R. 1549) to authorize the use of funds collected for services rendered by the Alaska Communications System; to the Committee on Military Affairs.

Also, a bill (H. R. 1550) authorizing a preliminary examination of the Skagway River in the vicinity of Skagway, Alaska; to the Committee on Flood Control.

Also, a bill (H. R. 1551) to amend the first section of an act entitled "An act to reserve lands to the Territory of Alaska for educational uses, and for other purposes", approved March 4, 1915 (38 Stat. 1214); to the Committee on the Public Lands.

Also, a bill (H. R. 1552) to amend the act of Congress approved June 30, 1932, entitled "An act providing for the transfer of the duties authorized and authority conferred by law upon the board of road commissioners in the Territory of Alaska to the Department of the Interior, and for other purposes" (47 Stat. 446); to the Committee on the Territories.

Also, a bill (H. R. 1553) to extend the provisions of section 23 of the Independent Offices Appropriation Act, 1935; to the Committee on the Territories.

Also, a bill (H. R. 1554) to extend the provisions of the Federal Highway Act to the Territory of Alaska, to enlarge the legislative power of the Legislature of the Territory of Alaska, and for other purposes; to the Committee on Roads.

Also, a bill (H. R. 1555) authorizing the Secretary of the Interior to locate, establish, construct, equip, and operate a hospital for the insane of Alaska, and for other purposes; to the Committee on the Territories.

Also, a bill (H. R. 1556) authorizing the Legislature of Alaska to alter, amend, or repeal certain laws of Alaska imposing taxes for carrying on business and trade, and for other purposes; to the Committee on the Territories.

Also, a bill (H. R. 1557) to provide for the conservation of herring in the waters of Alaska, and for other purposes; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 1558) to provide for the construction and operation of a vessel for use in research work with respect to fisheries of the Pacific Ocean, Bering Sea, and the waters of Alaska and Hawaii; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 1559) to prohibit the use of traps, weirs, and pound nets for fishing in the waters of the Territory of Alaska, to limit certain types of salmon fishing to residents of the Territory, and for other purposes; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 1560) to extend the benefits of the United States Public Health Service to fishermen, and for other purposes; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 1561) for the protection of oyster culture in Alaska; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 1562) transferring the jurisdiction, supervision, administration, and control over the salmon and other fisheries of Alaska, except the fur-seal and sea-otter fisheries, from the Department of Commerce to the Territory of Alaska, and for other purposes; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 1563) extending the legislative power of the Legislature of the Territory of Alaska to include the game laws and laws relating to fur-bearing animals applicable to Alaska and transferring the jurisdiction, supervision, administration, and control of the game and fur-bearing animals of Alaska from the Department of Agriculture to the Territory of Alaska, and for other purposes; to the Commitee on the Territories.

Also, a bill (H. R. 1564) to grant 160 acres of land, or one placer- or lode-mining claim, in the Territory of Alaska, to the surviving residents, or the widow and minor children of deceased residents, of Alaska who served in the World War; to the Committee on the Public Lands.

Also, a bill (H. R. 1565) to amend section 6 of an act of Congress entitled "An act for the protection of the fisheries of Alaska, and for other purposes", approved June 6, 1924; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 1566) to authorize the entry of fur-farming homesteads on the public lands of Alaska; to the Committee on the Public Lands.

By Mr. BLAND: A bill (H. R. 1567) to establish fish sanctuaries in the United States; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 1568) authorizing superannuation disability pay for alien employees of the Panama Canal; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 1569) to provide for lighter-than-air craft for the use of the Coast Guard; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 1570) to provide for the establishment of a national monument at Warner Hall, Gloucester County, Va., to be known as Mildred Warner-Washington National Monument, and for other purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 1571) to liberalize the retirement law for members of the former Life Saving Service; to the Committee on Merchant Marine and Fisheries.

By Mr. FULMER: A bill (H. R. 1572) to regulate interstate shipments of cotton, and for other purposes; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 1573) to amend the Tariff Act of 1922; to the Committee on Ways and Means.

Also, a bill (H. R. 1574) to require that bidders for Star Route Service contracts be residents of the State within which the route originates; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 1575) to prohibit the sending of unsolicited merchandise through the mails; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 1576) to provide for the commemoration of the Battle of Clouds Creek, in the State of South Carolina; to the Committee on Military Affairs.

Also, a bill (H. R. 1577) to establish and maintain a pecan experiment station at or near the city of Orangeburg, S. C.; to the Committee on Agriculture.

Also, a bill (H. R. 1578) to provide for the purchase of a site and the construction of a post-office building at Batesburg, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1579) to provide for the purchase of a site and the construction of a post-office building at Barnwell, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1580) to provide for the purchase of a site and the construction of a post-office building at Lexington, S. C.; to the Committee on Public Buildings and Grounds.

By Mr. KNUTSON: A bill (H. R. 1581) to increase the processing tax on certain oils, to impose a tax upon imported soybean oil, and for other purposes; to the Committee on Ways and Means.

Also, a bill (H. R. 1582) to repeal section 350 of the Tariff Act of 1930, as amended, and to terminate all foreign-trade agreements entered into thereunder; to the Committee on Ways and Means.

Also, a bill (H. R. 1583) to authorize the Reconstruction Finance Corporation to make loans to public-school districts, to aid in the maintenance of public schools, and for other purposes; to the Committee on Banking and Currency.

Also, a bill (H. R. 1584) to regulate the level of water in certain reservoirs at the headwaters of the Mississippi River; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 1585) to authorize the erection of a tablet to commemorate the discovery of the headwaters of the Mississippi River; to the Committee on Military Affairs.

Also, a bill (H. R. 1586) to authorize owners of resort property to secure from the home-loan banks loans secured by mortgages and to authorize such banks to lend to members on the security of such mortgages; to the Committee on Banking and Currency.

Also, a bill (H. R. 1587) to provide for aiding 4–H clubs in exhibiting and demonstrating their various projects and activities at State agricultural fairs; to the Committee on Agriculture.

Also, a bill (H. R. 1588) to prohibit American citizens from accepting presents, emoluments, or titles of any kind from kings, princes, or foreign governments; to the Committee on Foreign Affairs.

Also, a bill (H. R. 1589) to amend the Social Security Act with respect to old-age benefits and in other respects; to the Committee on Ways and Means.

By Mr. McCORMACK: A bill (H. R. 1590) to permit classification of certain unclassified employees of the United States by noncompetitive examinations; to the Committee on the Civil Service.

Also, a bill (H. R. 1591) to require the registration of certain persons employed by agencies to disseminate propaganda in the United States, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 1592) to amend the act approved June 19, 1934, entitled the "Communications Act of 1934"; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 1593) to pension men who were engaged in or connected with the military service of the United States or State troops during the period of Indian wars and disturbances, and the widows of such men, and for other purposes; to the Committee on Pensions.

Also, a bill (H. R. 1594) to expedite the dispatch of vessels from certain ports of call; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 1595) to provide for a 5-day week for Federal employees; to the Committee on the Civil Service.

Also, a bill (H. R. 1596) authorizing the erection of a memorial to Brig. Gen. Casimir Pulaski at Savannah, Ga.; to the Committee on the Library.

Also, a bill (H. R. 1597) to establish boards in the Navy and Marine Corps for hearing and passing upon petitions for correction of records of persons discharged under other than honorable conditions; to the Committee on Naval Affairs.

Also, a bill (H. R. 1598) to establish a board in the Army for hearing and passing upon petitions for correction of records of persons discharged under other than honorable conditions; to the Committee on Military Affairs.

By Mr. BOYLAN of New York: A bill (H. R. 1599) to provide Federal aid to States, municipalities, and political subdivisions of States, for carrying out projects for housing for families of low income, and for other purposes; to the Committee on Appropriations.

By Mr. BREWSTER: A bill (H. R. 1600) to provide for the establishment of a Coast Guard station on the coast of Maine at or near Frenchboro, Hancock County, Maine; to the Committee on Merchant Marine and Fisheries.

By Mr. CANNON of Wisconsin: A bill (H. R. 1601) to authorize the Secretary of War to reconvey to the city of Milwaukee lands donated by said city but no longer needed by the United States Government; to the Committee on Military Affairs.

Also, a bill (H. R. 1602) to amend the act entitled "An act to amend an act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes', approved September 7, 1916"; to the Committee on the Judiciary.

By Mr. CURLEY: A bill (H. R. 1603) to amend the Emergency Relief Appropriation Act of 1935, limiting employment of labor and loans of Federal funds to citizens of the United States; to the Committee on Appropriations.

Also, a bill (H. R. 1604) to provide for the erection of a monument to the memory of Gouverneur Morris; to the Committee on the Library.

Also, a bill (H. R. 1605) to exempt from punishment for contempt of court any editor, news reporter, correspondent, journalist, or publisher who refuses to reveal the source of any confidential information obtained for publication; to the Committee on the Judiciary.

By Mr. CONNERY: A bill (H. R. 1606) to prevent the shipment in interstate commerce of certain articles and commodities, in connection with which persons are employed more than 5 days per week or 6 hours per day, and prescribing certain conditions with respect to purchases and loans by the United States; to the Committee on Labor.

By Mr. FISH: A bill (H. R. 1607) to amend the Social Security Act (Public, No. 271, 74th Cong.); to the Committee on Ways and Means.

By Mr. FADDIS: A bill (H. R. 1608) to provide for the common defense by acquiring certain commodities essential to the manufacture of supplies for the armed forces in time of an emergency, and for other purposes; to the Committee on Military Affairs.

By Mr. HAINES: A bill (H. R. 1609) to credit laborers in the Postal Service with any fractional part of a year's substitute service toward promotion; to the Committee on the Post Office and Post Roads.

By Mr. LESINSKI: A bill (H. R. 1610) authorizing the erection of a memorial to Brig. Gen. Casimir Pulaski at Savannah, Ga.; to the Committee on the Library.

By Mr. MILLER: A bill (H. R. 1611) to amend the act entitled "An act to protect trade and commerce against unlawful restraints and monopolies", approved July 2, 1890; to the Committee on the Judiciary.

By Mr. MASSINGALE: A bill (H. R. 1612) to amend title I of the Agricultural Adjustment Act (Public, No. 10, 73d Cong.) and to provide additional relief by securing to the farmers a minimum price for agricultural commodities of not less than the cost of production thereof, and for other purposes; to the Committee on Agriculture.

By Mr. MAPES: A bill (H. R. 1613) to authorize the forwarding of mail containing pension checks in cases of temporary removal of the addressee; to the Committee on the Post Office and Post Roads.

By Mr. QUINN: A bill (H. R. 1614) to authorize the coinage of 50-cent pieces in commemoration of the fiftieth anniversary of the founding of the Borough of Wilkinsburg, Pa.; to the Committee on Coinage, Weights, and Measures.

By Mr. ROBSION of Kentucky: A bill (H. R. 1615) granting pensions to certain widows, minor children, and helpless children of soldiers, sailors, and marines of the World War, and for other purposes; to the Committee on Pensions.

By Mr. SABATH: A bill (H. R. 1616) to provide revenue from the short sales of shares of stock, grain, wheat, cotton, or other allied agricultural commodities; to the Committee on Ways and Means.

By Mr. THOMASON of Texas: A bill (H. R. 1617) for the relief of former officers of the Philippine Scouts; to the Committee on Military Affairs.

Also, a bill (H. R. 1618) placing provisional officers of the World War in the same status with emergency officers of the World War and extending to them the same benefits and/or privileges as are now or may hereafter be provided by law, orders, and/or regulations for said emergency officers, and for other purposes; to the Committee on Military Affairs.

By Mr. CHANDLER: A bill (H. R. 1619) relating to sales and contracts to sell in interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. BOYKIN: A bill (H. R. 1620) to provide for the general welfare by establishing a method for permanently sustaining the primary purchasing power of the Nation, in order to sustain an effective demand for the largest production of the products of industry and agriculture; to induce employment in private enterprise; to provide employment for those unemployed in private enterprise; to provide revenue; and for other purposes; to the Committee on Ways and Means.

By Mr. CELLER: A bill (H. R. 1621) to authorize the Secretary of War and the Secretary of the Navy to furnish a firing squad to fire the customary salute for any ex-service man; to the Committee on Military Affairs.

Also, a bill (H. R. 1622) to amend Public Law No. 2, Seventy-third Congress, entitled "An act to maintain the credit of the United States Government", and Public Law No. 78, Seventy-third Congress, entitled "An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions and offices for the fiscal year ending June 30, 1934, and for other purposes"; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 1623) to renew appointments to regular positions in the Government service; to the Committee on Expenditures in the Executive Departments.

Also, a bill (H. R. 1624) amending the Civil Service Retirement Act; to the Committee on the Civil Service.

Also, a bill (H. R. 1625) to provide for the naturalization of certain veterans of the World War; to the Committee on Immigration and Naturalization.

By Mr. DEMPSEY: A bill (H. R. 1626) to provide for a survey to determine the quantity and character of crude petroleum in storage, and for other purposes; to the Committee on Mines and Mining.

By Mr. DIRKSEN: A bill (H. R. 1627) making it unlawful to sell certain spirits containing alcohol produced from materials other than cereal grains, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 1628) to amend the Interstate Commerce Act to prohibit reduction of freight rates from railshipment points on account of indirect water competition; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 1629) to provide for a preliminary examination of the Mackinaw River in Illinois, with a view to flood control and to determine the cost of such improvement; to the Committee on Flood Control.

Also, a bill (H. R. 1630) to provide for the refund of interest paid by veterans on loans secured by adjusted-service certificates, and for other purposes; to the Committee on Ways and Means.

Also, a bill (H. R. 1631) to repeal section 7 of the act of Congress of the United States known as the Alcoholic Beverage Control Act for the District of Columbia; to the Committee on the District of Columbia.

By Mr. DUNCAN: A bill (H. R. 1632) to enroll certain persons on the citizenship rolls of the Cherokee Tribe; to the Committee on Indian Affairs.

By Mr. FISH: A bill (H. R. 1633) to amend the Federal Corrupt Practices Act, 1925; to the Committee on the Judiciary.

By Mr. FULMER: A bill (H. R. 1634) to promote the general welfare through the appropriation of funds to assist the States and Territories in providing more effective programs of public education; to the Committee on Education.

Also, a bill (H. R. 1635) to provide for research work in connection with the utilization of southern agricultural products other than forest products, particularly whole cotton, for the purpose of providing new markets for the South's cotton crop other than as lint cotton; to the Committee on Agriculture.

Also, a bill (H. R. 1636) to provide for the purchase of a site and the construction of a post-office building at St. Matthews, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1637) to amend section 36 of the Emergency Farm Mortgage Act of 1933, as amended, to provide an interest rate of 3 percent per annum on loans to agricultural improvement districts; to the Committee on Agriculture.

Also, a bill (H. R. 1638) to limit appointments hereafter made to the Interstate Commerce Commission so that not more than one individual from any one Federal land-bank district shall serve thereon; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 1639) to provide for the use of net weights in interstate and foreign commerce transactions in cotton, to provide for the standardization of bale covering for cotton, and for other purposes; to the Committee on Agriculture.

Also, a bill (H. R. 1640) to provide for loans to farmers for crop production and harvesting during the year 1936, and for other purposes; to the Committee on Agriculture.

Also, a bill (H. R. 1641) authorizing and directing the Secretary of Agriculture to establish and maintain a tobacco experiment and demonstration station in Sumter County, S. C.; to the Committee on Agriculture.

Also, a bill (H. R. 1642) to make it a crime to advocate or promote the overthrow of the Government of the United States by force and violence, and for other purposes; to the Committee on the Judiciary.

By Mr. GAVAGAN: A bill (H. R. 1643) to repeal the act entitled "An act to incorporate the North River Bridge Co. and to authorize the construction of a bridge and approaches at New York City across the Hudson River, to regulate commerce in and over such bridge between the States of New York and New Jersey, and to establish such a bridge and military and post road", as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. GOLDSBOROUGH: A bill (H. R. 1644) to provide financial assistance to the States and political subdivisions thereof for the elimination of unsafe and insanitary housing conditions, for the development of decent, safe, and sanitary dwellings for families of low income, and for the reduction of unemployment and the stimulation of business activity, to create a United States Housing Authority under the direction and control of the Secretary of the Interior, and for other purposes; to the Committee on Banking and Currency.

By Mr. JONES: A bill (H. R. 1645) to facilitate the extension of agricultural credit at lower interest rates by providing for the issue of certain bank notes, to encourage the ownership of farm homes, and for other purposes; to the Committee on Agriculture.

By Mr. KENNEY: A bill (H. R. 1646) to provide for the preparation, printing, and distribution of pamphlets containing the history of Brig. Gen. Casimir Pulaski, Revolutionary War hero, on occasion of the one hundred and fiftieth anniversary of the death of Brig. Gen. Casimir Pulaski, on October 11, 1929, with certain biographical sketches and explanatory matter; to the Committee on Printing.

By Mr. KNUTSON: A bill (H. R. 1647) to authorize the sale and conveyance by the Department of the Interior to C. M. Hanson, of Bricelyn, Minn., or to his heirs, successors, or assigns, of approximately 1¾ acres of lot 2, sec. 33, T. 43 N., R. 27 W., in the county of Mille Lacs, Minn.; to the Committee on Indian Affairs.

Also, a bill (H. R. 1648) authorizing the Secretary of the Interior to purchase certain lands from Andrew P. Jorgensen; to the Committee on Indian Affairs.

Also, a bill (H. R. 1649) to authorize the conveyance by the United States to the State of Minnesota of certain lands in Morrison County, Minn.; to the Committee on the Public Lands.

Also, a bill (H. R. 1650) to extend the time for making payments on certain crop loans; to the Committee on Agriculture.

Also, a bill (H. R. 1651) to guard and protect the people of the United States against famine and shortage of food, to provide for the purchase and safekeeping by the Government of stocks of wheat, rye, corn, oats, and barley for use and consumption in times of economic distress due to shortage of food supplies, and for other purposes; to the Committee on Agriculture.

Also, a bill (H. R. 1652) to reduce the internal-revenue tax on beer and other malt liquors; to the Committee on Ways and Means.

By Mr. LANHAM: A bill (H. R. 1653) to amend the act entitled "An act to provide for the construction of certain public buildings, and for other purposes", approved May 25, 1926 (44 Stat. 630), as amended; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1654) to prevent fraud, deception, or other improper practice in connection with business before the United States Patent Office, and for other purposes; to the Committee on Patents.

Also, a bill (H. R. 1655) relating to filing of petitions with the Board of Tax Appeals; to the Committee on Ways and Means.

Also, a bill (H. R. 1656) to authorize a special rate of postage on periodicals when sent by public libraries; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 1657) to provide for the completion of the 25-mile spacing of horizontal and vertical control surveys in the State of Texas; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 1658) to amend the act entitled "An act authorizing the erection for the sole use of the Pan American Union of an office building on the square of land lying between Eighteenth Street, C Street, and Virginia Avenue NW., in the city of Washington, D. C.", approved May 16, 1928 (45 Stat. 590), as amended, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. LEMKE: A bill (H. R. 1659) providing for Congress to coin and issue money and regulate the value thereof by establishing the Bank of the United States, owned, operated, and controlled by the Government of the United States; setting forth the scope and manner of the bank's operations; creating a Board of Control and defining the powers and duties of the Board and other persons charged with the bank's management; and for other purposes; to the Committee on Banking and Currency.

By Mr. MAPES: A bill (H. R. 1660) to provide for the taxation of incomes in the District of Columbia and to repeal certain provisions of law relating to the taxation of intangible personal property in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

Also, a bill (H. R. 1661) to increase the motor-vehicle fuel tax in the District of Columbia and to provide for the better administration thereof; to the Committee on the District of Columbia.

Also, a bill (H. R. 1662) to require the registration of motor vehicles in the District of Columbia, to prescribe registration fees based upon the weight of such motor vehicles, and for other purposes; to the Committee on the District of Columbia.

Also, a bill (H. R. 1663) to provide a tax on the transfers of estates of decedents; to the Committee on the District of Columbia.

Also, a bill (H. R. 1664) relating to the contributions of the United States toward defraying the expenses of the District of Columbia; to the Committee on the District of Columbia.

By Mr. O'MALLEY: A bill (H. R. 1665) limiting the power of the Secretary of War and the Secretary of the Navy in certain instances; to the Committee on Military Affairs.

Also, a bill (H. R. 1666) to provide counsel for the defense and prosecution of rights of indigent patentees, and for other purposes; to the Committee on Patents.

By Mr. MEAD: A bill (H. R. 1667) to insure domestic tranquility and to promote the general welfare by regulating and promoting commerce with foreign nations and among the States in commodities and industrial articles, to regulate the flow of such commerce, to prescribe the conditions under which corporations may engage in such commerce, to provide for the formation of corporations to engage in such commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. PETTENGILL: A bill (H. R. 1668) to amend paragraph (1) of section 4 of the Interstate Commerce Act, as amended February 28, 1920 (U. S. C., title 49, sec. 4); to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 1669) to prohibit and to prevent the trade practices known as compulsory block-booking and blind selling in the leasing of motion-picture films in interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. PEYSER: A bill (H. R. 1670) to authorize the enlargement of Governors Island and consenting to the use of a portion thereof as a landing field for the city of New York and its environs; to the Committee on Military Affairs.

By Mr. FULMER: A bill (H. R. 1671) to provide for the construction of works for flood control and improvement of navigation in the Congaree, Santee, and Cooper River Basins; to the Committee on Flood Control.

By Mr. DICKSTEIN: Resolution (H. Res. 4) authorizing a special committee to make a thorough study of need for revision and separate codifications of laws relating to immigration, deportation, naturalization, and expatriation; to the Committee on Rules.

By Mr. KENNEY: Resolution (H. Res. 5) authorizing the Committee on the Judiciary to investigate the feasibility of rehabilitating convicted criminals by requiring them to live a pioneer life on penal islands; to the Committee on Rules.

By Mr. WHITE of Idaho: Resolution (H. Res. 6) providing for the printing of the speech of Senator John P. Jones, of Nevada, delivered in the Senate on October 14, 1893; to the Committee on Printing.

By Mr. DALY: Resolution (H. Res. 7) requesting information with respect to the naval hospital at Philadelphia, Pa.; to the Committee on World War Veterans' Legislation.

By Mr. TREADWAY: Resolution (H. Res. 8) requesting that the Congress be furnished with information in regard to trade treaties; to the Committee on Ways and Means.

By Mr. LAMNECK: Resolution (H. Res. 9) providing for the appointment of a select committee authorized and directed to investigate the distribution of appointments of present officers and employees in the executive branch of the Government, whether under civil service or otherwise; to the Committee on Rules.

By Mr. FISH: Resolution (H. Res. 10) authorizing Emanuel Hertz to compile certain data on Abraham Lincoln, and for other purposes; to the Committee on Printing.

By Mr. ROBERTSON: Resolution (H. Res. 11) authorizing the special committee on wildlife conservation, appointed under authority of House Resolution 237, Seventy-third Congress, continued under authority of House Resolution 44, Seventy-fourth Congress, to continue its investigations during the Seventy-fifth Congress; to the Committee on Rules.

By Mr. WOODRUFF: Resolution (H. Res. 12) for the relief of Delbert E. Libbey; to the Committee on Accounts.

By Mr. CELLER: Resolution (H. Res. 30) protesting against the anti-Catholic practices of the present rulers of Mexico; to the Committee on Foreign Affairs.

By Mr. FULMER: Resolution (H. Res. 31) providing for the printing of 2,000 copies of the soil survey for certain counties in South Carolina; to the Committee on Printing.

By Mr. KNUTSON: Resolution (H. Res. 32) pertaining to the negotiation of reciprocal trade agreements; to the Committee on Ways and Means.

By Mr. SABATH: Resolution (H. Res. 33) to pay Marshall Solberg for services as attorney to the Committee on the Judiciary; to the Committee on Accounts.

By Mr. WOODRUM: Resolution (H. Res. 34) for the relief of Leola J. Blackford; to the Committee on Accounts.

By Mr. GAMBRILL: Resolution (H. Res. 35) for the relief of Nellie Owings Rogers; to the Committee on Accounts.

By Mr. O'MALLEY: Resolution (H. Res. 36) directing the Doorkeeper to have printed for occupants of the galleries of the House 100,000 pamphlets explaining how the House conducts its business; to the Committee on Printing.

By Mr. SABATH: Resolution (H. Res. 37) to pay George F. R. Cummerow for investigative services to the Committee on the Judiciary; to the Committee on Accounts.

By Mr. LUDLOW: Joint resolution (H. J. Res. 1) proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. CELLER: Joint resolution (H. J. Res. 2) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. MEAD: Joint resolution (H. J. Res. 3) directing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. MERRITT: Joint resolution (H. J. Res. 4) providing for the participation of the United States in the World's Fair to be held by New York World's Fair, 1939, Inc., in the city of New York during the year 1939, and authorizing the President of the United States to invite foreign countries and nations to participate therein, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RAMSAY: Joint resolution (H. J. Res. 5) to enable the States of Pennsylvania, Ohio, Illinois, Indiana, West Virginia, Kentucky, Tennessee, and Alabama to conserve and stabilize the coal-mining industry within said States; to the Committee on the Judiciary.

By Mr. TARVER: Joint resolution (H. J. Res. 6) proposing to amend the Constitution of the United States to exclude aliens in counting the whole number of persons in each State for apportionment of Representatives among the several States; to the Committee on the Judiciary.

By Mr. CULKIN: Joint resolution (H. J. Res. 7) proposing an amendment to the Constitution of the United States changing the term of President and Vice President from 4 to 6 years and making them ineligible for reelection; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. WHITE of Idaho: Joint resolution (H. J. Res. 9) relating to the civil-service requirements of applicants for positions as medical officers in the Indian Service; to the Committee on the Civil Service.

Also, joint resolution (H. J. Res. 10) to provide for the designation of the road (truck trail) being constructed by Civilian Conservation Corps forces along the Salmon River, traversing a primitive area and crossing central Idaho, as the "Robert Fechner Trail"; to the Committee on Roads.

Also, joint resolution (H. J. Res. 11) changing the name of Pickwick Landing Dam, now being constructed on the Tennessee River, to Rankin Dam; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 12) authorizing the erection of a memorial building at Spalding State Park, Idaho, commemorating the centennial anniversary of the arrival of Dr. Henry Spalding and his wife, Eliza, in Idaho, and the beginning of civilization in the Northwest; to the Committee on Public Buildings and Grounds.

Also, joint resolution (H. J. Res. 13) to provide for the designation of the road (truck trail) being constructed by Civilian Conservation Corps forces along the Salmon River, traversing a primitive area and crossing central Idaho, as the Robert Fechner Trail; to the Committee on Roads.

By Mr. CHAPMAN: Joint resolution (H. J. Res. 14) to provide for the erection of a tablet in the Arlington Memorial Amphitheater; to the Committee on Military Affairs.

By Mr. CROWTHER: Joint resolution (H. J. Res. 15) proposing an amendment to the Constitution relating to the terms of President and Vice President; to the Committee on Election of President, Vice President, and Representatives in Congress.

Also, joint resolution (H. J. Res. 16) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. FORD of California: Joint resolution (H. J. Res. 17) proposing an amendment to the Constitution of the United States empowering Congress to regulate hours and conditions of labor and to establish minimum wages in any employment, and to regulate production, industry, business, trade, and commerce to prevent unfair methods and practices therein; to the Committee on the Judiciary.

By Mr. MARTIN of Colorado: Joint resolution (H. J. Res. 18) proposing an amendment to the Constitution of the United States empowering Congress to regulate hours and conditions of labor and to establish minimum wages in any employment, and to regulate production, industry, business, trade, and commerce to prevent unfair methods and practices therein; to the Committee on the Judiciary.

By Mr. SUMNERS of Texas: Joint resolution (H. J. Res. 19) for the establishment of a trust fund to be known as the Oliver Wendell Holmes Memorial Fund; to the Committee on the Library.

By Mr. LUDLOW: Joint resolution (H. J. Res. 20) proposing an amendment to the Constitution of the United States with respect to the declaration of war and taking of property for public use in time of war; to the Committee on the Judiciary.

By Mr. DOXEY: Joint resolution (H. J. Res. 21) to lower the tariff; to the Committee on Ways and Means.

By Mr. BURDICK: Joint resolution (H. J. Res. 22) defining the term "gratuity" when used in connection with offsets of the Government against Indian claims, and for other purposes; to the Committee on Indian Affairs.

By Mr. CROSSER: Joint resolution (H. J. Res. 23) proposing to amend the Constitution of the United States to authorize the Congress to reduce the daily period of time for which contracts of employment may be lawfully made; to the Committee on the Judiciary.

By Mr. LAMNECK: Joint resolution (H. J. Res. 24) providing for payment of compensation for services to members of local draft boards who served also as clerks of their respective boards; to the Committee on Military Affairs.

By Mr. MOTT: Joint resolution (H. J. Res. 25) authorizing the erection of a memorial building to commemorate the winning of the Oregon country for the United States; to the Committee on Public Buildings and Grounds.

By Mr. VINSON of Georgia: Joint resolution (H. J. Res. 26) proposing an amendment to the Constitution of the

United States providing for a term of 4 years for Representatives in Congress; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. BURDICK: Joint resolution (H. J. Res. 27) providing for a national moratorium in the drought area of the United States; to the Committee on Agriculture.

By Mr. LEMKE: Joint resolution (H. J. Res. 28) proposing an amendment to the Constitution of the United States providing for the initiative of legislative measures by electors; to the Committee on the Judiciary.

By Mr. DOWELL: Joint resolution (H. J. Res. 29) proposing an amendment to the Constitution of the United States relative to taxes on certain incomes; to the Committee on the Judiciary.

By Mr. FISH: Joint resolution (H. J. Res. 30) to amend the Constitution empowering each State to fix minimum rates of wages of women and minors employed in industry; to the Committee on the Judiciary.

By Mr. JOHNSON of Texas: Joint resolution (H. J. Res. 31) amending joint resolution (Public Res. No. 67, 74th Cong.) approved August 31, 1935, as amended; to the Committee on Foreign Affairs.

Also, joint resolution (H. J. Res. 32) to redeem certain exemption or ginning certificates issued under the Bankhead Act; to the Committee on Agriculture.

Also, joint resolution (H. J. Res. 33) proposing an amendment to the Constitution of the United States with respect to the declaration of war; to the Committee on the Judiciary.

By Mr. TREADWAY: Joint resolution (H. J. Res. 34) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. DOXEY: Joint resolution (H. J. Res. 35) to provide for the printing with illustrations and binding in cloth of 125,000 copies of the Special Report on the Diseases of Cattle; to the Committee on Printing.

By Mr. FLETCHER: Joint resolution (H. J. Res. 36) proposing an amendment to the Constitution to provide a term of 4 years for members of the House of Representatives; to the Committee on Election of President, Vice President, and Representatives in Congress.

Also, joint resolution (H. J. Res. 37) proposing an amendment to the Constitution of the United States providing for a term of 6 years for a President of the United States, and for other purposes; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. COLDEN: Joint resolution (H. J. Res. 38) declaring the birthday of Thomas Jefferson to be a legal public holiday; to the Committee on the Judiciary.

By Mr. SMITH of Virginia: Joint resolution (H. J. Res. 39) to dispose of Military Road; to the Committee on Military Affairs.

By Mr. WOODRUFF: Joint resolution (H. J. Res. 40) directing the President of the United States of America to proclaim October 11, 1937, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. BLAND: Joint resolution (H. J. Res. 41) authorizing the disposal of certain lands held by the Panama Railroad Co. on Manzanilla Island, Republic of Panama; to the Committee on Merchant Marine and Fisheries.

By Mr. CARTER: Joint resolution (H. J. Res. 42) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

Also, joint resolution (H. J. Res. 43) to amend Public Law No. 780, Seventy-fourth Congress, authorizing the acquisition of lands in the city of Alameda, County of Alameda, State of California, as a site for a naval air station, and for other purposes; to the Committee on Naval Affairs.

By Mr. CELLER: Joint resolution (H. J. Res. 44) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. COCHRAN: Joint resolution (H. J. Res. 45) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. GASQUE: Joint resolution (H. J. Res. 46) authorizing the President to proclaim January 1 of each year (or any other date) as a day of fasting and prayer; to the Committee on the Judiciary.

Also, joint resolution (H. J. Res. 47) to refund taxes collected under the Bankhead Act and Kerr-Smith Act, and to redeem certain exemption certificates issued thereunder; to the Committee on Agriculture.

By Mr. KENNEY: Joint resolution (H. J. Res. 48) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. SAUTHOFF: Joint resolution (H. J. Res. 49) requesting the President to proclaim October 9 as Leif Erikson Day; to the Committee on the Judiciary.

By Mr. SCHULTE: Joint resolution (H. J. Res. 50) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. SMITH of Virginia: Joint resolution (H. J. Res. 51) to provide for the printing, with illustrations, and binding in cloth of 110,000 copies of the Special Report on the Diseases of Cattle; to the Committee on Printing.

By Mr. BLOOM: Joint resolution (H. J. Res. 52) relating to the participation by the United States in the International Exposition of Paris, 1937; to the Committee on Foreign Affairs.

By Mr. DEEN: Joint resolution (H. J. Res. 53) proposing an amendment to the Constitution of the United States providing for a term of 4 years for Representative in Congress; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. DIMOND: Joint resolution (H. J. Res. 54) authorizing a preliminary examination or survey of Myers Chuck Harbor, Alaska; to the Committee on Rivers and Harbors.

Also, joint resolution (H. J. Res. 55) authorizing a preliminary examination or survey of Onga Harbor, Alaska; to the Committee on Rivers and Harbors.

Also, joint resolution (H. J. Res. 56) authorizing a preliminary examination or survey of Elfin Cove, Alaska; to the Committee on Rivers and Harbors.

Also, joint resolution (H. J. Res. 57) authorizing a preliminary examination or survey of Seldovia Harbor, Alaska; to the Committee on Rivers and Harbors.

Also, joint resolution (H. J. Res. 58) authorizing a preliminary examination or survey of a ship or small-boat canal to connect Tenakee Inlet and Port Frederick on Chichagof Island, Alaska; to the Committee on Rivers and Harbors.

Also, joint resolution (H. J. Res. 59) authorizing a preliminary examination and survey of the mouth of Sinuk River, Alaska; to the Committee on Rivers and Harbors.

By Mr. KNUTSON: Joint resolution (H. J. Res. 60) to enable farmers to pay off their seed and feed loans by working on farm-to-market roads; to the Committee on Agriculture.

By Mr. LESINSKI: Joint resolution (H. J. Res. 61) to provide for the preparation, printing, and distribution of pamphlets containing the history of Brig. Gen. Casimir Pulaski, Revolutionary War hero, on occasion of the one hundred and fiftieth anniversary of the death of Brig. Gen. Casimir Pulaski, on October 11, 1929, with certain biographical sketches and explanatory matter; to the Committee on Printing.

By Mr. FULMER: Joint resolution (H. J. Res. 62) proposing an amendment to the Constitution of the United States providing for a term of 4 years for Representatives in Congress; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. FISH: Joint resolution (H. J. Res. 63) proposing an amendment to the Constitution of the United States for a referendum on war; to the Committee on the Judiciary.

By Mr. FADDIS: Joint resolution (H. J. Res. 64) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. GASQUE: Joint resolution (H. J. Res. 65) to create a National Food Research Commission, and for other purposes; to the Committee on Agriculture.

By Mr. KNUTSON: Joint resolution (H. J. Res. 66) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. LESINSKI: Joint resolution (H. J. Res. 67) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observation and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. McLEAN: Joint resolution (H. J. Res. 68) proposing an amendment to the Constitution of the United States fixing the term of the President and Vice President; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. SABATH: Joint resolution (H. J. Res. 69) to provide for the dredging of "Slip D" of the west fork of the south branch of the Chicago River, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. TINKHAM: Joint resolution (H. J. Res. 70) proposing an amendment to the Constitution of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. DUNCAN: Joint resolution (H. J. Res. 71) proposing an amendment to the Constitution of the United States fixing the terms of office of Representative in Congress; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. DIRKSEN: Joint resolution (H. J. Res. 72) proposing an amendment to the Constitution of the United States relative to disapproval of items in general appropriation bills; to the Committee on the Judiciary.

By Mr. IGLESIAS: Joint resolution (H. J. Res. 73) authorizing the issuance of a special stamp in behalf of the island of Puerto Rico; to the Committee on the Post Office and Post Roads.

By Mr. KNUTSON: Joint resolution (H. J. Res. 74) stating whether coastwise traffic should be subject to governmental regulation under the Interstate Commerce Commission; to the Committee on Merchant Marine and Fisheries.

By Mr. O'MALLEY: Joint resolution (H. J. Res. 75) proposing an amendment to the Constitution of the United States granting power to the Congress in time of war to take property for military and nonmilitary purposes without payment of profit when conscripting persons for military or nonmilitary purposes; to the Committee on the Judiciary.

Also, joint resolution (H. J. Res. 76) proposing an amendment to the Income Tax Act of 1936 providing for an emergency surtax of 50 percent on the net income of all foreign subsidiaries of American corporations, individuals, partnerships, or manufacturers; to the Committee on Ways and Means.

Also, joint resolution (H. J. Res. 77) proposing an amendment to the Constitution of the United States granting power to the Congress of the United States to levy and collect a tax on the income of securities issued by or under the authority of any State and granting power to the several States to levy and collect a tax on the income of securities issued by or under the authority of the United States; to the Committee on the Judiciary.

By Mr. REILLY: Joint resolution (H. J. Res. 78) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. SIROVICH: Joint resolution (H. J. Res. 79) providing for the establishment of an executive department to be known as the Department of Science, Art, and Literature; to the Committee on Patents.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Michigan Legislature, memorializing the President and Congress of the United States to amend the Social Security Act; to the Committee on Ways and Means.

Also, memorial of the State of Kentucky, memorializing the Congress concerning certain economies in the management of the Postal Service; to the Committee on the Post Office and Post Roads.

Also, memorial of the State of Arizona, memorializing the Congress in regard to inclusion of tribal Indians within the provisions of the Old Age Assistance Act; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARENDS: A bill (H. R. 301) granting a pension to Benjamin F. Pence; to the Committee on Invalid Pensions.

Also, a bill (H. R. 302) granting a pension to Frank B. Oatman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 303) making eligible for retirement, under the same conditions as now provided for officers of the Regular Army, A. Richard Hedstrom, chaplain, an officer of the United States Army during the World War, who incurred physical disability in line of duty; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 304) granting an increase of pension to Mary Warman; to the Committee on Invalid Pensions.

By Mr. CREAL: A bill (H. R. 305) granting a pension to Mary Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 306) granting a pension to George Merideth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 307) granting a pension to Jim Merideth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 308) granting a pension to Louise F. Mansfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 309) granting a pension to Julia Lyon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 310) granting a pension to Mary J. Logsdon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 311) granting a pension to Nancy Ann Laird; to the Committee on Invalid Pensions.

Also, a bill (H. R. 312) granting a pension to Martha Kasinger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 313) granting a pension to Gorda James; to the Committee on Invalid Pensions.

Also, a bill (H. R. 314) granting a pension to William H. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 315) granting a pension to Alfred Daugherty; to the Committee on Invalid Pensions.

Also, a bill (H. R. 316) granting a pension to Alwilda Brooks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 317) granting an increase of pension to Martha J. Blacketer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 318) granting a pension to Mattie Bumgardner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 319) granting a pension to Frances Vaughn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 320) granting a pension to Mattie Stults; to the Committee on Invalid Pensions.

Also, a bill (H. R. 321) granting a pension to Mary E. Sutherland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 322) granting a pension to Lafie A. Stewart; to the Committee on Pensions.

Also, a bill (H. R. 323) granting a pension to Nancy A. Scott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 324) granting a pension to Simpson Pennington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 325) granting an increase of pension to Mildred C. Sexton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 326) granting an increase of pension to Winnie Hazard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 327) for the relief of Henry H. Carr, Robert E. Wise, Stanley Wise Ellis, and Peyton L. Ellis, and Hilory Wise, and Flora A. Wise; to the Committee on Claims.

Also, a bill (H. R. 328) for the relief of Brown McCubbin; to the Committee on Claims.

Also, a bill (H. R. 329) granting an increase of pension to Sallie Miller; to the Committee on Invalid Pensions.

By Mr. COLE of New York: A bill (H. R. 330) granting a pension to Lenus R. Rush; to the Committee on Pensions.

Also, a bill (H. R. 331) granting a pension to Jesse Morse; to the Committee on Invalid Pensions.

Also, a bill (H. R. 332) granting an increase of pension to Emma Morse; to the Committee on Invalid Pensions.

By Mr. CULKIN: A bill (H. R. 333) granting a pension to Agnes Crawford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 334) granting a pension to Ella Chapman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 335) granting a pension to Cora B. Gardner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 336) granting a pension to Cora Dawson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 337) granting a pension to Mary Love; to the Committee on Invalid Pensions.

Also, a bill (H. R. 338) granting a pension to Dorothy King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 339) granting a pension to Mary P. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 340) granting a pension to Katie Roch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 341) for the relief of William Burke; to the Committee on Claims.

Also, a bill (H. R. 342) for the relief of Ward Bell; to the Committee on Claims.

Also, a bill (H. R. 343) for the relief of Charles E. Adams; to the Committee on Military Affairs.

Also, a bill (H. R. 344) for the relief of Ford O. Gotham; to the Committee on Claims.

Also, a bill (H. R. 345) for the relief of Genevieve E. Daley; to the Committee on Claims.

Also, a bill (H. R. 346) for the relief of Frank D. Lowe; to the Committee on Claims.

Also, a bill (H. R. 347) for the relief of W. Glenn Larmonth; to the Committee on Claims.

Also, a bill (H. R. 348) for the relief of Frank P. Redfield; to the Committee on Claims.

Also, a bill (H. R. 349) for the relief of James McCumber; to the Committee on Claims.

Also, a bill (H. R. 350) for the relief of Smith-Canastota, Inc., successor to Bridge & Souter Co., Inc.; to the Committee on Claims.

Also, a bill (H. R. 351) for the relief of Ernest W. Reichel; to the Committee on Military Affairs.

Also, a bill (H. R. 352) for the relief of Clarence L. Stevens; to the Committee on Claims.

Also, a bill (H. R. 353) for the relief of Elbert Scott; to the Committee on Claims.

Also, a bill (H. R. 354) for the relief of Westcott Chuck Co.; to the Committee on Claims.

Also, a bill (H. R. 355) for the relief of Rose Louise Trapolino; to the Committee on Claims.

Also, a bill (H. R. 356) for the relief of James Wood; to the Committee on Claims.

Also, a bill (H. R. 357) for the relief of Albert W. Wright; to the Committee on Claims.

Also, a bill (H. R. 358) granting an increase of pension to Cora A. Townsend; to the Committee on Invalid Pensions.

Also, a bill (H. R. 359) granting an increase of pension to Margaret Van Dresar; to the Committee on Invalid Pensions.

Also, a bill (H. R. 360) granting an increase of pension to Annie Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 361) granting an increase of pension to Mary Wilder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 362) granting an increase of pension to Etta L. Tifft; to the Committee on Invalid Pensions.

Also, a bill (H. R. 363) granting an increase of pension to Ella E. Terryll; to the Committee on Invalid Pensions.

Also, a bill (H. R. 364) granting an increase of pension to Annie E. Tyler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 365) granting an increase of pension to Mary E. Starkweather; to the Committee on Invalid Pensions.

Also, a bill (H. R. 366) granting an increase of pension to Ellen M. Stowell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 367) granting an increase of pension to Alwilda E. Seymour; to the Committee on Invalid Pensions.

Also, a bill (H. R. 368) granting an increase of pension to Lorinda Sherwood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 369) granting an increase of pension to Jennie Skelton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 370) granting an increase of pension to Florine F. Seaman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 371) granting an increase of pension to Kate Riker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 372) granting an increase of pension to Henrietta Peavey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 373) granting an increase of pension to Mary E. Pooler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 374) granting an increase of pension to Christiann Perrego; to the Committee on Invalid Pensions.

Also, a bill (H. R. 375) granting an increase of pension to Eliza Pickard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 376) granting an increase of pension to Frances E. Mack; to the Committee on Invalid Pensions.

Also, a bill (H. R. 377) granting an increase of pension to Margaret J. Merrill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 378) granting an increase of pension to Mary H. Ackley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 379) granting an increase of pension to Sarah J. Allen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 380) granting an increase of pension to Emogene Allen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 381) granting an increase of pension to Alice W. Butts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 382) granting an increase of pension to Ida Bloss; to the Committee on Invalid Pensions.

Also, a bill (H. R. 383) granting an increase of pension to Mrs. Edwin Crandall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 384) granting an increase of pension to Adela Carman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 385) granting an increase of pension to Eunice A. Collins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 386) granting an increase of pension to Martha J. Carlton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 387) granting an increase of pension to Mary Coombs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 388) granting an increase of pension to Selena M. Combs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 389) granting an increase of pension to Ellen E. Chidester; to the Committee on Invalid Pensions.

Also, a bill (H. R. 390) granting an increase of pension to Anna M. Curtis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 391) granting an increase of pension to Sarah Jane Dempster; to the Committee on Invalid Pensions.

Also, a bill (H. R. 392) granting an increase of pension to Mary Delane; to the Committee on Invalid Pensions.

Also, a bill (H. R. 393) granting an increase of pension to Anna M. Dennison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 394) granting an increase of pension to Addie M. Eggleston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 395) granting an increase of pension to Jennie Everett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 396) granting an increase of pension to Nancy E. Fish; to the Committee on Invalid Pensions.

Also, a bill (H. R. 397) granting an increase of pension to Jane M. French; to the Committee on Invalid Pensions.

Also, a bill (H. R. 398) granting an increase of pension to Catherine Grunert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 399) granting an increase of pension to Ann J. Gregg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 400) granting an increase of pension to Frances M. Hayden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 401) granting an increase of pension to Ella A. Hart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 402) granting an increase of pension to Mary Hennessey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 403) granting an increase of pension to Mary W. Hannaford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 404) granting an increase of pension to Katie Ingersoll; to the Committee on Invalid Pensions.

Also, a bill (H. R. 405) granting an increase of pension to Etta A. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 406) granting an increase of pension to Laura Joles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 407) granting an increase of pension to Erzelia A. Lackey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 408) granting an increase of pension to Mary A. McNeil; to the Committee on Invalid Pensions.

By Mr. MERRITT: A bill (H. R. 409) to correct and complete the naval record of Robert Prentice Crowe; to the Committee on Naval Affairs.

Also, a bill (H. R. 410) to confer jurisdiction on the Court of Claims of the United States to hear and determine the claims of George Cabot and others, and for other purposes; to the Committee on Claims.

Also, a bill (H. R. 411) for the relief of A. Sereiskis (Maxwell A. Rittenberg); to the Committee on Immigration and Naturalization.

By Mr. MILLARD: A bill (H. R. 412) granting a pension to Elizabeth H. Camp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 413) for the relief of the estate of Alexis Romm; to the Committee on Claims.

Also, a bill (H. R. 414) for the relief of Cornelius P. Young; to the Committee on Claims.

Also, a bill (H. R. 415) granting an increase of pension to Miranda C. Thompson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 416) granting a pension to Fannie J. Mann; to the Committee on Invalid Pensions.

Also, a bill (H. R. 417) for the relief of Arthur C. Knox; to the Committee on Claims.

Also, a bill (H. R. 418) for the relief of Bertram Lee Schoonmaker; to the Committee on War Claims.

Also, a bill (H. R. 419) for the relief of Edward L. Gockeler; to the Committee on Claims.

Also, a bill (H. R. 420) for the relief of Marjorie L. Baxter; to the Committee on Claims.

By Mr. RAMSAY: A bill (H. R. 421) granting a pension to Rosylena Wood; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 422) granting a pension to Ellogene E. Raymond; to the Committee on Invalid Pensions.

Also, a bill (H. R. 423) granting a pension to Clementine N. Riderick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 424) granting an increase of pension to Martha A. Santway; to the Committee on Invalid Pensions.

Also, a bill (H. R. 425) granting an increase of pension to Laura M. Shipman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 426) granting an increase of pension to Annie E. Fuller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 427) granting an increase of pension to Margaret V. Besa; to the Committee on Invalid Pensions.

Also, a bill (H. R. 428) granting an increase of pension to Susie Coffie; to the Committee on Invalid Pensions.

Also, a bill (H. R. 429) granting an increase of pension to Maria Loran; to the Committee on Invalid Pensions.

Also, a bill (H. R. 430) granting a pension to Sarah E. Sutton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 431) granting an increase of pension to Clara F. Tower; to the Committee on Invalid Pensions.

Also, a bill (H. R. 432) for the relief of Lillian M. Lanphear; to the Committee on Claims.

Also, a bill (H. R. 433) for the relief of Elizabeth Lizette; to the Committee on Military Affairs.

Also, a bill (H. R. 434) granting an increase of pension to Ida M. Lent; to the Committee on Invalid Pensions.

Also, a bill (H. R. 435) granting a pension to Sidney Ann Hodges; to the Committee on Invalid Pensions.

Also, a bill (H. R. 436) granting an increase of pension to Agnes C. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 437) granting an increase of pension to Sarah A. Bulluck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 438) granting an increase of pension to Jane Currier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 439) granting an increase of pension to Hattie G. Dyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 440) granting an increase of pension to Mary Catherine Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 441) granting an increase of pension to Abbigial J. Brownson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 442) granting an increase of pension to Kathryn Bruce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 443) for the relief of John Martin; to the Committee on Military Affairs.

Also, a bill (H. R. 444) for the relief of Elizabeth Taylor; to the Committee on Military Affairs.

Also, a bill (H. R. 445) granting an increase of pension to Deborah Pond; to the Committee on Invalid Pensions.

Also, a bill (H. R. 446) granting an increase of pension to Rose Ann Richards; to the Committee on Invalid Pensions.

By Mr. TERRY: A bill (H. R. 447) for the relief of Alpha Vint; to the Committee on Claims.

Also, a bill (H. R. 448) for the relief of C. C. Young; to the Committee on Claims.

Also, a bill (H. R. 449) for the relief of Earl Hill; to the Committee on Claims.

Also, a bill (H. R. 450) for the relief of A. D. Hampton; to the Committee on Claims.

Also, a bill (H. R. 451) for the relief of Emma Fein; to the Committee on Claims.

Also, a bill (H. R. 452) for the relief of Edwin D. March; to the Committee on Claims.

Also, a bill (H. R. 453) for the relief of C. A. Blackburn; to the Committee on Claims.

Also, a bill (H. R. 454) granting a pension to Rosetta McKay Adams; to the Committee on Pensions.

Also, a bill (H. R. 455) granting an increase of pension to Kenneth Morford; to the Committee on Pensions.

By Mr. BURCH: A bill (H. R. 456) for the relief of Ernest and Lottie Dunford; to the Committee on Claims.

By Mr. COLE of New York: A bill (H. R. 457) granting an increase of pension to Mary Luella McEwen; to the Committee on Invalid Pensions.

By Mr. DICKSTEIN: A bill (H. R. 458) for the relief of Eva Markowitz; to the Committee on Claims.

By Mr. HOUSTON: A bill (H. R. 459) for the relief of the Derby Oil Co.; to the Committee on Claims.

Also, a bill (H. R. 460) granting a pension to Hulda S. Dick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 461) granting a pension to Martha Ella Downing; to the Committee on Invalid Pensions.

Also, a bill (H. R. 462) granting a pension to Frances Engler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 463) granting a pension to Jessie M. Warner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 464) granting a pension to Mary E. Carroll; to the Committee on Invalid Pensions.

Also, a bill (H. R. 465) granting a pension to Georgiana Garthwaite; to the Committee on Pensions.

Also, a bill (H. R. 466) granting a pension to Lillie Z. Devin; to the Committee on Pensions.

Also, a bill (H. R. 467) for the relief of Zachara T. Edwards; to the Committee on Military Affairs.

Also, a bill (H. R. 468) for the relief of Lewis H. Miller; to the Committee on Military Affairs.

Also, a bill (H. R. 469) for the relief of Amos F. Westerfield; to the Committee on Military Affairs.

Also, a bill (H. R. 470) granting an increase of pension to Emily J. McCready; to the Committee on Invalid Pensions.

Also, a bill (H. R. 471) granting an increase of pension to Susan I. Queen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 472) granting an increase of pension to Emma Webb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 473) granting an increase of pension to Miriam A. Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 474) granting an increase of pension to Margaret A. Bradshaw; to the Committee on Invalid Pensions.

Also, a bill (H. R. 475) granting an increase of pension to Mathilda Danielson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 476) granting an increase of pension to Mary Hawk; to the Committee on Invalid Pensions.

Also, a bill (H. R. 477) granting an increase of pension to Florence I. Huss; to the Committee on Invalid Pensions.

Also, a bill (H. R. 478) granting an increase of pension to Eliza Robinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 479) granting an increase of pension to Mary C. Snyder; to the Committee on Invalid Pensions.

By Mr. KINZER: A bill (H. R. 480) granting a pension to Frances C. Strickler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 481) granting a pension to George Newton Groff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 482) granting a pension to John W. Lutz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 483) granting a pension to Maude Isabel Schuler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 484) granting an increase of pension to Sarah D. Stauffer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 485) granting an increase of pension to Emma Barnholt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 486) granting an increase of pension to Minnie B. Bell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 487) granting an increase of pension to Sarah D. Brooke; to the Committee on Invalid Pensions.

By Mr. BURCH: A bill (H. R. 488) to amend the act entitled "An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes", approved August 25, 1919, as amended by the act of March 6, 1920; to the Committee on Public Buildings and Grounds.

By Mr. KINZER: A bill (H. R. 489) granting an increase of pension to Helen Gallagher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 490) granting an increase of pension to Kate C. George; to the Committee on Invalid Pensions.

Also, a bill (H. R. 491) granting an increase of pension to Catharine E. Hinkle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 492) granting an increase of pension to Sarah J. Lafferty; to the Committee on Invalid Pensions.

Also, a bill (H. R. 493) granting an increase of pension to Emma J. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 494) granting an increase of pension to Hettie A. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 495) granting an increase of pension to Emma V. Morton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 496) granting an increase of pension to Mary G. Nohrenhold; to the Committee on Invalid Pensions.

By Mr. LUCAS: A bill (H. R. 497) authorizing the Secretary of the Treasury to refund to John A. Godar excise taxes erroneously paid to the Collector of Internal Revenue; to the Committee on Claims.

Also, a bill (H. R. 498) granting a pension to Agnes G. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 499) granting a pension to Bettie L. Patterson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 500) granting a pension to Anna Angelow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 501) granting a pension to James Edwards; to the Committee on Invalid Pensions.

Also, a bill (H. R. 502) granting an increase of pension to Louisa Bowman; to the Committee on Invalid Pensions.

By Mr. MEAD: A bill (H. R. 503) granting an increase of pension to Eliza Matthews; to the Committee on Invalid Pensions.

Also, a bill (H. R. 504) granting the Distinguished Service Medal to Llewellyn E. Jones; to the Committee on Military Affairs.

Also, a bill (H. R. 505) granting a pension to Fred W. Coleman; to the Committee on Military Affairs.

Also, a bill (H. R. 506) granting the Distinguished Service Medal to James Guinea; to the Committee on Military Affairs.

Also, a bill (H. R. 507) for the relief of John Bernard Stroh; to the Committee on Military Affairs.

Also, a bill (H. R. 508) to authorize the appointment of Capt. Byron B. Daggett, retired, to the grade of major, retired, in the United States Army; to the Committee on Military Affairs.

Also, a bill (H. R. 509) for the relief of Frank Mackowiak; to the Committee on Military Affairs.

Also, a bill (H. R. 510) for the relief of Charles H. Kinzie; to the Committee on Military Affairs.

Also, a bill (H. R. 511) for the relief of William J. Cotter; to the Committee on Military Affairs.

Also, a bill (H. R. 512) for the relief of Casimer Borawiak; to the Committee on Military Affairs.

Also, a bill (H. R. 513) for the relief of the widow and children of Samuel F. Freiert, deceased; to the Committee on Military Affairs.

Also, a bill (H. R. 514) for the relief of John Heinzenberger; to the Committee on Military Affairs.

Also, a bill (H. R. 515) granting a pension to Pauline Fallahee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 516) for the relief of Henry C. Zeller and Edward G. Zeller with respect to the maintenance of suit against the United States for the recovery of any income tax paid to the United States for the fiscal year beginning October 1, 1916, and ending September 30, 1917, in excess of the amount of tax lawfully due for such period; to the Committee on Claims.

Also, a bill (H. R. 517) for the relief of Jozef Siurtek; to the Committee on Claims.

Also, a bill (H. R. 518) for the relief of Francesca Incardone Iacona; to the Committee on Claims.

Also, a bill (H. R. 519) for the relief of Leonard Gospodarski; to the Committee on Claims.

Also, a bill (H. R. 520) for the relief of Nick Gruyich; to the Committee on Claims.

Also, a bill (H. R. 521) for the relief of Mary Czap; to the Committee on Claims.

Also, a bill (H. R. 522) for the relief of Joseph Restivo; to the Committee on Claims.

Also, a bill (H. R. 523) for the relief of Leonard F. Westphal; to the Committee on Naval Affairs.

Also, a bill (H. R. 524) for the relief of Charles Alexander Ritchie; to the Committee on Naval Affairs.

Also, a bill (H. R. 525) for the relief of Burton Bowen; to the Committee on Naval Affairs.

Also, a bill (H. R. 526) for the relief of William Arthur Elmore; to the Committee on Naval Affairs.

Also, a bill (H. R. 527) for the relief of Walter J. Dunn; to the Committee on Naval Affairs.

Also, a bill (H. R. 528) for the relief of Joseph M. Haska; to the Committee on Naval Affairs.

Also, a bill (H. R. 529) for the relief of William Harnick; to the Committee on Naval Affairs.

Also, a bill (H. R. 530) for the relief of Edward Raymond Naiderek; to the Committee on Naval Affairs.

Also, a bill (H. R. 531) for the relief of Peter S. Klaskala; to the Committee on Naval Affairs.

Also, a bill (H. R. 532) for the relief of Edward Henry Condon; to the Committee on Naval Affairs.

Also, a bill (H. R. 533) for the relief of Howard W. Chadderdon; to the Committee on Naval Affairs.

Also, a bill (H. R. 534) for the relief of Raymond C. Bogart; to the Committee on Naval Affairs.

Also, a bill (H. R. 535) for the relief of Lt. Emmet P. Forrestel; to the Committee on Naval Affairs.

Also, a bill (H. R. 536) for the relief of Joseph George Fimbel; to the Committee on Naval Affairs.

Also, a bill (H. R. 537) for the relief of Joseph Leroy Everett; to the Committee on Naval Affairs.

By Mrs. ROGERS of Massachusetts: A bill (H. R. 538) for the relief of Eugene Michael Doran; to the Committee on Naval Affairs.

Also, a bill (H. R. 539) for the relief of John F. Farley; to the Committee on Military Affairs.

Also, a bill (H. R. 540) to place William W. Wade on the retired list of the United States Army as a major; to the Committee on Military Affairs.

Also, a bill (H. R. 541) for the relief of Michael J. Day; to the Committee on Military Affairs.

Also, a bill (H. R. 542) for the relief of Joseph Edward Richards; to the Committee on Military Affairs.

Also, a bill (H. R. 543) for the relief of Emile Beaudoin; to the Committee on Claims.

Also, a bill (H. R. 544) for the relief of Charles Dancause and Virginia P. Rogers; to the Committee on Claims.

Also, a bill (H. R. 545) for the relief of Dean Scott; to the Committee on Claims.

Also, a bill (H. R. 546) for the relief of Ralph Adams Cram, Lydia B. Kimball, executrix under the last will and testament of Bertram G. Goodhue, deceased, and Donald G. Ferguson, administrator of the estate of Frank W. Ferguson, deceased; to the Committee on Claims.

Also, a bill (H. R. 547) granting a pension to Emma Dailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 548) for the relief of Catherine Ward; to the Committee on Claims.

Also, a bill (H. R. 549) reviving and renewing patents nos. 955130 and 955131; to the Committee on Patents.

Also, a bill (H. R. 550) granting a pension to Hattie G. Badger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 551) for the relief of James H. McCarty; to the Committee on Military Affairs.

Also, a bill (H. R. 552) granting a pension to Lucy Avery; to the Committee on Invalid Pensions.

By Mr. TARVER: A bill (H. R. 553) granting a pension to Nola Forrester; to the Committee on Invalid Pensions.

Also, a bill (H. R. 554) granting a pension to Sarah M. Emmerson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 555) granting a pension to Julia Bush; to the Committee on Pensions.

Also, a bill (H. R. 556) granting a pension to Thomas Denton; to the Committee on Pensions.

Also, a bill (H. R. 557) granting a pension to Albert E. Wells; to the Committee on Pensions.

Also, a bill (H. R. 558) granting an increase of pension to Sarah A. Boman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 559) granting a pension to Mary H. Auch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 560) granting a pension to Mary F. Shields; to the Committee on Invalid Pensions.

Also, a bill (H. R. 561) for the relief of Fay Pledger; to the Committee on Claims.

Also, a bill (H. R. 562) for the relief of Rosa F. Wood; to the Committee on Claims.

Also, a bill (H. R. 563) for the relief of E. W. Garrison; to the Committee on Claims.

Also, a bill (H. R. 564) for the relief of Lon D. Worsham Co.; to the Committee on Claims.

Also, a bill (H. R. 565) for the relief of James A. Johnson; to the Committee on Claims.

Also, a bill (H. R. 566) for the relief of Mahaley Bishop Wheeler; to the Committee on Claims.

Also, a bill (H. R. 567) for the relief of James Harold Hunter; to the Committee on Claims.

Also, a bill (H. R. 568) for the relief of James A. Henderson; to the Committee on Claims.

By Mr. THURSTON: A bill (H. R. 569) granting an increase of pension to Martha J. Wick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 570) granting an increase of pension to Sarah A. Teague; to the Committee on Invalid Pensions.

Also, a bill (H. R. 571) granting a pension to Mary J. Waltenbaugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 572) granting an increase of pension to Harriet Reynolds; to the Committee on Invalid Pensions.

Also, a bill (H. R. 573) granting a pension to H. Emma Streepy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 574) granting a pension to Susan Melugin; to the Committee on Pensions.

Also, a bill (H. R. 575) granting an increase of pension to Sarah J. Pitman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 576) granting an increase of pension to Phoebe A. Jennings; to the Committee on Invalid Pensions.

Also, a bill (H. R. 577) granting an increase of pension to Sarah M. McCullough; to the Committee on Invalid Pensions.

Also, a bill (H. R. 578) granting a pension to Alberta Belle Newman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 579) granting a pension to Ella Orr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 580) granting an increase of pension to Frances C. Gaskill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 581) granting an increase of pension to Cordelia Hiatt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 582) granting an increase of pension to Eliza C. Dunlap; to the Committee on Invalid Pensions.

Also, a bill (H. R. 583) granting a pension to Nora Dunlavy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 584) granting an increase of pension to Elizabeth A. Crum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 585) granting a pension to Maude DeLay; to the Committee on Invalid Pensions.

Also, a bill (H. R. 586) granting an increase of pension to Mary C. Abrams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 587) granting an increase of pension to Lillie A. Athey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 588) for the relief of J. P. Harris; to the Committee on Claims.

Also, a bill (H. R. 589) for the relief of Effie Garton; to the Committee on Claims.

Also, a bill (H. R. 590) for the relief of E. G. Banta, successor to the firm of Banta & Banta; to the Committee on Claims.

Also, a bill (H. R. 591) for the relief of John T. Clarkson; to the Committee on Claims.

Also, a bill (H. R. 592) for the relief of E. A. Caylor; to the Committee on Claims.

Also, a bill (H. R. 593) for the relief of Albert Wheeler; to the Committee on Claims.

Also, a bill (H. R. 594) for the relief of Gladys L. Dunn; to the Committee on Claims.

Also, a bill (H. R. 595) for the relief of C. E. Landtiser; to the Committee on Claims.

Also, a bill (H. R. 596) for the relief of Minnie Jordan; to the Committee on Claims.

Also, a bill (H. R. 597) for the relief of Mina Hall; to the Committee on Claims.

Also, a bill (H. R. 598) for the relief of Sarah E. Garnes; to the Committee on Claims.

Also, a bill (H. R. 599) for the relief of W. J. Steckel; to the Committee on Claims.

By Mr. COSTELLO: A bill (H. R. 600) for the relief of A. S. Koyer; to the Committee on Claims.

Also, a bill (H. R. 601) for the relief of Edna M. Callahan and Anna Scott; to the Committee on Claims.

Also, a bill (H. R. 602) granting a pension to Mary L. Head; to the Committee on Invalid Pensions.

Also, a bill (H. R. 603) for the relief of Robert William Morris; to the Committee on Naval Affairs.

Also, a bill (H. R. 604) extending the benefits of the Emergency Officers' Retirement Act to Cornelious O. Bailey; to the Committee on Pensions.

Also, a bill (H. R. 605) granting a pension to Frank B. Hayes; to the Committee on Pensions.

Also, a bill (H. R. 606) granting the Distinguished Service Cross to Col. John A. Lockwood, United States Army, retired; to the Committee on Military Affairs.

Also, a bill (H. R. 607) for the relief of Dorothy McCourt; to the Committee on Claims.

By Mr. CROWTHER: A bill (H. R. 608) for the relief of Maj. Lyman S. Frasier; to the Committee on Military Affairs.

Also, a bill (H. R. 609) for the relief of Arthur Reid; to the Committee on Military Affairs.

Also, a bill (H. R. 610) for the relief of LeRoy C. Sherman; to the Committee on Claims.

Also, a bill (H. R. 611) for the relief of Dent, Allcroft & Co.; A. J. Baker Co., Inc.; and Horwitz & Arbib, Inc.; to the Committee on Claims.

Also, a bill (H. R. 612) for the relief of Richard Evans & Sons Co.; to the Committee on Claims.

Also, a bill (H. R. 613) for the relief of Sigmund W. Makuszewski; to the Committee on Military Affairs.

Also, a bill (H. R. 614) granting a pension to Anna T. Walsh; to the Committee on Pensions.

Also, a bill (H. R. 615) granting compensation to John Vorhees; to the Committee on Claims.

Also, a bill (H. R. 616) renewing and extending patent no. 1224108; to the Committee on Patents.

Also, a bill (H. R. 617) granting an increase of pension to Julia Woods; to the Committee on Invalid Pensions.

By Mr. HALLECK: A bill (H. R. 618) granting an increase of pension to Hester A. Walmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 619) granting an increase of pension to Mary E. Vigus; to the Committee on Invalid Pensions.

Also, a bill (H. R. 620) granting an increase of pension to John H. Sullivan; to the Committee on Pensions.

Also, a bill (H. R. 621) granting a pension to Viola Shively; to the Committee on Invalid Pensions.

Also, a bill (H. R. 622) granting a pension to Elizabeth Morehead; to the Committee on Invalid Pensions.

Also, a bill (H. R. 623) granting a pension to Mira W. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 624) granting an increase of pension to Lucretia J. Jaques; to the Committee on Invalid Pensions.

Also, a bill (H. R. 625) granting an increase of pension to Elmira J. Douglass; to the Committee on Invalid Pensions.

Also, a bill (H. R. 626) granting an increase of pension to Emma Chapman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 627) granting an increase of pension to Laura E. Boze; to the Committee on Invalid Pensions.

Also, a bill (H. R. 628) granting a pension to Maggie A. Bernethy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 629) for the relief of Merril M. Chenoweth; to the Committee on Military Affairs.

Also, a bill (H. R. 630) for the relief of John H. Sullivan; to the Committee on Military Affairs.

Also, a bill (H. R. 631) for the relief of Hattie McKelvey; to the Committee on Claims.

Also, a bill (H. R. 632) granting an increase of pension to Harriet S. Garbison; to the Committee on Invalid Pensions.

By Mr. HANCOCK of New York: A bill (H. R. 633) for the relief of Harriet DeLarm, widow of Nelson DeLarm; to the Committee on Military Affairs.

Also, a bill (H. R. 634) for the relief of Victor Oscar Gokey; to the Committee on Naval Affairs.

Also, a bill (H. R. 635) for the relief of Mary Daley; to the Committee on Claims.

Also, a bill (H. R. 636) granting a pension to Nettie J. Brown; to the Committee on Invalid Pensions.

By Mr. CROWTHER: A bill (H. R. 637) granting a pension to Rosella Milliman; to the Committee on Invalid Pensions.

By Mr. HANCOCK of New York: A bill (H. R. 638) granting a pension to Mary Metzger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 639) granting a pension to Minnie Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 640) granting a pension to Catherine J. Hoyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 641) granting an increase of pension to Bridget Haley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 642) granting an increase of pension to Elizabeth Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 643) granting an increase of pension to Frances Eggleston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 644) granting an increase of pension to Harriett E. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 645) granting an increase of pension to Jennie V. Myers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 646) granting an increase of pension to Sarah Seward; to the Committee on Invalid Pensions.

Also, a bill (H. R. 647) granting an increase of pension to Matilda A. Button; to the Committee on Invalid Pensions.

Also, a bill (H. R. 648) granting an increase of pension to Caroline Appelt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 649) granting an increase of pension to Catherine B. McCarthy; to the Committee on Invalid Pensions.

By Mr. HOPE: A bill (H. R. 650) granting a pension to Elmer W. Haas; to the Committee on Pensions.

Also, a bill (H. R. 651) granting an increase of pension to George Webb, Jr.; to the Committee on Pensions.

Also, a bill (H. R. 652) granting an increase of pension to Mary E. Stout; to the Committee on Invalid Pensions.

Also, a bill (H. R. 653) granting a pension to Alvesta Otto; to the Committee on Invalid Pensions.

Also, a bill (H. R. 654) granting a pension to Rosa M. Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 655) granting a pension to Lizzie E. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 656) for the relief of Elmer W. Haas; to the Committee on Military Affairs.

Also, a bill (H. R. 657) for the relief of John Alexander Harmon; to the Committee on Military Affairs.

Also, a bill (H. R. 658) for the relief of Victor B. Tate; to the Committee on Claims.

Also, a bill (H. R. 659) for the relief of Arthur A. Rohe; to the Committee on Naval Affairs.

Also, a bill (H. R. 660) for the relief of Jack C. Collins; to the Committee on Military Affairs.

By Mr. KEOGH: A bill (H. R. 661) for the relief of Harold Edward Rice; to the Committee on Naval Affairs.

By Mr. KLEBERG: A bill (H. R. 662) for the relief of Llewellyn B. Griffith; to the Committee on Military Affairs.

By Mr. LEWIS of Maryland: A bill (H. R. 663) for the relief of Hext P. Ware; to the Committee on Claims.

Also, a bill (H. R. 664) granting a pension to Hilda K. McNeff; to the Committee on Pensions.

Also, a bill (H. R. 665) for the relief of the heirs of William F. Stearns; to the Committee on War Claims.

By Mr. LUCAS: A bill (H. R. 666) granting an increase of pension to Ada A. Peak; to the Committee on Pensions.

By Mr. MAPES: A bill (H. R. 667) to correct the records of the War Department to show that Guy Carlton Baker and Calton C. Baker, or Carlton C. Baker, is one and the same person; to the Committee on Military Affairs.

Also, a bill (H. R. 668) granting a pension to Martha Buffington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 669) granting an increase of pension to Frances A. Carter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 670) for the relief of Lee Cook; to the Committee on Military Affairs.

Also, a bill (H. R. 671) for the relief of Stewart Lanier Cook; to the Committee on Military Affairs.

Also, a bill (H. R. 672) for the relief of Homer P. Cota; to the Committee on Naval Affairs.

Also, a bill (H. R. 673) granting a pension to Mildred Currie; to the Committee on Pensions.

Also, a bill (H. R. 674) for the relief of Fay A. Cushman; to the Committee on Military Affairs.

Also, a bill (H. R. 675) for the relief of Anthony Peter De Young; to the Committee on Naval Affairs.

Also, a bill (H. R. 676) for the relief of Ernest Eppinga; to the Committee on Naval Affairs.

Also, a bill (H. R. 677) for the relief of William H. Estabrook; to the Committee on Military Affairs.

Also, a bill (H. R. 678) for the relief of Lewis Marion Hall; to the Committee on Naval Affairs.

Also, a bill (H. R. 679) to provide for the advancement on the retired list of the Navy of George Dewey Hilding; to the Committee on Naval Affairs.

Also, a bill (H. R. 680) for the relief of Charles E. Hopkins; to the Committee on Military Affairs.

Also, a bill (H. R. 681) for the relief of Hasip Kassouf; to the Committee on Military Affairs.

Also, a bill (H. R. 682) granting a pension to Myra Krauskopf; to the Committee on Invalid Pensions.

Also, a bill (H. R. 683) for the relief of Samuel Hooper Lane, alias Samuel Foot; to the Committee on Military Affairs.

Also, a bill (H. R. 684) granting a pension to Elizabeth Schubert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 685) granting a pension to Mary G. Sherwood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 686) granting a pension to Maryette Sweet; to the Committee on Invalid Pensions.

Also, a bill (H. R. 687) granting a pension to Alice C. Waters; to the Committee on Invalid Pensions.

By Mr. POLK: A bill (H. R. 688) to authorize the presentation to Harold L. Stewart of a Distinguished Service Medal; to the Committee on Military Affairs.

Also, a bill (H. R. 689) to authorize the presentation to William A. Pummill of a Distinguished Service Medal; to the Committee on Military Affairs.

Also, a bill (H. R. 690) granting an increase of pension to Nancy A. Russell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 691) granting an increase of pension to Eva A. Holter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 692) granting an increase of pension to Carrie F. Bloom; to the Committee on Invalid Pensions.

Also, a bill (H. R. 693) granting an increase of pension to Mary C. Thorp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 694) granting a pension to Ivy Pitzer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 695) granting an increase of pension to Mary Clemons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 696) granting a pension to Pearl Wittenmyer; to the Committee on Pensions.

Also, a bill (H. R. 697) granting a pension to Bertha T. Hastings; to the Committee on Invalid Pensions.

Also, a bill (H. R. 698) granting a pension to Gus Brunner; to the Committee on Pensions.

Also, a bill (H. R. 699) granting a pension to Hester A. Bradford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 700) granting a pension to Samuel Evans; to the Committee on Invalid Pensions.

Also, a bill (H. R. 701) granting a pension to Levi Copas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 702) for the relief of Lackey N. Hatcher; to the Committee on Military Affairs.

Also, a bill (H. R. 703) for the relief of Elbert Arnold Jarrell; to the Committee on Claims.

Also, a bill (H. R. 704) for the relief of Richard Taylor; to the Committee on Naval Affairs.

Also, a bill (H. R. 705) for the relief of William E. Graham; to the Committee on Claims.

By Mr. SANDERS: A bill (H. R. 706) to confer jurisdiction upon the United States District Court for the Eastern District of Texas to determine the claim of Charlie J. Starnes; to the Committee on Claims.

Also, a bill (H. R. 707) for the relief of the city of Gilmer, Tex.; to the Committee on Claims.

Also, a bill (H. R. 708) for the relief of Hiram G. Hines; to the Committee on Claims.

Also, a bill (H. R. 709) for the relief of the Farmers & Merchants National Bank of Gilmer, Tex.; to the Committee on Claims.

Also, a bill (H. R. 710) for the relief of C. A. Jones; to the Committee on Claims.

Also, a bill (H. R. 711) for the relief of Elbert Gentry; to the Committee on Claims.

Also, a bill (H. R. 712) granting death compensation benefits to Lena Klotz; to the Committee on Claims.

Also, a bill (H. R. 713) for the relief of Manin D. Baker; to the Committee on Military Affairs.

Also, a bill (H. R. 714) for the relief of Max Dole Gilfillan; to the Committee on Naval Affairs.

Also, a bill (H. R. 715) granting a pension to Johnnie M. Mezzel; to the Committee on War Claims.

By Mr. SUMNERS of Texas: A bill (H. R. 716) for the relief of Richard Earl Brady; to the Committee on Naval Affairs.

By Mr. WALTER: A bill (H. R. 717) granting an increase of pension to Mary M. Snyder; to the Committee on Pensions.

Also, a bill (H. R. 718) for the relief of John J. Foley; to the Committee on Military Affairs.

Also, a bill (H. R. 719) for the relief of certain creditors of Digbee Construction Co.; to the Committee on Claims.

Also, a bill (H. R. 720) for the relief of Banks College; to the Committee on Claims.

By Mr. WILCOX: A bill (H. R. 721) for the relief of the Florida National Bank & Trust Co., a national banking corporation, as successor trustee for the estate of Phillip Ullendorff, deceased; to the Committee on Claims.

Also, a bill (H. R. 722) for the relief of James B. McDonald; to the Committee on Claims.

Also, a bill (H. R. 723) for the relief of James B. McDonald; to the Committee on Claims.

Also, a bill (H. R. 724) for the relief of the estate of Elizabeth R. Jay, deceased; to the Committee on Claims.

By Mr. CROWTHER: A bill (H. R. 725) for the relief of Edwin L. Wade; to the Committee on Claims.

By Mr. COCHRAN: A bill (H. R. 726) for the relief of the heirs of Dessie Masterson; to the Committee on Claims.

Also, a bill (H. R. 727) granting a pension to Mary E. Ferris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 728) granting a pension to Sarah Stephenson; to the Committee on Invalid Pensions.

By Mr. SCHAEFER of Illinois: A bill (H. R. 729) for the relief of Fred C. Hindrichsen; to the Committee on Naval Affairs.

By Mr. DALY: A bill (H. R. 730) for the relief of Joseph M. Clagett, Jr.; to the Committee on Claims.

By Mr. GOLDSBOROUGH: A bill (H. R. 731) granting a pension to Mary B. Sherwood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 732) for the relief of Cecil Lodge, No. 125, Ancient Free and Accepted Masons; to the Committee on Claims.

Also, a bill (H. R. 733) for the relief of George E. Titter; to the Committee on Claims.

Also, a bill (H. R. 734) for the relief of Joseph Pethersky, of Port Deposit, Md.; to the Committee on Claims.

Also, a bill (H. R. 735) for the relief of William Zeiss; to the Committee on Claims.

Also, a bill (H. R. 736) for the relief of Mallery Toy; to the Committee on Claims.

Also, a bill (H. R. 737) for the relief of William Zeiss; to the Committee on War Claims.

Also, a bill (H. R. 738) for the relief of Asa C. Ketcham; to the Committee on Claims.

Also, a bill (H. R. 739) for the relief of Josephine M. Pryor; to the Committee on Claims.

Also, a bill (H. R. 740) for the relief of Mrs. George E. Richardson; to the Committee on Claims.

Also, a bill (H. R. 741) for the relief of Luther E. Bozman; to the Committee on Claims.

Also, a bill (H. R. 742) for the relief of Zedic N. Draper; to the Committee on Military Affairs.

Also, a bill (H. R. 743) granting an increase of pension to Alice M. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 744) granting a pension to Elizabeth B. Kemp; to the Committee on Pensions.

Also, a bill (H. R. 745) granting a pension to Willie E. Watson; to the Committee on Pensions.

Also, a bill (H. R. 746) for the relief of Mary F. England, Margaret Fulton, and Tyler M. Fulton, children of Winston Cabell Fulton; to the Committee on Claims.

By Mr. HALLECK: A bill (H. R. 747) for the relief of Crawford Miller; to the Committee on Claims.

By Mr. JENKINS of Ohio: A bill (H. R. 748) granting an increase of pension to Agnes Bentley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 749) granting an increase of pension to Sarah A. Daugherty; to the Committee on Invalid Pensions.

Also, a bill (H. R. 750) granting an increase of pension to Mary C. Arthur; to the Committee on Invalid Pensions.

Also, a bill (H. R. 751) granting an increase of pension to Eva Barlow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 752) granting an increase of pension to Pheba J. Bell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 753) granting an increase of pension to Julina Crabtree; to the Committee on Invalid Pensions.

Also, a bill (H. R. 754) granting an increase of pension to Jane Cooper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 755) granting an increase of pension to Mary Conaway; to the Committee on Invalid Pensions.

Also, a bill (H. R. 756) granting an increase of pension to Sarah J. Collins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 757) granting a pension to Wilson Branch Cook; to the Committee on Pensions.

Also, a bill (H. R. 758) granting a pension to Lewis Congrove; to the Committee on Invalid Pensions.

Also, a bill (H. R. 759) granting an increase of pension to Mary E. DeWitt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 760) granting an increase of pension to Mary E. Derry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 761) granting an increase of pension to Melissa Endicott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 762) granting an increase of pension to Henrietta H. Eator; to the Committee on Invalid Pensions.

Also, a bill (H. R. 763) granting an increase of pension to Effie C. Greene; to the Committee on Invalid Pensions.

Also, a bill (H. R. 764) granting an increase of pension to Mary E. Gramm; to the Committee on Invalid Pensions.

Also, a bill (H. R. 765) granting a pension to John Henry; to the Committee on Pensions.

Also, a bill (H. R. 766) for the relief of Perry W. Heldman; to the Committee on Military Affairs.

Also, a bill (H. R. 767) granting a pension to Jennie Hopkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 768) granting a pension to Leslie D. Hood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 769) granting a pension to David Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 770) granting a pension to Everett Horton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 771) granting an increase of pension to Mary C. Keneff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 772) granting a pension to Sarah J. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 773) granting a pension to Minnie B. Leonard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 774) granting a pension to Alexander Lane; to the Committee on Pensions.

Also, a bill (H. R. 775) granting a pension to William Long; to the Committee on Pensions.

Also, a bill (H. R. 776) granting a pension to Harriett A. Litten; to the Committee on Invalid Pensions.

Also, a bill (H. R. 777) granting an increase of pension to Mary L. Martin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 778) granting an increase of pension to Caroline Lowery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 779) granting a pension to Lucy C. Montgomery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 780) granting a pension to Mary Ann Melvin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 781) granting a pension to Otto Nance; to the Committee on Invalid Pensions.

Also, a bill (H. R. 782) granting a pension to Eva Miller; to the Committee on Pensions.

Also, a bill (H. R. 783) granting a pension to William Patterson; to the Committee on Pensions.

Also, a bill (H. R. 784) granting a pension to Thomas A. O'Leary; to the Committee on Pensions.

Also, a bill (H. R. 785) granting a pension to Priscilla Phillips; to the Committee on Invalid Pensions.

Also, a bill (H. R. 786) granting an increase of pension to Dorinda Phillips; to the Committee on Invalid Pensions.

Also, a bill (H. R. 787) granting an increase of pension to Elizabeth S. Primm; to the Committee on Invalid Pensions.

Also, a bill (H. R. 788) granting a pension to John F. Porter; to the Committee on Pensions.

Also, a bill (H. R. 789) granting an increase of pension to Emma Ridgeway; to the Committee on Invalid Pensions.

Also, a bill (H. R. 790) granting an increase of pension to Catherine Ribel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 791) granting an increase of pension to Elizabeth Russell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 792) granting an increase of pension to Caroline Rupe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 793) granting an increase of pension to Rachel Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 794) granting a pension to Mary Virginia Salisbury; to the Committee on Invalid Pensions.

Also, a bill (H. R. 795) granting a pension to Franklin Wesley Spears; to the Committee on Invalid Pensions.

Also, a bill (H. R. 796) granting a pension to Ted Spires; to the Committee on Pensions.

Also, a bill (H. R. 797) granting a pension to Jennie Jackson Tewksbury; to the Committee on Invalid Pensions.

Also, a bill (H. R. 798) granting a pension to Flora Spears; to the Committee on Invalid Pensions.

Also, a bill (H. R. 799) granting a pension to Samuel Warner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 800) granting a pension to Michael Thomas Tippie; to the Committee on Invalid Pensions.

Also, a bill (H. R. 801) granting an increase of pension to Violet S. Woodward; to the Committee on Invalid Pensions.

Also, a bill (H. R. 802) granting a pension to Clara B. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 803) granting a pension to Charles Younger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 804) granting an increase of pension to Caroline Webb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 805) granting a pension to Paul Chick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 806) granting an increase of pension to Margaret E. Chambers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 807) granting an increase of pension to Maria S. Carsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 808) granting a pension to Ella Carl; to the Committee on Invalid Pensions.

Also, a bill (H. R. 809) granting a pension to Merrill T. Bryant; to the Committee on Pensions.

Also, a bill (H. R. 810) granting an increase of pension to Amy F. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 811) granting an increase of pension to Adabelle Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 812) granting an increase of pension to Elizabeth Board; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 813) granting a pension to Charles Pique, Jr.; to the Committee on Invalid Pensions.

By Mr. RICH: A bill (H. R. 814) granting a pension to Anna L. Harman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 815) granting an increase of pension to Elizabeth S. Simpson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 816) granting an increase of pension to Mary E. Grange; to the Committee on Invalid Pensions.

Also, a bill (H. R. 817) granting a pension to Lulu Maude Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 818) granting an increase of pension to Julia A. Poust; to the Committee on Invalid Pensions.

Also, a bill (H. R. 819) granting an increase of pension to Mary E. Catlin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 820) granting an increase of pension to Sarah E. Sturm; to the Committee on Invalid Pensions.

By Mr. SUTPHIN: A bill (H. R. 821) granting a pension to Harriet B. Skene; to the Committee on Pensions.

Also, a bill (H. R. 822) granting a pension to Lida May Truex; to the Committee on Pensions.

Also, a bill (H. R. 823) for the relief of the dependents of Vincent A. Clayton; to the Committee on Claims.

Also, a bill (H. R. 824) for the relief of James Luker, Sr.; to the Committee on Claims.

Also, a bill (H. R. 825) for the relief of Edward S. and Anna F. Sullivan; to the Committee on Claims.

Also, a bill (H. R. 826) for the relief of the city of New Brunswick, N. J.; to the Committee on Claims.

By Mr. SMITH of Washington: A bill (H. R. 827) for the relief of Fred P. Halbert; to the Committee on the Public Lands.

Also, a bill (H. R. 828) for the relief of Carl F. Hickman; to the Committee on Military Affairs.

Also, a bill (H. R. 829) for the relief of Samuel Poston; to the Committee on Military Affairs.

Also, a bill (H. R. 830) for the relief of John Pitkanen; to the Committee on Claims.

Also, a bill (H. R. 831) for the relief of John E. Holle; to the Committee on Military Affairs.

Also, a bill (H. R. 832) for the relief of Myrtle Campbell; to the Committee on Claims.

Also, a bill (H. R. 833) granting a pension to Jacob E. Peterman; to the Committee on Pensions.

Also, a bill (H. R. 834) granting a pension to Albert L. McGoffin; to the Committee on Pensions.

Also, a bill (H. R. 835) granting an increase of pension to Charles L. Shaeffer; to the Committee on Pensions.

Also, a bill (H. R. 836) granting a pension to Claud H. Weir; to the Committee on Pensions.

Also, a bill (H. R. 837) granting a pension to Edna Newland; to the Committee on Invalid Pensions.

By Mr. WHITE of Idaho: A bill (H. R. 838) providing for the appointment of Thomas C. Niebaur, formerly a private in the Unted States Army, as a major in the United States Army and his retirement in that grade; to the Committee on Military Affairs.

Also, a bill (H. R. 839) granting a pension to Taylor C. Lyon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 840) for the relief of Alfred Burton; to the Committee on Claims.

Also, a bill (H. R. 841) for the relief of Ida A. Gunderson and her three minor daughters; to the Committee on Claims.

Also, a bill (H. R. 842) for the relief of Theodore Bedard, Jr.; to the Committee on Claims.

Also, a bill (H. R. 843) granting a pension to Leona J. Strickland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 844) for the relief of John Mack; to the Committee on Claims.

Also, a bill (H. R. 845) granting a pension to Marion M. Luther; to the Committee on Invalid Pensions.

By Mr. BLAND: A bill (H. R. 846) for the relief of Walter Lee Brown; to the Committee on Claims.

Also, a bill (H. R. 847) for the relief of the heirs of Thomas G. Wright; to the Committee on War Claims.

By Mr. REECE of Tennessee: A bill (H. R. 848) for the relief of Roland W. Davison; to the Committee on Military Affairs.

Also, a bill (H. R. 849) for the relief of Harry W. Dubiske; to the Committee on Claims.

By Mr. BLAND: A bill (H. R. 850) for the relief of William E. Smith; to the Committee on Claims.

Also, a bill (H. R. 851) for the relief of A. F. Amory; to the Committee on Claims.

Also, a bill (H. R. 852) for the relief of John Fox; to the Committee on Military Affairs.

Also, a bill (H. R. 853) for the relief of James T. Moore; to the Committee on Military Affairs.

Also, a bill (H. R. 854) for the relief of Robert Coates; to the Committee on Claims.

Also, a bill (H. R. 855) for the relief of Roland P. Winstead; to the Committee on Claims.

Also, a bill (H. R. 856) for the relief of First Lt. R. G. Cuno; to the Committee on Claims.

Also, a bill (H. R. 857) for the relief of James E. Haynes; to the Committee on Claims.

Also, a bill (H. R. 858) for the relief of Carrie M. Clements, widow, and Margie P. Clements, James D. Clements, and Elieza V. Ball, children, of Dr. David Oscar Clements, deceased; to the Committee on Claims.

Also, a bill (H. R. 859) for the relief of the Union Shipping & Trading Co., Ltd.; to the Committee on War Claims.

By Mr. SUMNERS of Texas: A bill (H. R. 860) for the relief of Nettie McGlothlin; to the Committee on Claims.

By Mr. BLAND: A bill (H. R. 861) granting a pension to Grace A. Coates; to the Committee on Pensions.

Also, a bill (H. R. 862) granting a pension to Neva Dobbins; to the Committee on Pensions.

Also, a bill (H. R. 863) granting a pension to Barbara Oertel; to the Committee on Pensions.

Also, a bill (H. R. 864) granting a pension to William Turner; to the Committee on Pensions.

Also, a bill (H. R. 865) granting a pension to Laura E. Meyers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 866) granting a pension to Annie Wright; to the Committee on Invalid Pensions.

By Mr. REECE of Tennessee: A bill (H. R. 867) granting a pension to Margaret Williams; to the Committee on Pensions.

By Mr. BLAND: A bill (H. R. 868) to confer jurisdiction upon the Court of Claims to hear and determine the claim of the legal representatives of Henry H. Sibley, deceased; to the Committee on War Claims.

Also, a bill (H. R. 869) granting an increase of pension to Emily Semple Wood; to the Committee on Pensions.

Also, a bill (H. R. 870) to authorize and direct the appointment of Levin Milton Price as a first lieutenant, United States Army; to the Committee on Military Affairs.

By Mr. BEITER: A bill (H. R. 871) for the relief of George W. Cain; to the Committee on Naval Affairs.

Also, a bill (H. R. 872) granting an increase of pension to Sarah Wilcox; to the Committee on Invalid Pensions.

Also, a bill (H. R. 873) for the relief of Robert D. Doherty; to the Committee on Naval Affairs.

Also, a bill (H. R. 874) to correct the military record of Max J. Ermonis; to the Committee on Military Affairs.

Also, a bill (H. R. 875) for the relief of Felix Nowicki; to the Committee on Military Affairs.

Also, a bill (H. R. 876) for the relief of William T. Reese; to the Committee on Naval Affairs.

Also, a bill (H. R. 877) to correct the military record of Nicholas Lauber; to the Committee on Naval Affairs.

Also, a bill (H. R. 878) to correct the military record of Anthony Marszelewski; to the Committee on Naval Affairs.

Also, a bill (H. R. 879) to correct the military record of George Willard Kanaly; to the Committee on Naval Affairs.

Also, a bill (H. R. 880) to correct the military record of Edward Reidell; to the Committee on Military Affairs.

Also, a bill (H. R. 881) granting a pension to George S. Harris; to the Committee on Pensions.

Also, a bill (H. R. 882) for the relief of Helmuth Heyl; to the Committee on Claims.

Also, a bill (H. R. 883) to correct the military record of Casimer F. Brylski; to the Committee on Naval Affairs.

Also, a bill (H. R. 884) for the relief of William F. Caplick; to the Committee on Military Affairs.

Also, a bill (H. R. 885) for the relief of Louis Anastasia; to the Committee on Military Affairs.

Also, a bill (H. R. 886) for the relief of Guideo Biscaro, Giovanni Polin, Spironello Antonio, Arturo Bettio, Carlo Biscaro, and Antonio Vannin; to the Committee on Claims.

Also, a bill (H. R. 887) to correct the military record of Daniel D. Dolan; to the Committee on Naval Affairs.

Also, a bill (H. R. 888) for the relief of Alfred A. Wittek; to the Committee on Naval Affairs.

Also, a bill (H. R. 889) for the relief of Joseph P. Vesper; to the Committee on Military Affairs.

Also, a bill (H. R. 890) granting a renewal of patent no. 1322666, relating to a vehicle body; to the Committee on Patents.

Also, a bill (H. R. 891) to correct the military record of Ralph Irvin Brown; to the Committee on Naval Affairs.

Also, a bill (H. R. 892) for the relief of Chester H. Hepp; to the Committee on Naval Affairs.

Also, a bill (H. R. 893) for the relief of Stephen Andrzejewski; to the Committee on Naval Affairs.

Also, a bill (H. R. 894) to correct the naval record of John H. Burd; to the Committee on Naval Affairs.

Also, a bill (H. R. 895) for the relief of Joseph Edward Zins; to the Committee on Naval Affairs.

Also, a bill (H. R. 896) granting a pension to Dorothy D. Grabenstatter; to the Committee on Pensions.

Also, a bill (H. R. 897) granting an increase of pension to Magdalena Emrich; to the Committee on Invalid Pensions.

Also, a bill (H. R. 898) granting an increase of pension to Anna K. Hafner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 899) granting an increase of pension to Ida H. Rupert; to the Committee on Invalid Pensions.

By Mr. CHAPMAN: A bill (H. R. 900) granting an increase of pension to George Bunch; to the Committee on Pensions.

Also, a bill (H. R. 901) granting a pension to Maggie Berry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 902) granting a pension to Emily Cecil; to the Committee on Pensions.

Also, a bill (H. R. 903) granting a pension to Richard O'Hearn; to the Committee on Pensions.

By Mr. DALY: A bill (H. R. 904) for the relief of A. D. Cummins & Co., Inc.; to the Committee on Claims.

Also, a bill (H. R. 905) for the relief of Leib Milgrom; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 906) for the relief of John McShain, Inc.; to the Committee on Claims.

Also, a bill (H. R. 907) granting a pension to Emma Hendrickson; to the Committee on Pensions.

Also, a bill (H. R. 908) for the relief of Frank A. Mulligan; to the Committee on Military Affairs.

By Mr. LAMNECK: A bill (H. R. 909) granting an increase of pension to Rose K. Cox; to the Committee on Invalid Pensions.

By Mr. RANDOLPH: A bill (H. R. 910) for the relief of St. Vincent's Catholic Church, of Berkeley Springs, W. Va.; to the Committee on War Claims.

Also, a bill (H. R. 911) for the relief of Lewis Clark and Freda Mason; to the Committee on Claims.

Also, a bill (H. R. 912) for the relief of Olive Parsons; to the Committee on Claims.

Also, a bill (H. R. 913) for the relief of Dorsey Costello Rosier; to the Committee on Military Affairs.

Also, a bill (H. R. 914) for the relief of Jack J. Wick; to the Committee on Claims.

Also, a bill (H. R. 915) for the relief of Mary E. Stout; to the Committee on Claims.

Also, a bill (H. R. 916) granting an increase of pension to Laura B. Strider; to the Committee on Pensions.

Also, a bill (H. R. 917) granting a pension to Cassie Randolph; to the Committee on Pensions.

Also, a bill (H. R. 918) for the relief of Frederick Strahin; to the Committee on Military Affairs.

Also, a bill (H. R. 919) for the relief of Harry L. Reaves; to the Committee on Military Affairs.

By Mr. REECE of Tennessee: A bill (H. R. 920) granting a pension to Dora Samples; to the Committee on Invalid Pensions.

Also, a bill (H. R. 921) granting a pension to Sarah L. Ellison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 922) granting a pension to Cinda Forbes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 923) granting a pension to Hattie Harvey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 924) granting a pension to Lucy E. Huff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 925) granting a pension to Annie E. Jackson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 926) granting a pension to Mary Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 927) granting an increase of pension to Sarah J. Lake; to the Committee on Invalid Pensions.

Also, a bill (H. R. 928) granting a pension to Venia Moody; to the Committee on Pensions.

Also, a bill (H. R. 929) granting a pension to Nora Henley Pierce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 930) granting a pension to Reatha Reneau; to the Committee on Invalid Pensions.

Also, a bill (H. R. 931) granting a pension to Mary E. Ringer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 932) granting a pension to Martha Story; to the Committee on Invalid Pensions.

Also, a bill (H. R. 933) granting a pension to Herthe L. R. Whitney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 934) granting a pension to Charlie Campbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 935) granting a pension to Joke Campbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 936) granting a pension to Hattie Campbell; to the Committee on Invalid Pensions.

By Mr. SANDERS: A bill (H. R. 937) for the relief of Goldie Durham; to the Committee on Claims.

By Mr. WALTER: A bill (H. R. 938) for the relief of Mr. and Mrs. Joseph Konderish; to the Committee on Claims.

By Mr. ASHBROOK: A bill (H. R. 939) granting a pension to Lenora B. Easterday; to the Committee on Invalid Pensions.

Also, a bill (H. R. 940) for the relief of Franz J. Feinler; to the Committee on Military Affairs.

Also, a bill (H. R. 941) for the relief of Floyd Gatton; to the Committee on Claims.

Also, a bill (H. R. 942) granting an increase of pension to Laura E. Hancock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 943) granting an increase of pension to Jacob Hetler; to the Committee on Pensions.

Also, a bill (H. R. 944) for the relief of William Jennings Baker; to the Committee on Military Affairs.

Also, a bill (H. R. 945) granting an increase of pension to Rebecca Hankinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 946) granting an increase of pension to Linda May Hyatt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 947) granting an increase of pension to Nancy McClay; to the Committee on Invalid Pensions.

Also, a bill (H. R. 948) granting an increase of pension to Amelia Matheny; to the Committee on Invalid Pensions.

Also, a bill (H. R. 949) granting a pension to Agnes Metcalf; to the Committee on Invalid Pensions.

Also, a bill (H. R. 950) granting an increase of pension to Margaret V. Myers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 951) for the relief of William Henry Palmer; to the Committee on Military Affairs.

Also, a bill (H. R. 952) granting an increase of pension to Elizabeth Patterson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 953) for the relief of Tracey O'Brien Potter; to the Committee on Naval Affairs.

Also, a bill (H. R. 954) granting a pension to Margaret E. Pryce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 955) granting an increase of pension to Jennie Raley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 956) granting an increase of pension to Susan Rehard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 957) granting a pension to Alice Richards; to the Committee on Invalid Pensions.

Also, a bill (H. R. 958) for the relief of Charles Schilliger; to the Committee on Military Affairs.

Also, a bill (H. R. 959) granting an increase of pension to Mary A. Secrist; to the Committee on Invalid Pensions.

Also, a bill (H. R. 960) granting a pension to Nettie B. Shores; to the Committee on Pensions.

Also, a bill (H. R. 961) granting a pension to Francis Sipe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 962) granting a pension to Alice R. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 963) to extend the benefits of the Employees' Compensation Act of September 7, 1916, to Mary Squires; to the Committee on Claims.

Also, a bill (H. R. 964) granting an increase of pension to Ida M. Stough; to the Committee on Invalid Pensions.

Also, a bill (H. R. 965) granting a pension to Adele M. Troutman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 966) for the relief of Second Lt. Charles E. Upson; to the Committee on Military Affairs.

Also, a bill (H. R. 967) granting an increase of pension to Melissa J. Wells; to the Committee on Invalid Pensions.

Also, a bill (H. R. 968) granting an increase of pension to Viola S. Whitten; to the Committee on Invalid Pensions.

Also, a bill (H. R. 969) for the relief of Jennie Williams; to the Committee on Claims.

Also, a bill (H. R. 970) granting a pension to Parmelia J. Woodward; to the Committee on Invalid Pensions.

Also, a bill (H. R. 971) for the relief of Harvey Hultz Verner; to the Committee on Naval Affairs.

Also, a bill (H. R. 972) granting an increase of pension to Ellie M. Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 973) granting a pension to Jacob Doup; to the Committee on Invalid Pensions.

Also, a bill (H. R. 974) granting a pension to Lena Leota Evans; to the Committee on Invalid Pensions.

Also, a bill (H. R. 975) granting a pension to Charles M. Copus; to the Committee on Pensions.

Also, a bill (H. R. 976) to extend the benefits of the Federal Employees' Compensation Act of September 7, 1916, as amended, to Schubert R. Creter; to the Committee on Claims.

Also, a bill (H. R. 977) granting a pension to Lucretia Beer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 978) for the relief of Jerry Cooper; to the Committee on Military Affairs.

Also, a bill (H. R. 979) granting a pension to Ida H. Burch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 980) granting a pension to William Bills; to the Committee on Invalid Pensions.

Also, a bill (H. R. 981) for the relief of Lt. Col. Roy W. Ashbrook, United States Army, retired; to the Committee on Military Affairs.

Also, a bill (H. R. 982) for the relief of Alexandre Barna; to the Committee on Military Affairs.

Also, a bill (H. R. 983) granting an increase of pension to Ruth A. Schooley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 984) granting an increase of pension to Maria J. Anderson; to the Committee on Invalid Pensions.

By Mr. BEITER: A bill (H. R. 985) to correct the naval record of Paul Harold Erickson; to the Committee on Naval Affairs.

By Mr. CHANDLER: A bill (H. R. 986) conferring jurisdiction upon the United States Court of Claims to hear the claim of the Canal Dredging Co.; to the Committee on Claims.

Also, a bill (H. R. 987) for the relief of Annie Mae Carter; to the Committee on Claims.

Also, a bill (H. R. 988) for the relief of Burton P. Cordle; to the Committee on Claims.

Also, a bill (H. R. 989) for the relief of Arthur J. Ellwood; to the Committee on Naval Affairs.

Also, a bill (H. R. 990) to remove the charge of desertion from the record of Albert T. Lipford; to the Committee on Military Affairs.

Also, a bill (H. R. 991) for the relief of Adelaide Guerini; to the Committee on Claims.

By Mr. CHAPMAN: A bill (H. R. 992) for the relief of Robert Sievers Rubarts; to the Committee on Naval Affairs.

Also, a bill (H. R. 993) granting a pension to Lou A. Strother; to the Committee on Invalid Pensions.

Also, a bill (H. R. 994) granting an increase of pension to Isaac C. Livingston; to the Committee on Pensions.

Also, a bill (H. R. 995) granting a pension to Maggie Laughlin; to the Committee on Pensions.

Also, a bill (H. R. 996) for the relief of J. E. Kearney; to the Committee on Naval Affairs.

Also, a bill (H. R. 997) granting a pension to Mariah Matilda Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 998) for the relief of Charles M. Haggan; to the Committee on Naval Affairs.

Also, a bill (H. R. 999) granting a pension to Lyda M. Harbold; to the Committee on Pensions.

Also, a bill (H. R. 1000) granting a pension to Nannie Floyd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1001) for the relief of Corinne Blackburn Gale; to the Committee on Claims.

Also, a bill (H. R. 1002) granting an increase of pension to Ellar Bales; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1003) for the relief of Russell Baber; to the Committee on Naval Affairs.

Also, a bill (H. R. 1004) granting an increase of pension to Pearl Plummer; to the Committee on Pensions.

Also, a bill (H. R. 1005) granting an increase of pension to Terese B. Hall; to the Committee on Pensions.

Also, a bill (H. R. 1006) for the relief of Charles Wells; to the Committee on Military Affairs.

Also, a bill (H. R. 1007) for the relief of James Warren; to the Committee on Military Affairs.

Also, a bill (H. R. 1008) for the relief of the legal representatives of James H. Holaday; to the Committee on War Claims.

Also, a bill (H. R. 1009) for the relief of Homer N. Horine; to the Committee on Military Affairs.

Also, a bill (H. R. 1010) for the relief of Maggie Standefer; to the Committee on Military Affairs.

Also, a bill (H. R. 1011) for the relief of J. H. Trigg; to the Committee on Claims.

Also, a bill (H. R. 1012) for the relief of Henry T. Paton; to the Committee on Claims.

Also, a bill (H. R. 1013) for the relief of Irvin Pendleton; to the Committee on Claims.

Also, a bill (H. R. 1014) for the relief of John Larison; to the Committee on Military Affairs.

Also, a bill (H. R. 1015) for the relief of Nannie Minish Massie; to the Committee on Claims.

Also, a bill (H. R. 1016) extending the provisions of an act entitled "An act to amend the act entitled 'An act for the retirement of employees in the classified civil service, and for other purposes', approved May 22, 1920, and acts in amendment thereof", to Joseph M. Tanner; to the Committee on the Civil Service.

Also, a bill (H. R. 1017) for the relief of R. L. Lakes; to the Committee on Claims.

Also, a bill (H. R. 1018) granting a pension to Parish Graham; to the Committee on Pensions.

Also, a bill (H. R. 1019) granting a pension to Wade Golden; to the Committee on Pensions.

Also, a bill (H. R. 1020) granting a pension to Mary E. Peterson; to the Committee on Pensions.

Also, a bill (H. R. 1021) granting a pension to Alma Kash; to the Committee on Pensions.

Also, a bill (H. R. 1022) granting an increase of pension to Mary Reynolds; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1023) for the relief of Forrest Mobley; to the Committee on Naval Affairs.

Also, a bill (H. R. 1024) granting an increase of pension to Mary Newton; to the Committee on Invalid Pensions.

By Mr. DELANEY: A bill (H. R. 1025) to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claims of the Italian Star Line, Inc., against the United States; to the Committee on Claims.

Also, a bill (H. R. 1026) granting a pension to Annie J. Gonsalez; to the Committee on Pensions.

Also, a bill (H. R. 1027) for the relief of Fannie Sarah Platt; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 1028) to place George K. Shuler on the retired list of the United States Marine Corps; to the Committee on Naval Affairs.

By Mr. FORD of California: A bill (H. R. 1029) for the relief of Carl Siele; to the Committee on Naval Affairs.

By Mr. GREENWOOD: A bill (H. R. 1030) granting a pension to Amy N. Robertson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1031) granting a pension to Nancy Jane Dyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1032) granting an increase of pension to Clementine Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1033) granting a pension to Anna Fletcher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1034) granting an increase of pension to Mary J. Gwinn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1035) granting an increase of pension to Mary A. Swing; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1036) granting an increase of pension to Elizabeth J. Cunningham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1037) granting an increase of pension to Mary E. Whitlock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1038) granting an increase of pension to Louisa L. Kendall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1039) granting an increase of pension to Lucy A. Vandiver; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1040) granting an increase of pension to Joanna E. Vickers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1041) granting a pension to Frank Burcham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1042) granting an increase of pension to Martha M. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1043) granting a pension to Edward Butler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1044) granting an increase of pension to Lucy E. Blevins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1045) granting an increase of pension to Nancy E. Bucher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1046) granting a pension to Charles W. Ringer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1047) granting an increase of pension to Emeline Kinneman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1048) granting a pension to Hattie McIntosh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1049) granting an increase of pension to Catherine Myers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1050) granting a pension to Albert Braun; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1051) granting an increase of pension to James B. Long; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1052) granting a pension to Edward Armel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1053) granting a pension to Belle Armel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1054) granting an increase of pension to Mary Gibson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1055) granting a pension to Harry C. B. Frets; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1056) granting a pension to Luther Hudson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1057) granting a pension to Albert Sanders; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1058) granting a pension to Roberta Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1059) granting a pension to Alice Chumbley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1060) granting a pension to Katie Glenn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1061) granting an increase of pension to Mary E. Cole; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1062) granting an increase of pension to Elizabeth M. Cox; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1063) granting a pension to Amanda C. Bodenhamer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1064) granting an increase of pension to Princess May Stone; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1065) for the relief of Mrs. Louis Abner; to the Committee on Claims.

Also, a bill (H. R. 1066) granting a pension to Jessie Myrtle Bennett; to the Committee on Invalid Pensions.

By Mr. GWYNNE: A bill (H. R. 1067) for the relief of Donald L. Bruner; to the Committee on Military Affairs.

Also, a bill (H. R. 1068) for the relief of Fred W. Trefgar; to the Committee on Military Affairs.

Also, a bill (H. R. 1069) for the relief of Melville B. Elliott; to the Committee on Military Affairs.

Also, a bill (H. R. 1070) authorizing the redemption by the United States Treasury of certain documentary revenue stamps now held by L. J. Powers; to the Committee on Claims.

Also, a bill (H. R. 1071) granting a pension to May Tuffree; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1072) granting a pension to Lydia A. Havens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1073) granting a pension to Margaret Ledgerwood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1074) granting a pension to Belle Harmon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1075) for the relief of H. G. Harmon; to the Committee on Claims.

Also, a bill (H. R. 1076) for the relief of Howard Eggleston; to the Committee on Claims.

By Mr. ASHBROOK: A bill (H. R. 1077) for the relief of Wilson D. Wilkinson; to the Committee on Military Affairs.

By Mr. HALLECK: A bill (H. R. 1078) granting a pension to Mary Long; to the Committee on Invalid Pensions.

By Mr. KELLER: A bill (H. R. 1079) granting a pension to Hettie Bagby; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1080) for the relief of Jesse T. Zappa; to the Committee on Military Affairs.

Also, a bill (H. R. 1081) for the relief of Alonzo Luther Fuller and Letha Lindsey Fuller; to the Committee on Claims.

Also, a bill (H. R. 1082) for the relief of the estate of the late Mary E. Stebbins; to the Committee on Claims.

Also, a bill (H. R. 1083) for the relief of Minnie and Ellen Barber; to the Committee on Claims.

Also, a bill (H. R. 1084) for the relief of Samuel Cripps; to the Committee on Claims.

By Mr. KENNEDY of Maryland: A bill (H. R. 1085) for the relief of John L. Alcock; to the Committee on Claims.

Also, a bill (H. R. 1086) for the relief of Weymouth Kirkland and Robert N. Golding; to the Committee on Claims.

Also, a bill (H. R. 1087) for the relief of Lucretia Norris; to the Committee on Claims.

Also, a bill (H. R. 1088) for the relief of the Baker-Whiteley Coal Co.; to the Committee on Claims.

Also, a bill (H. R. 1089) for the relief of Charles M. Perkins; to the Committee on Claims.

Also, a bill (H. R. 1090) for the relief of certain disbursing officers and former disbursing officers of the United States Veterans' Administration; to the Committee on Claims.

Also, a bill (H. R. 1091) for the relief of Capt. J. H. Merriam, Supply Corps, United States Navy; to the Committee on Claims.

Also, a bill (H. R. 1092) for the relief of Mary Howard Bloedorn; to the Committee on Claims.

Also, a bill (H. R. 1093) for the relief of Cleveland L. Short; to the Committee on Claims.

Also, a bill (H. R. 1094) for the relief of Clark F. Potts and Charles H. Barker; to the Committee on Claims.

Also, a bill (H. R. 1095) for the relief of Dexter P. Cooper; to the Committee on Claims.

Also, a bill (H. R. 1096) for the relief of Michael E. Sullivan; to the Committee on Claims.

Also, a bill (H. R. 1097) for the relief of Brook House, Ltd., of Sydney, Australia; to the Committee on Claims.

Also, a bill (H. R. 1098) for the relief of William L. Jenkins; to the Committee on Claims.

Also, a bill (H. R. 1099) for the relief of the New York & Baltimore Transportation Line, Inc.; to the Committee on Claims.

By Mr. KLOEB: A bill (H. R. 1100) granting an increase of pension to Malinda M. Kistler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1101) granting a pension to Anna Brock; to the Committee on Invalid Pensions.

By Mr. LAMNECK: A bill (H. R. 1102) granting a pension to Julia A. Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1103) granting an increase of pension to Rose M. Cox; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1104) for the relief of Jack L. Welker; to the Committee on Naval Affairs.

Also, a bill (H. R. 1105) for the relief of John W. Pennington; to the Committee on Military Affairs.

Also, a bill (H. R. 1106) granting an increase of pension to Sarah Jane Plummer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1107) granting an increase of pension to Elizabeth Juvenile; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1108) for the relief of Thomas Stokes; to the Committee on Military Affairs.

Also, a bill (H. R. 1109) granting an increase of pension to Kate Rogers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1110) granting an increase of pension to Elizabeth Cooley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1111) for the relief of Newton C. Stalnaker; to the Committee on Military Affairs.

Also, a bill (H. R. 1112) for the relief of Dorothy Marie O'Higgins; to the Committee on Claims.

Also, a bill (H. R. 1113) for the relief of Albert G. Dawson; to the Committee on Military Affairs.

Also, a bill (H. R. 1114) for the relief of Agnes Ewing Harter; to the Committee on Claims.

Also, a bill (H. R. 1115) granting an increase of pension to Johanna Phelan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1116) granting a pension to Julia A. Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1117) for the relief of Ribble Johnson; to the Committee on Claims.

Also, a bill (H. R. 1118) granting an increase of pension to Addie T. Sloan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1119) for the relief of Dr. E. T. Kirkendall; to the Committee on Claims.

By Mr. MARTIN of Colorado: A bill (H. R. 1120) for the relief of Fields B. Arthur and Arthur L. Allen, copartners, Colorado Culvert & Flume Co.; Glen Haller, Kenneth Austin, A. B. Hoffman, J. W. Jones, and Lloyd Lasswell; to the Committee on Claims.

By Mr. ROBSION of Kentucky: A bill (H. R. 1121) granting a pension to Katherine Slusher; to the Committee on Pensions.

Also, a bill (H. R. 1122) for the relief of Mat Hensley; to the Committee on Claims.

Also, a bill (H. R. 1123) for the relief of Arnold Blanton; to the Committee on Claims.

Also, a bill (H. R. 1124) for the relief of D. L. Mason; to the Committee on Claims.

Also, a bill (H. R. 1125) for the relief of Lillie Price; to the Committee on Claims.

Also, a bill (H. R. 1126) granting a pension to Joshua S. Mullins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1127) granting an increase of pension to Mary C. Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1128) granting a pension to Phina McCrary; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1129) granting a pension to Lucy Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1130) granting a pension to Mollie Sigmon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1131) granting a pension to Francis Collins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1132) granting a pension to Ella Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1133) granting a pension to Mumzell Wooldridge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1134) granting a pension to Sarah Nantz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1135) granting a pension to Louvisa Brewer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1136) granting a pension to Nancy M. Pierce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1137) granting a pension to Ada Simpson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1138) granting an increase of pension to Malisa Morris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1139) granting a pension to Francis Collins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1140) for the relief of Maude Hodge; to the Committee on Claims.

Also, a bill (H. R. 1141) for the relief of J. W. Beams; to the Committee on Claims.

Also, a bill (H. R. 1142) granting a pension to Rachel Fuson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1143) to extend the benefits of the Employees' Compensation Act of September 7, 1916, to Myrtle Dixon; to the Committee on Claims.

Also, a bill (H. R. 1114) for the relief of R. T. Boatright; to the Committee on Claims.

Also, a bill (H. R. 1145) granting a pension to Mary Bolton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1146) granting a pension to Cora Arlena Ballard; to the Committee on Pensions.

Also, a bill (H. R. 1147) for the relief of Clyde Thorpe; to the Committee on Claims.

By Mr. WOLFENDEN: A bill (H. R. 1148) granting an increase of pension to Elizabeth Cavanagh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1149) for the relief of the Valley Forge Military Academy, Inc.; to the Committee on Military Affairs.

By Mr. BROWN: A bill (H. R. 1150) for the relief of the legal representatives of the estate of John H. Christy; to the Committee on Claims.

Also, a bill (H. R. 1151) to authorize the award of the Congressional Medal of Honor to Tom Silver; to the Committee on Military Affairs.

Also, a bill (H. R. 1152) granting a pension to Hattie L. McDaniel; to the Committee on Pensions.

By Mr. CRAWFORD: A bill (H. R. 1153) granting a pension to Orvilla Finton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1154) granting a pension to Pearl Brentlinger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1155) granting a pension to Eleanor R. Gage; to the Committee on Invalid Pensions.

By Mr. GREENWOOD: A bill (H. R. 1156) granting a pension to Maud Melville; to the Committee on Pensions.

By Mr. GUYER: A bill (H. R. 1157) granting a pension to Alice L. Calderhead; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1158) granting a pension to Mary E. Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1159) granting a pension to Mary J. Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1160) granting a pension to Margaret Ann Canatsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1161) granting an increase of pension to Victoria Gould; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1162) granting a pension to Mattie E. Fruit; to the Committee on Pensions.

Also, a bill (H. R. 1163) granting a pension to Ruth P. Kerns; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1164) granting a pension to Willanna Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1165) granting a pension to Milton McNabb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1166) granting an increase of pension to Mary J. McAlearney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1167) granting a pension to Laura E. Rowell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1168) granting an increase of pension to Frances Edna Morrow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1169) for the relief of Charles P. Shipley Saddlery & Mercantile Co.; to the Committee on War Claims.

Also, a bill (H. R. 1170) for the relief of Henry W. Rust; to the Committee on Military Affairs.

Also, a bill (H. R. 1171) for the relief of Florence L. Sheppard; to the Committee on Claims.

Also, a bill (H. R. 1172) granting a pension to Isabelle Scott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1173) granting a pension to Elmer B. Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1174) granting a pension to Emma Shinall; to the Committee on Pensions.

By Mr. LUCKEY of Nebraska: A bill (H. R. 1175) for the relief of the estate of George Evert Wever; to the Committee on Ways and Means.

Also, a bill (H. R. 1176) granting an increase of pension to Laura A. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1177) granting a pension to Charles J. Fuhrer; to the Committee on Pensions.

Also, a bill (H. R. 1178) granting an increase of pension to Mary E. Crawford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1179) granting an increase of pension to Susan A. Westbrook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1180) granting a pension to Gail Gordon; to the Committee on Pensions.

Also, a bill (H. R. 1181) granting a pension to Bert Milburn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1182) for the relief of Fred F. Koslowski; to the Committee on Military Affairs.

By Mr. MEAD: A bill (H. R. 1183) for the relief of James Madison; to the Committee on Naval Affairs.

By Mr. NICHOLS: A bill (H. R. 1184) for the relief of the heirs of Tummie Martheche; to the Committee on Claims.

Also, a bill (H. R. 1185) for the relief of D. X. Sanders; to the Committee on Claims.

By Mr. RANDOLPH: A bill (H. R. 1186) to provide for the holding of an examination by the Board of Optometry of the District of Columbia for a limited license to practice optometry in the District of Columbia for Welton B. Hutton; to the Committee on the District of Columbia.

By Mr. SHORT: A bill (H. R. 1187) for the relief of Oda Herbert Plowman; to the Committee on Naval Affairs.

Also, a bill (H. R. 1188) granting an increase of pension to Mary E. Stone; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1189) granting a pension to Effie Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1190) granting a pension to Katie A. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1191) granting a pension to Alice L. Stemmons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1192) granting a pension to Mary Jane Patterson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1193) granting an increase of pension to Christina M. Sharp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1194) granting an increase of pension to Susan C. Nobles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1195) granting a pension to Cathrine Orender; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1196) granting a pension to Mary B. Morris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1197) granting a pension to Rachel Nash; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1198) granting a pension to Jesse Mills; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1199) granting a pension to Mary E. Mitchell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1200) granting an increase of pension to Lydia E. Laton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1201) granting a pension to Agnes P. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1202) granting a pension to Marietta Cannon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1203) granting a pension to Angeline Hart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1204) granting a pension to Frank A. Boster; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1205) granting a pension to Ruth Ann Breedlove; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 1206) granting an increase of pension to Lizzie D. Rodman; to the Committee on Invalid Pensions.

By Mr. BROWN: A bill (H. R. 1207) for the relief of H. T. Campbell and E. O. O'Neal; to the Committee on Claims.

By Mr. BURDICK: A bill (H. R. 1208) for the relief of Leonard Gramstad; to the Committee on Military Affairs.

By Mr. CHAPMAN: A bill (H. R. 1209) granting a pension to Elizabeth Vogler; to the Committee on Invalid Pensions.

By Mr. FITZPATRICK: A bill (H. R. 1210) for the relief of Herluf F. J. Ravn; to the Committee on Claims.

Also, a bill (H. R. 1211) for the relief of Albert M. Zellner; to the Committee on Naval Affairs.

Also, a bill (H. R. 1212) for the relief of Thomas Alexander Patterson; to the Committee on Naval Affairs.

Also, a bill (H. R. 1213) for the relief of Cristofaro Sapienza; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 1214) granting an increase of pension to Clara W. Barrett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1215) granting a pension to Harry Miller; to the Committee on Pensions.

By Mr. GREENWOOD: A bill (H. R. 1216) for the relief of Ernest H. Barekman; to the Committee on Military Affairs.

By Mr. GRISWOLD: A bill (H. R. 1217) granting a pension to Ula M. Hoover; to the Committee on Pensions.

By Mr. KLOEB: A bill (H. R. 1218) granting a pension to Effie P. Chiles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1219) granting an increase of pension to Cecelia A. Burns; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1220) granting a pension to Jennie E. Key; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1221) granting an increase of pension to Malinda M. Kistler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1222) granting a pension to Anna E. Routson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1223) granting a pension to Lenace Marlin; to the Committee on Invalid Pensions.

By Mr. LAMNECK: A bill (H. R. 1224) for the relief of Zora E. Gray; to the Committee on Claims.

Also, a bill (H. R. 1225) granting a pension to Della Leach; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1226) granting an increase of pension to L. Belle Bailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1227) granting a pension to Alfrettia Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1228) granting an increase of pension to Decimay Ely; to the Committee on Invalid Pensions.

By Mr. LEMKE: A bill (H. R. 1229) granting a pension to Hans Simonsen; to the Committee on Pensions.

Also, a bill (H. R. 1230) for the relief of H. M. Pippin; to the Committee on Claims.

Also, a bill (H. R. 1231) for the relief of John Munro; to the Committee on Claims.

By Mr. MOTT: A bill (H. R. 1232) for the relief of John W. Bolin; to the Committee on Claims.

Also, a bill (H. R. 1233) for the relief of Getlow Kalberg; to the Committee on Claims.

Also, a bill (H. R. 1234) granting a pension to Jane Armstrong; to the Committee on Pensions.

Also, a bill (H. R. 1235) authorizing and directing the Secretary of the Treasury to reimburse John Brennan for the losses sustained by him by reason of the negligence of an employee of the United States Forest Service; to the Committee on Claims.

Also, a bill (H. R. 1236) granting an increase of pension to Jemima Bason; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1237) granting a pension to Rose Berry; to the Committee on Pensions.

Also, a bill (H. R. 1238) for the relief of the port of Bay City, in Tillamook County, Oreg.; to the Committee on Claims.

Also, a bill (H. R. 1239) granting a pension to John R. Gamble; to the Committee on Pensions.

Also, a bill (H. R. 1240) for the relief of the estate of Ralph R. Fraley; to the Committee on Claims.

Also, a bill (H. R. 1241) for the relief of Dorothy Krick; to the Committee on Claims.

Also, a bill (H. R. 1242) granting a pension to Matilda E. A. Hornback; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1243) for the relief of May Elizabeth Ferren; to the Committee on Claims.

Also, a bill (H. R. 1244) for the relief of Ernest Krick; to the Committee on Claims.

Also, a bill (H. R. 1245) for the relief of Malinda J. Mast and William Lee Mast; to the Committee on Claims.

Also, a bill (H. R. 1246) granting a pension to Rhoda H. Lozier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1247) authorizing and directing the Secretary of the Treasury to reimburse Carrol D. Ward for the losses sustained by him by reason of the negligence of an employee of the Civilian Conservation Corps; to the Committee on Claims.

Also, a bill (H. R. 1248) granting a pension to Marion Van Natta; to the Committee on Invalid Pensions.

By Mr. THOMASON of Texas: A bill (H. R. 1249) for the relief of L. M. Crawford; to the Committee on Claims.

Also, a bill (H. R. 1250) for the relief of Emilie Dew; to the Committee on Claims.

Also, a bill (H. R. 1251) for the relief of Anna L. Andreas and Anita Andreas; to the Committee on Claims.

Also, a bill (H. R. 1252) for the relief of Ellen Kline; to the Committee on Claims.

Also, a bill (H. R. 1253) for the relief of R. L. Tankersley; to the Committee on Claims.

Also, a bill (H. R. 1254) for the relief of William A. McMahan; to the Committee on Claims.

Also, a bill (H. R. 1255) for the relief of Stanley A. Jerman, receiver for A. J. Peters Co., Inc.; to the Committee on War Claims.

Also, a bill (H. R. 1256) for the relief of the heirs of G. B. Moss; to the Committee on War Claims.

Also, a bill (H. R. 1257) to extend the benefits of the Employees' Compensation Act of September 7, 1916, to Marie McGourty; to the Committee on Claims.

Also, a bill (H. R. 1258) for the relief of E. G. Briseno; to the Committee on Claims.

By Mr. ANDREWS: A bill (H. R. 1259) for the relief of Alexander Stanley Lazik; to the Committee on Naval Affairs.

Also, a bill (H. R. 1260) for the relief of Edward J. LaRocque; to the Committee on Naval Affairs.

Also, a bill (H. R. 1261) for the relief of Charles E. Strouse; to the Committee on Naval Affairs.

Also, a bill (H. R. 1262) for the relief of Frank L. Noon; to the Committee on Naval Affairs.

Also, a bill (H. R. 1263) for the relief of Harry Schrader; to the Committee on Naval Affairs.

Also, a bill (H. R. 1264) for the relief of Victor J. Quillian; to the Committee on Naval Affairs.

Also, a bill (H. R. 1265) for the relief of William Arthur Hinds; to the Committee on Naval Affairs.

Also, a bill (H. R. 1266) for the relief of Benjamin J. Crowley; to the Committee on Naval Affairs.

Also, a bill (H. R. 1267) for the relief of Raymond C. Warner; to the Committee on Military Affairs.

Also, a bill (H. R. 1268) for the relief of Clifford N. Raymond; to the Committee on Military Affairs.

Also, a bill (H. R. 1269) for the relief of Walter L. Shelley; to the Committee on Military Affairs.

Also, a bill (H. R. 1270) for the relief of Alford J. Farley; to the Committee on Military Affairs.

Also, a bill (H. R. 1271) for the relief of Percy Kent Bag Co., Inc.; to the Committee on Claims.

Also, a bill (H. R. 1272) for the relief of George Rounds; to the Committee on Claims.

Also, a bill (H. R. 1273) for the relief of the Eberhart Steel Products Co., Inc.; to the Committee on Claims.

Also, a bill (H. R. 1274) to authorize the presentation to Robert O'Leary of a Distinguished Service Cross; to the Committee on Military Affairs.

Also, a bill (H. R. 1275) for the relief of Sarah L. Smith; to the Committee on Claims.

Also, a bill (H. R. 1276) for the relief of the J. N. Adam Memorial Hospital; to the Committee on War Claims.

Also, a bill (H. R. 1277) for the relief of William Hayes; to the Committee on Claims.

Also, a bill (H. R. 1278) for the relief of Joseph S. Muffoletto; to the Committee on Naval Affairs.

By Mr. ASHBROOK: A bill (H. R. 1279) for the relief of Thomas J. McKim; to the Committee on Claims.

By Mr. BANKHEAD: A bill (H. R. 1280) for the relief of Mrs. J. A. Hutcheson, mother and guardian of Horace Hutcheson, a minor; to the Committee on Claims.

Also, a bill (H. R. 1281) for the relief of Irene Wright, mother and guardian of Harold Wright, a minor; to the Committee on Claims.

By Mr. BOEHNE: A bill (H. R. 1282) granting a pension to Fannie Conrad; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1283) granting a pension to Josie Siessly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1284) granting an increase of pension to Rebecca Berry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1285) granting an increase of pension to Lyda Powell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1286) granting an increase of pension to Ernest Killian; to the Committee on Pensions.

Also, a bill (H. R. 1287) granting an increase of pension to Kate Harris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1288) granting an increase of pension to Melissa F. Proctor; to the Committee on Pensions.

Also, a bill (H. R. 1289) granting an increase of pension to Martha Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1290) granting an increase of pension to Almanda A. Sibrel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1291) granting an increase of pension to Eunice T. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1292) granting an increase of pension to Zetta Webb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1293) granting an increase of pension to Quessie Burns; to the Committee on Pensions.

Also, a bill (H. R. 1294) granting an increase of pension to Sarah A. Bays; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1295) authorizing the payment of compensation to Laura Roush for the death of her husband, William C. Roush; to the Committee on Claims.

By Mr. COLDEN: A bill (H. R. 1296) granting a pension to Vera E. Bryant; to the Committee on Pensions.

By Mr. BOEHNE: A bill (H. R. 1297) granting a pension to Ethel K. Massie; to the Committee on Pensions.

Also, a bill (H. R. 1298) granting a pension to Sallie Hutchens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1299) for the relief of William E. Rich; to the Committee on Military Affairs.

Also, a bill (H. R. 1300) for the relief of Henry D. Long; to the Committee on Claims.

Also, a bill (H. R. 1301) for the relief of Hattie Stout Hood; to the Committee on War Claims.

Also, a bill (H. R. 1302) for the relief of O. H. Kreuzberger; to the Committee on Claims.

Also, a bill (H. R. 1303) for the relief of Henry N. Heironimus and Edwin D. Miller; to the Committee on Claims.

Also, a bill (H. R. 1304) for the relief of John E. Sandage; to the Committee on Claims.

Also, a bill (H. R. 1305) for the relief of Addison B. Hampel; to the Committee on Claims.

Also, a bill (H. R. 1306) for the relief of William Pierce; to the Committee on Military Affairs.

Also, a bill (H. R. 1307) for the relief of Claud Gregory; to the Committee on Military Affairs.

Also, a bill (H. R. 1308) granting an increase of pension to Mary J. Aikens; to the Committee on Invalid Pensions.

By Mr. BOYKIN: A bill (H. R. 1309) conferring jurisdiction upon the United States District Court for the Northern Division of the Southern District of Alabama to hear, determine, and render judgment upon the claims of Lula G. Sutton, Grace Sutton, R. E. Sutton, and Mary Lou Drinkard, and to provide for the payment of any judgment which may be rendered in favor of any of said persons against the United States; to the Committee on Claims.

Also, a bill (H. R. 1310) for the relief of Clifford R. George and Mabel D. George; to the Committee on Claims.

Also, a bill (H. R. 1311) for the relief of R. E. Sutton, Lula G. Sutton, Grace Sutton, and Mary Lou Drinkard; to the Committee on Claims.

By Mr. BUCK: A bill (H. R. 1312) authorizing the Secretary of War to bestow a gold medal of honor, of such design as he may approve, upon Emile Genereux; to the Committee on Military Affairs.

Also, a bill (H. R. 1313) granting a pension to Georgene F. Jackson; to the Committee on Pensions.

Also, a bill (H. R. 1314) granting a pension to Margaretta Saugstad; to the Committee on Pensions.

Also, a bill (H. R. 1315) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of W. J. Nolan, L. Jacobson, J. A. Higuera, C. H. Damsted, R. Galleguillo, F. G. Grigsby, K. H. Johnson, R. Dupouy, C. J. Degen, W. L. Nolan, R. C. Jensen, M. J. Roderick, L. K. Moore, C. Lederer, M. Kelley, R. Dinkel, A. J. Mouchou, C. R. Taylor, M. Knull, S. W. Ligon, C. C. Johnson, W. P. Brennan, C. F. Siebert, and J. T. Weeks; to the Committee on Claims.

By Mr. BURCH: A bill (H. R. 1316) for the relief of the estate of Mrs. H. Lee Shelton; to the Committee on Claims.

Also, a bill (H. R. 1317) for the relief of the estate of H. Lee Shelton; to the Committee on Claims.

Also, a bill (H. R. 1318) for the relief of Mrs. Irvin Johnson; to the Committee on Claims.

Also, a bill (H. R. 1319) for the relief of Mrs. J. R. Scruggs; to the Committee on Claims.

By Mr. CANNON of Missouri: A bill (H. R. 1320) granting a pension to Katie F. Alderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1321) granting a pension to Hattie B. Roberts; to the Committee on Invalid Pensions.

By Mr. COLDEN: A bill (H. R. 1322) granting a pension to Melissa P. Seneker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1323) granting a pension to Ida A. Borthwick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1324) granting an increase of pension to Nettie I. Moffatt; to the Committee on Pensions.

Also, a bill (H. R. 1325) for the relief of Fred West; to the Committee on Military Affairs.

Also, a bill (H. R. 1326) for the relief of Lt. Comdr. Allen H. Guthrie, United States Navy (retired); to the Committee on Naval Affairs.

Also, a bill (H. R. 1327) for the relief of Fred C. Wasserman; to the Committee on Military Affairs.

Also, a bill (H. R. 1328) for the relief of William H. Small; to the Committee on Claims.

Also, a bill (H. R. 1329) authorizing the President of the United States to appoint Sgt. Louis Van Iersel as a major in the United States Army and then place him on the retired list; to the Committee on Miliary Affairs.

By Mr. BURDICK: A bill (H. R. 1330) for the relief of the rightful heirs of Tiwastewin or Anna; to the Committee on Indian Affairs.

By Mr. COFFEE of Nebraska: A bill (H. R. 1331) granting a pension to Elizabeth Fosket; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1332) granting an increase of pension to Mary B. Beckett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1333) granting an increase of pension to Hattie I. Lusk; to the Committee on Invalid Pensions.

By Mr. FLETCHER: A bill (H. R. 1334) for the relief of George E. Moody; to the Committee on Claims.

Also, a bill (H. R. 1335) granting a pension to Ella N. Smith; to the Committee on Pensions.

Also, a bill (H. R. 1336) granting a pension to John Herschler; to the Committee on Pensions.

Also, a bill (H. R. 1337) for the relief of Theodore John Campbell; to the Committee on Military Affairs.

Also, a bill (H. R. 1338) for the relief of Henry P. Kinney; to the Committee on Military Affairs.

Also, a bill (H. R. 1339) granting a pension to Ella B. Kinnamon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1340) granting an increase of pension to Amanda E. Waldron; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1341) granting a pension to Rachel A. Updegraff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1342) granting an increase of pension to Elizabeth Bloom; to the Committee on Invalid Pensions.

By Mr. GRISWOLD: A bill (H. R. 1343) for the relief of Edith Pauli Gardner; to the Committee on War Claims.

By Mr. FISH: A bill (H. R. 1344) granting a pension to Anna E. Cahill; to the Committee on Pensions.

Also, a bill (H. R. 1345) granting an increase of pension to Emma Buchanan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1346) for the relief of James M. Winter; to the Committee on Claims.

Also, a bill (H. R. 1347) for the relief of Frank Gedney; to the Committee on Claims.

Also, a bill (H. R. 1348) granting an increase of pension to Mary E. Frank; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1349) granting an increase of pension to Ruth Ann Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1350) granting a pension to Anna McNamara; to the Committee on Pensions.

By Mr. GIFFORD: A bill (H. R. 1351) granting a pension to Agnes E. Barnhardt; to the Committee on Pensions.

Also, a bill (H. R. 1352) granting a pension to Carrie M. Poole; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1353) granting a pension to Fannie L. Leonard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1354) granting a pension to Mary Banks Fuller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1355) for the relief of Lawrence E. Thomas; to the Committee on Claims.

Also, a bill (H. R. 1356) for the relief of George W. Silver; to the Committee on Claims.

Also, a bill (H. R. 1357) for the relief of Nathan A. Buck; to the Committee on Claims.

Also, a bill (H. R. 1358) for the relief of Anna E. Yates; to the Committee on Military Affairs.

Also, a bill (H. R. 1359) for the relief of Seth A. Welch; to the Committee on Military Affairs.

Also, a bill (H. R. 1360) for the relief of George F. Almond; to the Committee on Military Affairs.

Also, a bill (H. R. 1361) Granting a pension to Frank E. Rose, alias Frank E. Smith; to the Committee on Pensions.

Also, a bill (H. R. 1362) granting a pension to Margaret White; to the Committee on Pensions.

Also, a bill (H. R. 1363) for the relief of the estate of Milton L. Baxter; to the Committee on Claims.

Also, a bill (H. R. 1364) for the relief of William J. Carter; to the Committee on Naval Affairs.

By Mr. GRISWOLD: A bill (H. R. 1365) granting an increase of pension to Nathan Ain; to the Committee on Pensions.

By Mr. GUYER: A bill (H. R. 1366) granting a pension to Hubert L. Anderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1367) granting an increase of pension to Elizabeth J. Winklepleck; to the Committee on Invalid Pensions.

By Mr. HARTLEY: A bill (H. R. 1368) for the relief of G. Goldberg & Sons; to the Committee on Claims.

Also, a bill (H. R. 1369) for the relief of Harry James Foster; to the Committee on Naval Affairs.

By Mr. JOHNSON of Texas: A bill (H. R. 1370) for the relief of J. Frank Williams; to the Committee on Claims.

Also, a bill (H. R. 1371) for the relief of Etta Pippin; to the Committee on Claims.

Also, a bill (H. R. 1372) granting a pension to Mary Quirk; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1373) for the relief of William Edward Tidwell; to the Committee on Military Affairs.

By Mr. LESINSKI: A bill (H. R. 1374) granting a pension to Rosanna Jarvis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1375) for the relief of Wayne M. Cotner; to the Committee on Claims.

Also, a bill (H. R. 1376) for the relief of Alex Zegunia to the Committee on Claims.

By Mr. LAMNECK: A bill (H. R. 1377) conferring jurisdiction upon the United States District Court for the Southern District of Ohio to hear, determine, and render judgment upon the claims of Walter T. Karshner, Katherine Karshner, Anne M. Karshner, and Mrs. James E. McShane; to the Committee on Claims.

Also, a bill (H. R. 1378) granting an increase of pension to Ella Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1379) for the relief of Matt E. Saylor; to the Committee on Claims.

Also, a bill (H. R. 1380) granting a pension to Emma Fishinger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1381) granting an increase of pension to L. Belle Bailey; to the Committee on Invalid Pensions.

By Mr. MOTT: A bill (H. R. 1382) for the relief of Edith M. Powell; to the Committee on Claims.

Also, a bill (H. R. 1383) for the relief of Roy G. Cairns; to the Committee on Claims.

Also, a bill (H. R. 1384) for the relief of Lawrence S. Snyder; to the Committee on Claims.

By Mr. REED of New York: A bill (H. R. 1385) granting an increase of pension to Jenettie E. Evans; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1386) granting an increase of pension to Ella G. Millspaugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1387) granting an increase of pension to Lorena M. Haskins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1388) granting an increase of pension to Amelia A. Owen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1389) granting an increase of pension to Betsey A. Noble; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1390) granting an increase of pension to Alice M. Price; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1391) granting an increase of pension to Emma Pierce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1392) granting an increase of pension to Anna Ryan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1393) granting an increase of pension to Martha F. Reynolds; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1394) granting an increase of pension to Susan C. Stanley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1395) granting an increase of pension to Estella D. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1396) granting an increase of pension to Mary L. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1397) granting an increase of pension to Emily Turner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1398) granting an increase of pension to Helen Simmons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1399) granting a pension to Evelyn C. Devereaux; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1400) granting a pension to Kittie Grace Bozard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1401) granting an increase of pension to Miriam E. Crampton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1402) granting a pension to Addie J. Wheeler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1403) granting an increase of pension to Augusta C. Bittmayer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1404) granting an increase of pension to Marcia M. Green; to the Committee on Invalid Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 1405) granting a pension to Millard Pittman; to the Committee on Pensions.

By Mr. SMITH of Virginia: A bill (H. R. 1406) for the relief of Frank S. Walker; to the Committee on Claims.

Also, a bill (H. R. 1407) for the relief of H. Herfurth, Jr., Inc.; to the Committee on Claims.

Also, a bill (H. R. 1408) for the relief of Earl Thomas Dodd; to the Committee on Claims.

Also, a bill (H. R. 1409) for the relief of Lawrence A. Jett; to the Committee on Claims.

By Mr. SABATH: A bill (H. R. 1410) for the relief of John Boska; to the Committee on Military Affairs.

By Mr. SNYDER of Pennsylvania: A bill (H. R. 1411) granting a pension to Albert S. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1412) granting an increase of pension to Mary E. Wetmiller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1413) granting an increase of pension to Margaret A. Inks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1414) granting an increase of pension to Georgiana K. Griest; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1415) granting a pension to Mary Harriett Hook; to the Committee on Pensions.

Also, a bill (H. R. 1416) granting an increase of pension to Idella Wade; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1417) granting an increase of pension to Margaret J. Hicks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1418) granting a pension to Milton Warner; to the Committee on Invalid Pensions.

By Mr. SUMNERS of Texas: A bill (H. R. 1419) for the relief of Nettie McGlothlin; to the Committee on Claims.

By Mr. THOMASON of Texas: A bill (H. R. 1420) for the relief of Paul D. Krauss; to the Committee on Claims.

Also, a bill (H. R. 1421) for the relief of Jack Welch; to the Committee on Claims.

Also, a bill (H. R. 1422) for the relief of Mary Jane Bowden; to the Committee on Claims.

Also, a bill (H. R. 1423) for the relief of Henry U. Gaines, Jr.; to the Committee on Claims.

By Mr. VINSON of Kentucky: A bill (H. R. 1424) granting a pension to Dora McCallister; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1425) granting a pension to Earl F. Alexander; to the Committee on Pensions.

Also, a bill (H. R. 1426) granting a pension to Elizabeth McGuire; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1427) granting a pension to Thomas Johnston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1428) granting a pension to Ned Johnston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1429) granting a pension to Minnie Allen Lacy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1430) granting a pension to Nancy S. Oldham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1431) granting a pension to Lewis Stamper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1432) granting a pension to Carrie Stidham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1433) granting a pension to Dicey Terry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1434) granting a pension to Mima Turner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1435) granting a pension to Lavina Watts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1436) granting a pension to Louise Workman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1437) granting a pension to Walter D. Cropper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1438) granting a pension to Cordie Brandenburg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1439) granting a pension to Nancy Jane Branham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1440) granting a pension to Pharis Johnson; to the Committee on Pensions.

Also, a bill (H. R. 1441) granting a pension to Daniel W. Perkins; to the Committee on Pensions.

Also, a bill (H. R. 1442) granting a pension to Jesse Johnson; to the Committee on Pensions.

Also, a bill (H. R. 1443) granting a pension to Lettie Creed; to the Committee on Pensions.

Also, a bill (H. R. 1444) granting an increase of pension to William Hays; to the Committee on Pensions.

Also, a bill (H. R. 1445) granting an increase of pension to Harlan C. Allen; to the Committee on Pensions.

Also, a bill (H. R. 1446) granting an increase of pension to Brittie Ann Gault; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1447) granting an increase of pension to Kate P. Shannon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1448) granting an increase of pension to William O. Scott; to the Committee on Pensions.

Also, a bill (H. R. 1449) granting an increase of pension to Lovena Triplett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1450) granting an increase of pension to William Hargis; to the Committee on Pensions.

Also, a bill (H. R. 1451) granting an increase of pension to Lydia Atkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1452) granting an increase of pension to Fred Faulkner; to the Committee on Pensions.

Also, a bill (H. R. 1453) for the relief of Charles D. Waldeck; to the Committee on Military Affairs.

Also, a bill (H. R. 1454) for the relief of Marion Ray; to the Committee on Military Affairs.

Also, a bill (H. R. 1455) for the relief of Floyd Carpenter; to the Committee on Military Affairs.

Also, a bill (H. R. 1456) for the relief of William Adkins; to the Committee on Military Affairs.

Also, a bill (H. R. 1457) for the relief of William L. Friend; to the Committee on Military Affairs.

Also, a bill (H. R. 1458) for the relief of Samuel Auxier; to the Committee on Claims.

Also, a bill (H. R. 1459) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of J. W. Akers; to the Committee on Claims.

Also, a bill (H. R. 1460) directing the Secretary of the Treasury to pay the sum of $2,000 to Capt. Charles F. See; to the Committee on Claims.

Also, a bill (H. R 1461) granting a pension to Martha J. Lawson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1462) granting a pension to Henry Patrick Dyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1463) for the relief of Wallace Taylor; to the Committee on Military Affairs.

Also, a bill (H. R. 1464) granting an increase of pension to Mary Cooksey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1465) granting a pension to Ollie Hamilton; to the Committee on Invalid Pensions.

By Mr. VINSON of Georgia: A bill (H. R. 1466) granting a pension to Lonie Pearson; to the Committee on Pensions.

Also, a bill (H. R. 1467) granting a pension to Mrs. Carl Rainey; to the Committee on Pensions.

By Mr. WIGGLESWORTH: A bill (H. R. 1468) granting a pension to Sarah M. H. Nickerson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1469) granting a pension to Bertha L. Wade; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1470) granting a pension to Mary Spear; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1471) for the relief of Raymond Henry MacDonald; to the Committee on Naval Affairs.

Also, a bill (H. R. 1472) granting a pension to Dora B. Mann; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1473) for the relief of Patrick J. Cloherty; to the Committee on Military Affairs.

Also, a bill (H. R. 1474) for the relief of Agatha Milauskas Yakavonis (nee Agatha Milauskas); to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 1475) granting an annuity to Frank W. Carpenter; to the Committee on Claims.

By Mr. WOODRUFF: A bill (H. R. 1476) for the relief of Mrs. W. E. Bouchey; to the Committee on Claims.

Also, a bill (H. R. 1477) granting a pension to William Gage; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1478) authorizing and directing the Secretary of the Treasury to reimburse Harold Scott and Ellis Marks for the losses sustained by them by reason of the negligence of an employee of the Civilian Conservation Corps; to the Committee on Claims.

Also, a bill (H. R. 1479) granting a pension to Esther Critchell; to the Committee on Invalid Pensions.

By Mr. ANDREWS: A bill (H. R. 1672) for the relief of the Northeastern Piping & Construction Corporation, of North Tonawanda, N. Y.; to the Committee on Claims.

By Mr. ARENDS: A bill (H. R. 1673) granting a pension to Tabitha Biglow; to the Committee on Invalid Pensions.

By Mr. BREWSTER: A bill (H. R. 1674) granting a pension to Maria B. Thompson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1675) for the relief of William V. and Alice S. Phillips; to the Committee on Claims.

Also, a bill (H. R. 1676) for the relief of the Van Buren Light & Power District; to the Committee on Claims.

Also, a bill (H. R. 1677) granting a pension to Annie S. Nealley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1678) granting an increase of pension to Leonice T. Holmes; to the Committee on Invalid Pensions.

By Mr. BOILEAU: A bill (H. R. 1679) granting a pension to Sarah A. De Gross; to the Committee on Pensions.

Also, a bill (H. R. 1680) granting a pension to Wilelmine Skilling; to the Committee on Pensions.

Also, a bill (H. R. 1681) granting a pension to Esther Stubchaer; to the Committee on Pensions.

Also, a bill (H. R. 1682) granting a pension to Elizabeth Ellen Barker; to the Committee on Pensions.

Also, a bill (H. R. 1683) granting a pension to Marie Beck; to the Committee on Pensions.

Also, a bill (H. R. 1684) granting a pension to Sarah Jane Bump; to the Committee on Pensions.

Also, a bill (H. R. 1685) to provide for the refund or abatement of the claim for loss incurred in the burglary of the post office at Arpin, Wis.; to the Committee on Claims.

By Mr. BOYLAN of New York: A bill (H. R. 1686) for the relief of Charles F. Brown; to the Committee on Claims.

Also, a bill (H. R. 1687) granting a pension to Josephine Ensign; to the Committee on Pensions.

Also, a bill (H. R. 1688) for the relief of Frank Reilly; to the Committee on Military Affairs.

Also, a bill (H. R. 1689) for the relief of Dominga Pardo; to the Committee on Claims.

By Mr. BUCKLEY of New York: A bill (H. R. 1690) for the relief of Ralph Riesler; to the Committee on Claims.

Also, a bill (H. R. 1691) for the relief of Mary A. Maher; to the Committee on Claims.

By Mr. CANNON of Wisconsin: A bill (H. R. 1692) granting an increase of pension to John F. Kopczynski; to the Committee on Pensions.

Also, a bill (H. R. 1693) granting a pension to Carl H. Ziebell; to the Committee on Pensions.

Also, a bill (H. R. 1694) granting an increase of pension to Martin O. Larsen; to the Committee on Pensions.

Also, a bill (H. R. 1695) granting a pension to Patrick Quinlan; to the Committee on Pensions.

Also, a bill (H. R. 1696) granting a pension to William Gary; to the Committee on Pensions.

Also, a bill (H. R. 1697) granting a pension to Hakon B. Duee; to the Committee on Pensions.

Also, a bill (H. R. 1698) granting a pension to Olaf Moen; to the Committee on Pensions.

Also, a bill (H. R. 1699) for the relief of Steve Racinowski; to the Committee on Military Affairs.

Also, a bill (H. R. 1700) for the relief of Ernest Leo Kinney; to the Committee on Military Affairs.

Also, a bill (H. R. 1701) for the relief of Frank E. Turner; to the Committee on Military Affairs.

Also, a bill (H. R. 1702) for the relief of Louis Frankenberg; to the Committee on Military Affairs.

Also, a bill (H. R. 1703) for the relief of Ilija Rasheta; to the Committee on Military Affairs.

Also, a bill (H. R. 1704) for the relief of Steve Gibas; to the Committee on Military Affairs.

Also, a bill (H. R. 1705) for the relief of Anton G. Trotter; to the Committee on Military Affairs.

Also, a bill (H. R. 1706) for the relief of Mike Bankers; to the Committee on Military Affairs.

Also, a bill (H. R. 1707) for the relief of Joseph Kopcik; to the Committee on Military Affairs.

Also, a bill (H. R. 1708) for the relief of Paul Frankowiak; to the Committee on Military Affairs.

Also, a bill (H. R. 1709) for the relief of Henry A. Moody; to the Committee on Military Affairs.

Also, a bill (H. R. 1710) for the relief of Pete K. Moniushka; to the Committee on Military Affairs.

Also, a bill (H. R. 1711) for the relief of Arthur John Ford; to the Committee on Naval Affairs.

Also, a bill (H. R. 1712) for the relief of Walter S. Bean; to the Committee on Military Affairs.

Also, a bill (H. R. 1713) to correct the naval record of William Arthur Johannsen (deceased); to the Committee on Naval Affairs.

Also, a bill (H. R. 1714) for the relief of Carl Walter Olsen; to the Committee on Naval Affairs.

Also, a bill (H. R. 1715) for the relief of Howard Emmett Tallmadge; to the Committee on Naval Affairs.

Also, a bill (H. R. 1716) for the relief of William E. Halliday; to the Committee on Naval Affairs.

By Mr. CARTER: A bill (H. R. 1717) authorizing the President of the United States to appoint Robert W. Miller a captain of Cavalry, United States Army; to the Committee on Military Affairs.

By Mr. CARTWRIGHT: A bill (H. R. 1718) granting a pension to Ella C. Maddux; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1719) granting a pension to Dolores McGill; to the Committee on Pensions.

Also, a bill (H. R. 1720) for the relief of Albert D. Castleberry; to the Committee on Military Affairs.

Also, a bill (H. R. 1721) for the relief of Guy Swan; to the Committee on Naval Affairs.

Also, a bill (H. R. 1722) granting a pension to Nely Keller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1723) granting a pension to Georgia L. Spelce; to the Committee on Pensions.

By Mr. CUMMINGS: A bill (H. R. 1724) for the relief of Charles Augustus Lathrop; to the Committee on War Claims.

Also, a bill (H. R. 1725) granting a pension to Robert C. Humphrey; to the Committee on Pensions.

By Mr. DEMPSEY: A bill (H. R. 1726) for the relief of John E. Joy, Walter Beale, Lilly Ross, Lee C. Yokum, and Verna E. Yokum; to the Committee on Claims.

Also, a bill (H. R. 1727) for the relief of the widow of Ray Sutton; to the Committee on Claims.

Also, a bill (H. R. 1728) for the relief of Felix Griego; to the Committee on Military Affairs.

Also, a bill (H. R. 1729) for the relief of Russell J. Vaughan; to the Committee on Claims.

Also, a bill (H. R. 1730) for the relief of Candido Medina; to the Committee on Claims.

Also, a bill (H. R. 1731) for the relief of Angelo and Auro Cattaneo; to the Committee on Immigration and Naturalization.

By Mr. DIMOND: A bill (H. R. 1732) for the relief of J. W. Meyers; to the Committee on Claims.

Also, a bill (H. R. 1733) for the relief of Werner Ohls; to the Committee on Claims.

Also, a bill (H. R. 1734) for the relief of Sam Romack; to the Committee on Claims.

Also, a bill (H. R. 1735) granting a pension to Frances H. Cochran; to the Committee on Pensions.

Also, a bill (H. R. 1736) granting an increase of pension to Clara B. Kirkendall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1737) for the relief of Marie Frantzen McDonald; to the Committee on Claims.

Also, a bill (H. R. 1738) granting a pension to Walter L. Mitchell; to the Committee on Pensions.

Also, a bill (H. R. 1739) for the relief of John A. White and Mrs. John A. White, husband and wife; to the Committee on Claims.

Also, a bill (H. R. 1740) for the relief of Alyce E. Anderson; to the Committee on Claims.

Also, a bill (H. R. 1741) for the relief of Jean Graham, Mathias Halm, Harry C. Bracken, C. B. Bohm, and Henry Steinbeck; to the Committee on Claims.

Also, a bill (H. R. 1742) for the relief of J. N. McCain; to the Committee on Claims.

Also, a bill (H. R. 1743) for the relief of Thomas Gaffney; to the Committee on Claims.

Also, a bill (H. R. 1744) for the relief of Grant H. Pearson, G. W. Pearson, John C. Rumohr, and Wallace Anderson; to the Committee on Claims.

Also, a bill (H. R. 1745) to extend the provisions of the act of Congress approved September 7, 1916, entitled "An act to provide compensation for employees of the United States receiving injuries in the performance of their duties, and for other purposes", to John Erickson; to the Committee on Claims.

Also, a bill (H. R. 1746) authorizing reimbursement to the estate of John Stephens, deceased, late of Windy, Alaska, for the loss of certain lands and improvements in Alaska; to the Committee on Territories.

Also, a bill (H. R. 1747) to extend the benefits of the United States Employees' Compensation Act of September 7, 1916, as amended, to the dependent beneficiaries of John H. Erickson; to the Committee on Claims.

By Mr. DIRKSEN: A bill (H. R. 1748) for the relief of John A. Burke; to the Committee on Military Affairs.

Also, a bill (H. R. 1749) for the relief of Louis E. Rotterman; to the Committee on Claims.

By Mr. DORSEY: A bill (H. R. 1750) for the relief of Capt. Walter L. Shearman; to the Committee on Claims.

Also, a bill (H. R. 1751) for the relief of Catherine T. McNally; to the Committee on Claims.

Also, a bill (H. R. 1752) granting a pension to Phillip A. Sager; to the Committee on Pensions.

Also, a bill (H. R. 1753) for the relief of Salvatore Roberto; to the Committee on Military Affairs.

Also, a bill (H. R. 1754) for the relief of Neil McGilloway; to the Committee on Military Affairs.

By Mr. DOWELL: A bill (H. R. 1755) granting an increase of pension to Alice J. Robinson; to the Committee on Invalid Pensions.

By Mr. DUNCAN: A bill (H. R. 1756) for the relief of Joseph J. McMahon; to the Committee on Military Affairs.

Also, a bill (H. R. 1757) granting a pension to Daniel F. Glenn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1758) for the relief of Bruce Bros. Grain Co.; to the Committee on Claims.

Also, a bill (H. R. 1759) for the relief of Minnie D. Hines; to the Committee on Claims.

By Mr. FISH: A bill (H. R. 1760) granting an increase of pension to Annie E. Robinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1761) for the relief of Paul J. Francis; to the Committee on Claims.

By Mr. FULMER: A bill (H. R. 1762) granting an increase of pension to David Traxler Kirby; to the Committee on Pensions.

Also, a bill (H. R. 1763) for the relief of Leonard Theodore Boice; to the Committee on Military Affairs.

Also, a bill (H. R. 1764) for the relief of Richard A. Chavis; to the Committee on Military Affairs.

Also, a bill (H. R. 1765) for the relief of Thomas L. Mitchum; to the Committee on Military Affairs.

Also, a bill (H. R. 1766) for the relief of Olin C. Risinger; to the Committee on Claims.

Also, a bill (H. R. 1767) for the relief of the Rowesville Oil Co.; to the Committee on War Claims.

Also, a bill (H. R. 1768) for the relief of Olin J. Salley; to the Committee on Claims.

Also, a bill (H. R. 1769) for the relief of the Washington Street Methodist Episcopal Church South, of Columbia, S. C.; to the Committee on War Claims.

Also, a bill (H. R. 1770) for the relief of the Farmers' Storage & Fertilizer Co., of Aiken, S. C.; to the Committee on War Claims.

Also, a bill (H. R. 1771) for the relief of D. W. Robinson, Jr.; to the Committee on Claims.

Also, a bill (H. R. 1772) for the relief of Addie T. Caughman and Grace Roberts; to the Committee on Claims.

Also, a bill (H. R. 1773) for the relief of the trustees of St. Stephen's Church, of the Evangelical Lutheran Synod of South Carolina, of Lexington, S. C.; to the Committee on War Claims.

Also, a bill (H. R. 1774) for the relief of J. M. Cantey, Jr.; to the Committee on Claims.

Also, a bill (H. R. 1775) granting a pension to Clarence D. Sexton; to the Committee on Pensions.

Also, a bill (H. R. 1776) granting a pension to Arthur D. Morgan; to the Committee on Pensions.

Also, a bill (H. R. 1777) granting a pension to Mamie Loon Irby; to the Committee on Pensions.

Also, a bill (H. R. 1778) granting a pension to Charlie R. Saylor; to the Committee on Pensions.

Also, a bill (H. R. 1779) for the relief of the Ladies' Ursuline Community of Columbia, at Columbia, S. C.; to the Committee on War Claims.

By Mr. GAMBRILL: A bill (H. R. 1780) for the relief of Mary E. Cavey; to the Committee on Claims.

By Mr. GASQUE: A bill (H. R. 1781) granting a pension to Lillian T. Skinner; to the Committee on Pensions.

Also, a bill (H. R. 1782) granting a pension to Jerusha C. Howell; to the Committee on Pensions.

Also, a bill (H. R. 1783) granting a pension to Josephine Hammond; to the Committee on Pensions.

Also, a bill (H. R. 1784) granting a pension to Edgar R. Joyner; to the Committee on Pensions.

Also, a bill (H. R. 1785) granting a pension to Willie D. Miles; to the Committee on Pensions.

Also, a bill (H. R. 1786) granting a pension to Agnes M. Wasdin; to the Committee on Pensions.

Also, a bill (H. R. 1787) granting a pension to Samuel W. Mabrey; to the Committee on Pensions.

Also, a bill (H. R. 1788) granting an increase of pension to Helen K. Snowden; to the Committee on Pensions.

Also, a bill (H. R. 1789) granting a pension to Rufus E. Davidson; to the Committee on Pensions.

Also, a bill (H. R. 1790) for the relief of Luvenia Flowers; to the Committee on Claims.

By Mr. GIFFORD: A bill (H. R. 1791) for the relief of Joseph Phaneuf; to the Committee on Military Affairs.

Also, a bill (H. R. 1792) for the relief of John Kelley; to the Committee on Claims.

Also, a bill (H. R. 1793) for the relief of James Jorgenson; to the Committee on Claims.

Also, a bill (H. R. 1794) for the relief of the estate of Marcellino M. Gilmette; to the Committee on Claims.

Also, a bill (H. R. 1795) to amend the military record of Walter Gordon; to the Committee on Military Affairs.

By Mr. GOLDSBOROUGH: A bill (H. R. 1796) for the relief of Sallie S. Twilley; to the Committee on Claims.

By Mr. GRAY of Indiana: A bill (H. R. 1797) granting an increase of pension to Roy Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1798) granting an increase of pension to William S. Nevius; to the Committee on Invalid Pensions.

By Mr. GRISWOLD: A bill (H. R. 1799) granting a pension to Margaret E. Stephens; to the Committee on Invalid Pensions.

By Mr. HAINES: A bill (H. R. 1800) for the relief of Caroline H. Adams; to the Committee on Military Affairs.

Also, a bill (H. R. 1801) granting a pension to Elizabeth A. C. Bigham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1802) granting a pension to William Paine Cope; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1803) granting a pension to Charles W. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1804) granting a pension to Hattie R. Weirman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1805) granting a pension to Mary Jane McGaulghlin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1806) granting an increase of pension to Margaret J. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1807) granting an increase of pension to Drusilla Barnhart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1808) granting an increase of pension to Mary E. Eberly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1809) granting an increase of pension to Mary J. King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1810) authorizing the President to present, in the name of Congress, a medal of honor to Dr. George E. Holtzapple; to the Committee on the Library.

By Mr. HOFFMAN: A bill (H. R. 1811) for the relief of the heirs of Margaretta D. Fenn, deceased; to the Committee on War Claims.

Also, a bill (H. R. 1812) for the relief of Leon Frederick Ruggles; to the Committee on War Claims.

Also, a bill (H. R. 1813) granting a pension to Ella A. Reese; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1814) for the relief of Frank T. Adler; to the Committee on Claims.

Also, a bill (H. R. 1815) to correct the military record of Charles B. Holmes; to the Committee on Military Affairs.

Also, a bill (H. R. 1816) for the relief of Charles Hose; to the Committee on Military Affairs.

By Mr. HOUSTON: A bill (H. R. 1817) granting a pension to Lizzie A. Colwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1818) for the relief of Merton E. Bent; to the Committee on Claims.

By Mr. JOHNSON of West Virginia: A bill (H. R. 1819) granting an increase of pension to Olive J. Ebert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1820) for the relief of Sol J. Hyman; to the Committee on Claims.

Also, a bill (H. R. 1821) for the relief of Charles E. Bryant; to the Committee on Claims.

Also, a bill (H. R. 1822) for the relief of John B. Canter; to the Committee on Claims.

Also, a bill (H. R. 1823) granting a pension to Clara L. Dolman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1824) granting a pension to Robert Melvin Palmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1825) granting an increase of pension to Mary A. Stagg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1826) granting an increase of pension to Orrie S. McCutcheon; to the Committee on Invalid Pensions.

By Mr. KEOGH: A bill (H. R. 1827) granting an increase of pension to Alice A. Ellis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1828) granting a pension to Elizabeth Petty; to the Committee on Pensions.

By Mr. KINZER: A bill (H. R. 1829) granting an increase of pension to Lizzie D. McFarlan; to the Committee on Invalid Pensions.

By Mr. KNUTSON: A bill (H. R. 1830) for the relief of the Cold Spring Brewing Co., of Cold Spring, Minn.; to the Committee on Claims.

Also, a bill (H. R. 1831) granting a pension to Rose Williams; to the Committee on Pensions.

Also, a bill (H. R. 1832) granting a pension to Mary E. Allen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1833) granting a pension to Henry Berndt; to the Committee on Pensions.

Also, a bill (H. R. 1834) granting a pension to Josephine Black; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1835) for the relief of Henry Fischer; to the Committee on War Claims.

Also, a bill (H. R. 1836) for the relief of Charles L. Fremling; to the Committee on Military Affairs.

Also, a bill (H. R. 1837) providing compensation to M. J. Harbinson for injuries sustained while in the Government service at and on the Belknap Reservation, Mont., engaged as a moundsman; to the Committee on Claims.

Also, a bill (H. R. 1838) for the relief of George Houston; to the Committee on Claims.

Also, a bill (H. R. 1839) granting an increase of pension to Paulinus G. Huhn; to the Committee on Pensions.

Also, a bill (H. R. 1840) for the relief of Casimir Molargie; to the Committee on Naval Affairs.

Also, a bill (H. R. 1841) granting a pension to Jeanette Nelson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1842) for the relief of Herman H. Orth; to the Committee on War Claims.

Also, a bill (H. R. 1843) for the relief of John F. Patterson; to the Committee on Military Affairs.

Also, a bill (H. R. 1844) for the relief of George E. Rice; to the Committee on War Claims.

Also, a bill (H. R. 1845) granting a pension to Carrie Thompson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1846) granting an increase of pension to Cora A. Pattison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1847) for the relief of the Pokegama Sanatorium; to the Committee on Claims.

By Mr. LANHAM: A bill (H. R. 1848) granting a pension to Robert C. Wood; to the Committee on Pensions.

Also, a bill (H. R. 1849) for the relief of William P. Flynn; to the Committee on Military Affairs.

Also, a bill (H. R. 1850) for the relief of Virgil Buzard; to the Committee on Military Affairs.

Also, a bill (H. R. 1851) for the relief of W. D. Davis; to the Committee on Claims.

By Mr. LAMNECK: A bill (H. R. 1852) granting an increase of pension to Mary E. Warthen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1853) granting a pension to Susan Wells; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1854) for the relief of Dale E. Miller; to the Committee on Claims.

By Mr. LUCKEY of Nebraska: A bill (H. R. 1855) granting a pension to Huldah G. Sanders; to the Committee on Invalid Pensions.

By Mr. McANDREWS: A bill (H. R. 1856) for the relief of John Edward Ward; to the Committee on Naval Affairs.

Also, a bill (H. R. 1857) for the relief of the heirs of the late Capt. N. C. Brooks; to the Committee on Claims.

Also, a bill (H. R. 1858) for the relief of Charles E. Names; to the Committee on Claims.

Also, a bill (H. R. 1859) for the relief of Etta Natelsky; to the Committee on Claims.

Also, a bill (H. R. 1860) for the relief of Andrew Risko; to the Committee on Naval Affairs.

Also, a bill (H. R. 1861) for the relief of the firm of Schmidt, Garden & Martin, architects, of Chicago, Ill.; to the Committee on Claims.

Also, a bill (H. R. 1862) for the relief of Carl Stador; to the Committee on Claims.

Also, a bill (H. R. 1863) for the relief of the heirs of Florence Thromans; to the Committee on Claims.

Also, a bill (H. R. 1864) providing for the reappointment of Maj. Harry A. Musham, retired, to the active list of the Army; to the Committee on Military Affairs.

Also, a bill (H. R. 1865) for the relief of Fred A. Lewis; to the Committee on Military Affairs.

Also, a bill (H. R. 1866) granting a pension to George McCauley; to the Committee on Pensions.

By Mr. MAAS: A bill (H. R. 1867) for the relief of the Detroit Fidelity & Surety Co., of Detroit, Mich.; to the Committee on Claims.

Also, a bill (H. R. 1868) for the relief of C. O. Dobra; to the Committee on Claims.

By Mr. MAHON of South Carolina: A bill (H. R. 1869) for the relief of J. Roy Workman; to the Committee on Claims.

Also, a bill (H. R. 1870) for the relief of Kate Carter Lyons; to the Committee on Claims.

Also, a bill (H. R. 1871) for the relief of John S. Hemrick; to the Committee on Claims.

Also, a bill (H. R. 1872) for the relief of Martin Bridges; to the Committee on Claims.

By Mr. MOTT: A bill (H. R. 1873) for the relief of E. P. Conroy and Graham Conroy; to the Committee on Claims.

By Mr. O'BRIEN of Illinois: A bill (H. R. 1874) for the relief of Mrs. Foneti Petrakos, executrix of the estate of Tom H. Petrakos; to the Committee on Claims.

Also, a bill (H. R. 1875) for the relief of Anna Muetzel; to the Committee on Claims.

Also, a bill (H. R. 1876) for the relief of Edward J. Shuma, Barbara Michalek, and Robert Shuma (collectively); to the Committee on Claims.

Also, a bill (H. R. 1877) granting a pension to Sophie M. Peterson; to the Committee on Pensions.

Also, a bill (H. R. 1878) for the relief of Garfield Arthur Ross; to the Committee on Claims.

Also, a bill (H. R. 1879) for the relief of John P. Hart; to the Committee on Claims.

By Mr. PETERSON of Florida: A bill (H. R. 1880) granting a pension to Daisy Vredenburgh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1881) granting a pension to Benjamin DoBroky; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1882) granting a pension to Irene C. Flack; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1883) granting a pension to May Barnes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1884) granting a pension to Della Bond; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1885) granting a pension to Olivia Stebbins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1886) granting a pension to Lura P. Markley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1887) granting a pension to Ida Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1888) granting a pension to Huldah M. Martin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1889) granting a pension to Elise M. Lum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1890) granting a pension to Lu M. Linscott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1891) granting a pension to Margaret Haskin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1892) granting a pension to Kathryn E. Fraley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1893) granting a pension to Clara L. Owens; to the Committee on Invalid Pensions.

By Mr. QUINN: A bill (H. R. 1894) for the relief of James H. Riffle; to the Committee on Military Affairs.

By Mr. RAMSAY: A bill (H. R. 1895) to restore to the Neill Grocery Co., of Wheeling, W. Va., the sum of $900, the amount of counsel fee paid by said Neill Grocery Co. in an action brought against them August 10, 1917; to the Committee on Claims.

Also, a bill (H. R. 1896) granting a pension to Rosylena Wood; to the Committee on Invalid Pensions.

By Mr. REILLY: A bill (H. R. 1897) granting a pension to Anna Hilbert; to the Committee on Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 1898) for the relief of Jordan B. Gross; to the Committee on Military Affairs.

By Mr. SABATH: A bill (H. R. 1899) for the relief of Martin M. Philipsborn; to the Committee on Claims.

Also, a bill (H. R. 1900) for the relief of Anna Kotjek; to the Committee on Claims.

Also, a bill (H. R. 1901) for the relief of the legal representatives of the late Alvina Schallhorn; to the Committee on Claims.

Also, a bill (H. R. 1902) for the relief of John Boska; to the Committee on Military Affairs.

Also, a bill (H. R. 1903) granting a pension to Joseph Kotrsal; to the Committee on Pensions.

Also, a bill (H. R. 1904) for the relief of Florenz Gutierrez; to the Committee on Claims.

By Mr. SADOWSKI: A bill (H. R. 1905) for the relief of Joseph Frank Schmidt; to the Committee on Naval Affairs.

Also, a bill (H. R. 1906) for the relief of Charles Bubyak; to the Committee on Military Affairs.

Also, a bill (H. R. 1907) for the relief of Arthur Gajeske; to the Committee on Claims.

Also, a bill (H. R. 1908) for the relief of Azun Khan; to the Committee on Claims.

By Mr. SAUTHOFF: A bill (H. R. 1909) granting a pension to Lorania M. Blackman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1910) granting a pension to Alice Waste; to the Committee on Pensions.

Also, a bill (H. R. 1911) for the relief of George H. Stahl; to the Committee on Military Affairs.

Also, a bill (H. R. 1912) granting a pension to Hallie V. Weeks; to the Committee on Invalid Pensions.

By Mr. SMITH of West Virginia: A bill (H. R. 1913) for the relief of Matt Burgess; to the Committee on Claims.

Also, a bill (H. R. 1914) for the relief of the heirs of Horace King, deceased; to the Committee on War Claims.

Also, a bill (H. R. 1915) for the relief of Charles Tabit; to the Committee on Claims.

By Mr. STACK: A bill (H. R. 1916) for the relief of Joseph Rabinovitch; to the Committee on Naval Affairs.

Also, a bill (H. R. 1917) for the relief of Robert J. Smyth, Jr.; to the Committee on Naval Affairs.

Also, a bill (H. R. 1918) for the relief of Mary Ellen Tiefenthaler; to the Committee on Claims.

Also, a bill (H. R. 1919) for the relief of Mary Robinson; to the Committee on Claims.

Also, a bill (H. R. 1920) for the relief of the heirs of the late George L. Lawrence; to the Committee on Claims.

By Mr. STARNES: A bill (H. R. 1921) for the relief of J. H. Richards; to the Committee on Claims.

Also, a bill (H. R. 1922) for the relief of John Lewis; to the Committee on Claims.

By Mr. TINKHAM: A bill (H. R. 1923) for the relief of Evangelos Karacostas; to the Committee on Claims.

Also, a bill (H. R. 1924) for the relief of Henry E. Lambert; to the Committee on Naval Affairs.

Also, a bill (H. R. 1925) for the relief of Joseph Hovey; to the Committee on Claims.

Also, a bill (H. R. 1926) granting a pension to Agnes M. Jackman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1927) for the relief of Stephen J. Crotty; to the Committee on Military Affairs.

Also, a bill (H. R. 1928) granting a pension to Anna E. Eldridge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1929) to place William H. Clinton on the retired list of the Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 1930) for the relief of William H. Ames; to the Committee on Claims.

Also, a bill (H. R. 1931) for the relief of Michael F. Clark; to the Committee on Military Affairs.

Also, a bill (H. R. 1932) granting a pension to Mary A. C. Scales; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1933) for the relief of Joseph L. Plouffe; to the Committee on Military Affairs.

Also, a bill (H. R. 1934) for the relief of Edward S. Ryan; to the Committee on Military Affairs.

By Mr. THOMPSON of Illinois: A bill (H. R. 1935) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Velie Motors Corporation; to the Committee on War Claims.

Also, a bill (H. R. 1936) for the relief of Thomas H. Dolly; to the Committee on the Civil Service.

Also, a bill (H. R. 1937) granting a pension to Minnie F. Claspill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1938) for the relief of Capt. Robert E. Coughlin; to the Committee on Military Affairs.

Also, a bill (H. R. 1939) granting a pension to Sarah Gardner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1940) for the relief of W. H. Morris; to the Committee on Claims.

Also, a bill (H. R. 1941) for the relief of Louis Wardlow; to the Committee on Claims.

By Mr. WOODRUM: A bill (H. R. 1942) granting a pension to Blanche F. O'Beirne; to the Committee on Pensions.

Also, a bill (H. R. 1943) for the relief of Elisha M. Levan; to the Committee on Military Affairs.

Also, a bill (H. R. 1944) for the relief of C. H. Beasley & Bro., Inc.; to the Committee on Claims.

Also, a bill (H. R. 1945) for the relief of Venice La Prad; to the Committee on Claims.

By Mr. DUNCAN: A bill (H. R. 1946) for the relief of Graham G. Lacy; to the Committee on Claims.

Also, a bill (H. R. 1947) granting an increase of pension to Martha Graves; to the Committee on Invalid Pensions.

By Mr. McCORMACK: A bill (H. R. 1948) for the relief of certain property owners within the Old Harbor Village area of Boston, Mass.; to the Committee on Claims.

By Mr. LESINSKI: A bill (H. R. 1949) to adjust and equalize benefits for veterans and widows and dependents of veterans, and for other purposes; to the Committee on Invalid Pensions.

By Mr. PETERSON of Georgia: A bill (H. R. 1950) to provide for the establishment of a national monument on the site of Fort Morris, in Liberty County, Ga.; to the Committee on the Public Lands.

Also, a bill (H. R. 1951) to establish a fish-cultural station in McIntosh County, Ga.; to the Committee on Merchant Marine and Fisheries.

By Mr. MERRITT: Joint resolution (H. J. Res. 8) to provide for the coinage of a medal in commemoration of the heroic service of Einer William Sundstrom, captain of the steamship *Dixie*, and his courageous and efficient crew; to the Committee on Coinage, Weights, and Measures.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1. By Mr. LESINSKI: Concurrent resolution of the Michigan Legislature, requesting the President and Congress of the United States to enact amendments to the Social Security Act providing for immediate payment of benefits and the holding of the reserve trust funds by the several States from which the funds are collected from the workers of such States under such protective restrictions as Congress may impose; to the Committee on Ways and Means.

2. By Mr. MAAS: House File No. 10, being Resolution No. 1, passed by the Legislature of the State of Minnesota at the extra session of 1936, memorializing the President of the United States and Harry L. Hopkins, the Administrator of the Works Progress Administration, that it is the wish and desire of the people of the State of Minnesota that farmers be reinstated as being of a class eligible for employment under the Works Progress Administration; to the Committee on Ways and Means.

3. Also, Senate File No. 9, being Resolution No. 2, passed by the Legislature of the State of Minnesota at the extra session of 1936, petitioning the Administrator of the National Works Progress Administration to void and cancel the order of the discontinuance of the payment of Federal aid to this State of December 15, 1936, by the National Works Progress Administration and to restore the payment thereof to this State in the same manner as prior to December 15, 1936; to the Committee on Ways and Means.

4. By Mrs. ROGERS of Massachusetts: Petition of the United States Storekeeper-Gaugers' Association of New England, requesting that in all future appropriations for the Bureau of Internal Revenue an amount be provided to allow a per diem to storekeeper-gaugers when assigned away from their homes; to the Committee on Appropriations.

5. By the SPEAKER: Petition of the American Public Health Association, concerning the index-catalog of the library of the Surgeon General's Office, United States Army; to the Committee on Appropriations.

6. Also, petition of Local 15, Workers' Alliance of Greater New York, petitioning Congress to vote to continue the Works Progress Administration; to the Committee on Appropriations.

7. Also, petition of the American Writers' Union, Local No. 6, urging the need for more of these white-collar projects; to the Committee on Appropriations.

8. Also, petition of the Alaska Native Brotherhood, concerning destitute Indians in Alaska; to the Committee on Appropriations.

9. Also, petition of the city of Marceline, Marceline, Mo., concerning prohibiting consolidations and abandonment of railroad property; to the Committee on Interstate and Foreign Commerce.

10. Also, petition of the Scioto-Sandusky Conservancy District, concerning consideration of flood-control acts; to the Committee on Flood Control.

11. Also, petition of the Ohio Valley Conservation and Flood Control Congress, concerning consideration of flood-control acts; to the Committee on Flood Control.

SENATE

WEDNESDAY, JANUARY 6, 1937

The Senate met at 12 o'clock and 30 minutes p. m.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O God the King eternal, who dividest the day from the darkness; drive from us every wrong desire, and for Thy tender mercy's sake sanctify our thoughts and our endeavors, that we may neither begin an action without a pure intention nor continue it without Thy blessing.

Vouchsafe unto us this day the guidance and direction of Thy holy spirit, that we may be saved from all false choices, and that in Thy light we may see light, and in Thy path we may not stumble. Through Jesus Christ our Lord. Amen.

ROBERT F. WAGNER, a Senator from the State of New York, appeared in his seat today.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of the proceedings of Tuesday, January 5, 1937, when, on request of Mr. ROBINSON and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its reading clerks, informed the Senate that a quorum of the House of Representatives had assembled; that WILLIAM B. BANKHEAD, a Representative from the State of Alabama, had been elected Speaker; that South Trimble, a citizen of the State of Kentucky, had been elected Clerk, and that the House is ready for business.

The message also informed the Senate that a committee of three members had been appointed by the Speaker on the part of the House of Representatives, to join with the committee on the part of the Senate, to notify the President of the United States that a quorum of each House had assembled and that Congress was ready to receive any communication that he might be pleased to make, and that the Speaker had appointed Mr. TAYLOR of Colorado, Mr. DOUGHTON, and Mr. SNELL the members of the committee on the part of the House of Representatives.

The message announced that the House had agreed to a concurrent resolution (S. Con. Res. 1) providing that the two Houses of Congress assemble in the Hall of the House of Representatives on Wednesday, the 6th day of January 1937, at 2 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 2), as follows:

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall meet in the Hall of the House of Representatives on Wednesday, the 6th day of January 1937, at 1 o'clock p. m., pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President of the Senate shall be their presiding officer; that two tellers shall be previously appointed by the President of the Senate on the part of the Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter A; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

The message communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. LOUIS MURPHY, late a Senator from the State of Iowa.

The message also communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. JAMES COUZENS, late a Senator from the State of Michigan.

The message further communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. PETER NORBECK, late a Senator from the State of South Dakota.

The message also communicated to the Senate the intelligence of the death of Hon. BERNHARD M. JACOBSEN, late a Representative from the State of Iowa, and transmitted the resolutions of the House thereon.

The message further communicated to the Senate the intelligence of the death of Hon. MARION A. ZIONCHECK, late a Representative from the State of Washington, and transmitted the resolutions of the House thereon.

The message also communicated to the Senate the intelligence of the death of Hon. WARREN J. DUFFEY, late a Representative from the State of Ohio, and transmitted the resolutions of the House thereon.

The message further communicated to the Senate the intelligence of the death of Hon. GLOVER H. CARY, late a Representative from the State of Kentucky, and transmitted the resolutions of the House thereon.

The message also communicated to the Senate the intelligence of the death of Hon. WILLIAM V. GREGORY, late a Representative from the State of Kentucky, and transmitted the resolutions of the House thereon.

The message further communicated to the Senate the intelligence of the death of Hon. JOHN J. McSWAIN, late a Representative from the State of South Carolina, and transmitted the resolutions of the House thereon.

NOTIFICATION TO THE PRESIDENT

Mr. ROBINSON and Mr. McNARY advanced in the center aisle, and

Mr. ROBINSON said: Mr. President, the committee of the Senate appointed to cooperate with a similar committee on the part of the House to notify the President that the Congress is now in session and ready for business has performed its function. The President has informed the committee that he will be ready to deliver a message to the joint session of the two Houses today.

COUNT OF ELECTORAL VOTE

The VICE PRESIDENT. In accordance with the provisions of Senate Concurrent Resolution 2, the Chair appoints the Senator from Georgia [Mr. GEORGE] and the Senator from Vermont [Mr. AUSTIN] as the tellers on the part of the Senate to count the electoral votes for President and Vice President of the United States.

REGENTS OF SMITHSONIAN INSTITUTION

The VICE PRESIDENT. Pursuant to section 5581 of the Revised Statutes of the United States (U. S. C., title 20, ch. 3, sec. 42), the Chair appoints the Senator from Arkansas [Mr. ROBINSON], the Senator from Kentucky [Mr. LOGAN], and the Senator from Oregon [Mr. McNARY] as members of the Board of Regents of the Smithsonian Institution to fill the vacancies occasioned by the expiration of their respective terms of office.

NOBEL PEACE PRIZE

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of State, transmitting a copy of a circular issued by the Nobel Committee of the Norwegian Parliament furnishing information regarding the proposals of candidates for the Nobel peace prize for the year 1937, which, with the accompanying paper, was referred to the Committee on Foreign Relations.

PERSHING HALL, PARIS, FRANCE, EXPENDITURES REPORT

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, an itemized report of expenditures made in connection with Pershing Hall in Paris, France, which, with the accompanying report, was referred to the Committee on Military Affairs.

REPORT OF NATIONAL FOREST RESERVATION COMMISSION (S. DOC. NO. 5)

The VICE PRESIDENT laid before the Senate a letter from the Secretary of War, as president ex officio of the National Forest Reservation Commission, transmitting, pursuant to law, the annual report of the Commission for the fiscal year ended June 30, 1936, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry and ordered to be printed, with illustrations.

ANNUAL REPORT OF THE ATTORNEY GENERAL

The VICE PRESIDENT laid before the Senate a letter from the Attorney General, transmitting the annual report of the Department of Justice for the fiscal year ended June 30, 1936, which was referred to the Committee on the Judiciary.

ADMIRALTY SUITS AGAINST THE UNITED STATES

The VICE PRESIDENT laid before the Senate a letter from the Attorney General, submitting, pursuant to law, a list of suits arising under the act of March 9, 1920 (41 Stat. 525), authorizing suits against the United States in admiralty involving merchant vessels in which final decrees were entered, etc., which was referred to the Committee on the Judiciary.

SUITS UNDER THE PUBLIC VESSEL ACT

The VICE PRESIDENT laid before the Senate a letter from the Attorney General, submitting, pursuant to law, a list of suits arising under the Public Vessel Act of March 3, 1925 (43 Stat. 1112), in which final decrees were entered, exclusive of cases on appeal, which was referred to the Committee on the Judiciary.

SPECIAL ASSISTANT ATTORNEYS, DEPARTMENT OF JUSTICE

The VICE PRESIDENT laid before the Senate a letter from the Attorney General, transmitting, pursuant to law, a report showing the special assistants employed under the appropriation "Pay of special assistant attorneys", contained in the Department of Justice Appropriation Act, 1937, together with the rates of compensation, the amounts paid, and a description of their duties, which, with the accompanying report, was referred to the Committee on the Judiciary.

AIRCRAFT PURCHASES FOR NAVY

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Navy, transmitting, pursuant to law, a report of designs, aircraft, aircraft parts, and aeronautical accessories purchased by the Navy Department during the fiscal year ended June 30, 1936, the prices paid therefor, and the reason for the award in each case, which, with the accompanying report, was referred to the Committee on Naval Affairs.

DEVELOPMENT OF OIL AND GAS LANDS

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Navy, transmitting, pursuant to law, a report concerning a plan agreement for cooperative development of lands of the United States in Buena Vista Hills oil and gas field, Kern County, Calif., and the extension of certain oil and gas leases in Naval Petroleum Reserve No. 2, in California, which, with the accompanying report, was referred to the Committee on Naval Affairs.

EXPENDITURES OF ST. ELIZABETHS HOSPITAL

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior transmitting, pursuant to law, a report of the Superintendent of St. Elizabeths Hospital showing in detail the receipts and expenditures of the hospital for the fiscal year ended June 30, 1936, which, with the accompanying report, was referred to the Committee on the District of Columbia.

REPORT OF WAR MINERALS RELIEF COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting, pursuant to law, a report of the administration of the War Minerals Relief Act for the year ended November 30, 1936, which, with the accompanying report, was referred to the Committee on Mines and Mining.

LEASE OF OIL AND GAS LANDS, FORT MORGAN MILITARY RESERVATION, ALA.

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting, pursuant to law, a report of the cancelation of a lease issued to T. S. Stoneman for the exploitation for oil, gas, and other minerals on the lands comprising the Fort Morgan Military Reservation, Ala., which, with the accompanying report, was referred to the Committee on Military Affairs.

INDIAN IRRIGATION PROJECTS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting, pursuant to law, a report showing the cost and other data with respect to Indian irrigation projects as compiled to the end of the fiscal year June 30, 1936, which, with the accompanying report, was referred to the Committee on Indian Affairs.

REPORT ON LOANS TO INDIAN CHARTERED CORPORATIONS

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting, pursuant to law, a report of transactions under the authorization establishing a revolving fund to make loans to Indian chartered corporations for the purpose of promoting the economic development of Indian tribes and their members, which was referred to the Committee on Indian Affairs.

LAWS ENACTED BY MUNICIPAL COUNCILS, VIRGIN ISLANDS

The VICE PRESIDENT laid before the Senate 15 letters from the Secretary and Acting Secretaries of the Interrior, transmitting, pursuant to law, copies of laws enacted by the Municipal Council of St. Croix and the Municipal Council of St. Thomas and St. John at various meetings of those councils, which, with the accompanying papers, were referred to the Committee on Territories and Insular Affairs.

ANNUAL REPORT OF THE SECRETARY OF COMMERCE

The VICE PRESIDENT laid before the Senate a letter from the Secretary of Commerce, transmitting, pursuant to law, his annual report for the fiscal year ended June 30, 1936, which, with the accompanying report, was referred to the Committee on Commerce.

NATIONAL SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Smithsonian Institution, transmitting, pursuant to law, the annual report of the National Society of the Daughters of the American Revolution for the year ended April 1, 1936, which, with the accompanying report, was referred to the Committee on Printing.

REPORT OF TEXTILE FOUNDATION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Textile Foundation, transmitting, pursuant to law, a report of the board of directors of the Foundation, with a statement of receipts and disbursements, for the year ended December 31, 1935, which, with the accompanying report, was referred to the Committee on Commerce.

DELINQUENT ACCOUNTS OF FEDERAL OFFICERS

The VICE PRESIDENT laid before the Senate a letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report showing officers and administrative offices of the Government delinquent in rendering or transmitting their accounts to the proper offices in Washington during the fiscal year ended June 30, 1936, and whether the delinquency was waived, together with a list of officers who, upon final settlement of their accounts, were found to be indebted to the Government and had failed to pay the same into the Treasury of the United States, which, with the accompanying report, was referred to the Committee on Claims.

ANNUAL REPORT OF FEDERAL TRADE COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, the annual report of the Commission for the fiscal year ended June 30, 1936, which, with the accompanying report, was referred to the Committee on Interstate Commerce.

REPORT ON COTTON TEXTILE INDUSTRY

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Federal Trade Commission, transmitting a report of the Commission on the cotton textile industry, including thread, cordage, and twine, during the

last half of 1935, which, with the accompanying papers, was referred to the Committee on Education and Labor.

REPORTS ON WOOLEN AND WORSTED TEXTILE INDUSTRY

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Federal Trade Commission and a letter from the Acting Chairman of the Commission, transmitting reports on the woolen and worsted textile industry, which, with the accompanying reports, were referred to the Committee on Education and Labor.

INVESTIGATION OF DAIRY INDUSTRY

The VICE PRESIDENT laid before the Senate two letters from the Chairman of the Federal Trade Commission, transmitting, in further response to House Concurrent Resolution 32 (73d Cong., 2d sess.), reports of the Commission, as follows:

A report on the sale and distribution of milk and milk products, covering the operations of large dairy farmers' cooperative organizations in the New York milkshed and the operations of Nation-wide processors and distributors of milk and milk products with headquarters in New York City; and

A summary report on conditions with respect to the sale and distribution of milk and dairy products, containing the conclusions and recommendations of the Commission, which, with the accompanying reports, were referred to the Committee on Agriculture and Forestry.

AIR-MAIL CONTRACTS

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Interstate Commerce Commission, transmitting, pursuant to section 6 of the Air Mail Act of 1934, as amended, a report relative to an examination and audit of certain air-mail contracts, which, with the accompanying report, was referred to the Committee on Post Offices and Post Roads.

ANNUAL REPORT OF THE TARIFF COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the United States Tariff Commission, transmitting, pursuant to law, the twentieth annual report of the Commission for the fiscal year ended June 30, 1936, which, with the accompanying report, was referred to the Committee on Finance.

MANUFACTURING CORPORATIONS PRODUCING COMMODITIES PROTECTED BY TARIFF LAWS

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Tariff Commission, transmitting, in response to Senate Resolution 265 (74th Cong., 2d sess.), a report relating to the operations of certain large corporations, estimates of the financial benefit derived by such corporations from tariff laws, and the effect of the tariff upon prices to consumers, which, with the accompanying report, was referred to the Committee on Finance.

INVESTIGATIONS DISMISSED BY TARIFF COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Tariff Commission, transmitting a list of investigations under section 336 of the Tariff Act of 1930 ordered in accordance with the provisions of certain Senate resolutions which have been dismissed by the Commission, which was referred to the Committee on Finance.

REPORTS OF RECONSTRUCTION FINANCE CORPORATION

The VICE PRESIDENT laid before the Senate three letters from the Chairman and the Secretary of the Reconstruction Finance Corporation, transmitting, pursuant to law, reports covering its operations for the first, second, and third quarters, respectively, of 1936, and for the month of November 1936, which, with the accompanying reports, were referred to the Committee on Banking and Currency.

ANNUAL REPORT OF FEDERAL DEPOSIT INSURANCE CORPORATION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Federal Deposit Insurance Corporation, transmitting, pursuant to law, the annual report of the Corporation for the year ended December 31, 1935, which, with the accompanying report, was referred to the Committee on Banking and Currency.

ANNUAL REPORT OF TENNESSEE VALLEY AUTHORITY

The VICE PRESIDENT laid before the Senate a letter from the board of directors of the Tennessee Valley Authority, transmitting, pursuant to law, a report of the activities of that Authority for the fiscal year ended June 30, 1936, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry.

INVESTIGATION OF VALUES OF PROPERTIES AT MUSCLE SHOALS, ALA.

The VICE PRESIDENT laid before the Senate a letter from the chairman of the board of directors of the Tennessee Valley Authority submitting, pursuant to law, a preliminary report of an investigation as to the present value of Wilson Dam at Muscle Shoals, Ala., and the steam plants at nitrate plant no. 1 and nitrate plant no. 2, for the purpose of ascertaining the allocations that should be charged to flood control, navigation, fertilizer, national defense, and the development of power, and requesting an extension of time in which to complete its report, which was referred to the Committee on Agriculture and Forestry.

ANNUAL REPORT OF THE FEDERAL POWER COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Federal Power Commission, transmitting, pursuant to law, the annual report of the Commission for the fiscal year ended June 30, 1936, together with additional activities to December 1936, which, with the accompanying report, was referred to the Committee on Commerce.

JUDGMENTS OF COURT OF CLAIMS

The VICE PRESIDENT laid before the Senate a letter from the chief clerk of the Court of Claims, transmitting, pursuant to law, a statement of judgments rendered by the Court of Claims for the year ended December 5, 1936, the amount thereof, the parties in whose favor rendered, and a brief synopsis of the nature of the claims, which, with the accompanying statement, was referred to the Committee on Appropriations and ordered to be printed.

ANNUAL REPORT OF THE VETERANS' ADMINISTRATION

The VICE PRESIDENT laid before the Senate a letter from the Administrator of Veterans' Affairs, transmitting, pursuant to law, a report of the activities of the Veterans' Administration for the fiscal year ended June 30, 1936, which, with the accompanying report, was referred to the Committee on Finance.

ANNUAL REPORT OF RESETTLEMENT ADMINISTRATION

The VICE PRESIDENT laid before the Senate a letter from the Administrator of the Resettlement Administration, transmitting, pursuant to law, the first annual report of that Administration, covering the period from May 1, 1935, to June 30, 1936, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry.

SETTLEMENT OF CLAIMS UNDER SUITS IN ADMIRALTY ACT

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the United States Maritime Commission, transmitting, pursuant to law, a report of claims arbitrated or settled by agreement from October 16, 1935, to October 15, 1936, under the Suits in Admiralty Act, which, with the accompanying report, was referred to the Committee on Commerce.

REPORT OF UNITED STATES MARITIME COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the United States Maritime Commission, transmitting, pursuant to law, the first report of the Commission covering its activities from October 26, 1936, to December 31, 1936, which, with the accompanying report, was referred to the Committee on Commerce.

REPORT OF NATIONAL LABOR RELATIONS BOARD

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the National Labor Relations Board, transmitting, pursuant to law, the first annual report of the Board

for the fiscal year ended June 30, 1936, together with a list of officers and employees and their salaries and duties, and the decisions of the Board rendered during the fiscal year, which, with the accompanying report, was referred to the Committee on Education and Labor.

REPORT OF THE COMMISSIONERS OF THE DISTRICT OF COLUMBIA

The VICE PRESIDENT laid before the Senate a letter from the president of the Board of Commissioners of the District of Columbia, transmitting, pursuant to law, a report of the official operations of government of the District of Columbia for the fiscal year ended June 30, 1936, which, with the accompanying report, was referred to the Committee on the District of Columbia.

HEALING ARTS PRACTICE IN DISTRICT OF COLUMBIA

The VICE PRESIDENT laid before the Senate a letter from the president of the Commission on Licensure, Healing Arts Practice Act, transmitting, pursuant to law, a report of the activities of the Commission for the fiscal year ended June 30, 1936, which, with the accompanying report, was referred to the Committee on the District of Columbia.

ANNUAL REPORT OF DISTRICT PUBLIC UTILITIES COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Public Utilities Commission of the District of Columbia, transmitting, pursuant to law, a report of the official proceedings of the Commission for the year ended December 31, 1935, with other information relating to the regulation and operation of public utilities in the District coming under the jurisdiction of the Commission, which, with the accompanying report, was referred to the Committee on the District of Columbia.

REPORT OF CHESAPEAKE & POTOMAC TELEPHONE CO.

The VICE PRESIDENT laid before the Senate a letter from the president of the Chesapeake & Potomac Telephone Co., transmitting, pursuant to law, the annual report of the company for the year ended December 31, 1936, the results of the operations for December only being estimated, which, with the accompanying report, was referred to the Committee on the District of Columbia.

ANNUAL REPORT OF THE ARCHIVIST

The VICE PRESIDENT laid before the Senate a letter from the Archivist, transmitting, pursuant to law, his annual report for the fiscal year ended June 30, 1936, which, with the accompanying report, was referred to the Committee on the Library.

DISPOSITION OF EXECUTIVE PAPERS

The VICE PRESIDENT laid before the Senate eight letters from the Archivist of the United States, transmitting, pursuant to law, lists of papers in the Treasury Department, the War Department, the Department of the Interior, the Department of Agriculture, the Department of Commerce, the Department of Labor, the United States Tariff Commission, and the Export-Import Bank of Washington which have no permanent value or historical interest, and requesting action looking to their disposition, which, with the accompanying papers, were referred to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. GIBSON members of the committee on the part of the Senate.

ANNUAL REPORT OF THE INTERSTATE COMMERCE COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Interstate Commerce Commission, transmitting, pursuant to law, the annual report of the Commission for the year ended October 31, 1936, except as otherwise noted, which, with the accompanying report, was referred to the Committee on Interstate Commerce.

FINAL VALUATION OF CERTAIN RAILROAD PROPERTIES

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Interstate Commerce Commission, transmitting, pursuant to law, final valuations of the properties of the Pullman Co., Piedmont & Northern Railway Co., and Hoboken Manufacturers Railroad Co. et al., which, with the accompanying documents, was referred to the Committee on Interstate Commerce.

ANNUAL REPORT OF THE PUBLIC PRINTER

The VICE PRESIDENT laid before the Senate a letter from the Public Printer, transmitting, pursuant to law, the annual report of the operations of the Government Printing Office for the fiscal year ended June 30, 1936, which, with the accompanying report, was referred to the Committee on Printing.

ANNUAL REPORT OF FEDERAL COMMUNICATIONS COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Federal Communications Commission, transmitting, pursuant to law, the annual report of the Commission for the fiscal year ended June 30, 1936, which, with the accompanying report, was referred to the Committee on Interstate Commerce.

ANNUAL REPORT OF ELECTRIC HOME AND FARM AUTHORITY

The VICE PRESIDENT laid before the Senate a letter from the president of the Electric Home and Farm Authority, transmitting, pursuant to law, the first annual report of the Authority, covering operations from August 1, 1935, to June 30, 1936, which, with the accompanying report, was referred to the Committee on the Judiciary.

ANNUAL REPORT OF NATIONAL MEDIATION BOARD

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the National Mediation Board, transmitting, pursuant to law, the annual report of the Board for the fiscal year ended June 30, 1936, including the report of the National Railroad Adjustment Board, which, with the accompanying report, was referred to the Committee on Interstate Commerce.

REPORT OF NATIONAL MUNITIONS CONTROL BOARD

The VICE PRESIDENT laid before the Senate a letter from the National Munitions Control Board, transmitting, pursuant to law, the annual report of the Board, which, with the accompanying report, was referred to the Committee on Foreign Relations.

REPORT OF FEDERAL ALCOHOL ADMINISTRATION

The VICE PRESIDENT laid before the Senate a letter from the Administrator of the Federal Alcohol Administration, transmitting, pursuant to law, the second report of the Administration, covering the period December 22, 1935, to December 15, 1936, which, with the accompanying report, was referred to the Committee on Finance.

REPORT OF GORGAS MEMORIAL INSTITUTE

The VICE PRESIDENT laid before the Senate a letter from the chairman of the board of directors of the Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc., transmitting, pursuant to law, a report of the institute for the year ended October 31, 1936, which, with the accompanying report, was referred to the Committee on Interoceanic Canals.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

Mr. ROBINSON. Mr. President, I ask unanimous consent that the introduction of bills and joint resolutions be now in order.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GUFFEY:

A bill (S. 1) to regulate interstate commerce in bituminous coal, and for other purposes; to the Committee on Interstate Commerce.

By Mr. McCARRAN:

A bill (S. 2) to amend the Interstate Commerce Act, as amended, by providing for the regulation of the transportation of passengers and property by aircraft in interstate commerce, and for other purposes; to the Committee on Interstate Commerce.

By Mr. VANDENBERG (for himself and Mr. COPELAND):

A bill (S. 3) to regulate commerce in firearms; to the Committee on Commerce.

By Mr. GLASS:

A bill (S. 4) to authorize the coinage of 50-cent pieces in commemoration of the three hundredth anniversary of the original Norfolk, Va., land grant and the two hundredth anniversary of the establishment of the city of Norfolk, Va., as a borough; to the Committee on Banking and Currency.

By Mr. SHEPPARD (for Mr. COPELAND):

A bill (S. 5) to prevent the adulteration, misbranding, and false advertisement of food, drugs, devices, and cosmetics in interstate, foreign, and other commerce subject to the jurisdiction of the United States, for the purposes of safeguarding the public health, preventing deceit upon the purchasing public, and for other purposes; to the Committee on Commerce.

By Mr. LUNDEEN:

A bill (S. 6) to provide for the establishment of a Nationwide system of social insurance; to the Committee on Education and Labor.

By Mr. DUFFY:

A bill (S. 7) to amend the act entitled "An act to amend and consolidate the acts respecting copyright", approved March 4, 1909, as amended, and for other purposes; to the Committee on Patents.

By Mr. GLASS:

A bill (S. 8) for the relief of the legal representatives of the estate of Henry H. Sibley, deceased; to the Committee on Claims.

By Mr. VAN NUYS:

A bill (S. 9) to prohibit employers from influencing the vote of their employees in national elections; to the Committee on Privileges and Elections.

By Mr. O'MAHONEY:

A bill (S. 10) to regulate interstate and foreign commerce by prescribing the conditions under which corporations may engage or may be formed to engage in such commerce, to provide for and define additional powers and duties of the Federal Trade Commission, to assist the several States in improving labor conditions and enlarging purchasing power for goods sold in such commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. LONERGAN:

A bill (S. 11) to amend section 20 of the United States Employees' Compensation Act, approved September 7, 1916, as amended; and

A bill (S. 12) relating to the filing of claims for compensation under the United States Employees' Compensation Act, approved September 7, 1916; to the Committee on Claims.

A bill (S. 13) to prevent the pollution of the navigable waters of the United States, and for other purposes;

A bill (S. 14) to provide for the construction of 10 vessels for the Coast Guard designed for ice-breaking and assistance work; and

A bill (S. 15) to amend section 13 of the act of March 3, 1899, relating to the deposit of refuse in the navigable waters of the United States, and section 3 of the Oil Pollution Act, 1924; to the Committee on Commerce.

A bill (S. 16) making income from United States securities subject to the income-tax laws of the United States; and

A bill (S. 17) to permit the importation of goods made by indentured labor only to the extent necessary to supply American demands which cannot be met by American production, and for other purposes; to the Committee on Finance.

A bill (S. 18) to establish a National Safety Standards Commission, to reduce the danger of accidents at highway grade crossings and drawbridges, and for other purposes; and

A bill (S. 19) to amend section 26 of the Interstate Commerce Act, as amended, relating to the installation, inspection, maintenance, and repair of devices for promoting the safety of railroad operation, and for other purposes; to the Committee on Interstate Commerce.

A bill (S. 20) for the relief of George S. Geer; to the Committee on Claims.

A bill (S. 21) to relinquish all right, title, and interest of the United States in certain lands in the State of Connecticut; to the Committee on Military Affairs.

By Mr. SHEPPARD:

A bill (S. 22) to amend the World War Adjusted Compensation Act;

A bill (S. 23) to reestablish the longevity pay of warrant officers;

A bill (S. 24) to authorize appropriations for construction at military posts, and for other purposes; and

A bill (S. 25) to prevent profiteering in time of war and to equalize the burdens of war and thus provide for the national defense, and promote peace; to the Committee on Military Affairs.

By Mr. SCHWELLENBACH:

A bill (S. 26) to divest goods, wares, merchandise, products, and commodities of their interstate character in certain cases; to the Committee on Education and Labor.

A bill (S. 27) for the relief of Fred P. Halbert; to the Committee on Public Lands and Surveys.

By Mr. LODGE:

A bill (S. 28) to provide for taking a national unemployment census; to the Committee on Commerce.

By Mr. BARKLEY:

A bill (S. 29) to promote the safety of employees and travelers on railroads by requiring common carriers engaged in interstate commerce to install, inspect, test, repair, and maintain block signal systems, interlocking highway grade-crossing protective devices, automatic train stop, train control, cab signal devices, and other appliances, methods, and systems intended to promote the safety of railroad operation; to the Committee on Interstate Commerce.

By Mr. DAVIS:

A bill (S. 30) for the incorporation of the Ladies of the Grand Army of the Republic; to the Committee on the Judiciary.

A bill (S. 31) granting a pension to Harry A. Croft; and

A bill (S. 32) granting a pension to George F. Krapp; to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 33) for the relief of D. E. Sweinhart;

A bill (S. 34) for the relief of R. H. Keene;

A bill (S. 35) for the relief of Augusta Burkett, widow of Alexander Burkett; and

A bill (S. 36) to reimburse officers, enlisted men, and civilian employees of the Army and their families and dependents, or their legal representatives, for losses sustained as a result of the hurricane which occurred in Texas on August 16, 17, and 18, 1915; to the Committee on Claims.

A bill (S. 37) for the relief of Lindsley M. Brown; to the Committee on Finance.

A bill (S. 38) for the relief of Llewellyn B. Griffith;

A bill (S. 39) to correct the military records of DeRosey C. Cabell, Thomas McF. Cockrill, James N. Caperton, Junius H. Houghton, Otto F. Lang, Paul B. Parker, James DeB. Walbach, and Victor W. B. Wales;

A bill (S. 40) for the relief of Mahlon G. Frost;

A bill (S. 41) to correct the military record of Ray McDonald;

A bill (S. 42) for the relief of Luther Morgan;

A bill (S. 43) authorizing the President to order Harry B. Berry before a retiring board for a hearing of his case and upon the findings of such board determine whether or not he be placed on the retired list with the rank and pay held by him at the time of his separation;

A bill (S. 44) for the relief of Edward N. Jerry;

A bill (S. 45) for the relief of Luther L. Cable; and

A bill (S. 46) for the relief of Ernest S. Frazier; to the Committee on Military Affairs.

By Mr. O'MAHONEY:

A bill (S. 47) to authorize an appropriation for the construction of small reservoirs under the Federal reclamation laws; and

A bill (S. 48) to authorize an appropriation for investigations under the Federal reclamation laws; to the Committee on Irrigation and Reclamation.

A bill (S. 49) to extend the classified civil service to postmasterships of the first, second, and third classes, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. BULKLEY:

A bill (S. 50) granting an annuity to Samuel R. Stone; to the Committee on Civil Service.

A bill (S. 51) for the relief of the Fred G. Clark Co.;

A bill (S. 52) for the relief of Exum M. Haas; and

A bill (S. 53) for the relief of the Perkins-Campbell Co.; to the Committee on Claims.

A bill (S. 54) for the relief of James Foy; and

A bill (S. 55) for the relief of Junius A. Bandy; to the Committee on Naval Affairs.

A bill (S. 56) for the relief of William Frank Lipps;

A bill (S. 57) extending the benefits of the Emergency Officers' Retirement Act to Walter Conner; and

A bill (S. 58) for the relief of Franz J. Feinler; to the Committee on Military Affairs.

A bill (S. 59) to establish the Bureau of Veterans' Affairs in the Department of the Treasury with the Commissioner of Veterans' Affairs at the head thereof, to abolish the Veterans' Administration and transfer its functions to such Bureau, to adjust and equalize pensions of veterans and widows and dependents of veterans, and for other purposes; to the Committee on Pensions.

By Mr. McADOO:

A bill (S. 60) to authorize a preliminary examination and survey of Santa Maria River with a view to the control of its floods; to the Committee on Commerce.

By Mr. McGILL:

A bill (S. 61) for the relief of F. M. Loeffler; to the Committee on Claims.

A bill (S. 62) to extend the times for commencing and completing the construction of a free highway bridge across the Missouri River at or near Atchison, Kans.; to the Committee on Commerce.

A bill (S. 63) for the relief of Elmer Murl Burnett; to the Committee on Naval Affairs.

A bill (S. 64) granting a pension to Mary Elizabeth Jarvis;

A bill (S. 65) granting a pension to Bertram B. Brown;

A bill (S. 66) granting a pension to Matthew Kimball; and

A bill (S. 67) granting a pension to Arminda Bauman; to the Committee on Pensions.

By Mr. McCARRAN:

A bill (S. 68) authorizing the Western Bands of the Shoshone Nation of Indians to sue in the Court of Claims; to the Committee on Indian Affairs.

A bill (S. 69) to amend an act entitled "An act to regulate commerce", approved February 4, 1887, as amended and supplemented by limiting freight or other trains to 70 cars; to the Committee on Interstate Commerce.

A bill (S. 70) for postal employees' longevity; and

A bill (S. 71) to provide grades of hourly pay for substitute postal employees; to the Committee on Post Offices and Post Roads.

By Mr. DUFFY:

A bill (S. 72) for the relief of the estate of O. K. Himley;

A bill (S. 73) for the relief of Mary Hobart; and

A bill (S. 74) for the relief of Melba Kuehl; to the Committee on Claims.

A bill (S. 75) to provide for the establishment of a Coast Guard station at Manitowoc, Wis.;

A bill (S. 76) to provide for the establishment of a Coast Guard station on the shores of Lake Kinnebago, in Wisconsin;

A bill (S. 77) to provide for the establishment of a Coast Guard station at Marinette, Wis.; and

A bill (S. 78) to provide for the establishment of a Coast Guard station at Green Bay, Wis.; to the Committee on Commerce.

A bill (S. 79) for the relief of Joseph W. Bollenbeck; to the Committee on Military Affairs.

A bill (S. 80) granting an increase of pension to Ellen Rock; to the Committee on Pensions.

By Mr. WHITE:

A bill (S. 81) to provide retirement annuities for certain former employees of the Panama Canal and the Panama Railroad Co. on the Isthmus of Panama; to the Committee on Civil Service.

A bill (S. 82) for the relief of F. A. Rumery & Sons, of Portland, Maine; and

A bill (S. 83) for the relief of J. A. Greenleaf & Sons Co.; to the Committee on Claims.

A bill (S. 84) to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. Ralph Charles Stuart; to the Committee on the District of Columbia.

A bill (S. 85) granting pensions to male nurses who served under contract between April 21, 1898, and February 2, 1901;

A bill (S. 86) granting a pension to Mary Jane Blackman;

A bill (S. 87) granting a pension to Essie M. Cotton;

A bill (S. 88) granting a pension to John Dudley;

A bill (S. 89) granting a pension to Mary A. Hayes; and

A bill (S. 90) granting a pension to John H. Johnson; to the Committee on Pensions.

A bill (S. 91) to authorize the transfer of the Green Lake Fish Cultural Station in Hancock County, Maine, as an addition to the Acadia National Park; and

A bill (S. 92) to provide for the creation of the St. Croix Island National Monument located near the mouth of the St. Croix River in the State of Maine, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. FRAZIER:

A bill (S. 93) to liquidate and refinance agricultural indebtedness at a reduced rate of interest by establishing an efficient credit system through the use of the Farm Credit Administration and the Federal Reserve Banking System; to the Committee on Agriculture and Forestry.

A bill (S. 94) to liquidate and refinance existing mortgages on homes in cities and towns at a reduced rate of interest by establishing an efficient credit system through the Home Owners' Loan Corporation and the Federal Reserve Banking System; to the Committee on Banking and Currency.

A bill (S. 95) referring the claims of the Turtle Mountain Band or Bands of Chippewa Indians of North Dakota to the Court of Claims for finding of fact and recommendations to the Congress; to the Committee on Indian Affairs.

By Mr. HARRISON:

A bill (S. 96) for the relief of Joe Basque;

A bill (S. 97) for the relief of Eliza Boykin;

A bill (S. 98) for the relief of G. A. Broadus; and

A bill (S. 99) for the relief of Alney E. Robinson; to the Committee on Claims.

By Mr. TYDINGS:

A bill (S. 100) to amend the act entitled "An act to protect trade and commerce against unlawful restraints and monopolies", approved July 2, 1890; and

A bill (S. 101) to amend the White Slave Traffic Act; to the Committee on the Judiciary.

A bill (S. 102) to authorize the coinage of 50-cent pieces in commemoration of the seventy-fifth anniversary of the Battle of Antietam; to the Committee on Banking and Currency.

By Mr. CONNALLY:

A bill (S. 103) to create the Farm Tenant Home Purchase Corporation, to promote the purchase of farms and farm homes by farm tenants, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. CLARK:

A bill (S. 104) to provide for the establishment and maintenance of a procedure for cost accounting and cost reporting for Federal agencies; to the Committee on Commerce.

By Mr. RUSSELL:

A bill (S. 105) to encourage uniformity of highway traffic regulation and the promotion of safety on public highways, and to aid in the establishment and maintenance of State highway patrols; to the Committee on Post Offices and Post Roads.

By Mr. BANKHEAD:

A bill (S. 106) to establish the Farmers' Home Corporation, to encourage and promote the ownership of farm homes and to make the possession of such homes more secure, to provide for the general welfare of the United States, to provide additional credit facilities for agricultural development, to create a fiscal agent for the United States, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. REYNOLDS:

A bill (S. 107) for the relief of Marie Caldwell; and

A bill (S. 108) for the relief of Marion Shober Phillips; to the Committee on Claims.

By Mr. PITTMAN:

A bill (S. 109) to provide for the designing, making, preparing, construction, erection, placing, and maintaining of additions to and upon the Boulder Dam, on the Colorado River, between the States of Arizona and Nevada, for the architectural beautification of said dam and for memorial purposes; to the Committee on Irrigation and Reclamation.

A bill (S. 110) for the relief of Fred M. Munn; to the Committee on Military Affairs.

A bill (S. 111) granting a pension to Earnest G. Harvey; to the Committee on Pensions.

By Mr. HARRISON:

A bill (S. 112) for the relief of O. W. Waddle; to the Committee on Claims.

A bill (S. 113) for the relief of Daniel Yates; to the Committee on Military Affairs.

By Mr. LEWIS:

A bill (S. 114) for the relief of Mildred Moore; to the Committee on Claims.

A bill (S. 115) to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever", approved February 28, 1929, by including therein the name of Gustaf E. Lambert; to the Committee on Military Affairs.

A bill (S. 116) granting a pension to Susan Brennan; and

A bill (S. 117) granting a pension to William J. Chepan; to the Committee on Pensions.

By Mr. VANDENBERG:

A bill (S. 118) for the relief of Harry D. McIntosh (with accompanying papers); to the Committee on Claims.

A bill (S. 119) to provide for the establishment of a Coast Guard station on the coast of Michigan, at or near Menominee, Mich.; to the Committee on Commerce.

A bill (S. 120) for the relief of Maurice Clifford; to the Committee on Naval Affairs.

A bill (S. 121) placing the position of postmaster in first-, second-, and third-class offices in the competitive classified service, and for other purposes essential to the establishment of the Post Office Department on a nonpolitical career basis; to the Committee on Post Offices and Post Roads.

By Mr. ROBINSON:

A bill (S. 122) to extend the jurisdiction of the Mississippi River Commission to include that stretch of the Arkansas River between its confluence with the Mississippi River and the city of Little Rock, Ark.; to the Committee on Commerce.

A bill (S. 123) to provide for tuberculosis hospitals and for their operation; to the Committee on Education and Labor.

A bill (S. 124) to restore the right to compensation to Roberta K. Dillon; to the Committee on Finance.

A bill (S. 125) for the relief of Herbert Alexander Heagney;

A bill (S. 126) authorizing the President to present in the name of Congress a Medal of Honor to Harold R. Wood;

A bill (S. 127) for the relief of James E. Dodson; and

A bill (S. 128) to provide for the commemoration of the Battle of Helena, in the State of Arkansas; to the Committee on Military Affairs.

A bill (S. 129) for the relief of Harry Roland Burgess; to the Committee on Naval Affairs.

A bill (S. 130) to provide for the sale of postal-savings stamps and certificates to children in school, and for other purposes; to the Committee on Post Offices and Post Roads.

A bill (S. 131) to establish the Arkansas Mounds National Monument of America in Lonoke County, Ark.; to the Committee on Public Lands and Surveys.

A bill (S. 132) for the relief of Andrew Smith;

A bill (S. 133) for the relief of Clyde P. Bogan;

A bill (S. 134) for the relief of Col. Richard M. Cutts, United States Marine Corps;

A bill (S. 135) to authorize the payment of $2,388.61 that was due the Central Railway Co. of Arkansas under section 602 (a) of the Emergency Railroad Transportation Act of 1933;

A bill (S. 136) for the relief of Alpha Vint;

A bill (S. 137) for the relief of Emma Fein;

A bill (S. 138) to carry out the findings of the Court of Claims in the case of W. W. Busby, administrator of the estate of Evelina V. Busby, deceased, against the United States;

A bill (S. 139) for the relief of James W. Green, Jr.; and

A bill (S. 140) for the relief of C. A. Blackburn; to the Committee on Claims.

A bill (S. 141) granting a pension to Mary E. Laycock;

A bill (S. 142) granting an increase of pension to Laura I. Robinson;

A bill (S. 143) granting a pension to Lizzie Knight;

A bill (S. 144) granting an increase of pension to Roy E. George;

A bill (S. 145) granting a pension to Elizabeth Dunn;

A bill (S. 146) granting a pension to Roland Burkhart;

A bill (S. 147) granting a pension to Hosea M. Jones; and

A bill (S. 148) granting a pension to Eleanora Emma Bliss; to the Committee on Pensions.

By Mr. THOMAS of Oklahoma:

A bill (S. 149) to refer the claims of the Kiowa, Comanche, and Apache Tribes of Indians to the Court of Claims with the absolute right of appeal to the Supreme Court of the United States; and

A bill (S. 150) repealing section 2 of Public, No. 716 of the Seventy-fourth Congress, being an act entitled "An act to relieve restricted Indians whose lands have been taxed or have been lost by failure to pay taxes, and for other purposes"; to the Committee on Indian Affairs.

A bill (S. 151) granting a pension to Wilber T. Lardie; to the Committee on Pensions.

By Mr. NEELY:

A bill (S. 152) to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad engaged in interstate and foreign commerce to man locomotives, trains, and other self-propelled engines or machines with competent employees; to provide the least number of men that may be employed on locomotives, trains, and other self-propelled engines or machines; to provide qualifications for certain employees; and providing a penalty for the violation thereof; and

A bill (S. 153) to prohibit and to prevent the trade practices known as compulsory block booking and blind selling in the leasing of motion-picture films in interstate and foreign commerce; to the Committee on Interstate Commerce.

A bill (S. 154) to extend certain benefits to Robert Smith Watson and William La Velle Watson; and

A bill (S. 155) for the relief of George L. Stone; to the Committee on Claims.

A bill (S. 156) to correct the military record of Nathaniel W. Jones; to the Committee on Military Affairs.

A bill (S. 157) granting a pension to Jennie Jackson Tewksbury;

A bill (S. 158) granting a pension to James C. Neff;

A bill (S. 159) granting a pension to George W. Criss;

A bill (S. 160) granting a pension to Sarah A. Martin;

A bill (S. 161) granting a pension to Clara L. Dolman;

A bill (S. 162) granting a pension to Joseph J. McNeal;

A bill (S. 163) granting a pension to Ida B. Cutright;

A bill (S. 164) granting an increase of pension to Susan Powell;

A bill (S. 165) granting a pension to Anna Marie Flautt; and

A bill (S. 166) granting a pension to Bertha Alice Snider; to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 167) for the relief of Frank Cain; to the Committee on Claims.

A bill (S. 168) to amend certain laws relating to employees of the Lighthouse Service; to the Committee on Commerce.

A bill (S. 169) to authorize the coinage of 50-cent pieces in commemoration of the completion of Bonneville Dam; to the Committee on Banking and Currency.

A bill (S. 170) granting a pension to Josephine Boyd (with accompanying papers); to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 171) for the relief of George E. Shockley; to the Committee on Claims.

A bill (S. 172) granting a pension to Keturah Jane Pool Long;

A bill (S. 173) granting a pension to Nettie LaTour Welcome; and

A bill (S. 174) granting a pension to Augusta S. Skelly; to the Committee on Pensions.

By Mr. BLACK:

A bill (S. 175) to prevent the shipment in interstate commerce of certain articles and commodities in connection with which persons are employed more than 5 days per week or 6 hours per day, and prescribing certain conditions with respect to purchases and loans by the United States, and to permit States to prescribe certain conditions for transactions in those States which transactions are a part of interstate commerce; to the Committee on Education and Labor.

A bill (S. 176) for the relief of George Smith and Ketha Smith;

A bill (S. 177) for the relief of John C. Forney;

A bill (S. 178) for the relief of the estate of J. D. Warlick;

A bill (S. 179) for the relief of J. R. Richards;

A bill (S. 180) for the relief of Lula G. Sutton and others;

A bill (S. 181) for the relief of Lowrenza D. Johnston; and

A bill (S. 182) for the relief of certain persons whose cotton was destroyed by fire at Leighton, Ala.; to the Committee on Claims.

By Mr. MURRAY:

A bill (S. 183) granting the consent of Congress to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Little Missouri River; to the Committee on Irrigation and Reclamation.

A bill (S. 184) for the relief of Josephine M. Scott;

A bill (S. 185) for the relief of Celeste C. Anderson; and

A bill (S. 186) for the relief of Mike Chetkovich; to the Committee on Claims.

A bill (S. 187) providing for the suspension of annual assessment work on mining claims held by location in the United States;

A bill (S. 188) to authorize payment of the amounts due on delinquent homestead entries on certain Indian reservations;

A bill (S. 189) granting a leave of absence to settlers of homestead lands during the year 1937; and

A bill (S. 190) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Waterton Oil, Land & Power Co., of Butte, Mont., against the United States; to the Committee on Public Lands and Surveys.

By Mr. KING:

A bill (S. 191) for the relief of Orson Thomas;

A bill (S. 192) for the relief of Jasper J. Hammer and Sarah A. Hammer;

A bill (S. 193) for the relief of David Thygerson; and

A bill (S. 194) to authorize the General Accounting Office to allow credit in the accounts of J. R. Lusby, disbursing officer of the District of Columbia, and for other purposes; to the Committee on Claims.

A bill (S. 195) to amend the Revenue Act of 1936 with respect to the surtax on undistributed profits;

A bill (S. 196) to amend section 26 (c) (2) of the Revenue Act of 1936; and

A bill (S. 197) to amend the Revenue Act of 1936 with respect to the tax on capital gains and losses; to the Committee on Finance.

A bill (S. 198) to provide for a preliminary examination and survey to determine the feasibility and cost of diverting the surplus waters of the Green River, Wyo., to the Bear River, for the purpose of irrigating the lands in the Bear River Basin; to the Committee on Irrigation and Reclamation.

A bill (S. 199) granting a pension to Susan Turner;

A bill (S. 200) granting a pension to Eliza Beagley;

A bill (S. 201) to amend the act approved March 3, 1927, entitled "An act granting pensions to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes"; and

A bill (S. 202) granting a pension to Mary R. Gardner; to the Committee on Pensions.

A bill (S. 203) to provide for the protection of watersheds in and adjacent to national forests; to the Committee on Agriculture and Forestry.

A bill (S. 204) relative to the qualifications of practitioners of law in the District of Columbia; to the Committee on the District of Columbia.

A bill (S. 205) to provide for the establishment and maintenance of a research and experiment station of the Bureau of Mines at Salt Lake City, Utah; to the Committee on Mines and Mining.

By Mr. BORAH:

A bill (S. 206) to provide a preliminary examination and survey of the Snake River and Tributaries in the States of Idaho, Washington, and Oregon with a view to control of flood waters; to the Committee on Commerce.

A bill (S. 207) relative to Members of Congress acting as attorneys in matters where the United States has an interest; to the Committee on the Judiciary.

A bill (S. 208) for the relief of Charles E. La Vatta; to the Committee on Indian Affairs.

A bill (S. 209) for the relief of C. W. Pearce; to the Committee on Mines and Mining.

A bill (S. 210) for the relief of Walter M. Seesee; and

A bill (S. 211) for the relief of James J. Jordan; to the Committee on Military Affairs.

A bill (S. 212) to carry out the findings of the Court of Claims in the case of Daniel Butland, brother of Francis Butland, deceased; and

A bill (S. 213) for the relief of Ida A. Gunderson and her three minor daughters; to the Committee on Claims.

A bill (S. 214) granting a pension to Effie M. Guynon;

A bill (S. 215) granting an increase of pension to Truman H. Wilkinson;

A bill (S. 216) granting a pension to Genoa Stewart;

A bill (S. 217) granting a pension to Thomas B. Hall;

A bill (S. 218) granting a pension to James N. Davis;

A bill (S. 219) granting a pension to Wilbern Alonzo Hussey;

A bill (S. 220) granting a pension to Narcissa Hussey; and

A bill (S. 221) granting a pension to Taylor C. Lyon; to the Committee on Pensions.

By Mrs. CARAWAY:

A bill (S. 222) for the relief of Thomas S. Garen; to the Committee on Naval Affairs.

A bill (S. 223) for the relief of Benjamin H. Southern;

A bill (S. 224) for the relief of Henry Brown; and

A bill (S. 225) making eligible for retirement under the same conditions as now provided for officers of the Regular Army Capt. Oliver A. Barber, an officer of the United States Army during the World War, who incurred physical disability in line of duty; to the Committee on Military Affairs.

A bill (S. 226) for the relief of L. L. Stokes;

A bill (S. 227) for the relief of Felix D. Houck;

A bill (S. 228) for the relief of Frank R. Garner, formerly second lieutenant, United States Army;

A bill (S. 229) for the relief of James F. Dubberly;

A bill (S. 230) for the relief of Samuel H. McAlexander;

A bill (S. 231) providing for reimbursement of the St. Louis Southwestern Railway Co. for expenditure in revetment work on the Arkansas River during the flood of 1927;

A bill (S. 232) for the relief of Jack Chestnutt;

A bill (S. 233) for the relief of Abner E. McGuire; and

A bill (S. 234) for the relief of C. F. Cooley, administrator of the estate of Charles F. Cooley, Jr.; to the Committee on Claims.

A bill (S. 235) granting a pension to Lillie R. Willmore;

A bill (S. 236) granting a pension to Charlie A. Stacks;

A bill (S. 237) granting a pension to Theta B. Spring;

A bill (S. 238) granting a pension to Anna J. Darby;

A bill (S. 239) granting a pension to Edward H. Wolff;

A bill (S. 240) granting a pension to Roy A. Ault;

A bill (S. 241) granting a pension to Robert Johnson;

A bill (S. 242) granting a pension to Ernest J. Hollis;

A bill (S. 243) granting a pension to E. Corinne Miller;

A bill (S. 244) granting a pension to Jennie Railey;

A bill (S. 245) granting a pension to Edie A. Kimberly;

A bill (S. 246) granting a pension to Jessie B. Auer;

A bill (S. 247) granting a pension to Norfleet Hughes; and

A bill (S. 248) granting a pension to Ernest McCord; to the Committee on Pensions.

By Mr. LOGAN:

A bill (S. 249) to extend the civil-service laws to certain special-delivery messengers; and

A bill (S. 250) extending the classified executive civil service of the United States; to the Committee on Civil Service.

A bill (S. 251) to provide public educational facilities for certain children where adequate educational facilities are lacking; to the Committee on Education and Labor.

A bill (S. 252) to exempt publicly owned interstate highway bridges from local taxation; to the Committee on Interstate Commerce.

A bill (S. 253) to permit certain special-delivery messengers to acquire a classified status through noncompetitive examination; to the Committee on Post Offices and Post Roads.

A bill (S. 254) authorizing national banks to establish branch banks and to secure deposits; to the Committee on Banking and Currency.

A bill (S. 255) to amend the Tennessee Valley Authority Act of 1933 by including the Cumberland River and its basin within the provisions of the act, and for other purposes; to the Committee on Agriculture and Forestry.

A bill (S. 256) for the relief of James Earl Johnston;

A bill (S. 257) for the relief of DeForest Loys Trautman, lieutenant, United States Navy; and

A bill (S. 258) for the relief of Luther Foster; to the Committee on Naval Affairs.

A bill (S. 259) granting a pension to William Russell;

A bill (S. 260) granting a pension to Roscoe Johnson;

A bill (S. 261) granting a pension to Squire O. Baker;

A bill (S. 262) granting a pension to John S. Marcum;

A bill (S. 263) granting a pension to Green Isaacs;

A bill (S. 264) granting an increase of pension to Charles Steffey;

A bill (S. 265) granting an increase of pension to William M. Davis;

A bill (S. 266) granting a pension to Winnie Hood;

A bill (S. 267) granting an increase of pension to William G. Patton;

A bill (S. 268) granting a pension to Mary Burton;

A bill (S. 269) granting a pension to John M. Roundtree; and

A bill (S. 270) granting a pension to Mrs. Bertha Cox (with accompanying papers); to the Committee on Pensions.

A bill (S. 271) to amend section 113 of the Criminal Code of March 4, 1909 (35 Stat. 1109; U. S. C., title 18, sec. 203), and for other purposes;

A bill (S. 272) to establish uniform requirements affecting Government contracts, and for other purposes; and

A bill (S. 273) to establish a United States administrative court, define its jurisdiction, powers, and duties, and for other purposes; to the Committee on the Judiciary.

A bill (S. 274) for the relief of Joseph N. Wenger, lieutenant, United States Navy, and for other purposes;

A bill (S. 275) for the relief of Mrs. Ollie C. Emery;

A bill (S. 276) for the relief of Winifred E. Hester;

A bill (S. 277) for the relief of the Louisville Varnish Co.;

A bill (S. 278) for the relief of Polin A. McIntire;

A bill (S. 279) for the relief of Col. J. P. Barney;

A bill (S. 280) for the relief of John H. Blackburn;

A bill (S. 281) for the relief of Amelia K. Abel, administratrix of the estate of Louis Abel;

A bill (S. 282) for the relief of Wavy Duvall, father of Mary Cathline Duvall, deceased;

A bill (S. 283) for the relief of Mrs. J. H. McClary;

A bill (S. 284) for the relief of Clear Creek Mountain Springs, Inc.;

A bill (S. 285) for the relief of J. U. Schickli & Bros.;

A bill (S. 286) for the relief of Robert Rodes;

A bill (S. 287) for the relief of B. H. Hall;

A bill (S. 288) for the relief of the heirs of Burton Stearns Adams, deceased;

A bill (S. 289) for the relief of the heirs of G. W. Roberts; and

A bill (S. 290) for the relief of James E. King; to the Committee on Claims.

A bill (S. 291) for the relief of the heirs of T. J. Kinser;

A bill (S. 292) for the relief of Thomas Salleng;

A bill (S. 293) for the relief of Charles Wilson;

A bill (S. 294) for the relief of Elmer Blair;

A bill (S. 295) to authorize the award of a decoration for distinguished service to John C. Reynolds;

A bill (S. 296) to authorize the award of the Congressional Medal of Honor for distinguished service to Pleas Sanders;

A bill (S. 297) for the relief of Curtis Jett;

A bill (S. 298) for the relief of certain members of local or district boards of legal advisory boards and of medical advisory boards appointed under the provisions of the selective-service law of May 18, 1917;

A bill (S. 299) authorizing the Veterans' Administration of the United States to accept 500 acres of land in Campbell County, Ky., for the purpose of establishing a home for dependent widows and orphans of World War veterans;

A bill (S. 300) authorizing the President of the United States to appoint Sgt. Samuel Woodfill a captain in the United States Army and then place him on the retired list;

A bill (S. 301) to promote the efficiency of the Judge Advocate General's Department of the Army;

A bill (S. 302) for the relief of Fred Barnett;

A bill (S. 303) to recognize civilian service during period of construction of the Panama Canal in determining rights of officers of the Regular Army;

A bill (S. 304) for the relief of Homer H. Keffer; and

A bill (S. 305) for the relief of Charles B. Arrington; to the Committee on Military Affairs.

By Mr. HATCH:

A bill (S. 306) granting compensation to Reuben R. Hunter;

A bill (S. 307) conferring jurisdiction upon the United States District Court for the District of New Mexico to hear, determine, and render judgment upon the claims of Emma Gomez and the estate of Teresita S. Otero;

A bill (S. 308) for the relief of the estate of Alice W. Miller, deceased;

A bill (S. 309) to provide compensation for enrollees in the Civilian Conservation Corps suffering disability or death resulting from injury while in the performance of duty;

A bill (S. 310) for the relief of Karl R. Warrick;

A bill (S. 311) for the relief of the estate of Juan Martinez y Sanchez;

A bill (S. 312) for the relief of John E. Joy, Walter Beale, Lilly Ross, Lee C. Yokum, and Verna E. Yokum;

A bill (S. 313) for the relief of Viola DeLancey;

A bill (S. 314) for the relief of Amalia G. Lujan;

A bill (S. 315) for the relief of George W. Hanna and Bertha M. Hanna;

A bill (S. 316) for the relief of Edward Y. Garcia and Aurelia Garcia;

A bill (S. 317) for the relief of Rhuea Pearce;

A bill (S. 318) for the relief of John J. Doyle; and

A bill (S. 319) conferring jurisdiction upon the United States District Court for the District of New Mexico to hear, determine, and render judgment upon certain claims against the United States; to the Committee on Claims.

A bill (S. 320) to amend the Soil Conservation and Domestic Allotment Act; to the Committee on Agriculture and Forestry.

By Mr. HATCH and Mr. CHAVEZ:

A bill (S. 321) to authorize the coinage of 50-cent pieces in commemoration of the four hundredth anniversary of the journey and explorations of Francisco Vasquez de Coronado; to the Committee on Banking and Currency.

By Mr. HATCH:

A bill (S. 322) to amend section 3 of the Adjusted Compensation Payment Act, 1936; to the Committee on Finance.

A bill (S. 323) to extend the provisions of the act entitled "An act for the relief of Indians occupying railroad lands in Arizona, New Mexico, and California", approved March 4, 1913, as extended by the acts of April 11, 1916, June 30, 1919, and March 10, 1928; to the Committee on Indian Affairs.

A bill (S. 324) providing payment to employees, Bureau of Reclamation, for mileage traveled in privately owned automobiles; to the Committee on Irrigation and Reclamation.

A bill (S. 325) to prohibit the shipment and transportation in interstate or foreign commerce of cannabis and its derivatives and compounds; to the Committee on Interstate Commerce.

A bill (S. 326) to provide for the appointment of an additional district judge for the district of New Mexico; to the Committee on the Judiciary.

A bill (S. 327) for the relief of Felix Griego; to the Committee on Military Affairs.

A bill (S. 328) to correct the naval record of Leonard Phillip Frank; to the Committee on Naval Affairs.

A bill (S. 329) to further extend the period of time during which final proof may be offered by homestead and desert-land entrymen;

A bill (S. 330) to provide for the conveyance to entrymen under the land laws of the United States of the rights to the gas, oil, and oil shale in the lands patented to them; and

A bill (S. 331) to prohibit the acquisition by the United States of any land located in any State without the consent of such State; to the Committee on Public Lands and Surveys.

A bill (S. 332) granting an increase of pension to Lawrence J. Waterhouse;

A bill (S. 333) granting a pension to Joseph F. Haynes;

A bill (S. 334) granting a pension to Lullie Fornoff; and

A bill (S. 335) granting a pension to Mrs. A. O. Carson and Charles S. Brown; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 336) granting an increase of pension to Amanda J. Branch;

A bill (S. 337) granting an increase of pension to Elizabeth B. Craig;

A bill (S. 338) granting a pension to James W. Dobbins;

A bill (S. 339) granting a pension to Hulda Dodds;

A bill (S. 340) granting a pension to Eliza Ellis;

A bill (S. 341) granting a pension to Lucy W. Farwell;

A bill (S. 342) granting a pension to William Edward Fugatt;

A bill (S. 343) granting a pension to Roy Joyce;

A bill (S. 344) granting an increase of pension to Minnie Mahler;

A bill (S. 345) granting a pension to Belle McGary;

A bill (S. 346) granting an increase of pension to Jane A. McNelly;

A bill (S. 347) granting a pension to Addie M. Mandeville;

A bill (S. 348) granting an increase of pension to Sarah A. O'Brien;

A bill (S. 349) granting an increase of pension to Anna Perkins;

A bill (S. 350) granting an increase of pension to Mary A. Phillippi;

A bill (S. 351) granting a pension to Lucy A. Rose;

A bill (S. 352) granting a pension to Nancy Jane Ruffin;

A bill (S. 353) granting a pension to Alma Blanche Shipman;

A bill (S. 354) granting a pension to Clarence Edward Shipman;

A bill (S. 355) granting a pension to Carrie Taylor Shockley;

A bill (S. 356) granting a pension to Hannah A. Smith;

A bill (S. 357) granting a pension to Lydia C. Wark;

A bill (S. 358) granting an increase of pension to Terressa Willoughby;

A bill (S. 359) granting a pension to Emma Williams; and

A bill (S. 360) granting an increase of pension to Drusilla Wright; to the Committee on Pensions.

By Mr. NYE:

A bill (S. 361) to further extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Garrison, N. Dak.; to the Committee on Commerce.

A bill (S. 362) for the relief of Erick Keck; and

A bill (S. 363) relative to the reasonable regulation of competition; to the Committee on Finance.

A bill (S. 364) to provide for the appointment of an additional district judge for the district of North Dakota; to the Committee on the Judiciary.

A bill (S. 365) for the relief of Capt. James W. Darr; to the Committee on Military Affairs.

A bill (S. 366) to regulate election expenditures; to the Committee on the Judiciary.

A bill (S. 367) amending the act of June 4, 1920, entitled "An act to amend an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes', approved June 3, 1916, and to establish military justice", to limit its application in the case of civil educational institutions to those offering elective courses in military training; and

A bill (S. 368) to amend the act of May 25, 1933 (48 Stat. 73); to the Committee on Military Affairs.

A bill (S. 369) to allow credit to homestead settlers and entrymen for certain military service; to the Committee on Public Lands and Surveys.

A bill (S. 370) for the relief of Charles Augustus Lathrop;

A bill (S. 371) for the relief of William R. Kellogg;

A bill (S. 372) for the relief of Edla H. Fyten;

A bill (S. 373) for the relief of Burt E. Stewart;

A bill (S. 374) for the relief of the Morgan Decorating Co.; and

A bill (S. 375) for the relief of Mrs. John Olson; to the Committee on Claims.

By Mr. STEIWER:

A bill (S. 376) making unclaimed deposits in national banks subject to the escheat laws of the States; to the Committee on Banking and Currency.

A bill (S. 377) to amend section 401 of the act entitled "An act to amend the Migratory Bird Hunting Stamp Act of March 16, 1934, and certain other acts relating to game and other wildlife, administered by the Department of Agriculture, and for other purposes", approved June 15, 1935; to the Committee on Agriculture and Forestry.

A bill (S. 378) relating to the exportation of certain commodities in vessels of the United States; and

A bill (S. 379) authorizing the establishment of a Coast Guard station on the coast of Oregon, at or near Taft, Oreg.; to the Committee on Commerce.

A bill (S. 380) to amend section 6 of title I of the act entitled "An act to maintain the credit of the United States Government", approved March 20, 1933, as amended; to the Committee on Finance.

A bill (S. 381) for the relief of Andrew J. McCallen;

A bill (S. 382) authorizing officers and employees of the Government to attend rifle meets at Camp Perry;

A bill (S. 383) to provide for physical examinations of certain veterans, and for other purposes; and

A bill (S. 384) conferring a military status upon certain civilian employees of the Engineer Department, United States Army; to the Committee on Military Affairs.

A bill (S. 385) for the relief of W. C. Milligan; and

A bill (S. 386) to correct the naval record of John B. Dolan; to the Committee on Naval Affairs.

A bill (S. 387) to authorize the acquisition of a certain building, furniture, and equipment in the Crater Lake National Park; to the Committee on Public Lands and Surveys.

A bill (S. 388) granting a pension to Elizabeth Fahrenwald;

A bill (S. 389) granting an increase of pension to Mary A. Ballard;

A bill (S. 390) granting a pension to George W. Newman;

A bill (S. 391) granting a pension to Robert A. Masterson;

A bill (S. 392) granting a pension to Daniel Kinney;

A bill (S. 393) granting a pension to Susan F. Cates;

A bill (S. 394) granting a pension to Mary E. Allen;

A bill (S. 395) granting a pension to Lillian S. Blackwell;

A bill (S. 396) granting pensions to certain persons who served in the Indian wars from 1817 to 1898;

A bill (S. 397) to amend section 3 of the act entitled "An act granting pensions to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes", approved March 3, 1927;

A bill (S. 398) granting a pension to Christiana L. Todd;

A bill (S. 399) granting a pension to O. Scott Clark;

A bill (S. 400) granting a pension to Emma V. Crawford;

A bill (S. 401) granting a pension to Viva W. Emerson;

A bill (S. 402) granting a pension to Emmy C. I. Clevenger;

A bill (S. 403) granting a pension to Mary Nightingale; and

A bill (S. 404) granting a pension to Nellie M. Redington; to the Committee on Pensions.

A bill (S. 405) for the relief of the Coast Fir & Cedar Products Co., Inc.;

A bill (S. 406) for the relief of the estates of Nicholas Ownby and Jesse Ownby; and

A bill (S. 407) for the relief of Walter S. Chiene and Annie H. Chiene (widow, guardian of minors, and administratrix of estate of Lyon Playfair Chiene); to the Committee on Claims.

A bill (S. 408) to amend section 3 of the act of July 13, 1926 (44 Stat. 915), entitled "An act for the relief of certain counties in the States of Oregon and Washington, within whose boundaries the revested Oregon & California Railroad Co. grant lands are located"; to the Committee on Public Lands and Surveys.

A bill (S. 409) authorizing the Comptroller General of the United States to credit certain sums of money to the account of Henry McReynolds;

A bill (S. 410) for the relief of the legal guardian of Roy D. Cook, a minor; and

A bill (S. 411) conferring jurisdiction upon the United States District Court for the District of Oregon to hear, determine, and render judgment upon the claim of Corbin Edgell; to the Committee on Claims.

By Mr. McKELLAR:

A bill (S. 412) conferring jurisdiction upon the United States Court of Claims to hear the claim of the Canal Dredging Co.; to the Committee on Claims.

By Mr. BORAH and Mr. HATCH:

A bill (S. 413) to extend the time for the completion of the investigation of reclamation projects authorized by the act of April 14, 1936; to the Committee on Irrigation and Reclamation.

By Mr. NYE and Mr. KING:

A bill (S. 414) to amend the act creating the Federal Trade Commission, to define its powers and duties, and for other purposes; to the Committee on Interstate Commerce.

By Mr. TOWNSEND:

A joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BURKE:

A joint resolution (S. J. Res. 2) proposing an amendment to the Constitution of the United States relating to the term of office and election of President and Vice President; to the Committee on the Judiciary.

(Mr. PITTMAN introduced Senate Joint Resolution 3, which was passed, and appears under a separate heading.)

By Mr. McCARRAN:

A joint resolution (S. J. Res. 4) to amend section 7 of Article I of the Constitution of the United States; to the Committee on the Judiciary.

By Mr. LONERGAN:

A joint resolution (S. J. Res. 5) proposing an amendment to the Constitution of the United States to enable the United States to lay and collect taxes on income derived from securities issued by any State, and to enable each State to lay and collect taxes on income derived by residents from securities issued under authority of the United States; to the Committee on the Judiciary.

By Mr. VANDENBERG:

A joint resolution (S. J. Res. 6) proposing an amendment to the Constitution of the United States relative to disapproval of items in general appropriation bills; to the Committee on the Judiciary.

By Mr. STEIWER:

A joint resolution (S. J. Res. 7) proposing an amendment to the Constitution of the United States relating to popular nominations of candidates for President and Vice President; to the Committee on the Judiciary.

By Mr. LOGAN:

A joint resolution (S. J. Res. 8) proposing an amendment to the Constitution of the United States to authorize Congress to legislate concerning the general welfare of the United States and vesting the Congress of the United States with the power to determine what legislation may be for the general welfare; to the Committee on the Judiciary.

By Mr. FRAZIER:

A joint resolution (S. J. Res. 9) proposing an amendment to the Constitution of the United States prohibiting war; to the Committee on the Judiciary.

By Mr. NYE:

A joint resolution (S. J. Res. 10) proposing an amendment to the Constitution relating to the power of the Congress to declare war; and

A joint resolution (S. J. Res. 11) proposing an amendment to the Constitution of the United States relative to the sale and marketing of agricultural commodities; to the Committee on the Judiciary.

By Mr. BORAH:

A joint resolution (S. J. Res. 12) to permit a compact or agreement between the States of Idaho and Wyoming respecting the disposition and apportionment of the waters of the Snake River and its tributaries, and for other purposes; to the Committee on Irrigation and Reclamation.

(Mr. CAPPER introduced Senate Joint Resolution 13, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

By Mr. THOMAS of Oklahoma:

A joint resolution (S. J. Res. 14) defining the jurisdiction of the Court of Claims under the act approved April 25, 1932 (47 Stat. L. 137), and for other purposes; to the Committee on Indian Affairs.

By Mr. TYDINGS and Mr. RADCLIFFE:

A joint resolution (S. J. Res. 15) authorizing the restoration and preservation of the frigate *Constellation*, and making Baltimore, Md., her home port; to the Committee on Naval Affairs.

By Mr. TYDINGS:

A joint resolution (S. J. Res. 16) to provide for the investigation of losses suffered by certain persons as a result of the taking of lands for military purposes; to the Committee on Claims.

By Mr. KING:

A joint resolution (S. J. Res. 17) to provide for quartering, in certain public buildings in the District of Columbia, of troops participating in the inaugural ceremonies; to the Committee on Public Buildings and Grounds.

A joint resolution (S. J. Res. 18) to exempt from the tax on admissions amounts paid for admission tickets sold by authority of the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1937; to the Committee on Finance.

A joint resolution (S. J. Res. 19) providing for a study of reclamation projects; to the Committee on Irrigation and Reclamation.

DEBATE ON GENERAL APPROPRIATION BILLS—AMENDMENT TO RULES

Mr. GLASS submitted the following resolution (S. Res. 8), which was referred to the Committee on Rules:

Resolved, That paragraph no. 1 of rule XIX of the Standing Rules of the Senate (relating to debate) be, and the same is hereby, amended by adding after the word "debate", at the end of said paragraph, the following:

": *Provided*, That during the consideration of any general appropriation bill, no debate, except by unanimous consent, shall be in order that is not germane or relevant to the pending bill. All questions of germaneness, relevancy, or points of order raised under this proviso, including appeals from the decision of the Chair thereon, shall be decided without debate."

HEARINGS BEFORE THE COMMITTEE ON APPROPRIATIONS

Mr. GLASS submitted the following resolution (S. Res. 9), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Appropriations, or any subcommittee thereof, is authorized, during the Seventy-fifth Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

RIVERS AND HARBORS—AMENDMENT TO THE RULES

Mr. VANDENBERG submitted the following resolution (S. Res. 10), which was referred to the Committee on Rules:

Resolved, That the standing rules of the Senate be, and they are hereby, amended by adding after rule XX a new rule, relating to river and harbor projects, as follows:

"Rule XXI. When a river and harbor authorization bill is pending a point of order may be made against the authorization of any project in any form not formally recommended to the Congress in an official report of the Board of Engineers for Rivers and Harbors."

FUNERAL EXPENSES OF THE LATE SENATOR COUZENS

Mr. VANDENBERG submitted the following resolution (S. Res. 11), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent expenses of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of Hon. James Couzens, late a Senator from the State of Michigan, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

HEARINGS BEFORE THE COMMITTEE ON MILITARY AFFAIRS

Mr. SHEPPARD submitted the following resolution (S. Res. 12), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Military Affairs, or any subcommittee thereof, is authorized, during the Seventy-fifth Congress, to send for persons, books, and papers, to administer oaths, and employ a stenographer, at a cost not exceeding 25 cents per 100 words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

AVIATION COMMITTEE—AMENDMENT TO RULES

Mr. McADOO submitted the following resolution (S. Res. 13), which was ordered to lie on the table:

Resolved, That rule XXV of the standing rules of the Senate be, and the same is hereby, amended by inserting, on page 30, after the third line of paragraph 1, the following:

"Committee on Air Commerce and Civil Aviation, to consist of 12 Senators."

ASSISTANT CLERK TO COMMITTEE ON PATENTS

Mr. McADOO submitted the following resolution (S. Res. 14), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Patents is hereby authorized to employ for the duration of the Seventy-fifth Congress an assistant clerk, to be paid from the contingent fund of the Senate at the rate of $2,400 per annum.

INVESTIGATION OF RECEIVERSHIP AND BANKRUPTCY PROCEEDINGS

Mr. McADOO submitted the following resolution (S. Res. 15), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate Resolution 78, agreed to June 13, 1933, authorizing an investigation of the administration of receivership and bankruptcy proceedings in the courts of the United States, and other matters pertaining thereto, and supplemented by Senate Resolution 72, agreed to February 15, 1935; Senate Resolution 170, agreed to July 25, 1935; Senate Resolution 282, agreed to June 6, 1936; and Senate Resolution 308, agreed to June 5, 1936, is hereby continued in full force and effect during the Seventy-fifth Congress; and be it further

Resolved, That the special committee created under Senate Resolution 78, agreed to June 13, 1933, shall hereafter consist of not more than five members, to be appointed by the President of the Senate, and that such special committee is authorized to expend, from the contingent fund of the Senate, the sum of $20,000 in addition to the amount heretofore authorized for said purpose.

AVIATION COMMITTEE—AMENDMENT TO RULES

Mr. McCARRAN submitted the following resolution (S. Res. 16), which was referred to the Committee on Rules:

Resolved, That rule XXV of the Standing Rules of the Senate be, and the same is hereby, amended by inserting on page 30, after the third line of paragraph 1, the following:

"Committee on Civil Aviation and Aeronautics, to consist of 12 Senators."

HEARINGS BEFORE THE COMMITTEE ON FINANCE

Mr. HARRISON submitted the following resolution (S. Res. 17), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Finance, or any subcommittee thereof, hereby is authorized to sit during the sessions or recesses of the Seventy-fifth Congress at such times and places as they may deem advisable; to make investigations into internal revenue, customs, and other matters within its jurisdiction, and to compile and prepare statistics and documents relating thereto as directed from time to time by the Senate and as may be necessary; and to report from time to time to the Senate the result thereof; to send for persons, books, and papers, to administer oaths, and to employ such expert, stenographic, clerical, and other assistance as may be necessary; and all the expenses of such committee shall be paid from the contingent fund of the Senate; and the committee is authorized to order such printing and binding as may be necessary for its use.

HEARINGS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. ASHURST submitted the following resolution (S. Res. 18), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on the Judiciary, or any subcommittee thereof, hereby is authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

NATIONAL ECONOMIC COUNCIL

Mr. BULKLEY submitted the following resolution (S. Res. 19), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate Resolution No. 114, Seventy-fourth Congress, agreed to August 24, 1935, authorizing the Committee on Manufactures to investigate the desirability of establishing a national economic council, and for other purposes, hereby is continued in full force and effect during the Seventy-fifth Congress.

ASSISTANT CLERK, COMMITTEE ON EDUCATION AND LABOR

Mr. BLACK submitted the following resolution (S. Res. 20) which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate Resolution No. 46, Seventy-fourth Congress, agreed to June 7, 1935, authorizing the Committee on Education and Labor to employ an assistant clerk, to be paid from the contingent fund of the Senate, hereby is continued in full force and effect during the Seventy-fifth Congress.

EXPENSES OF FORMER SENATOR BENSON, OF MINNESOTA

Mr. SCHWELLENBACH submitted the following resolution (S. Res. 21), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Whereas the present Governor of Minnesota, Elmer A. Benson, served during the second session of the Seventy-fourth Congress as a Member of this body; and

Whereas the junior Senator from Minnesota, Mr. Benson, was appointed by the late Gov. Floyd B. Olson on December 27, 1935, to succeed the late Senator Thomas D. Schall; and

Whereas the then Senator from Minnesota, Elmer A. Benson, and his entire staff continued in true public faith, but at their own expense, without any compensation whatsoever, to maintain offices in both Washington and Minnesota and to perform the full service and functions of the office and duties of United States Senator from November 4, 1936, until January 4, 1937: Therefore be it

Resolved, That the disbursing officer of the Senate be authorized and instructed to disburse to Elmer A. Benson and to each of his office staff listed on his records as of November 3 the full amount of salary and compensation each would have received had Senator Benson continued to serve under the law as well as in fact as a Member of this body; and be it further

Resolved, That such funds be, and hereby are, set aside from funds of the United States Senate.

ASSISTANT CLERK, COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

Mr. CONNALLY submitted the following resolution (S. Res. 22), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate Resolution 111, Seventy-third Congress, agreed to January 19, 1934, and continued by subsequent resolutions, authorizing the Committee on Public Buildings and Grounds to employ an assistant clerk, to be paid from the contingent fund of the Senate, hereby is continued in full force and effect during the Seventy-fifth Congress.

ASSISTANT CLERK, COMMITTEE ON ENROLLED BILLS

Mrs. CARAWAY submitted the following resolution (S. Res. 23), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Enrolled Bills is hereby authorized to employ until the end of the present session an assistant clerk to be paid from the contingent fund of the Senate at the rate of $1,800 per annum.

HEARINGS BEFORE THE COMMITTEE ON MINES AND MINING

Mr. LOGAN submitted the following resolution (S. Res. 24), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Mines and Mining, or any subcommittee thereof, hereby is authorized, during the Seventy-fifth Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

ESTABLISHMENT OF ADDITIONAL NATIONAL PARKS

Mr. WAGNER submitted the following resolution (S. Res. 25), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate Resolution No. 102, Seventy-fourth Congress, agreed to July 30, 1935, authorizing the Committee on Public Lands and Surveys to investigate the advisability of establishing certain additional national parks, and for other purposes, hereby is continued in full force and effect during the Seventy-fifth Congress.

FUNERAL EXPENSES OF THE LATE SENATOR NORBECK

Mr. BULOW submitted the following resolution (S. Res. 26), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of Hon. Peter Norbeck, late a Senator from the State of South Dakota, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

FUNERAL EXPENSES OF THE LATE SENATOR MURPHY

Mr. GILLETTE submitted the following resolution (S. Res. 27), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of Hon. Louis Murphy, late a Senator from the State of Iowa, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

HEARINGS BEFORE THE COMMITTEE ON FOREIGN RELATIONS

Mr. PITTMAN submitted the following resolution (S. Res. 28), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Foreign Relations, or any subcommittee thereof, be, and hereby is, authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE THE COMMITTEE ON EDUCATION AND LABOR

Mr. BLACK submitted the following resolution (S. Res. 29), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Education and Labor, or any subcommittee thereof, is hereby authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

SPECIAL COMMITTEE TO INVESTIGATE UNEMPLOYMENT AND RELIEF

Mr. HATCH submitted the following resolution (S. Res. 36), which was referred to the Committee on Education and Labor:

Resolved, That a special committee consisting of five Senators, to be appointed by the Vice President, is hereby authorized and directed to study, survey, and investigate the problems of unemployment and relief, including an estimate of the number of persons now unemployed by reason of the use of labor-saving devices, mechanical and otherwise, in operation in the United States, obtaining all facts possible in relation thereto which would not only be of public interest but which would aid the Congress in enacting remedial legislation. The committee shall begin its study, survey, and investigation as soon as practicable and shall continue such study, survey, and investigation expeditiously and with all possible dispatch and shall report to the Senate as soon as practicable with recommendations for legislation.

SEC. 2. For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, during the Seventy-fifth and succeeding Congresses, to employ such experts and clerical, stenographic, and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per 100 words. The expense of the committee, which shall not exceed $10,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INDUSTRIAL DEMOCRACY—ADDRESS BY JOHN L. LEWIS

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD a radio address on the subject of Industrial Democracy, delivered by John L. Lewis on Dec. 31, 1936, which appears in the Appendix.]

EXPORTATION OF ARMS AND MUNITIONS TO SPAIN

Mr. PITTMAN. Mr. President, I am about to do something that is unusual, but that has heretofore been done. I present a joint resolution and ask unanimous consent for its immediate consideration without reference to a committee, and that it may be passed and signed without delay notwithstanding the rules. If the Senate will permit me, I shall make a brief statement of the nature of the joint resolution and then have it read.

The joint resolution simply makes it unlawful to export arms, ammunition, or implements of war from the United States or any of its possessions, or to export to a foreign country for transshipment, to Spain, or for the use of either of the opposing parties in Spain during the present internal strife in that country.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. PITTMAN. I yield.

Mr. CONNALLY. Does the joint resolution mention Spain, or just describe a condition that fits the situation in Spain?

Mr. PITTMAN. It mentions Spain alone, and the reason for that determination, after consultation, to mention Spain alone was that we know exactly the conditions existing in Spain, and that such conditions of internal warfare necessitate an embargo on the export of arms, ammunition, and implements of war.

The question as to whether the term "civil war" applies or does not apply need not be determined. It would possibly be far more difficult to describe conditions generally that might arise in the future in a foreign country that would justify a similar embargo, and therefore we hesitated to make the resolution general. When I say "we", I refer to the President of the United States, to Representative McREYNOLDS, to R. Walton Moore, Assistant and Acting Secretary of State, and to the legal branch of the Department of State.

As the Senator from Texas well understands, the Members of Congress have just arrived in Washington, and it has been impossible to get the committees together. It may be difficult to do so now.

I wish to have it distinctly understood, of course, that the joint resolution is mandatory; it is not a delegation of discretion or authority. It merely declares a certain thing to be unlawful so long as the strife referred to exists.

It goes further than that, however. The joint resolution makes it unlawful to export to any place for the use of either of the opposing forces in Spain any arms, ammunition, or implements of war produced in the United States. It so provides.

I readily understand, Mr. President, that there may be sympathy among our own citizens for one side or the other in the contest in Spain, just as there is sympathy among some of the great governments and their nationals throughout the world for one side or the other in that great contest. I hope and believe that, so far as we are concerned, we are not, either mentally or physically or commercially, actively taking either side.

Let me remind those who have telegraphed to me suggesting that we are aiding the so-called insurgent government by this act that that is not a fact. The so-called insurgent forces in Spain control a tremendous portion of that country, if not the larger portion. They control a number of the ports. They have access to imports, just the same as the Government of Spain has, and, as a matter of fact, both forces are today receiving imports from countries whose governments or nationals are in sympathy with them.

There exists in Spain the most extraordinary condition of what may be called "civil war", if I may use that term, that has occurred in history, unless there was some parallel to it during the great Civil War in this country, and there certainly was not a complete parallel, because in Spain both forces are actually receiving arms, without blockade of their ports, from various powerful countries of the world. Both forces are being augmented by the soldiers of other powerful European countries. Not only that, but there is presented a situation which did not exist in our own Civil War, and which has not existed in any civil war I know of, where a great group of nations are threatening, without declaration of a state of war, to blockade all the ports of Spain, while some powers favorable to one side or the other are threatening to blockade only the ports controlled by the forces they oppose.

The facts with regard to this particular case are too well known to require debate. It is our duty, in my opinion, not to think of either of the opposing forces in Spain but to think of our own peace and our own country.

Two forms of government are fighting in Spain in what is called a "civil war", but it is a fight of foreign theories of government, not involving democracy, in which the opposing forces are aided and sympathized with by great, powerful governments who espouse one cause or the other.

Nothing would be gained by referring the joint resolution to the Committee on Foreign Relations. Our committee knows the facts with regard to the Spanish situation. Indeed, every Senator here knows the facts with regard to it.

The reason for presenting this matter as one of emergency is that our neutrality law has been held to apply only to a war between two foreign countries, and not to internal strife, not to a civil war. The legal branch of the State Department in honesty has so held, and two licenses have been granted to export airplanes and airplane parts to Spain. I do not know to which force they are going, nor am I aware that anyone else knows. It is known that the consignee is in Spain and he may be "John Doe." The granting of the first license was sufficiently disturbing but another application was made on yesterday, and, as a result of the defect in our law, the license had to be granted, and over $4,000,000 worth of war materials, not alone airplanes but arms and ammunition and implements of war, have been authorized to be exported to parties in Spain. Whether those parties represent the insurgents or whether they represent the Government of Spain we cannot determine.

Mr. President, this practice should stop. There was a far less dangerous situation in 1914, which resulted in a World War into which we were dragged. An archduke was shot and killed in one of the countries of Europe. There was no great disturbance in that country and the great powers sought to arbitrate and compromise the difficulty. War broke out and swept the world and we were dragged into it, with a loss which can never be recovered. Today, say what we may, the situation is more dangerous than was the situation at that time. It is as dangerous as can be conceived. I say that it is our duty to pass this joint resolution at once, and I desire to present it at this time.

Mr. CLARK. Mr. President, before the Senator takes his seat, will he allow me to ask him a question?

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Missouri?

Mr. PITTMAN. I yield.

Mr. CLARK. Let me preface my question, if I may, Mr. President, by the statement that I believe every Member of this body and every other decent, right-thinking citizen of the United States, must recognize the emergency which exists. I should like to ask the Senator from Nevada whether in his opinion there would be any more difficulty, in the face of the present emergency, in passing a joint resolution amending the present law by a simple provision making the existing neutrality law apply to situations in which war exists within a nation, if the President finds such to be the fact, than to pass a joint resolution such as that the Senator now desires to have acted on?

Mr. PITTMAN. I may say to the Senator that I originally advocated what he has just suggested.

Mr. CLARK. I understand the Senator did so.

Mr. PITTMAN. I could not see why that course should not be taken. But certain information has come from various Senators, and from certain Representatives particularly, indicating that they do not desire to have the subject of the general law opened up at this time. We will take that matter up tomorrow in connection with the consideration of the general law.

Mr. CLARK. My only reason for propounding the inquiry to the Senator is that it seems to me that there would be very great advantage if the matter could be accomplished by an amendment to the general law in such a way as not to single out one particular nation where one government exists which has already been recognized by the United States, singling out one nation, rather than enacting general legislation to apply to all nations. Let me say further that, so far as I am concerned, I have no sympathy with either faction in Spain.

I am not going to object to the passage of the joint resolution, but it seems to me that we are confronted with a very unusual situation when we are asked to pass a measure of such tremendous, far-reaching importance without even developing the presence of a quorum in this body.

Mr. PITTMAN. Mr. President, I desire to do what the Senator wishes to have done, but it was the thought by those considering this draft that there were some Senators who

would rather limit the measure to one nation than have it apply to all the nations of the world, and I yielded.

I now ask that the joint resolution be read.

The VICE PRESIDENT. The joint resolution will be read.

The joint resolution (S. J. Res. 3) to prohibit the exportation of arms, ammunition, and implements of war from the United States to Spain, was read the first time by its title and the second time at length, as follows:

Whereas armed conflict of great magnitude is now and for several months has been carried on in the State of Spain, Continent of Europe, with all the weapons of war and of unusual brutality between the Government of Spain and a large and well-organized group of its nationals, commonly known as the insurgent forces; and

Whereas the Government of Spain and the so-called insurgent forces each having possession of and asserting the legal and political control over parts of Spain and each attempting to prevent the opposition forces and the nationals claiming allegiance thereto from importing arms, ammunition, and implements of war; and

Whereas it is publicly asserted that some governments of Europe have recognized a so-called insurgent government and some governments are permitting their nationals to lend financial, commercial, and military aid to the so-called insurgent forces, while other governments are permitting their nationals to extend financial, commercial, and military aid to the Government of Spain; and

Whereas some of the principal governments of Europe have for a long time attempted to agree upon action that would prevent the shipment of arms, ammunition, and implements of war to either of the opposing forces in Spain and have sought to isolate Spain from foreign interference or intervention; and

Whereas said internal strife presents threats of extending beyond the borders of Spain and of involving other countries; and

Whereas the exportation from the United States of arms, ammunition, and implements of war to either of the opposing forces in Spain is dangerous to the security and peace of the United States and contrary to the policy of our Government as expressed by the President of noninterference in the internal affairs of a foreign state; and

Whereas an emergency exists requiring immediate legislative action: Therefore be it

Resolved, etc., That during the existence of the state of civil strife now obtaining in Spain it shall, from and after the approval of this resolution, be unlawful to export arms, ammunition, or implements of war from any place in the United States, or possessions of the United States, to Spain or to any other foreign country for transshipment to Spain or for use of either of the opposing forces in Spain. Arms, ammunition, or implements of war, the exportation of which is prohibited by this resolution, are those enumerated in the President's proclamation, no. 2163, of April 10, 1936.

Licenses heretofore issued under existing law for the exportation of arms, ammunition, or implements of war to Spain shall, as to all future exportations thereunder, ipso facto be deemed to be canceled.

Whoever in violation of any of the provisions of this resolution shall export, or attempt to export, or cause to be exported, either directly or indirectly, arms, ammunition, or implements of war from the United States or any of its possessions, shall be fined not more than $10,000 or imprisoned not more than 5 years, or both.

When in the judgment of the President the conditions described in this resolution have ceased to exist he shall proclaim such fact, and the provisions hereof shall thereupon cease to apply.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. McNARY. Mr. President, the request just made by the chairman of the Committee on Foreign Relations [Mr. PITTMAN] is an unusual one, but, of course, the existing situation is extraordinary. I have always and invariably objected to legislating in the fashion now proposed. It is my belief that the Senate rules of procedure in such case should be followed; that is, that the joint resolution be referred to the appropriate committee and thereafter considered by the Senate.

In view of the statement made by the able Senator from Nevada, and after discussion of the subject with several of my colleagues, I at this time interpose no objection, but I want it understood by the Senate that hereafter I shall not consent to the passage of proposed legislation in the manner now suggested unless the emergency is very extreme. In all fairness I think, in order to make the record complete, we should have a quorum call before passing on this important measure.

Mr. ROBINSON. Mr. President, will the Senator from Oregon withhold his request for a quorum call for a moment?

Mr. McNARY. I withhold the request for a moment.

Mr. ROBINSON. Under the order heretofore entered it will soon be necessary for the Senate to proceed to the Hall of the House of Representatives in order to arrive there before 1 o'clock. Therefore I now ask that the proceedings be suspended in order that the Senate may proceed to the Hall of the House of Representatives to participate in the joint session of the Senate and House, and that the Senate return to its Chamber and resume legislative session following the joint session.

It had been my intention, if the pending matter could have been disposed of at this time, to move an adjournment until Friday; but if it is not disposed of now, I think it will be necessary for the Senate to return and continue its session following the joint session.

Mr. McNARY. Mr. President, I cannot yield my position. I must insist upon a quorum call. The Senate can, of course, return to its Chamber and continue its session after the joint session shall have been concluded.

COUNT OF ELECTORAL VOTE AND PRESIDENT'S ANNUAL MESSAGE

The VICE PRESIDENT. Is there objection to the request of the Senator from Arkansas that the Senate now suspend its proceedings and, in accordance with the provisions of the concurrent resolutions heretofore adopted, proceed to the Hall of the House of Representatives to participate in the joint session of the two Houses, and thereafter to return to its Chamber and resume legislative business?

There being no objection (at 12 o'clock and 54 minutes p. m.), under the concurrent resolutions (S. Con. Res. 1 and S. Con. Res. 2), the Senate, preceded by its Sergeant at Arms (Chelsey W. Jurney), the Vice President, its Secretary (Edwin A. Halsey), the secretary to the majority (Leslie L. Biffle), and the secretary to the minority (Carl A. Loeffler), proceeded to the Hall of the House of Representatives for the purpose of counting the electoral votes for President and Vice President of the United States and of receiving such communication as the President of the United States may be pleased to make to them.

ANNUAL MESSAGE OF THE PRESIDENT OF THE UNITED STATES

The annual message of the President of the United States was this day delivered by him to the joint meeting of the two Houses of Congress.

[The full text of the message will be found in the proceedings of the House, p. 84.]

LEGISLATIVE SESSION

The Senate, having returned to its Chamber (at 2 o'clock and 40 minutes p. m.), reassembled, and the Vice President resumed the chair.

CALL OF THE ROLL

Mr. McNARY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Clark	King	Pope
Andrews	Connally	Lee	Radcliffe
Ashurst	Davis	Lewis	Reynolds
Austin	Dieterich	Lodge	Robinson
Bachman	Duffy	Logan	Russell
Bailey	Ellender	Lonergan	Schwartz
Bankhead	Frazier	Lundeen	Schwellenbach
Barkley	George	McAdoo	Sheppard
Black	Gerry	McCarran	Steiwer
Bone	Gibson	McGill	Thomas, Okla.
Borah	Gillette	McKellar	Thomas, Utah
Bridges	Glass	McNary	Townsend
Brown, Mich.	Green	Maloney	Truman
Brown, N. H.	Guffey	Minton	Tydings
Bulkley	Hale	Moore	Vandenberg
Bulow	Harrison	Murray	Van Nuys
Burke	Hatch	Neely	Wagner
Byrd	Hayden	Nye	Walsh
Byrnes	Hitchcock	O'Mahoney	White
Capper	Holt	Overton	
Caraway	Hughes	Pepper	
Chavez	Johnson, Colo.	Pittman	

Mr. McNARY. I announce that the Senator from Minnesota [Mr. SHIPSTEAD] is absent on account of illness.

Mr. DUFFY. I announce the unavoidable absence of my colleague the senior Senator from Wisconsin [Mr. LA FOLLETTE], due to illness in his family. I wish this announcement to stand for the day.

Mr. LEWIS. I am requested by the Senator from Mississippi [Mr. BILBO] to say that he will be absent today, necessarily detained in Mississippi.

The Senator from Montana [Mr. WHEELER] and the Senator from New York [Mr. COPELAND] are necessarily detained.

I also announce the absence of the Senator from South Carolina [Mr. SMITH], due to illness in his family.

Mr. BULKLEY. I announce that my colleague the junior Senator from Ohio [Mr. DONAHEY] is still detained at his apartment by illness.

The PRESIDING OFFICER (Mr. CLARK in the chair). Eighty-five Senators having answered to their names, a quorum is present.

COUNT OF THE ELECTORAL VOTE

Mr. GEORGE. Mr. President, on the part of the tellers appointed by the Senate in pursuance of Senate Concurrent Resolution 2, to ascertain the result of the election for President and Vice President of the United States, I beg leave to report that the two Houses met in joint session this day, and thereupon the certificates of the electors of the several States and their votes for those officers were opened by the President of the Senate and delivered to the tellers, and on the certificates being examined, it appeared that the votes of the several States had been cast in accordance with the list submitted to the joint session of the two Houses.

From those certificates it appeared that the whole number of electors appointed to vote for President and Vice President of the United States for the term of office beginning on the 20th day of January 1937 was 531, of which a majority is 266.

The state of the vote for President of the United States appeared to be:

For Franklin D. Roosevelt, of the State of New York, 523 votes.

For Alfred M. Landon, of the State of Kansas, 8 votes.

The state of the vote for Vice President of the United States appeared to be:

For John N. Garner, of the State of Texas, 523 votes.

For Frank Knox, of the State of Illinois, 8 votes.

Which result, having been ascertained and counted and determined by the tellers, was delivered by them to the President of the Senate, who announced the result as stated.

The PRESIDING OFFICER. The report will be spread upon the Journal of the Senate.

(For tabulation of electoral vote for President and Vice President of the United States, see House proceedings of this day, p. 83.)

EXPORTATION OF ARMS AND MUNITIONS TO SPAIN

Mr. VANDENBERG. Mr. President, I wish to make a brief observation regarding the pending request of the able Senator from Nevada [Mr. PITTMAN] in respect to emergency neutrality action. Regardless of whether the initial offensive shipment out of New York into the troubled European area does or does not leave before we can reach it with corrective legislation, I think everyone will have to concede that there exists an imminent situation which requires immediate attention; and it is my entire disposition, so far as I am personally concerned, to cooperate in every possible way. I do this with less reluctance than would ordinarily attach to such summary action because the pending joint resolution is in no sense discretionary. It is mandatory.

We all want to reach the same objective, and the only problem is the method. But, Mr. President, I desire to associate myself definitely and specifically with the observations submitted by the able senior Senator from Missouri [Mr. CLARK], who now occupies the chair, and who commented upon the problem confronting the Senate before the recess. I want to make it plain that from my point of view it would have been infinitely preferable and infinitely wiser and safer to have added to the existing neutrality statute the simple prohibitory language originally suggested by the Senator from Nevada [Mr. PITTMAN] himself, which would have met a general situation with a general remedy instead of inviting specific prejudices with a joint resolution aimed at one vicissitude alone.

However, since we seem to be beyond the deliberative point where that course can be followed if we are to meet the emergency, and since the only problem is the joint resolution pending, I wish to make one suggestion in connection with it to the able chairman of the committee. I should like to eliminate the preamble, because it deals with many contentious matters that are none of our business. It seems to me that the fewer words we use the better, because the fewer we shall then have to quarrel about or explain, or perhaps some day take back. The preamble is not necessary to the authority proposed to be conferred. I suggest to the able Senator that all the "whereases" are entirely unnecessary to the body of the joint resolution or to the validity of the action which we contemplate. On the other hand, the "whereases" contain numerous statements which might prove to be equivocal and embarrassing; and I want to ask the Senator, the chairman of the Foreign Relations Committee, if he is willing that the preamble be eliminated from the joint resolution.

The PRESIDING OFFICER. The Chair asks the Senator from Michigan to suspend for just a moment while the Chair states the parliamentary situation. The Chair understands that the Senator from Michigan suggested an amendment to the joint resolution. The Chair should like to state that the Senate recessed for the purpose of attending the joint session of the Congress without the request for unanimous consent for present consideration of the joint resolution having been put.

Mr. PITTMAN. Before that question is put, if the Chair will permit me and if the Senator from Michigan will yield——

Mr. VANDENBERG. I yield.

Mr. PITTMAN. I wish to say, so that when the question is put there will be an understanding, that I have no objection whatever to the elimination of the "whereas" clauses. They were really placed in the joint resolution after very careful consideration—and I think they are true—for the purpose of inducement, and to show there is an emergency. There being no longer any such need, I am perfectly willing to have them stricken. I think it is better legislative practice to have the "whereas" clauses stricken from a measure before passage.

Mr. VANDENBERG. Then, as I understand, Mr. President, the "whereases" are eliminated, and it is only the joint resolution which is pending, with request for consent for immediate consideration. On that basis I myself have no objection.

The VICE PRESIDENT. Is there objection to the request of the Senator from Nevada for unanimous consent for the present consideration of the joint resolution?

Mr. NYE. Mr. President, reserving the right to object, I wish to say that there seems to be quite general and united opinion that the peace of the United States is threatened by reason of certain contracts which have been entered into calling for delivery of American supplies to Spain. I do not for one moment desire to take a different attitude upon that point. I do think that our peace is in some degree jeopardized—not so greatly as many would have us believe—but when our peace is jeopardized I think we, as Members of the Congress, should assume the right to take whatever steps are necessary, however drastic or however unfair they may seem to be at the moment.

I am not entertaining a sympathy with either side represented in the conflict which is raging in Spain at the moment. We have a policy of government respecting neutrality. Our policy of neutrality, rather hurriedly adopted during the past 2 years, has not covered the situation which has arisen in Spain, but our Government has sought cooperation on the part of Americans in a program that was intended to avoid the very embarrassment which is upon our doorstep at this time.

I think it ought to be said to the everlasting credit of those who are recognized as the leaders in the United States in the business of manufacturing and selling munitions of war that they have cooperated with the Government. I think it

fair that we should pay them a tribute at this hour in appreciation of the manner in which they have cooperated with the Government. After making inquiries concerning the policy of the Government respecting shipments of arms to Spain, the leaders in that particular business have declined to deal with Spain. It had begun to appear that even without a definite written policy governing situations of the kind we are now considering we should have avoided embarrassment except for the fact that an individual American junk dealer, making inquiry of our Government as to its policy, or knowing what the policy was, willed to ignore that policy, came and laid his fee for license upon the desk of the State Department, and demanded license to ship arms to the Spanish Government. It seems to me that that action warrants our pursuing now a course which but for such action would be altogether unfair—indeed, unreasonable.

However, in that connection I should like to point out that although our embarrassment was directly occasioned by this lone American dealer in second-hand munitions of war, the supplies with which that dealer is involved at the present moment are the cast-offs of our own American Military Establishment, sold at public auction to this type of American, who has no respect for the policy of the Government; who has said, in effect, "The policy of the Government be damned."

I should like to make the point that if the United States would nationalize the munitions industry, and if the United States would adopt a hard-and-fast policy of control over the part of the industry that was not nationalized, we should be able to avoid experiences of the present kind, and many more that are bound to arise to plague us.

I think it altogether fair to speak of the spirit in which we as a Government are moving at this time in calling for this embargo against the shipment of arms to Spain. That spirit—and I think I shall not be contradicted in so contending—is one which finds us desiring to cooperate with certain powers in Europe who conceive that they can hasten the end of the difficulty in Spain by denying arms to either side engaged in that conflict. In that spirit we have been advised that we could be helpful in avoiding a world war, or a war of great consequence, if only we would cooperate, and deny from our shores supplies of munitions to either side engaged there in Spain.

Now, however, the question arises as to other matters. We now are about to cooperate, to lend our support to that cause, to lay down a hard-and-fast rule that there shall be no exportation of munitions of war from the United States to Spain, or to either side engaged in war in Spain. We are going to cooperate with Great Britain and with France in what I conceive to be a splendidly conceived program of preventing a spread of the difficulty now confined within the borders of Spain. But what are we going to do if next week, or the following week, Great Britain and France make up their minds that since other powers in Europe are arming one side in Spain, it is only fair to arm the other side, and there is a chance of our expediting and speeding the end of the difficulty there by selling arms to the loyalist forces in Spain?

Mr. BORAH rose.

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. NYE. Just one moment, Mr. President. What then are we Americans going to do? Are we going to go back, are we going to go over that ground again? Are we going to rescind the action which we now take? I feel it is a very pertinent question.

I now yield to the Senator from Idaho.

Mr. BORAH. Mr. President, am I to understand the Senator to hold that this joint resolution was inspired by a desire to cooperate with some governments in Europe?

Mr. NYE. Mr. President, I can only speak what I have been made to understand was the desire of certain powers in Europe for a wider cooperation in their program to deny arms to the contending forces in Spain.

Mr. BORAH. Mr. President, if this resolution is inspired by any such policy as that, it is not a resolution of neutrality at all; it is participating in a controversy in Europe. I do not understand that the joint resolution has any such objective. I am no more desirous of cooperating with Great Britain than I am with Italy. I am interested alone in this country's keeping out of European wars.

Mr. NYE. Mr. President, I share fully the point made by the Senator from Idaho. If, however, at this moment I were asked to establish proof that France and England wanted us to undertake the course we are about to take, I should have to confess myself unable to do so. I think, from what we have seen, from what we have felt and have heard every day, we must recognize that there has been such a desire for cooperation, that there has been such a conception on the part of Great Britain especially—a desire to withhold arms from the conflicting forces in Spain.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Nevada?

Mr. NYE. I yield.

Mr. PITTMAN. I am not only astonished but disappointed at the character of the argument made by the Senator from North Dakota and by his insinuations. If this joint resolution carried with it a discretion to anybody to determine to whom these arms and munitions should go, if it did not mandatorily, on its face, provide that they should go to neither of the contending parties, then sympathies or remarks on behalf of Great Britain might be considered to be pertinent. I must say, however, that I took part in drafting the joint resolution, and other Senators were consulted to such extent as was possible; but in the nature of things the matter was hurried because of what had happened. A license had just been granted and another license was granted yesterday, involving a larger quantity of munitions and implements of war. There was nothing we could do if we loved our own country more than we hated some other country or loved some other country, as some Senators may do, except to stop the exportation of munitions to both sides and all sides immediately. That is what the joint resolution proposes to do. I resent the complicated, ambiguous, verbose insinuations of the Senator from North Dakota, who assumes to himself to be a peace advocate.

Mr. NYE. Mr. President, the Senator from Nevada, in his expression of the moment, has not voiced a sentiment in which I cannot concur, except his closing one; but it seems to me that if we really were undertaking a strict neutrality policy, if we wanted to take action in a general way, we would avoid singling out one country if we could. I share the thought expressed by the Senator from Missouri [Mr. CLARK] this morning; I wish we could do this job by writing an embargo policy that would apply automatically to every country when trouble like that in Spain may come anywhere upon the earth.

Another question arises——

Mr. CONNALLY. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Texas?

Mr. NYE. I will yield in a moment. If a like situation should present itself in any South or Central American country, a situation such as that existing in Spain at the present time, is it not fair for us to assume what we might do in such an emergency? Is it not fair for us to undertake today to say that if we do this thing in one instance we shall do it in all others? I wish, as the Senator from Missouri [Mr. CLARK] and the Senator from Michigan [Mr. VANDENBERG] have suggested, that we could have a general approach to this subject rather than a specific approach dealing with one country.

Mr. PITTMAN. Mr. President, may I answer that?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Nevada?

Mr. NYE. I yield.

Mr. PITTMAN. It must be apparent to the Senator from North Dakota that this Government does not desire to

interfere with the orderly course of business in this country by reason of any little sporadic uprising in Mexico or any South American country or in China. It must be such an internal war or strife or civil war as would reach a stage of magnitude involving the possession of large territory, the assertion of government, interference with outside parties, and threatening our peace.

We know we should not lend assistance by permitting the shipment of instruments of death to either side in Spain. But I doubt whether the Senator, with all his astuteness, could today draw a paragraph providing an embargo that would be properly applicable to every character of uprising and every character of strife in every country of the world. I know that I cannot do so. I have striven valiantly; I did draw such a paragraph to the best of my ability, after long thought, but it met with opposition in so many quarters that I surrendered it, and decided to leave that question to the more definite and able determination of our Committee on Foreign Relations.

Mr. NYE. Mr. President, I should like to ask the Senator from Nevada a question. He does not mean, does he, that he has abandoned entirely the hope of being able to arrive at language which will enable us to define when a situation exists which we want to meet by a general program?

Mr. PITTMAN. I hope not, but I would not trust my own ability to do so. I may say to the Senator that it will undoubtedly follow that there will be many amendments offered to the existing neutrality law, all of which will be referred, I imagine, to the Committee on Foreign Relations, upon which the Senator sits. So we will have the advantage not only of his great ability and constructive power but possibly that of 20 other United States Senators who have long been engaged in this work, some of them as long as I have and some of them longer. That is what I want. We do know the situation in Spain, but what exact conditions in another case would justify this act I do not know. I hope that somebody may find out.

Mr. NYE. I have tried during the last few days, as has the Senator from Nevada, as I have seen many others try, to formulate language which would define when such a state of civil war existed as we wanted to guard against. I confess the grave difficulty that is encountered in any effort of that kind.

I entertain the largest sympathy with the committee which has tried, but found itself unable, to meet in a general way the situation; but I hope that we are not going to abandon our efforts to meet situations of this kind in the future without seeming to direct our energies alone against one country or against one faction engaged in a revolution.

Mr. PITTMAN. Mr. President, I say there is not one faction here——

The PRESIDING OFFICER. Does the Senator from North Dakota yield further to the Senator from Nevada?

Mr. NYE. I yield.

Mr. PITTMAN. The Senator from North Dakota seems to think that there is only one faction.

Mr. NYE. I have certainly not intended to do that.

Mr. PITTMAN. I think that each side controls about as much of the territory of Spain as does the other, and about as many ports; in fact, I think the opposition to the government controls more ports, and the ports are not blockaded; they are open. So far as our information is concerned, both sides are receiving airplanes and other munitions from their foreign friends.

Mr. NYE. There is, of course, this difference: We have recognized one faction engaged in that conflict in Spain at the present time.

Mr. CONNALLY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CONNALLY. I inquire if unanimous consent has been granted for the consideration of the joint resolution?

The PRESIDING OFFICER. Such unanimous consent has not as yet been granted. The Senator from North Dakota is on the floor, speaking under a reservation of the right to object.

Mr. CONNALLY. I did not understand. I thought the Senate was going to pass the joint resolution; but we face the situation that members of the committee have foregone considering it in the committee, and if we are going to have weeks of debate on it, I think I shall have to object, and let it come up in regular order. We have all heard the views of the Senator from North Dakota since a few years ago, and have heard him constantly, possibly every day.

The PRESIDING OFFICER. Demand for the regular order is made. The regular order is putting the question, Is there objection to the request of the Senator from Nevada [Mr. PITTMAN] for the present consideration of the joint resolution?

Mr. BONE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BONE. I am not certain that I understand exactly the status of the joint resolution. Do I understand correctly that the Senator from Nevada has withdrawn the whereases?

Mr. PITTMAN. The Senator from Nevada has withdrawn that portion of the resolution embraced in the preamble.

The PRESIDING OFFICER. The Senator from Nevada had the right to modify his own resolution before the question was put, and he has withdrawn the preamble.

Mr. PITTMAN. Mr. President, I hope the Senator from Texas will withdraw his call for the regular order.

Mr. CONNALLY. I want to know whether or not we are going to consider the joint resolution under the unanimous-consent request?

Mr. NYE. Mr. President, when the question was put by the Chair, I reserved the right to object, and I asked for the privilege of making a few remarks upon this question. I have no intention of interposing objection to the consideration this afternoon of the joint resolution.

Mr. CONNALLY. I asked for the regular order because unanimous consent has not been granted for consideration of the resolution, and we have already heard a number of remarks upon it.

The PRESIDING OFFICER. Regular order is putting the request for unanimous consent. Is there objection to the request of the Senator from Nevada for the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution (S. J. Res. 3) to prohibit the exportation of arms, ammunition, and implements of war from the United States to Spain.

Mr. NYE. Now, Mr. President, may I finish my remarks?

Mr. CONNALLY. Mr. President, let me say——

The PRESIDING OFFICER. The Chair feels constrained, under the circumstances, to recognize the Senator from North Dakota who occupied the floor at the time consent was given.

Mr. CONNALLY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CONNALLY. The Senator from North Dakota has already addressed the Senate. Can the Senator hold the floor indefinitely?

The PRESIDING OFFICER. The Senator from North Dakota cannot hold the floor indefinitely, but the Chair felt, as a matter of fairness, the Senator having been taken off his feet by the demand for the regular order, that he should be recognized.

Mr. CONNALLY. But he was on his feet because business intervened, and unanimous consent was necessary. Of course, it is the right of the Chair to recognize whomsoever he may please.

The PRESIDING OFFICER. The Chair feels that the Senator from North Dakota should be recognized.

Mr. CONNALLY. And if the Chair feels that the Senator from North Dakota should be recognized for a little longer, let him do so.

Mr. NYE. Mr. President, I have but little more to say upon this subject. I am merely trying to make clear my desire not to seem to take sides in the prevailing Spanish controversy.

Mr. President, about a year ago a condition existed between Ethiopia and Italy which found us wishing that we had provided a larger embargo list than was provided in our Neutrality Act. We wished we had included oil. There was expressed on many hands at that time a desire to add oil to that list, even though Ethiopia and Italy were then at war. But Congress gave not even serious consideration to that thought, because there was an agreement on every hand largely that if we did our action would be an act of unneutrality toward Italy, because Italy was the only one striving for or wanting our supplies of oil.

So we refrained from any action at that time, just as a Congress refrained in 1915 from writing a policy of neutrality or providing embargoes, because it was then considered that to do so would be an unneutral act toward one side or the other engaged in that war. In our consideration of a year ago we followed the precedent laid down then.

Now we find ourselves this afternoon moving, as we will do unanimously, I assume, to write an embargo even though a state of war exists, writing an embargo which under the present situation is going to be a greater hardship upon the one side than the other engaged in Spain's trial.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Nevada?

Mr. NYE. Let me first complete the point I want to make.

Mr. President, unfair it will be to charge us with favoritism, because I believe there is no desire in a single mind in the Senate or the House to favor any side in this present controversy. What we are trying to do is to save ourselves from the possibility of being drawn into a war. I do not believe there is a thought on the part of anyone that we want to help the Fascist element or that we want to help the Loyalist element. Certainly that is far from our thoughts.

But, in the light of our past contact with this question, why is it not going to be quite natural for the Fascist supporters the world over to say, "A year ago, when the interests of the Fascist elements in Italy were involved, the United States refused to take any hand in writing an embargo on oil because to have written it then would have constituted an unneutral act; but now they are aiding the cause of the Fascists in Spain by providing an embargo which is intended to meet the immediate contracts entered into by the Loyalist elements of Spain with individuals in the United States to supply them with arms"?

Mr. President, if this action this afternoon is to be conceived, as I am going to conceive it, in the light of an effort to keep the hands of the United States clean and removed from the danger of being drawn quickly into that war or strife in Europe, I am quite willing that it shall be done; but I hope it is not going to be done in the name of neutrality, for, strictly speaking, neutrality it is not.

Mr. PITTMAN. Mr. President, it is very unfortunate that the Senator from North Dakota [Mr. NYE] should make such a speech on the floor of the Senate. Great credence is sometimes given to remarks made by Senators on the floor of the Senate. Many people think Senators know exactly what they are talking about. The remarks will be quoted in the papers and it will be said that the Senator from North Dakota has charged that this resolution was drafted with the intent of aiding the so-called insurgent elements in Spain.

Mr. NYE. Mr. President——

Mr. PITTMAN. I yield to the Senator from North Dakota.

Mr. NYE. At that point let me say if anyone can read my remarks this afternoon and read that thought into them, I am very sorry, because it certainly has not been my intent. I thought I was leaning over backward to make it clear that that was not the purpose.

Mr. PITTMAN. I am very glad the Senator has added that statement to his remarks because it modifies them to some extent. However, when he compares the situation in Spain with the Italian-Ethiopian situation, all I can say is that he has not studied the existing situation carefully. There were no ports in Ethiopia that could be reached if the Italian Government desired to stop such action. The few little things which could possibly go to the Ethiopians had to be smuggled into that country. That is not true in this present case. The only two real ports today which the Spanish Government freely controls are Valencia and Bilbao. Nearly all of the Mediterranean and southern ports are in charge of the insurgents. The insurgent forces have the ports of Portugal open to them.

Because today a junk dealer has a contract, as the Senator from North Dakota said, with the Spanish Government does not mean that tomorrow another junk dealer may not have a contract with the so-called insurgent government. These two asserted governments in Spain have absolute free access to their respective ports because neither one has a navy sufficient to block the ports of the other, and they have not attempted to do so. So the comparison with the Italio-Ethiopian situation is not in point.

There is no desire in my mind or on my part to assist either side. Both of them can get arms from this country freely if they have the money, because their ports are not blockaded, but are open. What I should like to do, so far as arms and ammunition and munitions of war are concerned, would be to starve them both out so they would not have an airplane to drop a bomb on women, children, and the nonbelligerent population, so they would not have a shell to put into a rifle to shoot at long distance and kill innocent people, so they would not have a bomb to blow up buildings with noncombatants in them. I would starve them both out, as far as weapons are concerned, and that is my object so far as we can possibly accomplish it.

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Illinois?

Mr. PITTMAN. I yield.

Mr. LEWIS. I rise at this moment to ask the chairman of the Foreign Relations Committee whether a meeting of the Foreign Relations Committee has been called for tomorrow to consider legislation on this subject?

Mr. PITTMAN. Mr. President, I think the Senator from Illinois has received information, and properly so, that if the Senate should not see fit to facilitate this matter and send the joint resolution to the House, then the chairman of the Committee on Foreign Relations would call a meeting of that committee for tomorrow. If we pass the joint resolution it will be unnecessary to have a meeting of that committee until the regular meeting day next Wednesday, or until some time at which a group of Senators desire to have it called.

Mr. LEWIS. Mr. President, I have no desire, of course, to place any obstruction in the way of what is considered to be a needed action, one made necessary by conditions which have been revealed; but, sir, recalling the position I took on this floor at the last session when similar measures were under consideration, I wish to reiterate that I do not give my concurrence to the method of legislation. For myself, sir, I present again that in a matter such as contained in the pending joint resolution it would be sufficient that the policy of neutrality be declared by Congress and, when the policy has been declared, that in the specific action to which just now reference is being made there should be left to the President, as Executive of our international matters, the right by proper Executive order from time to time to make such direction as would control the specific circumstances, because an attempt to do so by legislation would leave us in that position in similar instances that where the situation arose that would call for a suspension of the operation or some change in its policy there would be no method unless we should call Congress again in session and go over the whole matter of legislation. I prefer that its details may be left to the Executive order of the President, and for that I shall contend at a later time. I shall not now attempt to defer action or withhold from the Senate the opportunity to vote upon the joint resolution now before us.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the joint resolution offered by the Senator from Nevada [Mr. PITTMAN], as modified by him.

The joint resolution, as modified, was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The question is, Shall the joint resolution pass?

Mr. ROBINSON and Mr. McNARY called for the yeas and nays, and they were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. BULKLEY (when Mr. DONAHEY's name was called). My colleague [Mr. DONAHEY] is detained by illness. If present, he would vote "yea."

Mr. McNARY (when Mr. STEIWER's name was called). My colleague [Mr. STEIWER] is absent on account of official business. If present, he would vote "yea."

The roll call was concluded.

Mr. LEWIS. I have been requested to announce the absence of the Senator from Mississippi [Mr. BILBO] and the Senator from New York [Mr. COPELAND] and the Senator from Montana [Mr. WHEELER], who are unavoidably detained from the Senate.

The Senator from South Carolina [Mr. SMITH] is detained on account of a serious accident to a member of his family.

I also desire to state that the Senator from Utah [Mr. KING] is detained in an important committee meeting.

Mr. McNARY. The Senator from Minnesota [Mr. SHIPSTEAD] is absent on account of illness.

Mr. ASHURST. My colleague [Mr. HAYDEN] is unavoidably detained from the Chamber. If present, he would vote "yea."

Mr. BYRD. My colleague [Mr. GLASS] is unavoidably detained. He has a general pair with the senior Senator from Minnesota [Mr. SHIPSTEAD]. If my colleague were present and at liberty to vote on this question, he would vote "yea." I am not advised how the senior Senator from Minnesota would vote if present.

The result was announced—yeas 81, nays 0, as follows:

YEAS—81

Adams	Chavez	Lee	Pope
Andrews	Clark	Lewis	Radcliffe
Ashurst	Connally	Lodge	Reynolds
Austin	Davis	Logan	Robinson
Bachman	Dieterich	Lonergan	Russell
Bailey	Duffy	Lundeen	Schwartz
Bankhead	Ellender	McAdoo	Schwellenbach
Barkley	Frazier	McCarran	Sheppard
Black	George	McGill	Thomas, Okla.
Bone	Gerry	McKellar	Thomas, Utah
Borah	Gibson	McNary	Townsend
Bridges	Gillette	Maloney	Truman
Brown, Mich.	Green	Minton	Tydings
Brown, N. H.	Guffey	Moore	Vandenberg
Bulkley	Hale	Murray	Van Nuys
Bulow	Harrison	Neely	Wagner
Burke	Hatch	Nye	Walsh
Byrd	Hitchcock	O'Mahoney	White
Byrnes	Holt	Overton	
Capper	Hughes	Pepper	
Caraway	Johnson, Colo.	Pittman	

NOT VOTING—12

Bilbo	Glass	King	Smith
Copeland	Hayden	La Follette	Steiwer
Donahey	Johnson, Calif.	Shipstead	Wheeler

So the joint resolution was passed.

NATIONAL REPRESENTATION FOR THE DISTRICT OF COLUMBIA

Mr. CAPPER. Mr. President, I introduce a joint resolution pertaining to national representation for the people of the District of Columbia, which I ask may be referred to the Committee on the Judiciary.

The VICE PRESIDENT. The joint resolution will be received and referred as requested by the Senator from Kansas.

The joint resolution (S. J. Res. 13) proposing an amendment to the Constitution of the United States providing for national representation for the people of the District of Columbia was read twice by its title and referred to the Committee on the Judiciary.

Mr. CAPPER. Mr. President, at the beginning of the first session of the Seventy-fifth Congress I am again introducing a joint resolution proposing an amendment to the Constitution of the United States. The purpose of this proposed amendment is to empower the Congress to grant unto the residents of the District of Columbia voting representation in the Senate and House of Representatives, a vote for President and Vice President, and the same rights to sue and be sued in the courts of the United States as those possessed by the citizens of a State. The approval of this proposal by the requisite two-thirds vote of the two houses of Congress and its ratification by the legislatures of three-fourths of the States would be a consummation of an act of fundamental justice for which our fellow Americans of the District of Columbia have for many years prayed.

This proposal has been introduced in each succeeding Congress for many years but without decisive result. In 1922, following a comprehensive hearing, the Senate Committee on the District of Columbia favorably reported the measure and urged its approval by Congress. This report really represents the high-water mark of progress in this movement so far as Congress is concerned.

The disfranchised and unrepresented permanent residents of the District of Columbia through their organized bodies have continued to advocate this proposed legislation and urge favorable action. Through their activities many National and State organizations of prominence have become interested in seeing that this condition of disregard of fundamental American principles at the heart of the Nation shall be corrected. Such sentiments have gradually spread through the Nation and have recently been the subject of friendly editorial comment by the leading newspapers of the country.

As a matter of fact, many of our citizens out in the States have been entirely unaware that here at the Capital of our great American Republic there is a community more populous than any one of eight of the States of the Union, contributing through payment of Federal taxes more than each of over one-half of the States, where the citizens are without any participation whatever in either their national or their local government.

In the recent national election, which brought out the greatest number of voters ever to participate, these good, loyal American citizens of the District of Columbia were required to observe from the side lines while their fellows throughout the Nation, without any superior qualifications, proceeded to elect the Chief Executive and the Vice President and the Congress.

Mr. President, it is a burning shame that this un-American condition has been suffered to continue until this day, and it is my intention to do my utmost to obtain some satisfactory action on this proposal early in the present session. In carrying out this intention I hope that I may have the sympathy and hearty cooperation of every Member of this body who believes in fundamental Americanism and fair play.

DEATH OF REPRESENTATIVE ZIONCHECK, OF WASHINGTON

The VICE PRESIDENT. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The legislative clerk read as follows:

House Resolution 25

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
January 5, 1937.

Resolved, That the House has heard with profound sorrow of the death of Hon. MARION A. ZIONCHECK, a Representative from the State of Washington.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect this House do now adjourn.

Mr. BONE. Mr. President, I send to the desk resolutions which I ask to have read and immediately considered.

The resolutions (S. Res. 30) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Senate Resolution 30

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. MARION A. ZIONCHECK, late a Representative from the State of Washington.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

DEATH OF REPRESENTATIVE DUFFEY, OF OHIO

The VICE PRESIDENT. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The legislative clerk read as follows:

House Resolution 26

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
January 5, 1937.

Resolved, That the House has heard with profound sorrow of the death of Hon. WARREN J. DUFFEY, a Representative from the State of Ohio.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect this House do now adjourn.

Mr. BULKLEY. Mr. President, I send resolutions to the desk, which I ask to have read and considered at this time.

The resolutions (S. Res. 31) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Senate Resolution 31

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. WARREN J. DUFFEY, late a Representative from the State of Ohio.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

DEATH OF REPRESENTATIVE CARY, OF KENTUCKY

The VICE PRESIDENT. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The legislative clerk read as follows:

House Resolution 27

Resolved, That the House has heard with profound sorrow of the death of Hon. GLOVER H. CARY, a Representative from the State of Kentucky.

Resolved, That the Clerk communicate these resolutions to Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect this House do now adjourn.

Mr. LOGAN. Mr. President, I send to the desk a resolution, which I ask to have considered at this time.

The resolutions (S. Res. 32) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Senate Resolution 32

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. GLOVER H. CARY, late a Representative from the State of Kentucky.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

DEATH OF REPRESENTATIVE GREGORY, OF KENTUCKY

The VICE PRESIDENT. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The legislative clerk read as follows:

House Resolution 28

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
January 5, 1937.

Resolved, That the House has heard with profound sorrow of the death of Hon. WILLIAM V. GREGORY, a Representative from the State of Kentucky.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect this House do now adjourn.

Mr. BARKLEY. Mr. President, I send to the desk resolutions, which I ask to have considered at this time.

The resolutions (S. Res. 33) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Senate Resolution 33

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. WILLIAM V. GREGORY, late a Representative from the State of Kentucky.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

DEATH OF REPRESENTATIVE JACOBSEN, OF IOWA

The VICE PRESIDENT. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The legislative clerk read as follows:

House Resolution 23

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
January 5, 1937.

Resolved, That the House has heard with profound sorrow of the death of Hon. BERNHARD M. JACOBSEN, a Representative from the State of Iowa.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect this House do now adjourn.

Mr. GILLETTE. Mr. President, I ask for immediate consideration of the resolutions which I send to the desk.

The resolutions (S. Res. 34) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Senate Resolution 34

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. BERNHARD M. JACOBSEN, late a Representative from the State of Iowa.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

DEATH OF REPRESENTATIVE M'SWAIN, OF SOUTH CAROLINA

The VICE PRESIDENT. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The legislative clerk read as follows:

House Resolution 29

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
January 5, 1937.

Resolved, That the House has heard with profound sorrow of the death of Hon. JOHN J. MCSWAIN, a Representative from the State of South Carolina.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect this House do now adjourn.

Mr. BYRNES. Mr. President, I send resolutions to the desk which I ask to have read and considered at this time.

The resolution (S. Res. 35) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Senate Resolution 35

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. JOHN J. MCSWAIN, late a Representative from the State of South Carolina.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

RECESS TO FRIDAY

Mr. ROBINSON. Mr. President, as a further mark of respect to the memory of the Members of the House of Representatives whose deaths have been announced, I move that the Senate stand in recess until 12 o'clock noon on Friday next.

The motion was unanimously agreed to; and (at 3 o'clock and 40 minutes p. m.) the Senate took a recess until Friday, January 8, 1937, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 6, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, unto whom all hearts are open and all desires known, and from whom no secrets are hid, cleanse the thoughts of our hearts by the inspiration of Thy holy spirit, that we may perfectly love Thee and worthily magnify Thy holy name. Through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

SWEARING IN OF MEMBERS

Mr. BLAND. Mr. Speaker, I offer a resolution (H. Res. 38) and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 38

Whereas ANDREW J. MONTAGUE, a Representative from the State of Virginia, from the third district thereof, has been unable from sickness to appear in person to be sworn as a Member of the House, and there being no contest or question as to his election: Therefore be it

Resolved, That the Speaker, or a deputy named by him, be, and he is hereby, authorized to administer the oath of office to said ANDREW J. MONTAGUE at Urbanna, in the State of Virginia, and that the said oath when administered as herein authorized shall be accepted and received by the House as the oath of office of the said ANDREW J. MONTAGUE.

The resolution was agreed to.

Mr. SNELL. Mr. Speaker, I offer a resolution (H. Res. 39) and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 39

Whereas PHILIP ARNOLD GOODWIN, a Representative from the State of New York, from the Twenty-seventh District thereof, has been unable from sickness to appear in person to be sworn as a Member of the House, and there being no contest or question as to his election: Therefore be it

Resolved, That the Speaker, or a deputy named by him, be, and he is hereby, authorized to administer the oath of office to said PHILIP ARNOLD GOODWIN at Coxsackie, in the State of New York, and that the said oath be accepted and received by the House as the oath of office of the said PHILIP ARNOLD GOODWIN.

The resolution was agreed to.

Mr. LEA. Mr. Speaker, I present a resolution (H. Res. 40) and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 40

Whereas HENRY E. STUBBS, a Representative from the State of California, from the Tenth District thereof, has been unable from sickness to appear in person to be sworn as a Member of the House, and there being no contest or question as to his election: Therefore be it

Resolved, That the Speaker, or a deputy named by him, be, and he is hereby, authorized to administer the oath of office to said HENRY E. STUBBS at Walter Reed General Hospital, in the District of Columbia, and that the said oath be accepted and received by the House as the oath of office of the said HENRY E. STUBBS.

The resolution was agreed to.

ELECTION OF MINORITY MEMBERS TO STANDING COMMITTEES

Mr. SNELL. Mr. Speaker, I offer a resolution (H. Res. 41) providing for the election of certain minority Members to certain committees to which the majority Members were elected on yesterday.

The Clerk read as follows:

House Resolution 41

Resolved, That the minority Members now on the following committees be, and they are hereby, elected minority Members on said committees, to wit:

Ways and Means: ALLEN T. TREADWAY, of Massachusetts; FRANK CROWTHER, of New York; HAROLD KNUTSON, of Minnesota; DANIEL A. REED, of New York; ROY O. WOODRUFF, of Michigan; and THOMAS A. JENKINS, of Ohio.

Appropriations: JOHN TABER, of New York; ROBERT L. BACON, of New York; RICHARD B. WIGGLESWORTH, of Massachusetts; LLOYD THURSTON, of Iowa; W. P. LAMBERTSON, of Kansas; D. LANE POWERS, of New Jersey; and J. WILLIAM DITTER, of Pennsylvania.

Foreign Affairs: HAMILTON FISH, Jr., of New York; JOSEPH W. MARTIN, Jr., of Massachusetts; CHARLES A. EATON, of New Jersey; GEORGE HOLDEN TINKHAM, of Massachusetts; LEO E. ALLEN, of Illinois; and EDITH NOURSE ROGERS, of Massachusetts.

Rules: JOSEPH W. MARTIN, Jr., of Massachusetts; and CARL E. MAPES, of Michigan.

Mr. BOILEAU. Will the gentleman yield?

Mr. SNELL. I yield.

Mr. BOILEAU. I would like to ask the gentleman from New York whether or not those Members placed on committees are the same Members who served on those committees last session?

Mr. SNELL. That is correct.

Mr. BOILEAU. I call attention to the fact at this time that the Farmer-Labor-Progressive Members of the House as yet have not had an understanding as to their committee assignments, and I wanted to bring that to the attention of the House at this time.

Mr. SNELL. As far as I am concerned, I have never had anything to do with your assignments. That is a matter that the majority must take up.

Mr. BOILEAU. I appreciate that fact, but I wanted to know whether or not vacancies on those committees had been filled by minority Members?

Mr. SNELL. The selections today are Republican Members who were members of those same committees last session.

Mr. BOILEAU. I have no objection to that.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

ELECTION OF MAJORITY MEMBERS TO STANDING COMMITTEES

Mr. DOUGHTON. Mr. Speaker, I offer a resolution (H. Res. 42) and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 42

Resolved, That the following-named Members be, and they are hereby, elected members of the standing committees of the House of Representatives, as follows:

Ways and Means: OTHA D. WEARIN, Iowa.

Accounts: LINDSAY C. WARREN, chairman, North Carolina; JOHN J. COCHRAN, Missouri; CHARLES KRAMER, California; JOE STARNES, Alabama; NAT PATTON, Texas; AARON LANE FORD, Mississippi.

The resolution was agreed to.

RESIGNATIONS OF MEMBERS

The SPEAKER laid before the House the following communications:

CHEROKEE, IOWA, *November 28, 1936.*

Hon. WILLIAM BANKHEAD,
Speaker, House of Representatives,
Washington, D. C.

MY DEAR MR. SPEAKER: I hereby tender my resignation as Representative from the Ninth Congressional District of Iowa in the United States Congress because of my election to fill the unexpired portion of the senatorial term of the Honorable Louis Murphy, deceased.

This resignation is to be effective retroactively to November 4, 1936.

Respectfully submitted.

GUY M. GILLETTE.

JUNE 25, 1936.

Hon. WILLIAM B. BANKHEAD,
Speaker of the House of Representatives,
Washington, D. C.

MY DEAR MR. SPEAKER: I beg leave to inform you that I have this day transmitted to the Governor of Washington my resignation as a Representative in the Congress of the United States from the Fifth Congressional District of Washington.

With highest respects, I am,

Sincerely yours,

SAM B. HILL.

(Telegram)

DETROIT, MICH., *November 18, 1936.*

Hon. WILLIAM B. BANKHEAD,
Speaker, House of Representatives,
Washington, D. C.:

With a tinge of regret I submit to you my resignation as a Member of the House because I have enjoyed my association with you and the Members. I have accepted the appointment by the Governor of Michigan to the Senate, effective November 19.

Sincerely and respectfully,

PRENTISS M. BROWN.

CONSERVATION OF WILDLIFE

The SPEAKER laid before the House the report of the special committee to investigate all matters pertaining to the replacement and conservation of wildlife, made pursuant to House Resolution 44, Seventy-fourth Congress, first session, which was referred to the Committee of the Whole House on the state of the Union and ordered printed.

HOUSE OFFICE BUILDING COMMISSION

The SPEAKER, pursuant to the provisions of title 40, sections 175 and 176, United States Code, announced the appointment of Mr. O'CONNOR [New York], and Mr. HANCOCK [New York], members of the House Office Building Commission to serve with himself.

SWEARING IN OF MEMBERS

Mr. RAYBURN. Mr. Speaker, certain Members-elect who were not sworn in yesterday are present today and wish to take the oath of office.

Mr. MEEKS, Mr. MURDOCK of Utah, Mr. BOYKIN, Mr. MCGRANERY, and Mr. SACKS took the oath of office.

EXTENSION OF REMARKS

Mr. CURLEY. Mr. Speaker, I ask unanimous consent to insert in the RECORD an address delivered by myself at the dedication of the Bronx post office in the city of New York.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

RECESS

Mr. RAYBURN. Mr. Speaker, I move that the House stand in recess subject to the call of the Chair.

The motion was agreed to; accordingly (at 12 o'clock and 23 minutes p. m.) the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 12:58 p. m.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Crockett, its Chief Clerk, announced that in accordance with the provisions of Senate Concurrent Resolution 2, agreed to January 5, 1937, the Vice President appointed Mr. GEORGE and Mr. AUSTIN tellers on the part of the Senate to count the electoral votes for President and Vice President of the United States.

COUNTING THE ELECTORAL VOTE

At 1 o'clock p. m. the Doorkeeper, Mr. Joseph J. Sinnott, announced the Vice President of the United States and the Senate of the United States.

The Senate entered the Hall, headed by the Vice President of the United States and the Secretary of the Senate, the Members and officers of the House rising to receive them.

The Vice President took his seat as the presiding officer of the joint convention of the two Houses, the Speaker of the House occupying the chair to his left.

The VICE PRESIDENT. Mr. Speaker and gentlemen of the Congress, the Senate and House of Representatives pursuant to the requirements of the Constitution and laws of the United States have met in joint session for the purpose of opening the certificates and ascertaining and counting the votes of the electors of the several States for President and Vice President. Under well-established precedents, unless a motion shall be made in any case, the reading of the formal portions of the certificates will be dispensed with. After ascertainment has been had that the certificates are authentic and correct in form, the tellers will count and make a list of the votes cast by the electors of the several States.

The tellers heretofore appointed will take their places at the desk.

The tellers, Mr. GEORGE and Mr. AUSTIN on the part of the Senate, and Mr. FLETCHER and Mr. TINKHAM on the part of the House took their places at the desk.

The VICE PRESIDENT. The Chair hands to the tellers the certificates of the electors for President and Vice President of the State of Alabama, and they will count and make a list of the votes cast by that State.

Mr. GEORGE (one of the tellers). Mr. President, the certificate of the electoral vote of the State of Alabama seems to be regular in form and authentic, and it appears therefrom that Franklin Delano Roosevelt, of the State of New York, received 11 votes for President, and John Nance Garner, of the State of Texas, received 11 votes for Vice President.

The VICE PRESIDENT. If there be no objection, the Chair will omit in the further procedure the formal statement just made, and will open in alphabetical order and pass to the tellers the certificates showing the votes of the electors in each State; and the tellers will read, count, and announce the result in each State, as was done with respect to the State of Alabama.

There was no objection.

The tellers then proceeded to read, count, and announce, as was done in the case of Alabama, the electoral votes of the several States in alphabetical order.

The VICE PRESIDENT. Gentlemen of the Congress, the certificates of all States have now been opened and read, and the tellers will make final ascertainment of the result and deliver the same to the Vice President.

The tellers delivered to the Vice President the following statement of the result:

The undersigned, WALTER F. GEORGE and WARREN R. AUSTIN, tellers on the part of the Senate, BROOKS FLETCHER and GEORGE HOLDEN TINKHAM, tellers on the part of the House of Representatives, report the following as the result of the ascertainment and counting of the electoral vote for President and Vice President of the United States for the term beginning on the 20th day of January 1937:

Electoral votes of each State	State	For President		For Vice President	
		Franklin D. Roosevelt, of New York	Alfred M. Landon, of Kansas	John N. Garner, of Texas	Frank Knox, of Illinois
11	Alabama	11		11	
3	Arizona	3		3	
9	Arkansas	9		9	
22	California	22		22	
6	Colorado	6		6	
8	Connecticut	8		8	
3	Delaware	3		3	
7	Florida	7		7	
12	Georgia	12		12	
4	Idaho	4		4	
29	Illinois	29		29	
14	Indiana	14		14	
11	Iowa	11		11	
9	Kansas	9		9	
11	Kentucky	11		11	
10	Louisiana	10		10	
5	Maine		5		5
8	Maryland	8		8	
17	Massachusetts	17		17	
19	Michigan	19		19	
11	Minnesota	11		11	
9	Mississippi	9		9	
15	Missouri	15		15	
4	Montana	4		4	
7	Nebraska	7		7	
3	Nevada	3		3	
4	New Hampshire	4		4	
16	New Jersey	16		16	
3	New Mexico	3		3	
47	New York	47		47	
13	North Carolina	13		13	
4	North Dakota	4		4	
26	Ohio	26		26	
11	Oklahoma	11		11	
5	Oregon	5		5	
36	Pennsylvania	36		36	
4	Rhode Island	4		4	
8	South Carolina	8		8	
4	South Dakota	4		4	
11	Tennessee	11		11	
23	Texas	23		23	
4	Utah	4		4	
3	Vermont		3		3
11	Virginia	11		11	
8	Washington	8		8	
8	West Virginia	8		8	
12	Wisconsin	12		12	
3	Wyoming	3		3	
531		523	8	523	8

WALTER F. GEORGE,
WARREN R. AUSTIN,
Tellers on the part of the Senate.

BROOKS FLETCHER,
GEORGE HOLDEN TINKHAM,
Tellers on the part of the House of Representatives.

The state of the vote for President of the United States, as delivered to the President of the Senate, is as follows:

The whole number of electors appointed to vote for President of the United States is 531, of which a majority is 266.

Franklin D. Roosevelt, of the State of New York, has received for President of the United States 523 votes.

Alfred M. Landon, of the State of Kansas, has received 8 votes.

The state of the vote for Vice President of the United States, as delivered to the President of the Senate, is as follows:

The whole number of the electors appointed to vote for Vice President of the United States is 531, of which a majority is 266.

John N. Garner, of the State of Texas, has received for Vice President of the United States 523 votes.

Frank Knox, of the State of Illinois, has received 8 votes.

This announcement of the state of the vote by the President of the Senate shall be deemed a sufficient declaration of the persons elected President and Vice President of the United States, each for the term beginning on the 20th day of January 1937, and shall be entered, together with a list of the votes, on the Journals of the Senate and House of Representatives.

The VICE PRESIDENT. Gentlemen of the Congress, the purposes for which the joint convention of the two Houses of Congress has been called having been accomplished, I declare it dissolved.

The Senate will stand in recess until 2 o'clock p. m.

The SPEAKER. The House will stand in recess until 2 o'clock p. m.

Thereupon (at 1:30 o'clock p. m.) the Senate and House stood in recess until 2 o'clock p. m.

The joint meeting of the two Houses was called to order by the Speaker at 1:57 p. m.

At 1 o'clock and 58 minutes p. m., the Doorkeeper, Mr. Joseph J. Sinnott, announced the Cabinet of the President of the United States.

The Members of the Cabinet of the President of the United States entered the Chamber and took the seats reserved for them in front of the Speaker's rostrum.

The SPEAKER. On behalf of the House, the Chair appoints the following committee to conduct the President into the Chamber: Mr. RAYBURN, Mr. DOUGHTON, and Mr. SNELL.

The VICE PRESIDENT. On the part of the Senate the Chair appoints as a like committee Senator ROBINSON, Senator PITTMAN, and Senator MCNARY.

At 2 o'clock p. m. the President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House and stood at the Clerk's desk amid prolonged applause.

The SPEAKER. Senators and Representatives of the Seventy-fifth Congress, I have the distinguished honor of presenting the President of the United States. [Applause.]

MESSAGE OF THE PRESIDENT OF THE UNITED STATES

The President of the United States:

Mr. President, Mr. Speaker, and Members of the Congress of the United States:

For the first time in our national history a President delivers his annual message to a new Congress within a fortnight of the expiration of his term of office. While there is no change in the Presidency this year, change will occur in future years. It is my belief that under this new constitutional practice the President should in every fourth year, insofar as seems reasonable, review the existing state of our national affairs and outline broad future problems, leaving specific recommendations for future legislation to be made by the President about to be inaugurated.

At this time, however, circumstances of the moment compel me to ask your immediate consideration of: First, measures extending the life of certain authorizations and powers which, under present statutes, expire within a few weeks; second, an addition to the existing Neutrality Act to cover specific points raised by the unfortunate civil strife in Spain; and, third, a deficiency appropriation bill for which I shall submit estimates this week.

In March 1933 the problems which faced our Nation and which only our National Government had the resources to meet, were more serious even than appeared on the surface.

It was not only that the visible mechanism of economic life had broken down. More disturbing was the fact that long neglect of the needs of the underprivileged had brought too many of our people to the verge of doubt as to the successful adaptation of our historic traditions to the complex modern world. In that, lay a challenge to our democratic form of government itself.

Ours was the task to prove that democracy could be made to function in the world of today as effectively as in the simpler world of a hundred years ago. Ours was the task to do more than to argue a theory. The times required the confident answer of performance to those whose instinctive faith in humanity made them want to believe that in the long run democracy would prove superior to more extreme forms of government as a process of getting action when action was wisdom without the spiritual sacrifices which those other forms of government exact.

That challenge we met. To meet it required unprecedented activities under Federal leadership—to end abuses—to restore a large measure of material prosperity—to give new faith to millions of our citizens who had been traditionally taught to expect that democracy would provide continuously wider opportunity and continuously greater security in a world where science was continuously making material riches more available to man.

In the many methods of attack with which we met these problems, you and I, by mutual understanding and by determination to cooperate, helped to make democracy succeed by refusing to permit unnecessary disagreement to arise between two of our branches of government. That spirit of cooperation was able to solve difficulties of extraordinary magnitude and ramification with few important errors, and at a cost cheap when measured by the immediate necessities and the eventual results.

I look forward to a continuance of that cooperation in the next 4 years. I look forward also to a continuance of the basis of that cooperation—mutual respect for each other's proper sphere of functioning in a democracy which is working well, and a common-sense realization of the need for play in the joints of the machine.

On that basis, it is within the right of the Congress to determine which of the many new activities shall be continued or abandoned, increased or curtailed.

On that same basis the President alone has the responsibility for their administration. I find that this task of Executive management has reached the point where our administrative machinery needs comprehensive overhauling. I shall, therefore, shortly address the Congress more fully in regard to modernizing and improving the executive branch of the Government.

That cooperation of the past 4 years between the Congress and the President has aimed at the fulfillment of a twofold policy—first, economic recovery through many kinds of assistance to agriculture, industry, and banking; and, second, deliberate improvement in the personal security and opportunity of the great mass of our people.

The recovery we sought was not to be merely temporary. It was to be a recovery protected from the causes of previous disasters. With that aim in view—to prevent a future similar crisis—you and I joined in a series of enactments—safe banking and sound currency, the guarantee of bank deposits, protection for the investor in securities, the removal of the threat of agricultural surpluses, insistence on collective bargaining, the outlawing of sweatshops, child labor and unfair trade practices, and the beginning of security for the aged and the worker.

Nor was the recovery we sought merely a purposeless whirring of machinery. It is important, of course, that every man and woman in the country be able to find work, that every factory run, that business as a whole earn profits. But government in a democratic nation does not exist solely, or ever primarily, for that purpose.

It is not enough that the wheels turn. They must carry us in the direction of a greater satisfaction in life for the average man. The deeper purpose of democratic government is to assist as many of its citizens as possible—especially those who need it most—to improve their conditions of life, to retain all personal liberty which does not adversely affect their neighbors, and to pursue the happiness which comes with security and an opportunity for recreation and culture.

Even with our present recovery we are far from the goal of that deeper purpose. There are far-reaching problems still with us for which democracy must find solutions if it is to consider itself successful.

For example, many millions of Americans still live in habitations which not only fail to provide the physical benefits of modern civilization but breed disease and impair the health of future generations. The menace exists not only in the slum areas of the very large cities, but in many smaller cities as well. It exists on tens of thousands of farms, in varying degrees, in every part of the country.

Another example is the prevalence of an un-American type of tenant farming. I do not suggest that every farm family has the capacity to earn a satisfactory living on its own farm. But many thousands of tenant farmers—indeed most of them—with some financial assistance and with some advice and training, can be made self-supporting on land which can eventually belong to them. The Nation would be wise to offer them that chance instead of permitting them to go along as they do now, year after year, with

neither future security as tenants nor hope of ownership of their homes nor expectation of bettering the lot of their children.

Another national problem is the intelligent development of our social security system, the broadening of the services it renders, and practical improvement in its operation. In many nations where such laws are in effect success in meeting the expectations of the community has come through frequent amendment of the original statute.

And, of course, the most far-reaching and the most inclusive problem of all is that of unemployment and the lack of economic balance, of which unemployment is at once the result and the symptom. The immediate question of adequate relief for the needy unemployed who are capable of performing useful work I shall discuss with the Congress during the coming months. The broader task of preventing unemployment is a matter of long-range evolutionary policy. To that we must continue to give our best thought and effort. We cannot assume that immediate industrial and commercial activity which mitigates present pressures justifies the National Government at this time in placing the unemployment problem in a filing cabinet of finished business.

Fluctuations in employment are tied to all other wasteful fluctuations in our mechanism of production and distribution. One of these wastes is speculation. In securities or commodities, the larger the volume of speculation the wider become the upward and downward swings and the more certain the result that in the long run there will be more losses than gains in the underlying wealth of the community.

And, as is now well known to all of us, the same net loss to society comes from reckless overproduction and monopolistic underproduction of natural and manufactured commodities.

Overproduction, underproduction, and speculation are three evil sisters who distill the troubles of unsound inflation and disastrous deflation. It is to the interest of the Nation to have government help private enterprise to gain sound general price levels and to protect those levels from wide perilous fluctuations. We know now that if early in 1931 government had taken the steps which were taken 2 and 3 years later the depression would never have reached the depths of the beginning of 1933.

Sober second thought confirms most of us in the belief that the broad objectives of the National Recovery Act were sound. We know now that its difficulties arose from the fact that it tried to do too much. For example, it was unwise to expect the same agency to regulate the length of working hours, minimum wages, child labor, and collective bargaining on the one hand and the complicated questions of unfair trade practices and business controls on the other.

The statute of N. R. A. has been outlawed. The problems have not. They are still with us.

That decent conditions and adequate pay for labor and just return for agriculture can be secured through parallel and simultaneous action by 48 States is a proven impossibility. It is equally impossible to obtain curbs on monopoly, unfair trade practices, and speculation by State action alone. There are those who, sincerely or insincerely, still cling to State action as a theoretical hope. But experience with actualities makes it clear that Federal laws supplementing State laws are needed to help solve the problems which result from modern invention applied in an industrialized nation which conducts its business with scant regard to State lines.

During the past year there has been a growing belief that there is little fault to be found with the Constitution of the United States as it stands today. The vital need is not an alteration of our fundamental law but an increasingly enlightened view with reference to it. Difficulties have grown out of its interpretation; but rightly considered, it can be used as an instrument of progress and not as a device for prevention of action.

It is worth our while to read and re-read the preamble of the Constitution and article I thereof which confers the legislative powers upon the Congress of the United States. It is also worth our while to read again the debates in the Constitutional Convention of 150 years ago. From such reading, I obtain the very definite thought that the members of that Convention were fully aware that civilization would raise problems for the proposed new Federal Government, which they themselves could not even surmise; and that it was their definite intent and expectation that a liberal interpretation in the years to come would give to the Congress the same relative powers over new national problems as they themselves gave to the Congress over the national problems of their day.

In presenting to the Convention the first basic draft of the Constitution, Edmund Randolph explained that it was the purpose "to insert essential principles only, lest the operation of government should be clogged by rendering those provisions permanent and unalterable which ought to be accommodated to times and events."

With a better understanding of our purposes, and a more intelligent recognition of our needs as a nation, it is not to be assumed that there will be prolonged failure to bring legislative and judicial action into closer harmony. Means must be found to adapt our legal forms and our judicial interpretation to the actual present national needs of the largest progressive democracy in the modern world.

That thought leads to a consideration of world problems. To go no further back than the beginning of this century, men and women everywhere were seeking conditions of life very different from those which were customary before modern invention and modern industry and modern communications had come into being. The World War, for all of its tragedy, encouraged these demands and stimulated action to fulfill these new desires.

Many national governments seemed unable adequately to respond; and, often with the improvident assent of the masses of the people themselves, new forms of government were set up with oligarchy taking the place of democracy. In oligarchies, militarism has leaped forward, while in those nations which have retained democracy militarism has waned.

I have recently visited three of our sister republics in South America. The very cordial receptions with which I was greeted were in tribute to democracy. To me the outstanding observation of that visit was that the masses of the peoples of all the Americas are convinced that the democratic form of government can be made to succeed and do not wish to substitute for it any other form of government. They believe that democracies are best able to cope with the changing problems of modern civilization within themselves, and that democracies are best able to maintain peace among themselves.

The Inter-American Conference, operating on these fundamental principles of democracy, did much to assure peace in this hemisphere. Existing peace machinery was improved. New instruments to maintain peace and eliminate causes of war were adopted. Wider protection of the interests of the American republics in the event of war outside the Western Hemisphere was provided. Respect for, and observance of, international treaties and international law were strengthened. Principles of liberal trade policies, as effective aids to the maintenance of peace were reaffirmed. The intellectual and cultural relationships among American republics were broadened as a part of the general peace program.

In a world unhappily thinking in terms of war, the representatives of 21 nations sat around a table, in an atmosphere of complete confidence and understanding, sincerely discussing measures for maintaining peace. Here was a great and a permanent achievement directly affecting the lives and security of the 250,000,000 human beings who dwell in this Western Hemisphere. Here was an example which must have a wholesome effect upon the rest of the world.

In a very real sense, the conference in Buenos Aires sent forth a message on behalf of all the democracies of the world to those nations which live otherwise. Because such other governments are perhaps more spectacular, it was high time for democracy to assert itself.

Because all of us believe that our democratic form of government can cope adequately with modern problems as they arise, it is patriotic as well as logical for us to prove

that we can meet new national needs with new laws consistent with a historic constitutional framework clearly intended to receive liberal and not narrow interpretation.

The United States of America, within itself, must continue the task of making democracy succeed.

In that task the legislative branch of our Government will, I am confident, continue to meet the demands of democracy whether they relate to the curbing of abuses, the extension of help to those who need help, or the better balancing of our interdependent economies.

So, too, the executive branch of the Government must move forward in this task, and, at the same time, provide better management for administrative action of all kinds.

The judicial branch also is asked by the people to do its part in making democracy successful. We do not ask the courts to call nonexistent powers into being, but we have a right to expect that conceded powers or those legitimately implied shall be made effective instruments for the common good.

The process of our democracy must not be imperiled by the denial of essential powers of free government.

Your task and mine is not ending with the end of the depression. The people of the United States have made it clear that they expect us to continue our active efforts in behalf of their peaceful advancement.

In that spirit of endeavor and service I greet the Seventy-Fifth Congress at the beginning of this auspicious new year.

At 2 o'clock and 35 minutes p. m., the President retired from the Hall of the House.

At 2 o'clock and 36 minutes p. m., the Speaker announced that the joint session was dissolved.

Thereupon the Vice President and the Members of the Senate returned to their Chamber.

THE PRESIDENT'S MESSAGE

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that the message of the President be referred to the Committee of the Whole House on the state of the Union and ordered printed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

SWEARING IN OF MEMBER

Mr. DRIVER. Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 43

Whereas BEN CRAVENS, a Representative from the State of Arkansas, from the fourth district thereof, has been unable from sickness to appear in person to be sworn as a Member of the House, and there being no contest or question as to his election: Therefore be it

Resolved, That the Speaker, or a deputy named by him, be, and he is hereby, authorized to administer the oath of office to said BEN CRAVENS in the District of Columbia, and that the said oath be accepted and received by the House as the oath of office of the said BEN CRAVENS.

The resolution was agreed to.

AMENDMENT OF THE NEUTRALITY ACT

Mr. McREYNOLDS. Mr. Speaker, I ask unanimous consent to proceed for 3 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. McREYNOLDS. Mr. Speaker, an unusual condition now exists, which, to my mind, makes it necessary for this House to take some immediate action. I refer to shipments of armament being made to the scene of the civil war now being carried on in Spain.

I am sure that no man in this House wants to be a party to this carnage. It is necessary for immediate action to be taken to stop these shipments. The President is very anxious that this should be done, but under the law as it exists at the present time the law does not apply to civil warfare. You have noticed from the press that licenses have been issued to parties who are in a great rush to get this armament out of the United States before such shipment can be stopped. There is a race on between the Congress and the people who want to send these deadly instruments of warfare to Spain to help carry on this carnage.

So, Mr. Speaker, I ask unanimous consent to offer a resolution which would empower this House to take this matter up this afternoon. I want it understood that the Senate has a similar resolution, and it will probably be passed before we can take action here. If you permit this matter to be considered now we can offer the resolution as a substitute for the Senate measure.

Mr. Speaker, I offer the resolution, which I now send to the desk and ask unanimous consent for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it may be in order for the Speaker to recognize the chairman of the Committee on Foreign Affairs to move to suspend the rules and pass the joint resolution, House Joint Resolution 80, entitled "A joint resolution to prohibit the exportation of arms, ammunition, and implements of war from the United States to Spain."

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. MAVERICK, Mr. FISH, and Mr. O'MALLEY rose.

Mr. BERNARD. Mr. Speaker, I object.

Mr. McREYNOLDS. Mr. Speaker, will not the gentleman withhold his objection so we may explain the purpose of the resolution?

Mr. BERNARD. I withhold it, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. MAVERICK].

SPANISH CIVIL WAR IMPORTANT TO THE WHOLE WORLD

Mr. MAVERICK. Mr. Speaker, this matter is probably the most important that will come before us this year and I want to make a few observations before we take up this resolution. This is a reversal of a policy of the United States Government of 150 years. It is a reversal of international law of four centuries.

We may have a revolution in Mexico very soon. If so, it will be financed by American money and we will be placed in the position of having a revolution in a sister republic financed with American money, and our hands will be tied by a precedent like this. With American money the Mexican insurgents, if rebellion occurs, will get their munitions in Europe. We are setting a bad precedent.

RESOLUTION ON NEUTRALITY LAST YEAR NO GOOD; NEITHER IS THIS

Mr. Speaker, I do not say this resolution is wrong, but it refers to Spain alone. Last year I stated that the resolution on neutrality we enacted then was no good, and times have shown this to be true. I now say that this one is not either. If we are going to have neutrality, let us have it for the whole world [applause]; and if we do not have it for the whole world, let us not have it at all.

We wanted neutrality the last time and we did not get it. This is not neutrality, it is against neutrality. We are taking a stand against a democratic government, the parliamentary Government of Spain; and we are not indulging in neutrality, because this is the opposite. I am in favor of neither side in any foreign country. But we must face the facts. I think we should have some time to discuss the matter and not just 20 minutes. We talk for hours, days, and weeks on matters which are unimportant, and we rush through matters of such grave importance as this.

Mr. FISH. Mr. Speaker, reserving the right to object——

The SPEAKER. Has the gentleman from Texas concluded for the present?

Mr. MAVERICK. I reserve the right to object, Mr. Speaker.

The SPEAKER. The gentleman from New York is recognized.

Mr. FISH. Mr. Speaker, I have considerable sympathy with the remarks of the gentleman from Texas. As the gentleman stated, it seems to me this is one of the most important pieces of legislation that will come before this body.

We should give it every possible consideration. I am quite sure that on our side there is no desire to block or delay

any consideration of this joint resolution, but we should like ample time to discuss it and an opportunity, if necessary, to amend it and to strike out the preamble. We are prepared on this side to consider the resolution immediately and adopt it, if necessary, before adjournment today. But we insist that it should not come up under a gag rule with only 20 minutes on each side and with no right to amend.

Mr. McREYNOLDS. Let me say that there is no inclination by anyone to cut off debate. I shall be glad, if this resolution is passed by unanimous consent, to have an hour for debate.

Mr. MAVERICK. Will it be subject to amendment?

Mr. McREYNOLDS. That is not in the resolution.

Mr. BOILEAU. Mr. Speaker, reserving the right to object, it seems to me that the gentleman from Tennessee is not indulging in overgenerosity by suggesting an hour for debate. In my judgment, this is one of the most important matters that will come before Congress at this session. I believe that we should have several hours' debate, with the opportunity for amendment, so that we can consider it fairly and squarely. I am sure that Members will be glad to stay here until midnight, if necessary, in order to dispose of the matter. We do demand that we should have adequate time to consider it.

Mr. FISH. Mr. Speaker, we should have an hour on each side. The Speaker yesterday stated that this is the greatest deliberative body in the world and here we are starting off under a gag rule without the power of amendment. I am sure that no time will be lost if we are given an hour on each side with the right to amend.

Mr. O'MALLEY. Mr. Speaker, from the information that the gentleman from Tennessee [Mr. McREYNOLDS] gives us, it is apparent that this resolution, which I have not seen—and I doubt whether other Members have seen it in print—applies only to Spain. If it is intended to bring about neutrality and stop the shipment of arms to countries engaged in civil war, why does it not say all countries engaged in civil war?

Mr. McREYNOLDS. Mr. Speaker, will the gentleman yield?

Mr. O'MALLEY. Why pick out Spain? I remind this House that 4 years ago when I first took my seat, a bill was brought in here, was hastened, it was said the President wanted it, and only 11 Members voted against it. I was one of those 11. A few days later we found that it had been tabled in the other body because the President had wanted nothing like it. Why hurry about this thing, why rush it through in this way under suspension of the rules, when nobody can amend it? Why do we not have some debate, why can we not spend all day on this question, and if necessary, until midnight? There are some of us who believe we have a duty here to spend some time in considering the grave questions that confront us, instead of trying to rush legislation so as to be free to pursue our private efforts.

Mr. LANHAM. Mr. Speaker, will the gentleman yield?

Mr. McREYNOLDS. I yield to the gentleman from Texas.

Mr. LANHAM. The present neutrality law will expire by its terms before this session of Congress will have adjourned. It is natural to assume that during this session we shall have general neutrality legislation upon which there will be adequate opportunity for debate and for amendment. My understanding is that the purpose of this resolution is not the enactment of general neutrality legislation but merely to correct a defect which has arisen through world circumstances that make an amendment to the present temporary neutrality law necessary, which still leaves it necessary for us later to enact general neutrality legislation. Is not that correct?

Mr. McREYNOLDS. The gentleman is correct. The present neutrality law expires May 1, but the present law does not cover this civil war.

Mr. O'MALLEY. Mr. Speaker, will the gentleman yield?

Mr. McREYNOLDS. In a moment. We are now working on a general neutrality law which will come before this House and which will cover any condition of civil warfare in any country when it is brought to the House; and as far as I am concerned gentlemen may have all the time in the world to debate it. At this time, this is an emergency. These shipments are being made, and what we are trying to do now is to stop the shipment by this special act. That is the reason I am asking for this special consideration. I was advised by a Senator a few minutes ago that that body would pass this resolution this afternoon.

Mr. O'MALLEY. This body, under the rules, cannot consider what another body may do in respect to a piece of legislation.

Mr. BOILEAU and Mr. MAVERICK rose.

The SPEAKER. To whom does the gentleman yield?

Mr. McREYNOLDS. Mr. Speaker, I yield to the gentleman from Texas [Mr. MAVERICK].

IF YOU DO NOT SELL TO SPAIN, DO NOT SELL TO ANY COUNTRY

Mr. MAVERICK. Mr. Speaker, I think this legislation is hasty and ill-advised. It was hasty and ill-advised last year, and there is no occasion for this sudden action. Why have we not been more fully advised? It just covers Spain. Why should we not apply it equally to all countries? The revolution in Spain has been going on for 7 months. It has always been the practice of our Government to send munitions to the legal government, irrespective of its merits. If we are to send munitions at all, send them to every nation—to Hitler or Mussolini, if they have a revolution. It has always been the policy of this Nation to maintain the status quo of the recognized parliamentary government or of the de facto, or even the Fascist government. Why, then, should we pick out Spain and suddenly say that we will pass this bit of emergency legislation? One of the criticisms of our Government has been that it indulges in hasty and ill-advised legislation. They have been killing each other over there in Spain for several months. What we do in the next few minutes will not amount to much; possibly they will kill each other for 10 hours more. We treated the American troops in that way around the time of the armistice. I want the gentleman to say why we should violate the precedents of 150 years, pick out Spain, and not pass a general law. I favor an embargo against every nation.

Mr. McREYNOLDS. But the gentleman from Texas is mistaken about the precedents.

Mr. MAVERICK. No, no. I have been studying this problem for a long time.

Mr. McREYNOLDS. I beg the gentleman's pardon, but I cite him to the special acts which we passed for the control of a situation in South America, and I cite him further to the acts we passed for the control of a situation in China, where we have extraterritorial jurisdiction.

Mr. MAVERICK. I am willing that our continents of America should protect themselves, but I am not willing to take part in a European squabble. If we exclude Spain, let us exclude also Germany, Soviet Russia, Japan—all nations on earth, except possibly nations on our own continent, which is another question.

Mr. O'MALLEY. Mr. Speaker, under the rule this resolution cannot be amended by a single word or line. Is not that correct, I ask the gentleman from Tennessee?

Mr. McREYNOLDS. If this resolution is passed, it cannot.

Mr. O'MALLEY. It cannot. In the manner in which your committee has brought it up, it cannot be amended. The bill reads "Spain", so it will be impossible for any Member to insert in place of the word "Spain" the words "all countries engaged in civil war." Is that not correct?

Mr. McREYNOLDS. That is correct, but let me say to the gentleman this only applies where there is civil warfare, where our people are attempting to ship armaments. I know that the Members of this House do not want these arms shipped to Spain or to any other country where civil warfare is going on.

Mr. MAVERICK. I did not want them shipped to Italy last year.

Mr. PIERCE. Will the gentleman yield?

Mr. McREYNOLDS. I yield.

Mr. PIERCE. Is it true that these munitions are going to friends of democracy in Spain?

Mr. McREYNOLDS. They are going to both sides, I understand.

Mr. PIERCE. Is it undue haste to support the friends of democracy in Spain?

Mr. DICKSTEIN. Mr. Speaker, regular order.

Mr. O'MALLEY. Mr. Speaker, I demand the regular order.

The SPEAKER. Does the gentleman from Tennessee yield?

Mr. McREYNOLDS. I yield to the gentleman from Massachusetts [Mr. CONNERY].

Mr. CONNERY. I am in entire sympathy with what the gentleman from Tennessee [Mr. McREYNOLDS] is attempting to do, but there are two points which I want cleared up. It is the desire of the gentleman to stop these shipments that are now in New York Harbor going across to people either for or against the Government of Spain?

Mr. McREYNOLDS. Yes, sir.

Mr. CONNERY. We want to stop that. Now, suppose some of those shipments are consigned to Germany and they are to go into Spain. What about that?

Mr. McREYNOLDS. This resolution covers that. It does not mention Germany, but it says "any neutral country."

Mr. CONNERY. And the gentleman intends to bring in legislation later which we will have a chance to debate and amend?

Mr. McREYNOLDS. Yes; absolutely.

Mr. CONNERY. Ordinarily I would not vote for this kind of rule, but I am in hearty sympathy with what the gentleman is trying to do, and I shall vote for the resolution.

Mr. McREYNOLDS. I thank the gentleman.

Mr. WHITE of Idaho. Will the gentleman yield?

Mr. McREYNOLDS. I yield.

Mr. WHITE of Idaho. I should like to ask the gentleman from Tennessee whether this legislation has been submitted to the Department of State and whether it has had the approval of the Secretary of State?

Mr. McREYNOLDS. It has the approval of the Secretary of State, and it has been approved by the President of the United States personally.

Mr. HILL of Washington. Will the gentleman yield?

Mr. McREYNOLDS. I yield.

Mr. HILL of Washington. I am in hearty sympathy with this kind of legislation, but why not make it general? May I ask the gentleman from Tennessee, if there were a revolution in England today, would he introduce this resolution?

Mr. McREYNOLDS. I surely would, if it were a civil war.

Mr. HILL of Washington. Against the present government in England?

Mr. McREYNOLDS. If I had my way about it, it would cover every country, and I expect to offer an amendment to the bill when it comes before this House later, covering any civil war.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. McREYNOLDS. I yield.

Mrs. ROGERS of Massachusetts. Is it not true that the administration could have refused to issue a license for the shipment of these airplanes to Spain?

Mr. McREYNOLDS. The administration could not refuse; otherwise it would have refused.

Mrs. ROGERS of Massachusetts. I understood they could have refused to issue a license.

Mr. McREYNOLDS. They had no legal right to refuse it.

Mr. BOILEAU. Will the gentleman yield?

Mr. McREYNOLDS. I yield to the gentleman from Wisconsin.

Mr. BOILEAU. I should like to ask if it is not a fact that the reason for asking immediate consideration is upon the theory that unless this resolution is passed today, this boat which we have read so much about will be sailing on toward Spain?

Mr. McREYNOLDS. That and other boats, yes.

Mr. BOILEAU. I understand the boat was on its way about 20 minutes ago, and that even if we act today the Senate undoubtedly will not act until tomorrow——

Mr. McREYNOLDS. I understood they would act today.

Mr. BOILEAU. In any event, does not the gentleman believe we ought to have a couple of hours this afternoon to talk about it and thresh this thing out, and then take it up for amendment tomorrow morning?

Mr. McREYNOLDS. We want to catch them before they get outside the 3-mile limit.

Mr. BOILEAU. They ought to make that before we ever pass this bill.

Mr. MAVERICK. Will the gentleman yield further?

Mr. McREYNOLDS. I yield to the gentleman from Texas.

LET US ENACT NEUTRALITY NOW

Mr. MAVERICK. The gentleman said when this comes up on the floor later he is willing for an amendment to be added which will make it apply to all countries. I am willing for it to apply to all countries now. Is the gentleman not willing to let this be considered for amendment, so that we can apply it to the British Empire and the German Fascist Government, and every other country? I say this because I hope we stop arms shipments to every country.

Mr. McREYNOLDS. May I say to the gentleman there is no country where this could apply soon? This is an emergency, and for that reason we are asking that it apply only to Spain.

Within the next 2 or 3 weeks a general neutrality bill will be presented to the House in which there will be provision applying to civil war in any country and giving the President power to stop the shipment of armaments to those countries.

Mr. MAVERICK. Is the present situation in Spain one of civil war, or is it intervention by Italy and Germany?

Mr. McREYNOLDS. I do not know what is causing it, but I know they are fighting over there, and we do not want to get into it. [Applause.]

Mr. MAVERICK. All right; let us not get into it; let us keep out of it. But let us keep out of all wars and not just the Spanish.

Mr. McREYNOLDS. I am doing all in my power, and my committee is doing all in its power, to keep this country out of war. [Applause.]

Mr. MAVERICK. So am I. And so is everybody else on this floor.

Mr. EATON. Mr. Speaker, will the gentleman yield?

Mr. McREYNOLDS. Yes.

Mr. EATON. Are we to understand this resolution will cancel these licenses which have been issued by the State Department?

Mr. McREYNOLDS. It will if the ships are not over 3 miles at sea by the time it becomes law.

Mr. EATON. Suppose the shipments are consigned to Germany or to Italy.

Mr. McREYNOLDS. This covers shipments to any neutral country which shipments we have reason to know are going to a warring country.

Mr. EATON. Does the resolution so state?

Mr. McREYNOLDS. Yes.

Mr. HEALEY. Mr. Speaker, will the gentleman yield?

Mr. McREYNOLDS. Yes.

Mr. HEALEY. In answer to the question propounded by the gentlewoman from Massachusetts the gentleman from Tennessee stated that under existing laws the licenses could not be withheld.

Mr. McREYNOLDS. Yes.

Mr. HEALEY. Is it the purpose of this resolution to prevent further licenses being issued for the purpose of shipping munitions of war?

Mr. McREYNOLDS. Yes; to Spain.

Mr. O'MALLEY. Mr. Speaker, will the gentleman yield?

Mr. McREYNOLDS. Yes.

Mr. O'MALLEY. Can the gentleman advise how it is possible for us to give adequate study to this resolution when it is not even in print? Some of us do not like to vote for bills when we have not copies of them to study.

Mr. McREYNOLDS. I can give the gentleman a copy of this resolution. It is brought up in its present shape because of the emergency; but there is not very much to consider, I

may say to the gentleman from Wisconsin; it is just a plain little resolution.

Mr. O'MALLEY. If it is only a question of the stopping of the one or two shipments that have already been licensed, I am wondering, if the Government really wanted to stop them, whether they could not find some reason why those ships should not leave port.

Mr. McREYNOLDS. I know of no way in which it could be done.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. McREYNOLDS. I yield.

Mr. RAYBURN. I may say to the chairman of this committee that I think there is not a man or woman in the House who does not want and who does not expect the gentleman's committee to bring in general neutrality legislation; but the very mechanics of bringing in general legislation is such that it makes it impossible to do it today. This is strictly and solely an emergency proposition. This resolution is brought in to meet a specific emergency and nothing else.

I ask the gentleman if it is not his purpose when he brings in general neutrality legislation to bring it in under such conditions that each and every Member of the House may be heard and may have full opportunity to offer amendments?

Mr. McREYNOLDS. The gentleman is exactly right about it. We are trying now to formulate the new neutrality bill, which will be introduced, I hope, in a few days. When this neutrality bill comes to the floor of the House, if I have my way, it will be under an open rule and every Member can be heard and can offer amendments. We want that bill to be thoroughly discussed.

Mr. O'CONNOR of New York. Mr. Speaker, will the gentleman yield?

Mr. McREYNOLDS. I yield.

Mr. O'CONNOR of New York. Does the gentleman object to the offering of any amendment to the pending resolution?

Mr. McREYNOLDS. I am afraid it would delay its passage.

Mr. MAVERICK. Why should it delay passage if debate is limited to 2 hours?

Mr. McREYNOLDS. Mr. Speaker, I am willing to give the gentleman plenty of time; that is all I can do. I shall take scarcely any time. I will give the gentleman most of my time.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. MAVERICK and Mr. BERNARD objected.

Mr. McREYNOLDS. Mr. Speaker, I ask unanimous consent that the resolution may be considered in the House as in the Committee of the Whole, and that debate be limited to half an hour a side, subject to the rules of the House.

Mr. O'MALLEY. Mr. Speaker, I object.

Mr. FISH. Mr. Speaker, will not the gentleman make it an hour a side?

Mr. McREYNOLDS. The resolution will be considered under the 5-minute rule.

Mr. RANKIN. Mr. Speaker, I hope the gentleman will withdraw his objection.

Mr. O'MALLEY. If in addition to the hour's debate, divided equally, the resolution will be taken up under the 5-minute rule, I will withdraw my objection.

Mr. Speaker, I withdraw my objection.

Mr. MAVERICK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MAVERICK. Do I understand that if the resolution comes up in the way now requested by the gentleman from Tennessee that amendments may be offered?

The SPEAKER. Yes; under the general rules of the House.

Mr. FISH. Mr. Speaker, reserving the right to object, will not the gentleman be willing to make the time 45 minutes to a side?

Mr. McREYNOLDS. Mr. Speaker, I ask the consideration of the membership and hope they will not insist on more than half an hour a side, for the resolution is to be considered under the 5-minute rule. I hope no objection will be made.

Mr. FISH. Is it the intention of the committee to consider it under the 5-minute rule?

Mr. McREYNOLDS. Yes.

Mr. FISH. I do not think there will be objection to that.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that this resolution may be considered in the House as in the Committee of the Whole, that general debate be limited to 1 hour, one-half to be controlled by the gentleman from Tennessee [Mr. McREYNOLDS] and one-half by the gentleman from New York [Mr. FISH], at the expiration of which time the bill is to be read under the 5-minute rule.

Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. BERNARD. Mr. Speaker, I object.

Mr. BOILEAU. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state the point of order.

Mr. BOILEAU. I may state that the gentleman from Minnesota [Mr. BERNARD] was on his feet and tried two or three times to gain the attention of the Speaker and to object. I am sure the Speaker did not see the gentleman from Minnesota, but he was on his feet attempting to make his objection. I therefore request the Speaker to give further consideration to the gentleman's wishes in this respect.

Mr. McREYNOLDS. I think the gentleman's objection came too late.

Mr. BERNARD. Mr. Speaker, I objected four times.

Mr. McREYNOLDS. I understood the Chair had already ruled.

The SPEAKER. Does the gentleman from Minnesota [Mr. BERNARD] state to the Chair that he was on his feet objecting to the unanimous-consent request?

Mr. BERNARD. Mr. Speaker, I objected four times.

The SPEAKER. Was the gentleman on his feet when the Chair put the unanimous-consent request?

Mr. BERNARD. I objected; yes.

The SPEAKER. Objection is heard to the unanimous-consent request.

Mr. O'CONNOR of New York. Mr. Speaker, I ask unanimous consent to make an announcement at this time.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. O'CONNOR of New York. Mr. Speaker, the Rules Committee will meet in 10 minutes.

Mr. RAYBURN. Mr. Speaker, I move that the House do now recess until 3:30 o'clock today.

The motion was agreed to; accordingly (at 3 o'clock and 12 minutes p. m.) the House stood in recess until 3 o'clock and 30 minutes p. m.

AFTER RECESS

The recess having expired, the House (at 3 o'clock and 40 minutes p. m.) resumed its session.

SWEARING IN OF MEMBER

Mr. ANDRESEN of Minnesota appeared at the bar of the House and took the oath of office.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Crockett, its Chief Clerk, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S. J. Res. 3. Joint resolution to prohibit the exportation of arms, ammunition, and implements of war from the United States to Spain.

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. GIBSON members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments", for the disposition of executive papers in the following

departments, viz: Department of the Treasury, Department of War, Department of the Interior, Department of Agriculture, Department of Commerce, Department of Labor, United States Tariff Commission, and Export-Import Bank of Washington.

Mr. O'CONNOR of New York. Mr. Speaker, I ask unanimous consent that it shall be in order at this time to consider the Senate joint resolution which has just been reported to the House under the general rules of the House, with 1 hour's general debate, to be equally divided between the gentleman from Tennessee [Mr. McREYNOLDS] and the gentleman from New York [Mr. FISH].

The SPEAKER. Does the Chair understand the request provides that the resolution shall be considered in the House as in Committee of the Whole?

Mr. O'CONNOR of New York. Yes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. BOILEAU. Mr. Speaker, reserving the right to object, that, of course, will give opportunity for the offering of amendments?

Mr. O'CONNOR of New York. Yes.

Mr. BOILEAU. And there is provided an hour's debate altogether?

Mr. O'CONNOR of New York. Yes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. BERNARD. Mr. Speaker, I object.

Mr. O'CONNOR of New York. Mr. Speaker, by direction of the Committee on Rules I file a privileged resolution for printing in the RECORD and move the present consideration of the resolution.

The Clerk read the resolution as follows:

House Resolution 44

Resolved, That upon the adoption of this resolution the House as in the Committee of the Whole House on the state of the Union shall consider the joint resolution, Senate Joint Resolution 3; that there shall be not to exceed 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, whereupon the joint resolution shall be read for amendment under the 5-minute rule.

The SPEAKER. The question is, Shall the House consider the resolution?

The question was taken; and two-thirds having voted in favor thereof, the House decided to consider the joint resolution.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

The SPEAKER. The Clerk will report Senate Joint Resolution No. 3.

The Clerk read as follows:

Senate Joint Resolution 3

Resolved, etc., That during the existence of the state of civil strife now obtaining in Spain it shall, from and after the approval of this resolution, be unlawful to export arms, ammunition, or implements of war from any place in the United States, or possessions of the United States, to Spain or to any other foreign country for transshipment to Spain or for use of either of the opposing forces in Spain.

Arms, ammunition, or implements of war, the exportation of which is prohibited by this resolution, are those enumerated in the President's proclamation, no. 2163, of April 10, 1936.

Licenses heretofore issued under existing law for the exportation of arms, ammunition, or implements of war to Spain, shall, as to all future exportations thereunder, ipso facto, be deemed to be canceled.

Whoever in violation of any of the provisions of this resolution shall export, or attempt to export, or cause to be exported, either directly or indirectly, arms, ammunition, or implements of war from the United States or any of its possessions, shall be fined not more than $10,000 or imprisoned not more than 5 years, or both. When in the judgment of the President the conditions described in this resolution shall have ceased to exist he shall proclaim such fact, and the provisions thereof shall thereupon cease to apply.

Mr. MAVERICK. Mr. Speaker, may I submit a parliamentary inquiry for information?

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. MAVERICK. Is the Senate bill the same as the House measure except that all the whereases are cut out?

The SPEAKER. The Chair is not able to acquaint the gentleman of that fact.

Mr. McREYNOLDS. Mr. Speaker, I may say that the wording is exactly the same, with that exception.

The SPEAKER. The Chair will state to the gentleman from Texas that the Chair is informed by the Clerk that the Senate resolution does not contain a preamble.

Mr. McREYNOLDS. That is the only change.

Mr. WOODRUM assumed the chair as Speaker pro tempore.

Mr. McREYNOLDS. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. JOHNSON].

Mr. JOHNSON of Texas. Mr. Speaker, there should be no difference of opinion about the necessity for the immediate adoption of this resolution. It is a resolution not designed to enact general neutrality legislation, that being a matter which will shortly be considered in this House, because the present neutrality law under its own terms will expire on May 1, and the Foreign Affairs Committee of the House will soon begin hearings upon a new bill, which will be promptly reported to the House, and this body will then have opportunity to consider fully and fairly a permanent measure with respect to neutrality.

The pending resolution, which this afternoon was passed by the Senate, as I understand, by a vote of 80 to nothing, is now before us for adoption or rejection. The only difference between the Senate resolution, as passed by that body, which we are now considering, and the House joint resolution, which the chairman of our committee, Mr. McREYNOLDS, sought to have considered, but which consideration was prevented by objection of certain gentlemen, is that the preamble is stricken from the measure. The preamble merely set forth the reasons which not only justify, but, in my judgment, demand, its passage.

The immediate passage of this measure is necessary because of the grave condition which exists with respect to the revolution now going on in Spain. The measure is not discriminatory in favor of or against either of the belligerents. We take no sides in that controversy by passing this resolution. Its terms apply equally and alike to both belligerents, and prohibits the shipment of arms, ammunition, and implements of war to the defenders of the existing Spanish Government or to the insurgents who are seeking to overthrow it, and it also prohibits the shipment to any other country for reshipment to Spain.

Our existing neutrality law prohibits such shipments when two or more countries are in a state of war, but it does not apply to a civil war wholly within a country.

The bloody war now being so relentlessly waged in Spain is not local; it is more than a civil war; it involves not only the peace of Spain but threatens the peace of the world.

Certain European powers who love war more than peace are giving aid and comfort to the respective belligerents and are aligning themselves with one side or the other, and a general European war is not only a possibility but constitutes a grave menace at this hour.

If we permit our munition makers or those who deal in implements of war to supply them to either of these belligerents, we not only countenance but we encourage and aid in the continuance of that war—a war which, if continued, may not only involve Europe but may embroil the nations of the earth in another great world war.

The necessity for the immediate passage of this resolution is due to the fact that the munition dealers are trying to ship their implements of death and destruction before Congress can act to prevent them from doing so; as proof of this let me read a news item which appeared in today's Baltimore Sun:

A race, dramatic but perilous to the peace of the world, is on between the Congress of the United States and at least two exporters of arms now loading or assembling implements of war for Spain.

If the House and Senate leaders, backed by the White House, can drive through a concurrent resolution by tomorrow night empowering the State Department to cancel existing export licenses, one

shipment of aircraft, now being loaded in New York with feverish speed, may be held up.

Another shipment of even greater value, licensed late today and consigned to the Spanish Ambassador to Mexico but ordered sent to Valencia, would surely be embargoed.

SECOND EXPORTER GETS LICENSE

This second shipment license was obtained by Richard L. Dineley, a Pacific coast exporter, and he plans to send $4,507,000 worth of airplanes, machine guns, and millions of cartridges to the Spanish Socialist Government. He said his contract calls for delivery of goods worth in all about $9,000,000, for in addition to the war materials for which he obtained a license, he said it calls for gas masks and other items not covered by the licensing law.

This exporter asserted he was acting through the "Consolidated Industries Co." which he described as a "dummy" for several munitions companies.

I may state further that if we want to stop the shipment of arms and munitions that are now being sent to Spain, the thing for us to do is to pass this resolution before we adjourn, without a single amendment, for the adoption of one amendment would necessitate delay in securing the Senate's concurrence, and delay would be to the advantage only of the munition dealers. They are the only persons who should oppose this resolution.

[Here the gavel fell.]

Mr. McREYNOLDS. Mr. Speaker, I yield the gentleman from Texas 2 additional minutes.

Mr. JOHNSON of Texas. Mr. Speaker, if we pass this resolution, we give notice to the world that insofar as we are concerned we are for peace and that the United States will not give countenance, aid, or comfort to the cruel and barbarous war now being waged in Spain by furnishing them with the implements of death and destruction. The policy of our President is well known. He stands for peace. America is a great peace-loving nation and we should aline ourselves with those countries that believe in peace and not in war.

Mr. Speaker, I shall not take any further time of the House. This is not the time to discuss what kind of neutrality legislation should be finally enacted. It should have teeth in it and be designed to keep our country out of the wars of other countries. This is a specific resolution dealing with a specific situation in Spain, about which there should be no difference of opinion. There is not a condition existing in the world at this time comparable with the condition existing in Spain, and we cannot pass any legislation that will affect any other country as it would Spain, because the conditions there are entirely different from those prevailing in any other part of the world.

I submit the question to the House and ask for a vote in favor of the resolution without amendment, and there should not be a single vote against it. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Speaker, I have secured a typed copy of the pending resolution, and I should like to call to the attention of the Committee the next to the last paragraph, which provides that whoever violates any of the provisions of this law or shall attempt to do so, or shall attempt to export, directly or indirectly, and so forth, and I am wondering how it will be possible under the wording of the resolution to prevent a person making a shipment of munitions to a foreign country and then transshipping such shipment to a country where there is civil war.

I think the gentleman from Texas [Mr. MAVERICK], who spoke earlier in the day, expressed the sentiment of the majority of the House. Why would it not be better to bring in a resolution that applies to the shipment of munitions of all kinds whenever there is a civil war anywhere in the world? Then you could not transship at all. There is nothing to prevent the shipment of munitions that my good friend Mr. JOHNSON has mentioned to some country where there is no civil war and then transship to Spain. They can first ship to Mexico, or San Salvador, or Guatemala, and then transship to Spain.

Mr. McREYNOLDS. I think the gentleman has overlooked the first section of the bill.

Mr. KNUTSON. I have not overlooked any part of the bill. But after these shipments leave this country we lose all control over them. If we want to be really neutral we should pass legislation that will make it absolutely impossible for an American to ship munitions to any country where there is war, civil or otherwise.

All you are doing here I am afraid—and I hope I am wrong—is to simply delay the shipment by compelling the owner to ship to a neutral country and then transship to the country where civil war exists.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. JOHNSON of Texas. In answer to the gentleman's question as to why this legislation should not be general, we thought that under the conditions existing in Spain there would be no difference of opinion, whereas there might be if we applied it to all countries. We thought that we could pass this legislation and then later extend it to all countries.

Mr. KNUTSON. How long will it be before we can look for legislation of that character?

Mr. McREYNOLDS. We expect to get at it as soon as we can have hearings.

Mr. SCOTT. With reference to the shipment of munitions from this country to Spain, under present conditions are not Italy and Germany supplying most of the munitions that are used by the insurgents in Spain, and perhaps men? Would this then prohibit our shipping any munitions at the present time to either Italy or Germany?

Mr. McREYNOLDS. The resolution provides that during the existence of the state of civil strife in Spain, and so forth, it shall be unlawful to export arms and ammunition from any place in the United States to Spain or to any other country for transshipment to Spain.

Mr. Speaker, I now yield 5 minutes to the gentleman from Texas [Mr. MAVERICK].

LAW SUGGESTED IS INEFFECTIVE

Mr. MAVERICK. Mr. Speaker, this is a very serious and a very important matter. It is perhaps the most important that will come before us this year, because it involves war. At the very outset I state one reason why we should pass a general law: Even though you say that munitions cannot be transshipped to Spain, yet they can be. In the present form of the bill it is ineffective. But if you prohibit arms shipment to the whole world, then we know that Spain will not get any of the munitions. The thing we ought to do is to pass a general law, and we can do that today. I am going to offer an amendment to that effect.

The law that we are passing now is not neutrality in the proper sense. Last year when we were talking about Italy and Abyssinia, it was said that we could not pass the law because Italy was already at war; but what about Spain? Spain has been fighting for 7 months, and there has been no declaration of belligerency by this country. Suddenly Congress gets in a dither and passes this law prohibiting the shipment of arms to Spain. I see no reason why we should do that at this time, unless we adopt a general policy and make it apply to all nations. If we pass this bill, we are establishing a precedent and a very bad one.

WHAT WILL WE DO ABOUT MEXICO AND THE BRITISH CROWN?

I know something about Mexico. It is my opinion that certain people in the United States of America are attempting to cause a revolution in the Republic of Mexico. Mexico is our sister Republic. What are we going to do about it? We are going to establish a precedent that we will not ship arms to any country, and so we will not send any munitions to the authorized Government of Mexico, and the revolution will then be financed by people in this country who have the money to make a revolution. Therefore the United States would be committing an unneutral act in connection with Mexico or in any nations in South America should revolutions occur there.

Let us be frank. Suppose there was a revolution in England. Suppose that England wanted some munitions to stop a rebellion against the British Crown. Nearly every man on this floor would say, "My God, are you taking sides against

the ancient Crown of England?" Of course not. We would sell England all the munitions she wanted—and that is the reason this resolution only applies to Spain. They are selling munitions now to England, to Germany, and many different countries. So we sell munitions to Germany, but refuse to sell munitions to Spain. Is this not a fine diplomatic pickle? What we ought to do is to prohibit the shipment of arms to all the countries of the world. I hope this country will give up any idea of making a single dime out of war. I want to control these munitions racketeers, so there are no profits in war, and so we export to no nation.

THIS RESOLUTION IS OBJECTIONABLE FROM THREE POINTS

There are several things about this bill that are objectionable:

First, it is unneutral, ill-advised legislation. It is sought to be accomplished in too much of a hurry.

Second, it is not fair, not comprehensive enough, does not make a general policy, but only a bad precedent.

Third, it does not effectually meet the situation of the munitions business at all.

Let us consider Spain. The Government of Spain is the duly authorized, elected parliamentary government.

I have read in the papers that it is a Communist government, and even if it is a Fascist government, yet it is the Government of Spain as a nation, and according to international law it is none of our business what form of government is adopted on any country—including Italy and Germany. We are now reversing a policy of 150 years by not being neutral, by refraining from sending munitions to the duly authorized Government of Spain.

The SPEAKER pro tempore (Mr. WOODRUM). The time of the gentleman from Texas has expired.

Mr. McREYNOLDS. Mr. Speaker, I yield the gentleman 2 minutes more.

SPAIN AND ALL NATIONS SHOULD RECEIVE EQUAL TREATMENT

Mr. MAVERICK. Mr. Speaker, we are committing an act which is unneutral against the duly elected parliamentary Government of Spain, a parliamentary government like this Government, though we may not agree with it. There are two alternatives, at least there are in my mind. I am opposed to the shipment of munitions to any foreign country at all. I do not want to ship them to Spain and I do not want to ship them to Germany, but if Germany should have a revolution, she is entitled to the munitions as much as Spain. England is entitled to have them shipped. We are not being fair in this way in our international relations. To settle the question send no munitions out to any nation.

I am going to offer an amendment to make this apply to the whole world and I hope we will not waste any time in agreeing to it. Gentlemen say that they are going to bring in general neutrality laws in a short time. Do it now. Why wait? Let us have neutrality now and be fair to the whole world. [Applause.]

Mr. FISH. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. SAUTHOFF].

Mr. SAUTHOFF. Mr. Speaker, those of us who have fought consistently for neutrality in the last 2 years can at least feel that we are making some progress, although it has been slow, uphill work. I recall only too well last year when the Neutrality Act of 1935 was about to expire on the 29th day of February. Many of us could not get the bill then pending out of the present committee in order that we might have adequate time to debate it and offer amendments. When it finally did come out, after a group of us called upon the President and insisted that it be brought out, it was brought out under suspension of the rules, which prohibited amendment.

Had we been permitted to discuss this all-important subject fully and freely, instead of 40 minutes, as was the case, and had we been permitted to offer amendments at that time, we could have prevented, not only this situation but others that no doubt will arise because of inadequacy of discussion. Open discussion never injured any worthy cause, and neutrality is a most worthy cause.

This resolution refers only to civil war in Spain. Why not in other countries? Surely we are not going to make exceptions and thereby play favorites. Civil war may break out today, tomorrow—who knows when?—in some other country on this earth. Conditions are ripe in certain countries for just such a contingency. Why should we wait until it happens before we lay down a course of conduct? Is it because there are secret agreements or unofficial assurances to favored nations as to what our conduct shall be? I, for one, wish to adhere to a sound policy of minding our own business. Therefore, I shall support the amendment of the gentleman from Texas or the gentleman from Massachusetts in order that all countries may be included in the scope of this measure. Personally, I favor a declaration which will declare it to be our national policy to prohibit shipments of munitions to any place any time when war, civil or otherwise, takes place.

I do not want to hurt anyone's sensitive feelings in this matter, but it is the fault of the committee that we are in our present predicament and that the Government of this country finds itself unable to act, because of the blunder that was made by the committee bringing it in under suspension of the rules, prohibiting us from placing any amendments on it. Now that blunder is to be repeated by this type of hasty, ill-considered, ill-advised legislation. We are being told that this resolution is to be offered because an emergency exists. There have been broadcasts in the newspapers of this country for the last 2 weeks telling about the sales of these munitions. Why was not a rule brought in yesterday? We were here. We had nothing else to do. We adjourned early. Why did we not debate the rule for a couple of hours on yesterday? Why were we not advised as to what this resolution was to be, and an opportunity given to have it printed, so that we might read it and consider amendments? We are forced to debate this subject without any copies of this resolution.

It seems to me that every time the subject of neutrality comes up we are faced with this same proposition that we have to fight every inch of the way to get the smallest and the least consideration to have full and open discussion. If we are all in favor of neutrality—and we claim we are—then why do we not have some neutrality, instead of talking about discouraging debate and harassing those who want to discuss it freely, and only too often come in with the suggestion that we proceed to its consideration without amendment?

The chairman of the committee suggests we will not have any such civil condition arising in any of the other countries and that we should pass this at once as an emergency measure. Much as I esteem the judgment of the chairman of the committee, I claim that he has no divine authority nor omniscient powers to judge whether or not there is going to be a civil war in any other country as well as in Spain. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Wisconsin [Mr. SAUTHOFF] has expired.

Mr. McREYNOLDS. Mr. Speaker, I yield myself 3 minutes.

I have just listened to the distinguished gentleman's lecture. I am very sorry we did not have the counsel of his wisdom and advice when we were trying to draw a neutrality bill at the last session. If he ever came before that committee or offered a suggestion, no one knows it, and no one knows yet that he had anything to do with bringing out the bill. What he seems to be mad about now is that last session, when I brought the bill here, it could not be amended, and now he is mad because I have brought one here that can be amended. [Laughter and applause.] That is his consistency.

I want to say to the distinguished gentleman that we reported out a bill, and I applied to the Rules Committee for a rule, but later it was found that it could not be passed in the Senate. Then we compromised on the bill that was passed.

Are you neutral? Do you want neutrality? I want to save this country from becoming involved in European wars, and I shall not be a party to the carnage and crucifixion that is

going on in Spain, and I want to see the eyes of the men in this House who will. That is the way I feel about it. [Applause.]

[Here the gavel fell.]

Mr. McREYNOLDS. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. KLOEB].

Mr. KLOEB. Mr. Speaker, for 4 years I have sat in the deliberations of the Committee on Foreign Affairs of this House in the study of neutrality legislation. Permit me to say as a lawyer that when you consider the question of setting aside long years of principles as established by international law, when you attempt to curtail the established principles of the freedom of the seas, you are attacking big problems.

Let us consider the history of neutrality for a moment. Back in 1898 the McKinley bill was passed which gave to the President of the United States absolute authority to embargo, in his discretion, not only munitions of war but materials used in the conduct of war. That law remained the law of this country until the year 1912. In 1933 both Houses passed the Johnson bill prohibiting loans to any nations in default on their indebtedness to the United States, thus marking the first recent attempt at the passage of so-called neutrality legislation, although its purpose was essentially punitive.

In 1935 we passed a short-term neutrality law. In 1936 the House committee reported out a very comprehensive bill and sought for weeks to obtain a rule to bring that bill before this House. Then, ascertaining that that bill could not possibly pass the Senate, and desiring neutrality legislation with teeth in it, both Houses passed the 1936 bill, which happened to be a bill that I introduced, and is now the law of the land. This law is absolutely mandatory. It prohibits the making of loans and the extension of credits. It prohibits the sale and export of munitions of war to any nation engaged in war. It expires by limitation on May 1.

Unfortunately, this subject was new to all of us. We were plowing new ground. We could not possibly foresee that within 12 months there would occur another great civil war in one of the major nations on the face of this earth. So we are now confronted with this emergency measure, which is not discretionary at all, but which is mandatory upon the President of the United States to invoke its provisions immediately it becomes law.

Permit me to say that another body has passed this resolution by a vote of 80 to nothing this very afternoon. Permit me to say further that the head of the celebrated Nye Munitions Investigating Committee, who abhors as much as I do the sale and traffic in munitions of war between nations, and who is an advocate of Government manufacture of munitions, undoubtedly was present in the Senate this afternoon when this resolution was passed by a vote of 80 to nothing.

This resolution is mandatory. It absolutely prohibits the sale of actual munitions of war to either side in the civil controversy now going on in Spain. We are asked why we do not extend the provisions of this resolution so as to prohibit the sale and shipment of munitions of war to any country where civil war is being waged. We expect to provide for that contingency in the permanent bill that will soon be introduced in this House. In that bill we shall attempt to define "civil war", a term which requires study and consideration by the committee. Time has not permitted us to go beyond the immediate crisis.

I trust that this resolution passes without amendment, so as to save the necessity of conference with the Senate. Its passage today is imperative. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. CONNERY].

Mr. CONNERY. Mr. Speaker, I asked this 1 minute to read an amendment I intend to offer:

Strike out paragraph 1 and insert in lieu thereof the following: *"Therefore be it resolved by the Senate (the House of Representatives concurring)*, That due to the existence of a state of war, civil, or other strife obtaining in any foreign country it shall, from and after the approval of this resolution, be unlawful to export arms, munitions, or implements of war from any place in the United States or possessions of the United States to any foreign country or for transshipment from any neutral or belligerent foreign country to a foreign country where a state of war, civil, or other strife, now exists."

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield an additional half minute to the gentleman from Massachusetts [Mr. CONNERY].

Mr. CONNERY. Paragraph 2 relating to licenses heretofore issued under existing law is left in the bill, but my amendment amends paragraph 2, in line 2, by striking out the word "Spain" and inserting in lieu thereof the words "any foreign country."

This will do what we who want to prevent any shipment of arms and ammunition to any foreign country desire, and do it right away. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. AMLIE].

Mr. AMLIE. Mr. Speaker, I feel that the amendment that has been proposed by the gentleman from Massachusetts [Mr. CONNERY] is fully adequate. It will make of this resolution an adequate statement of neutrality policy.

As the resolution stands at the present time it is an unneutral act. It constitutes an unfriendly act toward a government that is friendly to the United States. Not long ago a newspaperman wrote that the significant thing about this strife in Spain was the fact that all of the world was taking sides in that contest. This is particularly true of the governments of European countries and of the classes in European countries. It is true, of course, of individuals as well.

It seems to me that at this time we ought not to take sides but ought, rather, to adopt a well-defined and adequate neutrality policy. I have been struck the last few weeks by the fact that Members of this body and Members of another legislative body, who have not distinguished themselves by their efforts in behalf of neutrality legislation, have been quoted by the press as to what they would do to prevent shipments of arms from this country to the regularly constituted Government of Spain. These people are not interested in maintaining the neutrality of the United States. These people are pro-Fascist, and they would like to have the United States take a stand that would help the Rebel-Fascist forces of Spain.

As far as I am concerned, I believe that George Washington, in his Farewell Address, enunciated a foreign policy for the United States that we would do well to follow. If we adopt the amendment of the gentleman from Massachusetts this resolution will then constitute an adequate and far-reaching statement of foreign policy applicable in all cases, and not open to the charge that it is designed to injure a friendly nation. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. JOHNSON].

Mr. JOHNSON of Minnesota. Mr. Speaker, having heard the President 2 hours ago speak about the intrinsic rights of democracies to defend themselves, it is with a sad feeling that I vote upon this proposition before the House today. But it will undoubtedly pass. I wish, however, to leave this one thought with this body and with the esteemed chairman of the committee in charge of the resolution, from the group that I represent politically and economically, that before this Congress adjourns the proper committee bring up for consideration a bill providing for Government ownership of the munitions industry of this country. Be basic, be sound. The only way we can control this traffic is not by such resolutions as we are now considering but by smashing the munitions ring in this country and giving the people of the United States a program that will end the need for such hasty legislation as we are now considering. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, there is no disposition on the part of the Republican minority to delay, obstruct, or hamper the majority in the passage of this bill. We recognize that this

is an emergency measure, that it has for its purpose the preservation of peace, and keeping the United States out of war by preventing the selling of munitions and implements of war to either side in the civil war in Spain.

We as a minority regret that it is necessary for the House of Representatives to rush through legislation of this importance without adequate debate. It so happens that in the other body they struck out the entire preamble. Some of the Members of the House, including myself, spoke to a number of the Senators when the Senators were here a few hours ago at the joint session and suggested that this be done. It might well have happened that we would have passed the resolution containing the preamble. The preamble practically recognizes a state of belligerency by the Congress in Spain, yet our State Department has failed to issue any proclamation of belligerency or insurgency. The adoption of the preamble by Congress would have virtually declared a state of belligerency to exist in Spain, instead of such proclamation coming from the President or from the State Department, and would have established an unfortunate precedent for future administrations absolutely contrary to international custom and tradition.

I am in sympathy with the purposes of this joint resolution. As I previously stated, I regret there is not adequate debate provided to discuss the bill intelligently and the present conditions in Spain. The resolution amounts to a complete change of the policy of the United States. If I am wrong in the statement I am about to make, I wish some Member would correct me.

As I recollect it, the Congress some years ago authorized the Chief Executive to permit the shipment of arms to de facto governments in South and Central America. In other words, we prohibited the shipment of arms to the insurgents or to the rebels against the existing governments in Central and South America.

We are now making a complete about-face in this resolution as far as Spain is concerned, which is the de facto or recognized government, as we have failed to recognize the insurgents, and provide that the Spanish Government shall not be allowed to buy arms and munitions of war in the United States. However, I favor the policy outlined in this bill because I think it is a step in the direction of peace and that we should not sell arms or munitions of war to either side. It is immaterial to me whether the bill passes in the form it is in or as amended by the gentleman from Massachusetts, as in either form it covers the object we have in view.

Mr. RANKIN. Will the gentleman yield?

Mr. FISH. I yield to the gentleman briefly.

Mr. RANKIN. The gentleman stated this is a matter of policy of several hundred years. Is it not a fact that old policy got us into the most destructive war of all time a few years ago?

Mr. FISH. The gentleman did not understand what I said. I stated as far as civil wars were concerned, it initiated a new policy. I am heartily in favor of this bill, and I think a great victory has been won in the House today because the Democratic floor leader and the chairman of the Committee on Foreign Affairs have both stated publicly that when the permanent neutrality bill comes up for consideration it will come up under general debate so that the Members of the House may take part in the debate, discuss the bill on its merits, and offer amendments. I take this occasion to emphasize that one of the worst things that happened in the last Congress was the fact that the important neutrality bill was brought up for consideration in the House of Representatives, which is supposed to be a great deliberative body, and jammed through under a gag rule which provided for only 20 minutes debate on each side, with no right to amend. We have the assurance given us today that when the permanent neutrality bill comes up for consideration within the next month that adequate opportunity will be provided for the offering of amendments and there will be ample general debate. [Applause.]

This is an emergency measure, and we on our side do not propose to play politics with it for partisan reasons. I am sure that most of the Republican Members will support the bill in its present form, or as amended, in order to stop the sale of American munitions to both sides in Spain, for the sake of war profits and blood money.

I think the gentleman from Texas made the statement that this bill goes farther than the wording of the bill indicates. It is not merely a question of stopping the shipment of arms and munitions of war to the different factions in Spain. The whole world at the present time is filled with rumors of war and is on the verge of a world war that may start in Spain at any moment.

We have to determine our neutrality policy. We have to determine now whether we will sacrifice war profits and blood money in order to keep out of these wars. I think that is the desire and will of the American people at this time. You can almost hear the beating of the wings of the Angel of Death as it hovers over Spain tonight or France, Germany, China, Japan, or Soviet Russia. We peace-loving Americans have to determine whether we will sacrifice the war profits that dragged us into the last war by adopting a strict, permanent neutrality policy prohibiting the sale and shipment of arms and munitions of war to all belligerent countries. As one who served in the World War and as one who loathes and abhors wars, I am in favor of stopping the sale of munitions of war to all belligerent nations and civil-war factions within a nation.

Mr. RANKIN. Will the gentleman yield in reference to that civil-war proposition?

Mr. FISH. I yield to the gentleman for a brief question.

Mr. RANKIN. In 1930 the old policy that we had come within a hair's breadth of getting us involved in a war with Brazil because the then administration permitted the shipment of munitions of war to the people of Brazil at a time when a revolution was on and it came very near drawing us into a war in South America.

Mr. FISH. I may say to the gentleman I am for this bill although it changes our traditional policy with reference to shipment of arms where civil war exists. Everyone on our committee who has examined the bill appreciates it is a step in the right direction toward keeping the United States out of war.

We were forced into the late World War against our will by the attack of German submarines on our vessels without warning. We did not want to go into that war, but we were forced into it, and we have now made up our minds, or at least the American people have, to stay out of all foreign entanglements and wars. There is nothing the Congress can do that would keep us out of war, as congressional resolutions are not sufficient.

The only people who can keep us out of war are the American people back home; and they have made up their minds that they will not go to war for the sake of war profit and for the sake of the war profiteers. If we are going to have another war, it must be in defense of the United States of America and not in defense of war profiteers, the munition makers, or foreign nations. [Applause.]

Mr. HOOK. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Michigan.

Mr. HOOK. Is it not a fact the only effective way to have neutrality is to stop the private interests from manufacturing munitions of war?

Mr. FISH. I am not going to argue the question with the gentleman at this time. I have stated many times on the floor of the House that I am prepared to vote for Government ownership or regulation of the manufacture of munitions of war in the United States, which is the surest way to take the profit out of war. [Applause.] I want to serve notice on the Democratic majority that while we are only talking about the civil war in Spain, horrible and bloody as it is, that the people back home are much more interested in our own safety and in keeping the United States of America out of all wars. What have you done on that side to pass the American Legion's universal service draft bill which would draft capital, industry, labor, and the veterans on an equal basis in case of a future war? If you want to keep the United States out of war, take the

profits out of war and pass the Legion bill along with the permanent neutrality bill next month.

Mr. CONNERY. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Massachusetts.

Mr. CONNERY. The gentleman knows very well when we had that bill up for consideration in this House the Democratic majority would have passed it except the bill was drawn for the protection of capital, and labor was very much restricted.

Mr. FISH. No; do not blame the House. The House passed it and the Senate held it up. That is past history. Let us unite and get speedy and favorable action at this session.

Mr. CONNERY. Yes; but we changed it. We cut out that amendment.

Mr. RANKIN. If the gentleman will yield, I will tell the gentleman one thing we have done on this side. We have taxed the profits of the last war that will help to keep us out of the next one.

Mr. FISH. I think we are all agreed and have made up our minds that this country is going to keep out of war no matter what happens in any other nation of the world. If the other nations of the world insist on arming to the teeth and going to war, it is their war and not ours. We are prepared to spend millions for defense, but not one dollar to send an American soldier over to foreign lands to fight other people's battles. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Speaker, as a great American once said, "It is a condition and not a theory that confronts us."

In my opinion we should pass this resolution, as written, at the earliest possible moment, and by a roll-call vote, in order to let the American people and the world know just how strongly the Congress of the United States favors keeping us out of a foreign war. I agree that this policy ought to be carried further to apply to the entire world and I am willing to support legislation to that end at any time.

I agree with the gentleman who stated a few moments ago that there ought not to be any more private enterprises manufacturing munitions of war. I have felt that for years, because I believe the munitions manufacturers and the international financiers have done more to drag us into war than everything else put together.

Let me say to the gentleman from New York [Mr. FISH], who talks about reversing the policy of 150 years, that I do not care if we are reversing the policy of a thousand years if it will keep us out of the holocaust of war now going on in Spain. The people of the world are not thinking of technicalities. But when they look across the sea and behold helpless women and children ruthlessly killed with poison gases in the streets of Madrid or blown to pieces in the Alcazar, they shudder with horrow. Our people expect us to keep them out of such a conflict. Remember, this is the way we started getting into the World War, through these munitions manufacturers and other people who were willing to endanger the peace of our country in order to coin their millions from the blood and tears of the suffering men, women, and children of the world.

The gentleman from New York [Mr. FISH] asked what we had done to promote peace. Let me tell him what his administration did in 1930. A civil war broke out in Brazil—justified, in my opinion—and right in the midst of that conflict, in October 1930, the Hoover administration lifted the embargo on arms to the Brazilian nationals and authorized the sale to them of airplanes and other munitions that were being manufactured for the United States Army and Navy, and sent an American battleship into Brazilian waters, and in that way came within a hair's breadth of plunging us into a war with the people of Brazil—which might have involved us in war with all of Latin America.

When that battleship showed up at Rio de Janeiro, the entire army, navy, and marine corps of Brazil went over to the rebels, took Washington Louis, the then President of Brazil, and put him in jail, and wired Dr. Vargas, the rebel leader, and who is now President of that country, to come to Rio de Janeiro and take command.

Now, if the gentleman wants to know what we have done to keep out of a war of this kind, I call his attention to the fact that we narrowly escaped a war with the entire Spanish-speaking world in 1930 because the Hoover administration failed to do then what the Roosevelt administration is trying to do now.

The gentleman talks about what we have done about taking the profits out of the next war. We have been trying to tax the profits of the last war. If his party had started in at the time the war closed, or when they took control of the Government in 1921, on a policy of taxing the profits made out of the last war, and made those who got rich out of it understand that wars were not to get rich from, you could not only have balanced the Budget and paid a large part of the national debt, but you would have served notice on these greedy munitions manufacturers and financiers that they were not going to sacrifice the American people in foreign wars in order to make for themselves millions or billions of paltry dollars at the sacrifice of millions of human lives in the years to come.

I sincerely trust that this measure will pass without amendment. We can amend later. This is an emergency. I also hope that we may have a roll call on its final passage.

Let us register our voices now so that the 130,000,000 people back home may understand that we are going to keep them out of any foreign wars, if it is humanly possible to do so. [Applause.]

Mr. McREYNOLDS. Mr. Speaker, I yield 3 minutes to the gentleman from Kentucky [Mr. CREAL].

Mr. CREAL. Mr. Speaker and Members, back in other days I have sent men to the electric chair, but I have always doubted whether the Government should have that authority.

There has been a galaxy of splendid gentlemen voicing their opposition today, and I wondered whether or not they felt like they were sitting as a jury passing on the lives of men and women they never saw and of whose quarrels they have no part.

I say, let Germany's and Russia's babies in Spain fight it out; they have violated every rule of civilized warfare.

I wish to say that I am in great doubt after listening to the gentleman who has control of one-half of the time on that side, who says he is for the measure but allots time to men who offer various thoughts and reasons why the legislation should not be passed.

One gentleman thought that we should wait until we had a war with Mexico before passing this emergency legislation. Nine million dollars' worth of munitions will kill lots of men and women.

As Members we are deciding on the lives of men, and I would want to go to sleep without being guilty of these objectionable tactics which, if they prevailed, would cause no legislation today and perhaps not tomorrow.

I wish I could present to these men the picture of all the legless and armless men, the widows and orphans, and the funeral processions that will be the result of these $9,000,000 worth of bombs dropped upon them.

[Here the gavel fell.]

Mr. McREYNOLDS. Mr. Speaker, I shall not take the remainder of the time, but shall use only a minute. This bill passed in the Senate by a vote of 80 to nothing. It is necessary that it be passed just as it is. If it is not, it means delay, and we do not know what might happen in that event. Therefore I hope that all amendments will be voted down.

Mr. RANDOLPH. Mr. Speaker, is it not a fact that in the Senate the vote was recorded by roll call?

Mr. McREYNOLDS. I have been so informed.

Mr. RANDOLPH. That is the fact.

The SPEAKER. The Clerk will report the resolution for amendment.

The Clerk reported the resolution.

Mr. CONNERY. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. CONNERY: Page 1, strike out all after the resolving clause in paragraph 1 and insert in lieu thereof the following:

"That during the existence of a state of war, civil or other strife, obtaining in any foreign country, it shall from and after the approval of this resolution be unlawful to export arms, ammunition, or implements of war from any place in the United States, or possessions of the United States, to any foreign country or for transshipment from any neutral or belligerent foreign country to a foreign country where a state of war, civil or other strife, now exists. Arms, ammunition, or implements of war, the exportation of which is prohibited by this resolution, are those enumerated in the President's proclamation, no. 2163, of April 10, 1936."

Paragraph 2, line 2, strike out the word "Spain" and insert in lieu thereof the words "any foreign country."

Mr. McREYNOLDS. Mr. Speaker, I make a point of order against the amendment. The resolution under consideration provides a prohibition against the shipment of arms to Spain. It is not in order to substitute other countries. Therefore the amendment is not germane.

Mr. CONNERY. Mr. Speaker, will the gentleman withhold his objection until I can make a statement?

Mr. McREYNOLDS. I reserve the point of order.

Mr. CONNERY. Mr. Speaker, I rather expected that a point of order would be made against the amendment; but there is no other way that I can find whereby we can get what we want to do in this matter except by the amendment that I have offered. In other words, I do not believe there is any language that could be written which would apply to the entire world as an amendment to this resolution. The resolution is confined to Spain; and when we try to extend it to the rest of the world, I suppose the point of order will lie. But I should like to have my friend the chairman of the Foreign Affairs Committee withdraw the point of order and give the House of Representatives a chance to vote on this amendment. Let us find out how the House feels about this legislation.

Mr. McREYNOLDS. I advise the gentleman that he will have a chance to vote on that matter later.

Mr. CONNERY. I mean in the present temper of the House. Of course, if the point of order lies to this or any other similar amendment, or if proposed amendments be defeated, I say to the gentleman from Tennessee that I intend to vote for the resolution, but I should like to have the gentleman give the House a chance to express itself on how it stands today in respect to all foreign countries and not just as to Spain. Why not serve notice on the entire world today that the Congress of the United States is saying to the world that we will not mix into foreign entanglements or into their wars, whether they be civil or wars between foreign countries? Why not give the House a chance to express itself by vote? If the House does not want that at this time, if the House feels that it does not want to vote on general neutrality legislation until later, well and good; but why not give the House a chance to vote now and not press the point of order? It is a clear-cut issue.

The SPEAKER. Does the gentleman from Massachusetts desire to discuss the point of order?

Mr. CONNERY. Merely to say, Mr. Speaker, in reference to the point of order, that after studying it carefully I fear that the point of order lies.

The SPEAKER. The Chair sustains the point of order.

Mr. O'MALLEY. Mr. Speaker, I move to strike out the last word. It has always been surprising to me, during the last 4 years, that when the question of neutrality has come up we are always placed in the position of doing a little bit of our duty instead of our entire duty. I believe that we can accept the challenge of the gentleman from Kentucky [Mr. CREAL], who spoke a short while ago and who suggested that this question be put to a referendum of the people of a certain district. I might broaden that challenge and say that if the people of the United States had a chance to express by referendum whether they want the embargo placed on the shipment of arms to all countries or just to Spain, we may be sure how they would vote. The point of order has been made against opening this thing up and expressing the policy of the Government of the United States. I thought when I listened to the President that the policy of the Government of the United States is to say to every other nation in the world "When you engage in armed conflict, when you settle your affairs through the use of arms, we will not help you one bit, you can get nothing from us." That is what I think the policy of the United States is. I do not think the policy of our Government is to say to Spain alone, "When you violate the rules of civilized man we will not help you." Why do we have to wait until tomorrow to state that policy, or until next week or a month from now? Who is here in this House who is so sure that he may be here tomorrow? There are some of us who believe we may not be here, and I think when the duty is put before us that we can express what the people want here and now instead of at some future date. Why frustrate, why forestall the people of the United States by invoking parliamentary procedure? Why delay the people of the United States from expressing their opinion upon armed conflict and the shipment of arms to warring nations? They say some of us are delaying this bill by demanding debate and offering improving amendments. Debate is good. We ought to have enough debate to put into the CONGRESSIONAL RECORD the names of those rascally Americans who are trying to make money off armed conflict—who think more of profits than the lives of fellow human beings.

We ought to put their names and their profits in the RECORD. We ought to hold them up to public disapproval by publication of their dirty trade in blood and tears. They ought to be run out of the country and deprived of their citizenship. That is what debate will do and exposition of the subject will help to do. This is why some of us want to open this up, so that the people of the United States will have a chance, through their Representatives, to say whether they want to pick out one country to try a neutrality policy on or have it apply to all countries and against all shippers or makers of arms and munitions.

I hope the chairman of the Committee on Foreign Affairs of this House will not use what he has a right to use, what we all admit he has a right to use, namely, the rules of this House, to prevent the Members of this House from trying to do what they think their people want them to do. I plead with him to withdraw the point of order and to not make points of order against amendments which will give us a chance to say for our people that we want this Government to stop shipping arms and ammunition to any and every country in the world, either during peace or during war. To frustrate the House and the people with parliamentary objections is to defeat the policy of complete neutrality which the chairman and the committee say they favor so strongly. Let us get an amendment in this bill that will show the country and the world that this law is not aimed just at Spain but applies to all countries from now on. If we do today what the Democratic Party promised in its platform—neutrality and peace legislation—tomorrow can take care of itself and neither the Congress nor the American people will have to rely on promises of what may be done in the future.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. MAVERICK. Mr. Speaker, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. MAVERICK: In line 4, strike out the words "now obtaining in Spain it shall"; in line 7, strike out "to Spain or to"; in the same line, strike out the word "other"; in line 8, strike out the words "for transshipment to Spain or for use of either of the opposing forces in Spain"; after line 16, strike out the remainder of the resolution.

Mr. MAVERICK. Mr. Speaker, at that point I ask unanimous consent that the Clerk may read the resolution as it will read with my amendment.

The SPEAKER. Without objection, the Clerk will read the resolution as it would read if amended by the amendment proposed by the gentleman from Texas.

There was no objection.

The Clerk read as follows:

Resolved, etc., That during the existence of the state of civil strife from and after the approval of this resolution it shall be unlawful to export arms, ammunition, or implements of war from any place in the United States, or possessions of the United States, to any foreign country.

Arms, ammunition, or implements of war, the exportation of which is prohibited by this resolution are those enumerated in the President's proclamation no. 2163 of April 10, 1936.

Licenses heretofore issued under existing law for the exportation of arms, ammunition, or implements of war to Spain shall, as to all future exportations thereunder, ipso facto be deemed to be canceled.

Mr. McREYNOLDS. Mr. Speaker, I raise the same point of order which I made to the previous amendment. The gentleman from Texas is trying to do in a different way what was ruled out a while ago.

The SPEAKER. Does the gentleman from Texas desire to discuss the point of order?

Mr. MAVERICK. Yes, Mr. Speaker.

The SPEAKER. The Chair will be glad to hear the gentleman from Texas on the point of order.

Mr. MAVERICK. Mr. Speaker, I have never known of any rule that would prohibit the striking out of any portion of a paragraph. In other words, it has always been considered proper to strike out portions of any particular paragraph. If it happens to change the meaning of the resolution, that simply happens by virtue of striking out those words.

I simply propose in one paragraph to strike out the words "now obtaining in Spain", and then I say "for transshipment to Spain"; but I call attention to the fact that what I have proposed is absolutely germane, because it still provides that all licenses heretofore issued to Spain shall be canceled under such and such a resolution. In other words, certain portions that refer to Spain are stricken out, and all the rest of it is left in. I have not put in a single word. I have simply stricken out certain words.

The SPEAKER. The Chair is ready to rule on the point of order made by the gentleman from Tennessee.

The Chair undertook to pay particular heed to the language of the amendment proposed by the gentleman from Texas [Mr. MAVERICK], and is of the opinion, for the reason which the Chair will presently state, that the point of order against the amendment is well taken.

The Chair calls the attention of the gentleman from Texas to what the Chair regards as a decision somewhat on all-fours with the question presented here. Of course. this question of germaneness often presents difficulties to a presiding officer, either the Speaker or a Chairman of the Committee of the Whole; but the Chair thinks that a long line of precedents clearly establishes the practice of the House upon questions of this sort.

In the opinion of the Chair this amendment is not germane to the original resolution which is now under consideration under the precedent to which the Chair now calls attention:

An amendment which, by striking out a portion of the text, changes the purpose and scope of a bill, is not germane.

Now, what is the purpose and scope of the Senate resolution which is under consideration? There can be no controversy that it relates entirely to the question of the shipment of arms and ammunition to Spain—one particular country—and regulates certain phases of shipments to warring civil factions in that country; but under the suggestion made in the amendment offered by the gentleman from Texas it certainly departs entirely from the limitation with reference to the shipment of munitions to the one Government of Spain, and broadens the field so as to apply to any government.

Under the decision which the Chair has cited. the Chair sustains the point of order.

LEGS, ARMS, AND GUTS—BUT WHAT ABOUT NEUTRALITY?

Mr. MAVERICK. Mr. Speaker, one of the Members talked about the legs and the arms of the poor people being killed over in Spain. In my opinion, as I understand it, that is a lot of nonsense, because I have seen a lot of legs and arms rotting on the fields of France. I have had guts of dead men thrown in my face. I do not like to mention such things, but the words I heard had nothing to do with the subject we are discussing. If we are to discuss dead men, I can talk as long as any man on the floor. Let us talk about the resolution, and references to "dilatory tactics" are silly. This is a parliamentary government.

But what I like about this more than anything else is that we have at last got initial recognition from the Democratic Party that we are going to consider neutrality. I do not want to criticize the distinguished gentleman from Tennessee [Mr. McREYNOLDS], but I am rather of the opinion that this neutrality matter has been handled from the start in a more or less arbitrary manner, as though possibly we were not intelligent enough to listen to speeches and weigh them.

DEMOCRATIC PARTY MUST BE DEMOCRATIC

We ought to discuss this subject and we ought to discuss it fully. I do not charge the gentleman from Tennessee with a breach of faith, but we were told that when the subject of neutrality came up it would be under an open rule and it would be given full consideration; but points of order have been made and we have been stopped from real consideration.

Let us review a little. Our memories are short. Thank God for that, but only last year we were sobbing over "poor Abyssinia." Yet now we have forgotten all about Abyssinia. The flag of Italy flies over Abyssinia now, and it is all over. It makes no personal difference to me. I am mighty glad, however, those who favor neutrality have gotten a little recognition, but may I say that if the Democratic Party expects to continue its successful career it must be democratic and listen to the views of its members.

PROFITS OUT OF WAR—NEUTRALITY—MUNITIONS' INTEREST

I listened with great interest to the President of the United States in his address today and I liked what he said about the Supreme Court; I liked almost everything he said. We know that the President has tremendous power, that the Democratic Party has tremendous power, too. Let us see that we use this power in a democratic way. Let me say to the leaders of the Democratic Party that we have not passed any bill taking the profits out of war. We have made a failure of that, and we might as well face the country with it. That is the first thing.

Mr. LUDLOW. Mr. Speaker, will the gentleman yield?

Mr. MAVERICK. I yield.

Mr. LUDLOW. I call the gentleman's attention to the fact that the Democratic national platform adopted in Philadelphia contains a very forward-looking plank on this subject of peace and international relations, in which it declared in favor of taking the profits out of war.

We are in the surges of one of the greatest peace movements America ever has known—a peace movement that reached high tide when the delegates to the Democratc national convention, interpreting the longing that is in the hearts of our people—North, East, South, and West—wrote into the Democratic national platform last year one of the most comprehensive and definite pledges on the subject of war and peace ever offered to the people of this Nation. That plank is a sacred covenant between the Democratic Party and the people of the United States, and if we who are elected to positions of high authority on that platform fail to meet our responsibilities under it, I will agree that there is no virtue and honor left among men.

Let me, by quoting the text of that plank, remind the House and the country of the kind of peace action we are pledged to by its terms. The plank adopted at Philadelphia is as follows:

We reaffirm our opposition to war as an instrument of national policy and declare that disputes between nations should be settled by peaceful means. We shall continue to observe a true neutrality in the disputes of others; to be prepared resolutely to resist aggression against ourselves; to work for peace, and to take the profit out of war; to guard against being drawn by political commitments, international banking, or private trading into any war which may develop anywhere.

That plank is not couched in weasel words. It is as positive and definite as a promissory note, and the sooner we

begin to carry out our covenant with the people and the more good faith we manifest in the performance, the better it will be for our reputations. In that plank we have a positively definite pledge by the Democratic Party to take the profit out of war.

Take the profit out of war and there will be few wars. I join my distinguished friend from Texas [Mr. MAVERICK] in his lamentation over the fact that though the Democratic Party, to which he and I belong, has been in full power and lord of all it surveyed for 4 years, it has done nothing to take the profit out of war; but I have high hope that under the incentive and impulse of the Philadelphia platform we shall make our amends to the people of this country at the present session by adopting and starting on its way to ratification a constitutional amendment to take the profit out of war. On yesterday, the opening day of Congress, I introduced such an amendment.

My proposed constitutional amendment also provides for a Nation-wide referendum before war can be declared, the only exception being in case of attack or invasion. My resolution, known as House Joint Resolution 20, is based on the philosophy that those who have to suffer and, if need be, to die and to bear the awful burdens and costs of war shall have something to say as to whether war shall be declared. I sincerely believe that if my proposed constitutional amendment is adopted it will be the means of preventing our boys from being dragged into slaughter pens in foreign countries, to be mown down by machine guns or blown to bits by bombs rained from the skies, to be horribly strangled by poison gases, or to die an agonizing death from disease germs hellishly spawned in foreign laboratories. I believe that if this amendment is adopted America will never enter another foreign war in the settlement of other peoples' quarrels, and perhaps will never enter another war of any kind, unless the need should come to wage a righteous war of self-defense.

In proposing this amendment I am honored by the support of the gentleman whom I have interrupted to submit these observations, a gentleman who has gone through the fire of war, one of the finest soldiers and one of the best citizens of America, MAURY MAVERICK.

In conclusion, I want to say that under the peace plank of the Philadelphia platform we are amply justified in the action we are about to take when we adopt this resolution cutting off the shipment of munitions to Spain. The genius who wrote the Philadelphia plank must have had prophetic vision, for you will note that it places the Democratic Party "on guard against being drawn by * * * private trading into any war which may develop anywhere." The very thought that there are men in America who would run the risk of plunging America into war for the sake of filthy dollars is enough to sicken the heart of long-suffering humanity. The adoption of the pending resolution is necessary to curb this gentry; but this is only the beginning, and a very small beginning at that, of the peace program we must enact if we keep faith with the people of America.

WE SHOULD FOLLOW DEMOCRATIC PLATFORM

Mr. MAVERICK. The gentleman from Indiana calls attention to the fact that the Democratic platform adopted in Philadelphia contained such a plank. We have so far failed; let us make a success—and enact effective legislation on that.

The next matter to which I direct the attention of the Democratic Party is neutrality. We did not adopt a sufficiently comprehensive bill at the last session. We might as well do it now. We have been letting the American people live on promises.

The next criticism is that we still have private ownership of the munitions interests. As others have said, the only effective way to control the manufacture of munitions is to put it under public ownership. All of these matters should receive our wholehearted, intelligent support. Let us keep this country out of war—take out the profits, observe neutrality, and halt the munitions racket. Let us do a good job. [Applause.]

[Here the gavel fell.]

Mr. McREYNOLDS. Mr. Speaker, I move the previous question on the passage of the resolution.

The previous question was ordered.

The SPEAKER. The question is on the passage of the Senate joint resolution.

The Senate joint resolution was ordered to be read the third time, and was read the third time.

(The text of the resolution will be found printed in full on p. 90.)

Mr. RANKIN and Mr. KOPPLEMANN demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 406, nays 1, not voting 22, as follows:

[Roll No. 3]

YEAS—411

Aleshire	Delaney	Hill, Ala.	May
Allen, Del.	Dempsey	Hill, Okla.	Mead
Allen, Ill.	DeMuth	Hill, Wash.	Meeks
Allen, La.	DeRouen	Hoffman	Merritt
Allen, Pa.	Dickstein	Holmes	Michener
Amlie	Dies	Honeyman	Millard
Anderson, Mo.	Dingell	Hook	Miller
Andresen, Minn.	Dirksen	Hope	Mills
Andrews	Disney	Houston	Mitchell, Ill.
Arends	Ditter	Hull	Mitchell, Tenn.
Arnold	Dixon	Hunter	Moser, Pa.
Ashbrook	Dockweiler	Imhoff	Mosier, Ohio
Atkinson	Dondero	Izac	Mouton
Bacon	Dorsey	Jacobsen	Murdock, Ariz.
Barden	Doughton	Jarman	Murdock, Utah
Barry	Dowell	Jarrett	Nelson
Bates	Doxey	Jenckes, Ind.	Nichols
Beam	Drew, Pa.	Jenkins, Ohio	Norton
Beiter	Drewry, Va.	Jenks, N. H.	O'Brien, Ill.
Bell	Driver	Johnson, Minn.	O'Brien, Mich.
Biermann	Duncan	Johnson, Okla.	O'Connell, Mont.
Bigelow	Eaton	Johnson, Tex.	O'Connell, R. I.
Binderup	Eberharter	Johnson, W. Va.	O'Connor, Mont.
Bland	Eckert	Jones	O'Connor, N. Y.
Bloom	Edmiston	Keller	O'Day
Boehne	Eicher	Kelly, Ill.	O'Leary
Boileau	Ellenbogen	Kelly, N. Y.	O'Malley
Boland, Pa.	Engel	Kennedy, Md.	O'Neal, Ky.
Boren	Evans	Kennedy, N. Y.	O'Neill, N. J.
Boyer	Faddis	Kenney	O'Toole
Boykin	Farley	Keogh	Oliver
Boylan, N. Y.	Ferguson	Kerr	Owen
Bradley	Fernandez	Kinzer	Pace
Brewster	Fish	Kirwan	Palmisano
Brooks	Fitzgerald	Kitchens	Parsons
Brown	Fitzpatrick	Kleberg	Patrick
Buchanan	Flannagan	Kloeb	Patterson
Buck	Flannery	Kniffin	Patton
Buckler, Minn.	Fleger	Knutson	Pearson
Burch	Fletcher	Kocialkowski	Peterson, Fla.
Burdick	Focht	Kopplemann	Peterson, Ga.
Byrne	Forand	Kramer	Pettengill
Caldwell	Ford, Calif.	Lambertson	Peyser
Cannon, Mo.	Ford, Miss.	Lambeth	Pfeifer
Cannon, Wis.	Frey, Pa.	Lamneck	Phillips
Carlson	Fries, Ill.	Lanham	Pierce
Carter	Fuller	Larrabee	Plumley
Cartwright	Fulmer	Lea	Poage
Case, S. Dak.	Gambrill	Leavy	Polk
Celler	Garrett	Lemke	Powers
Champion	Gasque	Lesinski	Quinn
Chandler	Gavagan	Lewis, Colo.	Rabaut
Chapman	Gearhart	Lewis, Md.	Ramsay
Church	Gehrmann	Long	Ramspeck
Citron	Gifford	Lord	Randolph
Clark, Idaho	Gilchrist	Lucas	Rankin
Clark, N. C.	Gildea	Luce	Rayburn
Clason	Gingery	Luckey, Nebr.	Reece, Tenn.
Claypool	Goldsborough	Ludlow	Reed, Ill.
Cluett	Gray, Ind.	Luecke, Mich.	Reed, N. Y.
Cochran	Gray, Pa.	McAndrews	Rees, Kans.
Coffee, Nebr.	Green	McClellan	Reilly
Coffee, Wash.	Greenwood	McCormack	Rich
Colden	Greever	McFarlane	Richards
Cole, Md.	Gregory	McGehee	Rigney
Collins	Griffith	McGranery	Robertson
Colmer	Griswold	McGrath	Robsion, Ky.
Connery	Guyer	McGroarty	Rogers, Mass.
Cooley	Gwynne	McKeough	Rogers, Okla.
Cooper	Haines	McLaughlin	Romjue
Costello	Halleck	McMillan	Rutherford
Cox	Hamilton	McReynolds	Ryan
Crawford	Hancock, N. Y.	McSweeney	Sabath
Creal	Hancock, N. C.	Maas	Sacks
Crosby	Harrington	Magnuson	Sadowski
Crosser	Hart	Mahon, S. C.	Sanders
Crowe	Harter	Mahon, Tex.	Sauthoff
Crowther	Hartley	Maloney	Schaefer, Ill.
Culkin	Havenner	Mapes	Schneider, Wis.
Cullen	Healey	Martin, Colo.	Schuetz
Cummings	Hendricks	Martin, Mass.	Schulte
Curley	Hennings	Mason	Scott
Daly	Higgins	Massingale	Scrugham
Deen	Hildebrandt	Maverick	Secrest

Seger	Starnes	Thompson, Ill.	Welch
Shafer, Mich.	Steagall	Thurston	Wene
Shanley	Stefan	Tinkham	West
Shannon	Sullivan	Tobey	Whelchel
Sheppard	Sumners, Tex.	Tolan	White, Idaho
Short	Sutphin	Towey	White, Ohio
Sirovich	Sweeney	Transue	Whittington
Smith, Conn.	Swope	Treadway	Wigglesworth
Smith, Maine	Taber	Turner	Wilcox
Smith, Va.	Tarver	Umstead	Williams
Smith, Wash.	Taylor, Colo.	Vinson, Ga.	Withrow
Smith, W. Va.	Taylor, S. C.	Vinson, Ky.	Wolcott
Snell	Taylor, Tenn.	Voorhis	Wolfenden
Snyder, Pa.	Teigan	Wadsworth	Wolverton
Somers, N. Y.	Terry	Wallgren	Woodruff
South	Thom	Walter	Woodrum
Sparkman	Thomas, N. J.	Warren	Zimmerman
Spence	Thomas, Tex.	Wearin	The Speaker
Stack	Thomason, Tex.	Weaver	

NAYS—1

Bernard

NOT VOTING—22

Buckley, N. Y.	Dunn	Kvale	Patman
Bulwinkle	Englebright	Lanzetta	Robinson, Utah
Casey, Mass.	Goodwin	McLean	Stubbs
Cole, N. Y.	Harlan	Mansfield	Wood
Cravens	Hobbs	Montague	
Douglas	Kee	Mott	

The SPEAKER. The Clerk will call my name.

The Clerk called the name of Mr. BANKHEAD, and he answered "aye."

So the Senate joint resolution was agreed to.

The Clerk announced the following pairs:

General pairs:

Mr. Bulwinkle with Mr. McLean.
Mr. Dunn with Mr. Cole of New York.
Mr. Harlan with Mr. Mott.
Mr. Patman with Mr. Englebright.
Mr. Hobbs with Mr. Douglas.
Mr. Montague with Mr. Kvale.
Mr. Robinson of Utah with Mr. Wood.
Mr. Casey of Massachusetts with Mr. Stubbs.

The result of the vote was announced as above recorded.

On motion of Mr. MCREYNOLDS, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

EXTENSION OF REMARKS

Mr. McREYNOLDS. Mr. Speaker, I ask unanimous consent that all Members of the House may have 5 legislative days in which to extend their remarks on the resolution just passed.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

ENROLLMENT OF SENATE JOINT RESOLUTION 3

Mr. RAYBURN. Mr. Speaker, I move that notwithstanding the adjournment or recess of the House the Speaker be, and he is hereby, authorized to sign the enrolled joint resolution of the Senate, Senate Joint Resolution No. 3.

The motion was agreed to.

EXTENSION OF REMARKS

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement which I made public recently.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mrs. JENCKES of Indiana asked and was given permission to extend her own remarks in the RECORD.

PERMISSION TO ADDRESS THE HOUSE

Mr. GOLDSBOROUGH. Mr. Speaker, on Tuesday next, after the reading of the Journal and disposition of matters on the Speaker's table, I ask unanimous consent to address the House for 1 hour.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

REPORT OF THE SELECT COMMITTEE ON REORGANIZATION OF GOVERNMENT ACTIVITIES

The SPEAKER laid before the House report of the House Select Committee on the Reorganization of Government Activities, which was referred to the Committee of the Whole House on the state of the Union and ordered printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MCLEAN (at the request of Mr. POWERS), on account of illness.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to speak for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, there is nothing that I know of on the calendar and no business that could be transacted tomorrow. The President has expressed the wish to send his Budget message to the House on Friday; therefore we will have to meet on that day. I may say to the Members for their convenience, however, that it is the intention on Friday to do nothing except receive the President's Budget message.

Mr. Speaker, I move that the House do now adjourn until Friday.

The motion was agreed to; accordingly (at 5 o'clock and 36 minutes p. m.) the House adjourned until Friday, January 8, 1937, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

151. A letter from the Acting Secretary of State, transmitting the Annual Report of the National Munitions Control Board in compliance of Joint Resolution No. 67, Seventy-fourth Congress, 1935 (H. Doc. No. 10); to the Committee on Foreign Affairs and ordered to be printed.

152. A letter from the Secretary of the Interior, transmitting the report of the Superintendent of St. Elizabeths Hospital showing in detail the expenditures of the hospital for the fiscal year ended June 30, 1936; to the Committee on Expenditures in the Executive Departments.

153. A letter from the Acting Secretary of the Treasury Department, transmitting a report of expenditures made in connection with Pershing Hall in Paris, France; to the Committee on Expenditures in the Executive Departments.

154. A letter from the Acting Secretary of the Treasury Department, transmitting a report of the receipts and expenditures made during the fiscal year ending June 30, 1936, from the working capital fund established for the operation of the industrial activities at the United States Public Health Service Hospital, Lexington, Ky.; to the Committee on Expenditures in the Executive Departments.

155. A letter from the Acting Secretary of the Treasury Department, transmitting a report of rental collections on account of public buildings and sites, privileges, and ground rent under the control of the Treasury Department outside of the District of Columbia for the fiscal year ended June 30, 1936; to the Committee on Expenditures in the Executive Departments.

156. A letter from the Acting Secretary of the Treasury Department, transmitting reports from the Departments of Commerce, War, the Securities and Exchange Commission, and the General Accounting Office relative to money received during the fiscal year ended June 30, 1936, which was not paid into the general fund of the United States Treasury; to the Committee on Expenditures in the Executive Departments.

157. A letter from the Acting Secretary of the Treasury Department, transmitting a statement of the receipts and expenditures, balances, etc., of the Government during the fiscal year ended June 30, 1936; to the Committee on Expenditures in the Executive Departments.

158. A letter from the Acting Secretary of the Treasury Department, transmitting a report showing refunds of

internal revenue in excess of $500 approved by the Bureau of Internal Revenue during the fiscal year ended June 30, 1936; to the Committee on Expenditures in the Executive Departments.

159. A letter from the Attorney General, transmitting a list of suits arising under the act of March 9, 1920 (41 Stat. 525); to the Committee on Claims.

160. A letter from the Attorney General, transmitting a list of suits arising under the Public Vessel Act of March 3, 1925 (43 Stat. 1112); to the Committee on Claims.

161. A letter from the Clerk of the House of Representatives, transmitting a report for the period from July 1, 1935, to June 30, 1936, both inclusive, giving names of statutory and contingent-fund employees of the House and their respective compensations, including clerks to Members; the expenditures from the contingent fund and from certain specific appropriations; to the Committee on Accounts.

162. A letter from the Secretary of Agriculture, transmitting a report for the fiscal year ended June 30, 1936, concerning the Federal-aid work administered by the Bureau of Public Roads; to the Committee on Roads.

163. A letter from the Attorney General, transmitting the annual report of the Department of Justice for the fiscal year ended June 30, 1936; to the Committee on the Judiciary.

164. A letter from the Secretary of War, transmitting a report from the Chief of Engineers, United States Army, on preliminary examination of Port Ontario Harbor, N. Y.; to the Committee on Rivers and Harbors.

165. A letter from the Secretary of War, transmitting a report dated January 4, 1937, from the Chief of Engineers, United States Army, on preliminary examination of Port Allen, Hawaii; to the Committee on Rivers and Harbors.

166. A letter from the Secretary of War, transmitting a report dated January 4, 1937, from the Chief of Engineers, United States Army, on preliminary examination of Russian River, Calif.; to the Committee on Rivers and Harbors.

167. A letter from the Secretary of War, transmitting a report dated January 4, 1937, from the Chief of Engineers, United States Army, on preliminary examination of ship canal across Prince of Wales Island, Alaska; to the Committee on Rivers and Harbors.

168. A letter from the Chairman of the Securities and Exchange Commission, transmitting the Second Annual Report of the Securities and Exchange Commission; to the Committee on Interstate and Foreign Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BUCHANAN: A bill (H. R. 1952) to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever", approved February 28, 1929, by including Roger P. Ames among those honored by said act; to the Committee on Military Affairs.

By Mr. HAMILTON: A bill (H. R. 1953) to authorize the coinage of 50-cent pieces in commemoration of the three hundredth anniversary of the original Norfolk (Va.) land grant and the two hundredth anniversary of the establishment of the city of Norfolk, Va., as a borough; to the Committee on Coinage, Weights, and Measures.

By Mr. HILL of Alabama: A bill (H. R. 1954) to prevent profiteering in time of war and to equalize the burdens of war and thus provide for the national defense, and promote peace; to the Committee on Military Affairs.

By Mr. KNUTSON: A bill (H. R. 1955) to increase the processing tax on certain oils, to impose a tax upon imported soybean oil, and for other purposes; to the Committee on Ways and Means.

By Mr. McCORMACK: A bill (H. R. 1956) to provide for the construction of 10 vessels for the Coast Guard designed for ice-breaking and assistance work; to the Committee on Merchant Marine and Fisheries.

By Mrs. NORTON: A bill (H. R. 1957) to repeal section 603 of the Revenue Act of 1932; to the Committee on Ways and Means.

By Mr. RANKIN: A bill (H. R. 1958) to amend the World War Adjusted Compensation Act; to the Committee on Ways and Means.

Also, a bill (H. R. 1959) to provide for additional relief for World War veterans, and for other purposes; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 1960) to amend existing laws pertaining to yearly renewable term and United States Government life insurance; to the Committee on World War Veterans' Legislation.

By Mr. SCHNEIDER of Wisconsin: A bill (H. R. 1961) to authorize the conveyance by the United States to the State of Wisconsin of a portion of the Twin River Point Lighthouse Reservation, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SECREST: A bill (H. R. 1962) to establish the Bureau of Veterans' Affairs in the Department of the Treasury with the Commissioner of Veterans' Affairs at the head thereof, to abolish the Veterans' Administration and transfer its functions to such Bureau, to adjust and equalize pensions of veterans and widows and dependents of veterans, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. TAYLOR of Tennessee: A bill (H. R. 1963) granting a pension to widows and dependent children of World War veterans; to the Committee on Pensions.

Also, a bill (H. R. 1964) to authorize the appropriation of $100,000,000, or so much thereof as may be necessary, to locate and construct through the States of Virginia, North Carolina, Tennessee, Kentucky, and West Virginia, and the District of Columbia, a highway to be known as Eastern National Park-to-Park Highway; to the Committee on Roads.

Also, a bill (H. R. 1965) to provide for the erection of a monument in honor of the soldiers buried in the churchyard of Washington Church, Knox County, Tenn.; to the Committee on Military Affairs.

Also, a bill (H. R. 1966) to amend an act known as the Tennessee Valley Authority Act of 1933 so as to provide that the Tennessee Valley Authority reimburse certain counties on account of loss of taxable values, and keep equalized the county indebtedness therein; to the Committee on Military Affairs.

Also, a bill (H. R. 1967) to amend Public Law No. 2, Seventy-third Congress, entitled "An act to maintain the credit of the United States Government"; to the Committee on Expenditures in the Executive Departments.

Also, a bill (H. R. 1968) for the protection of subcontractors, labor, and materials employed in public works; to the Committee on the Judiciary.

Also, a bill (H. R. 1969) to authorize the prompt deportation of criminals and certain other aliens, to guard against the separation from their families of certain law-abiding aliens, to further restrict immigration into the United States, and for other purposes; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 1970) to reimburse veterans of the Spanish-American War and others; to the Committee on Pensions.

Also, a bill (H. R. 1971) to provide for the general welfare by establishing a system of Federal subsidies which will enable each State to better cooperate in a Nation-wide program of soil conservation and preservation; to the Committee on Agriculture.

By Mr. BURCH: A bill (H. R. 1972) giving superintendents at classified post-office stations credit for substitutes serving under them; to the Committee on the Post Office and Post Roads.

By Mr. RANDOLPH: A bill (H. R. 1973) to provide for the construction of a post office at Webster Springs, W. Va.; to the Committee on Public Buildings and Grounds.

By Mr. CANNON of Wisconsin: A bill (H. R. 1974) reducing the membership of the House of Representatives; to the

Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. ALESHIRE: A bill (H. R. 1975) to authorize the coinage of 50-cent pieces in commemoration of the sesquicentennial anniversary of the expedition of Gen. Benjamin Logan into that territory now known as Logan County, Ohio, and the destruction of the last great Indian stronghold in Ohio; to the Committee on Coinage, Weights, and Measures.

By Mr. ANDREWS: A bill (H. R. 1976) to make appropriations for construction at Fort Niagara, N. Y.; to the Committee on Appropriations.

Also, a bill (H. R. 1977) to authorize the Secretary of War to lease to Old Fort Niagara Association, Inc., portions of the Fort Niagara Military Reservation, N. Y.; to the Committee on Military Affairs.

Also, a bill (H. R. 1978) to authorize an appropriation for construction at Fort Niagara, N. Y.; to the Committee on Military Affairs.

By Mr. CARTER: A bill (H. R. 1979) to provide for the establishment of a Coast Guard station on the shore of Contra Costa County, Calif.; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 1980) to provide for the registration of aliens, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. CHANDLER: A bill (H. R. 1981) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. CLARK of Idaho: A bill (H. R. 1982) for the relief of owners of property damaged by high waters in the Blackfoot Reservoir; to the Committee on Indian Affairs.

Also, a bill (H. R. 1983) to provide a preliminary examination and survey of the Snake River and tributaries in the States of Idaho, Washington, and Oregon, with a view to control of floodwaters; to the Committee on Flood Control.

By Mr. COCHRAN: A bill (H. R. 1984) to provide for space in the Federal buildings for employees' credit unions; to the Committee on Banking and Currency.

By Mr. CONNERY: A bill (H. R. 1985) to limit the effect of the regulation of interstate commerce between the States in goods, wares, and merchandise wholly or in part manufactured, mined, or produced by labor under working conditions, maximum hours, and minimum wages which are illegal in the State of delivery; to the Committee on Labor.

By Mr. DINGELL: A bill (H. R. 1986) to increase to $20 the maximum Federal grant for matching the monthly old-age-assistance payment made by a State; to the Committee on Ways and Means.

By Mr. DOCKWEILER: A bill (H. R. 1987) to amend title II of the National Housing Act by adding a new section to be known as section 208; to the Committee on Banking and Currency.

Also, a bill (H. R. 1988) to amend section 602½ of the Revenue Act of 1934; to the Committee on Ways and Means.

By Mr. ENGEL: A bill (H. R. 1989) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. GASQUE: A bill (H. R. 1990) granting uniform pensions to widows, children, and dependent parents of persons who served the United States in time of peace or war, and for other purposes; to the Committee on Pensions.

By Mr. GREEN: A bill (H. R. 1991) to reenact the law providing for disability allowances for World War veterans and to restore former service-connected disability status; to the Committee on World War Veterans' Legislation.

By Mr. IGLESIAS: A bill (H. R. 1992) to make Puerto Rico an incorporated Territory of the United States; to the Committee on Insular Affairs.

By Mr. KERR: A bill (H. R. 1993) to prohibit the exportation of tobacco seed and plants, except for experimental purposes; to the Committee on Agriculture.

Also, a bill (H. R. 1994) to provide that payment of adjusted-service credit may be made to the estate of the veteran if no eligible dependent is surviving; to the Committee on Ways and Means.

By Mr. KING: A bill (H. R. 1995) to add certain lands on the island of Hawaii to the Hawaii National Park, and for other purposes; to the Committee on the Public Lands.

By Mr. LAMNECK: A bill (H. R. 1996) to require certain employees of the Postal Service to work on Saturday, and to allow compensatory leave for such work; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 1997) to equalize the basis for longevity pay and retirement of warrant officers, United States Army; to the Committee on Military Affairs.

By Mr. McGROARTY: A bill (H. R. 1998) to amend the act entitled "An act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California", approved May 18, 1928 (45 Stat. L. 602); to the Committee on Indian Affairs.

By Mr. MEAD: A bill (H. R. 1999) to regulate interstate and foreign commerce by prescribing the conditions under which corporations may engage or may be formed to engage in such commerce, to provide for and define additional powers and duties of the Federal Trade Commission, to assist the several States in improving labor conditions and enlarging purchasing power for goods sold in such commerce, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 2000) to extend the civil-service laws, to establish a Federal Personnel Council, and for other purposes; to the Committee on the Civil Service.

By Mr. PETERSON of Florida: A bill (H. R. 2001) to provide for an investigation and report of losses resulting from the campaign for the eradication of the Mediterranean fruit fly by the Department of Agriculture; to the Committee on Agriculture.

By Mr. PHILLIPS: A bill (H. R. 2002) in furtherance of the neutrality policy of the United States; to the Committee on Immigration and Naturalization.

By Mr. PLUMLEY: A bill (H. R. 2003) for the relief of families of Reserve officers of the Army who die while on active duty with the Civilian Conservation Corps; to the Committee on Military Affairs.

Also, a bill (H. R. 2004) to authorize the acquisition of land for military purposes at Fort Ethan Allen, Vt.; to the Committee on Military Affairs.

By Mr. RANKIN: A bill (H. R. 2005) to provide additional relief for dependents of deceased World War veterans, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. BURCH: A bill (H. R. 2006) to permit certain special-delivery messengers to acquire a classified status through noncompetitive examination; to the Committee on the Post Office and Post Roads.

By Mr. SHANNON: A bill (H. R. 2007) to establish a holiday to be known as Jefferson's Birthday; to the Committee on the District of Columbia.

Also, a bill (H. R. 2008) to provide for the establishment and maintenance of a procedure for cost accounting and cost reporting for Federal agencies; to the Committee on Expenditures in the Executive Departments.

By Mr. TAYLOR of Tennessee: A bill (H. R. 2009) to make it a crime to advocate, abet, encourage, or otherwise promote the overthrow or the destruction of the Government of the United States by force or violence, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 2010) to authorize the Secretary of Labor to deport aliens whose presence in the United States is inimical to the public interest; to the Committee on Immigration and Naturalization.

By Mr. TINKHAM: A bill (H. R. 2011) to provide for registration of persons employed to advocate or oppose legislative measures and to regulate the method of such advocacy or opposition; to the Committee on the Judiciary.

By Mr. WELCH: A bill (H. R. 2012) to adjust the rate of pension to soldiers of the Indian wars who served 90 days or

more in active service against hostile Indians, and for other purposes; to the Committee on Pensions.

Also, a bill (H. R. 2013) relating to the induction of registrants who applied and who were accepted for induction and assigned to educational institutions for special and technical training under the provisions of the act approved August 31, 1918, but whose induction, without fault of their own, was not completed; to the Committee on Military Affairs.

By Mr. WILCOX: A bill (H. R. 2014) to amend an act entitled "An act to provide for the establishment of the Everglades National Park in the State of Florida, and for other purposes", approved May 30, 1934; to the Committee on the Public Lands.

By Mr. VINSON of Kentucky: A bill (H. R. 2015) to regulate interstate commerce in bituminous coal, and for other purposes; to the Committee on Ways and Means.

By Mr. DOXEY: A bill (H. R. 2016) to reimburse ginners on account of expenses incurred for the crop year 1934–35 in connection with the Bankhead Cotton Act; to the Committee on Agriculture.

By Mr. GOLDSBOROUGH: A bill (H. R. 2017) to provide for the examination and survey of Town River, at Oxford, Talbot County, Md.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2018) to provide for the examination and survey of Hearns Creek, Dorchester County, Md.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2019) to establish the Federal Monetary Authority and to control the currency of the United States; to the Committee on Banking and Currency.

Also, a bill (H. R. 2020) to restrict chain and branch banking, to amend the National Bank Act and the Federal Reserve Act, and for other purposes; to the Committee on Banking and Currency.

By Mr. LUCKEY of Nebraska: A bill (H. R. 2021) to provide time credits for substitutes in the motor-vehicle service; to the Committee on the Post Office and Post Roads.

By Mr. BUCHANAN: Resolution (H. Res. 45) to amend rules 10, 11, and 16; to the Committee on Rules.

By Mr. LAMNECK: Resolution (H. Res. 46) to create a committee of seven Members of the House to make a thorough and complete investigation on the monetary policy; to the Committee on Rules.

By Mr. McREYNOLDS: Joint resolution (H. J. Res. 80) to prohibit the exportation of arms, ammunition, and implements of war from the United States to Spain; to the Committee on Foreign Affairs.

By Mr. BUCHANAN: Joint resolution (H. J. Res. 81) to create a joint congressional committee on Government organization; to the Committee on Rules.

By Mr. GUYER: Joint resolution (H. J. Res. 82) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

Also, joint resolution (H. J. Res. 83) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. McCORMACK: Joint resolution (H. J. Res. 84) to provide for the preparation, printing, and distribution of pamphlets containing the history of Brig. Gen. Casimir Pulaski, Revolutionary War hero, on occasion of the one hundred and fiftieth anniversary of the death of Brig. Gen. Casimir Pulaski on October 11, 1929, with certain biographical sketches and explanatory matter; to the Committee on Printing.

Also, joint resolution (H. J. Res. 85) authorizing the issuance of a special postage stamp in honor of Brig. Gen. Thaddeus Kosciusko; to the Committee on the Post Office and Post Roads.

By Mr. McLAUGHLIN: Joint resolution (H. J. Res. 86) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. RANDOLPH: Joint resolution (H. J. Res. 87) for the erection of a memorial to Dr. Samuel Alexander Mudd; to the Committee on the Public Lands.

By Mr. LEMKE: Joint resolution (H. J. Res. 88) staying mortgage foreclosures by the Home Owners' Loan Corporation and the Farm Credit Administration for a period of 2 years; to the Committee on Banking and Currency.

By Mr. McCORMACK: Joint resolution (H. J. Res. 89) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. RYAN: Joint resolution (H. J. Res. 90) providing for the sale of postage stamps at places other than the post office or its branches, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. WHITE of Idaho: Joint resolution (H. J. Res. 91) to permit a compact or agreement between the States of Idaho and Wyoming respecting the disposition and apportionment of the waters of the Snake River and its tributaries, and for other purposes; to the Committee on Irrigation and Reclamation.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALESHIRE: A bill (H. R. 2022) for the relief of William L. Oden; to the Committee on Claims.

Also, a bill (H. R. 2023) for the relief of William G. Sullivan; to the Committee on Claims.

By Mr. ALLEN of Illinois: A bill (H. R. 2024) granting an increase of pension to Maria A. Houston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2025) granting an increase of pension to Elizabeth Snyder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2026) granting an increase of pension to Ernestine Singer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2027) granting an increase of pension to Ada Plattenberger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2028) granting a pension to Ethel S. Ferguson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2029) granting a pension to Emma Wood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2030) granting an increase of pension to Florence A. Clarkson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2031) granting an increase of pension to Henry Friedrick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2032) granting an increase of pension to Martha C. Howe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2033) granting an increase of pension to Elizabeth Diehl; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2034) granting an increase of pension to Anna Flint; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2035) granting a pension to Sarah A. King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2036) granting a pension to Lizzie May Schaber; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 2037) for the relief of Margaret Mahon; to the Committee on Claims.

By Mr. BUCHANAN: A bill (H. R. 2038) to authorize the removal of the bar of the statute of limitations with respect to certain taxes paid by Milton Kasch; to the Committee on Claims.

By Mr. BUCKLEY of New York: A bill (H. R. 2039) for the relief of James M. D'Arcy; to the Committee on Claims.

By Mr. CARTER: A bill (H. R. 2040) granting a pension to Edward Myers; to the Committee on Pensions.

Also, a bill (H. R. 2041) for the relief of Katheryn S. Anderson; to the Committee on Claims.

Also, a bill (H. R. 2042) for the relief of Joshua L. Bach; to the Committee on Claims.

Also, a bill (H. R. 2043) for the relief of John W. Elston; to the Committee on Military Affairs.

Also, a bill (H. R. 2044) for the relief of Fred Harker; to the Committee on Military Affairs.

Also, a bill (H. R. 2045) for the relief of Benjamin F. Jones; to the Committee on Military Affairs.

Also, a bill (H. R. 2046) for the relief of Albert C. Moe; to the Committee on the Judiciary.

By Mr. CLUETT: A bill (H. R. 2047) granting a pension to Margaret M. Crane; to the Committee on Invalid Pensions.

By Mr. DINGELL: A bill (H. R. 2048) granting a pension to Henry M. Tunis; to the Committee on Pensions.

By Mr. DUNCAN: A bill (H. R. 2049) granting an increase of pension to Elizabeth Thompson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2050) granting an increase of pension to Lida A. Beverly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2051) granting an increase of pension to Mary E. Redman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2052) granting a pension to Mary C. McKarin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2053) granting a pension to Jane S. Murphy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2054) granting a pension to Bertha E. Haroff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2055) granting a pension to Elizabeth Hindman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2056) granting a pension to Sarah C. Burnett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2057) granting a pension to Mary F. Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2058) granting a pension to Mary C. Wilkerson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2059) granting a pension to Joseph Thompson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2060) granting an increase of pension to Matilda M. Fleming; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2061) granting an increase of pension to Rose A. Pettigrew; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2062) granting an increase of pension to Mary E. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2063) granting an increase of pension to Maria Berghoff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2064) granting an increase of pension to Nannie Blades; to the Committee on Invalid Pensions.

By Mr. ENGEL: A bill (H. R. 2065) granting a pension to Rebecca Barnard; to the Committee on Pensions.

By Mr. FOCHT: A bill (H. R. 2066) for the relief of Sylvia I. Whiteman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2067) granting an increase of pension to Mary E. Mearkle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2068) granting an increase of pension to Sarah E. Johnston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2069) granting an increase of pension to Margaret E. Laidig; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2070) granting a pension to Sadie E. Goshorn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2071) granting a pension to Lillie Haupt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2072) granting a pension to Jacob Franklin Dale; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2073) granting a pension to William Cloyd Fisher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2074) granting a pension to Lucretia E. Barton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2075) for the relief of Albert A. Taney; to the Committee on Military Affairs.

Also, a bill (H. R. 2076) granting a pension to Mary C. Simon; to the Committee on Pensions.

Also, a bill (H. R. 2077) granting a pension to Edna B. Hartley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2078) granting a pension to Minnie G. Jones; to the Committee on Invalid Pensions.

By Mr. FULMER: A bill (H. R. 2079) granting an increase of pension to Addison P. M. Martin; to the Committee on Pensions.

Also, a bill (H. R. 2080) for the relief of Eleanora S. Richardson; to the Committee on Claims.

By Mr. GREENWOOD: A bill (H. R. 2081) granting a pension to Gena Browning; to the Committee on Invalid Pensions.

By Mr. KEE: A bill (H. R. 2082) for the relief of F. M. Peters and J. T. Akers; to the Committee on Claims.

Also, a bill (H. R. 2083) for the relief of the United Pocahontas Coal Co., Crumpler, W. Va.; to the Committee on Claims.

Also, a bill (H. R. 2084) for the relief of the trustees of the Baptist College at Blue Sulphur, W. Va.; to the Committee on War Claims.

Also, a bill (H. R. 2085) for the relief of the widow of Leslie Brandebury Rucker; to the Committee on Claims.

Also, a bill (H. R. 2086) for the relief of Henry C. Hale; to the Committee on War Claims.

By Mr. KELLY of Illinois: A bill (H. R. 2087) for the relief of George O. Kittell; to the Committee on Military Affairs.

Also, a bill (H. R. 2088) granting a pension to Joseph J. Mann; to the Committee on Pensions.

Also, a bill (H. R. 2089) for the relief of Charles Weisz; to the Committee on Claims.

Also, a bill (H. R. 2090) for the relief of John Knaack; to the Committee on Claims.

By Mr. KLOEB: A bill (H. R. 2091) for the relief of Paul Winters York; to the Committee on Military Affairs.

By Mr. KOCIALKOWSKI: A bill (H. R. 2092) for the relief of Anna Kotnyek; to the Committee on Claims.

By Mr. LAMBETH: A bill (H. R. 2093) for the relief of Marion Shober Phillips; to the Committee on Claims.

By Mr. LAMNECK: A bill (H. R. 2094) granting an increase of pension to Columbia Hankins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2095) for the relief of Alex Lindsay; to the Committee on Military Affairs.

Also, a bill (H. R. 2096) for the relief of Roy Beck; to the Committee on Military Affairs.

Also, a bill (H. R. 2097) for the relief of Walter Cleo Gibeaut; to the Committee on Military Affairs.

Also, a bill (H. R. 2098) for the relief of Agnes Ewing Harter; to the Committee on Military Affairs.

By Mr. LANHAM: A bill (H. R. 2099) to amend and correct application for copyright filed by Effie Canning Carlton on February 10, 1915, with the Register of Copyrights and bearing renewal registration no. 6384, and for other purposes; to the Committee on Patents.

By Mr. McLAUGHLIN: A bill (H. R. 2100) authorizing the President of the United States to present, in the name of Congress, a medal of honor to Thomas E. Langdon; to the Committee on Military Affairs.

By Mr. MASON: A bill (H. R. 2101) for the relief of James Prien; to the Committee on Military Affairs.

Also, a bill (H. R. 2102) for the relief of Ida L. Funston; to the Committee on Claims.

Also, a bill (H. R. 2103) granting a pension to Clara S. Hopple; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2104) granting a pension to Mary E. Todd; to the Committee on Pensions.

Also, a bill (H. R. 2105) granting a pension to Eva Case; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2106) granting an increase of pension to Charity West; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2107) granting an increase of pension to Mary A. West; to the Committee on Invalid Pensions.

By Mr. MURDOCK of Arizona: A bill (H. R. 2108) for the relief of Dorothy White, Mrs. Carol M. White, and Charles A. White; to the Committee on Claims.

By Mr. WELCH: A bill (H. R. 2109) for the relief of Horatio S. Turrell, alias Horatio Seaward; to the Committee on Military Affairs.

Also, a bill (H. R. 2110) for the relief of Charles F. Stone; to the Committee on Military Affairs.

Also, a bill (H. R. 2111) for the relief of James J. Orme; to the Committee on Military Affairs.

Also, a bill (H. R. 2112) for the relief of Victor D. Maggi; to the Committee on Military Affairs.

Also, a bill (H. R. 2113) for the relief of Mark D. Moad; to the Committee on Military Affairs.

Also, a bill (H. R. 2114) for the relief of Ernst Nussbaum; to the Committee on War Claims.

Also, a bill (H. R. 2115) for the relief of George H. Hutchinson, deceased; to the Committee on Military Affairs.

Also, a bill (H. R. 2116) providing for the advancement on the retired list of the Army of A. W. Barry; to the Committee on Military Affairs.

By Mr. NELSON: A bill (H. R. 2117) granting a pension to Olive Hancock Entrekin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2118) granting an increase of pension to Mary A. Borts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2119) granting a pension to Rebecca Leonhardt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2120) granting a pension to Belle Hockensmith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2121) granting a pension to Bettie C. Cunningham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2122) granting a pension to Margaret Wallace; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2123) granting a pension to Emma J. Rose; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2124) granting a pension to Hattie Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2125) granting a pension to Louisa M. Alcorn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2126) granting a pension to Samantha Midgett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2127) granting an increase of pension to Mary A. Huffman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2128) granting a pension to G. E. Sandbach; to the Committee on Pensions.

Also, a bill (H. R. 2129) granting an increase of pension to Mary F. Hudgens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2130) granting an increase of pension to Martha E. Humphreys; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2131) granting an increase of pension to Mary E. Van Treese; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2132) granting a pension to Amanda Napier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2133) granting a pension to Margaret Scofield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2134) granting a pension to Lillian LaMotte; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2135) granting a pension to Mattie Mayo; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2136) granting a pension to Ethel Kapp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2137) granting an increase of pension to Dora Reynolds; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2138) granting an increase of pension to Mamie F. Presley; to the Committee on Invalid Pensions.

By Mr. O'CONNOR of New York: A bill (H. R. 2139) for the relief of Alice Steinhardt; to the Committee on War Claims.

Also, a bill (H. R. 2140) for the relief of James G. Hardy & Co.; to the Committee on Claims.

Also, a bill (H. R. 2141) for the relief of Timothy Joseph Long; to the Committee on Naval Affairs.

Also, a bill (H. R. 2142) for the relief of Carlo Scarabello; to the Committee on Claims.

Also, a bill (H. R. 2143) for the relief of Emil Chalupa; to the Committee on Naval Affairs.

Also, a bill (H. R. 2144) for the relief of Henrietta Jacobs; to the Committee on Claims.

Also, a bill (H. R. 2145) for the relief of Max Geissler; to the Committee on Claims.

Also, a bill (H. R. 2146) extending the provisions of an act entitled "An act to amend the act entitled 'An act for the retirement of employees in the classified civil service, and for other purposes', approved May 22, 1920, and acts in amendment thereof", to Lucy A. Weaver; to the Committee on the Civil Service.

By Mr. O'MALLEY: A bill (H. R. 2147) providing for the advancement in rank of Frederick L. Caudle on the retired list of the United States Navy; to the Committee on Naval Affairs.

By Mr. PETERSON of Florida: A bill (H. R. 2148) for the relief of Peter C. Hains, Jr.; to the Committee on Military Affairs.

Also, a bill (H. R. 2149) for the relief of Capt. Guy L. Hartman; to the Committee on Claims.

Also, a bill (H. R. 2150) for the relief of George T. Stonebraker; to the Committee on Claims.

Also, a bill (H. R. 2151) granting a pension to Bertha C. Laux; to the Committee on Pensions.

Also, a bill (H. R. 2152) granting a pension to Frederick Joseph Trott; to the Committee on Pensions.

Also, a bill (H. R. 2153) granting a pension to Vonnie D. Bright; to the Committee on Pensions.

Also, a bill (H. R. 2154) granting a pension to William F. Clohessy; to the Committee on Pensions.

Also, a bill (H. R. 2155) granting a pension to Joseph M. White; to the Committee on Pensions.

Also, a bill (H. R. 2156) granting a pension to Margaret E. Giebelhouse; to the Committee on Pensions.

Also, a bill (H. R. 2157) granting a pension to Frances S. Carney; to the Committee on Pensions.

Also, a bill (H. R. 2158) granting a pension to Harry J. Simpson; to the Committee on Pensions.

Also, a bill (H. R. 2159) granting a pension to Millard Mitchell Sapp; to the Committee on Pensions.

Also, a bill (H. R. 2160) authorizing the payment of an indemnity to the Spanish Government on account of the death of Juan Neira, a Spanish subject, killed at Savannah, Ga., by a United States truck; to the Committee on Foreign Affairs.

Also, a bill (H. R. 2161) for the relief of George Tatum; to the Committee on Military Affairs.

Also, a bill (H. R. 2162) for the relief of Nellie S. Barbee; to the Committee on Claims.

Also, a bill (H. R. 2163) for the relief of the heirs of Sarah P. Nix; to the Committee on War Claims.

Also, a bill (H. R. 2164) for the relief of John A. McGloin; to the Committee on Claims.

Also, a bill (H. R. 2165) to permanently renew patent no. 630352; to the Committee on Patents.

Also, a bill (H. R. 2166) for the relief of the heirs of Asbury Hodges, deceased; to the Committee on War Claims.

Also, a bill (H. R. 2167) for the relief of I. I. Foss; to the Committee on Claims.

Also, a bill (H. R. 2168) for the relief of E. M. Thorpe; to the Committee on Claims.

Also, a bill (H. R. 2169) for the relief of H. H. Barnhill; to the Committee on Claims.

Also, a bill (H. R. 2170) for the relief of the heirs of Mrs. W. L. Davis; to the Committee on War Claims.

Also, a bill (H. R. 2171) for the relief of Frank Burgess Bruce; to the Committee on War Claims.

Also, a bill (H. R. 2172) for the relief of the heirs of A. F. Mira; to the Committee on War Claims.

Also, a bill (H. R. 2173) for the relief of Fritz Dantzler; to the Committee on Military Affairs.

Also, a bill (H. R. 2174) for the relief of John Henry Mobley; to the Committee on Claims.

Also, a bill (H. R. 2175) for the relief of Bridger J. Wise; to the Committee on Claims.

Also, a bill (H. R. 2176) for the relief of V. Jackson Hodges; to the Committee on Claims.

Also, a bill (H. R. 2177) for the relief of Gus Smith; to the Committee on Claims.

By Mr. PLUMLEY: A bill (H. R. 2178) for the relief of widows of certain Reserve officers of the Army who died while serving with the Civilian Conservation Corps; to the Committee on Claims.

Also, a bill (H. R. 2179) granting a pension to Clara L. Garvin; to the Committee on Invalid Pensions.

By Mr. RANDOLPH: A bill (H. R. 2180) for the relief of Lily Singleton Osburn; to the Committee on Claims.

By Mr. REECE of Tennessee: A bill (H. R. 2181) for the relief of James Dewey Powell; to the Committee on Claims.

Also, a bill (H. R. 2182) for the relief of Mrs. Pink Eller; to the Committee on Claims.

Also, a bill (H. R. 2183) for the relief of Earl G. Stout; to the Committee on Claims.

Also, a bill (H. R. 2184) for the relief of Clayetta Brownlow Cannon; to the Committee on Claims.

Also, a bill (H. R. 2185) granting a pension to William McKinley Green; to the Committee on Pensions.

Also, a bill (H. R. 2186) granting an increase of pension to Lee Street; to the Committee on Pensions.

Also, a bill (H. R. 2187) for the relief of Robert E. Wilson; to the Committee on Military Affairs.

Also, a bill (H. R. 2188) for the relief of Marion C. Asbury; to the Committee on Military Affairs.

Also, a bill (H. R. 2189) for the relief of Joy Montgomery; to the Committee on Claims.

Also, a bill (H. R. 2190) for the relief of Solon P. Haun; to the Committee on Military Affairs.

Also, a bill (H. R. 2191) for the relief of Roberta Carr; to the Committee on Claims.

Also, a bill (H. R. 2192) for the relief of Paul and A. B. Johnson; to the Committee on Claims.

Also, a bill (H. R. 2193) for the relief of John Ruston; to the Committee on Military Affairs.

Also, a bill (H. R. 2194) granting a pension to Guy E. Bolton; to the Committee on Invalid Pensions.

By Mr. ROBERTSON: A bill (H. R. 2195) for the relief of Oliver Z. Hoge; to the Committee on Claims.

By Mr. SABATH: A bill (H. R. 2196) to refund income and profit taxes erroneously collected on storage batteries; to the Committee on Claims.

By Mr. SHANNON: A bill (H. R. 2197) granting a pension to James Joseph Monahan; to the Committee on Pensions.

Also, a bill (H. R. 2198) granting a pension to Jesse E. Lampkin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2199) granting a pension to Joseph Ladish; to the Committee on Pensions.

Also, a bill (H. R. 2200) granting a pension to Katie Cummings; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2201) granting a pension to Charles Arthur Collins; to the Committee on Pensions.

Also, a bill (H. R. 2202) granting a pension to Levi Clark; to the Committee on Pensions.

Also, a bill (H. R. 2203) for the relief of Mike Prkovich; to the Committee on Military Affairs.

Also, a bill (H. R. 2204) for the relief of George W. Wormington; to the Committee on Military Affairs.

Also, a bill (H. R. 2205) granting a pension to George W. Wormington; to the Committee on Pensions.

Also, a bill (H. R. 2206) granting a pension to Hattie M. Warner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2207) granting a pension to Salina Jane Slaughter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2208) granting a pension to Edward A. Price; to the Committee on Pensions.

Also, a bill (H. R. 2209) granting an increase of pension to Mary F. Massey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2210) for the relief of George Mullens; to the Committee on Naval Affairs.

Also, a bill (H. R. 2211) for the relief of William George O'Neal; to the Committee on Naval Affairs.

Also, a bill (H. R. 2212) for the relief of Dory Cleo Arnold; to the Committee on Naval Affairs.

Also, a bill (H. R. 2213) for the relief of Carl A. Barzen; to the Committee on Military Affairs.

Also, a bill (H. R. 2214) for the relief of Albert P. Dunbar; to the Committee on Military Affairs.

Also, a bill (H. R. 2215) for the relief of Gallup's, Inc.; to the Committee on Claims.

Also, a bill (H. R. 2216) for the relief of John F. Carlow; to the Committee on Military Affairs.

Also, a bill (H. R. 2217) for the relief of Charles Cubberly; to the Committee on Military Affairs.

Also, a bill (H. R. 2218) for the relief of Helen Marie Lewis; to the Committee on Claims.

Also, a bill (H. R. 2219) for the relief of Hugh G. Morris; to the Committee on Military Affairs.

Also, a bill (H. R. 2220) for the relief of Joseph W. Zorn; to the Committee on Military Affairs.

By Mr. TAYLOR of Tennessee: A bill (H. R. 2221) granting a pension to Hiram M. Graves; to the Committee on Pensions.

Also, a bill (H. R. 2222) granting a pension to Clellia S. Irvin; to the Committee on Pensions.

Also, a bill (H. R. 2223) for the relief of Walter B. Johnson and others; to the Committee on Claims.

Also, a bill (H. R. 2224) for the relief of M. E. Parmlee; to the Committee on Military Affairs.

Also, a bill (H. R. 2225) for the relief of Paul Burress; to the Committee on Claims.

Also, a bill (H. R. 2226) for the relief of Leah Levine; to the Committee on Claims.

Also, a bill (H. R. 2227) for the relief of Mrs. Avery McDaniel; to the Committee on Claims.

Also, a bill (H. R. 2228) for the relief of Thomas Green; to the Committee on Claims.

Also, a bill (H. R. 2229) for the relief of Florida O. McLain, widow of Calvin E. McLain, who died from injuries received by being struck by a Government Civilian Conservation Corps truck in the city of Knoxville, Tenn., on August 23, 1934; to the Committee on Claims.

Also, a bill (H. R. 2230) for the relief of Willie Brackett; to the Committee on Claims.

Also, a bill (H. R. 2231) for the relief of Charles E. Black; to the Committee on World War Veterans' Legislation.

By Mr. GUYER: Joint resolution (H. J. Res. 92) for the relief of William K. Richardson; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII,

12. Mr. CULLEN presented a petition of the Medical Society of the county of Kings and Academy of Medicine of Brooklyn, urging Congress to appropriate annually to the Army Medical Library an adequate sum for current medical books and periodicals and an additional sum annually for the purchase of back publications lost during recent years; also an annual appropriation to defray the cost of printing regularly each year not less than one volume of the Index Catalogue, which was referred to the Committee on Appropriations.

SENATE

FRIDAY, JANUARY 8, 1937

(Legislative day of Wednesday, Jan. 6, 1937)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

THEODORE G. BILBO, a Senator from the State of Mississippi, and BURTON K. WHEELER, a Senator from the State of Montana, appeared in their seats today.

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, January 6, 1937, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its reading clerks, announced that the House had passed the joint resolution (S. J. Res. 3) to prohibit the exportation of arms, ammunition, and implements of war from the United States to Spain.

ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled joint resolution (S. J. Res. 3) to prohibit the exportation of arms, ammunition, and implements of war from the United States to Spain, and it was signed by the Vice President.

FELICITATIONS ON THE REELECTION OF PRESIDENT ROOSEVELT

The VICE PRESIDENT laid before the Senate a letter from the president of the Senate of the Republic of Cuba, embodying a resolution congratulating and felicitating Franklin Delano Roosevelt upon his reelection as President of the United States, which was ordered to lie on the table.

THE LATE SENATOR FLETCHER, OF FLORIDA

The VICE PRESIDENT laid before the Senate resolutions adopted as a tribute to the memory of Hon. Duncan U. Fletcher, late a Senator from the State of Florida, by the Chamber of Commerce of Tampa and the Democratic Executive Committee of the Fourth Congressional District of Florida, which were ordered to lie on the table.

THE LATE SENATOR TRAMMELL, OF FLORIDA

The VICE PRESIDENT laid before the Senate a resolution adopted as a tribute to the memory of Hon. Park Trammell, late a Senator from the State of Florida, by the Democratic Executive Committee of the Fourth Congressional District of Florida, which was ordered to lie on the table.

FIVE HUNDREDTH ANNIVERSARY OF FOUNDING OF SWEDISH PARLIAMENT

The VICE PRESIDENT laid before the Senate a letter from the Assistant Secretary of State, enclosing copy of a note received from the Swedish Legation in Washington, together with certain publications issued in connection with the celebration of the five hundredth anniversary of the founding of the Swedish Parliament, which, with the accompanying documents, was referred to the Committee on Foreign Relations.

REPORT OF THE SECRETARY OF THE TREASURY

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Treasury, transmitting, pursuant to law, his annual report on the state of the finances for the fiscal year ended June 30, 1936, which, with the accompanying report, was referred to the Committee on Finance.

REPORT OF THE HOWARD UNIVERSITY

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting, pursuant to law, the annual report of the Office of Education upon the affairs of Howard University for the fiscal year ended June 30, 1936, which, with the accompanying report, was referred to the Committee on Education and Labor.

CLAIM OF J. HARVEY BLANCHARD

The VICE PRESIDENT laid before the Senate a letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report and recommendation concerning the claim of J. Harvey Blanchard for certain property damages, which, with the accompanying papers, was referred to the Committee on Claims.

REPORT ON TEXTILE INDUSTRIES

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Federal Trade Commission, transmitting copy of a report transmitted to the President of the United States entitled "The Textile Industries in the Last Half of 1935—Part III—The Silk and Rayon Textile Industry", which, with the accompanying document, was referred to the Committee on Education and Labor.

REPORT OF SECRETARY OF THE SENATE (S. DOC. NO. 1)

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Senate, transmitting, pursuant to law, his annual report for the fiscal year ended June 30, 1936, which, with the accompanying report, was ordered to lie on the table and to be printed.

REPORTS OF THE LIBRARIAN OF CONGRESS

The VICE PRESIDENT laid before the Senate a letter from the Librarian of Congress, transmitting, pursuant to law, his annual report, together with the report of the Register of Copyrights, both for the fiscal year ended June 30, 1936, which, with the accompanying reports, was referred to the Committee on the Library.

STUDY OF INVESTMENT TRUSTS AND COMPANIES—PRELIMINARY SUMMARY

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, a preliminary summary of the progress of the study of investment trusts and investment companies conducted by the Commission, which, with the accompanying document, was referred to the Committee on Banking and Currency.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following concurrent memorial of the Legislature of the State of Arizona, which was referred to the Committee on Finance:

Concurrent memorial relating to the inclusion of tribal Indians within the provisions of the Old Age Assistance Act

To the Senate and House of Representatives of the Congress of the United States of America:

Your memorialist respectfully represents—

Section 2 of the Federal Social Security Act, approved August 14, 1935, requires that States accepting the provisions of the said act, as they relate to old-age assistance, must impose no citizenship requirement which excludes any citizen of the United States.

The act of Congress approved June 2, 1924 (ch. 233, Public Laws of the United States, 68th Cong.), provides: "That all noncitizen Indians born within the territorial limits of the United States be, and they are hereby, declared to be citizens of the United States."

It follows that a strict interpretation of the acts above cited will entitle reservation Indians having the qualifications specified in the Social Security Act, and in State acts conforming thereto, to old-age assistance up to $30 per month.

The total number of Indians in the United States (annual report of the Commissioner of Indian Affairs for the year 1932) is 317,234. Of these the State of Arizona has 48,162, or above 15 percent of all the Indians of the United States.

Whatever may be true of the Indian tribes of other States, Arizona tribes contain a large percentage of old Indians, who, as regards the age requirement, will be eligible for old-age assistance. The addition of these aged Indians to the old-age assistance rolls would impose a burden upon the State of Arizona which it could hardly bear, and which it should not in reason be expected to bear.

The area of Arizona is approximately 72,931,860 acres. Of this total, 19,566,339 acres, or 26.8 percent, lies within Indian reservations. Much of this Indian land embraces particularly choice areas. None of it is taxable, nor are the Indians who occupy it contributors to the cost of maintaining the State government.

Aside from the fact that Arizona, as shown by the above figures, has an Indian population altogether out of proportion to her total population and wealth, and an Indian territory likewise disproportionate to her total area, it would also clearly appear that the matter of economic security for the Nation's Indian citizens is entirely a Federal responsibility.

Wherefore, your memorialist,

The House of Representatives of the State of Arizona (the senate concurring), respectfully but earnestly requests:

1. That the Congress of the United States do so amend the Social Security Act as to specifically except from its provisions relating to old-age assistance, or old-age pensions, all nontaxable tribal Indians residing upon reservations.

Approved, November 23, 1936.

The VICE PRESIDENT also laid before the Senate the following resolution of the Assembly of the State of California, which was referred to the Committee on Appropriations:

Resolution relative to memorializing and petitioning the President and the Congress of the United States to authorize the construction of the Central Valley project and to make an appropriation therefor

Whereas California is in urgent need of the development, conservation, and stabilization of its water resources to prevent the abandonment of thousands of farms and homes and to avert tremendous financial losses; and

Whereas the State of California has prepared a comprehensive coordinated plan for the progressive economic development of the water resources of the State, carefully formulated over a period of 14 years, which provides for the control of floods and salinity encroachment, the improvement of navigation, the conservation and stabilization of water supplies for municipal, irrigation, industrial, and mining uses, and for the generation of electric power; and

Whereas the Legislature of the State of California in 1933 passed the Central Valley Project Act, which was signed by the Governor and was thereafter approved by vote of the people of the State at a special election held on December 19, 1933; and

Whereas the said Central Valley Project Act created the Water Project Authority of the State of California to execute and administer the Central Valley project, which project is a coordinated plan for the immediate needs of the great Central Valley of California; and

Whereas said Central Valley project has been investigated and approved by 13 agencies of the Federal Government and has been recommended for Federal financing; and

Whereas said project has further been recommended by the President's committee on water flow and by the National Resources Board as one of the country's foremost projects for a national program of public works; and

Whereas the House of Representatives has passed H. R. 6732, authorizing the improvement of the Sacramento River in accordance with the plan as set forth in House of Representatives Document No. 35, Seventy-third Congress, which recommends a Federal contribution of $12,000,000 to the cost of the Kennett Dam of the Central Valley project; and

Whereas the said project will be self-liquidating, and the cost thereof will be returned to the Federal Government from revenues obtained by the sale of water and power; and

Whereas the consummation of the said project will enable 50,000 American people to sustain themselves by their present means of livelihood, and will prevent their being thrown into the ranks of the unemployed, and, further, will stop the reversion to desert of one-half million acres of highly developed and settled lands valued at $100,000,000; and

Whereas a greater degree of flood protection in the Sacramento Valley is highly desirable; and

Whereas the construction of said project will give employment to thousands of workers, now unemployed, not only in California but throughout the Nation, thereby relieving unemployment in many branches of industry, particularly in the heavy manufacturing industries in the East and Middle West; and

Whereas the Secretary of the Interior did heretofore report to the President that said project was feasible from engineering, agricultural, and financial standpoints, and was adaptable for settlement and farm homes; that the estimated construction cost was adequate and that the anticipated revenues would be sufficient to return the cost to the United States; and did approve and recommend the construction of said project, which recommendation was thereafter approved by the President; and

Whereas the President did, by virtue of the authority of the Emergency Relief Appropriation Act of 1935, approved April 8, 1935, allocate the sum of $15,000,000 from the appropriation made under said act to the Department of the Interior, Reclamation Service, to be reimbursable in accordance with the reclamation law, for the construction of the Central Valley project; and

Whereas said project is now in the course of construction in accordance with said allocation, and it is imperative that continuing appropriations be made under congressional authorization to assure the successful completion of the project; and

Whereas the cost of said project has been carefully estimated by competent Federal and State authorities to be $170,000,000, and will be repaid to the United States, in accordance with the reclamation law, out of the revenues of said project; and

Whereas there is now pending before the Congress Department of the Interior appropriation bill H. R. 10630, which, among other things, authorizes construction of said Central Valley project by the United States and appropriates for the construction thereof the sum of $16,000,000 for the fiscal year 1937: Now, therefore, be it

Resolved by the Assembly of the State of California, That the State of California, through its assembly, recommends the Central Valley project to the President and to the Congress of the United States as of first and prime importance to the State of California, and respectfully requests that the construction of said Central Valley project be authorized, and that adequate funds be appropriated so that the construction of said project may be continued, to the end that the same may be completed, thereby conferring lasting benefits not only upon the people of the State of California but upon the entire Nation, and thus affording substantial unemployment relief now vitally necessary and rehabilitating a vast area of valuable and highly developed lands, thereby enabling thousands of American families to sustain themselves on their present farms; and be it further

Resolved, That certified copies of this resolution be transmitted by the chief clerk of the Assembly of the State of California to the President and to the Vice President of the United States, the Speaker of the House of Representatives, and to the Senators and Representatives of the State of California in the Congress.

The VICE PRESIDENT also laid before the Senate the following resolution of the House of Representatives of the General Court of Massachusetts, which was referred to the Committee on Commerce:

Resolutions memorializing Congress in favor of adequate enforcement and sufficient appropriations of money to eliminate oil pollution from coastal waters

Resolved, That the House of Representatives of the General Court of Massachusetts hereby records itself in favor of the enforcement of Federal laws for the prevention of oil pollution in coastal waters, and urges the appropriation of sufficient funds for the proper enforcement thereof; and be it further

Resolved, That the Congress be urged to complete, as soon as possible, international treaties to prevent the discharge of oil on the high seas, in order that the present destruction of waterfowl, shellfish, and other natural resources may be stopped, and damage to coastal property eliminated; and be it further

Resolved, That the secretary of the Commonwealth forthwith forward a copy of these resolutions to the President of the United States, to the presiding officers of both branches of Congress, and to the Members thereof from this Commonwealth.

The VICE PRESIDENT also laid before the Senate the following concurrent resolutions of the Legislature of the State of Michigan, which were referred to the Committee on Finance:

Concurrent resolution memorializing the President and Congress of the United States to amend the Social Security Act to provide for the immediate payment of benefits, and the holding of reserves in the several States

Whereas the State of Michigan has adopted a "pay as you go" policy, with success and approval of the people of this State, so that Michigan today is an outstanding example of sound government; and

Whereas the provisions of the Social Security Act now provide for the building up of large reserves in Washington and the use of such reserves by the Federal Government for the uses of the Government in its operation, giving in return to the fund only promises to repay such borrowings in the future; and

Whereas the moneys which go into such reserves are trust liabilities of the Government to the workers of this country and should not be used for any other purposes; and

Whereas the Social Security Act also provides for the payment of large sums for assistance of the aged, children, blind, and health welfare, which have been considered immediate demands; and

Whereas the needs of the unemployed worker are as pressing as the needs of the aged, children, and blind when necessity arises; and

Whereas the reserve funds should belong to the workers of each State from which they are collected, and should be held in such States rather than through a central organization with its expensive governmental machinery: Now, therefore, be it

Resolved by the house of representatives (the senate concurring), That the Michigan Legislature hereby respectfully requests the President and Congress of the United States to enact amendments to the Social Security Act providing for immediate payment of benefits, and the holding of the reserve trust funds by the several States from which the funds are collected from the workers of such States under such protective restrictions as Congress may impose; and be it further

Resolved, That a copy of these resolutions be forwarded to the Honorable Franklin D. Roosevelt, President of the United States, to the President of the Senate of the Congress of the United States, to the Speaker of the House of Representatives of the Congress of the United States, and to the Michigan Members in the Congress of the United States.

The VICE PRESIDENT also laid before the Senate a resolution adopted at Minneapolis, Minn., by the board of directors of Associated Bankers of Minnesota, favoring an amendment to the Revenue Act of 1936 to enable millers to refund impounded processing taxes to those other than customers with whom they had a bona-fide written agreement to make such refunds, which was referred to the Committee on Finance.

He also laid before the Senate the petition of John J. Haistings, of New York City, praying for an old-age pension of at least $100 a month to those over 70 years of age, which was referred to the Committee on Finance.

He also laid before the Senate the petition of the National Pension League of Los Angeles, Calif., praying for the enactment of a national pension act for the aged, which was referred to the Committee on Finance.

He also laid before the Senate a resolution adopted by the Brooklyn Young Men's Chamber of Commerce, of Brooklyn, N. Y., favoring the payment of foreign debts owed to the United States by means of the issuance of certificates of indebtedness by foreign debtor governments, payable only in services or commodities bought and consumed within the debtor countries, which was referred to the Committee on Finance.

He also laid before the Senate the petition of Newton T. Mattoon and other citizens of Lapwai, Idaho, and vicinity, praying for an investigation of the administration of old-age assistance in the State of Idaho, which was referred to the Committee on Finance.

He also laid before the Senate resolutions adopted by the Board of Aldermen of Chelsea, Mass., the Council of the City of Cleveland, Ohio, and the Cuyahoga County (Ohio)

Relief Committee, favoring a continuance of employment of persons in need of relief under the Works Progress Administration, which were referred to the Committee on Appropriations.

He also laid before the Senate resolutions adopted by the Ohio Valley Conservation and Flood Control Congress and the Scioto-Sandusky Conservancy Association of the State of Ohio, favoring the appropriation of sufficient funds for flood-control projects approved by Army Engineers, which were referred to the Committee on Appropriations.

He also laid before the Senate resolutions adopted by the New Jersey Association of Real Estate Boards, Newark, N. J., and the board of supervisors, county of San Mateo, Calif., favoring the enactment of legislation providing for low cost housing construction, which were referred to the Committee on Banking and Currency.

He also laid before the Senate a resolution adopted by the Home Owners Association of Pennsylvania, of Pittsburgh, Pa., favoring leniency in the repayment of loans made by the Home Owners' Loan Corporation to distressed home owners and a moratorium of not less than 3 years in cases of deliquency payments before proceedings are instituted against the home owner, which was referred to the Committee on Banking and Currency.

He also laid before the Senate the memorial of the Kings County Consolidated Civic League and Sheepshead Bay Property Owners Association, of Brooklyn, N. Y., protesting against the use of public funds for building construction in competition with private property owners, which was referred to the Committee on Banking and Currency.

He also laid before the Senate a resolution adopted by the Council of the City of Marceline, Mo., protesting against the consolidation or abandonment of railroad properties, which was referred to the Committee on Interstate Commerce.

He also laid before the Senate a resolution adopted by the Council of the City of Cleveland, Ohio, favoring the establishment of a fact-finding agency on unemployment and a permanent Federal works program to absorb employables who cannot be employed in private industry, which was referred to the Committee on Education and Labor.

He also laid before the Senate a resolution adopted by the Central Committee of the Nonpartisan Party of Hawaii, favoring action for the settlement of disputes between employees and the Matson Navigation Co., which was referred to the Committee on Education and Labor.

He also laid before the Senate a resolution adopted by the Council of the City of Cleveland, Ohio, favoring the enactment of legislation providing civil-service status for special-delivery messengers in the Postal Service, which was referred to the Committee on Post Offices and Post Roads.

He also laid before the Senate resolutions adopted by the Los Angeles County Medical Association, of Los Angeles, Calif., the American Public Health Association, of New York City, and the Medical Society of the County of Kings and Academy of Medicine of Brooklyn, in the State of New York, favoring the making of adequate appropriations for current medical books and periodicals and back publications for the Army Medical Library, which were referred to the Committee on Military Affairs.

He also laid before the Senate a resolution adopted by International Brotherhood of Blacksmiths, Drop Forgers, and Helpers, of Sacramento, Calif., protesting against enforcement of the requirement that unlicensed seamen and radio operators possess certificates of service or efficiency and continuous discharge books as a condition of employment, which was referred to the Committee on Commerce.

He also laid before the Senate a resolution adopted by the Mississippi State Bar, endorsing the record of Judge Edwin R. Holmes as district judge for the State of Mississippi, which was referred to the Committee on the Judiciary.

He also laid before the Senate a resolution adopted by St. Mary's Dominican Alumnae of New Orleans, La., protesting against the ratification of the Great Lakes-St. Lawrence Deep Waterway Treaty, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a resolution adopted by the Alaska Native Brotherhood, of Klawock, Alaska, favoring larger appropriations for the relief of destitute natives in Alaska, which was referred to the Committee on Territories and Insular Affairs.

He also laid before the Senate a resolution adopted by the Pioneers of Alaska, Igloo No. 16, of Ketchikan, Alaska, favoring all possible and expedient steps to secure the resumption of adequate transportation for the commerce of the Territory of Alaska and the Pacific Coast States hindered by the present maritime strike, which was referred to the Committee on Territories and Insular Affairs.

He also laid before the Senate a resolution adopted by the United War Veterans Council, of San Antonio, Tex., favoring additional restrictions upon immigration, which was referred to the Committee on Immigration.

Mr. WALSH presented a resolution adopted by Weymouth Post, No. 79, American Legion, East Weymouth, Mass., protesting against the licensing of export shipments of war materials from the United States to belligerent nations, which was referred to the Committee on Foreign Relations.

CALL OF THE ROLL

Mr. ROBINSON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Caraway	Hughes	Pittman
Andrews	Chavez	Johnson, Colo.	Pope
Ashurst	Clark	King	Radcliffe
Austin	Connally	Lee	Reynolds
Bachman	Davis	Lodge	Robinson
Bailey	Dieterich	Logan	Russell
Bankhead	Duffy	Lonergan	Schwartz
Barkley	Ellender	Lundeen	Schwellenbach
Bilbo	Frazier	McAdoo	Sheppard
Black	George	McCarran	Stelwer
Bone	Gibson	McGill	Thomas, Okla.
Borah	Gillette	McKellar	Thomas, Utah
Bridges	Glass	McNary	Truman
Brown, Mich.	Green	Maloney	Vandenberg
Brown, N. H.	Guffey	Minton	Van Nuys
Bulkley	Hale	Moore	Wagner
Bulow	Harrison	Neely	Walsh
Burke	Hatch	Nye	Wheeler
Byrd	Hayden	O'Mahoney	White
Byrnes	Hitchcock	Overton	
Capper	Holt	Pepper	

Mr. BULKLEY. I announce that my colleague [Mr. DONAHEY] is detained from the Senate on account of a cold.

Mr. ROBINSON. I announce that the Senator from New York [Mr. COPELAND], the Senator from Rhode Island [Mr. GERRY], the Senator from Illinois [Mr. LEWIS], the Senator from Maryland [Mr. TYDINGS], and the Senator from Montana [Mr. MURRAY] are unavoidably detained from the Senate.

I also announce that the Senator from South Carolina [Mr. SMITH] is detained on account of a serious accident to a member of his family.

The PRESIDENT pro tempore. Eighty-two Senators having answered to their names, a quorum is present.

ADMINISTRATION OF OATH TO SENATOR NORRIS

Mr. ROBINSON. Mr. President, it is observed that the Senator from Nebraska [Mr. NORRIS] is present, and I understand he is ready to take the oath of office.

The PRESIDENT pro tempore. If the Senator from Nebraska will present himself at the desk, the oath will be administered to him.

Mr. NORRIS, escorted by Mr. BURKE, advanced to the Vice President's desk, and the oath of office prescribed by law was administered to him by the President pro tempore.

NATIONAL FOREST RESERVATION COMMISSION

The PRESIDENT pro tempore. The Chair appoints the Senator from New Hampshire [Mr. BRIDGES] a member of the National Forest Reservation Commission to fill the vacancy caused by the expiration of the term of Hon. Henry W. Keyes.

STANDING COMMITTEES OF THE SENATE

Mr. ROBINSON. Mr. President, I present a privileged resolution providing for the reorganization of the commit-

tees of the Senate. The resolution conforms to that adopted at the last session with two exceptions: In this resolution the Committee on Pensions is increased from 10 to 11 members and the Committee on Printing from 7 to 8 members. I ask that the resolution be read, and that then it may be agreed to.

The PRESIDENT pro tempore. The resolution submitted by the Senator from Arkansas will be read.

The Chief Clerk read the resolution (S. Res. 37), as follows:

Resolved, That paragraph 1 of rule XXV of the Standing Rules of the Senate be, and it is hereby, amended so as to read as follows:

"1. The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise:

"Committee on Agriculture and Forestry, to consist of 19 Senators.

"Committee on Appropriations, to consist of 24 Senators.

"Committee to Audit and Control the Contingent Expenses of the Senate, to consist of 4 Senators, to which shall be referred all resolutions directing the payment of money out of the contingent fund of the Senate or creating a charge upon the same: *Provided*, That any such resolution relating to substantive matter within the jurisdiction of any other standing committee of the Senate shall be first referred to such committee.

"Committee on Banking and Currency, to consist of 20 Senators.

"Committee on Civil Service, to consist of 10 Senators.

"Committee on Claims, to consist of 13 Senators.

"Committee on Commerce, to consist of 20 Senators.

"Committee on the District of Columbia, to consist of 15 Senators.

"Committee on Education and Labor, to consist of 13 Senators.

"Committee on Enrolled Bills, to consist of 3 Senators, who shall examine all bills, amendments, and joint resolutions before they go out of the possession of the Senate, and which shall have power to act jointly with the same committee of the House of Representatives, and which, or some one of which, shall examine all bills or joint resolutions which shall have passed both Houses, to see that the same are correctly enrolled, and, when signed by the Speaker of the House and President of the Senate, shall forthwith present the same, when they shall have originated in the Senate, to the President of the United States in person, and report the fact and date of such presentation to the Senate.

"Committee on Expenditures in the Executive Departments, to consist of 7 Senators.

"Committee on Finance, to consist of 21 Senators.

"Committee on Foreign Relations, to consist of 23 Senators.

"Committee on Immigration, to consist of 14 Senators.

"Committee on Indian Affairs, to consist of 14 Senators.

"Committee on Interoceanic Canals, to consist of 8 Senators.

"Committee on Interstate Commerce, to consist of 20 Senators.

"Committee on Irrigation and Reclamation, to consist of 17 Senators.

"Committee on the Judiciary, to consist of 18 Senators.

"Committee on the Library, to consist of 10 Senators, which shall have power to act jointly with the same committee of the House of Representatives.

"Committee on Manufactures, to consist of 13 Senators.

"Committee on Military Affairs, to consist of 17 Senators.

"Committee on Mines and Mining, to consist of 13 Senators.

"Committee on Naval Affairs, to consist of 17 Senators.

"Committee on Patents, to consist of 7 Senators.

"Committee on Pensions, to consist of 11 Senators.

"Committee on Post Offices and Post Roads, to consist of 19 Senators.

"Committee on Printing, to consist of 8 Senators, which shall have power to act jointly with the same committee of the House of Representatives.

"Committee on Privileges and Elections, to consist of 17 Senators.

"Committee on Public Buildings and Grounds, to consist of 14 Senators, which shall have power to act jointly with the same committee of the House of Representatives.

"Committee on Public Lands and Surveys, to consist of 15 Senators.

"Committee on Rules, to consist of 13 Senators.

"Committee on Territories and Insular Affairs, to consist of 17 Senators."

The PRESIDENT pro tempore. The question is on the adoption of the resolution.

The resolution was agreed to.

Mr. ROBINSON. On behalf of the majority, pursuant to the resolution just agreed to, I submit the list of assignments to committees.

The PRESIDENT pro tempore. The assignments will be read.

The Chief Clerk read the assignments submitted by Mr. ROBINSON.

Mr. McNARY. On behalf of the minority I submit the assignments to the various committees.

The PRESIDENT pro tempore. The assignments will be read.

The Chief Clerk read the assignments.

The PRESIDENT pro tempore. Without objection, the two assignments will be considered together.

Mr. ROBINSON. I move the adoption of an order incorporating the names just read.

The order was read and agreed to, as follows:

Ordered, That the following shall constitute the standing committees of the Senate of the Seventy-fifth Congress:

On Agriculture and Forestry: Messrs. Smith (chairman), Wheeler, Thomas of Oklahoma, McGill, Bankhead, Bulow, Mrs. Caraway, Pope, Hatch, Bilbo, Moore, Schwellenbach, Gillette, Ellender, Norris, McNary, Capper, Frazier, and Shipstead.

On Appropriations: Messrs. Glass (chairman), McKellar, Copeland, Hayden, Thomas of Oklahoma, Byrnes, Tydings, Russell, Adams, McCarran, Overton, Bankhead, O'Mahoney, McAdoo, Truman, Burke, Duffy, Hitchcock, Green, Hale, Nye, Steiwer, Townsend, and Bridges.

To Audit and Control the Contingent Expenses of the Senate: Messrs. Byrnes (chairman), Tydings, Bachman, and Townsend.

On Banking and Currency: Messrs. Wagner (chairman), Glass, Barkley, Bulkley, Reynolds, Byrnes, Bankhead, McAdoo, Adams, Maloney, Radcliffe, Brown of Michigan, Hitchcock, Hughes, ———, ———, Townsend, Steiwer, Frazier, and Lodge.

On Civil Service: Messrs. Bulow (chairman), McKellar, George, Logan, Neely, Dieterich, Byrd, White, Gibson, and Frazier.

On Claims: Messrs. Bailey (chairman), Black, Logan, Burke, Schwellenbach, Brown of Michigan, Ellender, Hughes, Schwartz, ———, Capper, Townsend, and White.

On Commerce: Messrs. Copeland (chairman), Sheppard, Bailey, Mrs. Caraway, Clark, Overton, Bachman, Bilbo, Donahey, Guffey, Maloney, Radcliffe, Pepper, Lee, McNary, Johnson of California, Nye, Vandenberg, White, and Gibson.

On the District of Columbia: Messrs. King (chairman), Glass, Copeland, Tydings, Lewis, Bankhead, McCarran, Reynolds, Bilbo, Overton, Hitchcock, Hughes, Capper, Austin, and Bridges.

On Education and Labor: Messrs. Black (chairman), Copeland, Walsh, Thomas of Utah, Murray, Donahey, Holt, Pepper, Ellender, Lee, Borah, La Follette, and Davis.

On Enrolled Bills: Mrs. Caraway (chairman), Messrs. Lonergan and Vandenberg.

On Expenditures in the Executive Departments: Messrs. Lewis (chairman), Wagner, Van Nuys, Pittman, Barkley, Davis, and Lodge.

On Finance: Messrs. Harrison (chairman), King, George, Walsh, Barkley, Connally, Bailey, Clark, Byrd, Lonergan, Black, Gerry, Guffey, Bulkley, Brown of Michigan, ———, La Follette, Capper, Vandenberg, Townsend, and Davis.

On Foreign Relations: Messrs. Pittman (chairman), Robinson, Harrison, George, Black, Wagner, Connally, Lewis, Bachman, Thomas of Utah, Van Nuys, Duffy, Pope, Murray, Chavez, Schwellenbach, Borah, Johnson of California, Capper, La Follete, Vandenberg, White, and Shipstead.

On Immigration: Messrs. Russell (chairman), King, Copeland, McGill, Maloney, Moore, Schwellenbach, Holt, Andrews, Hughes, Johnson of California, Austin, Capper, and Shipstead.

On Indian Affairs: Messrs. Thomas of Oklahoma (chairman), Wheeler, Ashurst, Bulow, Hatch, O'Mahoney, Donahey, Chavez, Johnson of Colorado, Lundeen, Frazier, La Follette, Steiwer, and Shipstead.

On Interoceanic Canals: Messrs. Clark (chairman), Duffy, Hayden, Pepper, Ellender, ———, Bridges, and Lodge.

On Interstate Commerce: Messrs. Wheeler (chairman), Smith, Wagner, Barkley, Neely, Dieterich, Lonergan, Brown of New Hampshire, Bone, Donahey, Minton, Moore, Truman, Andrews, Johnson of Colorado, Schwartz, White, Davis, Austin, and Shipstead.

On Irrigation and Reclamation: Messrs. Bankhead (chairman), Sheppard, Pittman, Ashurst, Adams, Pope, McCarran, Overton, Hatch, O'Mahoney, Burke, Chavez, Lee, McNary, Johnson of California, Townsend, and Nye.

On the Judiciary: Messrs. Ashurst (chairman), King, Neely, Van Nuys, McCarran, Logan, Dieterich, McGill, Hatch, Burke, Pittman, Connally, O'Mahoney, Hughes, Borah, Norris, Austin, and Steiwer.

On the Library: Messrs. Barkley (chairman), McKellar, Thomas of Oklahoma, Mrs. Caraway, Bilbo, Moore, Radcliffe, ———, Gibson, and McNary.

On Manufactures: Messrs. Bulkley (chairman), Smith, Sheppard, Russell, Brown of New Hampshire, Overton, Gerry, Guffey, Brown of Michigan, Johnson of Colorado, La Follette, McNary, and Lodge.

On Military Affairs: Messrs. Sheppard (chairman), Black, Lewis, Logan, Reynolds, Bachman, Thomas of Utah, Minton, Pepper, Johnson of Colorado, Lee, Schwartz, Lundeen, Austin, Nye, Bridges, and Lodge.

On Mines and Mining: Messrs. Logan (chairman), Pittman, Hayden, Bulow, Pope, Thomas of Utah, Guffey, Holt, Johnson of Colorado, Schwartz, ———, Frazier, and Davis.

On Naval Affairs: Messrs. Walsh (chairman), Tydings, Smith, McGill, Russell, Bone, Byrd, Dieterich, Brown of New Hampshire, Gerry, Holt, Andrews, Gillette, Hale, Davis, Johnson of California, and Gibson.

On Patents: Messrs. McAdoo (chairman), Smith, Bone, Radcliffe, Duffy, Norris, and White.

On Pensions: Messrs. McGill (chairman), Wheeler, Walsh, Bulkley, Lonergan, Thomas of Utah, Minton, Schwartz, Frazier, Townsend, and Shipstead.

On Post Offices and Post Roads: Messrs. McKellar (chairman), Hayden, Bailey, Bulow, Byrnes, Logan, Brown of New Hampshire, O'Mahoney, Murray, Chavez, Holt, Ellender, Green, Lundeen, ———, Frazier, La Follette, Gibson, and Bridges.

On Printing: Messrs. Hayden (chairman), Walsh, Black, Truman, Pepper, Lundeen, Vandenberg, and Lodge.

On Privileges and Elections: Messrs. George (chairman), King, Smith, Connally, Bulkley, Logan, Bachman, Brown of New Hampshire, Duffy, Hatch, Minton, Hitchcock, Green, Austin, Johnson of California, Nye, and Bridges.

On Public Buildings and Grounds: Messrs. Connally (chairman), Ashurst, Tydings, Walsh, Maloney, Truman, Chavez, Andrews, Gillette, Green, ———, Austin, Hale, and Shipstead.

On Public Lands and Surveys: Messrs. Adams (chairman), Pittman, Ashurst, Wagner, Hatch, O'Mahoney, Murray, McCarran, Andrews, Hitchcock, Lee, ———, Nye, Steiwer, and Borah.

On Rules: Messrs. Neely (chairman), Robinson, Copeland, Harrison, McKellar, Black, Adams, Byrd, Lewis, Gillette, Hale, Steiwer, and Vandenberg.

On Territories and Insular Affairs: Messrs. Tydings (chairman), Pittman, Hayden, King, Robinson, Clark, Reynolds, Bone, McKellar, McAdoo, Wheeler, Gerry, Lundeen, Nye, Vandenberg, McNary, and Gibson.

By unanimous consent, the following business was transacted:

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GLASS:

A bill (S. 415) to continue the functions of the Reconstruction Finance Corporation, and for other purposes (with an accompanying paper); to the Committee on Banking and Currency.

Mr. GLASS. Mr. President, for the junior Senator from New York [Mr. WAGNER], who is unavoidably absent on official business, I introduce two bills for reference to the Committee on Banking and Currency.

The VICE PRESIDENT. Without objection, the bills will be received and referred, as requested by the Senator from Virginia:

By Mr. GLASS (for Mr. WAGNER):

A bill (S. 416) to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised; and

A bill (S. 417) to extend the period during which direct obligations of the United States may be used as collateral security for Federal Reserve notes; to the Committee on Banking and Currency.

By Mr. HARRISON:

A bill (S. 418) for the relief of Robert H. Muirhead; to the Committee on Military Affairs.

By Mr. HARRISON (for himself and Mr. BLACK):

A bill (S. 419) to promote the general welfare through the appropriation of funds to assist the States and Territories in providing more effective programs of public education; to the Committee on Education and Labor.

By Mr. ROBINSON:

A bill (S. 420) for the relief of A. D. Hampton; to the Committee on Claims.

By Mr. McCARRAN:

A bill (S. 421) to amend Public Law No. 383, Seventy-third Congress (48 Stat. L. 984), relating to Indians, by exempting from the provisions of such act any Indian tribe or reservation located in the State of Nevada; to the Committee on Indian Affairs.

By Mr. McGILL:

A bill (S. 422) granting an increase of pension to Minnie J. Minnich; to the Committee on Pensions.

By Mr. GEORGE:

A bill (S. 423) providing for continuing retirement pay, under certain conditions, of officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability while in the service of the United States during the World War; to the Committee on Finance.

By Mr. WALSH:

A bill (S. 424) to authorize the Secretary of the Navy to proceed with the construction of certain public works;

A bill (S. 425) to authorize the Secretary of the Navy to proceed with the construction of certain public works;

A bill (S. 426) to authorize the Secretary of the Navy to proceed with the construction of certain public works; and

A bill (S. 427) to authorize the Secretary of the Navy to proceed with the construction of certain public works; to the Committee on Naval Affairs.

By Mr. CAPPER:

A bill (S. 428) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Atchison, Kans.; to the Committee on Commerce.

A bill (S. 429) for the relief of William Schick; and

A bill (S. 430) conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Elmer E. Miller; to the Committee on Claims.

A bill (S. 431) granting an increase of pension to Mary A. Faught (with accompanying papers); to the Committee on Pensions.

By Mr. POPE:

A bill (S. 432) to add certain lands to the Cache National Forest; to the Committee on Agriculture and Forestry.

A bill (S. 433) to provide for a survey of the Cabinet Gorge on the Clark Fork of the Columbia River; to the Committee on Commerce.

A bill (S. 434) for the relief of Rufus C. Long; and

A bill (S. 435) for the relief of B. W. Winward; to the Committee on Claims.

A bill (S. 436) for the relief of owners of property damaged by high waters in the Blackfoot Reservoir; to the Committee on Indian Affairs.

A bill (S. 437) to amend the Judicial Code; to the Committee on the Judiciary.

A bill (S. 438) granting a pension to Marion Oliver;

A bill (S. 439) granting a pension to Earl J. Stark;

A bill (S. 440) granting a pension to Dudley C. Tribble; and

A bill (S. 441) granting a pension to Howard Williams; to the Committee on Pensions.

A bill (S. 442) to establish the Shoshone Ice Caves National Park of Idaho;

A bill (S. 443) to add certain lands to the Sawtooth National Forest;

A bill (S. 444) to add certain lands to the Boise National Forest in the State of Idaho;

A bill (S. 445) for the relief of the owners of lots in the unflooded portion of the old town site at American Falls, Idaho; and

A bill (S. 446) for the exchange of lands adjacent to the Clearwater National Forest in Idaho; to the Committee on Public Lands and Surveys.

By Mr. GIBSON:

A bill (S. 447) to promote safety in the District of Columbia; to the Committee on the District of Columbia.

A bill (S. 448) for the relief of the United Marble Cos., Inc., Rutland, Vt.; and

A bill (S. 449) for the relief of the estate of Charles Pratt; to the Committee on Claims.

A bill (S. 450) to create an executive department of the Government to be known as the Department of Territories and Insular Affairs; to the Committee on Territories and Insular Affairs.

By Mr. THOMAS of Oklahoma:

A bill (S. 451) for the relief of Farley J. Holloman; to the Committee on Claims.

A bill (S. 452) for the relief of Joseph Thompson; to the Committee on Naval Affairs.

A bill (S. 453) granting a pension to Mrs. Matilda Hoffman (with accompanying papers); and

A bill (S. 454) granting a pension to Carrie L. Warner; to the Committee on Pensions.

By Mr. BAILEY:

A bill (S. 455) for the relief of J. R. Collie and Eleanor Y. Collie; and

A bill (S. 456) for the relief of Maggie Day Reece; to the Committee on Claims.

By Mr. NEELY:

A bill (S. 457) to amend sections 1 and 6 of the Civil Service Retirement Act, approved May 29, 1930, as amended; to the Committee on Civil Service.

A bill (S. 458) for the relief of Sol J. Hyman; to the Committee on Claims.

A bill (S. 459) for the relief of Walling Oswald Naumann; to the Committee on Naval Affairs.

A bill (S. 460) granting an increase of pension to Robert Blake; to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 461) to settle claims of farmers whose lands were damaged by waters from Kelly Field, Tex.; and

A bill (S. 462) to permit the exchange of used parts of certain types of equipment for new or reconditioned parts of the same equipment; to the Committee on Military Affairs.

A bill (S. 463) to settle claims of four persons arising from First Army maneuvers, August 1935 (with accompanying papers);

A bill (S. 464) for the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department (with accompanying papers); and

A bill (S. 465) to authorize the settlement of individual claims for personal property lost or damaged, arising out of the activities of the Civilian Conservation Corps, which have been approved by the Secretary of War (with accompanying papers); to the Committee on Claims.

By Mr. CLARK:

A bill (S. 466) granting the consent of Congress to the county of Barry, State of Missouri, to construct, maintain, and operate a free highway bridge across the White River at or near Eagle Rock, Mo.; to the Committee on Commerce.

A bill (S. 467) for the relief of Walter Weston Pierce (with accompanying paper); to the Committee on Naval Affairs.

By Mr. VAN NUYS:

A bill (S. 468) for the relief of Peter S. Kaminski; to the Committee on Military Affairs.

A bill (S. 469) granting a pension to Mary M. Osborn; to the Committee on Pensions.

By Mr. BYRD:

A bill (S. 470) for the relief of Joseph M. Cacace, Charles M. Cacace, and Mary E. Clibourne; and

A bill (S. 471) for the relief of Ernest and Lottie Dunford; to the Committee on Claims.

A bill (S. 472) to correct the naval record of Commander Royall Roller Richardson; to the Committee on Naval Affairs.

A bill (S. 473) to amend the act entitled "An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes", approved August 25, 1919, as amended by act of March 6, 1920; to the Committee on Public Buildings and Grounds.

By Mr. McADOO:

A bill (S. 474) for the relief of Rosalie Rose; to the Committee on Claims.

A bill (S. 475) to establish a Court of Patent Appeals; and

A bill (S. 476) to provide for the judicial determination of charges of misconduct in office by judges of courts of the United States other than the Supreme Court of the United States, and for removal from office of justices against whom such charges shall be proved; to the Committee on the Judiciary.

A bill (S. 477) to prevent fraud, deception, or other improper practice in connection with business before the United States Patent Office, and for other purposes; and

A bill (S. 478) to vest in the Register of Copyrights the registration of copyright prints and labels; to the Committee on Patents.

A bill (S. 479) granting a pension to William Henry Kelly; to the Committee on Pensions.

By Mr. AUSTIN:

A bill (S. 480) for the relief of Howard Arthur Beswick; to the Committee on Naval Affairs.

By Mr. ASHURST (by request):

A bill (S. 481) to permit grand-jury extensions to be ordered by any district judge;

A bill (S. 482) to amend section 51 of chapter 2, title 45, of the Code of Laws of the United States of America;

A bill (S. 483) to provide for the confiscation of firearms in possession of persons convicted of felony and disposition thereof;

A bill (S. 484) to amend the Criminal Code in regard to crimes on the high seas;

A bill (S. 485) to provide for the appointment of one additional United States district judge for the northern district of Georgia;

A bill (S. 486) to provide for the manner of inflicting the punishment of death;

A bill (S. 487) to provide for the appointment of one additional United States district judge for the western district of Washington;

A bill (S. 488) to provide for the appointment of one additional United States district judge for the eastern district of Louisiana;

A bill (S. 489) to provide for the representation of the United States Court of Appeals for the District of Columbia on the annual conference of senior circuit judges; and

A bill (S. 490) to provide for the appointment of one additional United States district judge for the southern district of Texas; to the Committee on the Judiciary.

By Mr. HALE:

A bill (S. 491) for the relief of Thomas A. Sears; to the Committee on Naval Affairs.

A bill (S. 492) granting a pension to Jessamine L. Benson;

A bill (S. 493) granting an increase of pension to Susie D. Hanscome;

A bill (S. 494) granting a pension to Lillian M. Johnson;

A bill (S. 495) granting a pension to Alice H. Palmer;

A bill (S. 496) granting a pension to Alice L. Preston; and

A bill (S. 497) granting a pension to Angeline M. Rolfe; to the Committee on Pensions.

By Mr. LONERGAN:

A bill (S. 498) for the relief of Cedric W. Root;

A bill (S. 499) for the relief of John H. Hannigan;

A bill (S. 500) for the relief of James S. Cuff;

A bill (S. 501) providing for the advancement on the retired list of the Navy of William F. Verleger; and

A bill (S. 502) for the relief of Patrick Francis Shea; to the Committee on Naval Affairs.

A bill (S. 503) for the relief of Francis M. Johnston;

A bill (S. 504) for the relief of Helen M. Crowley;

A bill (S. 505) for the relief of Henrietta Jacobs;

A bill (S. 506) for the relief of Joseph H. Sheridan; and

A bill (S. 507) for the relief of Ella B. Kimball; to the Committee on Claims.

A bill (S. 508) to authorize the award of the Purple Heart decoration to Maj. Charles H. Sprague;

A bill (S. 509) for the relief of Thomas J. Barbour, alias Charles Hamilton; and

A bill (S. 510) for the relief of Stephen Sowinski; to the Committee on Military Affairs.

A bill (S. 511) granting a pension to Alfarata Phillips;

A bill (S. 512) granting a pension to Stephen Sowinski;

A bill (S. 513) granting a pension to Ann M. Callery;

A bill (S. 514) granting a pension to Frank C. Comstock;

A bill (S. 515) granting an increase of pension to George F. Smith;

A bill (S. 516) granting a pension to Louis Zeller;

A bill (S. 517) granting an increase of pension to George B. Sheldon;

A bill (S. 518) granting a pension to Elizabeth D. Dunavent;

A bill (S. 519) granting a pension to Mary P. Champion; and

A bill (S. 520) granting a pension to Sadie L. Doran; to the Committee on Pensions.

By Mr. WHEELER:

A bill (S. 521) to provide for the disposition of unclaimed deposits in national banks; to the Committee on Banking and Currency.

A bill (S. 522) for the relief of R. R. Purcell;

A bill (S. 523) for the relief of Mrs. Guy A. McConoha;

A bill (S. 524) for the relief of Zelma Halverson;

A bill (S. 525) for the relief of Harry King;

A bill (S. 526) for the relief of Robert B. Rolfe;

A bill (S. 527) for the relief of Joseph Chouinard;

A bill (S. 528) for the relief of Homer Erickson; and

A bill (S. 529) for the relief of the Missoula Brewing Co.; to the Committee on Claims.

A bill (S. 530) to repeal a proviso relating to teaching or advocating communism in the public schools of the District of Columbia, and appearing in the District of Columbia Appropriation Act for the fiscal year ending June 30, 1936; and

A bill (S. 531) to provide compensation for disability or death resulting from injury to employees of contractors on public buildings and public works; to the Committee on Education and Labor.

A bill (S. 532) to promote the safety of employees and travelers on railroads by providing for the inspection and investigation of conditions prevailing in train-dispatching offices and train-dispatching service and for the promulgation of necessary rules and regulations governing the working conditions of train dispatchers; to the Committee on Interstate Commerce.

A bill (S. 533) for the relief of Wade R. Parks; and

A bill (S. 534) granting the consent of Congress to the States of Montana and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River; to the Committee on Indian Affairs.

A bill (S. 535) for the relief of Joe Peta; and

A bill (S. 536) to provide for the erection of a public historical museum in the Custer Battlefield National Cemetery, Montana; to the Committee on Military Affairs.

A bill (S. 537) to provide suitable accommodations for the district court of the United States at Glasgow, Mont.; to the Committee on Post Offices and Post Roads.

A bill (S. 538) granting certain public lands to the State of Montana for the use and benefit of the Northern Montana Agricultural and Manual Training School;

A bill (S. 539) to amend section 15 of the act entitled "An act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration; to provide for their orderly use, improvement, and development; to stabilize the livestock industry dependent upon the public range; and for other purposes", approved June 28, 1934 (48 Stat. 1269); and

A bill (S. 540) to establish the Chief Joseph Battle Ground National Monument in the State of Montana; to the Committee on Public Lands and Surveys.

By Mr. BORAH:

A bill (S. 541) granting an increase of pension to William S. Ritman; and

A bill (S. 542) granting a pension to Margaret Johnson; to the Committee on Pensions.

By Mr. HAYDEN:

A bill (S. 543) to credit the account of Charles C. Stemmer, postmaster at Cottonwood, Ariz., with a sum of money representing the loss by robbery of the post office at Cottonwood, Ariz.;

A bill (S. 544) for the relief of M. K. Fisher;

A bill (S. 545) for the relief of John Mulhern;

A bill (S. 546) for the relief of Annie Mary Wilmuth;

A bill (S. 547) for the relief of Edmond G. Warren;

A bill (S. 548) for the relief of Dorothy White, Mrs. Carol M. White, and Charles A. White;

A bill (S. 549) for the relief of the legal representatives of John T. Brickwood, deceased, Edward Gaynor, Theodore Gebler, Lee W. Mix, Arthur L. Peck, Thomas D. Casanega, Joseph de Lusignan, and Joseph H. Berger; and

A bill (S. 550) for the relief of the Phoenix-Tempe Stone Co.; to the Committee on Claims.

A bill (S. 551) to prohibit the sending of unsolicited merchandise through the mails; and

A bill (S. 552) for payment of compensation to persons serving as postmaster at third- and fourth-class post offices; to the Committee on Post Offices and Post Roads.

A bill (S. 553) granting an increase of pension to Carrie Henger; and

A bill (S. 554) providing a pensionable status for soldiers of certain companies of militia organized in the Territories of Utah, Arizona, and New Mexico, and the State of Texas, for service against hostile Indians; to the Committee on Pensions.

By Mr. SCHWELLENBACH:

A bill (S. 555) for the relief of Dean Wilson; and

A bill (S. 556) for the relief of W. B. Greeley; to the Committee on Claims.

A bill (S. 557) authorizing the naturalization of James Lincoln Hartley and for other purposes; to the Committee on Immigration.

A bill (S. 558) amending acts fixing the rate of payment of irrigation construction costs on the Wapato Indian irrigation project, Yakima, Wash., and for other purposes; to the Committee on Indian Affairs.

A bill (S. 559) to add certain lands to the Columbia National Forest in the State of Washington; to the Committee on Public Lands and Surveys.

By Mr. McKELLAR:

A bill (S. 560) consolidating certain forestry branches and other divisions and services in a separate bureau of the Department of Agriculture to be known as the Bureau of Forestry; and

A bill (S. 561) to provide for loans to farmers for crop production and harvesting, and for other purposes; to the Committee on Agriculture and Forestry.

A bill (S. 562) for the relief of Dr. Thomas J. W. Brown; to the Committee on Civil Service.

A bill (S. 563) to establish a new judicial circuit of the United States, with a circuit court of appeals, hereafter to be called the "eleventh circuit"; to the Committee on the Judiciary.

A bill (S. 564) for the relief of Nellie T. Francis; to the Committee on Foreign Relations.

A bill (S. 565) authorizing negotiations and providing for the construction, maintenance, and operation of an interoceanic canal over Nicaraguan territory, and for other purposes; to the Committee on Interoceanic Canals.

A bill (S. 566) for the relief of Hugh F. Elliott;

A bill (S. 567) for the relief of Charles C. Williams;

A bill (S. 568) authorizing the appointment and retirement of William H. Kyle as a major, United States Army; and

A bill (S. 569) to remove the charge of desertion from the record of Albert T. Lipford; to the Committee on Military Affairs.

A bill (S. 570) for the relief of Lawrence Hyder; to the Committee on Naval Affairs.

A bill (S. 571) for the relief of Meyer Morris (with accompanying papers);

A bill (S. 572) for the relief of Claudia F. Banks and Edna B. Towner;

A bill (S. 573) for the relief of Drs. W. S. Davis, P. A. Palmer, H. S. Oakes, and J. M. Ousley;

A bill (S. 574) for the relief of Robert B. Barker;

A bill (S. 575) for the relief of R. E. Greer;

A bill (S. 576) for the relief of Dr. T. J. Coble;

A bill (S. 577) for the relief of N. N. Self;

A bill (S. 578) for the relief of John A. Bass;

A bill (S. 579) for the relief of Rhoda Settles;

A bill (S. 580) for the relief of Cal Settles;

A bill (S. 581) for the relief of Alice Markham Kavanaugh; and

A bill (S. 582) for the relief of Thomas Green; to the Committee on Claims.

A bill (S. 583) to provide for adjusting the compensation of division superintendents, assistant division superintendents, assistant superintendents at large, assistant superintendent in charge of car construction, chief clerks, assistant chief clerks, and clerks in charge of sections in offices of division superintendents in the Railway Mail Service, to correspond to the rates established by the Classification Act of 1923, as amended;

A bill (S. 584) relative to acceptance as third-class mail matter of bills or statements of account produced by photographic or mechanical process; and

A bill (S. 585) relative to consolidation of rural mail routes; to the Committee on Post Offices and Post Roads.

A bill (S. 586) granting a pension to Hattie Harvey;

A bill (S. 587) granting a pension to Maude Brindle; and

A bill (S. 588) granting a pension to Sidney A. Scott; to the Committee on Pensions.

By Mr. TRUMAN:

A bill (S. 589) prohibiting the operation of motor vehicles in interstate commerce by unlicensed operators; to the Committee on Interstate Commerce.

By Mr. VANDENBERG:

A bill (S. 590) for the relief of the estate of Grace M. Moore, deceased (with accompanying paper); to the Committee on Claims.

By Mr. CONNALLY:

A joint resolution (S. J. Res. 20) authorizing the President to invite the Pan American Republics and the Dominion of Canada to participate in the proposed Greater Texas and Pan American Exposition; to the Committee on Foreign Relations.

By Mr. AUSTIN:

A joint resolution (S. J. Res. 21) directing the Comptroller General to readjust the account between the United States and the State of Vermont; to the Committee on the Judiciary.

By Mr. POPE:

A joint resolution (S. J. Res. 22) proposing an amendment to Article V of the Constitution of the United States, providing for the popular amendment of said Constitution; to the Committee on the Judiciary.

By Mr. BROWN of Michigan:

A joint resolution (S. J. Res. 23) authorizing the President of the United States to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. VAN NUYS:

A joint resolution (S. J. Res. 24) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. CAPPER:

A joint resolution (S. J. Res. 25) proposing an amendment to the Constitution of the United States relative to taxes on certain incomes; to the Committee on the Judiciary.

By Mr. LONERGAN:

A joint resolution (S. J. Res. 26) proposing an amendment to the Constitution of the United States providing for the ratification of constitutional amendments by popular elections; to the Committee on the Judiciary.

By Mr. BYRD:

A joint resolution (S. J. Res. 27) to provide for the appraisal and purchase of certain articles owned by President and Mrs. George Washington; to the Committee on the Library.

By Mr. McKELLAR:

A joint resolution (S. J. Res. 28) to extend the time within which contracts may be modified or canceled under the provisions of section 5 of the Independent Offices Appropriation Act, 1934; to the Committee on Post Offices and Post Roads.

CHANGES OF REFERENCE

On motion by Mr. NYE, the Committee on the Judiciary was discharged from the further consideration of the bill (S. 366) to regulate election expenditures, and it was referred to the Committee on Privileges and Elections.

On motion by Mr. McADOO, the resolution (S. Res. 13) to create a standing Committee on Air Commerce and Civil Aviation, submitted by Mr. McADOO on the 6th instant, was taken from the table and referred to the Committee on Rules.

HEARINGS BEFORE THE COMMITTEE ON CLAIMS

Mr. BAILEY submitted the following resolution (S. Res. 38), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Claims or any subcommittee thereof be, and hereby is, authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during sessions or recesses of the Senate.

HEARINGS BEFORE THE COMMITTEE TO AUDIT AND CONTROL THE CONTINGENT EXPENSES OF THE SENATE

Mr. BYRNES submitted the following resolution (S. Res. 39), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee to Audit and Control the Contingent Expenses of the Senate, or any subcommittee thereof, hereby is authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid from the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE THE COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. KING submitted the following resolution (S. Res. 40), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on the District of Columbia, or any subcommittee thereof, is hereby authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid from the contingent funds of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE THE COMMITTEE ON PATENTS

Mr. McADOO submitted the following resolution (S. Res. 41), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Patents, or any subcommittee thereof, hereby is authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid from the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE THE COMMITTEE ON PENSIONS

Mr. McGILL submitted the following resolution (S. Res. 42), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Pensions, or any subcommittee thereof, is authorized to sit during the sessions, recesses, and adjourned periods of the Seventy-fifth Congress, at such times and places as it may deem advisable, and to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate.

HEARINGS BEFORE THE COMMITTEE ON INDIAN AFFAIRS

Mr. THOMAS of Oklahoma submitted the following resolution (S. Res. 43), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Indian Affairs, or any subcommittee thereof, is authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to

employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid from the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE THE COMMITTEE ON NAVAL AFFAIRS

Mr. WALSH submitted the following resolution (S. Res. 44), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Naval Affairs, or any subcommittee thereof, is hereby authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE THE COMMITTEE ON POST OFFICES AND POST ROADS

Mr. McKELLAR submitted the following resolution (S. Res. 45), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Post Offices and Post Roads, or any subcommittee thereof, hereby is authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid from the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

COTTON COOPERATIVE ASSOCIATION AND COMMODITY CREDIT CORPORATION

Mr. McKELLAR submitted the following resolution (S. Res. 46), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the authority conferred by Senate Resolution 185, concerning expenditures by the Federal Government for cotton cooperatives, etc., agreed to August 24, 1935, be, and the same is hereby, extended and continued in force until the expiration of the Seventy-fifth Congress: *Provided further*, That said committee is authorized to investigate the action of the American Cotton Cooperative Association and the Commodity Credit Corporation in the concentration and sale of cotton held for the account of cotton growers.

EXPENDITURES FOR COTTON COOPERATIVES

Mr. McKELLAR submitted the following resolution (S. Res. 47), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the authority conferred by Senate Resolution 185, concerning expenditures by the Federal Government for cotton cooperatives, etc., agreed to August 24, 1935, be, and the same is hereby, extended and continued in force until the expiration of the Seventy-fifth Congress.

INVESTIGATION OF EXPENDITURES FOR COTTON COOPERATIVES

Mr. McKELLAR submitted the following resolution (S. Res. 48), which was referred to the Committee on Appropriations:

Resolved, That the Committee on Appropriations, or any duly authorized subcommittee thereof, is authorized and directed to investigate the expenditures by the Federal Government for cotton cooperatives and their losses heretofore sustained. The committee shall report to the Senate, at the earliest practicable date, the result of its investigations, together with its recommendations.

For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold hearings, to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-fifth Congress, to employ clerical and other assistants, to require, by subpena or otherwise, the attendance of witnesses and the production of books, papers, and documents, to administer oaths, to take testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report hearings shall not be in excess of 25 cents per hundred words, and the expenses of the committee, which shall not exceed $1,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

EMPLOYEES OF FEDERAL HOME LOAN BANK BOARD

Mr. McKELLAR submitted the following resolution (S. Res. 49), which was referred to the Committee on Banking and Currency:

Whereas the question of regional offices established by the Federal home-loan bank, in addition to State offices, is a question to be dealt with by the Congress; and

Whereas it is desired by the Senate to have information concerning such regional offices for the purpose of proposed legislation: Therefore be it

Resolved, That the Federal Home Loan Bank Board furnish to the Senate, at the earliest practicable moment, the number of regional offices, the number of persons employed in each, the names and addresses of the various officials and employees of such offices, when they were appointed, the salary of each, the general duties of such offices, and for what reasons, if any, regional offices were established in States where there are State organizations or set-ups.

DATA RELATIVE TO COTTON COOPERATIVE ASSOCIATIONS

Mr. McKELLAR submitted the following resolution (S. Res. 50), which was referred to the Committee on Agriculture and Forestry:

Resolved, That the Farm Credit Administration be, and it is hereby, directed to furnish immediately to the Senate copies of the following documents:

1. Report on general functional survey, American Cotton Cooperative Association and member associations, January 30, 1932.
2. Operating plans and policies of the Georgia Cotton Cooperative Association, 1933–34 and 1934–35 seasons, September 1935. O. W. Hermann.
3. An analysis of the operating policies of the Georgia Cotton Growers' Association, June 21, 1932. Fetrow and Hermann.
4. Copy of the Report No. 40, made by O. W. Hermann.
5. A statement of accounts between the Government and the American Cotton Cooperative Association.
6. A statement of the account between the Government and the various State cotton cooperatives.
7. What loans the Farm Credit Administration expects to make to the American Cotton Cooperative Association or any of its subsidiaries during the present year.

FIXTURES, EQUIPMENT, AND RENTAL OF POST OFFICES

Mr. McKELLAR submitted the following resolution (S. Res. 51), which was referred to the Committee on Post Offices and Post Roads:

Resolved, That the Committee on Post Offices and Post Roads of the Senate, or any duly authorized subcommittee thereof, shall, during the recess of the Congress, examine into the matter of fixtures and equipment in post offices, and rentals therefor, and all other questions pertaining thereto, the expenses incurred in pursuance thereof not to exceed $3,000, to be paid from the contingent fund of the Senate.

HEARINGS BEFORE COMMITTEE ON FINANCE

Mr. BYRNES. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably without amendment Senate Resolution 17, authorizing the Committee on Finance to hold hearings during the Seventy-fifth Congress.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from South Carolina for the present consideration of the resolution reported by him?

Mr. McNARY. Mr. President, I do not understand that the Senator is asking for present consideration of the resolution.

Mr. BYRNES. I will ask for its present consideration if the Senator from Oregon has no objection. I am about to report several resolutions, all of which merely authorize various committees of the Senate to hold hearings and pay the stenographic expense for reporting the hearings. The only exceptions are resolutions relating to payment of funeral expenses of the late Senators Norbeck, Murphy, and Couzens.

Mr. McNARY. Were the resolutions referred to the Committee to Audit and Control in the usual manner?

Mr. BYRNES. Yes; they were.

Mr. McNARY. And passed upon by that committee?

Mr. BYRNES. Yes.

Mr. McNARY. I have no objection.

There being no objection, the resolution (S. Res. 17), submitted by Mr. HARRISON on the 6th instant, was read, considered, and agreed to, as follows:

Resolved, That the Committee on Finance, or any subcommittee thereof, hereby is authorized to sit during the sessions or recesses of the Seventy-fifth Congress at such times and places as they may deem advisable; to make investigations into internal revenue, customs, and other matters within its jurisdiction, and to compile and prepare statistics and documents relating thereto as directed from time to time by the Senate and as may be necessary; and to report from time to time to the Senate the result thereof; to send for persons, books, and papers, to administer oaths, and to employ such expert, stenographic, clerical, and other assistance as may be necessary; and all the expenses of such committee shall be paid from the contingent fund of the Senate; and the committee is authorized to order such printing and binding as may be necessary for its use.

HEARINGS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. BYRNES, from the same committee, reported favorably, without amendment, the resolution (S. Res. 18) submitted by Mr. ASHURST on the 6th instant, which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on the Judiciary, or any subcommittee thereof, hereby is authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE THE COMMITTEE ON MINES AND MINING

Mr. BYRNES, from the same committee, reported favorably, without amendment, the resolution (S. Res. 24) submitted by Mr. LOGAN on the 6th instant, which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Mines and Mining, or any subcommittee thereof, hereby is authorized, during the Seventy-fifth Congress, to send for persons, books, and papers, to administer oaths and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

FUNERAL EXPENSES OF THE LATE SENATOR NORBECK

Mr. BYRNES, from the same committee, reported favorably, without amendment, the resolution (S. Res. 26) submitted by Mr. BULOW on the 6th instant, which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of Hon. Peter Norbeck, late a Senator from the State of South Dakota, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

FUNERAL EXPENSES OF THE LATE SENATOR MURPHY

Mr. BYRNES, from the same committee, reported favorably, without amendment, the resolution (S. Res. 27) submitted by Mr. GILLETTE on the 6th instant, which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of Hon. Louis Murphy, late a Senator from the State of Iowa, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

HEARINGS BEFORE THE COMMITTEE ON FOREIGN RELATIONS

Mr. BYRNES, from the same committee, reported favorably, without amendment, the resolution (S. Res. 28) submitted by Mr. PITTMAN on the 6th instant, which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Foreign Relations, or any subcommittee thereof, be, and hereby is, authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE THE COMMITTEE ON EDUCATION AND LABOR

Mr. BYRNES, from the same committee, reported favorably, without amendment, the resolution (S. Res. 29) submitted by Mr. BLACK on the 6th instant, which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Education and Labor, or any subcommittee thereof, is hereby authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE THE COMMITTEE ON APPROPRIATIONS

Mr. BYRNES, from the same committee, reported favorably, without amendment, the resolution (S. Res. 9), submitted by Mr. GLASS on the 6th instant, which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Appropriations, or any subcommittee thereof, is authorized, during the Seventy-fifth Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE THE COMMITTEE ON MILITARY AFFAIRS

Mr. BYRNES, from the same committee, reported favorably, without amendment, the resolution (S. Res. 12), submitted by Mr. SHEPPARD on the 6th instant, which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Military Affairs, or any subcommittee thereof, is authorized, during the Seventy-fifth Congress, to send for persons, books, and papers, to administer oaths, and employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

FUNERAL EXPENSES OF THE LATE SENATOR COUZENS

Mr. BYRNES, from the same committee, reported favorably, without amendment, the resolution (S. Res. 11), submitted by Mr. VANDENBERG on the 6th instant, which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent expenses of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of Hon. James Couzens, late a Senator from the State of Michigan, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

CONGRESS, THE COURTS, AND THE ECONOMIC PROBLEM—ADDRESS BY SENATOR O'MAHONEY

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD a radio address on the subject of Congress, the Courts, and the Economic Problem, delivered by Senator O'MAHONEY at Washington, D. C., on Jan. 7, 1937, which appears in the Appendix.]

THE RIGHT ARM OF STATESMANSHIP—ADDRESS BY ATTORNEY GENERAL CUMMINGS

[Mr. LONERGAN asked and obtained leave to have printed in the RECORD an address on the subject of The Right Arm of Statesmanship, delivered by Hon. Homer Cummings, Attorney General of the United States, at a meeting of the Bar Association of the District of Columbia, Saturday, Dec. 5, 1936, which appears in the Appendix.]

SESQUICENTENNIAL OF LYNCHBURG, VA.—ADDRESSES BY GOVERNOR PEERY AND EDWIN A. HALSEY

[Mr. BYRD asked and obtained leave to have printed in the RECORD an address delivered by Hon. George C. Peery, Governor of Virginia, at the celebration of the sesquicentennial of the city of Lynchburg, Va., Oct. 14, 1936, and an address delivered on the same occasion by Col. Edwin A. Halsey, Secretary of the United States Senate, in presenting to Senator GLASS the first coin minted by the Treasury Department with his profile, which appear in the Appendix.]

A TRIBUTE TO AIR PILOT EUGENE SCHACHER

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD a tribute to Air Pilot Eugene Schacher by Hon. Jesse H. Jones, which appears in the Appendix.]

TRANSPORTATION OF GOODS MADE BY CONVICT LABOR

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD a decision rendered Jan. 4, 1937, by the Supreme Court of the United States in the case of *Kentucky Whip & Collar Co., petitioner*, v. *Illinois Central Railroad Co.*, which appears in the Appendix.]

THE BUDGET (H. DOC. NO. 29)

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was read, referred to the Committee on Appropriations, and ordered to be printed, as follows:

To the Congress of the United States:

Pursuant to provisions of law I transmit herewith the Budget of the United States Government for the fiscal year ending June 30, 1938, together with this message, which is a part thereof. The estimates have been developed after careful analysis of the revenues, obligations, and reasonable needs of the Government, and I recommend appropriations for the purposes specifically detailed herein.

PART I

The programs inaugurated during the last 4 years to combat the depression and to initiate many needed reforms have cost large sums of money, but the benefits obtained from them are far outweighing all their costs. We shall soon be reaping the full benefits of those programs and shall have at the same time a balanced Budget that will also include provision for reduction of the public debt.

The fiscal plans of the Federal Government for these 4 years have been formulated with two objectives in mind. Our first was to restore a successful economic life to the country, by providing greater employment and purchasing power for the people, by stimulating a more balanced use of our productive capacity, and by increasing the national income and distributing it on a wider base of prosperity. Our second was to gain new advantages of permanent value for the American people. Both of these objectives can be accomplished under a sound financial policy.

Business conditions have shown each year since 1933 a marked improvement over the preceding year. Employment in private industry is increasing. Industrial production, factory pay rolls, and farm prices have steadily risen.

These gains make it possible to reduce for the fiscal year 1938 many expenditures of the Federal Government which the general depression made necessary. Although we must continue to spend substantial sums to provide work for those whom industry has not yet absorbed, the 1938 Budget is in balance; and, except for debt reduction of $401,515,000, it will remain in balance even if later on there are included additional expenditures of as much as $1,537,123,000 for recovery and relief. We expect, moreover, if improvement in economic conditions continues at the present rate, to be able to attain in 1939 a completely balanced Budget, with full provision for meeting the statutory requirements for debt reduction.

In carrying out this policy the American people are obtaining lasting benefits. Economic protection of the aged and physically handicapped is being secured through the operations of the Social Security Act. Ability of the farmer to obtain a more constant livelihood has been enhanced by the enactment of legislation especially designed for that purpose. The home owner has been benefited through the financing of mortgages at reasonable rates of interest. Investors in securities are being given a larger measure of protection by the Securities and Exchange Act. The market for corporate securities has been restored and industry has been able to finance its long-term requirements on a favorable basis. The rights of labor are being materially advanced through operation of the National Labor Relations Act.

I plan to submit at a later date an estimate of appropriation for additional relief for the fiscal year 1938, which I hope will not exceed the amount of $1,537,123,000, previously mentioned. This hope is based on the assumption that industry will cooperate in employing men and women from the relief rolls in larger numbers than during the past year. Many of those in charge of industrial management, recognizing their obligation to the Nation, have furnished a large measure of employment to the jobless. Today, while it is true that in some sections of the country certain types of skilled workers are still seeking employment, it is nevertheless a fact that the great majority of those now receiving relief belong to the unskilled group. It is my conviction that if every employer or potential employer will undertake during the next 6 months to give employment to persons now receiving Government help, the national Budget can thereafter be kept definitely in balance. Without such cooperation on the part of employers, the question of a balanced Budget for 1938 must of necessity remain an open one, for the very good reason that this Government does not propose next year, any more than during the past 4 years, to allow American families to starve.

To continue the gains we are making and to accomplish in the 1939 Budget a complete balance between receipts and expenditures including debt reduction, we must now lay the groundwork of our future fiscal policy.

While relief expenditures should decline with greater reemployment, the normal growth of the country naturally reflects itself in increased costs of Government. Many of the old functions and duties of Government naturally cost more as the industrial and agricultural activities to which they are related expand in volume. The cost of new functions and duties can be substantially reduced only by curtailing the function or the duty. I propose shortly to submit to the Congress a broad plan for placing the executive branch of the Government on a sounder and more responsible basis of management. The carrying out of such a plan will undoubtedly result in some saving in expenditures; but it must be remembered that what is generally known as overhead represents only a small fraction of total expenditures in any large business, Government or private.

Expenditures must be planned with a view to the national needs; and no expansion of Government activities should be authorized unless the necessity for such expansion has been definitely determined and funds are available to defray the cost. In other words, if new legislation imposes any substantial increase in expenditures either in the expansion of existing or the creation of new activities, it becomes a matter of sound policy simultaneously to provide new revenue sufficient to meet the additional cost. The success of such a policy can be assured only through the full and friendly cooperation of the Congress and the Executive. Of this cooperation I am confident.

PART II

RECOMMENDATIONS

Temporary miscellaneous internal-revenue taxes: I recommend that the Congress take steps by suitable legislation to extend the miscellaneous internal-revenue taxes which under existing law will expire next June and July, and also to maintain the current rates of those taxes which would otherwise be reduced next June. I consider that the revenue from such taxes or its equivalent is necessary for the financing of the Budget for 1938.

Postal receipts: The estimates of appropriations for the Postal Service included in the 1938 Budget are predicated upon the continuance during that fiscal year of the 3-cent postage rate for first-class mail other than for local delivery. While the Government makes a profit on first-class mail, the Postal Service is not self-supporting because it carries other classes of mail at a considerable loss, as shown in the tabular footnote on page XXIII. It should be the definite policy of the Government to operate the Postal Service out of postal receipts and a continuation of the 3-cent rate will be a necessary step toward the accomplishment of this purpose.

Civilian Conservation Corps: The Civilian Conservation Corps has demonstrated its usefulness and has met with general public approval. It should be continued. I intend shortly to submit a supplemental estimate of appropriation to carry the Corps from March 31, 1937, to the end of the current fiscal year; and I strongly recommend that Congress enact during its present session the necessary legislation to establish the Corps as a permanent agency of the Government.

Expenses of emergency agencies: There are included in the 1938 Budget, pursuant to the direction of Congress at its last session, estimates of appropriations for the administrative expenses of certain emergency agencies and corporations. Such of the emergency agencies and corporations as may be continued by Congress should have all of their expenditure requirements made subject to the same scrutiny that is given by the Bureau of the Budget to the expenditure requirements of the regular departments and establishments; and I recommend that a provision to that effect be included in any future legislation for the continuance of any such agency or corporation.

PART III

REVIEW OF THE FISCAL YEARS 1936 AND 1937 AND THE FISCAL PROGRAM FOR 1938

This review concerns itself with the cash actually received and paid out by the Treasury in the fiscal year 1936, with the estimates of receipts and expenditures for the fiscal year 1937, and with the fiscal program for 1938.

Fiscal year 1936

Receipts: Treasury receipts for the year ended June 30, 1936, amounted to $4,115,956,615, about $295,000,000 less than estimated a year ago. As a result of Supreme Court decisions, the Government lost about $457,000,000 in revenue from taxes levied under the Agricultural Adjustment Act and the Bituminous Coal Act. Had it not been for the invalidation of these taxes, the total revenues received during the fiscal year 1936 would have exceeded the revenue estimates of a year ago by $162,000,000.

The collection of taxes on carriers and their employees, estimated at $33,000,000, has been deferred to the fiscal year 1937 because of pending litigation. The receipts from income taxes were about $7,500,000 less than last year's estimate.

On the other hand, miscellaneous internal-revenue taxes produced $136,488,000 more than was anticipated; customs revenue, $33,621,000 more; miscellaneous receipts, $32,053,000 more; and realization upon assets, $1,483,000 more.

Expenditures: The total expenditures for the fiscal year ended June 30, 1936 (exclusive of expenditures from postal revenues), amounted to $8,879,798,258, as compared with the estimate of $7,645,301,338 shown in the Budget submitted a year ago. This latter amount did not, however, include $1,673,493,000 for adjusted-compensation payments to veterans. The expenditures for the year, excluding these payments, were, therefore, about $439,000,000 less than the estimate.

The total expenditures for recovery and relief were $2,776,796,469, against an estimate of $2,869,068,187. For the operation and maintenance of the regular departments and establishments of the Government the expenditures amounted to $3,276,872,306, as compared with estimates of $3,482,208,151. For statutory debt retirement there was expended $403,240,150, and for interest on the public debt $749,396,802, the amounts budgeted for these items being $552,025,000 and $742,000,000, respectively.

Deficit and public debt: The gross deficit for the fiscal year 1936 amounted to $4,763,841,642. Excluding $403,240,150 for statutory debt retirement, there was a net deficit of $4,360,601,492. The estimated net deficit, as contained in the Budget submitted a year ago, was $2,682,482,392, a difference of $1,678,119,100. As previously indicated, the original estimate has been affected to the extent of $457,000,000 as a result of the invalidation of taxes levied under the Agricultural Adjustment and Bituminous Coal Acts and by the additional expenditure of $1,673,493,000 under the Adjusted Compensation Act. If it had not been for the increase in the deficit due to these causes, the net deficit for the fiscal year 1936 would have been about $452,000,000 less than that originally estimated.

The increase in the gross public debt during the year amounted to $5,077,650,869, but this sum included an increase of the balance in the general fund of the Treasury of $840,164,664. The gross public debt on June 30, 1936, was $33,778,543,494.

Fiscal year 1937

Receipts: The income of the Federal Government during the fiscal year 1937 will increase sharply over that of 1936. It is expected that the total revenue from all sources (exclusive of postal revenues) will amount to $5,828,151,000. This represents an increase of $1,712,194,000 over the actual receipts for the fiscal year 1936 and an increase of $173,933,000 over the estimates contained in the 1937 Budget, as submitted a year ago.

The general improvement in business conditions and the enactment of the Revenue Act of 1936 have resulted in additional revenues from taxes which will not only make up the loss in revenue due to the Supreme Court decisions invalidating the taxes levied under the Agricultural Adjustment and the Bituminous Coal Acts, but will produce additional income of approximately $174,000,000.

Since the Revenue Act of 1936 materially changes the tax structure, the individual items of revenue, as contained in the original 1937 Budget, will not be exactly comparable with the individual items in the 1937 Budget, as revised in this message.

Income taxes are expected to yield $2,372,900,000, or $946,325,000 more than was received from this source last year; miscellaneous internal revenue, $2,274,968,000, an increase of $265,389,000; customs duties, $446,800,000, an increase of $59,988,000; and realization upon assets, $31,830,000, an increase of $26,362,000. In addition, it is expected that the new tax on unjust enrichment provided by the Revenue Act of 1936 will amount to $82,000,000 and that the tax on carriers and their employees will be $134,552,000, including $33,000,000 deferred from the previous fiscal year. The collection of taxes levied under the Social Security Act will begin in the last half of the fiscal year 1937, and it is expected that these taxes will produce additional revenue in the amount of $324,600,000.

The only item of revenue showing any decrease is that of miscellaneous receipts, in the amount of $50,325,000, which is due to reductions in interest payments made to the Treasury by the Reconstruction Finance Corporation.

Expenditures: From present indications expenditures for the fiscal year 1937 (exclusive of expenditures from postal revenues) will amount to $8,480,804,000. Exclusive of statutory debt retirement and adjusted compensation payments, the total expenditures will amount to $7,512,779,000, an increase over comparable expenditures for 1936 of $709,714,000.

This amount is made up of increases of $371,192,000 on account of the Social Security Act, $85,603,000 on account of interest on the public debt, $194,161,000 for the general public-works program, $123,442,000 for national defense, and $221,914,000 for other purposes; and decreases of $93,321,000 for the Veterans' Administration, $74,996,000 for the agricultural-adjustment program, and $118,281,000 for the Civilian Conservation Corps.

The amount of the recovery and relief expenditures has been estimated at $2,166,157,000, but there is included in the supplemental expenditure items $650,000,000 from an appropriation of $790,000,000 to be requested of Congress for the purpose of carrying the Works Progress Administration and related programs from February 1 to June 30, 1937. This will increase the estimated expenditures for recovery and relief to $2,816,157,000, an increase of $39,361,000 over 1936. The expenditures in the current fiscal year will include, however, the sum of about $165,000,000 for assistance given to individuals and communities directly or indirectly affected by the widespread drought conditions prevailing during the past summer. If this drought had not occurred, the net cost of recovery and relief for the current fiscal year would have been about $125,000,000 below the cost for the previous fiscal year.

Deficit and public debt: The current estimates for the fiscal year 1937 show a gross deficit of $2,652,654,000. Deducting public-debt retirements, the net deficit will be $2,248,129,000.

The increase in the public debt on account of the deficit, however, will be only $1,348,000,000, since it is anticipated that $900,000,000 of the deficit will be financed from cash on hand. The working balance will be further reduced by net expenditures of about $42,000,000 for trust accounts and $100,000,000 for the retirement of national-bank notes now a part of the public debt. This will reduce the working balance from $2,225,000,000 on June 30, 1936, to $1,183,000,000 on June 30, 1937. The gross public debt at the end of the current fiscal year is estimated at $35,026,000,000, an increase over 1936 of $1,248,000,000.

The estimated debt at the end of the fiscal year is based on contemplated expenditures set out in this Budget and does not take into account any change which may occur as a result of the Treasury policy in holding as "inactive" future acquisitions of gold.

Fiscal program for 1938

The expected increase in revenue and decrease in expenditures for relief both reflect the general improvement which

has taken place in the economic conditions of the country. The Revenue Act of 1936, which was designed for the purpose of replacing revenue lost through the invalidation of processing taxes, of providing sufficient revenue to amortize the cost of the adjusted-compensation payments, and of equalizing tax burdens, gives every indication of satisfactorily accomplishing those purposes. I should like at this point to emphasize the importance of maintaining the productiveness of the present tax structure, so that we may properly provide for the fulfillment of our fiscal program.

Under legislation enacted during the last session of Congress, which created authorizations for future appropriations aggregating more than $1,500,000,000, there is included about $130,000,000 in the estimates of appropriations contained in this Budget. Such authorizations are contained in the new Federal Highway Act, the Rivers and Harbors and the Flood Control Acts, and the Rural Electrification Act.

There is also included $812,225,000 for social security grants and for the Government's contribution to the old-age reserve account, more than double the expenditures for these purposes in 1937, and there will be for several years still further increases in these requirements. It should be pointed out that these expenditures will be offset to a large extent by the increasing revenues under the Social Security Act.

No estimate of appropriation is presented for the needs of the Civilian Conservation Corps, since its extension beyond March 31 of this year is dependent on the action of Congress. In furtherance of my recommendation for the enactment of legislation to continue it as a permanent agency of the Government, there is included in the "Supplemental items" an amount sufficient to meet the expenditure requirements for the fiscal year 1938.

The following table shows the distribution, on a functional basis, of the expenditure figures contained in this Budget and compares them with similar figures for previous years:

Actual and estimated expenditures of the Government for the fiscal years 1932–38 (classifications include expenditures from both general and emergency funds)

[In millions of dollars]

	Estimated		Actual				
	1938	1937	1936	1935	1934	1933	1932
Regular operating expenditures:							
Legislative, judicial, and civil establishments	771.8	859.0	781.1	597.7	572.5	697.5	978.8
National defense	991.6	964.9	911.6	709.9	540.3	667.8	707.6
Veterans' pensions and benefits	577.5	1,144.7	2,351.4	607.1	556.9	863.2	984.8
Interest on the public debt	860.0	835.0	749.4	820.9	756.6	689.4	599.3
Total	3,200.9	3,803.6	4,793.5	2,735.6	2,426.3	2,917.9	3,270.5
Public works	908.3	1,146.7	868.7	704.3	551.9	427.7	439.5
Unemployment relief:							
Direct relief	13.0	106.7	591.7	1,914.1	715.8	350.7	------
Work relief (W. P. A. and C. W. A.)	[1] .2	1,400.5	1,264.4	11.3	805.1	------	------
Civilian Conservation Corps	(2)	368.0	486.3	435.5	331.9	------	------
Total	13.2	1,875.2	2,342.4	2,360.9	1,852.8	350.7	------
Loans (net)	[3] 153.3	[3] 419.9	[3] 175.2	80.5	788.6	874.4	404.0
Subscriptions to stock	17.2	51.5	69.3	156.8	826.5	110.7	627.0
Agricultural adjustment program	482.4	467.6	542.6	743.0	290.3	------	------
Less revenues	------	------	76.6	521.4	353.0	------	------
Net	482.4	467.6	466.0	221.6	[4] 62.7	------	------
Social security	836.0	399.6	28.4	------	------	------	------
Debt retirement	401.5	404.5	403.2	573.6	359.9	461.6	412.6
Miscellaneous	1.8	2.0	6.8	21.1	8.7	------	------
Supplemental items	450.0	780.0	------	------	------	------	------
Grand total	[1] 6,158.0	8,480.8	8,803.1	6,854.4	6,752.0	5,143.0	5,153.6

[1] To be increased by any amount appropriated by Congress for recovery and relief for the fiscal year 1938. As indicated in the message, it is hoped the amount will not exceed $1,537,123,000.

[2] Funds for continuation of the Civilian Conservation Corps are included under "Supplemental items."

[3] Excess of credits, deduct.

[4] Excess of revenues, deduct.

Receipts: Treasury receipts in the fiscal year 1938 are expected to reach a total of $7,293,607,000, an increase of $1,465,456,000 over similar receipts for 1937 and $3,177,650,000 over 1936. This gain is largely due to an increase in income taxes as a result of improved business conditions and the operation of the Revenue Act of 1936.

The amount expected to be collected in 1938 from income taxes is $3,365,300,000, a gain of $992,400,000 over the fiscal year 1937. Miscellaneous internal revenue will produce $2,508,332,000, or $233,364,000 more than is expected from this source for 1937. The tax on unjust enrichment and the taxes on carriers and their employees, from which $82,000,000 and $134,552,000, respectively, will be derived in 1937, will produce no revenue in 1938, since under existing law these taxes expire during 1937. The first full year of tax collections under the Social Security Act will result in revenue of $774,800,000 in 1938, which sum is $450,200,000 greater than the anticipated revenue in 1937, when collections will be for only 6 months. It is believed that customs revenues will rise from $446,800,000 during the present fiscal year to $463,000,000 in 1938, a gain of $16,200,000. Miscellaneous receipts, however, will decrease $8,950,000, the 1938 collections being estimated at $151,550,000, as compared with $160,500,000 during 1937. From realization upon assets $30,625,000 will be received, while in 1937 receipts from this source will amount to $31,830,000.

Expenditures: The expenditures for 1938 contemplated under this Budget (exclusive of those from postal revenues) will total $6,157,999,000, or approximately $2,323,000,000 less than is now estimated for 1937. General expenditures for regular activities amount to $5,841,968,000, as compared with $5,664,647,000 in 1937, an increase of $177,321,000. The 1937 estimate, however, contains an amount of $563,500,000 for completion of adjusted compensation payments to veterans, so that the comparable increase over 1937 is $740,821,000. For recovery and relief there is included in the expenditures for 1938 the amount of $316,031,000, which, of course, is not the full amount that will be required for relief during that year. As previously indicated, it is our present hope that the additional amount to be requested for this purpose will not exceed $1,537,123,000. Thus the total expenditure for recovery and relief during 1938 would be $1,853,154,000, or $963,003,000 less than the amount estimated for 1937. Again I emphasize the contribution which employers can make to this attainment.

The general expenditures include $860,000,000 for interest on the public debt, an increase of $25,000,000 over the amount for the present fiscal year, and $401,515,000 for statutory debt retirements, a decrease of $3,010,000. Exclusive of the service on the public debt and the payment of adjusted compensation to veterans, there is a net increase of $718,831,000 in expenditures for regular activities as compared with 1937. This increase is accounted for as follows: For increased requirements under the Social Security Act, $436,337,000; for additional expenditures under the general public works program, $132,519,000; for national defense to provide for the increased strength of the Army as directed by Congress and to provide for replacement of naval vessels in accordance with existing authorizations, $92,882,000; for the necessary funds for the activities of the Railroad Retirement Board and for rural electrification, $39,566,000; and for increased needs of other activities, $17,527,000.

Surplus and public debt: The surplus for the fiscal year 1938, as presented in this Budget, is $1,135,608,000, after providing for debt retirement. Excluding provision for debt retirement, the surplus will amount to $1,537,123,000. As I have previously stated, it is hoped the additional needs for relief during the fiscal year 1938 will not require expenditure of more than this latter amount. On this basis the estimated gross public debt, on June 30, 1938, will be about the same amount as at the close of the fiscal year 1937. This does not take into account any change which may occur as a result of the Treasury policy in holding as "inactive" future acquisitions of gold.

Appropriations: The total appropriations recommended in this Budget aggregate $6,839,000,000, including those for the Postal Service, District of Columbia, and probable supple-

mental items, while the appropriations already made and prospective supplemental items for the fiscal year 1937, exclusive of requirements for recovery and relief, total $6,261,000,000, an increase of $578,000,000 for 1938. This increase is due to additional appropriations amounting to $309,000,000 on account of the Social Security Act, $80,000,000 required under the general public-works program, and $189,000,000 on account of departmental requirements, including the national defense. The appropriations made and contemplated for recovery and relief for 1937 total $2,215,000,000, whereas it is hoped that corresponding appropriations for 1938 will not exceed $1,537,123,000.

PART IV

THE DISTRICT OF COLUMBIA

The first section of the 1937 District of Columbia Appropriation Act, approved June 23, 1936 (Public, No. 762, 74th Cong.), contains the following provision:

> Not to exceed $50,000 shall be available for expenditure, under the direction of the President, for making an independent study of the fiscal relations between the United States and the District of Columbia and enabling him to report to Congress at the beginning of the next regular session, what, in his judgment, is a fair and equitable amount to be paid by the United States as an annual contribution toward the expenses of the government of the District of Columbia; such sum shall be available for personal services without regard to the civil-service laws and the Classification Act of 1923, as amended, and for such other expenditures as may be necessary in connection with such study.

Pursuant to the above I appointed a director and an advisory committee of three members to conduct an independent study of the various elements and conditions affecting the fiscal relations between the United States and the District of Columbia.

The report contains detailed findings and recommendations with the supporting data and information collected from the Federal and District Governments in Washington and from 17 comparable American cities and the capital cities of 21 foreign countries.

The application of the basic principles and recommendations as outlined and detailed in the report is reflected in the following three-point formula, which I recommend be carefully considered by the Congress with a view to enacting such legislation at this session as may be necessary to establish equitable fiscal relationships between the two governments.

> I. Intergovernmental contractual services: Contractual arrangements shall be established for the reimbursement of the cost of specific intergovernmental services supplied either government by the other. Appropriations therefor shall be included in the respective annual departmental budgets.
>
> II. Capital outlays of joint interest: The National Capital Planning Commission (proposed in the report) shall determine the extent of the respective Federal and District interests in capital outlays and improvements to be included in the District budget.
>
> III. Per capita governmental costs: Pending the grant of broader powers of local control over purely local affairs, the excess of the District governmental costs per capita over the average of those in comparable cities shall be assumed by the Federal Government: *Provided, however,* That such excess District governmental costs shall be assumed only after allowance has been made for reimbursements due to unusual costs occasioned by congressional enactments.

I also recommend that, concurrently with enactment of any legislation which carries into effect the provisions of this continuing formula, the substantive law providing for annual Federal contributions of a fixed percentage of District appropriations be repealed and that the system of annual Federal lump-sum contributions be abandoned.

The application of this formula to the 1938 Budget estimates would provide for a net reimbursement by the Federal Government to the District of Columbia of $2,533,357, made up as follows:

I. Intergovernmental contractual services	$1,996,407
II. Capital outlays	536,950
III. Excess per capita District of Columbia governmental costs	
Total	2,533,357

After the application of the formula there will still be a deficit in the general revenue account of the District of Columbia of about $9,800,000, which will make it necessary, of course, to provide additional revenue. Sources of additional revenue are indicated in the report.

FRANKLIN D. ROOSEVELT.

JANUARY 5, 1937.

FISCAL RELATIONS BETWEEN THE UNITED STATES AND THE DISTRICT OF COLUMBIA (S. DOC. 12)

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, transmitting a report on the fiscal relations between the United States and the District of Columbia, which was read, and, with the accompanying report, referred to the Committee on Appropriations and ordered to be printed, with illustrations, as follows:

A message from the President of the United States transmitting the report on Fiscal Relations Between the United States and the District of Columbia for the consideration of the Seventy-fifth Congress

THE WHITE HOUSE,
Washington, D. C., January 8, 1937.

To the Congress of the United States:

Pursuant to the provisions in the 1937 District of Columbia Appropriation Act approved June 23, 1936 (Public, No. 762, 74th Cong.), I have the honor to transmit herewith for the consideration of Congress the following report on Fiscal Relations Between the United States and the District of Columbia.

The major recommendations in this report are outlined in my 1938 Budget message as transmitted to you on this date. I have considered these findings and recommendations in collaboration with the Advisory Committee and the Director of the Study, and I earnestly commend these to your close consideration at this session of Congress. I urge early enactment of the necessary legislative measures to assure a continuing equitable determination of fiscal relations between the two governments.

Special attention is invited to sections 10 and 13, which show that while the extent of local governmental services in the District of Columbia is substantially equal to that in 17 comparable cities, both the property tax and the total tax load in the District of Columbia are lower than in any of these cities.

FRANKLIN D. ROOSEVELT.

By unanimous consent, the following business was transacted:

TAX EXEMPTION ON TICKETS FOR INAUGURAL CEREMONIES

Mr. KING. From the Committee on Finance, I report back favorably, without amendment, Senate Joint Resolution 18, and ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The joint resolution will be read.

The joint resolution (S. J. Res. 18) to exempt from the tax on admissions amounts paid for admission tickets sold by authority of the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1937 was read as follows:

> *Resolved, etc.,* That all amounts paid for admission tickets sold by authority of the Committee on Inaugural Ceremonies of the Inauguration of the President-elect in January 1937, said committee to be appointed with the approval of the President-elect, shall be exempt from the tax on admissions imposed by section 500 of the Revenue Act of 1926, as amended, all the net proceeds from the sale of said tickets to be donated by the said committee to charity.

Mr. KING. Mr. President, I wish to say a word in explanation of the joint resolution. It is an emergency measure which provides for the exemption from tax of the tickets for seats which are sold for the inaugural ceremonies. It is the usual joint resolution adopted in all like circumstances.

Mr. McNARY. Mr. President, the request of the Senator from Utah does not come within the sphere of my usual objection. I have discussed the matter with the Senator from Utah, and I am in accord with his desire for present consideration of the joint resolution.

Mr. KING. I may say that the joint resolution is supported unanimously by the members of the committee.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to be engrossed for a third reading, read the third time, and passed.

QUARTERING OF TROOPS PARTICIPATING IN INAUGURAL CEREMONIES

Mr. CONNALLY. From the Committee on Public Buildings and Grounds, I report back favorably without amendment Senate Joint Resolution 17, and ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The joint resolution will be read.

The joint resolution (S. J. Res. 17) to provide for the quartering in certain public buildings in the District of Columbia of troops participating in the inaugural ceremonies was read, as follows:

Resolved, etc., That the Secretary of the Interior is authorized to allocate such space in any public building under his care and supervision as he deems necessary for the purposes of quartering troops participating in the inaugural ceremonies to be held on January 20, 1937, but such use shall not continue after January 22, 1937. Authority granted by this resolution may be exercised notwithstanding the provisions of the Legislative, Executive, and Judicial Appropriation Act for the fiscal year ending June 30, 1903, approved April 28, 1902, prohibiting the use of public buildings in connection with inaugural ceremonies.

Mr. CONNALLY. Mr. President, the joint resolution provides that the Secretary of the Interior, as the custodian of public buildings, shall be authorized to allocate as he may deem necessary certain public buildings for the purpose of quartering troops participating in the inaugural ceremonies.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas for the present consideration of Senate Joint Resolution 17?

There being no objection, the Senate proceeded to consider the joint resolution, which was ordered to be engrossed for a third reading, read the third time, and passed.

THE LATE SENATOR COUZENS, OF MICHIGAN

Mr. VANDENBERG. Mr. President, since last the Senate gathered in previous session death has stricken JAMES COUZENS, late the distinguished senior Senator from Michigan.

He needs no eulogy, because his monument is in his works.

Himself a man of effective deeds, rather than of words, he would be the last to welcome fulsome praise. He would want the record to speak for itself. But those of us who knew him well and labored with him—as was my intimate privilege for 8 Senate years—owe it to candor and to the just appreciation of a great and unusual character that the book should not be closed without at least a brief summation of the facts and the realities.

Whether in the field of competitive business, where he scaled the heights of industrial power and authority; whether in the gentler forums of philanthropy, where he was the best and most generous friend that underprivileged children ever had; whether on the battlefields of public service, where he ever sought what he believed to be the mass advantage, he left his "sterling" mark indelibly upon everything he touched.

He was peculiarly the personal embodiment of vigor, courage, integrity, industry, independence, and self-reliance—relentlessly devoted to any task which won his loyalty. No more positive and rugged personality has influenced our time. Even those who strongly disagreed with him could not withhold their acknowledgment that when once his course was chosen and set he never wavered—regardless of consequences—to journey's end.

He was equally the personification of kindly, selfless affection and constructive compassion for the downtrodden, the poor, and the unfortunate—particularly devoted, in heart and prodigal purse, to stricken youth. This sympathy dominated both his public dedications and his private benefactions. His Commonwealth of Michigan is dotted with healing sanctuaries which silently but eloquently bespeak his merciful aid. These "carry on" in his tradition though their generous patron is at rest.

His amazing and colorful career, from Canadian immigrant to 14 years of honored and honorable service in the Senate of the United States, from an humble car checker on the railroads in Detroit to partnership with Henry Ford in the greatest single industrial triumph of all time, from the pinch of meagerest means to the affluence of a great fortune—all this is the epic drama of American opportunity at its maximum. All this is self-made life in its fullest tide.

Such men do not often come our way. Such careers rarely exist outside of story books. Such a death deserves the Senate's apostrophe in this memorial moment of farewell.

Senator COUZENS was born in Chatham, Ontario, August 26, 1872. He died in Detroit on October 22, 1936, after a long battle with ill health, which he bore with typical stoic bravery. The 64-year interim was crowded with such drama and achievement as rarely chapters one human life. In 1890 he came to Detroit and labored in a freight yard. Five years later he was in the office and on his way. Three years later he was married to the faithful, gracious, and devoted helpmate of his life. Five more years—he met Henry Ford and Detroit's industrial miracle began. He became the dynamic secretary and business manager of the new Ford Co., which was swiftly to become the prodigy of modern times. Sixteen relatively short but vivid years, through which he fought his way to industrial fame, and he retired with a great fortune as his reward for carrying his full part of a colossal burden to the goals of unprecedented success.

Meanwhile his flair for public service already had appeared. In 1913 he served as a street-railway commissioner, announcing immediately his devotion to ultimate municipal ownership, which he subsequently achieved. Three years later he became police commissioner, and it is a part of Detroit's municipal history that organized vice promptly met and surrendered to its unyielding master. In 1918 he was elected mayor and a model administration laid the foundations for the greater Detroit which he knew lay ahead. Four years later he was appointed to a vacancy in the United States Senate, and here he served effectively until his death.

These are but the major entries on the swift-moving calendar of a busy and fruitful and dramatic life. We may sketch them in a passing moment. But behind the sketch lies character and will power and integrity and judgment and tenacious purpose and tireless energy and indefatigable industry. Such things do not consecutively happen by mere accident. However kindly fate may be, such a record reflects the genius of the man himself.

It is inevitable that positive men should, upon occasion, clash with others. It was inevitable that this man should have this emphasized experience. Sharp political differences were part of his intense career. But even those with whom he most violently disagreed respecting policies and decisions did not hesitate to pay tribute to the man himself when the final great accounting came—just as Senators who, upon this floor, may have often differed with his viewpoints, are at one with the closest of his colleagues in tribute to his character, his honor, his courage, his independence, and his worth.

When he spoke on the Senate floor his words were brief, pungent, and pointed, and always commanded attention and respect and influence. No Senator ever was more active or more aggressive in committee work and in the development of important legislation. He was the ranking minority member on the Finance Committee and similarly on the Interstate and Foreign Commerce Committee, the latter of which he ably served as chairman when his party was in power. At the time of his death he also was serving on the Banking and Currency Committee and the District of Columbia Committee. He was utterly faithful in attendance upon all of his committee labors, and no problem within his jurisdiction escaped the searching, constructive, fearless scrutiny of his vigilant study. Rarely did he miss a roll call on the Senate floor despite the infirmities of his final years. His influence affected many major legislative trends. Indeed, it often initiated far-reaching legislative movements.

Always and forever he fought whatever he deemed to be special privilege. Always and forever he championed what

he believed to be mass advantage for the men and women who toil. It was the passion of his public life.

One commentator in high place correctly said, upon his passing, that "his independence meant more to him than any gift within the power of the people"—and added, in homely but truthful praise, that "as a Senator he voted his conscience and not his bank account."

The President of the United States declared:

> In the death of Senator COUZENS the Senate of the United States and the people of Michigan and the Nation have lost a leader whose convictions were a part of the best that America aspires for and whose courage was a match for his idealism.
>
> Senator COUZENS did not enter public life because he sought either fame or power, but rather because of a service he believed he could render to the cause of progressive thought and political uprightness. He was a party member, but his prior obligation was to the well-being of the people whom he served. He never hesitated in that service.
>
> The death of Senator COUZENS to me is a great loss. But more than that it is a great loss to the multitudes of Americans whose needs and problems were always in the forefront of his thought and action.

No epitaph could say more. It is the true assessment of a notable life and service. The Senator is gone. But he still lives in the tremendous benefactions which he generously showered upon his State; in the annals of a commerce in which he triumphantly pioneered; in the accomplishments of a public service which was rich in its influence and achievement; and in the records of the Senate, where his imprint will linger while memory remains.

Mr. BROWN of Michigan. Mr. President, I would not venture to speak in the Senate today, my third day in this body, if I did not feel it to be my duty to the late Senator COUZENS to do so.

Senator COUZENS was my friend; I do not think I would be here today if it had not been for his endorsement of me in the recent election. His death removes from American public life one of the most extraordinary figures of our time. I will not dwell upon his business success, but I am going to relate a little incident which he narrated to me in his home just about 3 months ago today. He told me of the sale of his stock in the Ford Motor Co. some 15 or 20 years before. A friend, John Lodge, who was afterward mayor of Detroit, a close associate of Senator COUZENS, was shown the check for $29,000,000 by the Senator with, I think, some degree of pardonable pride. Mr. COUZENS said, "John, what do you think of that check?" Mr. Lodge replied, "Mr. Commissioner"—Senator COUZENS was then the police commissioner of the city of Detroit—"let me carry that around for a little while, will you?" Mr. COUZENS let him have the check. He brought it back the next day and said, "Do you know, Mr. Commissioner, how much it cost you to let me carry that check around for a day? At the bank interest, about $2,400 a day—$100 an hour." The Senator turned to me and he said, "BROWN, I did not realize how much money it was until then."

Mr. President, the passing of Senator COUZENS removed from the State and Nation one of our most vigorous characters. He was equally successful in the business and in the political world. Politics in the ordinary sense of the term did not interest him. He went into politics through the only avenue then open in Michigan—the Republican Party. He took no part in political organizations. He never attended a political convention. He did feel that as a Senator from Michigan he could accomplish something for his country and his State. The Senate and the Nation know the result. He was nationally minded; the interests of the Nation came first. Some of his most courageous acts called forth extremely bitter criticism from interested groups in his own State. He, nevertheless, took care of the interests of Michigan.

A rather brusque exterior concealed a most generous nature. He was certainly the greatest benefactor of the needy and helpless in the history of my State; probably the greatest in the Nation. He gave away over $30,000,000—more than he retained for himself and his family. It was not entirely a methodical, disinterested, impersonal giving. The needs of the moment deeply affected him. In May 1927, at Bath, Mich., occurred one of the most dastardly crimes in the history of the Nation. Forty-four children in school were killed and many injured by the blasting of a bomb placed by a probably demented and disappointed township school official. Senator COUZENS rebuilt the school and repaired, so far as he could by further generosity to the stricken families, the injury done. Many are the stories which are now being told of his generosity to individuals.

In the business world a hard taskmaster, he was, nevertheless, chiefly responsible for the great increase in wages which occurred in the automobile industry in Michigan.

As our people scan the list of the illustrious dead of the great State of Michigan, they are placing at the head the name of our friend, the great business executive, statesman, and humanitarian, JAMES COUZENS. This generation admires him; the coming generation will love him; for after his own family his chief concern was the children of Michigan. As a Detroit newspaper said:

> Michigan mourns in him a man and a public servant who always did ably and wholeheartedly what he thought was right.

Every man and woman in this august assembly knows that I speak the simple truth when I say he was honest, he was courageous, he was charitable.

Mr. MCNARY. Mr. President, the fitting and eloquent eulogies delivered by the senior Senator from Michigan [Mr. VANDENBERG] and the junior Senator from the same State [Mr. BROWN] need no supplementation at my hands. I had not intended until a moment ago to make any observation.

My relationship with the late Senator COUZENS existed over a period of many years, and it was intimate. My love for him was deep. He was a man of the highest character and probity, a generous philanthropist, a patriotic citizen of the loftiest type. During the remainder of my years I shall bear a sweet memory of the fine friendship that existed between the two of us. I think his life is sketched by the immortal bard who said:

> He was * * * lofty and sour to them that loved him not,
> But to those that loved him sweet as summer.

Mr. ROBINSON. Mr. President, by a peculiar coincidence the late Senator COUZENS, of Michigan, and I were born on the same day. In our conversations we often mentioned that fact. During the course of our joint service in the Senate we became very intimate friends.

It is seldom that an individual achieves notable success in two distinct spheres of activity. As has been pointed out by both the Senators from Michigan [Mr. VANDENBERG and Mr. BROWN], the efforts of the late Senator COUZENS in the business world met with very remarkable success. This prompts me to say that the capacity to accumulate wealth often seems to involve a distinct although somewhat indefinable faculty. We have all noted that there are those whose every move and every effort apparently are rewarded with profit. The late Senator COUZENS demonstrated that peculiar faculty. He made money and possessed, during the late years of his life, a very large fortune.

He was not only successful in the business world, but, as has been disclosed by the remarks of other Senators, he was almost equally successful in the world of public affairs, in politics. But the one thought that I would leave with my hearers is that his success in both spheres of activity was in spite of rather than because of the personal characteristics which usually mark men who triumph in the business world, in private business and in public business.

Usually, I think, as a natural consequence of long-continued attention to what are unavoidably selfish interests in the accumulation of wealth one loses or fails to develop those elements of personal character and that disposition which are essential to the enjoyment of life. So in a long political career it has come to be my conclusion, from a somewhat careful study of the subject, that the tendency is to develop selfishness.

I shall not elaborate that thought; but it may be of sufficient interest to those who hear me to prompt them to pursue my assertions with a view to reaching their own conclusions. I reiterate that if one gives himself over to the practice of seeking office repeatedly and through a long period of time,

he usually develops a distinct measure of selfishness, one of the natural tendencies against which public men often struggle; and if they fail to combat it they are less pleasing to their companions and really less useful in some respects at the end of their careers than they were at the beginning.

There is no doubt, as has been said on this occasion with force and with eloquence, that the late Senator COUZENS was independent and that he was courageous. He demonstrated his independence on this floor, and particularly in his committee work. It is not necessary to review the occasions on which his courage and his independence were displayed in this body and in the committees to which he was assigned for labor by the Senate. The pleasing memory that I have of my departed friend does not so much come from those aggressive and sterling elements of character as from the singular and very notable fact that, in spite of his triumph in business and in spite of his success in politics, he was one of the most generous and sympathetic men it has been my privilege to know. If proof of that fact were desired, it is to be found in the addresses of the two Senators from Michigan, who have recounted the circumstances that throughout the period of his prosperity, when an ordinary man would have been engaged in promoting his own interests to the exclusion of those kindly activities which denote the philanthropist, the late Senator COUZENS was giving of his wealth and of his exceptional intelligence to the betterment of the condition of the underprivileged, for whom at all times he displayed tender sympathy.

Mr. CONNALLY. Mr. President, I desire to say only a few words with respect to JAMES COUZENS, late a Senator from Michigan.

Since I have been a Member of this body I have served on the Finance Committee of the Senate with Senator COUZENS. Not only did I have high admiration for his ability and great respect for his character and courage but there grew up between us a very deep personal affection.

TAX-EXEMPT SECURITIES

Mr. CAPPER. Mr. President, I have today reintroduced a proposal (S. J. Res. 25) to amend the Constitution so that the United States and State Governments may tax the income from securities issued by either the United States or any State security-issuing body.

My amendment would not apply to security issues already made. There also is a provision allowing issuance of tax-exempt securities, exempt for a period of 5 years from taxation by either the United States or State Governments, under the exigencies of war.

The issuance of tax-exempt securities should have been stopped years ago, certainly when the income-tax amendment providing for high income taxes was adopted. In this connection I desire to quote from an analysis prepared and published by the Industrial Conference Board. This report says, in part:

> The existence of a large volume of tax-exempt securities in a country in which high income-tax rates are imposed is thoroughly undesirable. A substantial amount of income escapes taxation entirely, and even an approximate application of the principle of ability to pay becomes impossible.
>
> The corollary effects are equally important. Rates for Federal and municipal credit are favorably affected, since the basis of an investor's comparison with other obligations is the net yield rather than the gross yield. Excessive borrowing by political units must in some degree be attributed to the exemption feature. Moreover, Government and private business can never be on an equal basis in the capital and credit markets so long as tax exemption is continued. Inevitably, therefore, there is a tendency for Government to take over certain activities that might otherwise be left to private enterprise.
>
> It is now obvious to students of Federal taxation that tax-exempt securities should have been eliminated by a constitutional amendment at or about the time the sixteenth amendment was adopted.

Mr. President, that is not all the case against tax-exempt securities by a good deal, but it sets forth very well the reasons why business and industry should be opposed to the further issuance of tax-exempt securities.

Here are some other effects of tax-exempt securities that put them in the class of things contrary to the public interest and to the interest of the ordinary citizen and small businessman:

A large portion of property, represented by Government and municipal securities—these now total something over forty thousand million dollars—escapes taxation, thereby causing a great loss of revenue to governments. Billions of dollars of wealth escapes payment of its fair share of the burdens of government by investment in tax-exempt securities. Tax-exempt securities violate the sound principle of ability to pay and unfairly discriminate among taxpayers.

The presence of tax-exempt securities in the market discourages investment in new enterprises, and it is highly desirable that such investments be encouraged, not discouraged.

Tax-exempt securities tend to encourage extravagance in government and governmental agencies, and such extravagance should be discouraged, not encouraged.

Tax-exempt securities are in effect private subsidies and special privileges, and are contrary to sound public policy.

By withdrawing money from private enterprises, tax-exempt securities increase the rate of interest required for all enterprises not carried on by government, and thereby add to the cost of living as well as the cost of doing business.

The present administration, as I understand, has declared the issuance of tax-exempt securities unsound and undesirable, especially from the social viewpoint. Its evils were pointed out several years ago by Andrew W. Mellon, then Secretary of the Treasury. A similar position, I believe, has been taken by nearly every student of sound fiscal policies.

I say the time has come to do more than declare tax-exempt securities unsound and contrary to public policy. I say the Congress should take steps to end their issuance, and I hope that this Congress will submit my amendment, or one along the same lines, to the States for early ratification. I intend to press for action on this proposal.

EXECUTIVE SESSION

Mr. ROBINSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States, this day received, submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

REFERENCE OF TREATIES AND CONVENTIONS

The PRESIDENT pro tempore. In accordance with paragraph no. 2 of rule XXXVII of the Standing Rules of the Senate, relating to treaties, the Chair refers to the Committee on Foreign Relations certain treaties and conventions, heretofore transmitted by the President to the Senate, upon which the Senate took no final action in the Seventy-fourth Congress.

The treaties and conventions were referred to the Committee on Foreign Relations, as follows:

An agreement between the United States and Costa Rica, signed at Washington, February 1, 1923, by which the two Governments engage themselves to enter into negotiations with each other to settle the plan and the agreements which may be found necessary to accomplish the construction and to provide for the ownership and control of an interoceanic canal across Costa Rican territory (Executive B, 67th Cong., 4th sess.).

An international convention for the suppression of the circulation of and the traffic in obscene publications, which was open for signature at Geneva from September 12, 1923, to March 31, 1924, and to which the adhesion of the United States has been invited (Executive M, 68th Cong., 2d sess.).

A certified copy of a protocol for the prohibition of the use in war of asphyxiating, poisonous, or other gases, and of

bacteriological methods of warfare, signed at Geneva, Switzerland, on June 17, 1925 (Executive G, 69th Cong., 1st sess.).

A convention signed between the United States and the Republic of Panama on July 28, 1926, for the settlement of certain points of difference between them which have arisen out of the exercise by the United States of sovereign rights in the Canal Zone by virtue of the Panama Canal treaty of November 18, 1923 (Executive E, 69th Cong., 2d sess.).

A convention between the United States and His Majesty the King of Great Britain, Ireland, and the British Dominions Beyond the Seas, Emperor of India, for the preservation and improvement of the scenic beauty of the Niagara Falls and Rapids, signed at Ottawa on January 2, 1929, and a protocol signed on the same day (Executive U, 70th Cong., 2d sess.).

A protocol of revision of the statute of the Permanent Court of International Justice, signed at Geneva on September 14, 1929; a protocol of signature of the statute of the Permanent Court of International Justice, signed at Geneva on December 16, 1920; and a protocol of accession of the United States of America to the protocol of signature of the statute of the Permanent Court of International Justice, signed at Geneva on September 14, 1929 (Executive A, 71st Cong., 3d sess.).

An international convention signed at Berlin, November 13, 1908, relative to the protection of literary and artistic works, which convention is a revision of a convention signed at Berne, September 9, 1886, and also the additional protocol signed at Berne, March 20, 1914, to the international convention signed at Berlin, November 13, 1908 (Executive H, 71st Cong., 3d sess.).

A treaty between the United States and the Dominion of Canada for the completion of the Great Lakes-St. Lawrence deep waterway, signed on July 18, 1932 (Executive C, 72d Cong., 2d sess.).

The International Convention of the Copyright Union as revised and signed at Rome on June 2, 1928 (Executive E, 73d Cong., 2d sess.).

An international convention for the suppression of the traffic in women of full age opened for signature at Geneva on October 11, 1933 (Executive H, 74th Cong., 1st sess.).

A convention between the United States of America and the Republic of Argentina with reference to sanitary regulations concerning plant and animal products, signed at Washington May 24, 1935 (Executive O, 74th Cong., 1st sess.).

An international convention relating to economic statistics and a protocol thereto, signed at Geneva December 14, 1928 (Executive S, 74th Cong., 1st sess.).

A general treaty between the United States of America and the Republic of Panama, signed at Washington on March 2, 1936 (Executive B, 74th Cong., 2d sess.).

A convention between the United States of America and the Republic of Panama, for the regulation of radio communications in the Republic of Panama and the Canal Zone, which was signed at Washington on March 2, 1936 (Executive C, 74th Cong., 2d sess.).

A convention between the United States of America and the Republic of Panama, providing for the transfer to Panama of two naval radio stations, signed at Washington on March 2, 1936 (Executive D, 74th Cong., 2d sess.).

A convention between the United States of America and the Republic of Panama with regard to the construction of a trans-Isthmian highway between the cities of Panama and Colon, which was signed at Washington on March 2, 1936 (Executive E, 74th Cong., 2d sess.).

A supplementary convention between the United States of America and the King of Great Britain, Ireland, and the British Dominions Beyond the Seas, Emperor of India, in respect of Great Britain and Northern Ireland, the Commonwealth of Australia, and the Dominion of New Zealand, signed at Washington on May 27, 1936, amending article IV and the second paragraph of article VI of the convention concerning the tenure and disposition of real and personal property, signed at Washington on March 2, 1899 (Executive I, 74th Cong., 2d sess.).

REFERENCE OF TREATIES AND NOMINATIONS

On motion by Mr. ROBINSON, it was

Ordered, That on calendar days of the present session of the Congress when no executive session is held nominations or treaties received from the President of the United States may, where no objection is interposed, be referred, as in executive session, to the appropriate committees by the Presiding Officer of the Senate.

ADJOURNMENT TO MONDAY

The Senate resumed legislative session.

Mr. ROBINSON. I move that the Senate adjourn until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 1 o'clock and 33 minutes p. m.) the Senate adjourned until Monday, January 11, 1937, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 8 (legislative day of Jan. 6), 1937

AMBASSADORS EXTRAORDINARY AND PLENIPOTENTIARY

William Phillips, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Italy, to which office he was appointed during the last recess of the Senate, vice Breckinridge Long.

William Christian Bullitt, of Pennsylvania, lately Ambassador Extraordinary and Plenipotentiary to the Union of Soviet Socialist Republics, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to France, to which office he was appointed during the last recess of the Senate, vice Jesse Isidor Straus.

Joseph E. Davies, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Union of Soviet Socialist Republics, to which office he was appointed during the last recess of the Senate, vice William Christian Bullitt.

APPOINTMENTS IN THE FOREIGN SERVICE

The following-named persons to be Foreign Service officers, unclassified, vice consuls of career, and secretaries in the Diplomatic Service of the United States of America, to which offices they were appointed during the last recess of the Senate:

Maurice M. Bernbaum, of Illinois.
Stephen C. Brown, of Virginia.
John D. Jernegan, of California.
Hartwell Johnson, of South Carolina.
Leslie W. Johnson, of Minnesota.
Brewster H. Morris, of Pennsylvania.
Carmel Offie, of Pennsylvania.
J. Graham Parsons, of New York.
Fred K. Salter, of Georgia.
Maynard N. Shirven, of Wisconsin.
Myles Standish, of New York.
Arthur R. Williams, of Colorado.
Philip P. Williams, of California.
Robert E. Wilson, of Arizona.

H. Merle Cochran, of Arizona, lately a Foreign Service officer of class 2, to be a Foreign Service officer of class 1.

Walter A. Leonard, of Illinois, now a Foreign Service officer of class 3 and a consul general, to be also a secretary in the Diplomatic Service.

Walter H. Sholes, of Oklahoma, now a Foreign Service officer of class 4, lately a consul, to be a consul general.

James W. Riddleberger, of Virginia, now Foreign Service officer and consul, to be also secretary in the Diplomatic Service.

J. Hall Paxton, of Virginia, now Foreign Service officer and consul, to be also secretary in the Diplomatic Service.

William P. Blocker, of Texas, now Foreign Service officer and consul, to be also secretary in the Diplomatic Service.

Walter H. McKinney, of Michigan, now Foreign Service officer and consul, to be also secretary in the Diplomatic Service.

Dale W. Maher, of Missouri, now Foreign Service officer and consul, to be also secretary in the Diplomatic Service.

Gerald Keith, of Illinois, now Foreign Service officer and consul, to be also secretary in the Diplomatic Service.

Edward T. Wailes, of New York, now Foreign Service officer and consul, to be also secretary in the Diplomatic Service.

Herbert S. Bursley, of the District of Columbia, now Foreign Service officer and consul, to be also secretary in the Diplomatic Service.

Robert D. Murphy, of Wisconsin, now Foreign Service officer and consul, to be also secretary in the Diplomatic Service.

Howard K. Travers, of New York, now Foreign Service officer and consul, to be also secretary in the Diplomatic Service.

Joseph L. Brent, of Maryland, now Foreign Service officer and consul, to be also secretary in the Diplomatic Service.

Harold L. Williamson, of Illinois, now Foreign Service officer and secretary in the Diplomatic Service, to be also consul.

James Orr Denby, of Indiana, now Foreign Service officer and secretary in the Diplomatic Service, to be also consul.

Walter T. Prendergast, of Ohio, now Foreign Service officer and secretary in the Diplomatic Service, to be also consul.

UNDER SECRETARY OF AGRICULTURE

Milburn L. Wilson, of Montana, to be Under Secretary of Agriculture, to which office he was appointed during the last recess of the Senate, vice Rexford G. Tugwell, resigned.

ASSISTANT SECRETARY OF AGRICULTURE

Harry L. Brown, of Georgia, to be Assistant Secretary of Agriculture, to which office he was appointed during the last recess of the Senate, vice Milburn L. Wilson.

MEMBER FEDERAL HOME LOAN BANK BOARD

Fred W. Catlett, of Washington, to be a member of the Federal Home Loan Bank Board for a term of 6 years from July 22, 1936, to which office he was appointed during the last recess of the Senate. (Reappointment.)

MEMBER BOARD OF TAX APPEALS

Justin Miller, of North Carolina, to be a member of the Board of Tax Appeals for the unexpired term of 12 years from June 2, 1926, to which office he was appointed during the last recess of the Senate, vice Stephen J. McMahon, resigned.

DIRECTOR OF GRAZING

Farrington R. Carpenter, of Colorado, to be Director of Grazing.

GOVERNOR OF THE PANAMA CANAL

Col. Clarence S. Ridley, Corps of Engineers, United States Army, for appointment as Governor of the Panama Canal, provided for by the Panama Canal Act, approved August 24, 1912, vice Col. Julian L. Schley, Corps of Engineers, United States Army, resigned.

GOVERNOR OF THE VIRGIN ISLANDS

Lawrence W. Cramer, of New York, to be Governor of the Virgin Islands.

MEMBER FEDERAL BOARD FOR VOCATIONAL EDUCATION

Paul H. Nystrom, of New York, to be a member of the Federal Board for Vocational Education.

COAST AND GEODETIC SURVEY

Fair Jones Bryant, of Alabama, to be aide in the Coast and Geodetic Survey (with relative rank of ensign in the Navy), vice Thomas M. Price, Jr., resigned.

Charles Wallace Clark, of Missouri, to be aide in the Coast and Geodetic Survey (with relative rank of ensign in the Navy), vice J. C. Tribble, Jr., promoted.

John Clifton Tribble, Jr., of Mississippi, to be junior hydrographic and geodetic engineer in the Coast and Geodetic Survey (with relative rank of lieutenant, junior grade, in the Navy), vice Samuel B. Grenell, promoted.

Samuel Barker Grenell, of New York, to be hydrographic and geodetic engineer in the Coast and Geodetic Survey (with relative rank of lieutenant in the Navy), vice L. D. Graham, promoted.

NATIONAL EMERGENCY COUNCIL

Forrest Parrott, of Oklahoma, to be State director, National Emergency Council, for Oklahoma.

George H. Combs, Jr., of New York, to be State director, National Emergency Council, for New York, vice Charles J. Hardy.

Mrs. Anna Dickie Olesen, of Minnesota, to be State director, National Emergency Council, for Minnesota.

Eugene S. Leggett, of Michigan, to be Acting Executive Director of the National Emergency Council, vice Lyle T. Alverson.

John G. Winant, of New Hampshire, to be a member of the Social Security Board for the remainder of the term expiring August 13, 1941. (Reappointment.)

MEMBER NATIONAL LABOR RELATIONS BOARD

Edwin S. Smith, of Massachusetts, to be a member of the National Labor Relations Board for a term of 5 years from August 27, 1936. (Reappointment.)

Donald Wakefield Smith, of Pennsylvania, to be a member of the National Labor Relations Board for the unexpired portion of the term of 3 years from August 27, 1935, vice John Michael Carmody, resigned.

WORKS PROGRESS ADMINISTRATION

John J. McDunough, of Massachusetts, to be State administrator in the Works Progress Administration for Massachusetts.

Robert A. Hurley to be State administrator in the Works Progress Administration for Connecticut, vice Matthew J. Daly.

Louis M. Nims to be State administrator in the Works Progress Administration for Michigan, vice Harry Lynn Pierson.

F. H. Locey, of Hawaii, to be director in the Works Progress Administration for the Territory of Hawaii.

Frank Ingram to be State administrator in the Works Progress Administration for Florida, vice E. A. Pynchon.

PUBLIC WORKS ADMINISTRATION

Stanley H. Wright to be director of the Public Works Administration for North Carolina, vice Herman G. Baity.

Massena L. Culley to be director of the Public Works Administration for Mississippi.

Ralph C. Chaney, of Ohio, to be State engineer inspector for the Public Works Administration in Ohio.

RESETTLEMENT ADMINISTRATION

George S. Mitchell, of Virginia, to be regional director of the Resettlement Administration, vice Homer H. B. Mask.

PUERTO RICO RECONSTRUCTION ADMINISTRATION

Miles H. Fairbank, of Maryland, to be regional administrator for the Puerto Rico Reconstruction Administration, vice Carlos E. Chardon.

RURAL ELECTRIFICATION ADMINISTRATION

John M. Carmody, of New York, to be deputy administrator of the Rural Electrification Administration.

APPOINTMENTS IN THE REGULAR ARMY

To be major generals

Brig. Gen. John Hendricken Hughes, United States Army, from October 1, 1936, vice Maj. Gen. Frank Parker, United States Army, retired September 30, 1936.

Brig. Gen. David Lamme Stone, United States Army, from October 1, 1936, vice Maj. Gen. Frank C. Bolles, United States Army, retired September 30, 1936.

Brig. Gen. John Lesesne DeWitt, United States Army, from December 1, 1936, vice Maj. Gen. Lytle Brown, United States Army, retired November 30, 1936.

Brig. Gen. Harry Edward Knight, United States Army, from January 1, 1937, vice Maj. Gen. Charles E. Kilbourne, United States Army, retired December 31, 1936.

To be brigadier generals

Col. George Parker Tyner, Field Artillery, from October 1, 1936, vice Brig. Gen. Ernest D. Scott, United States Army, retired September 30, 1936.

Col. William Henry Wilson, Coast Artillery Corps, from October 1, 1936, vice Brig. Gen. Hamilton S. Hawkins, United States Army, retired September 30, 1936.

Col. Robert McCandlass Beck, Jr., Cavalry, from October 1, 1936, vice Brig. Gen. James B. Gowen, United States Army, retired September 30, 1936.

Col. Walter Krueger, Infantry, from October 1, 1936, vice Brig. Gen. Casper H. Conrad, Jr., United States Army, retired September 30, 1936.

Col. Asa Leon Singleton, Infantry, from October 1, 1936, vice Brig. Gen. John H. Hughes, United States Army, who accepted appointment as major general October 1, 1936.

Col. George Catlett Marshall, Infantry, from October 1, 1936, vice Brig. Gen. David L. Stone, United States Army, who accepted appointment as major general October 1, 1936.

Col. Kenyon Ashe Joyce, Cavalry, from November 1, 1936, vice Brig. Gen. Charles S. Lincoln, United States Army, retired October 31, 1936.

Col. George Grunert, Cavalry, from November 1, 1936, vice Brig. Gen. Francis LeJ. Parker, United States Army, retired October 31, 1936.

Col. Walter Campbell Short, Infantry, from December 1, 1936, vice Brig. Gen. Arthur S. Conklin, United States Army, retired November 30, 1936.

Col. Campbell Blackshear Hodges, Infantry, from December 24, 1936, vice Brig. Gen. John L. DeWitt, United States Army, who accepted appointment as major general December 24, 1936.

Col. Lesley James McNair, Field Artillery, from January 1, 1937, vice Brig. Gen. George H. Estes, United States Army, retired December 31, 1936.

Col. Henry Conger Pratt, Air Corps, from January 1, 1937, vice Brig. Gen. Harry E. Knight, United States Army, who accepted appointment as major general January 1, 1937.

To be assistant to the Quartermaster General, with the rank of brigadier general, for the period of 4 years, beginning December 23, 1936, with rank from December 18, 1936

Col. Albert Owen Seaman, Quartermaster Corps, vice Brig. Gen. Patrick W. Guiney, assistant to the Quartermaster General, died December 17, 1936.

To be assistant to the Chief of Engineers, with the rank of brigadier general, for the period of 4 years, beginning July 30, 1936, with rank from June 26, 1936

Col. Max Clayton Tyler, Corps of Engineers.

AIR CORPS

To be second lieutenants, with rank from October 1, 1936

Pvt. Berton Root, Air Corps.
First Lt. William Melville Brown, Air Corps Reserve.
Pvt. Herman Alfred Schmid, Air Corps.
Second Lt. Lloyd Pauahi Hopwood, Air Corps Reserve.
Pvt. James Arthur DeMarco, Air Corps.
Second Lt. Joseph Day Lee, Jr., Air Corps Reserve.
Pvt. Leslie Raybold, Air Corps.
Pvt. Wilbur Walter Aring, Air Corps.
Second Lt. James Oscar Guthrie, Air Corps Reserve.
First Lt. Charles Phillip Hollstein, Air Corps Reserve.
Pvt. Jack Lindley Randolph, Air Corps.
Second Lt. Homer Astley Boushey, Jr., Air Corps Reserve.
First Lt. Don Orville Darrow, Air Corps Reserve.
Pvt. (1st cl.) Harold Austin Gunn, Air Corps.
Second Lt. Francis Leslie Rivard, Air Corps, Michigan National Guard.
Pvt. Frederic Henry Miller, Jr., Air Corps.
First Lt. Donald Robert Hutchinson, Air Corps Reserve.
Second Lt. John Allen Hilger, Air Corps Reserve.
First Lt. Lawrence Clinton Coddington, Air Corps Reserve.
First Lt. Robert Kirkland Black, Air Corps Reserve.
Second Lt. Frank Richardson Cook, Air Corps Reserve.
Second Lt. George Everill Pierce, Air Corps Reserve.
Second Lt. Paul Engberg Todd, Air Corps Reserve.
Second Lt. Louis William Proper, Air Corps Reserve.
Second Lt. Ralph Charles Rockwood, Air Corps Reserve.
Second Lt. Tom Jefferson Cunningham, Air Corps Reserve.
Second Lt. William Henry Gist, Jr., Air Corps Reserve.
Second Lt. Potter Brooks Paige, Air Corps Reserve.
Second Lt. William Ross Robertson, Jr., Air Corps Reserve.
Second Lt. Joseph Stanley Holtoner, Air Corps Reserve.
Second Lt. James Clyde Selser, Jr., Air Corps Reserve.
Second Lt. Douglas Ellsworth Williams, Air Corps Reserve.
Second Lt. Lewis Leo Mundell, Air Corps Reserve.
Second Lt. Brooke Empie Allen, Air Corps Reserve.
Second Lt. Oliver Edwin Ford, Jr., Air Corps Reserve.
Second Lt. John Beaumont Cornett, Air Corps Reserve.
Second Lt. John Hal Jeffus, Air Corps Reserve.
Second Lt. Boyd Hubbard, Jr., Air Corps Reserve.
Second Lt. Lawrence Worthington Greenbank, Air Corps Reserve.
Second Lt. Norman Lewis Peterson, Air Corps Reserve.
Second Lt. Douglas Whitehill Smith, Air Corps Reserve.
Second Lt. Victor Raymond Haugen, Air Corps Reserve.
Second Lt. Hilmer Cannon Nelson, Air Corps Reserve.
Second Lt. William Parker Fisher, Air Corps Reserve.
Flying Cadet Robert Windeck Hall, Air Corps.
Flying Cadet Paul Howard Dane, Air Corps.
Flying Cadet Graves Hubbard Snyder, Air Corps.
Flying Cadet Chester Witten Cecil, Jr., Air Corps.
Flying Cadet John Markward Reynolds, Air Corps.
Flying Cadet Ralph MacKenzie Kellogg, Air Corps.

MEDICAL CORPS

To be first lieutenants with rank from July 1, 1936

First Lt. Benjamin Anderson Strickland, Jr., Medical Corps Reserve.
First Lt. Waldron Lewis Morse, Medical Corps Reserve.
First Lt. Clarence Asa Tinsman, Medical Corps Reserve.
First Lt. Raymond McKinley Williams, Medical Corps Reserve.
First Lt. Charles Bateman Perkins, Medical Corps Reserve.
First Lt. Clark Bolton Meador, Medical Corps Reserve.
First Lt. Charles Henry Moseley, Medical Corps Reserve.
First Lt. John Chisholm Fitzpatrick, Medical Corps Reserve.
First Lt. Levi Martin Browning, Medical Corps Reserve.
First Lt. John William Kemble, Medical Corps Reserve.
First Lt. John William Raulston, Medical Corps Reserve.
First Lt. William Ferrall Cook, Medical Corps Reserve.
First Lt. Erving Francis Geever, Medical Corps Reserve.
First Lt. Conn Lewis Milburn, Jr., Medical Corps Reserve.
First Lt. James Thomas McGibony, Medical Corps Reserve.
First Lt. Robert Henry Blount, Medical Corps Reserve.
First Lt. John Kemp Davis, Medical Corps Reserve.
First Lt. Louis Frederick Hubener, Medical Corps Reserve.
First Lt. Wilbur Carmen Berry, Medical Corps Reserve.
First Lt. Karl Herbert Houghton, Medical Corps Reserve.
First Lt. Albert Charles Krukowski, Medical Corps Reserve.
First Lt. Kenneth Somers, Medical Corps Reserve.
First Lt. Edward Sigerfoos, Medical Corps Reserve.

To be first lieutenants with rank from December 7, 1936

Capt. Claude Cordray Dodson, Medical Corps Reserve.
Capt. William Darrell Willis, Medical Corps Reserve.
First Lt. Dean Schamber, Medical Corps Reserve.
First Lt. Lester Orville Crago, Medical Corps Reserve.
First Lt. Eugene Coryell Jacobs, Medical Corps Reserve.
First Lt. William J. L. Porcher, Medical Corps Reserve.
First Lt. Albert Alfred Biederman, Medical Corps Reserve.
First Lt. Alfred August Grebe, Medical Corps Reserve.
Capt. Emmert Carl Lentz, Medical Corps Reserve.
First Lt. Marshall Nelson Jensen, Medical Corps Reserve.
First Lt. Edward Rudolf Wernitznig, Medical Corps Reserve.
First Lt. Lewis Calvin Shellenberger, Medical Corps Reserve.
First Lt. Albert W. Shiflet, Medical Corps Reserve.
First Lt. Kenneth Rider Nelson, Medical Corps Reserve.
First Lt. Gottlieb Leonard Orth, Medical Corps Reserve.
First Lt. Edward Alexander Cleve, Medical Corps Reserve.
First Lt. Douglas Blair Kendrick, Jr., Medical Corps Reserve.
First Lt. William Francis Conway, Medical Corps Reserve.
First Lt. Robert Joseph Benford, Medical Corps Reserve.

First Lt. Harold Valdo Weatherman, Medical Corps Reserve.
First Lt. Rex Clayton House, Medical Corps Reserve.
First Lt. Robert John Hoagland, Medical Corps Reserve.
First Lt. Ronald Fisher Kirk, Medical Corps Reserve.
First Lt. Charles Joseph Farinacci, Medical Corps Reserve.
First Lt. Warren Henry Diessner, Medical Corps Reserve.
First Lt. Weldon Kenneth Ruth, Medical Corps Reserve.
First Lt. Gus Warlick Neece, Medical Corps Reserve.
First Lt. Ryle August Radke, Medical Corps Reserve.
First Lt. Lee Page Mayes, Medical Corps Reserve.
Capt. Scott Murray Smith, Medical Corps Reserve.
Capt. William Frederic Holmes, Jr., Medical Corps Reserve.
First Lt. Bruno Jastremski, Medical Corps Reserve.
First Lt. Theodore Moffett Carow, Medical Corps Reserve.
First Lt. James Polk Sullivan, Medical Corps Reserve.
First Lt. William Edgar Wilkinson, Medical Corps Reserve.
First Lt. Edwin Matthew Goyette, Medical Corps Reserve.
First Lt. James Goree Moore, Medical Corps Reserve.
First Lt. Harold Allen Myers, Medical Corps Reserve.
First Lt. Merrill John Reeh, Medical Corps Reserve.
First Lt. Myron Jewell Tremaine, Medical Corps Reserve.
First Lt. Donald Bullen Peterson, Medical Corps Reserve.

To be first lieutenant with rank from December 16, 1936

First Lt. Paul Owen Wells, Medical Corps Reserve.

DENTAL CORPS

To be first lieutenants with rank from November 5, 1936

First Lt. Conrad Toral Kvam, Dental Corps Reserve.
Capt. George Thomas Perkins, Dental Corps Reserve.
First Lt. Roy L. Bodine, Jr., Dental Corps Reserve.
First Lt. Carvel Clark Ellison, Dental Corps Reserve.
First Lt. Arthur Julian Hemberger, Dental Corps Reserve.
First Lt. Hutton A. Shearer, Dental Corps Reserve.
First Lt. Marion Lawerance Mills, Dental Corps Reserve.
First Lt. Stanley Foster Steele, Dental Corps Reserve.
Capt. Jack Monroe Hawkins, Dental Corps Reserve.
Capt. Charles Max Farber, Dental Corps Reserve.
First Lt. Maurice Edson Washburn, Dental Corps Reserve.
Capt. Edmund Harold Van Dervort, Dental Corps Reserve.
Capt. Robert Bruce Loos, Dental Corps Reserve.
First Lt. Stuart E. Hays, Jr., Dental Corps Reserve.
Capt. Cephas William Gary, Dental Corps Reserve.
Capt. Wayne Alden Hayes, Dental Corps Reserve.
First Lt. Robert Virgil Nelson, Dental Corps Reserve.
First Lt. Harold Edward Dilley, Dental Corps Reserve.
First Lt. William Victor Hill, Dental Corps Reserve.
First Lt. Paul Wilson Holter, Dental Corps Reserve.
First Lt. George Othur Snow, Dental Corps Reserve.
First Lt. Ellsworth Kessler Kelly, Dental Corps Reserve.
First Lt. Walter John Reuter, Dental Corps Reserve.

VETERINARY CORPS

To be first lieutenants, with rank from November 30, 1936

First Lt. Fred Lewis Herring, Veterinary Corps Reserve.
First Lt. Wayne Devere Shipley, Veterinary Corps Reserve.
First Lt. Don L. Deane, Veterinary Corps Reserve.
First Lt. Benjamin Francis Leach, Veterinary Corps Reserve.
First Lt. Walter Smit, Veterinary Corps Reserve.

CHAPLAINS

To be chaplain, with the rank of first lieutenant

Chaplain (First Lt.) Thomas Hampton Reagan, Chaplains' Reserve, with rank from August 1, 1936.
Chaplain (First Lt.) Aubrey John O'Reilly, Chaplains' Reserve, with rank from December 22, 1936.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

TO ADJUTANT GENERAL'S DEPARTMENT

Maj. Charles Wilkes Christenberry, Infantry, July 23, 1936, with rank from October 1, 1935.
Maj. Richard Mar Levy, Coast Artillery Corps, November 3, 1936, with rank from March 20, 1927.
Maj. Francis Atherton Macon, Jr., Infantry, July 11, 1936, with rank from March 1, 1933.
Maj. Orlen Nelson Thompson, Infantry, August 6, 1936, with rank from August 1, 1935.
Capt. Stuart Millikin Bevans, Field Artillery, October 3, 1936, with rank from January 1, 1935.
Capt. Harris Fulford Scherer, Cavalry, November 2, 1936, with rank from June 12, 1935.

TO JUDGE ADVOCATE GENERAL'S DEPARTMENT

Capt. Lowell Whittier Bassett, Field Artillery, October 2, 1936, with rank from November 1, 1933.
Capt. John James Honan, Finance Department, September 30, 1936, with rank from July 23, 1929.

TO QUARTERMASTER CORPS

Maj. Charles Hayes Henry, Infantry, July 15, 1936, with rank from August 1, 1935.
Capt. Richard Tobin Bennison, Field Artillery, December 23, 1936, with rank from July 13, 1935.
Capt. Paul William George, Coast Artillery Corps, December 7, 1936, with rank from September 1, 1933.
Capt. James Franklin Greene, Infantry, December 11, 1936, with rank from February 1, 1932.
Capt. Lew Myers Morton, Coast Artillery Corps, December 1, 1936, with rank from August 1, 1935.
Capt. James Alva Murphey, Infantry, November 24, 1936, with rank from October 1, 1934.
Capt. Clarence Henry Schabacker, Coast Artillery Corps, September 28, 1936, with rank from August 1, 1935.
First Lt. Charles Freeman Kearney, Infantry, July 27, 1936, with rank from March 1, 1935.
First Lt. Frank M. Steadman, Field Artillery, December 17, 1936, with rank from October 1, 1934.

TO FINANCE DEPARTMENT

Maj. Richard David Daugherity, Infantry, October 27, 1936, with rank from May 24, 1933.
Maj. Harry Foster, Cavalry, September 2, 1936, with rank from August 1, 1935.
Maj. Louis Wilson Maddox, Infantry, July 13, 1936, with rank from August 1, 1935.
Maj. Harold Ragan Priest, Infantry, June 26, 1936, with rank from August 1, 1935.
Capt. Emmett James Bean, Infantry, August 8, 1936, with rank from August 1, 1935.
Capt. George Louis Boyle, Infantry, July 16, 1936, with rank from August 1, 1935.
Capt. Morris Handley Forbes, Infantry, August 15, 1936, with rank from May 14, 1924.
Capt. Millard Fillmore Willet Oliver, Infantry, July 17, 1936, with rank from October 1, 1934.
Capt. Lee Roy Woods, Jr., Field Artillery, September 25, 1936, with rank from August 1, 1935.

TO CORPS OF ENGINEERS

First Lt. John Henderson Dudley, Cavalry, August 14, 1936, with rank from August 1, 1935.
First Lt. Daniel Stickley Spengler, Coast Artillery Corps, October 31, 1936, with rank from August 1, 1935.
Second Lt. William Nott Beard, Coast Artillery Corps, July 15, 1936, with rank from June 12, 1936.
Second Lt. Andrew Davis Chaffin, Jr., Infantry, July 15, 1936, with rank from June 12, 1936.
Second Lt. Ellis Oakes Davis, Cavalry, July 24, 1936, with rank from June 12, 1934.
Second Lt. William Parrish Fickes, Coast Artillery Corps, July 15, 1936, with rank from June 12, 1936.
Second Lt. James Benjamin Lampert, Field Artillery, July 15, 1936, with rank from June 12, 1936.
Second Lt. Lawrence Edward Laurion, Coast Artillery Corps, July 15, 1936, with rank from June 12, 1936.
Second Lt. Kenneth Einar Madsen, Coast Artillery Corps, August 26, 1936, with rank from June 12, 1936.
Second Lt. David McCoach, 3d, Field Artillery, July 15, 1936, with rank from June 12, 1936.
Second Lt. John Daniel McElheny, Field Artillery, July 15, 1936, with rank from June 12, 1936.
Second Lt. William David Milne, Field Artillery, July 15, 1936, with rank from June 12, 1936.

Second Lt. Reginald Joseph Beauregard Page, Coast Artillery Corps, July 15, 1936, with rank from June 12, 1936.

Second Lt. Stephen Elliott Smith, Coast Artillery Corps July 15, 1936, with rank from June 12, 1936.

TO SIGNAL CORPS

Capt. Kenneth Frease March, Infantry, October 3, 1936, with rank from June 12, 1936.

TO CHEMICAL WARFARE SERVICE

Capt. Raymond Thomas Beurket, Field Artillery, September 21, 1936, with rank from August 1, 1935.

Capt. Leonard James Greeley, Field Artillery, October 2, 1936, with rank from August 1, 1935.

Capt. Thomas Howard James, Infantry, December 16, 1936, with rank from June 12, 1936.

First Lt. Roy Whitman Muth, Infantry, October 15, 1936, with rank from August 1, 1935.

TO FIELD ARTILLERY

First Lt. Raymond Charles Brisach, Infantry, November 2, 1936, with rank from August 1, 1935.

First Lt. Donald Cameron Cubbison, Jr., Cavalry, June 30, 1936, with rank from June 13, 1936.

First Lt. Henry Walter Herlong, Infantry, September 15, 1936, with rank from June 13, 1936.

First Lt. Duff Walker Sudduth, Infantry, July 11, 1936, with rank from June 13, 1936.

Second Lt. Paul Earl Johnson, Jr., Cavalry, July 24, 1936, with rank from June 12, 1934.

TO COAST ARTILLERY CORPS

First Lt. Robert Totten, Field Artillery, July 6, 1936, with rank from June 13, 1936.

Second Lt. Louis Lee Ingram, Infantry, August 5, 1936, with rank from June 12, 1934.

TO INFANTRY

Maj. Ernest Alvin Kindervater, Quartermaster Corps, November 24, 1936, with rank from October 1, 1934.

TO AIR CORPS

Capt. James Roy Andersen, Ordnance Department, December 23, 1936, with rank from June 12, 1936.

First Lt. Paul Ernest Ruestow, Corps of Engineers, October 1, 1936, with rank from August 1, 1935.

First Lt. Herbert Bishop Thatcher, Infantry, October 1, 1936, with rank from August 1, 1935.

Second Lt. Kenneth Paul Bergquist, Field Artillery, October 1, 1936, with rank from June 12, 1935.

Second Lt. John Kimball Brown, Jr., Field Artillery, December 23, 1936, with rank from June 12, 1935.

Second Lt. Willis Fred Chapman, Signal Corps, October 1, 1936, with rank from June 12, 1935.

Second Lt. Charles Jordan Daly, Infantry, October 1, 1936, with rank from June 12, 1935.

Second Lt. Leighton Ira Davis, Corps of Engineers, October 1, 1936, with rank from June 12, 1935.

Second Lt. Richard Elmer Ellsworth, Cavalry, October 1, 1936, with rank from June 12, 1935.

Second Lt. Arthur Allison Fickel, Field Artillery, October 1, 1936, with rank from June 12, 1935.

Second Lt. Wilhelm Cunliffe Freudenthal, Cavalry, October 1, 1936, with rank from June 12, 1935.

Second Lt. Thomas Joseph Gent, Jr., Infantry, October 1, 1936, with rank from June 12, 1935.

Second Lt. Pelham Davis Glassford, Jr., Cavalry, October 1, 1936, with rank from June 12, 1935.

Second Lt. Jack Wallis Hickman, Corps of Engineers, December 23, 1936, with rank from June 12, 1935.

Second Lt. Downs Eugene Ingram, Field Artillery, October 1, 1936, with rank from June 12, 1935.

Second Lt. Samuel Barcus Knowles, Jr., Infantry, October 1, 1936, with rank from June 12, 1935.

Second Lt. Samuel Cummings Mitchell, Infantry, October 1, 1936, with rank from June 12, 1935.

Second Lt. Thomas Cebern Musgrave, Jr., Infantry, October 1, 1936, with rank from June 12, 1935.

Second Lt. David Gilbert Presnell, Field Artillery, October 1, 1936, with rank from June 12, 1935.

Second Lt. Jack Roberts, Infantry, October 1, 1936, with rank from June 12, 1935.

Second Lt. Joseph Gordon Russell, Infantry, October 1, 1936, with rank from June 12, 1935.

Second Lt. Lamont Saxton, Infantry, October 1, 1936, with rank from June 12, 1935.

Second Lt. Albert Joseph Shower, Corps of Engineers, October 1, 1936, with rank from June 12, 1935.

Second Lt. Maurice Monroe Simons, Infantry, October 1, 1936, with rank from June 12, 1935.

Second Lt. George Rosse Smith, Jr., Corps of Engineers, October 1, 1936, with rank from June 12, 1935.

Second Lt. Robert Morris Stillman, Corps of Engineers, October 1, 1936, with rank from June 12, 1935.

Second Lt. Raymond William Sumi, Field Artillery, October 1, 1936, with rank from June 12, 1935.

Second Lt. Glenn Curtis Thompson, Infantry, October 1, 1936, with rank from June 12, 1935.

Second Lt. James Willoughby Totten, Coast Artillery Corps, October 1, 1936, with rank from June 12, 1935.

Second Lt. Aaron Warner Tyer, Infantry, October 1, 1936, with rank from June 12, 1935.

Second Lt. James Howard Walsh, Field Artillery, October 1, 1936, with rank from June 12, 1935.

Second Lt. Thomas Wildes, Cavalry, October 1, 1936, with rank from June 12, 1935.

Second Lt. James Van Gorder Wilson, Field Artillery, October 1, 1936, with rank from June 12, 1935.

PROMOTIONS IN THE REGULAR ARMY

To be colonels

Lt. Col. William Schuyler Woodruff, Infantry, from June 24, 1936.

Lt. Col. Thomas Franklin McNeill, Infantry, from June 26, 1936.

Lt. Col. John Gavin Tyndall, Field Artillery, from June 26, 1936.

Lt. Col. Alfred Lawrence Pearson Sands, Field Artillery, from June 26, 1936.

Lt. Col. Charles Peaslee George, Field Artillery, from June 29, 1936.

Lt. Col. John Delbert Reardan, Air Corps, from July 1, 1936.

Lt. Col. Ernest Leonard Pell, Infantry, from July 1, 1936.

Lt. Col. William Henry Shepherd, Field Artillery, from July 1, 1936.

Lt. Col. Marshall Guion Randol, Field Artillery, from July 1, 1936.

Lt. Col. Joseph Carmoreau Hatie, Infantry, from July 1, 1936.

Lt. Col. George Meredith Peck, Field Artillery, from July 1, 1936.

Lt. Col. Alexander James Stuart, Ordnance Department, from July 1, 1936.

Lt. Col. John Nesmith Greely, Field Artillery, from July 1, 1936.

Lt. Col. George Ruhlen, Coast Artillery Corps, from August 1, 1936.

Lt. Col. John Edward Mort, Field Artillery, from August 10, 1936.

Lt. Col. Webster Allyn Capron, Ordnance Department, from September 1, 1936.

Lt. Col. Frederick Monroe Barrows, Field Artillery, from September 1, 1936.

Lt. Col. Henry Wirt Thomas Eglin, Coast Artillery Corps, from September 1, 1936.

Lt. Col. Cary Ingram Crockett, Infantry, from September 1, 1936.

Lt. Col. Glen Edgar Edgerton, Corps of Engineers, from September 5, 1936.

Lt. Col. Charles Lacey Hall, Corps of Engineers, from September 18, 1936.

Lt. Col. Virgil Lee Peterson, Corps of Engineers, from October 1, 1936.

Lt. Col. John Wesley Niesz Schulz, Corps of Engineers, from October 1, 1936.

Lt. Col. Clarence Lynn Sturdevant, Corps of Engineers, from October 1, 1936.

Lt. Col. James Henry Burns, Ordnance Department, from October 1, 1936.

Lt. Col. Everett Strait Hughes, Ordnance Department, from October 1, 1936.

Lt. Col. Thomas Jefferson Smith, Ordnance Department, from October 1, 1936.

Lt. Col. Roger Sheffield Parrott, Field Artillery, from October 1, 1936.

Lt. Col. Oliver Andrews Dickinson, Field Artillery, from October 1, 1936.

Lt. Col. Richard Edgar Cummins, Cavalry, from October 1, 1936.

Lt. Col. Telesphor George Gottschalk, Field Artillery, from October 1, 1936.

Lt. Col. Harvey Douglas Higley, Field Artillery, from October 1, 1936.

Lt. Col. James Wilbur Lyon, Chemical Warfare Service, from October 28, 1936.

Lt. Col. Rodney Hamilton Smith, Coast Artillery Corps, from November 1, 1936, subject to examination required by law.

Lt. Col. Albert Lawrence Loustalot, Coast Artillery Corps, from November 1, 1936.

Lt. Col. Richard Donovan, Coast Artillery Corps, from November 1, 1936.

Lt. Col. Robert Clive Rodgers, Cavalry, from December 1, 1936.

Lt. Col. Homer Havron Slaughter, Infantry, from December 1, 1936.

Lt. Col. Sanderford Jarman, Coast Artillery Corps, from December 1, 1936.

Lt. Col. Clair Warren Baird, Coast Artillery Corps, from December 1, 1936.

Lt. Col. Edward Willis Putney, Coast Artillery Corps, from December 1, 1936.

Lt. Col. Henry Clinton Kress Muhlenberg, Air Corps, from December 18, 1936.

Lt. Col. Louis Lindsay Pendleton, Coast Artillery Corps, from December 22, 1936.

Lt. Col. John Francis Curry, Air Corps, from December 23, 1936.

Lt. Col. James Eugene Chaney, Air Corps, from December 24, 1936.

Lt. Col. Thomas Alexander Terry, Coast Artillery Corps, from December 24, 1936.

To be lieutenant colonels

Maj. Joseph May Swing, Field Artillery, from June 24 1936.

Maj. Charles Wolcott Ryder, Infantry, from June 26, 1936.

Maj. Stafford LeRoy Irwin, Field Artillery, from June 26, 1936.

Maj. Joseph Taggart McNarney, Air Corps, from June 26, 1936.

Maj. Pearson Menoher, Cavalry, from June 26, 1936.

Maj. Albert Henry Warren, Coast Artillery Corps, from June 26, 1936.

Maj. Omar Nelson Bradley, Infantry, from June 26, 1936.

Maj. Paul John Mueller, Infantry, from June 26, 1936.

Maj. Leland Stanford Hobbs, Infantry, from June 26, 1936.

Maj. John Frederick Kahle, Coast Artillery Corps, from June 26, 1936.

Maj. Edwin Bowman Lyon, Air Corps, from June 29, 1936.

Maj. Reinold Melberg, Coast Artillery Corps, from July 1, 1936.

Maj. Clarence Brewster Lindner, Coast Artillery Corps, from July 1, 1936.

Maj. John Henry Cochran, Coast Artillery Corps, from July 1, 1936.

Maj. Carl Conrad Bank, Field Artillery, from July 1, 1936.

Maj. Vernon Evans, Infantry, from July 1, 1936.

Maj. Roscoe Barnett Woodruff, Infantry, from July 1, 1936.

Maj. Joseph Jesse Teter, Adjutant General's Department, from July 1, 1936.

Maj. Lewis Clarke Davidson, Infantry, from July 1, 1936.

Maj. Dwight David Eisenhower, Infantry, from July 1, 1936.

Maj. Harold William James, Infantry, from July 1, 1936.

Maj. Hume Peabody, Air Corps, from July 1, 1936.

Maj. Martin John O'Brien, Coast Artillery Corps, from July 1, 1936.

Maj. Joseph Cumming Haw, Coast Artillery Corps, from July 1, 1936.

Maj. James Basevi Ord, Infantry, from July 1, 1936.

Maj. Earl Larue Naiden, Air Corps, from July 13, 1936.

Maj. Henry McElderry Pendleton, Cavalry, from August 1, 1936.

Maj. Iverson Brooks Summers, Adjutant General's Department, from August 1, 1936.

Maj. Edmund de Treville Ellis, Quartermaster Corps, from August 10, 1936.

Maj. Robert William Strong, Cavalry, from August 19, 1936.

Maj. Clifford Randall Jones, Coast Artillery Corps, from September 1, 1936.

Maj. John Beugnot Wogan, Field Artillery, from September 1, 1936.

Maj. Clesen Henry Tenney, Coast Artillery Corps, from September 1, 1936.

Maj. Clifford Barrington King, Field Artillery, from September 1, 1936.

Maj. Frank Edwin Emery, Jr., Coast Artillery Corps, from September 5, 1936.

Maj. Edward Caswell Wallington, Chemical Warfare Service, from September 18, 1936.

Maj. Carl Ernest Hocker, Coast Artillery Corps, from October 1, 1936.

Maj. John William Leonard, Infantry, from October 1, 1936.

Maj. Richmond Trumbull Gibson, Coast Artillery Corps, from October 1, 1936.

Maj. Edward Campbell McGuire, Cavalry, from October 1, 1936.

Maj. Clyde Raymond Eisenschmidt, Infantry, from October 1, 1936.

Maj. John McDonald Thompson, Quartermaster Corps, from October 1, 1936.

Maj. James Alward Van Fleet, Infantry, from October 1, 1936.

Maj. Edward Gill Sherburne, Infantry, from October 1, 1936.

Maj. Walter Wood Hess, Jr., Field Artillery, from October 1, 1936.

Maj. Michael Frank Davis, Air Corps, from October 1, 1936.

Maj. John Fuller Davis, Cavalry, from October 1, 1936, subject to examination required by law.

Maj. Hubert Reilly Harmon, Air Corps, from October 1, 1936.

Maj. Benjamin Greeley Ferris, Infantry, from October 1, 1936.

Maj. Charles Samuel Ritchel, Infantry, from October 23, 1936.

Maj. Thomas Guerdon Hearn, Infantry, from November 1, 1936.

Maj. Donald Henley, Infantry, from November 1, 1936.

Maj. Joseph Daly Coughlan, Chemical Warfare Service, from November 1, 1936.

Maj. Reese Maughan Howell, Field Artillery, from November 1, 1936.

Maj. Henry Jervis Friese Miller, Air Corps, from November 1, 1936.

Maj. Alfred Schrieber Balsam, Quartermaster Corps, from December 1, 1936.

Maj. Howard Donnelly, Infantry, from December 1, 1936.

Maj. John Nicholas Robinson, Infantry, from December 1, 1936.

Maj. Victor Vaughan Taylor, Adjutant General's Department, from December 1, 1936.

Maj. Thomas James Hanley, Jr., Air Corps, from December 1, 1936.

Maj. Jacob John Gerhardt, Infantry, from December 1, 1936.

Maj. Leo Andrew Walton, Air Corps, from December 18, 1936.

Maj. Ralph Pittman Cousins, Air Corps, from December 22, 1936.

Maj. Charles Robert Finley, Coast Artillery Corps, from December 23, 1936.

Maj. Vernon Edwin Prichard, Field Artillery, from December 24, 1936.

Maj. Adlai Howard Gilkeson, Air Corps, from December 24, 1936.

Maj. Gilbert Smith Brownell, Infantry, from December 29, 1936.

To be majors

Capt. Miles Andrew Cowles, Field Artillery, from June 21, 1936.

Capt. Lawrence McCeney Jones, Field Artillery, from June 24, 1936.

Capt. Gordon Graham Heiner, Jr., Field Artillery, from June 26, 1936.

Capt. George Walter Hirsch, Ordnance Department, from June 26, 1936.

Capt. Forrest Clifford Shaffer, Ordnance Department, from June 26, 1936.

Capt. Frank Fenton Reed, Ordnance Department, from June 26, 1936.

Capt. John Will Coffey, Ordnance Department, from June 26, 1936.

Capt. Grayson Cooper Woodbury, Ordnance Department, from June 26, 1936.

Capt. Robert Alston Willard, Signal Corps, from June 26, 1936.

Capt. Clyde Hobart Morgan, Ordnance Department, from June 26, 1936.

Capt. Robert Wilson Hasbrouck, Field Artillery, from June 26, 1936.

Capt. John Taylor deCamp, Coast Artillery Corps, from June 26, 1936.

Capt. Sargent Prentiss Huff, Ordnance Department, from June 26, 1936.

Capt. William Henry Donaldson, Jr., Coast Artillery Corps, from June 26, 1936.

Capt. Duncan Gregor McGregor, Ordnance Department, from June 26, 1936.

Capt. Thomas Jackson Heavey, Cavalry, from June 26, 1936.

Capt. Henry Maris Black, Chemical Warfare Service, from June 26, 1936.

Capt. Joshua Ashley Stansell, Signal Corps, from June 26, 1936.

Capt. Lowell Herbert Smith, Air Corps, from June 26, 1936.

Capt. Raymond Eccleston Serveira Williamson, Cavalry, from June 26, 1936.

Capt. David Charles George Schlenker, Signal Corps, from June 26, 1936.

Capt. William Henry Whiting Reinburg, Cavalry, from June 26, 1936.

Capt. Elmer Hugo Almquist, Field Artillery, from June 26, 1936.

Capt. Frank Leslie Carr, Cavalry, from June 26, 1936.

Capt. Frank Edmund Bertholet, Cavalry, from June 26, 1936.

Capt. Marion Carson, Cavalry, from June 26, 1936.

Capt. Rossiter Hunt Garity, Cavalry, from June 29, 1936.

Capt. Robert MacDonald Graham, Cavalry, from July 1, 1936.

Capt. Leo Buffington Conner, Cavalry, from July 1, 1936.

Capt. Arthur Burnola Custis, Ordnance Department, from July 1, 1936.

Capt. Loyd Van Horne Durfee, Infantry, from July 1, 1936.

Capt. Desmond O'Keefe, Judge Advocate General's Department, from July 1, 1936.

Capt. Hal Marney Rose, Cavalry, from July 1, 1936.

Capt. John Ter Bush Bissell, Field Artillery, from July 1, 1936.

Capt. John Bellinger Bellinger, Ordnance Department, from July 1, 1936.

Capt. George Senseny Eyster, Infantry, from July 1, 1936.

Capt. Henry Richard Anderson, Infantry, from July 1, 1936.

Capt. William McCaskey Chapman, Infantry, from July 1, 1936.

Capt. Norman McNeill, Infantry, from July 1, 1936.

Capt. Glen Henry Anderson, Infantry, from July 1, 1936.

Capt. Bryant Edward Moore, Infantry, from July 1, 1936.

Capt. Leo Vincent Warner, Field Artillery, from July 1, 1936.

Capt. Alston Deas, Infantry, from July 1, 1936.

Capt. Henry William Bobrink, Quartermaster Corps, from July 1, 1936.

Capt. Onslow Sherburne Rolfe, Infantry, from July 1, 1936.

Capt. Henry Perkins Gantt, Field Artillery, from July 1, 1936.

Capt. Jesse Brooke Matlack, Field Artillery, from July 1, 1936.

Capt. Parry Weaver Lewis, Coast Artillery Corps, from July 1, 1936.

Capt. Edward Wrenne Timberlake, Coast Artillery Corps, from July 1, 1936.

Capt. William Wallace Jenna, Infantry, from July 1, 1936.

Capt. Harry Cooper Barnes, Jr., Coast Artillery Corps, from July 1, 1936.

Capt. Robert John Hoffman, Infantry, from July 1, 1936.

Capt. Clare Wallace Woodward, Infantry, from July 1, 1936.

Capt. John Stevenson Mallory, Field Artillery, from July 1, 1936.

Capt. Frederick Dent Sharp, Field Artillery, from July 1, 1936.

Capt. William Sydney Barrett, Infantry, from July 13, 1936.

Capt. Paul Ryan Goode, Infantry, from August 1, 1936.

Capt. Harry Niles Rising, Ordnance Department, from August 1, 1936.

Capt. Henry Cornelius Demuth, Field Artillery, from August 5, 1936.

Capt. Lowell Meeker Riley, Field Artillery, from August 10, 1936, subject to examination required by law.

Capt. Emil Krause, Infantry, from August 19, 1936.

Capt. Robert Lynn Bacon, Infantry, from September 1, 1936.

Capt. Edwin Jacob House, Air Corps, from September 1, 1936.

Capt. Arthur Charles Purvis, Infantry, from September 1, 1936.

Capt. James Jackson Hea, Infantry, from September 1, 1936.

Capt. Carlisle Brittania Wilson, Infantry, from September 1, 1936.

Capt. Harold Lewis Milan, Infantry, from September 5, 1936.

Capt. Horace Harding, Field Artillery, from September 9, 1936.

Capt. Fred Ernest Davis, Quartermaster Corps, from September 13, 1936.

Capt. George Darryll Gamble, Quartermaster Corps, from September 18, 1936.

Capt. Carey Edwin Goodwyn, Quartermaster Corps, from October 1, 1936.

Capt. Herbert Allen Gardner, Quartermaster Corps, from October 1, 1936.

Capt. Joseph Idus Lambert, Cavalry, from October 1, 1936.

Capt. Leonard B. Gallagher, Corps of Engineers, from October 1, 1936.

Capt. Clarence Nelson Iry, Corps of Engineers, from October 1, 1936.

Capt. Hugh Whitt, Finance Department, from October 1, 1936.

Capt. Ray Aloysious Dunn, Air Corps, from October 1, 1936.

Capt. Hamilton Hall Treager Glessner, Signal Corps, from October 1, 1936.

Capt. Crawford McMann Kellogg, Chemical Warfare Service, from October 1, 1936.

Capt. James Anderson Beirne Gibson, Ordnance Department, from October 1, 1936.

Capt. Frederick Foster Christine, Air Corps, from October 1, 1936.

Capt. Albert Lobitz, Quartermaster Corps, from October 1, 1936.

Capt. Patrick Kelly, Quartermaster Corps, from October 1, 1936.

Capt. Simon Jacobson, Quartermaster Corps, from October 1, 1936.

Capt. Edward William Lachmiller, Quartermaster Corps, from October 1, 1936.

Capt. Talmage Phillips, Quartermaster Corps, from October 1, 1936.

Capt. John Paul Tillman, Finance Department, from October 1, 1936.

Capt. Charles Harrison Brammell, Field Artillery, from October 1, 1936.

Capt. John Aubrey Wheeler, Ordnance Department, from October 1, 1936.

Capt. Earl Spiker Schofield, Air Corps, from October 1, 1936.

Capt. Arthur Walter Stanley, Quartermaster Corps, from October 28, 1936.

Capt. Henry James Conner, Quartermaster Corps, from November 1, 1936, subject to examination required by law.

Capt. Arthur Emel Simonin, Air Corps, from November 1, 1936.

Capt. Graves Barney McGary, Quartermaster Corps, from November 1, 1936.

Capt. Frank O'Driscoll Hunter, Air Corps, from November 1, 1936.

Capt. Arthur William Parker, Quartermaster Corps, from November 1, 1936.

Capt. Herbert Lee Jackson, Cavalry, from November 1, 1936.

Capt. David Sidney Seaton, Air Corps, from November 1, 1936.

Capt. Schenk Henry Griffin, Corps of Engineers, from November 1, 1936.

Capt. Harold Huston George, Air Corps, from November 1, 1936.

Capt. Alden Harry Waitt, Chemical Warfare Service, from November 1, 1936.

Capt. Sterling Clifton Robertson, Infantry, from November 16, 1936.

Capt. Richard Landrum Smith, Corps of Engineers, from December 1, 1936.

Capt. Harold Arthur Barnes, Quartermaster Corps, from December 1, 1936.

Capt. William Hammond Waugh, Corps of Engineers, from December 1, 1936.

Capt. Clarence Barnard, Ordnance Department, from December 1, 1936.

Capt. Joseph Laurence Aman, Ordnance Department, from December 1, 1936.

Capt. Walter Jay Reed, Air Corps, from December 1, 1936.

Capt. St. Clair Streett, Air Corps, from December 1, 1936.

Capt. Ranald Trevor Adams, Field Artillery, from December 1, 1936.

Capt. John Van Ness Ingram, Quartermaster Corps, from December 1, 1936.

Capt. James Stevenson Crawford, Ordnance Department, from December 1, 1936.

Capt. Andrew Jackson Nichols, Infantry, from December 1, 1936.

Capt. Archie Donald Cameron, Infantry, from December 1, 1936.

Capt. Stewart Hancock Elliott, Ordnance Department, from December 18, 1936.

Capt. John Conrad Christophel, Quartermaster Corps, from December 22, 1936.

Capt. Asa Irwin, Quartermaster Corps, from December 23, 1936.

Capt. Van Leslie Prather, Quartermaster Corps, from December 24, 1936.

Capt. Edward Peter Doyle, Quartermaster Corps, from December 24, 1936.

Capt. Robert Lake Miller, Quartermaster Corps, from December 29, 1936.

To be captains, with rank from January 22, 1937

First Lt. Earl Clinton Robbins, Air Corps.
First Lt. Andrew Joseph Kerwin Malone, Air Corps.
First Lt. Russell Keillor, Air Corps.
First Lt. Ernest Harold Lawson, Air Corps.
First Lt. John Edward Bodle, Air Corps.
First Lt. Russell Scott, Air Corps.
First Lt. Burton Murdock Hovey, Jr., Air Corps.
First Lt. Richard Eastman Cobb, Air Corps.

To be captains, with rank from January 23, 1937

First Lt. Dale Davis Fisher, Air Corps.
First Lt. Henry Weisbrod Dorr, Air Corps.
First Lt. Carlisle Iverson Ferris, Air Corps.
First Lt. Elwood Richard Quesada, Air Corps.
First Lt. Willard Roland Wolfinbarger, Air Corps.

MEDICAL CORPS

To be majors

Capt. Berna Thomas Bowers, Medical Corps, from July 25, 1936.

Capt. Leon Lloyd Gardner, Medical Corps, from August 11, 1936.

Capt. Prentice Lauri Moore, Medical Corps, from September 5, 1936.

Capt. John Morris Hargreaves, Medical Corps, from October 1, 1936.

Capt. Don Longfellow, Medical Corps, from October 20, 1936.

Capt. William Frank DeWitt, Medical Corps, from November 15, 1936.

To be captains

First Lt. Reinhardt Ludwig Schmidtke, Medical Corps, from July 1, 1936.

First Lt. John Edwin Granade, Medical Corps, from July 3, 1936.

First Lt. Clifford Otto Bishop, Medical Corps, from July 9, 1936.

First Lt. Robert Estes Blount, Medical Corps, from July 10, 1936.

First Lt. Paul Hamilton Jenkins, Medical Corps, from July 11, 1936.

First Lt. Walter Philippe Manning, Medical Corps, from July 17, 1936.

First Lt. Ray Edward Currie, Medical Corps, from July 26, 1936.

First Lt. Heinz Kuraner, Medical Corps, from August 5, 1936.

First Lt. Emmett Leroy Kehoe, Medical Corps, from August 9, 1936.

First Lt. Clarence Harold White, Medical Corps, from August 14, 1936.

First Lt. Raphael Allen Edmonston, Medical Corps, from September 1, 1936.

First Lt. Knox Dunlap, Medical Corps, from September 1, 1936.

First Lt. Stephen Dominic Berardinelli, Medical Corps, from September 2, 1936.

First Lt. William Joseph Power, Medical Corps, from September 9, 1936.

First Lt. Lawrence Carter Ball, Medical Corps, from September 18, 1936.

First Lt. John Knox Cullen, Medical Corps, from September 24, 1936.

First Lt. Howard William Doan, Medical Corps, from October 1, 1936.

First Lt. Kenneth Ross Hagen, Medical Corps, from December 20, 1936.

First Lt. Robert Weston Boal, Medical Corps, from December 20, 1936.

First Lt. Lewis William Kirkman, Medical Corps, from December 23, 1936.

DENTAL CORPS

To be lieutenant colonels

Maj. Brantley Ingold Newsom, Dental Corps, from September 23, 1936.

Maj. Oscar Peter Snyder, Dental Corps, from October 27, 1936.

Maj. Rex McKinley McDowell, Dental Corps, from October 27, 1936.

Maj. Charles Melville Taylor, Dental Corps, from October 27, 1936.

Maj. Thomas Lovett Smith, Dental Corps, from October 27, 1936.

Maj. George Ray Tressel, Dental Corps, from October 27, 1936.

Maj. Frederic Harold Bockoven, Dental Corps, from October 27, 1936.

To be majors

Capt. Everitte Favor Arnold, Dental Corps, from July 5, 1936.

Capt. Marvin Edward Kennebeck, Dental Corps, from September 9, 1936.

Capt. Walter Edwin Chase, Dental Corps, from November 12, 1936.

To be captain

First Lt. Oscar John Ogren, Dental Corps, from July 27, 1936.

VETERINARY CORPS

To be lieutenant colonels

Maj. Mott Ramsey, Veterinary Corps, from July 11, 1936.

Maj. Gerald Woodward Fitz Gerald, Veterinary Corps, from July 19, 1936.

Maj. Daniel Sommer Robertson, Veterinary Corps, from August 3, 1936.

To be majors

Capt. Herbert Morris Cox, Veterinary Corps, from August 29, 1936.

Capt. Laurence Robert Bower, Veterinary Corps, from August 29, 1936.

To be captains

First Lt. Wayne Otho Kester, Veterinary Corps, from July 8, 1936.

First Lt. Robert Arthur Boyce, Jr., Veterinary Corps, from July 12, 1936.

First Lt. Clarence Leonard Taylor, Veterinary Corps, from July 18, 1936.

MEDICAL ADMINISTRATIVE CORPS

To be first lieutenants

Second Lt. Paul Christian Borup, Medical Administrative Corps, from July 21, 1936.

Second Lt. Philip Wright Hockersmith, Medical Administrative Corps, from July 21, 1936.

CHAPLAINS

To be chaplains with the rank of lieutenant colonel

Chaplain (Maj.) Edmond Joseph Griffin, United States Army, from July 3, 1936.

Chaplain (Maj.) Ora Jason Cohee, United States Army, from October 4, 1936.

To be chaplains with the rank of captain

Chaplain (First Lt.) Stanislaus Joseph Ryczek, United States Army, from July 14, 1936.

Chaplain (First Lt.) Stanley Joseph Reilly, United States Army, from August 21, 1936.

Chaplain (First Lt.) John Edward Duffy, United States Army, from October 25, 1936.

Chaplain (First Lt.) Luther Weltmer Evans, United States Army, from December 16, 1936.

PROMOTIONS IN THE PHILIPPINE SCOUTS

TO BE MAJORS

Capt. Fidel Ventura Segundo, Philippine Scouts, from June 26, 1936.

Capt. Salvador Formoso Reyes, Philippine Scouts, from July 1, 1936.

APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS IN THE REGULAR ARMY

TO BE COLONELS WITH RANK FROM AUGUST 26, 1936

Lt. Col. Arnold Norman Krogstad.
Lt. Col. Walter Hale Frank.
Lt. Col. Frank Dorwin Lackland.
Lt. Col. Herbert Arthur Dargue.
Lt. Col. Harrison Henry Cocke Richards.
Lt. Col. Ira Adelbert Rader.
Lt. Col. Douglas Blakeshaw Netherwood.
Lt. Col. Lewis Hyde Brereton.
Lt. Col. Hugh Johnston Knerr.
Lt. Col. Eugene Alexander Lohman.
Lt. Col. Follett Bradley.
Lt. Col. Shepler Ward FitzGerald.
Lt. Col. Leslie MacDill.
Lt. Col. Lawrence Sprague Churchill.
Lt. Col. Clarence Leonard Tinker.
Lt. Col. Martin Francis Scanlon.
Lt. Col. Byron Quinby Jones.
Lt. Col. Davenport Johnson.
Lt. Col. Walter Glenn Kilner.
Lt. Col. Henry William Harms.

TO BE LIEUTENANT COLONELS WITH RANK FROM AUGUST 26, 1936

Maj. William Ormon Butler.
Maj. John Graham Colgan.
Maj. Vernon Lee Burge.
Maj. William Benjamin Wright, Jr.
Maj. Raymond Edward O'Neill.
Maj. Dudley Blanchard Howard.
Maj. Floyd Emerson Galloway.
Maj. Calvin Earl Giffin.
Maj. Stephen Joseph Idzorek.
Maj. Harrison William Flickinger.
Maj. Carl William Connell.
Maj. Thomas Settle Voss.
Maj. Thomas Watson Hastey.
Maj. Morris Berman.
Maj. Walter Bender.
Maj. Albert Michael Guidera.
Maj. James Francis Doherty.
Maj. Lynwood Benjamin Jacobs.
Maj. Frank Wilbur Wright.
Maj. Edgar Peter Sorensen.
Maj. Robert Olds.
Maj. Ross Gordon Hoyt.
Maj. William Bentley Mayer.
Maj. Richard Henry Ballard.
Maj. Ralph Hudson Wooten.
Maj. Harold Mark McClelland.
Maj. Wolcott Paige Hayes.
Maj. Edmund Walton Hill.
Maj. Walter Francis Kraus.
Maj. William Eugene Farthing.

TO BE MAJORS WITH RANK FROM AUGUST 26, 1936

Capt. Charles Carl Chauncey.
Capt. Walter Eugene Richards.
Capt. Homer Barron Chandler.
Capt. Carl Weston Pyle.
Capt. John Myers McCulloch.
Capt. Charles Wesley Sullivan.
Capt. Melvin B. Asp.
Capt. George Clement McDonald.
Capt. Peter Emanuel Skanse.
Capt. Alfred Evans Waller.
Capt. Malcolm Nebeker Stewart.
Capt. Odas Moon.

Capt. Arthur George Liggett.
Capt. Westside Torkel Larson.
Capt. Newton Longfellow.
Capt. Martinus Stenseth.
Capt. Rex Kirkland Stoner.
Capt. Bushrod Hoppin.
Capt. John Myrddin Davies.
Capt. Lloyd Barnett.
Capt. James Bernard Carroll.
Capt. James Edward Duke, Jr.
Capt. Charles William Steinmetz.
Capt. John Arthur Laird, Jr.
Capt. Wendell Brown McCoy.
Capt. Walter Thomas Meyer.
Capt. James Douglas Givens.
Capt. William Cushman Farnum.
Capt. Charles Milton Cummings.
Capt. William Turnbull.
Capt. James Atwater Woodruff.
Capt. Lester James Maitland.
Capt. Arthur Ignatius Ennis.
Capt. Frederick Dan Lynch.
Capt. Thomas Lonnie Gilbert.
Capt. William Warren Welsh.
Capt. Joseph Williams Benson.
Capt. Caleb Vance Haynes.
Capt. John Frederick Whiteley.
Capt. Harold Arthur Bartron.
Capt. Guy Lewis McNeil.
Capt. Lewis Selwyn Webster.
Capt. Alfred Liljevalch Jewett.
Capt. Louie Clifford Mallory.
Capt. Clarence Prescott Talbot.
Capt. Roy William Camblin.
Capt. Cornelius John Kenney.
Capt. Winfield Scott Hamlin.
Capt. Robert Theodore Zane.
Capt. LeRoy Allen Walthall.
Capt. Lucas Victor Beau, Jr.
Capt. Newman Raiford Laughinghouse.
Capt. James Milligan Gillespie.
Capt. Frederick von Harten Kimble.
Capt. William Jones Hanlon.
Capt. David Robert Stinson.
Capt. Joseph Theodore Morris.
Capt. Howard Arnold Craig.
Capt. William Robert Sweeley.
Capt. George Allan McHenry, Jr.
Capt. Carlyle Howe Ridenour.
Capt. Russell Carrigan MacDonald.
Capt. Bennett Edward Meyers.
Capt. Paul Hyde Prentiss.
Capt. Robert Storie Heald.
Capt. Warren Arthur Maxwell.
Capt. Frederick Mercer Hopkins, Jr.
Capt. Leonard Dickson Weddington.
Capt. Paul Edmund Burrows.
Capt. George Harold Brown.
Capt. Dale Vincent Gaffney.
Capt. Elmer Daniel Perrin.
Capt. Edward Michael Powers.
Capt. Richard Hartnett Magee.
Capt. Kenneth Bonner Wolfe.
Capt. John Vernon Hart.
Capt. Henry Harold Reily.
Capt. Dayton Dudley Watson.
Capt. Donald David FitzGerald.
Capt. Austin Walrath Martenstein.
Capt. Edwin Barton Bobzien.
Capt. John D. Corkille.
Capt. Levi L. Beery.
Capt. Carlton Foster Bond.
Capt. John DeForest Barker.
Capt. Warren Rice Carter.
Capt. Thad Victor Foster.
Capt. Harold Alling McGinnis.
Capt. Harry Arthur Halverson.
Capt. Charles Theodore Skow.
Capt. Morton Howard McKinnon.
Capt. Walter Bernard Hough.
Capt. William Michael Lanagan.
Capt. George Platt Tourtellot.
Capt. Walter Kellsey Burgess.
Capt. Paul California Wilkins.
Capt. George Hendricks Beverley.
Capt. Norman Delroy Brophy.

TO BE MAJOR WITH RANK FROM OCTOBER 1, 1936

Capt. Raymond Morrison.

TO BE MAJOR WITH RANK FROM NOVEMBER 1, 1936

Capt. Wallace Gordon Smith.

TO BE MAJOR WITH RANK FROM NOVEMBER 4, 1936

Capt. Charles Adam Horn.

TO BE MAJOR WITH RANK FROM NOVEMBER 9, 1936

Capt. Clarence Chamberlin Wilson.

TO BE MAJOR WITH RANK FROM NOVEMBER 29, 1936

Capt. Byron Elihu Gates.

TO BE MAJOR WITH RANK FROM DECEMBER 9, 1936

Capt. William Lewis Boyd.

APPOINTMENTS IN THE NATIONAL GUARD OF THE UNITED STATES

GENERAL OFFICERS

To be major general, National Guard of the United States

Maj. Gen. Claude Vivian Birkhead, Texas National Guard, from October 13, 1936.

To be brigadier general, Adjutant General's Department, National Guard of the United States

Brig. Gen. George Lee McClain, adjutant general's department, Kentucky National Guard, from August 13, 1936.

To be brigadier generals, National Guard of the United States

Brig. Gen. Charles Gray, Blakeslee, New York National Guard, from October 13, 1936.

Brig. Gen. James Ezekiel Edmonds, Louisiana National Guard, from July 2, 1936.

Brig. Gen. Mervin Gilbert McConnel, Idaho National Guard, from July 23, 1936.

Brig. Gen. Holman Taylor, Texas National Guard, from October 13, 1936.

Brig. Gen. Amos Walter Wright Woodcock, Maryland National Guard, from December 18, 1936.

REAPPOINTMENTS IN THE OFFICERS' RESERVE CORPS OF THE ARMY

To be brigadier generals, Reserve

Brig. Gen. Leigh Robinson Gignilliat, Reserve, from November 4, 1936.

Brig. Gen. Henry Joseph Reilly, Reserve, from December 23, 1936.

To be brigadier general, Medical Corps Reserve

Brig. Gen. Sanford H. Wadhams, Medical Corps Reserve, from September 6, 1936.

To be brigadier generals, Inactive Reserve

Brig. Gen. Lewis Atterbury Conner, Inactive Reserve, from November 4, 1936.

Brig. Gen. George Washington Crile, Inactive Reserve, from November 4, 1936.

Brig. Gen. Milton Fennimore Davis, Inactive Reserve, from December 23, 1936.

Brig. Gen. Joel Ernest Goldthwait, Inactive Reserve, from November 4, 1936.

Brig. Gen. Charles Horace Mayo, Inactive Reserve, from November 4, 1936.

Brig. Gen. William James Mayo, Inactive Reserve, from December 23, 1936.

Brig. Gen. Thornwell Mullally, Inactive Reserve, from December 23, 1936.

Brig. Gen. Fred Towsley Murphy, Inactive Reserve, from November 4, 1936.

Brig. Gen. John Hodgen Rice, Inactive Reserve, from February 4, 1937.

Brig. Gen. Frederick Fuller Russell, Inactive Reserve, from November 4, 1936.

Brig. Gen. Henry Alden Shaw, Inactive Reserve, from February 4, 1937.

Brig. Gen. Cary Fletcher Spence, Inactive Reserve, from December 23, 1936.

Brig. Gen. Henry Lewis Stimson, Inactive Reserve, from May 16, 1937.

HOUSE OF REPRESENTATIVES

FRIDAY, JANUARY 8, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Eternal God, our Father, supremely just and pure, create within us a ruling passion to walk worthy of the vocation wherewith we are called. In a world that is trouble rent, in a day that is sorely confused, give the Congress the larger vision, the broader fields of endeavor involved in the brotherhood of mankind. We pray that devotion to home, State, and Nation may burn clean and deep in all breasts. Take, our Father, into Thy care and keeping our President, our Speaker, and these representatives of a great people. Direct them in all the intricate problems that may arise, that the genius of our Republic may more and more obtain. We thank Thee for the Teacher of Nazareth, the light of the world, the light that never goes out, but burns glowingly on and on until earth's darkness fades away into the radiance of eternal dawn. In His name. Amen.

The Journal of the proceedings of Wednesday, January 6, 1937, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries.

AMENDMENT OF THE NEUTRALITY ACT

The SPEAKER announced that pursuant to the motion agreed to on January 6, 1937, he had, this morning, signed the enrolled joint resolution of the Senate (S. J. Res. No. 3).

SWEARING IN OF MEMBERS

The SPEAKER announced that pursuant to the authority granted by House Resolution 38, the Speaker appointed the Honorable SCHUYLER OTIS BLAND to administer the oath of office to Hon. ANDREW J. MONTAGUE.

The SPEAKER also announced that under the authority granted by House Resolution 43, the Speaker appointed the Honorable WILLIAM J. DRIVER to administer the oath of office to the Honorable BEN CRAVENS.

The SPEAKER also announced that under the authority granted by House Resolution 40, the Speaker appointed the Honorable CLARENCE F. LEA to administer the oath of office to the Honorable HENRY E. STUBBS.

PERMISSION TO ADDRESS THE HOUSE

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent that on Monday next, after the reading of the Journal and the disposition of business on the Speaker's desk, I may be permitted to address the House for not to exceed 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

THE BUDGET (H. DOC. NO. 29)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, on motion of Mr. RAYBURN, the message and the accompanying papers were referred to the Committee on Appropriations and ordered printed:

To the Congress of the United States:

Pursuant to provisions of law I transmit herewith the Budget of the United States Government for the fiscal year ending June 30, 1938, together with this message, which is a part thereof. The estimates have been developed after careful analysis of the revenues, obligations, and reasonable needs of the Government, and I recommend appropriations for the purposes specifically detailed herein.

PART I

The programs inaugurated during the last 4 years to combat the depression and to initiate many needed reforms have cost large sums of money, but the benefits obtained from them are far outweighing all their costs. We shall soon be reaping the full benefits of those programs and shall have at the same time a balanced Budget that will also include provision for reduction of the public debt.

The fiscal plans of the Federal Government for these 4 years have been formulated with two objectives in mind. Our first was to restore a successful economic life to the country, by providing greater employment and purchasing power for the people, by stimulating a more balanced use of our productive capacity, and by increasing the national income and distributing it on a wider base of prosperity. Our second was to gain new advantages of permanent value for the American people. Both of these objectives can be accomplished under a sound financial policy.

Business conditions have shown each year since 1933 a marked improvement over the preceding year. Employment in private industry is increasing. Industrial production, factory pay rolls, and farm prices have steadily risen.

These gains make it possible to reduce for the fiscal year 1938 many expenditures of the Federal Government which the general depression made necessary. Although we must continue to spend substantial sums to provide work for those whom industry has not yet absorbed, the 1938 Budget is in balance; and, except for debt reduction of $401,515,000, it will remain in balance even if later on there are included additional expenditures of as much as $1,537,123,000 for recovery and relief. We expect, moreover, if improvement in economic conditions continues at the present rate, to be able to attain in 1939 a completely balanced Budget, with full provision for meeting the statutory requirements for debt reduction.

In carrying out this policy the American people are obtaining lasting benefits. Economic protection of the aged and physically handicapped is being secured through the operations of the Social Security Act. Ability of the farmer to obtain a more constant livelihood has been enhanced by the enactment of legislation especially designed for that purpose. The home owner has been benefited through the financing of mortgages at reasonable rates of interest. Investors in securities are being given a larger measure of protection by the Securities and Exchange Act. The market for corporate securities has been restored, and industry has been able to finance its long-term requirements on a favorable basis. The rights of labor are being materially advanced through operation of the National Labor Relations Act.

I plan to submit at a later date an estimate of appropriation for additional relief for the fiscal year 1938, which I hope will not exceed the amount of $1,537,123,000, previously mentioned. This hope is based on the assumption that industry will cooperate in employing men and women from the relief rolls in larger numbers than during the past year. Many of those in charge of industrial management, recognizing their obligation to the Nation, have furnished a large measure of employment to the jobless. Today, while it is true that in some sections of the country certain types of skilled workers are still seeking employment, it is nevertheless a fact that the great majority of those now receiving relief belong to the unskilled group. It is my conviction that if every employer or potential employer will undertake during the next 6 months to give employment to persons now receiving Government help, the National Budget can thereafter be kept definitely in balance. Without such cooperation on the part of employers, the question of a balanced Budget for 1938 must of necessity remain an open one, for the very good reason that this Government does not propose next year, any more than during the past 4 years, to allow American families to starve.

To continue the gains we are making and to accomplish in the 1939 Budget a complete balance between receipts

and expenditures including debt reduction, we must now lay the groundwork of our future fiscal policy.

While relief expenditures should decline with greater reemployment, the normal growth of the country naturally reflects itself in increased costs of government. Many of the old functions and duties of government naturally cost more as the industrial and agricultural activities to which they are related expand in volume. The cost of new functions and duties can be substantially reduced only by curtailing the function or the duty. I propose shortly to submit to the Congress a broad plan for placing the executive branch of the Government on a sounder and more responsible basis of management. The carrying out of such a plan will undoubtedly result in some saving in expenditures; but it must be remembered that what is generally known as overhead represents only a small fraction of total expenditures in any large business, Government or private.

Expenditures must be planned with a view to the national needs; and no expansion of Government activities should be authorized unless the necessity for such expansion has been definitely determined and funds are available to defray the cost. In other words, if new legislation imposes any substantial increase in expenditures either in the expansion of existing or the creation of new activities, it becomes a matter of sound policy simultaneously to provide new revenue sufficient to meet the additional cost. The success of such a policy can be assured only through the full and friendly cooperation of the Congress and the Executive. Of this cooperation I am confident.

PART II

RECOMMENDATIONS

Temporary miscellaneous internal-revenue taxes: I recommend that the Congress take steps by suitable legislation to extend the miscellaneous internal-revenue taxes which under existing law will expire next June and July, and also to maintain the current rates of those taxes which would otherwise be reduced next June. I consider that the revenue from such taxes or its equivalent is necessary for the financing of the Budget for 1938.

Postal receipts: The estimates of appropriations for the Postal Service included in the 1938 Budget are predicated upon the continuance during that fiscal year of the 3-cent postage rate for first-class mail other than for local delivery. While the Government makes a profit on first-class mail, the Postal Service is not self-supporting, because it carries other classes of mail at a considerable loss, as shown in the tabular footnote on page XXIII. It should be the definite policy of the Government to operate the Postal Service out of postal receipts, and a continuation of the 3-cent rate will be a necessary step toward the accomplishment of this purpose.

Civilian Conservation Corps: The Civilian Conservation Corps has demonstrated its usefulness and has met with general public approval. It should be continued. I intend shortly to submit a supplemental estimate of appropriation to carry the Corps from March 31, 1937, to the end of the current fiscal year; and I strongly recommend that Congress enact during its present session the necessary legislation to establish the Corps as a permanent agency of the Government.

Expenses of emergency agencies: There are included in the 1938 Budget, pursuant to the direction of Congress at its last session, estimates of appropriations for the administrative expenses of certain emergency agencies and corporations. Such of the emergency agencies and corporations as may be continued by Congress should have all of their expenditure requirements made subject to the same scrutiny that is given by the Bureau of the Budget to the expenditure requirements of the regular departments and establishments; and I recommend that a provision to that effect be included in any future legislation for the continuance of any such agency or corporation.

PART III

REVIEW OF THE FISCAL YEARS 1936 AND 1937, AND THE FISCAL PROGRAM FOR 1938

This review concerns itself with the cash actually received and paid out by the Treasury in the fiscal year 1936, with the estimates of receipts and expenditures for the fiscal year 1937, and with the fiscal program for 1938.

Fiscal year 1936

Receipts: Treasury receipts for the year ended June 30, 1936, amounted to $4,115,956,615, about $295,000,000 less than estimated a year ago. As a result of Supreme Court decisions, the Government lost about $457,000,000 in revenue from taxes levied under the Agricultural Adjustment Act and the Bituminous Coal Act. Had it not been for the invalidation of these taxes, the total revenues received during the fiscal year 1936 would have exceeded the revenue estimates of a year ago by $162,000,000.

The collection of taxes on carriers and their employees, estimated at $33,000,000, has been deferred to the fiscal year 1937 because of pending litigation. The receipts from income taxes were about $7,500,000 less than last year's estimate.

On the other hand, miscellaneous internal-revenue taxes produced $136,488,000 more than was anticipated; customs revenue, $33,621,000 more; miscellaneous receipts, $32,053,000 more; and realization upon assets, $1,483,000 more.

Expenditures: The total expenditures for the fiscal year ended June 30, 1936 (exclusive of expenditures from postal revenues), amounted to $8,879,798,258, as compared with the estimate of $7,645,301,338 shown in the Budget submitted a year ago. This latter amount did not, however, include $1,673,493,000 for adjusted compensation payments to veterans. The expenditures for the year, excluding these payments, were, therefore, about $439,000,000 less than the estimate.

The total expenditures for recovery and relief were $2,776,796,469 against an estimate of $2,869,068,187. For the operation and maintenance of the regular departments and establishments of the Government the expenditures amounted to $3,276,872,306, as compared with estimates of $3,482,208,151. For statutory debt retirement there was expended $403,240,150, and for interest on the public debt, $749,396,802, the amounts budgeted for these items being $552,025,000 and $742,000,000, respectively.

Deficit and public debt: The gross deficit for the fiscal year 1936 amounted to $4,763,841,642. Excluding $403,240,150 for statutory debt retirement, there was a net deficit of $4,360,601,492. The estimated net deficit, as contained in the Budget submitted a year ago, was $2,682,482,392, a difference of $1,678,119,100. As previously indicated, the original estimate has been affected to the extent of $457,000,000 as a result of the invalidation of taxes levied under the Agricultural Adjustment and Bituminous Coal Acts and by the additional expenditure of $1,673,493,000 under the Adjusted Compensation Act. If it had not been for the increase in the deficit due to these causes, the net deficit for the fiscal year 1936 would have been about $452,000,000 less than that originally estimated.

The increase in the gross public debt during the year amounted to $5,077,650,869, but this sum included an increase of the balance in the general fund of the Treasury of $840,164,664. The gross public debt on June 30, 1936, was $33,778,543,494.

Fiscal year 1937

Receipts: The income of the Federal Government during the fiscal year 1937 will increase sharply over that of 1936. It is expected that the total revenue from all sources (exclusive of postal revenues) will amount to $5,828,151,000. This represents an increase of $1,712,194,000 over the actual receipts for the fiscal year 1936 and an increase of $173,933,000 over the estimates contained in the 1937 Budget, as submitted a year ago.

The general improvement in business conditions and the enactment of the Revenue Act of 1936 have resulted in additional revenues from taxes which will not only make up the loss in revenue due to the Supreme Court decisions invalidating the taxes levied under the Agricultural Adjustment and the Bituminous Coal Acts, but will produce additional income of approximately $174,000,000.

Since the Revenue Act of 1936 materially changes the tax structure, the individual items of revenue as contained in

the original 1937 Budget will not be exactly comparable with the individual items in the 1937 Budget as revised in this message.

Income taxes are expected to yield $2,372,900,000, or $946,325,000 more than was received from this source last year; miscellaneous internal revenue, $2,274,968,000, an increase of $265,389,000; customs duties, $446,800,000, an increase of $59,988,000; and realization upon assets, $31,830,000, an increase of $26,362,000. In addition, it is expected that the new tax on unjust enrichment provided by the Revenue Act of 1936 will amount to $82,000,000 and that the tax on carriers and their employees will be $134,552,000, including $33,000,000 deferred from the previous fiscal year. The collection of taxes levied under the Social Security Act will begin in the last half of the fiscal year 1937, and it is expected that these taxes will produce additional revenue in the amount of $324,600,000.

The only item of revenue showing any decrease is that of miscellaneous receipts, in the amount of $50,325,000, which is due to reductions in interest payments made to the Treasury by the Reconstruction Finance Corporation.

Expenditures: From present indications expenditures for the fiscal year 1937 (exclusive of expenditures from postal revenues) will amount to $8,480,804,000. Exclusive of statutory debt retirement and adjusted-compensation payments, the total expenditures will amount to $7,512,779,000, an increase over comparable expenditures for 1936 of $709,714,000.

This amount is made up of increases of $371,192,000 on account of the Social Security Act, $85,603,000 on account of interest on the public debt, $194,161,000 for the general public-works program, $123,442,000 for national defense, and $221,914,000 for other purposes; and decreases of $93,321,000 for the Veterans' Administration, $74,996,000 for the agricultural adjustment program, and $118,281,000 for the Civilian Conservation Corps.

The amount of the recovery and relief expenditures has been estimated at $2,166,157,000, but there is included in the supplemental expenditure items $650,000,000 from an appropriation of $790,000,000 to be requested of Congress for the purpose of carrying the Works Progress Administration and related programs from February 1 to June 30, 1937. This will increase the estimated expenditures for recovery and relief to $2,816,157,000, an increase of $39,361,000 over 1936. The expenditures in the current fiscal year will include, however, the sum of about $165,000,000 for assistance given to individuals and communities directly or indirectly affected by the widespread drought conditions prevailing during the past summer. If this drought had not occurred, the net cost of recovery and relief for the current fiscal year would have been about $125,000,000 below the cost for the previous fiscal year.

Deficit and public debt: The current estimates for the fiscal year 1937 show a gross deficit of $2,652,654,000. Deducting public debt retirements, the net deficit will be $2,248,129,000.

The increase in the public debt on account of the deficit, however, will be only $1,348,090,000 since it is anticipated that $900,000,000 of the deficit will be financed from cash on hand. The working balance will be further reduced by net expenditures of about $42,000,000 for trust accounts and $100,000,000 for the retirement of national bank notes now a part of the public debt. This will reduce the working balance from $2,225,000,000 on June 30, 1936, to $1,183,000,000 on June 30, 1937. The gross public debt at the end of the current fiscal year is estimated at $35,026,000,000, an increase over 1936 of $1,248,000,000.

The estimated debt at the end of the fiscal year is based on contemplated expenditures set out in this Budget and does not take into account any change which may occur as a result of the Treasury policy in holding as "inactive" future acquisitions of gold.

Fiscal program for 1938

The expected increase in revenue and decrease in expenditures for relief both reflect the general improvement which has taken place in the economic conditions of the country. The Revenue Act of 1936, which was designed for the purpose of replacing revenue lost through the invalidation of processing taxes, of providing sufficient revenue to amortize the cost of the adjusted-compensation payments, and of equalizing tax burdens, gives every indication of satisfactorily accomplishing those purposes. I should like, at this point, to emphasize the importance of maintaining the productiveness of the present-tax structure, so that we may properly provide for the fulfillment of our fiscal program.

Under legislation enacted during the last session of Congress, which created authorizations for future appropriations aggregating more than $1,500,000,000, there is included about $130,000,000 in the estimates of appropriations contained in this Budget. Such authorizations are contained in the new Federal Highway Act, the Rivers and Harbors and the Flood Control Acts, and the Rural Electrification Act.

There is also included $812,225,000 for social security grants and for the Government's contribution to the old-age reserve account, more than double the expenditures for these purposes in 1937, and there will be for several years still further increases in these requirements. It should be pointed out that these expenditures will be offset to a large extent by the increasing revenues under the Social Security Act.

No estimate of appropriation is presented for the needs of the Civilian Conservation Corps, since its extension beyond March 31 of this year is dependent on the action of Congress. In furtherance of my recommendation for the enactment of legislation to continue it as a permanent agency of the Government, there is included in the "Supplemental items" an amount sufficient to meet the expenditure requirements for the fiscal year 1938.

The following table shows the distribution, on a functional basis, of the expenditure figures contained in this Budget and compares them with similar figures for previous years:

Actual and estimated expenditures of the Government for the fiscal years 1932–38 (classifications include expenditures from both general and emergency funds)

[In millions of dollars

	Estimated		Actual				
	1938	1937	1936	1935	1934	1933	1932
Regular operating expenditures:							
Legislative, judicial, and civil establishments	771.8	859.0	781.1	597.7	572.5	697.5	978.8
National defense	991.6	964.9	911.6	709.9	540.3	667.8	707.6
Veterans' pensions and benefits	577.5	1,144.7	2,351.4	607.1	556.9	863.2	984.8
Interest on the public debt	860.0	835.0	749.4	820.9	756.6	689.4	599.3
Total	3,200.9	3,803.6	4,793.5	2,735.6	2,426.3	2,917.9	3,270.5
Public works	908.3	1,146.7	868.7	704.3	551.9	427.7	439.5
Unemployment relief:							
Direct relief	13.0	106.7	591.7	1,914.1	715.8	350.7	.....
Work relief (W. P. A. and C. W. A.)	[1] 2	1,400.5	1,264.4	11.3	805.1	.....	.....
Civilian Conservation Corps	(2)	368.0	486.3	435.5	331.9	.....	.....
Total	13.2	1,875.2	2,342.4	2,360.9	1,852.8	350.7	.....
Loans (net)	[3] 153.3	[3] 419.9	[3] 175.2	80.5	788.6	874.4	404.0
Subscriptions to stock	17.2	51.5	69.3	156.8	826.5	110.7	627.0
Agricultural adjustment program	482.4	467.6	542.6	743.0	290.3	.....	.....
Less revenues	.....	.....	76.6	521.4	353.0	.....	.....
Net	482.4	467.6	466.0	221.6	[4] 62.7	.....	.....
Social security	836.0	399.6	28.4	.....	.....	.....	.....
Debt retirement	401.5	404.5	403.2	573.6	359.9	461.6	412.6
Miscellaneous	1.8	2.0	6.8	21.1	8.7	.....	.....
Supplemental items	450.0	750.0	.....	.....	.....	.....	.....
Grand total	[1] 6,158.0	8,480.8	8,803.1	6,854.4	6,752.0	5,143.0	5,153.6

[1] To be increased by any amount appropriated by Congress for recovery and relief for the fiscal year 1938. As indicated in the message, it is hoped the amount will not exceed $1,537,123,000.

[2] Funds for continuation of the Civilian Conservation Corps are included under "Supplemental items."

[3] Excess of credits, deduct.

[4] Excess of revenues, deduct.

Receipts: Treasury receipts in the fiscal year 1938 are expected to reach a total of $7,293,607,000, an increase of $1,465,456,000 over similar receipts for 1937 and $3,177,650,000 over 1936. This gain is largely due to an increase in income taxes as a result of improved business conditions and the operation of the Revenue Act of 1936.

The amount expected to be collected in 1938 from income taxes is $3,365,300,000, a gain of $992,400,000 over the fiscal year 1937. Miscellaneous internal revenue will produce $2,508,332,000, or $233,364,000 more than is expected from this source for 1937. The tax on unjust enrichment and the taxes on carriers and their employees, from which $82,000,000 and $134,552,000, respectively, will be derived in 1937, will produce no revenue in 1938, since under existing law these taxes expire during 1937. The first full year of tax collections under the Social Security Act will result in revenue of $774,800,000 in 1938, which sum is $450,200,000 greater than the anticipated revenue in 1937, when collections will be for only 6 months. It is believed that customs revenues will rise from $446,800,000 during the present fiscal year to $463,000,000 in 1938, a gain of $16,200,000. Miscellaneous receipts, however, will decrease $8,950,000, the 1938 collections being estimated at $151,550,000, as compared with $160,500,000 during 1937. From realization upon assets $30,625,000 will be received, while in 1937 receipts from this source will amount to $31,830,000.

Expenditures: The expenditures for 1938 contemplated under this Budget (exclusive of those from postal revenues) will total $6,157,999,000, or approximately $2,323,000,000 less than is now estimated for 1937. General expenditures for regular activities amount to $5,841,968,000, as compared with $5,664,647,000 in 1937, an increase of $177,321,000. The 1937 estimate, however, contains an amount of $563,500,000 for completion of adjusted compensation payments to veterans, so that the comparable increase over 1937 is $740,821,000. For recovery and relief there is included in the expenditures for 1938 the amount of $316,031,000, which, of course, is not the full amount that will be required for relief during that year. As previously indicated, it is our present hope that the additional amount to be requested for this purpose will not exceed $1,537,123,000. Thus the total expenditure for recovery and relief during 1938 would be $1,853,154,000, or $963,003,000 less than the amount estimated for 1937. Again I emphasize the contribution which employers can make to this attainment.

The general expenditures include $860,000,000 for interest on the public debt, an increase of $25,000,000 over the amount for the present fiscal year, and $401,515,000 for statutory debt retirements, a decrease of $3,010,000. Exclusive of the service on the public debt and the payment of adjusted compensation to veterans, there is a net increase of $718,831,000 in expenditures for regular activities as compared with 1937. This increase is accounted for as follows: For increased requirements under the Social Security Act, $436,337,000; for additional expenditures under the general public works program, $132,519,000; for national defense to provide for the increased strength of the Army as directed by Congress and to provide for replacement of naval vessels in accordance with existing authorizations, $92,882,000; for the necessary funds for the activities of the Railroad Retirement Board and for rural electrification, $39,566,000; and for increased needs of other activities, $17,527,000.

Surplus and public debt: The surplus for the fiscal year 1938, as presented in this Budget, is $1,135,608,000 after providing for debt retirement. Excluding provision for debt retirement, the surplus will amount to $1,537,123,000. As I have previously stated, it is hoped the additional needs for relief during the fiscal year 1938 will not require expenditure of more than this latter amount. On this basis the estimated gross public debt on June 30, 1938, will be about the same amount as at the close of the fiscal year 1937. This does not take into account any change which may occur as a result of the Treasury policy in holding as "inactive" future acquisitions of gold.

Appropriations: The total appropriations recommended in this Budget aggregate $6,839,000,000, including those for the Postal Service, District of Columbia, and probable supplemental items, while the appropriations already made and prospective supplemental items for the fiscal year 1937, exclusive of requirements for recovery and relief, total $6,261,000,000, an increase of $578,000,000 for 1938. This increase is due to additional appropriations amounting to $309,000,000 on account of the Social Security Act; $80,000,000 required under the general public works program; and $189,000,000 on account of departmental requirements, including the national defense. The appropriations made and contemplated for recovery and relief for 1937 total $2,215,000,000, whereas it is hoped that corresponding appropriations for 1938 will not exceed $1,537,123,000.

PART IV

THE DISTRICT OF COLUMBIA

The first section of the 1937 District of Columbia Appropriation Act, approved June 23, 1936 (Public, No. 762, 74th Cong.), contains the following provision:

> Not to exceed $50,000 shall be available for expenditure, under the direction of the President, for making an independent study of the fiscal relations between the United States and the District of Columbia and enabling him to report to Congress at the beginning of the next regular session, what, in his judgment, is a fair and equitable amount to be paid by the United States as an annual contribution toward the expenses of the government of the District of Columbia; such sum shall be available for personal services without regard to the civil-service laws and the Classification Act of 1923, as amended, and for such other expenditures as may be necessary in connection with such study.

Pursuant to the above, I appointed a director and an advisory committee of three members to conduct an independent study of the various elements and conditions affecting the fiscal relations between the United States and the District of Columbia.

The report contains detailed findings and recommendations with the supporting data and information collected from the Federal and District Governments in Washington and from 17 comparable American cities and the capital cities of 21 foreign countries.

The application of the basic principles and recommendations as outlined and detailed in the report is reflected in the following three-point formula, which I recommend be carefully considered by the Congress with a view to enacting such legislation at this session as may be necessary to establish equitable fiscal relationships between the two governments.

I. Intergovernmental contractual services: Contractual arrangements shall be established for the reimbursement of the cost of specific intergovernmental services supplied either government by the other. Appropriations therefor shall be included in the respective annual departmental budgets.

II. Capital outlays of joint interest: The National Capital Planning Commission (proposed in the report) shall determine the extent of the respective Federal and District interests in capital outlays and improvements to be included in the District budget.

III. Per-capita governmental costs: Pending the grant of broader powers of local control over purely local affairs, the excess of the District governmental costs per capita over the average of those in comparable cities shall be assumed by the Federal Government: *Provided, however,* That such excess District governmental costs shall be assumed only after allowance has been made for reimbursements due to unusual costs occasioned by congressional enactments.

I also recommend that, concurrently with enactment of any legislation which carries into effect the provisions of this continuing formula, the substantive law providing for annual Federal contributions of a fixed percentage of District appropriations be repealed and that the system of annual Federal lump-sum contributions be abandoned.

The application of this formula to the 1938 Budget estimates would provide for a net reimbursement by the Federal Government to the District of Columbia of $2,533,537, made up as follows:

I. Intergovernmental contractual services	$1,996,407
II. Capital outlays	536,950
III. Excess per capita District of Columbia governmental costs	
Total	2,533,357

After the application of the formula there will still be a deficit in the general-revenue account of the District of Columbia of about $9,800,000, which will make it necessary, of

course, to provide additional revenue. Sources of additional revenue are indicated in the report.

FRANKLIN D. ROOSEVELT.

JANUARY 5, 1937.

FISCAL RELATIONS BETWEEN THE UNITED STATES AND THE DISTRICT OF COLUMBIA

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on the District of Columbia:

To the Congress of the United States:

Pursuant to the provisions in the 1937 District of Columbia Appropriation Act approved June 23, 1936 (Public, No. 762, 74th Cong.), I have the honor to transmit herewith for the consideration of Congress the following report on "Fiscal relations between the United States and the District of Columbia."

The major recommendations in this report are outlined in my 1938 Budget message as transmitted to you on this date. I have considered these findings and recommendations in collaboration with the advisory committee and the director of the study and I earnestly commend these to your close consideration at this session of Congress. I urge early enactment of the necessary legislative measures to assure a continuing equitable determination of fiscal relations between the two governments.

Special attention is invited to sections 10 and 13 which show that while the extent of local governmental services in the District of Columbia is substantially equal to that in 17 comparable cities, both the property tax and the total tax load in the District of Columbia are lower than in any of these cities.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 8, 1937.*

SWEARING IN OF MEMBER

Mr. MOTT appeared in the Well of the House and took the oath of office.

BATTLE OF NEW ORLEANS

Mr. FERNANDEZ. Mr. Speaker, this being the one hundred and twenty-second anniversary of the Battle of New Orleans, I ask unanimous consent to address the House for 3 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. FERNANDEZ. Mr. Speaker, it would not be properly reminiscent to permit this day elapse without making mention of the memorable Battle of New Orleans. Mr. Speaker, this day represents the one hundred and twenty-second anniversary of that great keystone battle, which was fought victoriously by Gen. Andrew Jackson and his comparative handful of volunteers from Tennessee, Mississippi, and Louisiana on January 8, 1815. Much has been said of this battle in the past and much should be said in the future, but today I am content to limit my remarks to a few minutes just to have observation made. At a later time I will renew my efforts to have a great national park established on the plains of Chalmette and the actual battlegrounds adjacent thereto in the parish of St. Bernard, near the great city of New Orleans, La. What we have there now is simply a monument and some acreage under the National Park Service of the Interior and a national cemetery under the War Department. What should be done to perpetually commemorate this outstanding accomplishment and event is for our great National Government to establish a national military park there, such as was advocated in the last session of Congress and which passed this House. [Applause.]

EXTENSION OF REMARKS

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to insert in the RECORD an article on the Ohio River, its future as a water-supply source, by H. W. Streeter, sanitary engineer of the United States Public Health Service.

The SPEAKER. Is there objection?

Mr. SNELL. Reserving the right to object, and I shall not object, to this request, but it seems to me at the beginning of Congress we ought to have a definite understanding as to whether we are going to have inserted in the RECORD magazine articles prepared by experts. I think that is a question for the majority to decide, and it might be well to have it decided at the outset.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. O'CONNELL of Rhode Island. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a copy of a letter written to Andrew Jackson by his mother.

The SPEAKER. Is there objection?

There was no objection.

Mr. FADDIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address delivered by me in Washington, D. C., on December 10 explanatory of a measure I have introduced in this House.

The SPEAKER. Is there objection?

There was no objection.

Mr. RAYBURN. Mr. Speaker, on Monday there will be no business unless some Member has leave to address the House. On Tuesday there is a special order for the gentleman from Maryland [Mr. GOLDSBOROUGH] to address the House for 1 hour.

On Wednesday there will be nothing unless the gentleman from Virginia [Mr. WOODRUM] may be able to report his independent offices appropriation bill, and I now ask the gentleman from Virginia about the prospect of his doing so.

Mr. WOODRUM. Mr. Speaker, replying to the gentleman from Texas, the subcommittee began informal hearings on the independent offices appropriation bill on the 1st of December. Those hearings are just about completed. The bill could be made ready except for the fact that the chairman of the Committee on Appropriations, the gentleman from Texas [Mr. BUCHANAN] thought it best not to mark up the bill until the new members on the subcommittee were appointed. I can have the bill ready in 2 or 3 days, if the gentleman from Texas [Mr. BUCHANAN] wishes it.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. RAYBURN. Yes.

Mr. SNELL. As I understood the gentleman's statement, there will be no regular business on the program on Monday except one speech by unanimous consent.

Mr. RAYBURN. There is nothing on Monday except the gentleman from Vermont [Mr. PLUMLEY] has been granted 5 minutes in which to address the House. The gentleman from Maryland [Mr. GOLDSBOROUGH] has been granted 1 hour as a special order on Tuesday.

Mr. SNELL. Otherwise there will be no special business on Monday or Tuesday?

Mr. RAYBURN. No legislation.

ADJOURNMENT

Mr. Speaker, I move that the House do now adjourn until Monday next.

The motion was agreed to; accordingly (at 12 o'clock and 58 minutes p. m.) the House adjourned until Monday, January 11, 1937, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

169. A letter from the Chairman of Securities and Exchange Commission, transmitting a preliminary summary of the progress of the study of investment trusts and

investment companies being conducted by the Commission in pursuance of section 30 of the Public Utility Holding Company Act of 1935; to the Committee on Interstate and Foreign Commerce.

170. A letter from the Secretary of War, transmitting an annual itemized report of the American National Red Cross for the fiscal year ended June 30, 1936; to the Committee on Military Affairs.

171. A letter from the Chairman of Board of Tennessee Valley Authority, transmitting a statement of allocations made, through section 14 of the Tennessee Valley Authority Act, making an investigation of Wilson Dam, the steam plants at Nitrate Plant No. 1 and Nitrate Plant No. 2; to the Committee on Military Affairs.

172. A letter from the Chairman of the Federal Trade Commission, transmitting a report on the textile industries—the report is entitled "The Textile Industries in the Last Half of 1935, Part 3, the Silk and Rayon Textile Industry"—deals with the investments, earnings, rates of return, and costs of 311 companies engaged in the manufacturing of yarns, woven fabrics, and in dyeing and finishing these products during the 6-month period, July to December 1935; to the Committee on Interstate and Foreign Commerce.

173. A letter from the Librarian of Congress, transmitting the annual report, along with that of the Register of Copyrights, for the fiscal year of June 30, 1936; to the Committee on the Library.

174. A letter from the Secretary of the Treasury, transmitting the annual report of the Secretary of the Treasury on the state of the finances for the fiscal year ended June 30, 1936 (H. Doc. No. 5); to the Committee on Ways and Means and ordered to be printed.

175. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 10, 1936, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey of Town River, Quincy, Mass., authorized by the River and Harbor Act approved August 30, 1935 (H. Doc. No. 96); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

176. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 10, 1936, submitting a report, together with accompanying papers and illustration, on a preliminary examination of Willow Creek, Oreg., with a view to the control of its floods, authorized by the act of Congress approved June 13, 1934 (H. Doc. No. 97); to the Committee on Flood Control and ordered to be printed, with illustration.

177. A letter from the Comptroller General, transmitting a report with recommendations thereon of the claim of J. Harvey Blanchard, which was transmitted to this office by the Secretary of the Navy covering property damage as required by the provision of the said acts; to the Committee on Claims.

178. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill for the relief of the Charles T. Miller Hospital, Inc., at St. Paul, Minn.; Dr. Edgar R. Hermann; Ruth Kehoe, nurse; and Catherine Foley, nurse; to the Committee on Claims.

179. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to provide for the reimbursement of certain enlisted and former enlisted men of the Navy for the value of personal effects destroyed in a fire at the Radio Direction Finder Station, North Truro, Mass., on December 27, 1934; to the Committee on Claims.

180. A letter from the Secretary of Commerce, transmitting a summary of reports with a brief statement of the action of the Department in respect to accidents sustained or caused by barges while in tow through the open sea during the fiscal year 1936; to the Committee on Merchant Marine and Fisheries.

181. A letter from the Acting Director of the Budget, transmitting a list of persons employed in the Procurement Division, Public Works Branch, Treasury Department, and paid from the appropriation General Administrative Expenses, Public Works Branch, Procurement Division, during the fiscal year ended June 30, 1936; to the Committee on Expenditures in Executive Departments.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS: A bill (H. R. 2232) declaring Scajaquada Creek, Erie County, N. Y., to be a nonnavigable stream; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2233) providing for the abandonment of Scajaquada Creek, Erie County, N. Y., as a navigable waterway of the United States; to the Committee on Rivers and Harbors.

By Mr. BLAND: A bill (H. R. 2234) providing a nautical school at the port of Newport News, Va.; to the Committee on Naval Affairs.

Also, a bill (H. R. 2235) to provide for the erection of a building for the use and accommodation of the post office, deputy collector of customs, and United States Public Health Service at Reedville, Va.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2236) to provide for the enlargement, extension, and remodeling of the post-office building in Newport News, Va., and authorizing an appropriation therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2237) to provide for the erection of a post-office and Coast Guard headquarters building at Chincoteague Island, Va.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2238) to provide for the erection of a post-office building at Phoebus, Va.; to the Committee on Public Buildings and Grounds.

By Mr. CANNON of Wisconsin: A bill (H. R. 2239) amending title 29, sections 101 and 113 (c) of the United States Code; to the Committee on the Judiciary.

By Mr. CELLAR: A bill (H. R. 2240) to establish a United States Administrative Court to expedite the hearing and determination of controversies with the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. COSTELLO: A bill (H. R. 2241) to prohibit the importation of American flags manufactured in foreign countries; to the Committee on Ways and Means.

By Mr. EATON: A bill (H. R. 2242) to provide retirement annuity to civil-service employees with 20 years' service involuntarily separated from the service; to the Committee on the Civil Service.

Also, a bill (H. R. 2243) to provide sick leave with pay for civilian employees of the United States Government; to the Committee on the Civil Service.

By Mr. FERGUSON: A bill (H. R. 2244) to provide annuities for widows of employees and retired employees of the United States and the District of Columbia; to the Committee on Pensions.

By Mr. HILL of Alabama: A bill (H. R. 2245) to authorize the coinage of 50-cent pieces in commemoration of the centennial anniversary of the city of Montgomery, Ala.; to the Committee on Coinage, Weights, and Measures.

By Mr. LUDLOW: A bill (H. R. 2246) to amend the World War Adjusted Compensation Act; to the Committee on Ways and Means.

Also, a bill (H. R. 2247) to assure to persons within the jurisdiction of every State the equal protection of the laws, and to punish the crime of lynching; to the Committee on the Judiciary.

By Mr. MAAS: A bill (H. R. 2248) relating to laborers in the Railway Mail Service and motor-vehicle employees of the Postal Service; to the Committee on the Post Office and Post Roads.

By Mr. MITCHELL of Illinois: A bill (H. R. 2249) to prohibit the President of the United States and the United States Civil Service Commission, or any branch thereof, from requiring as a condition precedent to the taking of an exami-

nation for a position in the classified civil service or as a condition precedent to an appointment in such service a photograph of applicants for such examinations; to the Committee on the Civil Service.

Also, a bill (H. R. 2250) to create an Industrial Commission on Negro Affairs; to the Committee on the Judiciary.

Also, a bill (H. R. 2251) to assure to persons within the jurisdiction of every State the equal protection of the laws, and to punish the crime of lynching; to the Committee on the Judiciary.

By Mr. O'CONNELL of Rhode Island: A bill (H. R. 2252) authorizing the loan of $12,000,000 for constructing two 8,000,000-cubic-foot American-designed dirigible airships, a large American airship plant, and an Atlantic operating terminal, and to establish twice-a-week American trans-Atlantic commercial airship service; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2253) authorizing construction of a 300-ton airship for naval service, subject to the acceptance by the United States Government; to the Committee on Naval Affairs.

By Mr. O'CONNOR of Montana: A bill (H. R. 2254) providing for the suspension of annual assessment work on mining claims held by location in the United States; to the Committee on Mines and Mining.

By Mr. PIERCE: A bill (H. R. 2255) for the taxation of oleomargarine; to the Committee on Agriculture.

Also, a bill (H. R. 2256) to prohibit the use of the mails for the taking of a straw vote; to the Committee on the Post Office and Post Roads.

By Mr. ROGERS of Oklahoma: A bill (H. R. 2257) to provide old-age compensation for the citizens of the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. SHORT: A bill (H. R. 2258) granting the consent of Congress to the county of Barry, State of Missouri, to construct, maintain, and operate a free highway bridge across the White River at or near Eagle Rock, Mo.; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Connecticut: A bill (H. R. 2259) to amend the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes", approved June 3, 1916, as amended, and for other purposes; to the Committee on Military Affairs.

By Mr. SUMNERS of Texas: A bill (H. R. 2260) to provide for appearance on behalf of and appeal by the United States in certain cases in which the constitutionality of acts of Congress is involved; to the Committee on the Judiciary.

By Mr. STEFAN: A bill (H. R. 2261) to provide for liquidation of loans to farmers for crop production and harvesting for the years 1935, 1936, and 1937; to the Committee on Agriculture.

Also, a bill (H. R. 2262) to authorize and request appointment of a commission to study the "farm dollar"; to the Committee on Agriculture.

Also, a bill (H. R. 2263) placing the Post Office Department upon a basis of efficiency and economy, and for other purposes; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 2264) authorizing the erection of memorial statues of Maj. Frank North and Capt. Luther H. North; to the Committee on the Library.

By Mr. WALTER: A bill (H. R. 2265) to regulate the Supreme Court in connection with determining constitutionality of acts of Congress and statutes of the several States; to the Committee on the Judiciary.

By Mr. WELCH: A bill (H. R. 2266) for the relief of retired officers and retired enlisted men of the Army, the Navy, and the Marine Corps who are veterans of three wars, to wit, Indian wars, the Spanish-American War, and the World War; to the Committee on Military Affairs.

By Mr. WIGGLESWORTH: A bill (H. R. 2267) for the protection of laborers and mechanics on public buildings or public works of the United States; to the Committee on Labor.

By Mr. STEFAN: A bill (H. R. 2268) making it unlawful to sell certain spirits containing alcohol produced from materials other than cereal grains, and for other purposes; to the Committee on the Judiciary.

By Mr. REILLY: A bill (H. R. 2269) permitting landowners who have suffered damages on account of prosecution and maintenance of the improvement of the Wisconsin and Fox Rivers, in the State of Wisconsin, to institute action in the Court of Claims or the United States district court for the recovery of such damages; to the Committee on the Judiciary.

By Mr. HILDEBRANDT: A bill (H. R. 2270) to provide for the issuance of renewable 4-year-term contracts to qualified star-route contractors and subcontractors, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. SUMNERS of Texas: A bill (H. R. 2271) to provide for trials of and judgments upon the issue of good behavior in the case of certain Federal judges; to the Committee on the Judiciary.

By Mr. HARLAN: A bill (H. R. 2272) to authorize the coinage of 50-cent pieces in commemoration of the one hundred and fiftieth anniversary of the establishment of the Northwest Territory; to the Committee on Coinage, Weights, and Measures.

Also, a bill (H. R. 2273) to authorize settlement for certain inequitable losses in pay sustained by officers of the commissioned services under the emergency economy legislation, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. PIERCE: A bill (H. R. 2274) for the relief of persons who served in foreign service with the United States Army during the Spanish-American War, including the Philippine Insurrection and Chinese Boxer Rebellion; to the Committee on Pensions.

By Mr. BOYER: A bill (H. R. 2275) providing for the examination and survey of the Mississippi River at Quincy, Ill.; to the Committee on Rivers and Harbors.

By Mr. CANNON of Missouri: A bill (H. R. 2276) for the relief of certain classes of former enlisted members of the Navy and Marine Corps; to the Committee on Naval Affairs.

By Mr. CURLEY: A bill (H. R. 2277) to reclassify the salaries of employees in the custodial service of the Post Office Department of the United States of America, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. DALY: A bill (H. R. 2278) to assure to persons within the jurisdiction of every State the equal protection of the laws by discouraging, preventing, and punishing the crime of lynching; to the Committee on the Judiciary.

By Mr. DOCKWEILER: A bill (H. R. 2279) granting travel pay and other allowances to certain soldiers of the Spanish-American War and the Philippine Insurrection who were discharged in the Philippines; to the Committee on War Claims.

By Mr. DINGELL: A bill (H. R. 2280) to extend the civil-service laws to certain special-delivery messengers; to the Committee on the Civil Service.

Also, a bill (H. R. 2281) to provide for the admission of 50 Filipinos to the United States Military Academy pending the consummation of the independence of the Philippine Islands; to the Committee on Military Affairs.

Also, a bill (H. R. 2282) to provide for the admission of 50 Filipinos to the United States Naval Academy pending the consummation of the independence of the Philippine Islands; to the Committee on Naval Affairs.

By Mr. FADDIS: A bill (H. R. 2283) to regulate interstate commerce in bituminous coal, and for other purposes; to the Committee on Ways and Means.

Also, a bill (H. R. 2284) providing that in all cases filed in an inferior Federal court the court shall pass upon both questions of law and fact, with the exception that no inferior court shall pass upon the constitutionality of an act of Congress; and further providing that the Supreme Court, in deciding any case on appeal, shall pass upon both questions of law and fact, with the exception that it shall not pass in such

cases upon the constitutionality of an act of Congress; to the Committee on the Judiciary.

By Mr. FERNANDEZ: A bill (H. R. 2285) authorizing the Secretary of War to conduct a preliminary examination and survey of Lake Pontchartrain at New Orleans, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. FERGUSON: A bill (H. R. 2286) making appropriations for emergency relief in stricken agricultural areas; to the Committee on Appropriations.

Also, a bill (H. R. 2287) to provide for a 10-year program of purchasing pasture land under authority of the Soil Conservation and Domestic Allotment Act; to the Committee on Agriculture.

By Mr. FLETCHER: A bill (H. R. 2288) to promote the general welfare through the appropriation of funds to assist the States and Territories in providing more effective programs of public education; to the Committee on Education.

By Mr. GREEN: A bill (H. R. 2289) to refund taxes collected under the Kerr-Smith Tobacco Act; to the Committee on Agriculture.

By Mr. HUNTER: A bill (H. R. 2290) to authorize the coinage of 50-cent pieces in commemoration of the hundredth anniversary of the founding of the city of Toledo (Toledo Centennial); to the Committee on Coinage, Weights, and Measures.

By Mr. HILL of Alabama: A bill (H. R. 2291) to amend the act of May 25, 1933 (48 Stat. 73); to the Committee on Military Affairs.

Also (by request), a bill (H. R. 2292) to permit the exchange of used parts of certain types of equipment for new or reconditioned parts of the same equipment; to the Committee on Military Affairs.

By Mr. LUDLOW: A bill (H. R. 2293) to amend Public Law No. 271, Seventy-fourth Congress; to the Committee on Ways and Means.

By Mr. MICHENER: A bill (H. R. 2294) to amend the postal laws relating to the appointment of acting postmasters; to the Committee on the Post Office and Post Roads.

By Mr. RANKIN: A bill (H. R. 2295) to limit the powers of the lower courts of the United States; to the Committee on the Judiciary.

Also, a bill (H. R. 2296) to amend the first subsection of section 24 of the Judicial Code; to the Committee on the Judiciary.

By Mr. RAMSPECK: A bill (H. R. 2297) to provide for the appointment of an additional district judge for the northern district of Georgia; to the Committee on the Judiciary.

By Mr. SMITH of Connecticut: A bill (H. R. 2298) to provide for the common defense by acquiring certain commodities essential to the manufacture of supplies for the armed forces in time of an emergency, and for other purposes; to the Committee on Military Affairs.

By Mr. SMITH of Virginia: A bill (H. R. 2299) authorizing the conveyance to the State of Virginia, for highway purposes only, of portions of the Fort Myer Military Reservation, Va., and for other purposes; to the Committee on Military Affairs.

By Mr. SPENCE: A bill (H. R. 2300) to provide for a survey of the Ohio River and its tributaries, with a view to preventing their pollution; to the Committee on Rivers and Harbors.

By Mr. STEAGALL: A bill (H. R. 2301) to continue the functions of the Reconstruction Finance Corporation, and for other purposes; to the Committee on Banking and Currency.

Also, a bill (H. R. 2302) to extend the period during which direct obligations of the United States may be used as collateral security for Federal Reserve notes; to the Committee on Banking and Currency.

By Mr. PEYSER: A bill (H. R. 2303) to repeal the excise tax on manufactures of furs; to the Committee on Ways and Means.

By Mr. WALTER: A bill (H. R. 2304) for payment of compensation to persons serving as postmaster at third- and fourth-class post offices; to the Committee on the Post Office and Post Roads.

By Mr. WELCH: A bill (H. R. 2305) to extend the time for applying for and receiving benefits under the act entitled "An act to provide means by which certain Filipinos can emigrate from the United States", approved July 10, 1935; to the Committee on Immigration and Naturalization.

By Mr. WOLVERTON: A bill (H. R. 2306) to authorize the Crew Levick Co., and such other corporation or individuals as may be associated with it, to construct a bridge across the portion of the Delaware River between the mainland of the county of Camden and State of New Jersey and Petty Island in said county and State; to the Committee on Interstate and Foreign Commerce.

By Mr. CURLEY: A bill (H. R. 2307) to increase the minimum salary of deputy United States marshals to $1,800 per annum; to the Committee on the Judiciary.

By Mr. CANNON of Missouri: A bill (H. R. 2308) to restore benefits for veterans of the World War, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. PIERCE: Resolution (H. Res. 47) creating a select committee to investigate the conducting of polls purporting to measure public opinion; to the Committee on Rules.

Also, joint resolution (H. J. Res. 93) proposing an amendment to the Constitution of the United States, conferring authority upon Congress to legislate for the social and economic welfare of the United States; to the Committee on the Judiciary.

By Mr. WITHROW: Joint resolution (H. J. Res. 94) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. TINKHAM: Joint resolution (H. J. Res. 95) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. DOUGHTON: Joint resolution (H. J. Res. 96) to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended; to the Committee on Ways and Means.

By Mr. MILLARD: Joint resolution (H. J. Res. 97) repealing section 213 of the Legislative Appropriation Act for the fiscal year ending June 30, 1933, relating to the dismissal and appointment of married persons; to the Committee on Expenditures in the Executive Departments.

By Mr. RUTHERFORD: Joint resolution (H. J. Res. 98) proposing an amendment to the Constitution of the United States changing the method of electing the President and Vice President; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. TREADWAY: Joint resolution (H. J. Res. 99) proposing an amendment to the Constitution of the United States relative to the labor of women and children; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOYLAN of New York: A bill (H. R. 2309) authorizing the estate of John Gellatly, deceased, and/or Charlyne Gellatly, individually, to enter suit in the United States District Court for the Southern District of the State of New York, for the return of an art collection and objects of art claimed to have been obtained by agents or representatives of the Smithsonian Institution and of the United States Government, and for other purposes; to the Committee on the Judiciary.

By Mr. CANNON of Wisconsin: A bill (H. R. 2310) for the relief of Bennie Morrison; to the Committee on Indian Affairs.

Also, a bill (H. R. 2311) for the relief of Andrew Brenner; to the Committee on Claims.

Also, a bill (H. R. 2312) for the relief of George Morrison; to the Committee on Indian Affairs.

Also, a bill (H. R. 2313) for the relief of Thaddeus Mlynarek; to the Committee on Claims.

Also, a bill (H. R. 2314) for the relief of Vincent Brenner; to the Committee on Claims.

Also, a bill (H. R. 2315) for the relief of Richard Burrill; to the Committee on Claims.

Also, a bill (H. R. 2316) for the relief of Paul Brinza, to the Committee on Claims.

Also, a bill (H. R. 2317) for the relief of Lars W. Larson; to the Committee on Claims.

Also, a bill (H. R. 2318) for the relief of Anna Lilly; to the Committee on Claims.

Also, a bill (H. R. 2319) for the relief of John A. Nehmer; to the Committee on Claims.

Also, a bill (H. R. 2320) for the relief of Peter Karampelis; to the Committee on Claims.

By Mr. CARTWRIGHT: A bill (H. R. 2321) for the relief of James C. Wilkinson; to the Committee on Claims.

By Mr. COSTELLO: A bill (H. R. 2322) for the relief of the Community Investment Co., Inc.; to the Committee on Claims.

Also, a bill (H. R. 2323) for the relief of the Community Investment Co., Inc.; to the Committee on Claims.

By Mr. CROSBY: A bill (H. R. 2324) granting a pension to Clara Dempsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2325) granting a pension to Elsie Latshaw; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2326) granting a pension to Lizzie Lawson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2327) granting a pension to Myra Struchen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2328) granting a pension to Alice Eppler; to the Committee on Invalid Pensions.

By Mr. CULKIN: A bill (H. R. 2329) for the relief of George A. Hardy, Mang B. Kiechle, John C. McLeod, and Earl W. Zimmer; to the Committee on Claims.

By Mr. DOCKWEILER: A bill (H. R. 2330) granting a pension to Cornelius S. Holcombe; to the Committee on Pensions.

Also, a bill (H. R. 2331) for the relief of Max Natenson; to the Committee on Pensions.

By Mr. EATON: A bill (H. R. 2332) for the relief of William Sulem; to the Committee on Claims.

Also, a bill (H. R. 2333) to provide an appropriation for the payment of claims of persons who suffered property damage, death, or personal injury due to the explosion at the naval ammunition depot, Lake Denmark, N. J., July 10, 1926; to the Committee on Claims.

By Mr. ENGEL: A bill (H. R. 2334) for the relief of Andrew Dowd; to the Committee on Claims.

By Mr. FERGUSON: A bill (H. R. 2335) for the relief of Frank Fanning; to the Committee on Military Affairs.

Also, a bill (H. R. 2336) for the relief of Mrs. W. H. Mansfield; to the Committee on Claims.

Also, a bill (H. R. 2337) granting a pension to James D. Henbree; to the Committee on Pensions.

Also, a bill (H. R. 2338) granting an increase of pension to Hannah Casler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2339) for the relief of Orba Caress; to the Committee on Claims.

Also, a bill (H. R. 2340) granting a pension to Walter Connolly; to the Committee on Pensions.

Also, a bill (H. R. 2341) granting a pension to Joseph K. Sullivan; to the Committee on Pensions.

By Mr. FISH: A bill (H. R. 2342) granting an increase of pension to Anna N. Osterhout; to the Committee on Invalid Pensions.

By Mr. FULMER: A bill (H. R. 2343) granting a pension to Maggie R. Cooper; to the Committee on Pensions.

By Mr. GAMBRILL: A bill (H. R. 2344) to authorize the Commissioners of the District of Columbia to reappoint David R. Thompson in the police department of said District; to the Committee on the District of Columbia.

By Mr. GREEN: A bill (H. R. 2345) for the relief of Joseph Noel Roberts; to the Committee on War Claims.

Also, a bill (H. R. 2346) for the relief of George Preston Thomas; to the Committee on Naval Affairs.

Also, a bill (H. R. 2347) for the relief of DePass & Maines and Alachua County Hospital; to the Committee on Claims.

By Mr. GRISWOLD: A bill (H. R. 2348) granting a pension to Sarah E. Goine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2349) granting a pension to Ella May Faris; to the Committee on Invalid Pensions.

By Mr. HARLAN: A bill (H. R. 2350) for the relief of William Schlotman; to the Committee on Claims.

Also, a bill (H. R. 2351) to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim or claims of the Recording & Computing Machines Co., of Dayton, Ohio.; to the Committee on Claims.

Also, a bill (H. R. 2352) for the relief of Donald L. Bookwalter; to the Committee on Claims.

By Mr. HARTLEY: A bill (H. R. 2353) for the relief of the Bolinross Chemical Co.; to the Committee on Claims.

By Mr. HOOK: A bill (H. R. 2354) for the relief of William Lintz; to the Committee on Military Affairs.

By Mr. JENKINS of Ohio: A bill (H. R. 2355) granting an increase of pension to Sophie M. Swigert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2356) granting an increase of pension to Lillie E. Wells; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2357) granting an increase of pension to Alice Dunfee; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Texas: A bill (H. R. 2358) for the relief of Dwain D. Miles; to the Committee on Claims.

By Mr. LAMNECK: A bill (H. R. 2359) for the relief of Harry R. Walters; to the Committee on Military Affairs.

By Mr. LEWIS of Colorado: A bill (H. R. 2360) for the relief of Carter R. Young; to the Committee on Claims.

By Mr. LUDLOW: A bill (H. R. 2361) for the relief of Margie Wamsley; to the Committee on Claims.

By Mr. McMILLAN: A bill (H. R. 2362) for the relief of Henry M. Hyer; to the Committee on Claims.

Also, a bill (H. R. 2363) to confer jurisdiction upon the United States District Court for the Eastern District of South Carolina to determine the claim of Lewis E. Magwood; to the Committee on Claims.

Also, a bill (H. R. 2364) for the relief of Peter J. Romanosky, a disabled World War veteran; to the Committee on Claims.

Also, a bill (H. R. 2365) for the relief of Benjamin Hume Simons; to the Committee on Military Affairs.

Also, a bill (H. R. 2366) for the relief of J. Drayton Grinke; to the Committee on Claims.

By Mr. McCORMACK: A bill (H. R. 2367) for the relief of Joseph P. Hegarty; to the Committee on Naval Affairs.

Also, a bill (H. R. 2368) for the relief of the estate of Catherine Harkins, deceased; to the Committee on Claims.

Also, a bill (H. R. 2369) for the relief of John P. Hurley; to the Committee on Naval Affairs.

Also, a bill (H. R. 2370) for the relief of Denis Healy; to the Committee on Naval Affairs.

Also, a bill (H. R. 2371) for the relief of William Robert Jackson; to the Committee on Naval Affairs.

Also, a bill (H. R. 2372) for the relief of Charles F. Hult; to the Committee on Naval Affairs.

Also, a bill (H. R. 2373) for the relief of Thomas Kirwan; to the Committee on Military Affairs.

Also, a bill (H. R. 2374) for the relief of Joseph Peter Joyce; to the Committee on Naval Affairs.

Also, a bill (H. R. 2375) for the relief of George Luftman; to the Committee on Military Affairs.

Also, a bill (H. R. 2376) for the relief of Charles J. LaFarge; to the Committee on Naval Affairs.

Also, a bill (H. R. 2377) for the relief of Edward James McCarten; to the Committee on Naval Affairs.

Also, a bill (H. R. 2378) for the relief of Mrs. A. H. Lawson; to the Committee on Claims.

Also, a bill (H. R. 2379) for the relief of Charles McCarren; to the Committee on Naval Affairs.

Also, a bill (H. R. 2380) for the relief of William Martin; to the Committee on Naval Affairs.

Also, a bill (H. R. 2381) for the relief of Francis Louis Nourse; to the Committee on Naval Affairs.

Also, a bill (H. R. 2382) for the relief of John Neilson; to the Committee on Naval Affairs.

Also, a bill (H. R. 2383) for the relief of James Francis O'Brien; to the Committee on Naval Affairs.

Also, a bill (H. R. 2384) for the relief of Robert Emmett Norton; to the Committee on Naval Affairs.

Also, a bill (H. R. 2385) for the relief of Walter E. Patten; to the Committee on Military Affairs.

Also, a bill (H. R. 2386) for the relief of James R. Oakes; to the Committee on Military Affairs.

Also, a bill (H. R. 2387) for the relief of Clarence Herbert Peltier; to the Committee on the Judiciary.

Also, a bill (H. R. 2388) for the relief of Charles S. Perkins; to the Committee on Military Affairs.

Also, a bill (H. R. 2389) for the relief of Thomas A. Rhodes; to the Committee on Claims.

Also, a bill (H. R. 2390) for the relief of Lawrence Rooney; to the Committee on Naval Affairs.

Also, a bill (H. R. 2391) for the relief of Edward F. Shea; to the Committee on Naval Affairs.

Also, a bill (H. R. 2392) for the relief of Charles Eben Stewart; to the Committee on Naval Affairs.

Also, a bill (H. R. 2393) for the relief of Albert Edward Vincent; to the Committee on Naval Affairs.

Also, a bill (H. R. 2394) for the relief of William Walter Shyne; to the Committee on Naval Affairs.

Also, a bill (H. R. 2395) for the relief of John E. Ziniti; to the Committee on Naval Affairs.

Also, a bill (H. R. 2396) for the relief of Charles A. Wallace; to the Committee on Naval Affairs.

Also, a bill (H. R. 2397) granting an increase of pension to James S. Morton; to the Committee on Pensions.

Also, a bill (H. R. 2398) to extend the benefits of the Employees' Compensation Act of September 7, 1916, to Albert D. Drury; to the Committee on Claims.

Also, a bill (H. R. 2399) granting a pension to Theresa G. Noonan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2400) granting a pension to Edmund Burns; to the Committee on Pensions.

Also, a bill (H. R. 2401) granting a pension to Timothy Vaughan; to the Committee on Pensions.

Also, a bill (H. R. 2402) granting a pension to Emeline M. Salstrom; to the Committee on Pensions.

Also, a bill (H. R. 2403) for the relief of Elmer Burlingame; to the Committee on Military Affairs.

Also, a bill (H. R. 2404) for the relief of James Philip Coyle; to the Committee on Naval Affairs.

Also, a bill (H. R. 2405) for the relief of James Conley; to the Committee on Military Affairs.

Also, a bill (H. R. 2406) for the relief of Daniel R. Brown; to the Committee on Naval Affairs.

Also, a bill (H. R. 2407) for the relief of Teresa Cowley; to the Committee on Claims.

Also, a bill (H. R. 2408) for the relief of Joseph Thomas Croke; to the Committee on Naval Affairs.

Also, a bill (H. R. 2409) for the relief of William F. Curley; to the Committee on Military Affairs.

Also, a bill (H. R. 2410) for the relief of George C. Cummings; to the Committee on Military Affairs.

Also, a bill (H. R. 2411) for the relief of George E. Collins; to the Committee on Naval Affairs.

Also, a bill (H. R. 2412) for the relief of Walter M. Cass; to the Committee on Naval Affairs.

Also, a bill (H. R. 2413) for the relief of Katherine M. Devenny; to the Committee on Claims.

Also, a bill (H. R. 2414) for the relief of Herbert Winn Casey; to the Committee on Naval Affairs.

Also, a bill (H. R. 2415) for the relief of Helen Dwyer; to the Committee on Claims.

Also, a bill (H. R. 2416) for the relief of Thomas J. Duffy; to the Committee on Military Affairs.

Also, a bill (H. R. 2417) for the relief of Albert Calef Gardner; to the Committee on Naval Affairs.

Also, a bill (H. R. 2418) for the relief of John Patrick Godfrey; to the Committee on Naval Affairs.

Also, a bill (H. R. 2419) for the relief of Albert Ginsburg; to the Committee on Naval Affairs.

Also, a bill (H. R. 2420) for the relief of Walter Herbert Green; to the Committee on Naval Affairs.

Also, a bill (H. R. 2421) for the relief of William Fisher; to the Committee on Naval Affairs.

Also, a bill (H. R. 2422) for the relief of John William Ford; to the Committee on Naval Affairs.

Also, a bill (H. R. 2423) for the relief of Ralph M. George; to the Committee on Naval Affairs.

Also, a bill (H. R. 2424) for the relief of John Gibbon; to the Committee on the Civil Service.

By Mr. MAHON of South Carolina: A bill (H. R. 2425) for the relief of Frank L. Norris; to the Committee on Military Affairs.

By Mr. MAPES: A bill (H. R. 2426) for the relief of Charles E. Hopkins; to the Committee on Military Affairs.

By Mr. MARTIN of Massachusetts: A bill (H. R. 2427) for the relief of Francisco P. Lima; to the Committee on Naval Affairs.

Also, a bill (H. R. 2428) for the relief of Edward Theroult, alias Frank Gamashe; to the Committee on Military Affairs.

Also, a bill (H. R. 2429) for the relief of Eugene Nicholas; to the Committee on Claims.

Also, a bill (H. R. 2430) authorizing the Secretary of the Navy to award a Distinguished Service Medal to John Moran; to the Committee on Naval Affairs.

Also, a bill (H. R. 2431) granting a pension to Gertrude A. Gardner; to the Committee on Pensions.

By Mr. MICHENER: A bill (H. R. 2432) granting an increase of pension to Frances Margaret Small; to the Committee on Invalid Pensions.

By Mr. MILLARD: A bill (H. R. 2433) for the relief of Chester J. Babcock; to the Committee on Claims.

Also, a bill (H. R. 2434) for the relief of Mrs. Stephen Toth; to the Committee on Claims.

By Mr. NELSON: A bill (H. R. 2435) granting a pension to Susan Eudora Gwinn; to the Committee on Invalid Pensons.

By Mr. O'BRIEN of Illinois: A bill (H. R. 2436) for the relief of Anna V. Bivans; to the Committee on Claims.

By Mr. PARSONS: A bill (H. R. 2437) granting a pension to Hannah D. Warren; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2438) for the relief of Henry V. Pattin; to the Committee on Military Affairs.

Also, a bill (H. R. 2439) granting a pension to Mary C. Severs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2440) granting a pension to Claud Stine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2441) granting a pension to Mary A. Proudfit; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2442) granting a pension to Flossie M. Ramsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2443) granting a pension to James Edward Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2444) granting an increase of pension to Sarah A. Morris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2445) granting an increase of pension to Susan B. Hill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2446) granting an increase of pension to Margaret J. Maiden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2447) granting a pension to Josie Greathouse; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2448) granting a pension to Chester D. Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2449) granting an increase of pension to Nancy Fopay; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2450) granting a pension to Robert T. Bland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2451) for the relief of Jerome H. Howard; to the Committee on Claims.

Also, a bill (H. R. 2452) granting an increase of pension to Nancy C. Austin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2453) granting a pension to Ellen Edwards; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2454) granting an increase of pension to Maria O. Fowler; to the Committee on Invalid Pensions.

By Mr. PEYSER: A bill (H. R. 2455) for the relief of the heirs of Edward P. Frank, deceased; to the Committee on Claims.

By Mr. REILLY: A bill (H. R. 2456) to correct the military record of Earl Edward Brownlea; to the Committee on Military Affairs.

Also, a bill (H. R. 2457) to correct the military record of John S. Jungwirth; to the Committee on Military Affairs.

Also, a bill (H. R. 2458) granting an increase of pension to Josephine Dolen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2459) for the relief of Joseph W. Bollenbeck; to the Committee on Military Affairs.

Also, a bill (H. R. 2460) for the relief of the West Bend Brewing Co.; to the Committee on Claims.

By Mr. ROBSION of Kentucky: A bill (H. R. 2461) granting an increase of pension to Rhoda Ellis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2462) granting a pension to Nettie Saylor and Noel Junior Saylor; to the Committee on Pensions.

By Mr. SNYDER of Pennsylvania: A bill (H. R. 2463) granting a pension to Grace Alberta Schrock; to the Committee on Pensions.

Also, a bill (H. R. 2464) granting a pension to Agnes E. Kimmell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2465) granting an increase of pension to Hannah Snider; to the Committee on Invalid Pensions.

By Mr. STEFAN: A bill (H. R. 2466) to investigate the claims of and to enroll certain persons, if entitled, with the Omaha Tribe of Indians; to the Committee on Indian Affairs.

By Mr. SANDERS: A bill (H. R. 2467) to confer jurisdiction upon the United States District Court for the Eastern District of Texas to determine the claim of Charlie J. Starnes; to the Committee on Claims.

By Mr. SMITH of Connecticut: A bill (H. R. 2468) granting a pension to Helen M. Crowley; to the Committee on Pensions.

Also, a bill (H. R. 2469) for the relief of Hedwig Grassman Stehn; to the Committee on Claims.

Also, a bill (H. R. 2470) for the relief of Bertha E. Kowalski; to the Committee on Claims.

Also, a bill (H. R. 2471) for the relief of Peter Joseph Costigan; to the Committee on Naval Affairs.

By Mr. SOUTH: A bill (H. R. 2472) for the relief of Mr. and Mrs. Vernon Waldrep; to the Committee on Claims.

By Mr. STEFAN: A bill (H. R. 2473) granting a pension to Flavia F. Kile; to the Committee on Invalid Pensions.

By Mr. TABER: A bill (H. R. 2474) granting an increase of pension to Sarah VanTuyl; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2475) granting a pension to Sarah E. Schott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2476) granting a pension to Anna L. Rumsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2477) granting a pension to Lydia E. Perkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2478) granting a pension to Ida Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2479) granting an increase of pension to Martha E. H. Fisher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2480) granting an increase of pension to Alice Chapman; to the Committee on Invalid Pensions.

By Mr. TARVER: A bill (H. R. 2481) for the relief of Fred Epps; to the Committee on Claims.

Also, a bill (H. R. 2482) for the relief of Lonnie O. Ledford; to the Committee on Claims.

Also, a bill (H. R. 2483) for the relief of Karl J. Howe; to the Committee on Military Affairs.

Also, a bill (H. R. 2484) granting a pension to Thomas W. Yarbrough; to the Committee on Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 2485) granting a pension to Dora J. Brubaker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2486) for the relief of Jack Wade, Perry Shilton, Louie Hess, Owen Busch, and William W. McGregor; to the Committee on Claims.

Also, a bill (H. R. 2487) for the relief of Thomas J. Allen, Jr.; to the Committee on Claims.

Also, a bill (H. R. 2488) for the relief of A. H. Sphar; to the Committee on Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 2489) granting a pension to Samuel Allen; to the Committee on Pensions.

Also, a bill (H. R. 2490) granting a pension to Lassie L. Rogers; to the Committee on Invalid Pensions.

By Mr. THOMASON of Texas: A bill (H. R. 2491) for the relief of George A. Woody, Samuel L. Metcalfe, Frank W. Halsey, Myron J. Conway, John A. Otto, and Leon L. Kotzebue; to the Committee on Military Affairs.

Also, a bill (H. R. 2492) for the relief of certain military personnel; to the Committee on Military Affairs.

By Mr. THURSTON: A bill (H. R. 2493) for the relief of Romine Brown; to the Committee on Military Affairs.

By Mr. WARREN: A bill (H. R. 2494) for the relief of J. E. Midyette; to the Committee on Claims.

By Mr. WELCH: A bill (H. R. 2495) granting a pension to Julius Hansen; to the Committee on Pensions.

Also, a bill (H. R. 2496) to extend the benefits of the Employees' Compensation Act of September 7, 1916, to John F. Considine, a former employee of the United States under the Reclamation Service, Department of the Interior, at Yuma, Ariz.; to the Committee on Claims.

Also, a bill (H. R. 2497) for the relief of Joseph John Mullin; to the Committee on Naval Affairs.

By Mr. WIGGLESWORTH: A bill (H. R. 2498) for the relief of Walter B. Smith; to the Committee on Expenditures in the Executive Departments.

By Mr. WARREN: Resolution (H. Res. 48) to pay to Margaret L. Lucas, widow of Arthur Lucas, 6 months' compensation and not to exceed $250 funeral expenses; to the Committee on Accounts.

Also, resolution (H. Res. 49) to pay to Bertha Slee, widow of Richard B. Slee, 6 months' compensation, and not to exceed $250 funeral expenses; to the Committee on Accounts.

By Mr. DOCKWEILER: Joint resolution (H. J. Res. 100) awarding Distinguished Service Crosses to Tony Siminoff, Oliver F. Rominger, and Robert E. Beck, veterans of the Philippine Insurrection; to the Committee on Military Affairs.

By Mr. REILLY: Joint resolution (H. J. Res. 101) for the relief of Dr. M. Kellogg Mookerjee; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

12½. By Mr. BELL: Resolution of the Raw Fur & Wool Association of St. Louis, Mo., Inc., urging enactment of an amendment to section 243 of the Lacey Act; to the Committee on Agriculture.

13. By Mr. BLAND: Resolution of the Essex County Petroleum Industries Committee, urging immediate repeal of the Federal gasoline tax; to the Committee on Ways and Means.

14. Also, resolution of the Essex County Petroleum Industries Committee, urging immediate repeal of the Federal lubricating oil tax; to the Committee on Ways and Means.

SENATE

MONDAY, JANUARY 11, 1937

The Senate met at 12 o'clock meridian.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O God, who by the leading of a star didst manifest Thy blessed Son to the gentiles, and with celestial melody didst calm the fears of simple shepherds in the fields of Bethlehem, speak to all humble and inquiring spirits with the unsyllabled voice of Thy love, and establish the realm of true brotherhood on earth.

In our spiritual family, help us all to share each other's burdens; and as we greet the new day's wealth of opportunity for serving Thee, temper our thoughts with sympathy for those who, by reason of illness or sorrow's chastening breath, are absent from our midst. Deal tenderly with them, gracious Father; comfort and strengthen them with Thine indwelling; and bring us all at last to those hills of peace in Thy eternal kingdom. Through Jesus Christ our Lord. Amen.

ROBERT M. LA FOLLETTE, Jr., a Senator from the State of Wisconsin, appeared in his seat today.

THE JOURNAL

The legislative clerk proceeded to read the Journal of the proceedings of the calendar day Friday, January 8, 1937, when, on request of Mr. ROBINSON and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

THE PRESIDENT'S ADDRESS AT MADISON SQUARE GARDEN

[Mr. ROBINSON asked and obtained leave to have printed in the RECORD the address delivered by the President of the United States at Madison Square Garden on Oct. 31, 1936, which appears in the Appendix.]

NATIONAL INCORPORATION—NOTICE OF RADIO ADDRESS BY SENATOR O'MAHONEY

Mr. O'MAHONEY. Mr. President, I rise to give notice that on Wednesday evening, January 13, at 10:45 o'clock eastern standard time I shall make a broadcast over station WRC of the National Broadcasting Co. on the red network. The subject of my remarks will have to do with the bill I have introduced to provide a system of Federal licenses and charters for corporations engaged in commerce among the States. The subject is of such paramount importance at this time that I am emboldened to make this announcement in the hope of inviting the attention of Senators.

PRODUCTS OF CHILD LABOR IN INTERSTATE COMMERCE

[Mr. O'MAHONEY asked and obtained leave to have printed in the RECORD a memorandum by Hon. John A. Chambliss, of Chattanooga, Tenn., relative to barring from interstate commerce the products of child labor, which appears in the Appendix.]

CALL OF THE ROLL

Mr. ROBINSON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Brown, N. H.	Ellender	Holt
Andrews	Bulkley	Frazier	Hughes
Ashurst	Bulow	George	Johnson, Colo.
Austin	Burke	Gerry	King
Bachman	Byrd	Gibson	La Follette
Bailey	Byrnes	Gillette	Lodge
Bankhead	Capper	Glass	Logan
Barkley	Caraway	Green	Lonergan
Bilbo	Chavez	Guffey	Lundeen
Black	Clark	Hale	McCarran
Bone	Connally	Harrison	McKellar
Borah	Copeland	Hatch	McNary
Bridges	Dieterich	Hayden	Maloney
Brown, Mich.	Duffy	Hitchcock	Moore
Neely	Pittman	Schwellenbach	Tydings
Norris	Pope	Sheppard	Vandenberg
Nye	Reynolds	Steiwer	Van Nuys
O'Mahoney	Robinson	Thomas, Okla.	Walsh
Overton	Russell	Thomas, Utah	Wheeler
Pepper	Schwartz	Truman	

Mr. ROBINSON. In connection with the roll call I make the following announcements:

The Senator from California [Mr. MCADOO] is detained from the Senate because of the death of his son.

The Senator from South Carolina [Mr. SMITH] is detained because of a serious accident to a member of his family.

The Senator from Illinois [Mr. LEWIS], the Senator from Kansas [Mr. MCGILL], and the Senator from Indiana [Mr. MINTON] are absent attending the ceremonies incident to the inauguration of the Governors of their respective States.

The Senator from Montana [Mr. MURRAY], the Senator from Maryland [Mr. RADCLIFFE], and the Senator from New York [Mr. WAGNER] are unavoidably detained from the Senate.

Mr. THOMAS of Oklahoma. I announce the absence of my colleague [Mr. LEE] because of sickness.

Mr. MCNARY. I announce that the Senator from Maine [Mr. WHITE] is necessarily absent; that the senior Senator from Minnesota [Mr. SHIPSTEAD] is absent on account of illness; that the senior Senator from Pennsylvania [Mr. DAVIS] is absent on official business; and that the Senator from Delaware [Mr. TOWNSEND] is necessarily absent.

Mr. BULKLEY. I announce that my colleague the junior Senator from Ohio [Mr. DONAHEY] is detained from the Senate because of a cold.

The VICE PRESIDENT. Seventy-nine Senators have answered to their names. A quorum is present.

OPERATIONS UNDER EMERGENCY RELIEF APPROPRIATION ACTS OF 1935 AND 1936

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Appropriations, as follows:

To the Congress of the United States:

As required by section 15 of the Emergency Relief Appropriation Act of 1935 and a provision of the Emergency Relief Appropriation Act of 1936, I present herewith a report of the operations under these acts to the end of the calendar year 1936.

This report includes a detailed statement on employment provided and projects operated, and a statement of expenditures made and obligations incurred by classes and amounts.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 9, 1937.*

CLAIMS ON BEHALF OF FOREIGN GOVERNMENTS AND THEIR NATIONALS

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, and, with the accompanying papers, was referred to the Committee on Foreign Relations, as follows:

To the Congress of the United States:

I transmit herewith a report by the Acting Secretary of State recommending the enactment of legislation for the purposes described therein.

The recommendations of the Acting Secretary of State have my approval, and I request the enactment of legislation for the purposes indicated in order that this Government may carry out the projects and meet the obligations outlined in the report.

I may add that a number of these projects have been pending for some years past, and that it is believed by the Acting Secretary of State that authorization for and payment of the claims will have a tendency to promote the interests of this Government generally in its international relations with foreign governments.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 11, 1937.*

[Enclosure: Report of the Acting Secretary of State.]

CLAIMS OF OFFICERS AND EMPLOYEES OF THE FOREIGN SERVICE

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read,

and, with the accompanying papers, referred to the Committee on Foreign Relations, as follows:

To the Congress of the United States:

I enclose herewith a report which the Secretary of State has addressed to me in regard to claims of certain officers and employees of the Foreign Service of the United States for reimbursement of losses sustained by them by reason of catastrophes, war, and other causes, during or incident to their service in foreign countries.

I recommend that an appropriation in the amount suggested by the Secretary of State be authorized in order to relieve these officers and employees of the Government of the burden these losses have occasioned.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 11, 1937.*

[Enclosures: Report of the Secretary of State, with enclosures.]

COLLECTION AND PUBLICATION OF OFFICIAL PAPERS OF THE TERRITORIES

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, and, with the accompanying papers, ordered to be printed and referred to the Committee on Printing, as follows:

To the Congress of the United States:

I commend to the favorable attention of Congress the enclosed report from the Acting Secretary of State with an accompanying draft of a bill regarding the official papers of the Territories of the United States. The report recommends that Congress be requested to consider the enactment of legislation authorizing an additional appropriation of $125,000 to defray the expense of continuing the collection, editing, and publication of these papers.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 11, 1937.*

[Enclosures: Report from the Secretary of State. Draft bill.]

CLAIM OF GEN. HIGINIO ALVAREZ, A MEXICAN CITIZEN

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, as follows:

To the Congress of the United States:

I enclose a report concerning the claim of Gen. Higinio Alvarez, a Mexican citizen, with respect to lands on the Farmers Banco in the State of Arizona. The report requests that the Congress authorize an appropriation of $20,000 to settle this claim.

I recommend that the Congress authorize an appropriation of $20,000 to effect a settlement of this claim in accordance with the recommendation of the Acting Secretary of State.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 11, 1937.*

[Enclosure: Report of the Acting Secretary of State.]

REPORT OF NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read and referred to the Committee on Naval Affairs, as follows:

To the Congress of the United States:

Pursuant to the act of March 3, 1915, which established the National Advisory Committee for Aeronautics, I submit herewith the annual report of that committee for the fiscal year ended June 30, 1936.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 11, 1937.*

[NOTE: Report accompanied similar message to the House of Representatives.]

REPORT OF GOVERNOR GENERAL OF THE PHILIPPINES

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, and, with the accompanying paper, was referred to the Committee on Territories and Insular Affairs, as follows:

To the Congress of the United States:

As required by section 21 of the act of Congress approved August 29, 1916, entitled "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands", I transmit herewith, for the information of the Congress, the report of the Governor General of the Philippine Islands covering the period from January 1, 1935, to November 14, 1935.

I concur in the recommendation of the Secretary of War that this report be printed as a congressional document.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 11, 1937.*

[NOTE.—Report accompanied similar message to the House of Representatives.]

LAWS AND RESOLUTIONS OF THE LEGISLATURE OF PUERTO RICO

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, and, with the accompanying documents, was referred to the Committee on Territories and Insular Affairs, as follows:

To the Congress of the United States:

As required by section 23 of the act of Congress approved March 2, 1917, entitled "An act to provide a civil government for Puerto Rico, and for other purposes", I transmit herewith certified copies of laws and resolutions enacted by the Thirteenth Legislature of Puerto Rico during its fourth regular session, February 10 to April 15, 1936, and its third special session, June 8 to 21, 1936.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 11, 1937.*

REPORT OF THE GOVERNOR OF THE PANAMA CANAL

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Interoceanic Canals, as follows:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the Annual Report of the Governor of the Panama Canal for the fiscal year ended June 30, 1936.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 11, 1937.*

ARLINGTON MEMORIAL AMPHITHEATER

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, and, with the accompanying paper, referred to the Committee on Military Affairs, as follows:

To the Congress of the United States:

In compliance with the requirements of the act of Congress of March 4, 1921, I transmit herewith the Annual Report of the Commission on the Erection of Memorials and Entombment of Bodies in the Arlington Memorial Amphitheater for the fiscal year ended June 30, 1936.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 11, 1937.*

REPORT OF THE CIVIL SERVICE COMMISSION

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read and referred to the Committee on Civil Service, as follows:

To the Congress of the United States:

As required by the act of Congress to regulate and improve the civil service of the United States, approved January 16, 1883, I transmit herewith the Fifty-third Annual Report of the Civil Service Commission, for the fiscal year ended June 30, 1936.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 11, 1937.*

[NOTE.—Report accompanied similar message to the House of Representatives.]

REPORT OF THE ALLEY DWELLING AUTHORITY FOR THE DISTRICT

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read and referred to the Committee on the District of Columbia, as follows:

To the Congress of the United States:

In compliance with the requirements of the act of Congress of June 12, 1934, I transmit herewith the Annual Report of the Alley Dwelling Authority for the District of Columbia for the year ended December 31, 1936.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 11, 1937.*

[NOTE.—Report accompanied similar message to the House of Representatives.]

HON. QUINTIN PAREDES

The VICE PRESIDENT laid before the Senate a letter from the Secretary of War, transmitting a copy of a resolution adopted by the Philippine National Assembly in appreciation of the work accomplished by Hon. QUINTIN PAREDES as Commissioner of the Philippines to the United States, which, with the accompanying paper, was referred to the Committee on Territories and Insular Affairs, and ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
Washington, January 5, 1937.

The PRESIDENT OF THE SENATE,
Washington, D. C.

SIR: In accordance with the request contained therein, I transmit to you herewith a copy of a self-explanatory resolution adopted by the Philippine National Assembly on September 23, 1936, received in the Bureau of Insular Affairs of this Department from the Office of the United States High Commissioner to the Philippine Islands.

Respectfully,

HARRY H. WOODRING,
Secretary of War.

Resolution expressing the appreciation of the national assembly of the work accomplished by Hon. QUINTIN PAREDES as Commissioner of the Philippines to the United States

Resolved, That the national assembly express, as it hereby expresses, its high appreciation of the work accomplished by the Honorable QUINTIN PAREDES as Commissioner of the Philippines to the United States, and of the able manner in which he has conducted his office, as evidenced by his report to His Excellency the President of the Philippines, which has been transmitted to the national assembly.

Resolved further, That the national assembly express, as it hereby expresses, its trust and its confidence in the ability, integrity, and patriotism of Commissioner QUINTIN PAREDES.

Resolved finally, That copies of this resolution be forwarded to the President of the Philippines and the Congress of the United States.

Adopted September 23, 1936.

REPORT OF SURGEON GENERAL OF THE PUBLIC HEALTH SERVICE

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, the Annual Report of the Surgeon General of the Public Health Service for the fiscal year ended June 30, 1936, which was referred to the Committee on Finance.

COST-ASCERTAINMENT REPORT, POST OFFICE DEPARTMENT

The VICE PRESIDENT laid before the Senate a letter from the Postmaster General, transmitting, pursuant to law, a report showing the cost of carrying and handling the several classes of mail matter and of performing the special services for the fiscal year ended June 30, 1936, which, with the accompanying report, was referred to the Committee on Post Offices and Post Roads.

SPECIAL RAILWAY MAIL TRANSPORTATION CONTRACTS

The VICE PRESIDENT laid before the Senate a letter from the Postmaster General, submitting, pursuant to law, a statement relative to special contracts made with the following-named railroad companies for the transportation of the mails, which was referred to the Committee on Post Offices and Post Roads:

Hudson & Manhattan Railroad Co., between Hudson Terminal Station, New York, N. Y., and Journal Square, Jersey City, N. J.;

Rio Grande Southern Railroad Co., Victor A. Miller, receiver, between Ridgway and Durango, Colo.;

Denver & Rio Grande Western Railroad Co., between Thistle and Marysvale, Utah;

Copper River & Northwestern Railway Co., between Cordova and Kennecott, Alaska;

The Alaska Railroad, between Seward and Fairbanks, Alaska;

Pacific & Arctic Railway & Navigation Co., between Skagway and White Pass (n. o.), Alaska; and

Colorado & Southern Railway Co., between Denver and Leadville, Colo.

CANCELATION OF INDIAN INDEBTEDNESS

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting, pursuant to law, a report of cancelations and adjustments of reimbursable charges of the United States existing as debts against individual Indians or tribes of Indians, which, with the accompanying report, was referred to the Committee on Indian Affairs.

REPORT OF UNITED STATES EMPLOYEES' COMPENSATION COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the secretary of the United States Employees' Compensation Commission, transmitting, pursuant to law, the annual report of the Commission for the fiscal year ended June 30, 1936, which, with the accompanying report, was referred to the Committee on Claims.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following resolution of the Legislature of the State of Nebraska, which was referred to the Committee on Appropriations:

Whereas the present public health and safety of the State of Nebraska and of numerous counties and other governmental subdivisions therein are being imperiled by the existing and threatened deprivations of a considerable number of their inhabitants of the necessities of life owing to destructive droughts, which have blighted large areas of said State during the past 5 years; and

Whereas the duty of providing aid for those citizens of the State of Nebraska in need or unemployed either because of lack of employment or because of drought conditions in rural areas over which our citizens have no control is primarily an obligation of the State of Nebraska and the several counties therein; and

Whereas notwithstanding the primary responsibility of the State and the counties, as aforesaid, to alleviate distress caused by drought, it is a fact that the funds of the agencies of the State of Nebraska and its local subdivisions are now exhausted for relief needs under maximum levies, due in many instances to uncollected taxes in the agricultural regions of the State of Nebraska; and

Whereas it is the sense of this legislature that the impoverished condition of many of our citizens, due to the destructive drought, has become such a matter of public concern that the same ought to be alleviated by necessary increases in W. P. A. allotments of Federal funds forthwith: Now therefore be it

Resolved by the Legislature of the State of Nebraska in fifty-second regular session assembled—

1. That this legislature respectfully petitions and memorializes the President of the United States and the Congress of the United States forthwith to provide necessary increases in W. P. A. allotments of Federal funds for the use and benefit of the State of Nebraska.

2. That the clerk of this legislature be directed forthwith to forward copies of this resolution, properly authenticated and suitably engrossed, to the President of the United States, to the Vice President of the United States as presiding officer of the United States Senate, to the Speaker of the House of Representatives of the United States, and to the United States Senators and Congressmen representing the State of Nebraska in the Congress, to the end that our Representatives in Washington may be promptly advised as to the distress which now imperils the health and safety of Nebraska citizens.

The VICE PRESIDENT also laid before the Senate a telegram in the nature of a petition from the Workers' Alliance of California, Local No. 1, of Redwood City, Calif., praying for the making of continuing appropriations for Works Progress Administration projects, which was referred to the Committee on Appropriations.

He also laid before the Senate a resolution adopted by the council of the city of Cuyahoga Falls, Ohio, favoring the making of continuing appropriations for Works Progress Administration projects, which was referred to the Committee on Appropriations.

He also laid before the Senate a resolution adopted at Columbus, Ohio, by the house of delegates of the American Bar Association, favoring the placing of all positions in the

Federal administrative services, with certain exceptions, under the civil service, which was referred to the Committee on Civil Service.

He also laid before the Senate the petition of the Northern Coal Co., of Detroit, Mich., praying that certain limitations be incorporated in any coal-price-fixing legislation which may be enacted, which was referred to the Committee on Interstate Commerce.

ARGENTINE SANITARY CONVENTION—MEMORIALS

Mr. CAPPER. Mr. President, I desire this morning briefly to call the attention of the Senate to the fact that the livestock interests of the Nation are unanimously opposed to Senate ratification of the Argentine Sanitary Convention, now in the hands of the Committee on Foreign Relations.

At the conclusion of a very brief statement of my own opposition to ratification of this convention, which would lower the bars wisely set up to protect the livestock industry and the consumers of this country against the dangerous foot-and-mouth disease, I will place in the RECORD resolutions and declarations against ratification from—

The American Farm Bureau Federation.

The National Grange.

The American National Livestock Association.

The National Livestock Marketing Association.

The United States Livestock Association.

These organizations represent an accurate cross section of American agriculture, and particularly of the livestock industry of the United States; and I wish to say that they express my own views in this matter. I am opposed to letting down the bars to the importation of livestock and meat products from any of the twoscore or so nations against which we have found it necessary to impose quarantine restrictions for protection against foot-and-mouth disease.

In taking this position I am standing for the protection of both the consumers and the producers of livestock. We have had a few examples in the past of what damage the foot-and-mouth disease does when it gets a foothold.

The immediate blow falls upon the livestock industry. Losses run into the millions in States, into the tens of millions for the livestock producers.

This blow to the prosperity of the livestock producers is followed by sharp rises in meat prices to the consumers, who are penalized millions upon millions of dollars in increased meat prices due to the shortage of meats that follows destruction of livestock herds infected with the foot-and-mouth disease.

It is my contention that the Senate has no right to imperil the interests of American livestock producers and gamble with the future beef supply of the American consumers by ratifying such a convention as that proposed in the convention now in the hands of the Committee on Foreign Relations. I hope the committee will refuse to report the convention to the Senate. That is all I have to say on this matter at the present time. I ask that the resolutions and statement which I send to the desk be printed in the RECORD at this point as part of my remarks.

The VICE PRESIDENT. Is there objection?

There being no objection, the resolutions and statement were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Resolution adopted by the house of voting delegates at the Eighteenth Annual Convention of the American Farm Bureau Federation, December 11, 1936, in Pasadena, Calif.:

8. LIVESTOCK

Livestock marketing practices differ in various parts of the country. Wherever possible livestock marketing methods should give the producers of livestock true values of the stock sold. Competition among buyers of livestock must be maintained and safeguarded. To accomplish these objectives, the Packers and Stockyards Act should be amended as follows:

To give access to the books and records of meat packers and stockyard operators by the Secretary of Agriculture for the purpose of gathering information relative to different types of livestock marketing in various parts of the country.

And that at the same time when the Packers and Stockyards Act shall be so amended further amendment should be had that would require adequate bonds upon all buyers and selling agencies of livestock both on and off the public markets where purchases are made for slaughter purposes and wherein the movement is of an interstate character.

It would further appear that the proceedings under the Packers and Stockyards Act that interested parties and associations of producers should be permitted to appear in such proceedings by intervention when matters are pending pertaining to market agencies or stockyard companies; that in matters before the Department under the act affecting proposed increases in rates and charges that the Secretary of Agriculture have the right to suspend the application of such rates and charges to a period not exceeding 180 days; and, further, that in matters involving changes in rates or charges that the proponent, whether it be the Government or a private agency, have placed upon it the burden of proving the reasonableness of such proposed changes.

We favor strengthening rather than weakening Federal quarantine regulations against foot-and-mouth disease. Accordingly, we oppose the proposed sanitary convention with the Argentine and commend the Senate Committee on Foreign Relations for its refusal to report this document to the Senate.

We believe that Federal laws and regulations with respect to all sanitary quarantines relating to agricultural products be strengthened to fully protect American producers and consumers.

We commend the program for the control of bovine tuberculosis which has been carried on in the past 3 years by the Agricultural Adjustment Administration and the Bureau of Animal Industry of the United States Department of Agriculture. Under this program the long struggle against bovine tuberculosis has been accelerated but not completed. Substantial progress has been made in the elimination of animals infected with Bang's disease and bovine mastitis. We urge that Congress appropriate sufficient funds to continue this program on a voluntary basis.

Resolution adopted by the National Grange in annual convention at Columbus, Ohio, November 11 to 19, 1936:

ARGENTINE SANITARY PACT

Since American agriculture in the past has suffered heavy losses from foot-and-mouth disease brought in from other countries, we are opposed to the ratification of the pending convention or treaty with the Argentina. Approval of the treaty would open our markets to imports of animal products from zones or areas in the Argentine that are supposed to be free from foot-and-mouth disease, although it is prevalent in other parts of the country. This would expose our flocks and herds to the danger of infection.

Resolution unanimously adopted at the semiannual meeting in Chicago of the board of directors of the National Livestock Marketing Association in December:

ARGENTINE SANITARY CONVENTION

Whereas, through vigilant and heroic efforts against the scourge of infectious and contagious diseases among animals, the United States has been kept free from a serious condition that might have developed without such effort; and

Whereas, through serious attention and prompt action, whenever foot-and-mouth disease has occurred within the United States it has been immediately controlled and this country has been saved from situations which exist throughout other nations, of taking foot-and-mouth disease as a regular occurrence; and

Whereas most of these outbreaks have been where they could be controlled, but an outbreak of the foot-and-mouth disease which would contaminate domestic and wild animals on the open plains, the deserts, and mountain regions of the West would spread infection and be uncontrollable, with the probable effect of almost annihilating both domestic and wild animals, thus destroying the meat-food supply of our Nation and one of our major industries: Therefore be it

Resolved, That the directors of National Live Stock Marketing Association, in meeting assembled this 2d day of December 1936, do hereby vigorously protest any modification of any regulation which, now prevents or will hereafter prevent the importation of livestock or meat from any country or section thereof that has foot-and-mouth disease within its borders; and be it further

Resolved, That the secretary communicate with the President of the United States, the Secretary of State, the Secretary of Agriculture, and all Members of the Senate, requesting that the Argentine Sanitary Convention be not approved.

Resolution adopted by the American National Livestock Association opposing the Argentine sanitary convention:

ARGENTINE SANITARY CONVENTION

Whereas the Argentine sanitary convention, now pending before the Senate Committee on Foreign Relations, would permit the importation of livestock products from zones purported to be free from rinderpest or foot-and-mouth disease; and

Whereas under the present provisions of the Smoot-Hawley Tariff Act importation of such products is prohibited from countries where these diseases exist; and

Whereas under this measure of strict exclusion our country is now free from the ravages of these dreaded diseases: Therefore be it

Resolved, That we vigorously oppose the ratification of the proposed Argentine sanitary agreement, and demand the retention of the present embargo against importation of livestock or its products from countries where either rinderpest or foot-and-mouth disease exists.

From statement by D. M. Hildebrand, president of the United States Livestock Association, to members of his association:

Without question, if the Argentine sanitary convention is approved, it will jeopardize the interests of every livestock producer in the United States.

We cannot afford to subject our livestock to the danger of foot-and-mouth disease. Furthermore, it is unfair to our producers to have to compete with cattle raised primarily on grass, in a country that is not subjected to the many hazards which surround livestock producers both in the range and Corn Belt areas of the United States.

There is no question in my mind but what the Argentine sanitary convention would bring disaster and failure to the livestock industry throughout the United States if permitted to pass. It will take the combined efforts of all interests to prevent approval of this measure, and I want to urge you at this time to contact your representatives in Washington to not only use their votes but their influence to defeat the proposal. I believe this to be one of the most important problems confronting the livestock industry for the year 1937.

It is my New Year's wish to you all that 1937 will bring about closer harmony and cooperation between all phases of the livestock industry. I trust the new year will bring prosperity to every livestock producer throughout the United States.

D. M. HILDEBRAND,
President, United States Livestock Association.

HEARINGS BEFORE THE COMMITTEE ON CLAIMS

Mr. BYRNES. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably Senate resolutions numbered 38, 39, 40, 41, 42, 43, 44, and 45, which have been referred to the committee and I ask unanimous consent for their consideration at this time. All of the resolutions are formal, providing only authority for the committees to meet, hold hearings, and employ stenographers.

The first resolution relates to hearings before the Committee on Claims, and is reported without amendment.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 38) submitted by Mr. BAILEY on the 8th instant was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Claims or any subcommittee thereof be, and hereby is, authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee or any subcommittee thereof may sit during sessions or recesses of the Senate.

HEARINGS BEFORE THE COMMITTEE TO AUDIT AND CONTROL THE CONTINGENT EXPENSES OF THE SENATE

Mr. BYRNES, from the same committee, reported favorably, without amendment, the resolution (S. Res. 39) submitted by him on the 8th instant, which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee to Audit and Control the Contingent Expenses of the Senate or any subcommittee thereof hereby is authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid from the contingent fund of the Senate; and that the committee or any subcommittee thereof may sit during any session or recess of the Senate.

HEARINGS BEFORE THE COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. BYRNES, from the same committee, reported favorably, without amendment, the resolution (S. Res. 40) submitted by Mr. KING on the 8th instant, which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on the District of Columbia, or any subcommittee thereof, is hereby authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid from the contingent funds of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE THE COMMITTEE ON PATENTS

Mr. BYRNES, from the same committee, reported favorably, without amendment, the resolution (S. Res. 41) submitted by Mr. MCADOO on the 8th instant, which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Patents, or any subcommittee thereof, hereby is authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid from the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE THE COMMITTEE ON PENSIONS

Mr. BYRNES, from the same committee, reported favorably, without amendment, the resolution (S. Res. 42) submitted by Mr. MCGILL on the 8th instant, which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Pensions, or any subcommittee thereof, is authorized to sit during the sessions, recesses, and adjourned periods of the Seventy-fifth Congress, at such times and places as it may deem advisable, and to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate.

HEARINGS BEFORE THE COMMITTEE ON INDIAN AFFAIRS

Mr. BYRNES, from the same committee, reported favorably, without amendment, the resolution (S. Res. 43) submitted by Mr. THOMAS of Oklahoma on the 8th instant, which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Indian Affairs, or any subcommittee thereof, is authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid from the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE THE COMMITTEE ON NAVAL AFFAIRS

Mr. BYRNES, from the same committee, reported favorably, without amendment, the resolution (S. Res. 44) submitted by Mr. WALSH on the 8th instant, which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Naval Affairs, or any subcommittee thereof, is hereby authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE THE COMMITTEE ON POST OFFICES AND POST ROADS

Mr. BYRNES, from the same committee, reported favorably, without amendment, the resolution (S. Res. 45) submitted by Mr. MCKELLAR on the 8th instant, which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Post Offices and Post Roads, or any subcommittee thereof, hereby is authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid from the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

The VICE PRESIDENT. The introduction of bills and joint resolutions is in order.

GRACE G. COOLIDGE

Mr. GLASS. Mr. President, I introduce a bill and ask unanimous consent for its immediate consideration without the usual reference to committee.

The VICE PRESIDENT. The clerk will read the bill.

The bill (S. 591) granting a pension to Grace G. Coolidge was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is authorized and directed to place on the pension rolls the name of

Grace G. Coolidge, widow of Calvin Coolidge, late a President of the United States, and to pay her a pension at the rate of $5,000 per annum.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CLARK:

A bill (S. 592) to regulate interstate commerce in goods, wares, and merchandise manufactured, produced, or mined by persons under ——— years of age, and for other purposes; to the Committee on Education and Labor.

By Mr. BYRNES:

A bill (S. 593) for the relief of Emily Hyer LaVergne, executrix of the estate of W. K. Hyer; to the Committee on Claims.

By Mr. HATCH:

A bill (S. 594) for the relief of Anna Hathaway; to the Committee on Claims.

By Mr. COPELAND:

A bill (S. 595) to amend the Communications Act of 1934, approved June 19, 1934, for the purpose of promoting safety of life and property at sea, through the use of wire and radio communications, to make more effective the International Convention for the Safety of Life at Sea, 1929, and for other purposes; to the Committee on Commerce.

By Mr. McKELLAR:

A bill (S. 596) to aid in the rehabilitation of tenant farmers and sharecroppers, to provide credit facilities for the acquisition of farms and farm homes, to provide loans to farmers for crop production and harvesting, and for other purposes; to the Committee on Agriculture and Forestry.

A bill (S. 597) to repeal the prohibition upon the filing of Civil War claims; to the Committee on Claims.

A bill (S. 598) granting a pension to Isabelle Bullock (with accompanying papers); to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 599) for the relief of Earl J. Thomas; to the Committee on Commerce.

A bill (S. 600) for the payment of the claims of citizens of the United States against the Republic of Mexico; to the Committee on Foreign Relations.

A bill (S. 601) for the relief of Mrs. Jack J. O'Connell;

A bill (S. 602) for the relief of George A. Woody, Samuel L. Metcalfe, Frank W. Halsey, Myron J. Conway, John A. Otto, and Leon L. Kotzebue;

A bill (S. 603) to provide further for membership on the Board of Visitors, United States Military Academy; and

A bill (S. 604) extending the benefits of the Emergency Officers' Retirement Act of May 24, 1928, to provisional officers of the Regular Establishment who served during the World War; to the Committee on Military Affairs.

A bill (S. 605) to provide for the protection and conservation of equities or rights of the Government resulting from railroad land grants; to the Committee on the Judiciary.

By Mr. DUFFY:

A bill (S. 606) for the relief of Mabel F. Hollingsworth; to the Committee on Claims.

By Mr. McNARY:

A bill (S. 607) to authorize improvement of navigation facilities on the Columbia River, and for other purposes; to the Committee on Commerce.

A bill (S. 608) to authorize the leasing of certain Indian lands subject to the approval of the Secretary of the Interior; to the Committee on Indian Affairs.

By Mr. McNARY (for Mr. JOHNSON of California):

A bill (S. 609) for the relief of Edith Lewis White; and

A bill (S. 610) to amend the act entitled "An act conferring upon the United States District Court for the Northern District of California, southern division, jurisdiction of the claim of Minnie C. de Back against the Alaska Railroad", approved June 24, 1935; to the Committee on Claims.

A bill (S. 611) to amend the act entitled "An act to safeguard the estates of veterans derived from payments of pension, compensation, emergency officers' retirement pay, and insurance, and for other purposes", approved August 12, 1935; to the Committee on Finance.

A bill (S. 612) granting a pension to Fred V. Roberts;

A bill (S. 613) granting a pension to Lottie A. Torrance; and

A bill (S. 614) to adjust the rate of pension to soldiers of the Indian wars who served 90 days or more in active service against hostile Indians, and for other purposes; to the Committee on Pensions.

By Mr. GIBSON:

A bill (S. 615) to amend an act entitled "An act for the retirement of employees in the classified civil service, and for other purposes", approved May 22, 1920; to the Committee on Civil Service.

A bill (S. 616) granting a pension to Frances E. Parsons; to the Committee on Pensions.

By Mr. NEELY:

A bill (S. 617) for the relief of James L. Barnett; to the Committee on Civil Service.

A bill (S. 618) for the relief of Charles E. Bryant;

A bill (S. 619) for the relief of R. B. Miller; and

A bill (S. 620) for the relief of Lydia A. Thompson; to the Committee on Claims.

A bill (S. 621) granting a pension to Clara V. Crossland;

A bill (S. 622) granting a pension to John D. Pearson;

A bill (S. 623) granting an increase of pension to Mary J. Pennington;

A bill (S. 624) granting a pension to Alexander T. Taylor; and

A bill (S. 625) granting a pension to Maude Zickefoose; to the Committee on Pensions.

By Mrs. CARAWAY:

A bill (S. 626) to amend the Social Security Act with respect to grants to States for old-age assistance; to the Committee on Finance.

By Mr. CAPPER:

A bill (S. 627) exempting newspapermen from testifying with respect to the sources of certain confidential information; to the Committee on the Judiciary.

By Mr. KING and Mr. THOMAS of Utah:

A bill (S. 628) to provide for the construction and equipment of a building for the experiment station of the Bureau of Mines at Salt Lake City, Utah; to the Committee on Mines and Mining.

By Mr. THOMAS of Utah:

A bill (S. 629) to create an executive department of the Government to be known as the Department of Education and Public Welfare; to the Committee on Education and Labor.

By Mr. O'MAHONEY and Mr. SCHWARTZ:

A bill (S. 630) for the relief of Sheehy Drilling Co.; to the Committee on Claims.

By Mr. BULKLEY:

A bill (S. 631) to pay the Printz-Biederman Co., of Cleveland, Ohio, the sum of $741.40, money paid as duty on merchandise imported under section 308 of the tariff act; to the Committee on Claims.

By Mr. WALSH:

A bill (S. 632) for the relief of the estate of Marcellino M. Gilmette;

A bill (S. 633) for the relief of Charles Dancause and Virginia P. Rogers;

A bill (S. 634) for the relief of Dean Scott; and

A bill (S. 635) for the relief of Catherine Ward; to the Committee on Claims.

A bill (S. 636) for the relief of Walter C. Blake; and

A bill (S. 637) to place William W. Wade on the retired list of the United States Army as a major; to the Committee on Military Affairs.

A bill (S. 638) granting a pension to Lucy Avery; to the Committee on Pensions.

By Mr. WHEELER:

A bill (S. 639) to extend for 2 additional years the 3½-percent interest rate on certain Federal land-bank loans,

and for other purposes; to the Committee on Banking and Currency.

A bill (S. 640) to provide for the establishment of a fish-cultural station at Jessups Mill, near Glacier National Park in the State of Montana; to the Committee on Commerce.

A bill (S. 641) conferring jurisdiction on the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Assiniboine Indians may have against the United States, and for other purposes; to the Committee on Indian Affairs.

By Mr. FRAZIER:

A bill (S. 642) for the relief of the Indians of the Fort Berthold Reservation in North Dakota; to the Committee on Indian Affairs.

By Mr. CHAVEZ:

A bill (S. 643) to provide for the establishment of an agricultural experiment station within the Middle Rio Grande Conservancy District in the State of New Mexico; to the Committee on Agriculture and Forestry.

By Mr. VANDENBERG:

A bill (S. 644) to provide for the appointment of Jack Gerard Farmer (demobilized as Gerard Farmer, Army field clerk, United States Army, July 1, 1921) to the grade of warrant officer, unassigned, United States Army, and immediate retirement from the service; to the Committee on Military Affairs.

By Mr. McKELLAR:

A bill (S. 645) authorizing the erection of a memorial statue of Andrew Jackson; to the Committee on the Library.

By Mr. CLARK:

A joint resolution (S. J. Res. 29) to provide for establishing a territorial form of civil government for the District of Columbia; to the Committee on Territories and Insular Affairs.

By Mr. CAPPER:

A joint resolution (S. J. Res. 30) for the relief of William K. Richardson; to the Committee on Military Affairs.

INVESTIGATIONS BY THE COMMITTEE ON BANKING AND CURRENCY

Mr. GLASS (for Mr. WAGNER) submitted the following resolution (S. Res. 52), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Banking and Currency, or any subcommittee thereof, hereby is authorized to sit during the sessions, recesses, and adjourned periods of the Seventy-fifth Congress at such times and places as it may deem advisable, to make investigations into all matters within its jurisdiction, and to compile and prepare statistics and documents relating thereto as directed from time to time by the Senate and as may be necessary, and to report in due course to the Senate the result thereof; to send for persons, books, and papers; to administer oaths, and to employ such expert stenographic, clerical, and other assistance as may be necessary; and all the expenses incurred in pursuance hereof shall be paid from the contingent fund of the Senate; and the committee is authorized to order such printing and binding as may be necessary for its use.

HEARINGS BEFORE THE COMMITTEE ON PRIVILEGES AND ELECTIONS

Mr. GEORGE submitted the following resolution (S. Res. 53), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Privileges and Elections, or any subcommittee thereof, is authorized, during the Seventy-fifth Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE THE COMMITTEE ON COMMERCE

Mr. COPELAND submitted the following resolution (S. Res. 54), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Commerce, or any subcommittee thereof, is authorized, during the Seventy-fifth Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost of not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

ASSISTANT CLERK TO COMMITTEE ON COMMERCE

Mr. COPELAND submitted the following resolution (S. Res. 55), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Commerce is hereby authorized to employ for the remainder of the session of the Senate an assistant clerk, to be paid from the contingent fund of the Senate at the rate of $1,800 per annum.

HEARINGS BEFORE THE COMMITTEE ON IMMIGRATION

Mr. RUSSELL submitted the following resolution (S. Res. 56), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Immigration, or any subcommittee thereof, hereby is authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

ASSISTANT CLERK TO COMMITTEE ON IMMIGRATION

Mr. RUSSELL submitted the following resolution (S. Res. 57), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Immigration is hereby authorized to employ for the duration of the Seventy-fifth Congress an assistant clerk, to be paid from the contingent fund of the Senate at the rate of $2,400 per annum.

ADDRESS BEFORE MISSISSIPPI VALLEY ASSOCIATION BY SENATOR CLARK

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD the address delivered by Senator CLARK before the Eighteenth Annual Convention of the Mississippi Valley Association in St. Louis, Mo., Nov. 23, 1936, which appears in the Appendix.]

COMMITTEE JURISDICTION OF LAWS DECLARED UNCONSTITUTIONAL

[Mr. ASHURST asked and obtained leave to have printed in the RECORD certain correspondence relative to acts of the Seventy-third and Seventy-fourth Congresses, which appears in the Appendix.]

BILLS AND RESOLUTIONS INTRODUCED BY MR. ASHURST AND ENACTED BY SEVENTY-THIRD AND SEVENTY-FOURTH CONGRESSES

[Mr. ASHURST asked and obtained leave to have printed in the RECORD a list of bills and resolutions introduced by himself and enacted by the Seventy-third and Seventy-fourth Congresses, respectively, which appears in the Appendix.]

ANNIVERSARY OF BIRTH OF ETHAN ALLEN

Mr. AUSTIN. Mr. President, I send to the desk a proclamation issued by the Governor of the State of Vermont, which I ask to have read.

The VICE PRESIDENT. The clerk will read the proclamation.

The proclamation was read and ordered to lie on the table, as follows:

State of Vermont—Charles M. Smith, Governor

A PROCLAMATION

Whereas General Ethan Allen was born on the 10th day of January 1737; and

Whereas the Ethan Allen Bicentennial Commission, appointed by me in accordance with the provisions of a joint resolution of the general assembly, has designated the week commencing on the 10th day of January 1937 as a week to be set apart for the observance of the two hundredth anniversary of his birth: Now, therefore, I, Charles M. Smith, Governor, do hereby call upon the people of the State of Vermont to commemorate during the aforesaid week the life and the deeds of Ethan Allen, chieftain of the Green Mountain Boys, victor at Ticonderoga in the first offensive action of the American Revolution, who, after enduring the rigors of British captivity for 2 years, returned to aid in the preservation of the young Republic of Vermont, wielding his pen and his sword with courage and daring, unawed by threats, undaunted by failure, never shaken in allegiance to the Vermont that he loved, the Vermont which, in turn, has, in his own day and in all the succeeding generations, placed him in the forefront of those most meriting respect and honor.

Given under my hand and the great seal of the State, at Montpelier, this 26th day of December, A. D. 1936, and of the independence of the United States the one hundred and sixty-first.

CHARLES M. SMITH, *Governor.*

By the Governor:
[SEAL]

ELEANOR DANA,
Secretary of Civil and Military Affairs.

Mr. AUSTIN. Mr. President, Ethan Allen served the cause of liberty at a time when his extraordinary physical and mental vigor, his versatility, his reckless daring, and his spectacular leadership were precisely what were needed.

In the successful revolution of the New Hampshire grantees, which preceded the American Revolution, he was the colonel commandant of the Green Mountain Boys, a military organization of woodsmen which provided the sanction for the government by conventions under which the Green Mountain people were then living.

During this period he served in many other capacities than that of a military leader. At a time when it was necessary for the settlers of the New Hampshire Grants to have a representative in the royal court at Albany to meet and defend actions of ejectment, Ethan Allen appeared there in that capacity and managed the defenses. Descriptive of his impetuous nature and his extraordinary manner of expressing it is the fact that when the judgment of the royal court excluded from evidence the deeds of title of the original New Hampshire grantees Ethan shook his great fist at the attorney general and said to him, "The gods of the hills are not the gods of the valleys." Being asked by the attorney general what he meant by that remark, he said, "Come over to Bennington Hill and it will all be made manifest unto you."

When the sheriffs and their aides came to execute the writs of possession granted by the royal court, they were met by Ethan and his Green Mountain boys and taken into the wilderness and there stripped, and what was called "the beech seal" was applied to their backs in order that they might always bear with them the evidence of the authority of the deeds of the original New Hampshire grants.

The repulsion of the King's troops from Concord and Lexington by farmers armed with hunting muskets electrified Ethan Allen's passion for liberty and excited the execution of a bold stroke in the general cause which for some time had been contemplated by him for another cause—the capture of Ticonderoga. This important fortress was captured by surprise and without bloodshed with a force recruited from Connecticut, Massachusetts, and the Green Mountains. Ethan Allen, when asked by what authority he demanded surrender, shouted, "In the name of the great Jehovah and the Continental Congress."

Notwithstanding the lack of previous warrant from such headquarters, the Continental Congress accepted the benefit of this capture and resolved to employ the Green Mountain boys in the war under officers of their own choosing.

They had refused and continued to refuse to be articulated with Continental troops. They were conducting a great contest for the independence of their own State. The reason for refusing to be articulated with Continental troops was because of the possible adverse effect on the independence of the State which they were creating.

Then followed a dark period in Ethan's impetuous career. He was not elected to any office in the regiment. He had advocated an early attack on Canada, which was not approved. When Congress finally decided to make the northern campaign Ethan Allen was permitted by General Schuyler to accompany the Army without commission. In September 1775, while the Army was encamped before St. Johns, Ethan was sent on a reconnaissance northward. As he proceeded toward the St. Lawrence he recruited Canadian volunteers and arranged to attack Montreal from the north simultaneously with an attack to be led by John Brown from the south. While maneuvering to get some signal from Brown—which he never did get—Ethan's force was captured by the British. For more than a month Ethan was imprisoned in the lowest hold of a ship of war, pinioned with handcuffs, heavy leg irons, and an 8-foot bar, so that he must constantly lie on his back. Later he was removed to Falmouth and imprisoned in Pendennis Castle.

I may say in passing that one of the reasons why Vermont loves the Irish so well is that throughout Ethan's imprisonment the Irish people, who were great lovers of liberty and appreciated Ethan's achievement and who were intrigued by his speeches made while in prison there, afforded him clothing and food so that he was kept alive to be paroled when the time came to dispose of him, which question of disposal troubled the British greatly.

During his imprisonment and parole, which ended in May 1778, the constitution of Vermont had been adopted and the second phase of the revolution of the New Hampshire grantees had begun with the declaration of independence of Vermont and the refusal of Congress to recognize the new State.

Ethan's return to the Green Mountains, almost 3 years after his rebuff at the hands of those he described as "the old farmers on the New Hampshire Grants who do not incline to go to war", came at an opportune time. The State was surrounded by enemies bent upon tearing her to pieces and appropriating the pieces. Vermont urgently needed this strong man of such fortitude and firmness that misfortune, captivity, and sufferings only increased his enthusiastic zeal.

During the 13 years which ended with the recognition and admission of Vermont into the Union in 1791, Ethan Allen was the personification of the spirit of the mountains. Again he commanded the Green Mountain boys—a more colorful leader than before. Again he was the orator whose untempered use of vehement expressions, barbarisms, scriptural phrases, magic wit, and animated, forceful style captured the mob and transformed its anger into amusement or gave it effective direction.

Now he acted as prosecuting attorney or sat in council with assemblymen. His refusal to take the religious test oath disqualified him to be assemblyman, but his attendance and service were invited, and he was even appointed to committees and commissions.

I call attention in passing to the fact that his constituents knew his proclivity to dispute and argue on religious matters. His profanity and scoffing were his declaration of emancipation from Puritanism, hell fire, predestination, infant damnation, and hopeless theology. But his writings, which contain many well-considered acknowledgments of the propitious agency of Deity in connection with the history of the Revolution and of the development of the State, lead me to consider that he was religious and believed in God, as evidenced through the revelations of nature and by the Bible, with which he was familiar.

Ethan conceived the idea of banishment of Tories and confiscation of their property to finance the Revolution, and acted as one of the commissioners to try persons charged with conduct inimical, treacherous, or treasonable.

He is pictured with a small clearing in the wilderness for his courtroom, and some great pine tree for his judgment seat, condemning guilty Yorkers and Tories alike as "atrocious villians."

The wreath of remembrance laid on his statue in Statuary Hall by the Vermont delegation in Congress today is of pine, symbolical of the simplicity and the grandeur of his temple of justice.

Ethan Allen, with other leaders, had been condemned to death ex parte and in absentia by the Provincial Congress of New York in 1774; and Ethan now refreshed and invigorated his "woods people" by a bombastic, logical, and humorous pamphlet to counteract a proclamation by the royal Governor of New York offering to confirm the title of all land actually settled by New Hampshire grantees provided Vermont would acknowledge New York's jurisdiction. He was a prolific writer and his books, pamphlets, and newspaper articles aroused activity at home and sympathetic interest abroad.

Vermont, being opposed by the Continental Congress, harried on the north by one-third of the British Army in

North America, and claimed in part or in whole by the States which bounded her, adopted a policy of aggression which included annexation of certain towns easterly of the Connecticut River and westerly to the Hudson River, and a negotiation with Lord Haldimand which kept the British troops north of the border for 3 years, until Cornwallis' surrender.

In these activities Ethan acted as an emissary to the Continental Congress at Philadelphia, as a diplomat steering a dangerous course among the rocks and shoals of foreign relations, and as a lobbyist with Governor and council and assembly at home. In his dramatic career Ethan never accomplished more for the common cause of liberty or for the independence of Vermont than he did by the strategy, dash, and brilliancy of his maneuvers as public relations counsel in these bold plays.

In 1779 Ethan was elected brigadier general of the Vermont Militia—the Green Mountain Boys. As such, he rode the hills and valleys, assisting the civil organization to apprehend and bring to trial Yorkers and other trespassers, "settling discontent among the people," and concocting pamphlets for the outside world, illustrative of which was a convincing one edited by him and Jonas Fay bearing the title, A Concise Refutation of the Claims of New Hampshire and Massachusetts Bay to the Territory of Vermont; with Occasional Remarks on the Long Disputed Claim of New York to the Same, Written by Ethan Allen and Jonas Fay, Esqs., and Published by the Order of the Governor and Council of Vermont.

In 1781 it transpired that the secret negotiations with the British were known outside the Committee of Safety, whereupon General Allen sent two British communications to the President of Congress by letter showing that Vermont had protected the northern frontier while her troops were serving the Continental cause elsewhere, although Congress claimed "an exclusive right of arbitrating on the existence of Vermont as a separate government", and apparently intended to partition her among the surrounding States, and said:

> I do not hesitate to say I am fully grounded in opinion that Vermont has an indubitable right to agree on terms of cessation of hostilities with Great Britain, provided the United States persist in rejecting her application for a union with them; for Vermont, of all people, would be the most miserable were she obliged to defend the independence of united claiming States, and they, at the same time, at full liberty to overturn and ruin the independence of Vermont. I am persuaded when Congress considers the circumstances of this State they will be more surprised that I have transmitted them the enclosed letters than that I have kept them in custody so long, for I am [as] resolutely determined to defend the independence of Vermont as Congress are that of the United States, and, rather than fail will retire with hardy Green Mountain Boys into the desolate caverns of the mountains and wage war with human nature at large.

Ethan Allen never knew the State which he so effectively helped to establish as anything other than a Revolutionary territory and an independent republic, governing its own people, maintaining a perfect defense against all aggressors, conducting its own international relations, coining its own money, naturalizing citizens, and guaranteeing in its earliest constitution two novel principles—freedom from human slavery and manhood suffrage not dependent on property. He died February 17, 1789, 2 years before the State was admitted into the Union.

John Pell, Ethan Allen's ablest biographer, to whom we are indebted, affords the phrase which characterizes his life: "He was the slave of freedom."

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT, as in executive session, laid before the Senate messages from the President of the United States submitting sundry nominations, treaties, and conventions, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

ADJOURNMENT

Mr. ROBINSON. I move that the Senate adjourn.

The motion was agreed to; and (at 12 o'clock and 35 minutes p. m.) the Senate adjourned until tomorrow, Tuesday, January 12, 1937, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 11, 1937

ASSISTANT SECRETARY OF THE NAVY

Charles Edison, of New Jersey, to be Assistant Secretary of the Navy.

CHIEF OF NAVAL OPERATIONS

Admiral William D. Leahy to be Chief of Naval Operations in the Department of the Navy, with the rank of admiral, for a term of 4 years, from the 2d day of January 1937.

UNITED STATES DISTRICT JUDGE

Charles C. Wyche, of South Carolina, to be United States district judge, western district of South Carolina, vice Henry H. Watkins, retired.

UNITED STATES ATTORNEYS

Claud N. Sapp, of South Carolina, to be United States attorney, eastern district of South Carolina. (Mr. Sapp is now serving under an appointment by the court.)

Oscar Henry Doyle, of South Carolina, to be United States attorney, western district of South Carolina, vice Charles C. Wyche, appointed United States district judge.

ASSISTANT GENERAL COUNSEL, BUREAU OF INTERNAL REVENUE

Morrison Shafroth, of Denver, Colo., to be Assistant General Counsel for the Bureau of Internal Revenue, to fill an existing vacancy. (Mr. Shafroth is now serving under temporary commission issued during the recess of the Senate.)

COLLECTOR OF INTERNAL REVENUE

James F. Mundy, of Wilkes-Barre, Pa., to be collector of internal revenue for the twelfth district of Pennsylvania in place of Leo C. Mundy, resigned. (Mr. Mundy is now serving under temporary commission issued during the recess of the Senate.)

REGISTER OF THE LAND OFFICE

Frank E. De Kay, of Idaho, to be register of the land office at Blackfoot, Idaho.

APPOINTMENTS AND PROMOTIONS IN THE PUBLIC HEALTH SERVICE

Dr. Fred T. Foard to be surgeon, to rank as such from June 27, 1936.

Dr. Winfield Kennedy Sharp, Jr., to be surgeon, to rank as such from June 27, 1936.

Dr. Frank E. Law to be assistant dental surgeon, to rank as such from August 1, 1936.

Dr. William P. Kroschel to be assistant dental surgeon, to rank as such from August 1, 1936.

Dr. Edwin A. Doane to be assistant surgeon, to rank as such from August 1, 1936.

Dr. Howard D. Fishburn to be assistant surgeon, to rank as such from August 1, 1936.

Dr. Harris Isbell to be assistant surgeon, to rank as such from August 1, 1936.

Dr. Theodore L. Perrin to be assistant surgeon, to rank as such from August 1, 1936.

Dr. James G. Telfer to be assistant surgeon, to rank as such from August 1, 1936.

Dr. David J. Zaugg to be assistant surgeon, to rank as such from August 1, 1936.

Senior Surgeon Warren F. Draper to be medical director, to rank as such from July 23, 1936.

Senior Surgeon Lewis R. Thompson to be medical director, to rank as such from September 16, 1936.

Sanitary Engineer Ralph E. Tarbett to be senior sanitary engineer, to rank as such from July 23, 1936.

Sanitary Engineer Leslie C. Frank to be senior sanitary engineer, to rank as such from July 23, 1936.

Sanitary Engineer John K. Hoskins to be senior sanitary engineer, to rank as such from September 5, 1936.

Sanitary Engineer Harold W. Streeter to be senior sanitary engineer, to rank as such from September 5, 1936.

Sanitary Engineer Harry R. Crohurst to be senior sanitary engineer, to rank as such from September 5, 1936.

Surg. John D. Reichard to be senior surgeon, to rank as such from May 12, 1936.

Surg. Vance B. Murray to be senior surgeon, to rank as such from July 26, 1936.

Surg. Thomas H. D. Griffitts to be senior surgeon, to rank as such from September 5, 1936.

Senior Sanitary Engineer Joseph A. LePrince to be sanitary engineer director, to rank as such from September 5, 1936.

Dr. Francis A. Arnold, Jr., to be assistant dental surgeon, to rank as such from August 1, 1936.

Dr. Harold William Brown to be passed assistant surgeon, to rank as such from August 1, 1936.

Dr. Paul Sterling Carley to be passed assistant surgeon, to rank as such from August 1, 1936.

Dr. Harry Eagle to be passed assistant surgeon, to rank as such from August 1, 1936.

Dr. Jacob Pope Eberhardt to be passed assistant surgeon, to rank as such from August 1, 1936.

Dr. George Halsey Hunt to be passed assistant surgeon, to rank as such from August 1, 1936.

Dr. Benjamin F. Jones to be passed assistant surgeon, to rank as such from August 17, 1936.

Asst. Dental Surg. Robert H. Moore to be passed assistant dental surgeon, to rank as such from June 16, 1936.

Asst. Surg. Walter W. Hammond, Jr., to be passed assistant surgeon, to rank as such from July 22, 1936.

Dr. Rollo R. Wolcott to be assistant surgeon, to rank as such from September 1, 1936.

Dr. Earl F. Gates to be assistant surgeon, to rank as such from September 1, 1936.

Dr. William W. Calhoun, Jr., to be assistant dental surgeon, to rank as such from September 1, 1936.

Sanitary Engineer Harry B. Hommon to be senior sanitary engineer, to rank as such from September 5, 1936.

Asst. Surg. Michael J. Pescor to be passed assistant surgeon, to rank as such from May 16, 1936.

Asst. Surg. Robert H. Felix to be passed assistant surgeon, to rank as such from August 16, 1936.

Dr. Henry L. Peckham, Jr., to be assistant surgeon, to rank as such from October 1, 1936.

Surg. Clifford R. Eskey to be senior surgeon, to rank as such from September 8, 1936.

Passed Asst. Surg. Ernest E. Huber to be surgeon, to rank as such from September 2, 1936.

Passed Asst. Surg. Adolph S. Rumreich to be surgeon, to rank as such from September 2, 1936.

Asst. Dental Surg. Frank E. Law to be passed assistant dental surgeon, to rank as such from August 16, 1936.

Dr. John W. Jolley to be assistant surgeon, to rank as such from November 20, 1936.

Dr. Charles M. McGill to be assistant surgeon, to rank as such from November 20, 1936.

Dr. Vernon B. Link to be assistant surgeon, to rank as such from November 20, 1936.

Dr. Norman H. Topping to be assistant surgeon, to rank as such from November 20, 1936.

Surg. Walter T. Harrison to be senior surgeon, to rank as such from October 26, 1936.

Surg. Charles Armstrong to be senior surgeon, to rank as such from October 27, 1936.

Surg. Justin K. Fuller to be senior surgeon, to rank as such from October 27, 1936.

Surg. Rolla E. Dyer to be senior surgeon, to rank as such from October 31, 1936.

Dr. Byron J. Olson to be assistant surgeon, to rank as such from December 18, 1936.

Dr. Howard T. White to be assistant surgeon, to rank as such from November 20, 1936.

Sanitary Engineer Abraham W. Fuchs to be senior sanitary engineer, to rank as such from October 9, 1936.

Passed Asst. Surg. Alfred J. Aselmeyer to be surgeon, to rank as such from November 29, 1936.

Dr. Samuel Milton Dupertuis to be passed assistant surgeon, to rank as such from date of oath.

Dr. Harold R. Sandstead to be assistant surgeon, to rank as such from date of oath.

Dr. James F. Lane to be assistant surgeon, to rank as such from date of oath.

(These officers are now serving under temporary commission issued during the recess of the Senate.)

The following-named passed assistant dental surgeons to be dental surgeons in the United States Public Health Service, to rank as such from the dates set opposite their names:

Frederick W. Harper, December 1, 1936.

Pendleton J. Slaughter, December 1, 1936.

APPOINTMENTS AND PROMOTIONS IN THE COAST GUARD

Theodore LeBlanc to be chief pharmacist, to rank as such from July 20, 1936.

Lt. Comdr. Frederick J. Birkett to be commander, to rank as such from May 21, 1936.

Lt. Comdr. (Engineering) Charles T. Henley, Jr., to be commander (Engineering), to rank as such from April 1, 1936.

Lt. Comdr. (Engineering) Edward F. Palmer to be commander (Engineering), to rank as such from May 21, 1936.

Lt. Comdr. (Engineering) John N. Heiner to be commander (Engineering), to rank as such from May 21, 1936.

District Comdr. Christopher J. Sullivan to be district commander, with the rank of lieutenant commander, to rank as such from July 30, 1936.

Ensign Albert J. Carpenter to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign Emmet T. Calahan to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign John H. Forney to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign Eugene A. Coffin, Jr., to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign David O. Reed to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign Peter J. Smenton to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign Harry E. Davis, Jr., to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign Willard J. Smith to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign Joseph F. McCue to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign Clarence Herbert to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign George O. Olson to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign Hubert R. Chaffee to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign Thomas R. Midtlyng to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign John B. Oren to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign Joseph Howe to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign William W. Childress to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign John J. Hutson, Jr., to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign Albert E. Harned to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign Quentin R. Walsh to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign Richard F. Rea to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign Louis M. Thayer, Jr., to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign George W. Holtzman to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign John H. Wagline to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign Robert E. McCaffery to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign David H. Bartlett to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign Vaino O. Johnson to be lieutenant (junior grade), to rank as such from May 15, 1936.

Ensign Warren L. David to be lieutenant (junior grade), to rank as such from May 15, 1936.

Lt. Paul B. Cronk to be lieutenant commander, to rank as such from October 1, 1934.

Lt. (Jr. Gr.) Charles B. Arrington to be lieutenant, to rank as such from May 15, 1936.

Lt. (Jr. Gr.) Robert T. Alexander to be lieutenant, to rank as such from May 15, 1936.

Lt. (Jr. Gr.) Edward A. Eve, Jr., to be lieutenant, to rank as such from May 15, 1936.

Lt. (Jr. Gr.) Howard A. Morrison to be lieutenant, to rank as such from May 15, 1936.

Lt. (Jr. Gr.) Eric A. Anderson to be lieutenant, to rank as such from May 15, 1936.

Lt. (Jr. Gr.) Marion Amos to be lieutenant, to rank as such from May 15, 1936.

Lt. (Jr. Gr.) Halmar J. Webb to be lieutenant, to rank as such from May 15, 1936.

Lt. (Jr. Gr.) William D. Shields to be lieutenant, to rank as such from May 15, 1936.

Lt. (Jr. Gr.) Chester L. Harding to be lieutenant, to rank as such from May 15, 1936.

Lt. (Jr. Gr.) Richard E. Morell to be lieutenant, to rank as such from May 15, 1936.

Lt. Clarence C. Paden to be lieutenant commander, to rank as such from May 1, 1935.

(These officers are now serving under temporary commissions issued during the recess of the Senate.)

APPOINTMENTS IN THE REGULAR ARMY

MEDICAL CORPS

To be first lieutenants with rank from January 1, 1937

First Lt. Lloyd Ethan Gould, Medical Corps Reserve.

First Lt. Beverly Holland, Medical Corps Reserve.

First Lt. Santino Joseph Lerro, Medical Corps Reserve.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

TO CHEMICAL WARFARE SERVICE

First Lt. Clarence Harvey Gunderson, Field Artillery, with rank from August 1, 1935.

TO FIELD ARTILLERY

Second Lt. James Willoughby Totten, Air Corps, with rank from June 12, 1935.

PROMOTIONS IN THE REGULAR ARMY

To be colonels

Lt. Col. Edward Nicoll Woodbury, Coast Artillery Corps, from January 1, 1937.

Lt. Col. Carl Cogswell Oakes, Finance Department, from January 1, 1937.

Lt. Col. John Thomas Kennedy, Field Artillery, from January 1, 1937.

Lt. Col. Ray Longfellow Avery, Chemical Warfare Service, from January 1, 1937.

Lt. Col. Owen Riggs Meredith, Infantry, from January 1, 1937.

Lt. Col. Edward Alexander Stockton, Jr., Coast Artillery Corps, from January 1, 1937.

Lt. Col. Homer McLaughlin Groninger, Cavalry, from January 1, 1937.

Lt. Col. James Hutchings Cunningham, Coast Artillery Corps, from January 1, 1937.

To be lieutenant colonels

Maj. Richard Carlton Stickney, Infantry, from January 1, 1937.

Maj. Edward James Dwan, Cavalry, from January 1, 1937.

Maj. John Ross Mendenhall, Infantry, from January 1, 1937.

Maj. Norman Randolph, Infantry, from January 1, 1937.

Maj. Joseph Monroe Murphy, Infantry, from January 1, 1937.

Maj. George Edward Stratemeyer, Air Corps, from January 1, 1937.

Maj. Eustis Lloyd Hubbard, Cavalry, from January 1, 1937.

Maj. Frederic William Boye, Cavalry, from January 1, 1937.

Maj. Leroy Hugh Watson, Infantry, from January 1, 1937.

CHAPLAIN

To be chaplain with the rank of lieutenant colonel

Chaplain (Maj.) Charles Oliver Purdy, United States Army, from January 5, 1937.

APPOINTMENTS AND PROMOTIONS IN THE NAVY

The following-named captains to be rear admirals in the Navy from the 1st day of July 1936:

Wilson Brown

Walter S. Anderson

The following-named captains to be rear admirals in the Navy from the 1st day of October 1936:

Samuel M. Robinson (an additional number in grade)

Ralston S. Holmes

Capt. Charles A. Blakely to be a rear admiral in the Navy from the 1st day of November 1936.

The following-named commanders to be captains in the Navy from the 30th day of June 1936:

Samuel A. Clement
Walter K. Kilpatrick
Francis W. Rockwell
Sydney M. Kraus (an additional number in grade)
Charles C. Ross (an additional number in grade)
Archer M. R. Allen
Howard H. Crosby
Francis Cogswell
James M. Irish (an additional number in grade)
Paul E. Speicher
Arthur S. Carpender
James L. Kauffman
William D. Brereton, Jr.

The following-named commanders to be captains in the Navy from the 1st day of July 1936:

William R. Munroe
Albert M. Penn (an additional number in grade)
Paul H. Bastedo
Andrew D. Denney
Charles M. Yates
John F. Shafroth, Jr.
Jules James
John R. Beardall
Timothy J. Keleher
Howard B. Mecleary
Archibald H. Douglas
Willis A. Lee, Jr.

Commander William W. Wilson to be a captain in the Navy from the 1st day of October 1936.

The following-named commanders to be captains in the Navy from the 1st day of November 1936:

David F. Ducey (an additional number in grade)

Ernest W. McKee

William H. Pashley

Commander William R. Purnell to be a captain in the Navy from the 25th day of December 1936.

Lt. Comdr. Thomas G. Peyton to be a commander in the Navy from the 24th day of March 1936.

The following-named lieutenant commanders to be commanders in the Navy from the 1st day of May 1936:

Samuel P. Jenkins

Cornelius W. Flynn

William Granat

Lt. Comdr. Armit C. Thomas to be a commander in the Navy from the 1st day of June 1936.

The following-named lieutenant commanders to be commanders in the Navy from the 30th day of June 1936:

Homer W. Graf
Francis S. Low
Francis M. Maile, Jr.
Alexander S. Wotherspoon
Forrest B. Royal
John L. McCrea
Frederick G. Richards
Marshall B. Arnold
Roswell H. Blair
Tully Shelley
Dallas D. Dupre
Nathaniel M. Pigman
Horace D. Clarke
James E. Maher
Allan E. Smith
Leighton Wood
Harvey E. Overesch
Allen G. Quynn
George C. Kriner
Clifford G. Richardson
James M. Lewis
John J. Mahoney
Ralph W. Christie
Henry M. Mullinnix
Richard W. Bates
Burton W. Chippendale
Elmer R. Henning
Irving R. Chambers
Myron W. Hutchinson, Jr.
Ralph E. Davison
Don P. Moon

The following-named lieutenant commanders to be commanders in the Navy, from the 1st day of July 1936:

Russell S. Berkey	Robert B. Carney
George F. Hussey, Jr.	Arthur W. Radford
Thomas J. Keliher, Jr.	Boyd R. Alexander
Osborne B. Hardison	Jesse L. Kenworthy, Jr.
Clinton E. Braine, Jr.	Webster M. Thompson
William M. Fechteler	Albert E. Schrader
Charles A. Baker	Dennis L. Ryan
Gerald F. Bogan	Andrew D. Mayer
Leon S. Fiske	Charles T. Joy
Willard A. Kitts, 3d	John E. Reinburg, Jr.
Bertram J. Rodgers	John A. Terhune
Frank E. Beatty	Charles J. Wheeler
Gail Morgan	Theodore T. Patterson
Thorvald A. Solberg	Samuel P. Ginder
Clifford H. Roper	Van H. Ragsdale
Edward P. Sauer	John Wilkes
John H. Carson	Homer L. Grosskopf
Milton O. Carlson	Fred D. Kirtland

Lt. Comdr. James M. Steele to be a commander in the Navy from the 1st day of August 1936.

Lt. Comdr. Arthur D. Burhans to be a commander in the Navy from the 29th day of August 1936.

Lt. Comdr. Thomas D. Warner to be a commander in the Navy from the 1st day of October 1936.

The following-named lieutenant commanders to be commanders in the Navy from the 1st day of November 1936:

Charles P. Cecil
Calvin T. Durgin

Lt. Comdr. Humbert W. Ziroli to be a commander in the Navy from the 3d day of November 1936.

Lt. Comdr. John S. Roberts to be a commander in the Navy from the 1st day of December 1936.

Naval Constructor Arthur C. Miles to be a commander in the Navy, for aeronautical engineering duty only, from the 30th day of June 1936, in accordance with the act of Congress approved June 5, 1935.

Lt. Benjamin N. Ward to be a lieutenant commander in the Navy from the 25th day of March 1936.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of May 1936:

William G. Livingstone
Charles L. Hutton

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of June 1936:

Jewett P. Moncure
Wade DeWeese

Lt. Allan D. Blackledge to be a lieutenant commander in the Navy from the 22d day of June 1936.

Lt. Thomas H. Binford to be a lieutenant commander in the Navy from the 29th day of June 1936.

The following-named lieutenants to be lieutenant commanders in the Navy from the 30th day of June 1936:

Perley E. Pendleton	Cyril A. Rumble
Walton W. Smith	Kenneth H. Noble
Richard P. Glass	Marion R. Kelley
John V. McElduff	Walter E. Moore
Khem W. Palmer	Edward M. Thompson
Elmer Kiehl	Charles Wellborn, Jr.
Hilyer F. Gearing	Duncan Curry, Jr.
Joseph J. Rochefort	John G. Jones
Herbert C. Behner	Ransom K. Davis
Roland E. Krause	Paul R. Coloney
John L. Murphy	James E. Hamilton
Campbell Keene	Clarence E. Olsen
Lester G. Bock	Arnold J. Isbell
Nolan M. Kindell	Nealy A. Chapin
Edward E. Dolecek	Arthur DeL. Ayrault
Delbert L. Conley	Daniel V. Gallery, Jr.
Nathan W. Bard	William R. Millis
Harold J. McNulty	Edward E. Roth
Stanley F. Patten	Wendell G. Switzer
Dolph C. Allen	William B. Fletcher, Jr.
Robert E. Mason	Burton B. Biggs
Francis A. Packer	Walter F. Boone
Norman O. Schwien	Bern Anderson
George H. De Baun	Charles F. Erck
Charles J. Maguire	Edwin G. Fullinwider
William L. Rees	Edwin D. Graves, Jr.
Jesse H. Carter	

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of July 1936:

Andrew P. Lawton	John A. Waters, Jr.
Joseph O. Saurette	Timothy J. O'Brien
Harold L. Meadow	Leo L. Pace
Gilbert B. Myers	Joseph C. Van Cleve
Lucien A. Moebus	Ralph E. Butterfield
Heber H. McLean	Harry A. Guthrie
James R. Dudley	William S. G. Davis
Joseph F. Bolger	Francis X. McInerney
Raymond D. Tarbuck	Sydney S. Bunting
Rupert M. Zimmerli	Grover B. H. Hall
William E. Sullivan	Albert G. Cook, Jr.
Roy C. Hudson	Sterling T. Cloughley
Oswald S. Colclough	William B. McHugh
Lyman A. Thackrey	Frederick D. Kime
John A. Snackenberg	Roscoe L. Bowman
Carlton R. Todd	John G. Burrow
Thomas L. Wattles	Thomas J. Ryan, Jr.
Gerard F. Galpin	Donald R. Tallman
Kenneth C. Caldwell	Gerald D. Linke
George H. Bahm	William F. Fitzgerald, Jr.
Francis J. McKenna	Thomas J. Kelly
Gordon B. Parks	John J. Curley, Jr.
Charles R. Pratt	Paul E. Roswall
Stuart H. Ingersoll	William W. Juvenal
Rutledge B. Tompkins	Wilson D. Leggett, Jr.
Heber B. Brumbaugh	William G. Lalor
John E. Pixton (an additional number in grade)	John P. Womble, Jr.
	Bryan C. Harper
Willis N. Rogers	Ralph O. Myers
Guy Chadwick	Samuel W. Du Bois
Campbell H. Minckler	Thomas F. Darden, Jr.
Ralph B. Hunt	John H. Willis
Clark L. Green	Byron H. Hanlon
John W. Jamison	Joseph C. Hubbard
William A. Gorry	Carl H. Bushnell
William B. Jackson, Jr.	

Lt. Laurence A. Abercrombie to be a lieutenant commander in the Navy from the 1st day of August 1936.

Lt. Dashiell L. Madeira to be a lieutenant commander in the Navy from the 29th day of August 1936.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of September 1936:

David W. Roberts
Elmer A. Tarbutton

Lt. Silas B. Moore to be a lieutenant commander in the Navy from the 1st day of October 1936:

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of November 1936:

Irving D. Wiltsie	George D. Martin
Elwood D. Poole	Boynton L. Braun

Lt. Wyatt Craig to be a lieutenant commander in the Navy from the 22d day of November 1936:

The following-named naval constructors to be lieutenant commanders in the Navy for aeronautical engineering duty only, from the dates stated opposite their names, in accordance with the act of Congress approved June 5, 1935:

Paul E. Pihl, June 30, 1936.
Clement F. Cotton, August 1, 1936.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the dates stated opposite their names:

Cornelius M. Sullivan, June 30, 1935.
George J. King, September 12, 1935.
Lynn C. Petross, October 1, 1935.
Francis B. McCall, October 4, 1935.
Arthur R. Quinn, October 4, 1935.
Roy R. Ransom, November 1, 1935.
George R. Phelan, December 1, 1935.
Ernest J. Davis, January 1, 1936.

John H. Lewis, January 3, 1936.
Lewis M. Markham, Jr., March 1, 1936.
Frank L. Durnell, March 1, 1936.
William K. Rhodes, March 25, 1936.
Clanton E. Austin, April 1, 1936.
Frank W. Fenno, Jr., April 28, 1936.
Richard K. Gaines, April 28, 1936.
Winthrop E. Terry, May 1, 1936.
John C. Hammock, May 1, 1936.
Julian K. Morrison, Jr., May 1, 1936.
John Sylvester, May 1, 1936.
William O. Floyd, May 1, 1936.
Charles H. Lyman, 3d, June 1, 1936.
Bert F. Brown, June 1, 1936.
John M. Taylor, June 1, 1936.
James S. Russell, June 12, 1936.
Jesse L. Phares, June 22, 1936.
Albert G. Mumma, June 29, 1936.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 30th day of June 1936:

James M. Lane
Paul D. Stroop
Benjamin B. C. Lovett
Henry C. Bruton
George T. Mundorff
Carlton B. Hutchins
Robert B. Goldman
Dennis J. Sullivan
Sidney L. Smith
Harlan K. Perrill
Charles B. Hart
Marvin P. Evenson
James H. Ward
Howard W. Gilmore
Chester L. Clement
William S. Whiteside
Walter C. Stahl
Herald F. Stout
Jesse S. McClure
Robert B. Pirie
Alexander S. McDill
Fitzhugh Lee
Stanton B. Dunlap
Hugh P. Webster
Malcolm S. Adams
Alvord J. Greenacre
William G. Myers
Nathaniel S. Prime
Wesley A. Wright
Philip Niekum, Jr.
John L. Burnside, Jr.
Frederick A. Davisson
Charles F. Horne, Jr.
Frank O'Beirne
Walter E. Linaweaver
Edward N. Dodson, Jr.
Philip S. Morgan, Jr.
William J. Whiteside
Walter F. Rodee
John O'Shea, Jr.
Francis D. McCorkle
Robert W. Cavenagh
James A. Morrison
Elton W. Grenfell
Leonidas M. Matthews
Frederic A. Graf
John C. S. McKillip
John B. McLean
Thomas M. Wolverton
Welford C. Blinn
Charles A. Buchanan
Ralph E. Patterson
Joseph B. Stefanac
Karl J. Biederman
John F. Newman, Jr.
Vilhelm K. Busck
Charles Adair
William L. Pryor, Jr.
Willard M. Sweetser
Clarence Broussard
Herman O. Parish
Cecil L. Smith
Karl F. Poehlmann
Spencer A. Carlson
Everett H. Still
Francis L. Black
Edward L. D. Roach, 2d
Justus M. B. R. Armstrong
John F. Gallaher
Charles E. Signer
James B. Fox
James F. Byrne
Nathaniel C. Barker
John J. Crane
William G. Cooper
Douglas H. Fox
Frank B. Schaede
William L. Anderson
Etheridge Grant
Clarence W. McClusky, Jr.
Thomas F. Halloran
Wendell F. Kline
Eugene M. Waldron
Algernon S. Joyner, Jr.
Donald L. Mills
Richard M. Boaz
Samuel M. Tucker
Clifford H. Duerfeldt
Paul W. Watson
Allen R. Joyce
Royal Lovell
Louis E. French
Clarence O. Taff
John J. Greytak
William R. Shaw
Jesse L. Hull
Stanley G. Nichols
Henri de B. Claiborne
Seth A. Shepard
Upton S. Brady, Jr.
Charles N. Day
John F. Greenslade
John A. Winfrey
Theodore R. Frederick
William A. Dolan, Jr.
Theodore C. Aylward
Ramond C. Ericson
Eugene F. May
Harold A. Fravel
Henry D. Rozendal
John L. Wilfong
William Miller, Jr.
William R. Smedberg, 3d
Doir C. Johnson
Edwin S. Schanze
Heywood L. Edwards
Douglas V. Gladding
Francis L. Busey
Warren E. Gladding
John M. Duke
John P. Fitzsimmons
John H. Simpson
Claude W. Haman
Henry E. Bernstein
William R. Hollingsworth
James E. Leeper
Ford N. Taylor, Jr.
Hilan Ebert
William E. Oberholtzer, Jr.
Theodore W. Rimer
Roy A. Gano
Robert R. Johnson
Earl K. Olsen
John K. Wells
William K. Romoser
Edward L. B. Weimer
Benjamin VanM. Russell
John E. Fradd
Robert B. Ellis
Ralph S. Clarke
Valery Havard, Jr.
Charles W. Moses
Daniel J. Sweeney
Orville K. O'Daniel
Hamilton Hains
Robert S. Purvis, Jr.
Gordon Campbell
Fondville L. Tedder
Mannert L. Abele
Morton K. Fleming, Jr.
Gerald D. Zurmuehlen
Louis L. Vodila
John A. Glick
Gordon A. McLean
Robert G. Armstrong
John G. Foster, Jr.
Barron G. Lowrey
Joe B. Paschal
George W. Campbell
Theodore H. Kobey
Erasmus W. Armentrout, Jr.
Paul M. Curran
Diggs Logan
Joseph H. Willingham, Jr.
Ranson Fullinwider
John K. Reybold
John L. Woodbury
Charles Jackson
Henry T. Dietrich
Walter L. Dyer
Edward S. Hutchinson
Kenneth Craig
Oscar Pederson
Charles T. Singleton, Jr.
Lawrence H. Martin
Charles E. Crombe, Jr.
Laurence H. Frost
Paul H. Tobelman
Leonard J. Dow
Frederick C. Stelter, Jr.
Louis Shane, Jr.
John Shoemaker
Paul L. Dudley
Burnham C. McCaffree
Eugene S. Karpe
Ralph D. Smith
Jacob E. Cooper
Thomas F. Conley, Jr.
Thomas R. Langley
Ralph E. Westbrook
Orlin L. Livdahl
Malcolm A. Hufty
Luther K. Reynolds
Louis M. Le Hardy
Olin P. Thomas, Jr.
Louis E. Gunther
James N. Shofner
Charles J. Whiting
Guy B. Helmick
Robert R. De Wolfe
Daniel T. Birtwell, Jr.
Harold J. Pohl
George G. Crissman
Wallace J. Miller
Samuel J. McKee
Donald A. Crandell
Henry T. Hodgskin, Jr.
Clifford T. Corbin
Lewis R. Miller
Charles R. Carroll
Joe B. Cochran
Hamilton W. Howe
Benjamin Katz
Donald McGregor
Solomon D. Willingham
Hugh D. Black
Benjamin S. Custer
Benjamin R. Crosser
Harry D. Johnston
William T. Kenny
William H. Carpenter
John D. Sweeney
Thompson P. Elliott
Andrew H. LaForce
Daniel B. Miller
John H. Brownfield
Joseph R. Haskin, Jr.
Duncan C. MacMillan
Charles H. Quinn
Anderson Offutt
DeWitt C. E. Hamberger
Raymond S. Lamb
Joseph W. Callahan
William C. Asserson, Jr.
Dwight M. Agnew
Marvin C. Parr
Gale E. Griggs
Clifton B. Maddox
William White
Eugene S. Sarsfield
Leonard Branneman
Charles L. Carpenter
Robert R. Moore
John F. Walsh
Earl S. Caldwell
Marshall B. Gurney
Henry Farrow
Carroll B. Jones
George L. Shane
Maxwell F. Leslie
Norman L. Holt
Walter H. Albach
John W. Bays
Lawrence R. Daspit
Samuel H. Crittenden, Jr.
Melvyn H. McCoy
James H. Hogg
Paul H. Ramsey
George W. Anderson, Jr.
Warren F. Graf
Albert B. Scoles
Jack S. Holtwick, Jr.
Eliot Olsen
Welton D. Rowley

Shirley S. Miller	James G. Holloway, Jr.
Francis C. Manville	Rawson Bennett, 2d
James E. Cohn	Sylvius Gazze
Richard H. Phillips	Howard W. Taylor
Leonard S. Mewhinney	Eldon C. Mayer
Warner R. Edsall	Harold M. Briggs
Clifford S. Cooper	Perry K. Jeanes
William P. Chilton	Seymour A. Johnson
William M. Nation	Carl R. Midtlyng
William H. Organ	Wellington A. Hammond
William T. McGarry	Martin P. Hottel
Selman S. Bowling	Fritz Gleim
Earl B. Patterson	Andrew H. Bergeson
Cornelius S. Seabring	Raymond J. Moore
William C. Bryson	Robert C. Brixner
Wallace B. Mechling	Christian H. Duborg
Henry H. Caldwell	James R. McCormick
Ernest W. Lamons	Lannie Conn
Cecil T. Caufield	Paul W. Card
Joseph R. Hamley	Otis C. Gregg
Joseph N. Murphy	Jack F. Bowling, Jr.
John C. Broach	William E. Ferrall
Charles M. Heberton	Martin J. Lawrence
David B. Overfield	Robert S. Quackenbush, Jr.
Alan B. Sutherland, Jr.	Edmund T. Napier, Jr.
Harold S. Harnly	Walter H. Price
Ralph Hickox	Martin R. Stone
Arthur E. Loeser	Daniel J. Weintraub
Robert H. Rice	Robert L. Densford
Harlan M. Thorpe	Leland R. Lampman
James F. Benson	Jack P. Monroe
Carl F. Stillman	Herbert L. Hoerner
Benjamin E. Moore, Jr.	Lee W. Parke
Leonard C. Chamberlain	Harry F. Bauer
Delbert F. Williamson	John F. Henkel
James A. Haley, Jr.	Harry E. Day
Thomas J. Hamilton	Argyll E. Buckley
Frederic A. Berry, Jr.	Gill M. Richardson
John B. Taylor	Joseph T. Hazen
Loren A. Morris	Leon J. Barbot
Earl K. Van Swearingen	Charles B. Beasley
Carl J. Pfingstag	John T. Corwin
David B. Young	Clayton R. Dudley
Roger F. Scott	Edward N. Teall, Jr.
Frederick Funke, Jr.	Richard D. Zern
Herbert F. Eckberg	John L. De Tar
John William Murphy	John A. Edwards
William C. Specht	Leonard W. Bailey
Frederic F. Agens	Robert B. Alderman
James A. Jordan	Myron T. Evans
Miles H. Hubbard	Thomas L. Greene
George L. Heath	Charles J. Zondorak
John C. Zahm	James A. Prichard
Harry R. Horney	Tyrrell D. Jacobs
Robert C. Winters	James L. Shank
Daniel T. Eddy	Emmanuel T. Goyette
Charles D. Griffin	John F. Hines, Jr.
Samuel G. Mitchell	Howard W. Gordon, Jr.
Jack Maginnis	Paul R. Drouilhet
Edward H. Eckelmeyer, Jr.	Eugene E. Davis
Edward M. Condra, Jr.	Creed C. Burlingame
Brooke Schumm	Robert H. Speck
Jack H. Lewis	Arthur K. Ehle
Richard W. Smith	Henry R. Dozier
George K. Fraser	James W. Blanchard
Carl L. Steiner	Arthur C. W. Baskin
Hilfort C. Owen	John W. Schmidt
Kenton E. Price	Robert M. Barnes
Arthur S. Born	Harold T. Deutermann
Allen Smith, Jr.	Charles L. Melson
Thomas B. Klakring	Edwin W. Herron
William Loveland	Thomas O. Oberrender, Jr.
Alexander M. Kowalzyk, Jr.	Arnold W. McKechnie
Timothy F. Donohue	Ross R. Kellerman
James M. Roberts	Harold M. Zemmer
Alden D. Schwarz	Paul S. Depew
Robert I. F. Fravel	Albert R. Heckey
Theodore O. Dahl	Edwin B. Robinson
Liles W. Creighton	Lucius H. Chappell, Jr.
David C. White	John E. Fitzgibbon
Gerald R. Dyson	Levi J. Knight, Jr.
Joe W. Boulware	Joseph J. Carey
Emmett J. Sullivan	Wayne R. Loud
Charles K. Bergin	Louis T. Malone
Robert E. Dixon	John R. Waterman
George L. Hansen	Louis H. Hunte
Richard B. Levin	Courtney Shands
Frank Turner	Monroe B. Duffill
Ulysses S. G. Sharp, Jr.	Eugene F. McDaniel
Eugene E. Lindsey	Herbert D. Riley
Philip A. Tague, Jr.	Jules F. Schumacher
Leo W. Nilon	Roland F. Pryce
Robie E. Palmer	Henry T. Jarrell
Monro M. Riker	Eugene L. Lugibihl
James S. Willis	Robert V. Hull
Louis P. Fairlamb	Edward J. Drew
Robert A. Johnson	Francis W. McCann
Robert Brodie, Jr.	Julian D. Greer
Frederic S. Habecker	Albert E. Fitzwilliam
Robert F. Martin	Joseph B. Danhoff
Farar B. C. Martin	Joe Taylor
Randolph B. Boyer	Renwick S. Calderhead
Paul L. High	Philip H. Ross
Hysell P. Cooper	Chesley M. Hardison
Howell J. Dyson	Frank Virden
Edward S. Addison	William R. D. Nickelson, Jr.
George G. Mead	Myron W. Graybill
John C. Woelfel	Emile R. Winterhaler
Willard A. Saunders	Robert J. Foley
Blinn Van Mater	Ernest Blake
Loring O. Shook	Harry L. Hicks
George D. Dickey	David B. Coleman
William F. Royall	Henry J. Armstrong, Jr.
Thomas B. Neblett	Frank M. Hammitt
Thomas M. Dykers	William S. Harris
Floyd C. Camp	Carl M. Dalton
William H. Ashford, Jr.	Claren E. Duke
Mitchell D. Matthews	William H. Potts
Clarence E. Coffin, Jr.	William H. Brockman, Jr.
Frank Bruner	John G. McClaughry
Eugene B. McKinney	Bosquet N. Wev
Thomas J. Flynn	William R. Ignatius
Alfred R. Truslow, Jr.	Howard A. Yeager
Selden G. Hooper	James W. Hager
Walter C. Winn	Arthur H. Taylor
Frank T. Corbin	William E. Kaitner
John B. Robertson, Jr.	Bernard M. Gates
John Eldridge, Jr.	Leonidas W. Pancoast
Harry H. McIlhenny	

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of July 1936:

Doyle G. Donaho	Marion M. Byrd
Alan R. Montgomery	Ray A. Mitchell
William A. Deam	Harry D. Hale
Harry J. Hardwick	Harry R. Hummer, Jr.
Malen Durski	William A. Sutherland, Jr.
Joshua W. Cooper	Thomas C. Green
Francis E. Cromwell	John O. R. Coll
Michael P. Russillo	John S. Thach
John Bailey	Francis R. Jones
Granville A. Moore	Henry M. Marshall
Gus B. Lofberg, Jr.	Robert A. Allen
Clinton S. Rounds	Arthur F. Anders
Joseph B. Maher	Ethan W. Allen
Robert N. Downes	Donald G. Burt
Edward P. Southwick	Francis C. B. McCune
Gordon S. Everett	Samuel M. Pickering
John C. Atkeson	John S. Tracy
Elmer G. Cooper	George B. H. Stallings
James J. McRoberts	William D. Irvin
John E. Clark	Charles W. Parker

Alex McL. Patterson
David W. Shafer
Patrick Henry, Jr.
Claude L. Weigle
Gordon L. Caswell
Robert E. Braddy, Jr.
William W. Outerbridge
Joseph A. Flynn
Milton T. Dayton
Julius F. Way
Clarence E. Boyd
James K. Averill
Albert B. Mayfield, Jr.
George A. Lange
Clarence E. Cortner
Glenn W. Legwen, Jr.
William O. Burch, Jr.
Glynn R. Donaho
Alston Ramsay
Paul D. Gross
Oscar H. Dodson
George L. Jones, Jr.
James P. Walker
Edward R. Johnson
Henry F. Gorski
Charles E. Harrison
Paul F. Johnston
Charles J. Hardesty, Jr.
William M. Gullett
John H. Cross
Richard E. Myers
Wilton S. Heald
Robert S. Ford
Calvin E. Wakeman
George W. Willcox
Joseph D. McKinney
Joseph R. Rubins
Frank D. Giambattista
Thurston B. Clark
Elmer O. Davis
William S. Maxwell
James R. Lee
Robert E. Van Meter
John Quinn
Harry E. Sears
George H. Moffett
Harlow J. Carpenter
Joseph Finnegan
William S. Pye, Jr.
Thomas A. Ahroon
John A. Bole, Jr.
William A. Schoech
William A. Cockell
John F. Mullen, Jr.
William H. Jacobsen
David L. McDonald
Cuthbert J. Bruen
Theodore F. Ascherfeld
Joseph F. Quilter
William S. Parsons
William J. Millican
Wells Thompson
Earle C. Hawk
Michael P. Bagdanovich
Milton G. Johnson
George P. Enright
Albert O. Momm
Rodney B. Lair
Norman F. Garton
William M. Searles
John R. Pierce
Evan E. Fickling
Albert C. Burrows
Robert O. Strange
Robert C. Peden
Irwin F. Beyerly
John T. Bowers, Jr.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of August, 1936:

Hugh R. Nieman, Jr.
Daniel J. Wagner

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of September 1936:

Thurmond A. Smith
Edwin B. Dexter

Lt. (Jr. Gr.) Michael F. D. Flaherty to be a lieutenant in the Navy from the 21st day of September 1936.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of October 1936:

Rollo N. Norgaard
Robert J. Archer

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of November 1936:

George E. King
George Fritschmann

Lt. (Jr. Gr.) John K. McCue to be a lieutenant in the Navy from the 22d day of November 1936.

Lt. (Jr. Gr.) Francois C. B. Jordan to be a lieutenant in the Navy from the 25th day of November 1936.

Lt. (Jr. Gr.) Chesford Brown to be a lieutenant in the Navy from the 1st day of December 1936.

The following-named ensigns to the lieutenants (junior grade) in the Navy from the 1st day of June 1936:

Raymond W. Thompson, Jr.
Harold G. Bowen, Jr.
Joseph H. Bourland
Reginald M. Raymond
Thomas H. Morton
Richard L. Mohan
Nova B. Kiergan, Jr.
Gordon Murphy
Bernard H. Meyer
Jack J. Tomamichel
Robert W. Curtis
Luther C. Heinz
Francis E. Brown
Robert M. Gibbons
George H. Laird, Jr.
Ezra G. Howard
Herbert C. Yost
Edward P. Lee, Jr.
Jay V. Chase
Vernon C. Turner
Baxter L. Russell
James R. Ogden
Ignatius J. Galantin
James F. Tucker
Charles K. Duncan
Richard L. Kibbe
Thomas F. Connolly
James V. Bewick
Waldemar F. A. Wendt
Edwin S. Miller
Louis J. Majewski
Richard Lane
Ralph L. Shifley
George Wendelburg
Kenneth Loveland
Ernest Lee Jahncke, Jr.
James B. Burrow
Frank R. Arnold
Charles E. Robertson
James G. Franklin
Enrique D. Haskins
Wallace A. Schmid
Hayden L. Leon
Theodore R. Vogeley
John S. Coye, Jr.
Michael J. Luosey
Albert L. Shepherd
Earnest G. Campbell (an additional number in grade)
James H. Fortune, Jr.
Frederick H. Wahlig
James H. Campbell
Robert A. Keating, Jr.
William C. Fortune
Louis J. Stocker
Jack C. Titus
Lester C. Conwell
Charles L. Moore, Jr.
Raymond B. Jacoby
Joseph W. Williams, Jr.
Bruce E. Wiggin
Frederick L. Ashworth
Antone R. Gallaher
James M. Elliott
John Ramee
Paul W. Burton
Ruben E. Wagstaff
Thomas H. Moorer
Harry C. Maynard
Murray Hanson
Warren B. Christie
Joseph F. Enright
Arnold F. Schade
William L. Dawson
Dale Mayberry
John S. Lehman
Lewis M. Davis, Jr.
John Shannon
Henry D. Sturr
Benjamin B. Cheatham
Burden R. Hastings
Walter S. Bobo, Jr.
Philip W. Garnett
Horace V. Bird
Irvin S. Hartman
Clarence M. Caldwell
Robert E. Fair
Edwin E. Lord, 3d
Charles B. Jackson, Jr.
Frank D. Schwartz
Charles E. Loughlin
Otto W. Spahr, Jr.
Hugh R. McKibbin
Lemuel M. Stevens, Jr.
James O. Cobb
Earle C. Schneider
James B. Grady
Robert H. McRae
Clinton J. Heath
John R. Dillon
Ralph M. Pray
Frank V. List
George O. Klinsmann
Harry M. Lindsay, Jr.
Charles T. Fritter
Millener W. Thomas
Bernard M. Strean
Frank M. Slater
Thomas A. Christopher
Arthur K. Espenas
Joseph I. Manning
George K. Hudson
Robert W. Leach
Ray Davis
Carl Tiedeman
Paul Masterton
Ludwell R. Pickett
John L. Phillips, Jr.
Laurence H. Marks
George H. Miller
Robert A. Macpherson
John T. Blackburn
Raymond L. Fulton
Joseph W. Koenig
John A. Gamon, Jr.
Selby K. Santmyers
William S. Howell
Clayton L. Miller
Richard C. Gazlay
Francis J. Smedley
Stephen Jurika, Jr.
Bertram J. Prueher
George D. Roullard
Thompson Black, Jr.
William R. Kane
William W. R. Macdonald
Archie T. Wright, Jr.
Thomas V. Peters
John B. Weeks
Carlton B. Jones
James J. Vaughan
Jay T. Palmer
John J. McCormack, Jr.
Clifford M. Campbell
James W. White
Donald E. MacIntosh
Robert S. Riddell
John M. Steinbeck
George M. Price
Edgar M. Davenport
Harold E. Ruble
Charles F. Garrison
Walter H. Newton, Jr.
William E. Shafer
Paul D. Buie
Robert I. Olsen
Edward F. Jackson

Ensign Herbert S. Fulmer, Jr., to be a lieutenant (junior grade) in the Navy, from the 14th day of June 1936.

The following-named midshipmen to be ensigns in the Navy, revocable for 2 years, from the 4th day of June 1936:

Charles K. Phillips
Allen B. Reed, Jr.
Martin Miller
William J. Lederer, Jr.

Medical Director Will M. Garton to be a medical director in the Navy, with the rank of rear admiral, from the 16th day of October 1930.

Medical Director Ulys R. Webb to be a medical director in the Navy, with the rank of rear admiral, from the 1st day of February 1933.

The following-named surgeons to be medical inspectors in the Navy, with the rank of commander, from the 30th day of June 1936:

Edwin Peterson	George P. Shields
Howard H. Montgomery	George B. Tyler
Joseph L. Schwartz	Kenneth E. Lowman
Oscar Davis	Franklin F. Lane
William P. Mull	Maurice A. Berge
William D. Small	John LeR. Shipley
Francis W. Carll	Ernest A. Daus
Roger A. Nolan	Robert W. Wimberly
Norman Roberts	George A. Alden
David O. Bowman	Arthur S. Judy
Edward L. McDermott	John B. Farrior
Lockhart D. Arbuckle	

The following-named passed assistant surgeons to be surgeons in the Navy, with the rank of lieutenant commander, from the 30th day of June 1936:

James F. Finnegan	William R. Manlove, Jr.
Gilbert E. Gayler	Frederick C. Greaves
Frank K. Soukup	Rob R. Doss
Willard S. Sargent	James F. Hays
Harry J. Scholtes	John M. Brewster
James E. Root, Jr.	

The following-named passed assistant surgeons to be surgeons in the Navy, with the rank of lieutenant commander, from the 1st day of August 1936:

Caldwell J. Stuart	Edward M. Harris, Jr.
Herbert L. Pugh	Winfred P. Dana
Bruce M. Summers	Robert M. Gillett
Oliver A. Smith	George F. Cooper
Edward P. Kunkel	Clifton A. Young
Peter C. Supan	

The following-named assistant surgeons to be passed assistant surgeons in the Navy, with the rank of lieutenant, from the 1st day of May 1936:

Emory E. Walter	Robert Faust
George B. Ridout	William F. E. Loftin
Hubert J. VanPeenen	Fred Harbert
Ralph E. Fielding	Carey M. Smith
Harold L. Weaver	Guy E. Stahr
Thomas G. Hays	Tilden I. Moe
William R. Whiteford	Lester E. McDonald
William S. Cann	Edward E. Evans
Wilbur E. Kellum	Charles B. Stringfellow
Robert R. Leamer	Bishop L. Malpass
Frederic W. Farrar	Roy F. Cantrell

The following-named assistant surgeons to be passed assistant surgeons in the Navy, with the rank of lieutenant, from the 30th day of June 1936:

Irving J. Warmolts	Milton R. Wirthlin
Otto L. Burton	Thenton D. Boaz
Louis E. Gilje	William L. Berkley
O. Henry Alexander	Warren E. Klein
Herman A. Gross	Norris M. Hardisty
Edward S. Lowe	Cameron L. Hogan
Robert J. Vaughn	Gerard B. Creagh
Frank P. Gilmore	Anselm C. Hohn
Paul Vaughan	Thomas Q. Harbour
Oscar D. Yarbrough	James G. Neff
Carr E. Bentel	Craig B. Johnson
James D. Boone	Clarence L. Blew
Warren G. Wieand	Herbert G. Shepler
Albert R. Behnke, Jr.	William P. Stephens
Omar J. Brown	Jack R. George
George W. Dickinson	Ferrell H. Johnson
James J. V. Cammisa	Edward C. Kenney
John R. Weisser	John D. Foley
Kenneth H. Vinnedge	Garland A. Gray
Benjamin N. Ahl	James R. Sayers
Rafael A. Vilar	William C. Baty, Jr.
Charles M. Parker	Wade S. Rizk

The following-named assistant surgeons to be passed assistant surgeons in the Navy, with the rank of lieutenant, from the 1st day of July 1936:

Charles L. Ferguson	John T. Smith
Arthur W. Eaton, Jr.	Martin V. Brown
Cecil H. Coggins	Frank J. Gillette
William M. Silliphant	Joseph V. Land
Robert W. Babione	Cecil L. Andrews
Allan S. Chrisman	Oran W. Chenault
Calvin B. Galloway	David C. Gaede
Orville W. Cole	Robert A. Cooper
Frank P. Kreuz, Jr.	Cecil D. Riggs
Burr Dalton	Jerry T. Miser
James R. Reid, Jr.	Phillip S. McLennan
Austin J. Walter	Edwin B. Coyl
Eugene V. Jobe	Ralph K. Hoch
Albert H. Staderman	Freeman C. Harris
Paul M. Crossland	Thomas L. Allman
Alton C. Abernethy	Raphael L. Weir
Earl F. Evans	Edgar L. Nefflen
Clifford D. Hamrick	Otto W. Wickstrom
Walter H. Schwartz	Sol B. Estes
Armand J. Pereyra	Elmer L. Caveny
George N. Raines	Gordon H. Ekblad
William V. Clark	John A. Workman
Edward T. Knowles	Ernest C. Aulls
Harold W. Lashier	Robert C. Boyden
James L. Holland	Robert C. Douthat
George F. Blodgett	Edward P. Madden
Judson A. Millspaugh	Clifford F. Storey
Alfred W. Eyer	Julius C. Early, Jr.

The following-named citizens of the United States to be assistant surgeons in the Navy, with the rank of lieutenant (junior grade), from the 25th day of July 1936:

John F. McMullin	Charles F. Le Comte
James B. Shuler	Gordon K. Lambert
John F. Foertner	Eric D. Pearson
Gordon M. Perisho	Walter Welham
Jerome F. Smith	Herbert H. Eighmy
Robert S. Poos	Richard R. Rall
Francis L. Phillips	Thomas Ferwerda
John L. Hatch	

The following-named citizens of the United States to be assistant surgeons in the Navy, with the rank of lieutenant (junior grade), from the 4th day of January 1937:

Stephen J. Ryan	Thomas P. Connelly
James G. Bulgrin	Marion T. Yates
Emanuel Rollins	Marshall Cohen
Roy R. Powell	Eugene P. Harris
Murray W. Ballenger	Harold R. Berk
Clark P. Jeffers	

The following-named dental surgeons to be dental surgeons in the Navy, with the rank of commander, from the 30th day of June 1936:

Eugene LeR. Walter	Joseph A. Kelly
Eric G. Hoylman	Edward A. Hyland
Andrew L. Burleigh	Robert M. Askin
Arthur H. Yando	Clemens V. Rault

The following-named passed assistant dental surgeons to be dental surgeons in the Navy, with the rank of lieutenant commander, from the 1st day of August 1936:

Frederic McK. Ingersoll	Robert R. Crees
Joseph Connolly	Hugh E. Mauldin
Francis R. Hittinger	Frank A. Richison
Ralph B. Putnam	Alfred R. Harris

The following-named assistant dental surgeons to be passed assistant dental surgeons in the Navy, with the rank of lieutenant, from the 1st day of May 1936:

James A. Connell	Macy G. Martin
Ralph W. Taylor	Maurice A. Bliss
Glenn W. Berry	Merrette M. Maxwell
Arthur R. Logan	Jackson F. Henningsen

The following-named assistant dental surgeons to be passed assistant dental surgeons in the Navy, with the rank of lieutenant, from the 30th day of June 1936:

Clifford E. Allen	George H. Mills
Raymond A. Lowry	Thomas E. Crowley
Clifford C. De Ford	Jesse B. Bancroft
Lyman R. Vaughan	Edwin A. Thomas
Charles F. Woodard	Charles F. Hoyt

The following-named assistant dental surgeons to be passed assistant dental surgeons in the Navy, with the rank of lieutenant, from the 1st day of July 1936:

Charles F. Lynch	Albert E. Howell
Curtiss W. Schantz	Mack Meradith
Francis V. Lydon	William D. F. Stagner

The following-named citizens of the United States to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 17th day of September 1936:

William Seidel	Frank E. Frates, Jr.
John H. Bailey	Karl V. L. Berglund
Morris C. Craig	Walter W. Lippold
John C. Allen	Wendell Naish
Edward C. Raffetto	LeRoy B. Nagel
James A. English	Jesse V. Westerman

The following-named paymasters to be pay inspectors in the Navy, with the rank of commander, from the 30th day of June 1936:

Tucker C. Gibbs	Benjamin S. Gantz
Robert B. Huff	Morton L. Ring
Malcolm G. Slarrow	Vernon H. Wheeler
Stephen J. Brune	Louie C. English

The following-named passed assistant paymasters to be paymasters in the Navy, with the rank of lieutenant commander, from the 30th day of June 1936:

Stephen R. Edson	Samuel E. McCarty
John Enos Wood	Robert F. Batchelder
Matthias A. Roggenkamp	Arthur L. Walters
Francis M. Waldron	Francis D. Humphrey
Edwin A. Eddiegorde	James Chapman
Russell H. Sullivan	Melbourne N. Gilbert
Harvey E. Wathen	Philip A. Haas
Henry H. Karp	Christian P. Schwarz
George H. Williams	Joseph E. Bolt
Richard A. Vollbrecht	

Assistant Paymaster Robert L. Grove to be a passed assistant paymaster in the Navy, with the rank of lieutenant, from the 1st day of January 1936.

The following-named assistant paymasters to be passed assistant paymasters in the Navy, with the rank of lieutenant, from the 1st day of May 1936:

Clinton J. Thro
William J. Nowinski
Thomas W. Baker

The following-named assistant paymasters to be passed assistant paymasters in the Navy, with the rank of lieutenant, from the 30th day of June 1936:

Walter W. Honaker	Frederick L. Hetter
Yates Stirling, 3d	Charles G. DeKay
Owen T. Rippey	Vernon Dortch
Bion B. Bierer, Jr.	James J. McKinstry
Fred L. Haerlin, Jr.	Joel D. Parks
Norman A. Helfrich	Noble W. Lowrie
Lysle W. Cease	William L. Knickerbocker
William A. Gerth	Donald B. Hilton
Mark W. Clay	Roland W. Rickertts
Walter E. Fratzke	Theodore S. Dukeshire
Murray W. Clark	Charles J. Naumilket
Frederic W. Hesser	Preston G. Locke
John C. Bernet	

The following-named lieutenants to be passed assistant paymasters in the Navy, with the rank of lieutenant, from the dates stated opposite their names:

George M. Brydon, Jr., January 1, 1934.
Theodore C. Fauntz, June 30, 1936.

The following-named lieutenants (junior grade) to be assistant paymasters in the Navy, with the rank of lieutenant (junior grade), from the dates stated opposite their names:

Jack O. Wheat, June 2, 1930.
Thomas P. O'Connell, June 1, 1936.
Lamar Lee, Jr., June 1, 1936.

The following-named assistant paymasters to be passed assistant paymasters in the Navy, with the rank of lieutenant, from the 1st day of July 1936:

Byron C. Gwinn
Louie L. Lindenmayer

The following-named citizens of the United States to be assistant paymasters in the Navy, with the rank of ensign, from the 27th day of August 1936:

William B. Collier, 3d	Norbert C. Brady
Marcus A. Peel, Jr.	John D. Hyerle
Elton W. Sutherling	Irwin S. Moore
William M. Huey, Jr.	Leo J. McNulty

The following-named chaplains to be chaplains in the Navy, with the rank of commander, from the 30th day of June 1936:

Razzie W. Truitt
Francis L. Albert

The following-named acting chaplains to be chaplains in the Navy, with the rank of lieutenant, from the 30th day of June 1936:

Edward B. Harp, Jr.
August F. Hohl
Herbert R. Trump

The following-named acting chaplains to be chaplains in the Navy, with the rank of lieutenant, from the 1st day of July 1936:

John F. Hugues	Michael A. Hally
Vincent J. Gorski	Warren F. Cuthriell

Naval Constructor William P. Robert to be a naval constructor in the Navy, with the rank of rear admiral, from the 1st day of July 1936.

The following-named naval constructors to be naval constructors in the Navy, with the rank of commander, from the 30th day of June 1936:

Russell S. Hitchcock	Frederick E. Haeberle
Sidney E. Dudley	Edmund E. Brady, Jr.
Grover C. Klein	Andrew I. McKee

The following-named assistant naval constructors to be naval constructors in the Navy, with the rank of lieutenant, from the 30th day of June 1934:

Lingurn H. Burkhead	Carlton H. Moore
Wilbur N. Landers	Harold V. B. Madsen

The following-named lieutenants (junior grade) to be assistant naval constructors in the Navy, with the rank of lieutenant (junior grade), from the 4th day of June 1934:

Richard K. Anderson	Joseph E. Flynn
John G. F. Prescott	Ransom A. Pierce
Ernest C. Holtzworth	Edward A. Wright
Albert K. Romberg	

The following-named lieutenants (junior grade) to be assistant naval constructors in the Navy, with the rank of lieutenant (junior grade), from the 2d day of June 1935:

Richard S. Mandelkorn	Charles J. Palmer
Floyd B. Schultz	Paul W. Pfingstag
Charles J. Weschler	George W. Bailey
William R. Miller	Robert L. Evans

The following-named ensigns to be assistant naval constructors in the Navy, with the rank of ensign, from the dates stated opposite their names:

Robert B. Madden, June 1, 1933.
Robert A. Gallagher, June 1, 1933.
Jack W. Roe, June 1, 1933.
James S. Bethea, June 1, 1933.
Henry P. Rumble, June 1, 1933.
Charles A. Curtze, June 1, 1933.
Robert E. Garrels, June 1, 1933.

The following-named civil engineers to be civil engineers in the Navy, with the rank of captain, from the 1st day of July, 1936:

Greer A. Duncan
Henry G. Taylor

The following-named civil engineers to be civil engineers in the Navy, with the rank of commander, from the 30th day of June, 1936:

Ira P. Griffen
Carl H. Cotter
Kendal B. Bragg

The following-named assistant civil engineers to be civil engineers in the Navy, with the rank of lieutenant, from the dates stated opposite their names:

Richard F. Armknecht, August 1, 1930.
Harry A. Bolles, November 1, 1930.
William L. Richards, June 20, 1932.
Walter T. Eckberg, June 30, 1932.
Richard P. Carlson, August 1, 1932.
Wallace B. Short, February 1, 1933.
Harold MacT. Sylvester, November 12, 1933.
William Sihler, July 1, 1934.
Claire C. Seabury, July 1, 1934.
William B. Howard, October 1, 1934.

The following-named lieutenants (junior grade) to be assistant civil engineers in the Navy, with the rank of lieutenant (junior grade), from the dates stated opposite their names:

Henry G. Clark, June 5, 1933.
George K. Brodie, June 5, 1933.
Arthur I. Flaherty, June 4, 1934.
Ralph N. Ernest, June 4, 1934.
Norman J. Drustrup, June 1, 1936.

The following-named gunners to be chief gunners in the Navy, to rank with but after ensign, from the 1st day of October, 1935:

Paul M. Heller
Harry T. Prosise

The following-named electricians to be chief electricians in the Navy, to rank with but after ensign, from the 16th day of October, 1936:

Howard S. Goshorn
George C. Broadfoot
Clavis W. Durham
Carl W. Schumacher
John R. Stacey

Radio Electrician Joseph S. Campbell to be a chief radio electrician in the Navy, to rank with but after ensign, from the 16th day of October, 1936.

Radio Electrician Elmer H. Stelts to be a chief radio electrician in the Navy, to rank with but after ensign, from the 15th day of November, 1936.

The following-named machinists to be chief machinists in the Navy, to rank with but after ensign, from the 16th day of October, 1936:

Rudolph A. Petsche
Lawrence W. Ott
James L. Noonan
George W. Buzby

Pharmacist Francis M. Cornett to be a chief pharmacist in the Navy, to rank with but after ensign, from the 16th day of October, 1936.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the dates stated opposite their names:

Thomas M. Whelan, June 30, 1936.
Allen M. Kemper, June 30, 1936.
Otho P. Smoot, June 30, 1936.
Robert de C. Baker, June 30, 1936.
Benjamin F. Tompkins, June 30, 1936.
Halle C. Allan, Jr., June 30, 1936.
John J. Branson, July 1, 1936.
Allan G. Gaden, August 29, 1936.

The following-named lieutenants to be lieutenants in the Navy from the dates stated opposite their names to correct the date of rank as previously nominated and confirmed:

Walter B. Davidson, August 1, 1935.
Tillett S. Daniel, August 9, 1935.
Harold F. Dearth, September 1, 1935.
John B. Brown, September 5, 1935.
Charles F. Chillingworth, Jr., September 5, 1935.
William S. Veeder, September 5, 1935.
Joseph H. Nevins, Jr., September 6, 1935.
Thomas C. Parker, September 6, 1935.
Edward A. McFall, September 12, 1935.
Frederick P. Williams, September 17, 1935.
Phillip H. FitzGerald, September 17, 1935.
Harry B. Heneberger, September 21, 1935.
Andrew E. Harris, September 26, 1935.
Max H. Bailey, September 28, 1935.
John F. Delaney, Jr., October 1, 1935.
Hugh P. Thomson, October 4, 1935.
Thomas J. Kimes, October 8, 1935.
Arthur B. Thompson, October 31, 1935.
Thomas J. Hickey, November 1, 1935.
George P. Biggs, November 1, 1935.
James V. Query, Jr., December 10, 1935.
Warren B. Sampson, January 1, 1936.

MARINE CORPS

Brig. Gen. Thomas Holcomb to be the Major General Commandant of the Marine Corps for a period of 4 years from the 1st day of December 1936.

Col. James J. Meade to be a brigadier general in the Marine Corps from the 1st day of December 1936.

The following-named lieutenant colonels to be colonels in the Marine Corps from the 30th day of June 1936:

Alley D. Rorex
Leander A. Clapp
Thomas S. Clarke
Joseph C. Fegan

Lt. Col. Alexander A. Vandegrift to be a colonel in the Marine Corps from the 1st day of September 1936.

Lt. Col. Roy S. Geiger to be a colonel in the Marine Corps from the 1st day of December 1936.

Maj. Louis R. Jones to be a lieutenant colonel in the Marine Corps from the 29th day of May 1936.

Maj. William W. Ashurst to be a lieutenant colonel in the Marine Corps from the 29th day of May 1936.

The following-named majors to be lieutenant colonels in the Marine Corps from the 30th day of June 1936:

Francis P. Mulcahy
Robert M. Montague
Daniel E. Campbell
Maurice G. Holmes
James E. Betts
James W. Webb
Louis E. Woods
William M. Marshall
Franklin A. Hart
Adolph B. Miller

Maj. Ralph E. Davis to be a lieutenant colonel in the Marine Corps from the 1st day of July 1936.

Maj. John L. Doxey to be a lieutenant colonel in the Marine Corps from the 1st day of July 1936.

Maj. Clyde H. Metcalf to be a lieutenant colonel in the Marine Corps from the 1st day of August 1936.

Maj. George A. Stowell to be a lieutenant colonel in the Marine Corps from the 1st day of September 1936.

Maj. George C. Hammer to be a lieutenant colonel in the Marine Corps from the 1st day of September 1936.

Maj. James F. Moriarty to be a lieutenant colonel in the Marine Corps from the 1st day of December 1936.

Capt. Frederick E. Stack to be a major in the Marine Corps from the 1st day of December 1935.

Capt. George W. Shearer to be a major in the Marine Corps from the 1st day of June 1936.

The following-named captains to be majors in the Marine Corps from the 30th day of June 1936:

Claude A. Phillips
John W. Beckett
John Halla
Kenneth A. Inman
Lester N. Medaris
Frank B. Goettge
Donald G. Oglesby
Byron F. Johnson
Alfred C. Cottrell
John T. Selden
Elmer E. Hall
Henry A. Carr
Harry B. Liversedge
Merton J. Batchelder
George E. Monson
James W. Flett
William C. Hall
Arnold C. Larsen
William J. Wallace
Amor L. Sims

First Lt. LePage Cronmiller, Jr., to be a captain in the Marine Corps from the 1st day of September 1935.

The following-named first lieutenants to be captains in the Marine Corps from the 30th day of June 1936:

Ion M. Bethel	Marion L. Dawson, Jr.
John F. Hough	Harold G. Newhart
Robert L. Griffin, Jr.	Frank M. June
Archie V. Gerard	George H. Potter
Edward L. Pugh	Earl S. Piper
Lawrence Norman	Robert A. Olson
Earl H. Phillips	Francis M. McAlister
Paul A. Putnam	Jack P. Juhan
Matthew C. Horner	Harold D. Hansen
James M. Ranck, Jr.	Jesse S. Cook, Jr.
Presley M. Rixey	Miles S. Newton
Lee N. Utz	Archie E. O'Neil
Francis J. McQuillen	Allen C. Koonce
Edward W. Snedeker	Alan Shapley
Kenneth W. Benner	Jefferson G. Deyspring
John S. E. Young	David F. O'Neill
Kenneth H. Cornell	John C. Munn
Arthur H. Butler	Jaime Sabater
Hartnoll J. Withers	William R. Williams
Nels H. Nelson	Roger T. Carleson
Russell N. Jordahl	Frank G. Dailey
Chester B. Graham	Frank H. Wirsig
Benjamin F. Kaiser, Jr.	John S. Letcher
Elmer H. Salzman	Robert B. Luckey
Thomas A. Wornham	Karl K. Louther
Thomas B. Jordan	Paul Drake
Earle S. Davis	Clinton E. Fox
Roy M. Gulick	Harold R. Lee
Con D. Silard	George O. VanOrden
Ward E. Dickey	Walker A. Reaves
William D. Saunders, Jr.	Louis C. Plain
David M. Shoup	Robert L. Peterson
Lofton R. Henderson	Kenneth H. Weir
Walter H. Troxell	Arthur F. Binney
Thomas G. McFarland	Clovis C. Coffman
John R. Lanigan	Perry O. Parmelee
Raymond E. Hopper	John J. Heil
Francis B. Loomis, Jr.	Max W. Schaeffer
John H. Coffman	Thomas G. Ennis
Robert H. McDowell	Ernest E. Pollock
Thomas D. Marks	Wilson T. Dodge
Wallace O. Thompson	Boeker C. Batterton
John H. Griebel	Frank C. Croft
Peter P. Schrider	Saville T. Clark
James F. Shaw, Jr.	Hewin O. Hammond
Edward T. Peters	Lester S. Hamel
William W. Benson	Joseph J. Tavern
Raymond C. Scollin	Joe A. Smoak
Samuel S. Jack	Alva B. Lasswell
Henry R. Paige	William I. Phipps
Robert H. Rhoads	William F. Coleman
Robert S. Viall	Homer C. Murray
Ralph D. McAfee	Frank H. Schwable
William M. O'Brien	Edward C. Dyer.
Frank P. Pyzick	Melvin G. Brown
Joseph W. Earnshaw	Manly L. Curry
Walter L. J. Bayler	Samuel B. Griffith, 2d

Second Lt. Donald W. Fuller to be a first lieutenant in the Marine Corps from the 1st day of June 1936.

The following-named meritorious noncommissioned officers to be second lieutenants in the Marine Corps, revocable for 2 years, from the 1st day of July 1936:

Corp. Charles R. Nicholson.
Corp. Stewart B. O'Neill, Jr.
Corp. Roy Robinton.

The following-named citizens to be second lieutenants in the Marine Corps, revocable for 2 years, from the 1st day of July 1936:

Cliff Atkinson, Jr., a citizen of Alabama.
Charles L. Banks, a citizen of New Jersey.
William H. Barba, a citizen of Massachusetts.
Alan M. Barclay, a citizen of Vermont.
Arthur B. Barrows, a citizen of Ohio.
Graham H. Benson, a citizen of Kentucky.
Spencer S. Berger, a citizen of Michigan.
James G. Bishop, Jr., a citizen of Georgia.
Orin C. Bjornsrud, a citizen of South Dakota.
James S. Blais, a citizen of Oregon.
Albert H. Bohne, a citizen of California.
George S. Bowman, Jr., a citizen of Louisiana.
Robert W. Boyd, a citizen of Virginia.
George F. Britt, a citizen of Georgia.
Wade H. Britt, Jr., a citizen of North Carolina.
Otis B. Brown, a citizen of Illinois.
Jean H. Buckner, a citizen of California.
Joseph O. Butcher, a citizen of Indiana.
William R. Campbell, a citizen of North Carolina.
Noel O. Castle, a citizen of Maryland.
Robert Chambers, Jr., a citizen of Washington.
Max C. Chapman, a citizen of South Carolina.
Stuart M. Charlesworth, a citizen of North Dakota.
Robert W. Clark, a citizen of Massachusetts.
Francis H. Cooper, a citizen of Rhode Island.
Henry H. Crockett, a citizen of Tennessee.
William L. Crouch, a citizen of Indiana.
Howard L. Davis, a citizen of Ohio.
Robert M. Dean, Jr., a citizen of New York.
John F. Dobbin, a citizen of Massachusetts.
Malcolm O. Donohoo, a citizen of California.
Edward H. Drake, a citizen of Georgia.
Charles F. Duchein, a citizen of Louisiana.
Edward W. DuRant, Jr., a citizen of South Carolina.
John H. Earle, Jr., a citizen of Pennsylvania.
Louis A. Ennis, a citizen of New Jersey.
Richard A. Evans, a citizen of Wyoming.
William M. Ferris, a citizen of New Jersey.
Walter N. Flournoy, a citizen of North Carolina.
Paul J. Fontana, a citizen of Nevada.
Glenn C. Funk, a citizen of Nebraska.
Robert E. Galer, a citizen of Washington.
Allen B. Geiger, a citizen of Florida.
John H. Gill, a citizen of California.
William E. Gise, a citizen of California.
Bryghte D. Godbold, a citizen of Alabama.
Milo G. Haines, a citizen of Indiana.
Edwin L. Hamilton, a citizen of Texas.
John D. Harshberger, a citizen of California.
John B. Heles, Jr., a citizen of Iowa.
Daniel J. Hennessy, a citizen of North Dakota.
Howard V. Hiett, a citizen of Indiana.
Thornton M. Hinkle, a citizen of Ohio.
Russell E. Honsowetz, a citizen of Washington.
Gavin C. Humphrey, a citizen of Nebraska.
Robert J. Johnson, a citizen of Illinois.
Edward W. Johnston, a citizen of Indiana.
George W. Killen, a citizen of California.
Kenneth A. King, a citizen of Florida.
Howard G. Kirgis, a citizen of Kansas.
Gordon H. Knott, a citizen of Washington.
Wood B. Kyle, a citizen of Texas.
Oscar K. LaRoque, Jr., a citizen of North Carolina.
Fred H. Lemmer, a citizen of Minnesota.
Tom C. Loomis, a citizen of New Mexico.
Marion M. Magruder, a citizen of Kentucky.
Leonard M. Mason, a citizen of New York.
Henry S. Massie, Jr., a citizen of Virginia.
Charles W. May, a citizen of Michigan.
Arthur P. McArthur, a citizen of Ohio.
Henry L. McConnell, a citizen of Oklahoma.
Robert C. McGlashan, a citizen of California.
George A. McKusick, a citizen of Minnesota.
Sidney S. McMath, a citizen of Arkansas.
Lee C. Merrell, Jr., a citizen of Alabama.
Philip C. Metzger, a citizen of Pennsylvania.
Ronald K. Miller, a citizen of Iowa.
James E. Mills, a citizen of Oklahoma.
Harold J. Mitchener, a citizen of Pennsylvania.
Thomas C. Moore, Jr., a citizen of Georgia.

John E. Morris, a citizen of Utah.
James C. Murray, Jr., a citizen of Ohio.
Hollis U. Mustain, a citizen of Texas.
James L. Neefus, a citizen of Florida.
Gene S. Neely, a citizen of Washington.
Charles S. Nichols, Jr., a citizen of Nevada.
Frederick R. Payne, Jr., a citizen of Arizona.
August F. Penzold, Jr., a citizen of Virginia.
Lewis H. Pickup, a citizen of South Dakota.
William J. Piper, Jr., a citizen of Connecticut.
Douglas E. Reeve, a citizen of Utah.
George D. Rich, a citizen of Idaho.
Robert H. Richard, a citizen of Wyoming.
Robert W. Rickert, a citizen of Montana.
Noah J. Rodeheffer, a citizen of Ohio.
Thomas G. Roe, a citizen of Montana.
Lindley M. Ryan, a citizen of Nebraska.
Stephen V. Sabol, a citizen of Ohio.
Joseph P. Sayers, a citizen of Connecticut.
DeWolf Schatzel, a citizen of Ohio.
John F. Schoettel, a citizen of Washington.
Maynard C. Schultz, a citizen of Oregon.
Robert F. Scott, a citizen of South Carolina.
Charles J. Seibert, 2d, a citizen of the District of Columbia.
Frank Shine, a citizen of West Virginia.
Ormond R. Simpson, a citizen of Texas.
George T. Skinner, a citizen of Pennsylvania.
Everett W. Smith, a citizen of Massachusetts.
John L. Smith, a citizen of Oklahoma.
Levi W. Smith, Jr., a citizen of Georgia.
Arthur R. Stacy, a citizen of Ohio.
John P. Stafford, a citizen of Nebraska.
Jack L. Stonebanks, a citizen of Florida.
David W. Stonecliffe, a citizen of Michigan.
Robert W. Thomas, a citizen of Oregon.
Zane Thompson, Jr., a citizen of Nebraska.
Ellsworth G. VanOrman, a citizen of Missouri.
Harry A. Waldorf, a citizen of California.
Lewis W. Walt, a citizen of Colorado.
Gordon Warner, a citizen of California.
Russell B. Warye, a citizen of Iowa.
Arthur H. Weinberger, a citizen of South Carolina.
John J. Wermuth, Jr., a citizen of New York.
Cecil W. Wight, a citizen of Arkansas.
John E. Willey, a citizen of Iowa.
Marlowe C. Williams, a citizen of Iowa.
Roger Willock, a citizen of Pennsylvania.
William T. Wingo, Jr., a citizen of Alabama.
Pelham B. Withers, a citizen of New York.
Noah P. Wood, Jr., a citizen of Oklahoma.
Horatio C. Woodhouse, Jr., a citizen of Virginia.
Erma A. Wright, a citizen of Alabama.
Donald K. Yost, a citizen of Pennsylvania.
Carl A. Youngdale, a citizen of Iowa.

Marine Gunner Johnnie C. Vaughan to be a chief marine gunner in the Marine Corps, to rank with but after second lieutenant, from the 27th day of May 1936.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 11, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

We have heard Thy voice, our Father, and again we come to Thee. Thou who art "The Great I Am", who forgives, redeems, and satisfies, hear us as we pause these sacred moments. Thou who art the source of our highest longings and aspirations, kindle a flame in our hearts that shall glow with the coming years. Enable us to be spiritual architects of our souls, building on an abiding foundation. We pray that their temples may arise to the music of eternity without the sound of a hammer nor the noise of a trowel. Wherever there is hate, oppression, and injustice, O Lord, Thy righteous will be done. Lead us to attain unto the wisdom of the wise by keeping us in touch with this throbbing human world. In thoughts and in practices may we go on and on, wondering at the fullness of divine love. In our Savior's name. Amen.

The Journal of the proceedings of Friday, January 8, 1937, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Crockett, its Chief Clerk, announced that the Senate had passed joint resolutions of the following titles, in which the concurrence of the House is requested:

S. J. Res. 17. Joint resolution to provide for the quartering, in certain public buildings in the District of Columbia, of troops participating in the inaugural ceremonies; and

S. J. Res. 18. Joint resolution to exempt from the tax on admissions amounts paid for admission tickets sold by authority of the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1937.

The message also announced that the Senate had passed the following resolutions:

Senate Resolution 30

JANUARY 6, 1937.

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. MARION A. ZIONCHECK, late a Representative from the State of Washington.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now take a recess until 12 o'clock meridian on Friday next.

Senate Resolution 31

JANUARY 6, 1937.

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. WARREN J. DUFFEY, late a Representative from the State of Ohio.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now take a recess until 12 o'clock meridian on Friday next.

Senate Resolution 32

JANUARY 6, 1937.

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. GLOVER H. CARY, late a Representative from the State of Kentucky.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now take a recess until 12 o'clock meridian on Friday next.

Senate Resolution 33

JANUARY 6, 1937.

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. WILLIAM V. GREGORY, late a Representative from the State of Kentucky.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now take a recess until 12 o'clock meridian on Friday next.

Senate Resolution 34

JANUARY 6, 1937.

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. BERNHARD M. JACOBSEN, late a Representative from the State of Iowa.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now take a recess until 12 o'clock meridian on Friday next.

Senate Resolution 35

JANUARY 6, 1937.

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. JOHN J. MCSWAIN, late a Representative from the State of South Carolina.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now take a recess until 12 o'clock meridian on Friday next.

SWEARING IN OF MEMBERS

Mr. RAYBURN. Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 50

Whereas JOSEPH J. MANSFIELD, a Representative from the State of Texas, from the Ninth District thereof, has been unable to appear in person to be sworn as a Member of the House, and there being no contest or question as to his election: Therefore be it

Resolved, That the Speaker, or a deputy named by him, be, and he is hereby, authorized to administer the oath of office to said JOSEPH J. MANSFIELD at Columbus, Tex., and that the said oath when administered as herein authorized, shall be accepted and received by the House as the oath of office of the said JOSEPH J. MANSFIELD.

The resolution was agreed to.

The SPEAKER announced that, pursuant to the authority conferred upon him by House Resolution 50, he appointed Hon. Henry Buescher, county judge of Colorado County, Tex., to administer the oath of office to Hon. JOSEPH J. MANSFIELD at Columbus, Tex.

Mr. BLAND. Mr. Speaker, on January 8 I was appointed by the Speaker to administer the oath of office to my distinguished colleague, Hon. ANDREW J. MONTAGUE, of Virginia. On January 9, pursuant to House Resolution 38, I swore Mr. MONTAGUE in as a Member of the House. The oath was administered in conformity with the rules of the House at Urbanna, Va.; and I offer the following privileged resolution and move its adoption.

The Clerk read as follows:

House Resolution 51

Whereas ANDREW J. MONTAGUE, a Representative from the State of Virginia, from the Third District thereof, has been unable from sickness to appear in person to be sworn as a Member of this House, but has sworn to and subscribed to the oath of office before the Honorable SCHUYLER OTIS BLAND, authorized by resolution of this House to administer the oath, and the said oath of office has been presented in his behalf to the House, and there being no contest or question as to his election: Therefore be it

Resolved, That the said oath be accepted and received by the House as the oath of office of the said ANDREW J. MONTAGUE as a Member of this House.

The resolution was agreed to.

Mr. LEA. Mr. Speaker, on January 8 I was appointed by the Speaker to administer the oath of office to my distinguished colleague, Hon. HENRY E. STUBBS, of California. On January 8, pursuant to House Resolution 40, I swore Mr. STUBBS in as a Member of the House. The oath was administered in conformity with the rules of the House at Walter Reed General Hospital in the District of Columbia; and I offer the following privileged resolution and move its adoption.

The Clerk read as follows:

House Resolution 52

Whereas HENRY E. STUBBS, a Representative from the State of California, from the Tenth District thereof, has been unable from sickness to appear in person to be sworn as a Member of this House, but has sworn to and subscribed the oath of office before the Honorable CLARENCE F. LEA, authorized by resolution of this House to administer the oath, and the said oath of office has been presented in his behalf to the House, and there being no contest or question as to his election: Therefore be it

Resolved, That the said oath be accepted and received by the House as the oath of office of the said HENRY E. STUBBS as a Member of this House.

The resolution was agreed to.

Mr. DRIVER. Mr. Speaker, on January 8 I was appointed by the Speaker to administer the oath of office to my distinguished colleague, Hon. BEN CRAVENS, of Arkansas. On January 11, pursuant to House Resolution 43, I swore Mr. CRAVENS in as a Member of the House. The oath was administered in conformity with the rules of the House in the District of Columbia, and I offer the following privileged resolution and move its adoption.

The Clerk read as follows:

House Resolution 53

Whereas BEN CRAVENS, a Representative from the State of Arkansas, from the Fourth District thereof, has been unable from sickness to appear in person to be sworn as a Member of this House, but has sworn to and subscribed the oath of office before the Honorable WILLIAM J. DRIVER, authorized by resolution of this House to administer the oath, and the said oath of office has been presented in his behalf to the House, and there being no contest or question as to his election: Therefore be it

Resolved, That the said oath be accepted and received by the House as the oath of office of the said BEN CRAVENS as a Member of this House.

The resolution was agreed to.

COMMUNICATION FROM THE PRESIDENT OF THE UNITED STATES

SUPPLEMENTAL APPROPRIATION WORKS PROGRESS ADMINISTRATION (H. DOC. NO. 99)

The SPEAKER laid before the House the following communication from the President of the United States, which was read and referred to the Committee on Appropriations and ordered printed:

THE WHITE HOUSE,
Washington, January 11, 1937.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES:

SIR: In my Budget message of January 5, 1937, I indicated my intention of requesting that Congress provide an appropriation of $790,000,000 for the purpose of carrying the Works Progress Administration and related programs from February 1 to June 30, 1937.

In general, the problem of relief has diminished with the extensive reemployment and recovery which has occurred in nearly all lines of business and industrial activity. At the beginning of the present winter at least 6,000,000 more workers were employed in nonagricultural jobs than in March 1933, and of this number more than 1,000,000 have found jobs with private industry during the past year.

In my message of March 18, 1936, I stated:

The ultimate cost of the Federal works program will thus be determined by private enterprise. Federal assistance which arose as a result of industrial disemployment can be terminated if industry itself removes the underlying conditions. Should industry cooperatively achieve the goal of reemployment, the appropriation of $1,500,000,000, together with the unexpended balances of previous appropriations, will suffice to carry the Federal works program through the fiscal year 1937. Only if industry fails to reduce substantially the number of those now out of work will another appropriation and further plans and policies be necessary.

Many private enterprises have cooperated and I hope that there will be further sustained efforts on the part of private employers. Great assistance can be given to the Government if all private employers in every part of the country will seek, insofar as they reasonably can, to obtain additional workers from the relief rolls. In this connection it is worth noting that by far the larger part of those on the relief rolls fall into the category of unskilled workers.

As a result of the natural increase in our population, each year at least 400,000 new workers are seeking work, and this number of new jobs annually is necessary simply to prevent an increase in unemployment.

Certain other facts are worth noting. The tendency toward a longer workweek has had an extremely important effect on reemployment. Hours of work in manufacturing industries, as shown by the Bureau of Labor Statistics index, averaged 33.3 hours per week in September 1934. This average has increased by 20 percent to more than 40 hours per week in October 1936.

While among most industries and most employers the maximum hours established under the National Recovery Act have not been greatly increased, it is worth noting that in some industries and among some employers the former maximum hours have been unreasonably increased. Every action of an employer along these lines obviously tends toward the stepping up of production without an equivalent stepping up of employment. It is not unfair to say that these employers who are working their employees unreason-

ably long hours are failing to cooperate with the Government and their fellow citizens in putting people back to work.

In March 1936 more than 3,400,000 employable persons were provided for by the works program, not including the Civilian Conservation Corps. At the present time, as a result of an exhaustive review of the needs of the families of workers on the works program, we have found that it will be necessary during the winter months to provide employment for at least 2,580,000 workers, of which number 250,000 will receive employment from funds appropriated in the Emergency Relief Appropriation Act of 1935. This represents a net reduction of more than 800,000 since last March. Further reductions will be made in the spring and summer, at the time of seasonal increases in private employment.

An unforeseen factor in Federal expenditures for the relief of destitution has been drought, which laid waste large area of the country and brought disaster to hundreds of thousands of farm families. During last summer and fall an emergency program was developed to provide employment for the most destitute of the stricken families. With the advent of winter about 250,000 of these families are being transferred from work projects to the Resettlement Administration, which will provide them with direct grants for subsistence through the winter and make other provisions to get them started on an independent basis when the planting season arrives.

Since the balance of the present appropriation of $1,425,000,000 for relief and work relief will be barely sufficient to finance this program through the month of January, I recommend that the Congress provide a supplemental appropriation of $790,000,000 for this purpose for the remainder of the fiscal year 1937.

We have promised that the men, women, and children of America who are destitute through no fault of their own shall not be neglected. Before the end of this fiscal year I shall make specific recommendations to the Congress, defining in detail my views relative to the continuing problem of unemployment relief and its administration in 1938.

Respectfully,

FRANKLIN D. ROOSEVELT.

EXTENSION OF REMARKS

Mr. DIMOND. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a radio speech of my own which has been recorded for broadcasting in Alaska.

The SPEAKER. Is there objection to the request of the Delegate from Alaska?

There was no objection.

ETHAN ALLEN

The SPEAKER. Under the special order of the House, the gentleman from Vermont [Mr. PLUMLEY] is recognized for 5 minutes.

Mr. PLUMLEY. Mr. Speaker, under his hand and the great seal of the State, on the 26th day of December last, the following proclamation was issued by the Governor of the State of Vermont:

State of Vermont—Charles M. Smith, Governor

A PROCLAMATION

Whereas Gen. Ethan Allen was born on the 10th day of January 1737; and

Whereas the Ethan Allen Bicentennial Commission, appointed by me in accordance with the provisions of a joint resolution of the general assembly, has designated the week commencing on the 10th day of January 1937 as a week to be set apart for the observance of the two hundredth anniversary of his birth: Now, therefore,

I, Charles M. Smith, Governor, do hereby call upon the people of the State of Vermont to commemorate, during the aforesaid week, the life and the deeds of Ethan Allen, chieftain of the Green Mountain Boys, victor at Ticonderoga in the first offensive action of the American Revolution, who, after enduring the rigors of British captivity for 2 years, returned to aid in the preservation of the young Republic of Vermont, wielding his pen and his sword with courage and daring, unawed by threats, undaunted by failure, never shaken in allegiance to the Vermont that he loved, the Vermont which, in turn, has, in his own day and in all the succeeding generations, placed him in the forefront of those most meriting respect and honor.

Given under my hand and the great seal of the State, at Montpelier, this 26th day of December, A. D. 1936, and of the independence of the United States the one hundred and sixty-first.

CHARLES M. SMITH, *Governor.*

By the Governor:

[SEAL]

ELEANOR DANA,
Secretary of Civil and Military Affairs.

It is eminently fitting, Mr. Speaker, that the Congress of the United States should take notice of this proclamation and of the occasion which is sought to be observed.

The leader in thought and action of that group which with him fought for and maintained the liberties of the people of Vermont as an independent republic for 14 years may have said of him that within his territorial limitations and circumscribed environment no man contributed more toward the establishment of the independence of our country than did this man Ethan Allen. His reckless courage and daring, bold defiance of conventions, natural literary and military genius and ability, and real statesmanship made him and marked him for all time as an outstanding hero of Revolutionary times and days.

He was the idol of the intrepid Green Mountain Boys whom he led and served and of all those who have come after them. Impetuous in his decisions, inexhaustible in his energy, brave as a lion, familiar with danger, undaunted of courage, impatient of restraint, the years only serve to testify to the respect and appreciation of his countrymen for a man of such remarkable natural endowments and attainments as were his.

He was the unyielding advocate of the rights of man and universal liberty, unconditional and without reserve, and the champion of and fearless fighter for the cause of the humble citizen, as he contended for the rights of individual property and the equal dispensation of justice.

An enemy to oppression, he was a stranger to fear. Honest in his conclusions, however erroneous might have been the premises from which they were deduced, his spirit never faltered; he never quailed beneath the sneer of the enemy, no matter how powerful or numerous, nor was he awed by the threats of insolent authority.

Ethan Allen fought to stand and hold his ground and yielded it only inch by inch, if and when inadequately supported or when stripped or deprived of weapons with which to meet his adversary.

He possessed the physical courage which despises all danger and that moral courage which discounts all opinions. One is necessary for the camp and the other for the council, and both are absolutely essential and necessarily found in such men whom we are pleased to honor and the ages call great.

Ethan Allen needs no monument, for, as has been so well said, only those deserve a monument who do not need one; he raised himself a monument in the minds and memories of men. He needs no marble statue; no granite mausoleum or bronze plaque to mark his final resting place or to perpetuate his memory.

"Deeds, not stones, are the true monuments of the great." Ethan Allen erected to himself a monument more lasting than brass, more sublime than the pyramids, which neither the storms of the centuries that waste nor of the years which succeed each other innumerably with their everlasting flight of the seasons, shall be able to demolish.

"The very pyramids have forgotten their builders"; but so long as courage and daring, love of liberty, justice, and country shall last, the name of Ethan Allen will be held in the memories of and be venerated by his appreciative countrymen.

"Brave deeds", said Napoleon, "are the monuments of brave men." [Applause.]

RELIEF APPROPRIATIONS

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. GIFFORD. Mr. Speaker, it seems to me rather fitting at the moment, after listening to the President's message of this morning, to read an interesting letter I received very recently:

AMERICAN WRITERS UNION, LOCAL NO. 3,
Boston, Mass., January 7, 1937.

HON. CHARLES L. GIFFORD,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: You have received during the past week letters from several organizations of professional W. P. A. workers in Massachusetts requesting your support for a relief appropriation of $1,250,000 for the remainder of the fiscal year.

You were notified at the same time that these organizations intend to lead a delegation of hundreds of Massachusetts W. P. A. workers to Washington in order to impress Congress with the needs of the unemployed.

The cost of transporting these workers is great, and the treasuries of W. P. A. unions are small. We have found it necessary, therefore, to appeal to all public-spirited men and women for contributions toward the expenses of the delegation. As a Representative of Massachusetts in the highest legislative body in the land, you are urged to support the unemployed not only with your vote but also with a donation of at least $10.

A book of stamps is enclosed for that purpose. Please make checks payable to Arthur Buckley, treasurer.

Respectfully yours,

WELDON CAIE,
Chairman, Organizing Committee, White Collar and Professional Project Workers Alliance.

American Writers Union, Local No. 3.
Artists Union of Massachusetts.
American Federation of Government Employees, Lodge 294.
Federation of Architects, Engineers, Chemists, and Technicians.

Mr. Speaker, I do not know how many others of the Massachusetts delegation may have received a similar appeal, but if any have we need your advice in the matter. Shall we encourage a march on Washington? I for one feel rather surprised that citizens from organizations in my State of Massachusetts should consider doing such a thing. On the other hand, artists, writers, architects, and those following cultural occupations will probably not be absorbed in industry, and I see behind this movement an indication that they will not in the future expect to depend upon private philanthropy and private philanthropists to further their cultural ambitions.

I regard this as a broad hint that this, like the C. C. C. perhaps, ought to be regarded as a permanent fixture of our Government, supported by Federal appropriations.

I invite you of other delegations who have not received such letters to advise with me as to my attitude regarding this matter. [Applause.]

ANNOUNCEMENT

Mr. SNELL. Mr. Speaker, I desire to announce that there will be a meeting of the Republican members of the Committee on Committees this afternoon at 2:30 o'clock, in the hearing room of the Committee on Interstate and Foreign Commerce, New House Office Building.

MESSAGES FROM THE PRESIDENT OF THE UNITED STATES

REPORT OF CIVIL SERVICE COMMISSION

The SPEAKER laid before the House the following messages from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on the Civil Service;

To the Congress of the United States:

As required by the act of Congress to regulate and improve the civil service of the United States, approved January 16, 1883, I transmit herewith the Fifty-Third Annual Report of the Civil Service Commission for the fiscal year ended June 30, 1936.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 11, 1937.*

REPORT OF THE GOVERNOR GENERAL OF THE PHILIPPINE ISLANDS (H. DOC. NO. 100)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Insular Affairs and ordered printed:

To the Congress of the United States:

As required by section 21 of the act of Congress approved August 29, 1916, entitled "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands", I transmit herewith, for the information of the Congress, the report of the Governor General of the Philippine Islands covering the period from January 1, 1935, to November 14, 1935.

I concur in the recommendation of the Secretary of War that this report be printed as a congressional document.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 11, 1937.*

ANNUAL REPORT OF GOVERNOR OF PANAMA CANAL

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Merchant Marine and Fisheries and ordered printed:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the Annual Report of the Governor of the Panama Canal for the fiscal year ended June 30, 1936.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 11, 1937.*

ANNUAL REPORT OF COMMISSION ON THE ERECTION OF MEMORIALS AND ENTOMBMENT OF BODIES IN ARLINGTON MEMORIAL AMPHITHEATER

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Public Buildings and Grounds and ordered printed:

To the Congress of the United States:

In compliance with the requirements of the act of Congress of March 4, 1921, I transmit herewith the Annual Report of the Commission on the Erection of Memorials and Entombment of Bodies in the Arlington Memorial Amphitheater for the fiscal year ended June 30, 1936.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 11, 1937.*

CIVIL GOVERNMENT OF PUERTO RICO

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Insular Affairs:

To the Congress of the United States:

As required by section 23 of the act of Congress approved March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes", I transmit herewith certified copies of laws and resolutions enacted by the Thirteenth Legislature of Puerto Rico during its fourth regular session, February 10 to April 15, 1936, and its third special session, June 8 to 21, 1936.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 11, 1937.*

ANNUAL REPORT OF THE ALLEY DWELLING AUTHORITY, DISTRICT OF COLUMBIA

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on the District of Columbia:

To the Congress of the United States:

In compliance with the requirements of the act of Congress of June 12, 1934, I transmit herewith the Annual Report of the Alley Dwelling Authority for the District of Columbia for the year ended December 31, 1936.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 11, 1937.*

THE FOREIGN SERVICE

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

I enclose herewith a report which the Secretary of State has addressed to me in regard to claims of certain officers and employees of the Foreign Service of the United States for reimbursement of losses sustained by them by reason of catastrophes, war, and other causes during or incident to their service in foreign countries.

I recommend that an appropriation in the amount suggested by the Secretary of State be authorized in order to relieve these officers and employees of the Government of the burden these losses have occasioned.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 11, 1937.*

[Enclosures: Report of the Secretary of State with enclosures.]

CLAIM OF GEN. HIGINIO ALVAREZ

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

I enclose a report concerning the claim of Gen. Higinio Alvarez, a Mexican citizen, with respect to lands on the Farmers Banco in the State of Arizona. The report requests that the Congress authorize an appropriation of $20,000 to settle this claim.

I recommend that the Congress authorize an appropriation of $20,000 to effect a settlement of this claim in accordance with the recommendation of the Acting Secretary of State.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 11, 1937.*

[Enclosure: Report of the Acting Secretary of State.]

OFFICIAL PAPERS OF TERRITORIES

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Printing:

To the Congress of the United States:

I commend to the favorable attention of Congress the enclosed report from the Acting Secretary of State with an accompanying draft of a bill regarding the official papers of the Territories of the United States. The report recommends that Congress be requested to consider the enactment of legislation authorizing an additional appropriation of $125,000 to defray the expense of continuing the collection, editing, and publication of these papers.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 11, 1937.*

[Enclosures: Report from the Secretary of State. Draft bill.]

ANNUAL REPORT NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Military Affairs, the Committee on Naval Affairs, and the Committee on Interstate and Foreign Commerce and ordered printed:

To the Congress of the United States:

Pursuant to the act of March 3, 1915, which established the National Advisory Committee for Aeronautics, I submit herewith the annual report of that Committee for the fiscal year ended June 30, 1936.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 11, 1937.*

REPORT OF OPERATIONS UNDER RELIEF APPROPRIATION ACTS

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Expenditures in the Executive Departments:

To the Congress of the United States:

As required by section 15 of the Emergency Relief Appropriation Act of 1935 and a provision of the Emergency Relief Appropriation Act of 1936, I present herewith a report of the operations under these acts to the end of the calendar year 1936.

This report includes a detailed statement on employment provided and projects operated and a statement of expenditures made and obligations incurred by classes and amounts.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 9, 1937.*

SUNDRY CLAIMS OF FOREIGN GOVERNMENTS (H. DOC. NO. 98)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered printed:

To the Congress of the United States:

I transmit herewith a report by the Acting Secretary of State recommending the enactment of legislation for the purposes described therein.

The recommendations of the Acting Secretary of State have my approval and I request the enactment of legislation for the purposes indicated in order that this Government may carry out the projects and meet the obligations outlined in the report.

I may add that a number of these projects have been pending for some years past, and that it is believed by the Acting Secretary of State that authorization for, and payment of, the claims will have a tendency to promote the interests of this Government generally in its international relations with foreign governments.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 11, 1937.*

[Enclosure: Report of the Acting Secretary of State.]

QUARTERING OF TROOPS PARTICIPATING IN INAUGURAL CEREMONIES

Mr. RAYBURN. Mr. Speaker, I call up Senate Joint Resolution 17, to provide for the quartering, in certain public buildings in the District of Columbia, of troops participating in the inaugural ceremonies, and ask unanimous consent for its immediate consideration.

The Clerk read the Senate joint resolution, as follows:

Senate Joint Resolution 17

Resolved, etc., That the Secretary of the Interior is authorized to allocate such space in any public building under his care and supervision as he deems necessary for the purposes of quartering troops participating in the inaugural ceremonies to be held on January 20, 1937, but such use shall not continue after January 22, 1937. Authority granted by this resolution may be exercised notwithstanding the provisions of the Legislative, Executive, and Judicial Appropriation Act for the fiscal year ending June 30, 1903, approved April 28, 1902, prohibiting the use of public buildings in connection with inaugural ceremonies.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. SNELL. Mr. Speaker, reserving the right to object, is this the usual resolution for taking care of troops participating in inaugural ceremonies that is passed at this time?

Mr. RAYBURN. That is my understanding.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXEMPTION OF TAX ON ADMISSION TICKETS SOLD BY COMMITTEE ON INAUGURAL CEREMONIES

Mr. DOUGHTON. Mr. Speaker, I call up Senate Joint Resolution 18, to exempt from the tax on admissions amounts paid for admission tickets sold by authority of the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1937, and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

Senate Joint Resolution 18

Resolved, etc., That all amounts paid for admission tickets sold by authority of the Committee on Inaugural Ceremonies of the

Inauguration of the President-elect in January 1937, said committee to be appointed with the approval of the President-elect, shall be exempt from the tax on admissions imposed by section 500 of the Revenue Act of 1926, as amended, all the net proceeds from the sale of said tickets to be donated by the said committee to charity.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. SNELL. Mr. Speaker, reserving the right to object, may I ask the gentleman from North Carolina [Mr. DOUGHTON] to explain the resolution?

Mr. RAYBURN. May I say this resolution has just come over from the Senate.

Mr. SNELL. Mr. Speaker, I think we ought to have an understanding about this, so that we may know something about the resolution before passing it. In the first place, I suppose the erection of the seats along the avenues, and so forth, is a private enterprise.

Mr. DOUGHTON. That is my understanding, although I have no official information in regard to the matter.

Mr. SNELL. If this is a private enterprise, why should we omit the collection of the regular tax, which applies on admission tickets to all other games in the United States? The tickets sold for a football game in my town, or any other game, require the payment of an admission tax. Why should we remit this tax at the present time? I think we should have some definite understanding about this before it is passed.

Mr. DOUGHTON. The gentleman has the privilege of objecting.

Mr. SNELL. I think we should know something more about it.

Mr. RAYBURN. Mr. Speaker, this is the usual resolution, as I understand it, and the same as passed in 1933.

Mr. SNELL. It is the same resolution?

Mr. RAYBURN. It is in the exact language of the resolution passed in 1933.

Mr. SNELL. I should like to have an explanation of the situation. I had forgotten we did the same thing in 1933.

Mr. RICH. Will the gentleman yield? I should like to make this statement. A resolution is now being brought in here which provides for exemption of taxes on tickets sold for seats to view the inaugural parade. I personally dislike to object in this particular instance because someone may think, coming from me, it is political.

May I say at this time I am opposed to tax-exempt securities. I think the time has arrived when tax-exempt securities should be eliminated by the Federal Government as well as the various State governments.

Let us look at the President's report and Budget as presented here on Friday. The President states therein that we are in the red to the extent of $35,020,000,000. Read and analyze that report. Then take the reports of Mr. Morgenthau, of the Treasury Department, and analyze those reports from day to day. It will be noted that the Government is going in the red from ten to twenty-five million dollars a day on the average.

There is something ahead that we are all going to rue. We are passing on to our children something that cannot be coped with by them, and we are unable to cope with it now.

If we are going to take upon ourselves the responsibility of financing the Government, I believe every Member of Congress should at the beginning of this session come to a realization that we must stop the issuance of all of these tax-exempt securities. We should stop issuing them and do it now.

Mr. DOUGHTON. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from North Carolina.

Mr. DOUGHTON. The gentleman is talking about tax-exempt securities. Would he call this a tax-exempt security?

Mr. RICH. Yes; I would. I have said before, and I say again, if the membership of this House is sincere in its efforts to rule this Government efficiently it should recognize this fact now. The President's message has been read to us. He states that the Budget will be balanced; but this Congress is responsible for balancing the Budget. He states that the business interests of this country should give him the cooperation that he wants. However, you are putting great pressure on the business interests of this country, and you will continue to do so. If you follow through with this idea you are going to crush business. The tax structure is becoming so narrow you are going to crush all of those who are able to pay taxes. Then you will have a wreck of things. Any person who can pay $3 to $10 for a ticket to the grandstand can also afford to pay the admission tax just the same as any person going to the theater. What is the difference?

Mr. DOUGHTON. Mr. Speaker, in view of the fact that the joint resolution has to do with taxes, I withdraw it from present consideration by the House.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HILL of Washington, for 5 days, on account of official business.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 46 minutes p. m.) the House adjourned until tomorrow, Tuesday, January 12, 1937, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

182. A letter from the Secretary of War, transmitting a self-explanatory resolution adopted by the Philippine National Assembly on September 23, 1936; to the Committee on Insular Affairs.

183. A letter from the Secretary of War, transmitting a copy of a self-explanatory resolution adopted by the Municipal Council of Lilio, Province of Laguna, P. I., May 6, 1936; to the Committee on Insular Affairs.

184. A letter from the Secretary of War, transmitting a report dated November 17, 1936, from the Chief of Engineers, United States Army, on preliminary examination of Lake Conoy, Md., and entrance thereto from Potomac River, authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

185. A letter from the secretary of the United States Employees' Compensation Commission, transmitting the Annual Report of the United States Employees' Compensation Commission covering the fiscal year ended June 30, 1936; to the Committee on the Judiciary.

186. A letter from the Postmaster General, transmitting a statement of all cases where special contracts are made with railroad companies for the transportation of the mails, the terms, and reasons therefor; to the Committee on the Post Office and Post Roads.

187. A letter from the Postmaster General, transmitting the cost-ascertainment report for the fiscal year 1936; to the Committee on the Post Office and Post Roads.

188. A letter from the Secretary of the Interior, transmitting a list of cancelations and adjustments pursuant to the act of July 1, 1932 (47 Stat. 564); to the Committee on Indian Affairs.

189. A letter from the Secretary of the Interior, transmitting a statement of the fiscal affairs of all Indian tribes for whose benefit expenditures from public or tribal funds were made during the fiscal year ended June 30, 1936; to the Committee on Indian Affairs.

190. A letter from the Secretary of War, transmitting the annual report of the sales of war supplies covering the disposal of surplus property in the possession of the War Department within the United States, as shown in reports received from various field agencies during the period October 15, 1935, to October 15, 1936, inclusive; to the Committee on Expenditures in Executive Departments.

191. A communication from the President of the United States, transmitting a request for a supplemental appropriation of $790,000,000 for the purpose of carrying the Works Progress Administration and related programs from February 1 to June 30, 1937 (H. Doc. No. 99); to the Committee on Appropriations and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WIGGLESWORTH: A bill (H. R. 2499) to prohibit the interstate transportation of child-labor products in certain cases; to the Committee on Labor.

By Mr. MAY: A bill (H. R. 2500) to establish the Breaks of Sandy National Park in Virginia and Kentucky; to the Committee on the Public Lands.

By Mr. THOMPSON of Illinois: A bill (H. R. 2501) to provide for the construction of a Federal building at Rock Island, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. HILL of Washington: A bill (H. R. 2502) to amend acts fixing the rate of payment of irrigation construction costs on the Wapato Indian irrigation project, Yakima, Wash., and for other purposes; to the Committee on Indian Affairs.

Also, a bill (H. R. 2503) to extend the time for completing the construction of a bridge across the Columbia River near The Dalles, Oreg; to the Committee on Interstate and Foreign Commerce.

By Mr. MERRITT: A bill (H. R. 2504) to authorize the coinage of 50-cent pieces in connection with the world's fair to be held in the city of New York, State of New York, in 1939, in commemoration of the one hundred and fiftieth anniversary of the inauguration of the first President of the United States of America and of the establishment of the Federal Government in the city of New York; to the Committee on Coinage, Weights, and Measures.

By Mr. WILCOX: A bill (H. R. 2505) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

Also, a bill (H. R. 2506) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. GEHRMANN: A bill (H. R. 2507) to enable farmers who are unable to pay emergency seed and feed loans in full when due to work out the amounts due thereon; to the Committee on Agriculture.

Also, a bill (H. R. 2508) authorizing a revolving reimbursable fund for the Lac Du Flambeau Band of Chippewa Indians in Wisconsin; to the Committee on Indian Affairs.

By Mr. RUTHERFORD: A bill (H. R. 2509) to provide for the construction of a post-office building at Montrose, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2510) to provide for the construction of a post-office building at Susquehanna, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. GREEVER: A bill (H. R. 2511) to authorize an appropriation for investigations under the Federal reclamation laws; to the Committee on Irrigation and Reclamation.

Also, a bill (H. R. 2512) to authorize the appropriation for the construction of small reservoirs under the Federal reclamation laws; to the Committee on Irrigation and Reclamation.

By Mr. BOREN: A bill (H. R. 2513) to create an old-age-pension system, and for other purposes; to the Committee on Ways and Means.

By Mr. MERRITT: A bill (H. R. 2514) to incorporate the American Gold Star Mothers of the World War; to the Committee on the Judiciary.

By Mr. FERNANDEZ: A bill (H. R. 2515) to provide for court stenographers in the United States district courts and to fix their duties and compensation; to the Committee on the Judiciary.

Also, a bill (H. R. 2516) to provide for the establishment of a Coast Guard station on Lake Pontchartrain, La., and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MAPES: A bill (H. R. 2517) to promote the safety of employees and travelers upon common carriers engaged in interstate commerce by railroad by compelling such carriers to maintain tracks, bridges, and appurtenances thereto in safe and suitable condition; to the Committee on Interstate and Foreign Commerce.

By Mr. SUMNERS of Texas: A bill (H. R. 2518) to provide for retirement of Justices of the Supreme Court; to the Committee on the Judiciary.

By Mr. SOMERS of New York: A bill (H. R. 2519) to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised; to the Committee on Coinage, Weights, and Measures.

By Mr. DIMOND: A bill (H. R. 2520) to authorize the Territory of Alaska to incur bonded indebtedness, and for other purposes; to the Committee on the Territories.

By Mr. MITCHELL of Tennessee: A bill (H. R. 2521) restricting the appointment of employees by Members of Congress, the President, Vice President, Cabinet members, Judges of the Supreme Court, Federal judges, and other Government employees in certain cases; to the Committee on Expenditures in the Executive Departments.

Also, a bill (H. R. 2522) to amend the Tennessee Valley Authority Act of 1933 by including the Cumberland River and its basin within the provisions of the act, and for other purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 2523) to repeal the provisions of the law authorizing the payment of mileage, or any amount in lieu of mileage, to any Member of Congress or to any Delegate or Resident Commissioner to Congress; to the Committee on Expenditures in the Executive Departments.

Also, a bill (H. R. 2524) to provide for terms of the United States District Court for the Nashville Division of the Middle District of Tennessee to be held at Murfreesboro, Tenn.; to the Committee on the Judiciary.

By Mr. STARNES: A bill (H. R. 2525) to make World War disability and death compensation and pension awards permanent after 5 years from the awarding thereof, and for other purposes; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 2526) to protect World War disability pension and compensation awards, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. SMITH of Washington: A bill (H. R. 2527) for the relief of certain tribes or bands of Indians in Washington, Idaho, and Montana; to the Committee on Indian Affairs.

By Mr. WELCH: A bill (H. R. 2528) to confer to certain persons who served in the Quartermaster Corps or under the jurisdiction of the Quartermaster General during the War with Spain, the Philippine Insurrection, or the China Relief Expedition the benefits of hospitalization and the privileges of the soldiers' homes; to the Committee on Pensions.

By Mr. KENNEDY of Maryland: A bill (H. R. 2529) to provide for the construction of two vessels for the Coast Guard designed for ice-breaking and assistance work; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 2530) to provide hospitalization for certain employees in the Bureau of Navigation and Steamboat Inspection of the Department of Commerce and for licensed local pilots of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. CHANDLER: A bill (H. R. 2531) to make certain crimes committed on interstate carriers offenses against the United States; to the Committee on the Judiciary.

By Mr. MAY: A bill (H. R. 2532) to prohibit the entry and provide for the deportation of certain classes of aliens, and for other purposes; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 2533) for the relief of soldiers, sailors, and marines; to the Committee on Pensions.

By Mr. CASE of South Dakota: A bill (H. R. 2534) to authorize the Secretary of the Interior to investigate and report on the loss of title to, or the encumbrance of, lands allotted to Indians; to the Committee on Indian Affairs.

Also, a bill (H. R. 2535) to liquidate the liability of the United States for the massacre of Sioux Indian men, women, and children at Wounded Knee on December 29, 1890; to the Committee on Indian Affairs.

Also, a bill (H. R. 2536) to authorize the reexamination of claims heretofore filed under the act of May 3, 1928, and to construe said act and report to Congress thereon; to the Committee on Indian Affairs.

By Mr. GEHRMANN: A bill (H. R. 2537) to appropriate funds to the Resettlement Administration for the purpose of assisting farmers in the drought area to purchase feed for the livestock and seed for the planting of crops; to the Committee on Agriculture.

By Mr. HOPE: A bill (H. R. 2538) to provide for loans to farmers for crop production and harvesting during the year 1937, and for other purposes; to the Committee on Agriculture.

By Mr. KENNEDY of Maryland: A bill (H. R. 2539) exempting from taxation the National Rifle Association of America, Inc.; to the Committee on the District of Columbia.

By Mr. MITCHELL of Tennessee: A bill (H. R. 2540) to promote the foreign trade of the United States, to authorize the creation of foreign trade-promotion corporations, and for other purposes; to the Committee on Ways and Means.

By Mr. STUBBS: A bill (H. R. 2541) making it illegal to employ any alien while there are American citizens unemployed who are qualified, able, and willing to work, and fixing the penalty for willful and knowing violation thereof; to the Committee on Labor.

By Mr. WHELCHEL: A bill (H. R. 2542) to prevent the Government from manufacturing and selling stamped envelopes; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 2543) for the restriction of immigration, to prevent the purchase and possession of firearms by aliens, and to provide for the deportation of criminal and certain other aliens; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 2544) providing for refund of taxes collected under the Bankhead Act, and for other purposes; to the Committee on Agriculture.

Also, a bill (H. R. 2545) providing for equalization of taxes in counties where there are Government-owned lands; to the Committee on the Public Lands.

Also, a bill (H. R. 2546) authorizing the manufacture of fertilizer by the United States Government at Muscle Shoals, Ala., for the benefit of the farmers; to the Committee on Military Affairs.

Also, a bill (H. R. 2547) to amend the Judicial Code to create a new district in the State of Georgia, known as the northeastern district, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 2548) making eligible, under the Relief Appropriation Act of 1935, for admission to the Civilian Conservation Corps camps or for any other governmental work, veterans otherwise qualified but whose names do not appear on the relief rolls; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 2549) to provide allowances for widows and children of World War veterans who died of disability not acquired in the service; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 2550) to restore the 2-cent postage rate on first-class mail; to the Committee on Ways and Means.

Also, a bill (H. R. 2551) granting pensions to veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection and the World War, their widows and dependents; to the Committee on Pensions.

Also, a bill (H. R. 2552) increasing the monthly benefits paid under the act providing compensation for employees of the Federal Civil Works Administration and Civilian Conservation Corps who are permanently or temporarily totally disabled while in the performance of their duties, without disturbing the maximum limit of $3,500 in each case; to the Committee on the Judiciary.

Also, a bill (H. R. 2553) for the restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. McCLELLAN: A bill (H. R. 2678) authorizing the Secretary of War to correct certain records relating to the service of officers and enlisted men of the Union and Confederate Armies; to the Committee on Military Affairs.

By Mr. SMITH of Virginia: Resolution (H. Res. 54) to amend rule 13 of the House of Representatives; to the Committee on Rules.

By Mr. FADDIS: Joint resolution (H. J. Res. 102) authoring the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. FERGUSON: Joint resolution (H. J. Res. 103) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. FOCHT: Joint resolution (H. J. Res. 104) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. MILLER: Joint resolution (H. J. Res. 105) to provide for a review of the reports on White River, Mo. and Ark., submitted in House Document No. 102, Seventy-third Congress, first session; to the Committee on Rivers and Harbors.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Nebraska, memorializing the Congress of the United States to increase and supplement forthwith the Works Progress Administration allotments of Federal funds for present emergency needs of the State of Nebraska; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM: A bill (H. R. 2554) for the relief of Frank Cubero; to the Committee on Claims.

Also, a bill (H. R. 2555) for the relief of Michael Joseph Greeley; to the Committee on Naval Affairs.

Also, a bill (H. R. 2556) for the relief of Joseph Herschmann; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 2557) for the relief of Ruth Radin; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 2558) for the relief of the heirs of the late Frank J. Simmons; to the Committee on War Claims.

Also, a bill (H. R. 2559) for the relief of Benno Shmukler; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 2560) for the relief of the State of New York Insurance Department as liquidator; to the Committee on Claims.

By Mr. BUCK: A bill (H. R. 2561) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of W. J. Nolan, L. Jacobson, J. A. Higuera, C. H. Damsted, R. Galleguillo, F. G. Grigsby, K. H. Johnson, R. Dupouy, C. J. Degen, W. L. Nolan, R. C. Jensen, M. J. Roderick, L. K. Moore, C. Lederer, M. Kelley, R. Dinkel, A J. Mouchou, C. R. Taylor, M. Knull, S. W. Ligon, C. C. Johnson, W. P. Brennan, C. F. Siebert, and J. T. Weeks; to the Committee on Claims.

By Mr. CASE of South Dakota: A bill (H. R. 2562) for the relief of Mr. and Mrs. David Stoppel; to the Committee on Claims.

By Mr. COLE of New York: A bill (H. R. 2563) granting an increase of pension to Emma E. King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2564) granting an increase of pension to Arzilla A. Bailey; to the Committee on Invalid Pensions.

By Mr. CUMMINGS: A bill (H. R. 2565) to confer jurisdiction on the Court of Claims to hear, determine, and enter judgment upon the claims of contractors for excess costs incurred while constructing navigation dams and locks on the

Mississippi River and its tributaries; to the Committee on Claims.

By Mr. DELANEY: A bill (H. R. 2566) for the relief of Thomas O'Brien; to the Committee on Naval Affairs.

By Mr. DOWELL: A bill (H. R. 2567) granting a pension to Pearl F. Warren; to the Committee on Pensions.

By Mr. FERNANDEZ: A bill (H. R. 2568) for the relief of Waldo L. Robichaux; to the Committee on War Claims.

Also, a bill (H. R. 2569) to confer jurisdiction on the United States District Court for the Eastern District of Louisiana to hear the claim of Mrs. Theodore Hebert, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 2570) to confer jurisdiction upon the United States Court of Claims to hear and adjudicate the claim of the survivors of Richard H. Mahan and his wife, Eliza J. Mahan, formerly Eliza J. Nicholls, arising out of confiscation of cotton during the Civil War, and for other purposes; to the Committee on War Claims.

By Mr. GAMBRILL: A bill (H. R. 2571) granting a pension to Mary V. Gesner; to the Committee on Pensions.

Also, a bill (H. R. 2572) granting a pension to Anna O. Ward; to the Committee on Pensions.

By Mr. GEHRMANN: A bill (H. R. 2573) for the relief of John J. Doherty; to the Committee on Indian Affairs.

Also, a bill (H. R. 2574) for the relief of Julius A. Geske; to the Committee on Claims.

Also, a bill (H. R. 2575) granting a pension to Charlie J. Dupree; to the Committee on Pensions.

Also, a bill (H. R. 2576) for the relief of George P. Parker; to the Committee on Claims.

By Mr. GRAY of Indiana: A bill (H. R. 2577) granting an increase of pension to Fannie M. McQuade; to the Committee on Invalid Pensions.

By Mr. HARLAN: A bill (H. R. 2578) granting a pension to Jeannette McCool Zost; to the Committee on Pensions.

Also, a bill (H. R. 2579) for the relief of Charles A. Thorne; to the Committee on Military Affairs.

Also, a bill (H. R. 2580) granting a pension to Marion T. Winters; to the Committee on Pensions.

Also, a bill (H. R. 2581) granting a pension to Amanda Riddell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2582) granting a pension to Jennie Schonacker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2583) granting a pension to Michael R. Patchan; to the Committee on Pensions.

Also, a bill (H. R. 2584) granting an increase of pension to Susan E. Raser; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2585) granting a pension to Robert S. Kim; to the Committee on Pensions.

Also, a bill (H. R. 2586) granting a pension to Frank McKnight; to the Committee on Pensions.

Also, a bill (H. R. 2587) granting a pension to Andrew Johnson; to the Committee on Pensions.

Also, a bill (H. R. 2588) for the relief of George E. Kinner; to the Committee on Military Affairs.

Also, a bill (H. R. 2589) for the relief of James W. Gray; to the Committee on Military Affairs.

Also, a bill (H. R. 2590) granting an increase of pension to Frank V. Griffith; to the Committee on Pensions.

Also, a bill (H. R. 2591) for the relief of James J. Haley; to the Committee on Military Affairs.

Also, a bill (H. R. 2592) for the relief of June Harvie; to the Committee on Military Affairs.

Also, a bill (H. R. 2593) for the relief of George Dietrich; to the Committee on Military Affairs.

Also, a bill (H. R. 2594) granting a pension to Louis Goldstein; to the Committee on Pensions.

Also, a bill (H. R. 2595) granting a pension to Ida J. Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2596) for the relief of Lewis Corfman; to the Committee on Military Affairs.

Also, a bill (H. R. 2597) for the relief of Edward A. Burkett; to the Committee on Military Affairs.

Also, a bill (H. R. 2598) granting a pension to Mary F. Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2599) granting a pension to Wheeler E. Adams; to the Committee on Pensions.

Also, a bill (H. R. 2600) granting a pension to John Allen; to the Committee on Pensions.

Also, a bill (H. R. 2601) for the relief of Walter C. Arnold; to the Committee on Naval Affairs.

Also, a bill (H. R. 2602) for the relief of Thornton Bailey; to the Committee on Military Affairs.

Also, a bill (H. R. 2603) to authorize the award of a decoration for distinguished service to Edward T. Banks; to the Committee on Military Affairs.

Also, a bill (H. R. 2604) for the relief of Noah M. Banks; to the Committee on Military Affairs.

By Mr. HEALEY: A bill (H. R. 2605) for the relief of James Richard Garrigan; to the Committee on Naval Affairs.

Also, a bill (H. R. 2606) for the relief of Eugene Aubry; to the Committee on Naval Affairs.

Also, a bill (H. R. 2607) for the relief of Frank P. Barbour; to the Committee on Naval Affairs.

Also, a bill (H. R. 2608) for the relief of William H. Rouncevill; to the Committee on Military Affairs.

Also, a bill (H. R. 2609) for the relief of Sabatino Leo; to the Committee on Immigration and Naturalization.

By Mr. HOPE: A bill (H. R. 2610) granting an increase of pension to James E. Mulford; to the Committee on Pensions.

Also, a bill (H. R. 2611) granting an increase of pension to Ella M. Tansey; to the Committee on Invalid Pensions.

By Mr. JOHNSON of West Virginia: A bill (H. R. 2612) granting an increase of pension to Isabell Postlethwait; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2613) granting a pension to Hosea F. Dearth; to the Committee on Pensions.

Also, a bill (H. R. 2614) for the relief of Walling Oswald Naumann; to the Committee on Naval Affairs.

Also, a bill (H. R. 2615) granting a pension to John D. Pearson; to the Committee on Pensions.

Also, a bill (H. R. 2616) for the relief of John H. Gatts; to the Committee on Claims.

By Mr. KEE: A bill (H. R. 2617) granting a pension to Stonewall J. Blackwell; to the Committee on Pensions.

Also, a bill (H. R. 2618) granting a pension to Levi Green; to the Committee on Pensions.

By Mr. KEOGH: A bill (H. R. 2619) for the relief of Jadie Coulter; to the Committee on Naval Affairs.

By Mr. KRAMER: A bill (H. R. 2620) granting an increase of pension to Frank Arthur Parsons; to the Committee on Pensions.

Also, a bill (H. R. 2621) granting a pension to Ella Pierce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2622) granting a pension to Clara E. Huffman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2623) granting a pension to Charlotte M. Spaulding; to the Committee on Invalid Pensions.

By Mr. LUCE: A bill (H. R. 2624) for the relief of William E. Jones, Walter M. Marston, William Ellery, Richard P. Hallowell, 2d, and Malcolm Donald, as executors under the will of Frank W. Hallowell; and Malcolm Donald, as executor under the will of Gordon Donald; to the Committee on Claims.

Also, a bill (H. R. 2625) for the relief of Hugh Patrick McCusker; to the Committee on Naval Affairs.

Also, a bill (H. R. 2626) for the relief of Albert J. Roy; to the Committee on Naval Affairs.

By Mr. McCLELLAN: A bill (H. R. 2627) for the relief of Henry F. Rea; to the Committee on Claims.

Also, a bill (H. R. 2628) for the relief of W. T. Jackson; to the Committee on Claims.

Also, a bill (H. R. 2629) for the relief of Herbert Alexander Heagney; to the Committee on Military Affairs.

Also, a bill (H. R. 2630) for the relief of R. N. Teague and Minne Teague; to the Committee on Claims.

Also, a bill (H. R. 2631) for the relief of R. C. McCoy, J. L. Garner, C. G. Kauffman, W. G. Smiley, R. A. Burks, C. W. Brazzelton, R. F. Brazzelton, Dave Cash, Mrs. A. W.

Dykes, Jim Thereldkeld, R. R. Crain, J. B. Tolson, J. C. Rogers, S. K. Broach, Albert Easterling, J. L. Rivers, F. C. Wilson, E. C. Finley, W. W. Mitchell, J. G. Carey, Carl Graves, Jerome Dupree, J. R. Mitchell, J. L. Mitchell, and J. C. Russell; to the Committee on Claims.

By Mr. MAPES: A bill (H. R. 2632) granting an increase of pension to John W. Zibble; to the Committee on Pensions.

By Mr. MAVERICK: A bill (H. R. 2633) to authorize the appointment of Sam Alexander as a warrant officer, United States Army; to the Committee on Military Affairs.

By Mr. MILLER: A bill (H. R. 2634) granting an increase of pension to Celia A. Chappelle; to the Committee on Pensions.

Also, a bill (H. R. 2635) for the relief of John T. Thompson; to the Committee on Military Affairs.

By Mr. MITCHELL of Tennessee: A bill (H. R. 2636) authorizing the President of the United States to appoint Sgt. Alvin C. York as a major in the United States Army and then place him on the retired list; to the Committee on Military Affairs.

By Mr. DEEN: A bill (H. R. 2637) for the relief of D. W. F. Maloy; to the Committee on War Claims.

By Mr. MURDOCK of Utah: A bill (H. R. 2638) for the relief of B. N. Reddington; to the Committee on Claims.

Also, a bill (H. R. 2639) granting a pension to Margaret Harrison; to the Committee on Pensions.

Also, a bill (H. R. 2640) for the relief of Frederic R. Leland; to the Committee on Military Affairs.

By Mr. O'CONNELL of Montana: A bill (H. R. 2641) for the relief of John Stevens; to the Committee on Claims.

Also, a bill (H. R. 2642) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Waterton Oil, Land & Power Co., of Butte, Mont., against the United States; to the Committee on the Public Lands.

Also, a bill (H. R. 2643) for the relief of Benjamin Stewart; to the Committee on Claims.

By Mr. O'CONNELL of Rhode Island: A bill (H. R. 2644) for the relief of Rocky Brook Mills Co.; to the Committee on War Claims.

By Mr. REECE of Tennessee: A bill (H. R. 2645) for the relief of E. R. Logwood; to the Committee on Claims.

Also, a bill (H. R. 2646) for the relief of Isabella Hooper Caraway and James Randolph Hooper; to the Committee on Claims.

Also, a bill (H. R. 2647) granting a pension to Venia Moody; to the Committee on Invalid Pensions.

By Mr. REED of New York: A bill (H. R. 2648) granting an increase of pension to Eliza M. Matthews; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2649) for the relief of Elva T. Shuey; to the Committee on Claims.

By Mrs. ROGERS of Massachusetts: A bill (H. R. 2650) for the relief of Veracunda O'Brien Allen; to the Committee on Claims.

By Mr. SMITH of West Virginia: A bill (H. R. 2651) for the relief of Leon Lawrence Hamb; to the Committee on Naval Affairs.

By Mr. SNYDER of Pennsylvania: A bill (H. R. 2652) granting an increase of pension to Lovina Baumgardner; to the Committee on Invalid Pensions.

By Mr. STARNES: A bill (H. R. 2653) for the relief of the heirs of James W. Fennel; to the Committee on Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 2654) granting an increase of pension to James L. Phillips; to the Committee on Pensions.

Also, a bill (H. R. 2655) for the relief of the heirs of Thomas J. Mason, deceased; to the Committee on War Claims.

By Mr. THOMPSON of Illinois: A bill (H. R. 2656) granting a pension to Helen R. Pitney; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 2657) authorizing the Secretary of the Navy to advance on the retired list of the Navy, David J. Mahoney, retired, to chief boilermaker, retired; to the Committee on Naval Affairs.

Also, a bill (H. R. 2658) for the relief of George Russel Thorson; to the Committee on Naval Affairs.

By Mr. SMITH of Virginia: A bill (H. R. 2659) to authorize the return of the commission of John Baptiste Ashe as a major in the Continental Army to Martha B. Rogers, nee Ashe; to the Committee on Military Affairs.

By Mr. TINKHAM: A bill (H. R. 2660) granting a pension to Emma J. Moore; to the Commitee on Invalid Pensions.

By Mr. WALTER: A bill (H. R. 2661) granting an increase of pension to Mary M. Snyder; to the Committee on Invalid Pensions.

By Mr. WELCH: A bill (H. R. 2662) for the relief of Ada E. Sivley and George C. Sivley; to the Committee on Claims.

By Mr. WHELCHEL: A bill (H. R. 2663) granting an increase of pension to John R. Robertson; to the Committee on Pensions.

Also, a bill (H. R. 2664) to correct the military record of Jonathan Waters; to the Committee on Military Affairs.

Also, a bill (H. R. 2665) for the relief of W. D. Presslie; to the Committee on Claims.

Also, a bill (H. R. 2666) for the relief of Fred Robert Craig; to the Committee on Claims.

Also, a bill (H. R. 2667) for the relief of Mr. and Mrs. Jerry Martin Tow; to the Committee on Claims.

Also, a bill (H. R. 2668) for the relief of Hoyt G. Barnett; to the Committee on Claims.

Also, a bill (H. R. 2669) to correct the United States Coast Guard service of Jesse D. Gause; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 2670) to correct the military record of Newton F. Ray; to the Committee on Military Affairs.

Also, a bill (H. R. 2671) for the relief of Ray Bailey; to the Committee on Claims.

Also, a bill (H. R. 2672) granting a pension to Mildred Elizabeth Sailors; to the Committee on Pensions.

Also, a bill (H. R. 2673) for the relief of Howard Hefner; to the Committee on Claims.

Also, a bill (H. R. 2674) granting a pension to Viola E. Mann; to the Committee on Pensions.

Also, a bill (H. R. 2675) to correct the military record of Waldo E. Cape; to the Committee on Military Affairs.

Also, a bill (H. R. 2676) for the relief of Mrs. Clifford D. Barber; to the Committee on Claims.

Also, a bill (H. R. 2677) for the relief of Eddie B. Black; to the Committee on Claims.

SENATE

TUESDAY, JANUARY 12, 1937

The Senate met at 12 o'clock meridian.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Thou who travelest on the wings of the morning, who of Thy gracious bounty hast bestowed upon us all the gift of sleep, that blessed barrier 'twixt day and day and mother of fresh thoughts and joyous health, we give Thee thanks for all the blessings of this life as again we bow before Thee at this altar dedicated to our country's high and holy destiny.

Help us now and always to give the reins of our life into Thy hands, Thou who dost keep him in perfect peace whose mind is stayed on Thee, for nothing can take Thee by surprise, nothing can outweary Thee.

Thus, as fellow laborers with Thee, may we move through the hours, breathing the atmosphere of love, seeking by kindness rather than by anxious striving to quicken and bless the lives of others, which is the mark of our high calling in Christ Jesus, our Lord. Amen.

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of Monday, January 11, 1937, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House

had passed without amendment the following bill and joint resolution:

S. 591. An act granting a pension to Grace G. Coolidge; and

S. J. Res. 17. Joint resolution to provide for the quartering, in certain public buildings in the District of Columbia, of troops participating in the inaugural ceremonies.

The message also announced that the House had passed a joint resolution (H. J. Res. 106) to exempt from the tax on admissions amounts paid for admission tickets sold by authority of the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1937, in which it requested the concurrence of the Senate.

ANNIVERSARY OF THE EIGHTEENTH AMENDMENT—NOTICE OF ADDRESS BY SENATOR SHEPPARD

Mr. SHEPPARD. Mr. President, I desire to give notice that, if it shall be in session on next Saturday, January 16, I shall then address the Senate on the subject of the seventeenth anniversary of the eighteenth amendment to the Constitution of the United States. If the Senate shall not be in session on that day, I shall endeavor to speak on the following Monday.

CALL OF THE ROLL

Mr. ROBINSON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Caraway	Hitchcock	Pepper
Andrews	Chavez	Holt	Pittman
Ashurst	Clark	Hughes	Pope
Austin	Connally	Johnson, Colo.	Radcliffe
Bachman	Copeland	King	Reynolds
Bailey	Davis	La Follette	Robinson
Bankhead	Dieterich	Lodge	Russell
Barkley	Duffy	Logan	Schwartz
Bilbo	Ellender	Lonergan	Schwellenbach
Black	Frazier	Lundeen	Sheppard
Bone	George	McCarran	Steiwer
Borah	Gerry	McKellar	Thomas, Okla.
Bridges	Gibson	McNary	Thomas, Utah
Brown, Mich.	Gillette	Maloney	Truman
Brown, N. H.	Glass	Minton	Tydings
Bulkley	Green	Moore	Vandenberg
Bulow	Guffey	Neely	Van Nuys
Burke	Hale	Norris	Walsh
Byrd	Harrison	Nye	Wheeler
Byrnes	Hatch	O'Mahoney	
Capper	Hayden	Overton	

Mr. THOMAS of Oklahoma. I announce the absence of my colleague [Mr. LEE] because of illness.

Mr. BULKLEY. I announce that my colleague the junior Senator from Ohio [Mr. DONAHEY] is detained from the Senate because of a cold.

Mr. McNARY. I announce that the Senator from Maine [Mr. WHITE] is necessarily absent, that the senior Senator from Minnesota [Mr. SHIPSTEAD] is absent on account of illness, and that the Senator from Delaware [Mr. TOWNSEND] is necessarily detained from the Senate.

Mr. ROBINSON. I announce that the Senator from California [Mr. McADOO] is detained from the Senate because of the death of his son; that the Senator from South Carolina [Mr. SMITH] is detained because of a serious accident to a member of his family; that the Senator from Illinois [Mr. LEWIS] and the Senator from Kansas [Mr. McGILL] are absent attending the ceremonies incident to the inauguration of the Governors of their respective States; and that the Senator from Montana [Mr. MURRAY] and the Senator from New York [Mr. WAGNER] are unavoidably detained from the Senate.

The VICE PRESIDENT. Eighty-two Senators have answered to their names. A quorum is present.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

EXPENDITURES OF COURT OF CUSTOMS AND PATENT APPEALS

The VICE PRESIDENT laid before the Senate a letter from the Attorney General, transmitting, pursuant to law, a statement for the fiscal year ended June 30, 1936, of expenditures under the appropriations for the United States Court of Customs and Patent Appeals, which, with the accompanying statement, was referred to the Committee on the Judiciary.

SPECIAL ASSISTANT ATTORNEYS, DEPARTMENT OF JUSTICE

The VICE PRESIDENT laid before the Senate a letter from the Attorney General, transmitting, pursuant to law, a report as of January 1, 1937, showing the special assistants employed under the appropriation "Pay of special assistant attorneys", contained in the Department of Justice Appropriation Act, 1937, together with the rates of compensation, the amounts paid, and a description of their duties, which, with the accompanying report, was referred to the Committee on the Judiciary.

PETITIONS

The VICE PRESIDENT laid before the Senate a resolution adopted by the City Council of Oakland, Calif., favoring the enactment of legislation providing for the relief of the employable unemployed over a period of years, which was referred to the Committee on Appropriations.

He also laid before the Senate a resolution adopted by the City Council of Oakland, Calif., favoring the making of an appropriation for the Works Progress Administration sufficient to permit completion of projects begun but not yet completed on the basis of original agreements for allocating costs of materials, which was referred to the Committee on Appropriations.

PETITION OF WALLKILL VALLEY (N. Y.) DRAINAGE IMPROVEMENT ASSOCIATION

Mr. COPELAND. I present the petition of the Wallkill Valley Drainage Improvement Association, Orange County, N. Y., and ask that it be printed in the RECORD; and that, with the attached papers, it be referred to the Committee on Commerce for such action as the committee may deem wise.

The VICE PRESIDENT. Without objection, it is so ordered.

The petition is as follows:

To the Flood Control Committee of the United States Senate:

Whereas the Government of the United States, through the agency of the Civilian Conservation Corps, under the direction of the Engineer Corps of the United States Army, has undertaken and is now carrying on a major flood-control and drainage-improvement project along the upper Wallkill River, in the county of Orange, State of New York; and

Whereas the State of New York, through its water power and control commission, in furtherance of said project, has formed and is administering the Wallkill Valley Drainage Improvement District, in said county and State, and has issued bonds, payable by direct taxation against the residents of said district, to finance its share of the cost thereof; and

Whereas the said residents of said district have consented to and approved said bond issue and obligated themselves therefor, upon the understanding that said drainage-improvement project would be completed by the United States Government in its originally approved form; and

Whereas the Wallkill Valley Drainage Improvement Association, being the duly formed body politic organized under the conservation law of the State of New York to represent the residents of said district, is now informed that the Government is contemplating the termination of its work on said project in the near future without completing said project, and that the funds appropriated for said project are insufficient to enable the Army engineers to finish their work as originally planned and authorized, and that, among other portions, that section of said work known as the "main cut-off channel" in the locality south of Pellet's Island Mountain in particular will be left uncompleted; and

Whereas the public needs of the residents of said district require full completion of said project as planned and authorized; and

Whereas if said project be left incomplete, great harm and damage will be done to farm lands within the area of said district and the rights of its residents and taxpayers will be seriously impaired and jeopardized and great loss entailed to hundreds of residents of said county of Orange; and

Whereas if said project should be now abandoned in its present form and left incomplete, the taxpayers and farmers of said district will sustain greater damage than if the said project had never been begun; and

Whereas the officers and executive committee of said Wallkill Valley Drainage Improvement Association are convinced of the facts herein set forth by personal knowledge and through competent expert advice: Now, therefore, be it

Resolved, That the said Wallkill Valley Drainage Improvement Association shall, and hereby does, petition the Government of the United States, through its proper agencies, to direct the completion of the said Wallkill River flood-control and drainage-

improvement project in the form originally planned and contemplated, and to complete said river improvement in a proper, effective, scientific, and workmanlike manner within the area along said river from the boundary of the State of New Jersey on the south to the county highway at Phillipsburg on the north, in said county of Orange, and to approve and authorize the expenditure of so much additional money as may be necessary and required for said purposes, and also to approve and authorize the continued employment of the present, or increased, Civilian Conservation Corps personnel, under the supervision of the present efficient staff of Army engineers, for so long a time as may be required for the above purposes.

And your petitioners pray an early inquiry into the urgent needs herein set forth.

Dated, Florida, Orange County, N. Y., January 5, 1937.

Wallkill Valley Drainage Improvement Association, by Walter R. Stun (president), John J. Downey (secretary), Samuel Chison (treasurer), A. J. Bogdanski (first vice president), R. McCormick (second vice president), Anthony A. Lis (assistant secretary), Karl J. Fiske, F. J. Kurowski, Floyd Morgiewiz, Joseph Wisemen, Jr., John J. Nowoik, Leo Schribins, Joseph P. Kuega, M. Cutfus Lain, its executive committee.

LEGISLATIVE PROGRAM OF THE NATIONAL GRANGE

Mr. SHEPPARD. Mr. President, I present, for reference to the Committee on Agriculture and Forestry, the legislative program of the National Grange for 1937, which I ask may be printed in the RECORD.

There being no objection, the matter was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

LEGISLATIVE PROGRAM OF THE NATIONAL GRANGE FOR 1937, ADOPTED AT ITS SEVENTIETH ANNUAL CONVENTION AT COLUMBUS, OHIO, NOVEMBER 11–19, 1936

1. Justice for agriculture: Agriculture asks for equality, rather than special privilege. It seeks economic justice, rather than subsidy. But until the equilibrium of our basic industry is restored, and until the farmer receives a more just proportion of the national income, some measure of governmental assistance will be needed.

Our goal should be the preservation and prosperity of the family-sized farm. It is contrary to sound public policy, and un-American as well, for the Government to encourage corporation or large-scale farming.

2. Soil Conservation Act: The welfare of this and succeeding generations calls for the wise conservation of our soil resources. We must preserve its fertility and prevent erosion. In broad outlines we approve of the program which has been launched in this connection. However, the preservation of democracy and of American ideals demands that there shall be no undue regimentation of the farmer. We favor the largest possible degree of farmer control in the administration of the Soil Conservation Act.

3. Control of monopoly: It is manifest that the blessings of political liberty cannot be fully enjoyed under a system which permits monopolies and monopolistic practices to rob the people of the fruits of their toil. We favor the enforcement of the Sherman antitrust law, with any clarifying and strengthening amendments that may be needed to enable us to cope with present-day conditions.

4. Reciprocal-trade agreements: If the Reciprocal Tariff Act is to be renewed, there should be a provision requiring that all trade agreements or treaties made thereunder be ratified by the United States Senate before becoming effective. Such treaties should not contain the unconditional most-favored-nation clause, under which policy we gain concessions from one nation while making concessions to all other nations producing and exporting any given commodity.

5. Tariff policy: Following is an outline of the tariff policy adopted by the National Grange:

(a) So long as the American protective policy is maintained, we favor such rates of import duty as will assure the American market for the American farmer to the extent that he is able to supply it.

(b) Since it is well understood that producers of surplus crops receive no direct tariff benefits, equality and justice demand that import duties on commodities which the farmer must buy should be fixed at fair and reasonable levels.

(c) As a measure of equality under our tariff system, we favor the continuance of the plan which dedicates 30 percent of the receipts from customs to the exportation, removal, or diversion of agricultural surpluses.

(d) We affirm that it is contrary to sound public policy to impose tariffs for the protection of such resources as cannot be renewed when they are once exhausted.

(e) In no case should tariff rates be granted that breed monopoly, enriching the few at the expense of the many, and which encourage inefficiency, rather than efficiency, in American industry.

(f) We reaffirm the long-established policy of the Grange in demanding "tariff for all or tariff for none."

6. Land utilization: Following is a concise outline of the Grange policy on land utilization:

(a) If, under prevailing conditions, new land is brought under cultivation at public expense, the Government should purchase and retire from agricultural production a much greater amount of submarginal land.

(b) Submarginal agricultural land should be utilized for pasture, timber production, recreational uses, game preserves, or other suitable purposes.

(c) We favor the restoration of the Bureau of Soils as a separate entity under the Department of Agriculture.

(d) We favor the transfer of the Land Utilization Division of the Resettlement Administration to the Department of Agriculture. It is in the national interest that there be retained in this Department the complete management of the national forests, the Soil Conservation Service, the Biological Survey, and other agencies directly related to agriculture. Nationally owned lands of primary value for timber production, water and soil conservation, and grazing, including lands administered under the Taylor Grazing Act, should be transferred to the Department of Agriculture.

7. The Federal Constitution: The Grange has an abiding faith in the excellence and fundamental soundness of the Constitution, which made and preserved us a nation. While we do not look upon the Constitution as sacred in the sense that it should never be changed, even in its minor details, we are firmly convinced that the checks and balances contained in it as between the legislative, executive, and judicial departments must be maintained. The Grange does not look with favor upon the proposal that the power of the Supreme Court to pass upon the constitutionality of acts of Congress should be abridged or impaired. The right of free speech, a free press, and of public assemblage must be kept inviolate.

8. Centralization of government: The Grange deprecates the tendency toward overcentralization of government, which has been in progress in this country for many years. It is fatal to the cause of good government, besides adding enormously to the tax burden, to destroy the local sense of responsibility which causes the average citizen to scrutinize public expenditures.

We are opposed to any constitutional changes that would abridge the rights of the States to control their own affairs within proper limits or that would impair the legitimate rights of the people in the affairs of local self-government.

9. Farm tenancy: The Grange favors the adoption of a workable plan by the Government to encourage farm tenants to become home owners under proper conditions. We likewise favor the continuance of the present rural rehabilitation program.

10. Taxation: It should be clearly understood that colossal bond issues and the swelling proportions of the public debt mean the same thing as deferred taxation. Every effort should be made to balance the Federal Budget at the earliest practicable date, primarily by reducing expenditures. The Grange recommends:

(a) That the base of taxation be broadened, to the end that all persons be made tax conscious. Income-tax exemptions should be lowered and rates in the higher brackets should be raised.

(b) Income from all sources should be made taxable, including that from salaries paid by State and Federal Governments, together with interest on tax-exempt bonds.

(c) A portion of all revenues accruing from the Federal income tax should be returned to the States for the benefit of the public schools, with provision for State administration.

(d) Maintenance of inheritance, gift, and estate taxes.

(e) We oppose a general sales tax on the necessities of life, because it ignores the principle of ability to pay.

(f) We favor the appointment of a Federal commission to make a study of our whole system of taxation, Federal and State, with a view to securing a more just and equitable distribution of the burdens of government.

11. Rural credits: We commend the Farm Credit Administration for the excellent service it has rendered during the past several years. We recommend that the reduced interest rate on mortgages held by the Federal land banks be continued until normal conditions again prevail in agriculture.

Congress should restore to farmer borrowers the right to name the majority of the directors of the land banks, as was provided under the original Farm Loan Act.

Provision should be made for the appointment of the governor and four commissioners of the Farm Credit Administration for 5-year terms, so staggered that one term expires each year, and with not more than three members belonging to the same political party.

12. Monetary stabilization: The Grange stands for an honest dollar, a dollar that will be fair to debtor and creditor alike. We advocate an amendment to the Banking Act of 1935, under which Congress will give a mandate to the Board of Governors of the Federal Reserve System to manage the currency in such a way as to restore the average price level obtaining between 1921 and 1929, and then to stabilize the purchasing power of the dollar at that point. Congress should exercise the authority conferred upon it by the Constitution "to coin money and regulate the value thereof."

To save interest on the public debt, we believe it would be sound policy for the Government to issue non-interest-bearing Treasury notes, not exceeding $3,000,000,000, in providing relief funds or financing any further public-works projects. In issuing such currency definite provision should be made for its redemption at a given rate per year.

13. Railroads: Railroads should cooperate to reduce competitive expenses; unnecessary services should be abandoned, metropolitan terminals consolidated, and circuitous haulage eliminated. We believe that railroads should be permitted to engage in motor transportation under proper conditions.

The Grange is unalterably opposed to the proposal for the repeal of the long-and-short-haul clause of the Transportation Act, which provides that railroads may not charge more for a

shorter haul than for a longer one over the same line and in the same direction.

14. Motor transportation: We approve of the appropriations made by the Federal Government for highway construction, including the allocation of a just proportion of such funds for the improvement of farm-to-market roads. The attitude of the Grange regarding the regulation and taxation of motor vehicles is as follows:

(a) The interest and safety of the public require the enforcement of proper restrictions regarding the size, weight, and speed of all motor vehicles moving over the public highway.

(b) Such regulations should be uniform as between the several States, and there should be reciprocity between the States based on such uniformity.

(c) The power to regulate is a police power lodged with the States. As a basis for regulation, we commend to all the States adoption of the uniform code for the regulation of traffic approved by the American Association of State Highway Officials and the United States Bureau of Public Roads.

(d) With respect to highway taxation, each motor vehicle should be taxed its fair share of the cost of the highways which it uses. The State should be the sole taxing agency.

(e) Every special tax collected for highway improvement should be conserved for that purpose alone. Consequently, no gasoline-tax diversion should be permitted.

(f) No taxation or regulation of motor vehicles should be permitted which has for its purpose any increase in cost or restriction in use in order to equalize competition between motor transportation and other forms of transportation.

(g) We advocate the repeal of the Motor Carriers' Act of 1935 on the ground that this legislation is not in the public interest.

15. Inland waterways: Since the Federal Government, over a period of many years, has expended large sums of money for the development and improvement of our inland waterways, the Grange is opposed to the adoption of any policy which would destroy the value of this wise investment. Our water-borne commerce should not be hindered or restricted by unnecessary regulation and interference on the part of the Government.

We favor ratification of the pending treaty calling for the completion of the St. Lawrence seaway and the development of hydroelectric power contemplated in this project.

16. Rural electrification: We approve of the efforts of the Government to promote the cause of rural electrification through the agency of the R. E. A. In the making of loans the present policy of giving preference to public power districts and nonprofit cooperative associations should be continued.

17. Governmental reorganization: We approve of the steps being taken toward the reorganization and reclassification of the various boards and commissions of the Federal Government. Such agencies as have outlived their usefulness should be discarded, and duplication and overlapping should be eliminated in the interest of economy and efficiency. Administrative units relating to farm affairs should all come under the Department of Agriculture.

18. Crop insurance: We favor the adoption of a workable system of crop insurance under the auspices of the Federal Government. Such a plan should be on a voluntary basis, to be tried out on a limited scale.

19. Agricultural research: We favor continued Federal support of agricultural research, particularly with a view to discovering new uses for farm products and the utilization of surplus crops. Further experimentation in the manufacture of industrial alcohol from farm products would be especially helpful.

20. Agricultural education: We approve of the additional appropriations authorized at recent sessions of Congress for the endowment of land-grant colleges and for the further development of extension work in agriculture and in home economics, together with more adequate funds for the support of State experiment stations. We likewise approve of the expanded program for vocational education.

The Smith-Lever Act should be so amended as to forbid direct or indirect contributions to the Agricultural Extension Service on the part of private citizens, chambers of commerce, farm organizations, or similar groups, so that extension workers shall be paid entirely from public funds, leaving them free to serve the people without favoritism or discrimination. In no case should any farm organization be allowed to graft itself upon the Extension Service nor dominate it to serve its own ends.

21. Forestry and conservation: We recommend the adoption of a comprehensive Federal program relating to forestry and conservation, and embracing—

(a) Encouragement and assistance to private owners in the extension of farm forestry and in the adoption of practices for sustained timber production.

(b) Giving more adequate protection from fire to both public and private forest and range lands, with greater emphasis on the control of insect pests, diseases, and the prevention of floods and erosion.

(c) Providing for more adequate development and maintenance of national-forest recreational and wildlife resources.

(d) Providing for public acquisition of forests and other lands not suitable for private ownership, with adequate reimbursement to counties in lieu of taxes during a readjustment of the tax program.

22. Pooling mineral wealth: We favor action by Congress that will promote and encourage the pooling of petroleum and other mineral resources underlying farm lands.

23. Predatory animals: We favor legislation providing for joint appropriations by the Federal Government, together with States and counties, for the eradication of predatory animals in sections where such animals are a serious menace to agriculture.

24. Imitation dairy products: It is of vital interest to the dairy industry, as well as to the consuming public, that all legislation for the control and regulation of manufacturers of and dealers in imitation dairy products should remain in full force and effect. We emphasize our support of the essential features of an oleomargarine control law, namely:

(a) Adequate licensing of manufacturers, wholesalers, and retailers.

(b) An inclusive definition of the imitation product, including color specification.

(c) Clear provision for labeling and notice to the buyer.

(d) License fees and tax sufficient to cover cost of enforcing the law and to prevent unfair competition with the dairy industry.

(e) We ask for such legislation as may be necessary to prevent mail order or other interstate sales of oleomargarine which are in violation of such laws as are now in force or may hereafter be enacted.

(f) We approve of the action of Congress in placing a 3-cent tax on certain oils imported from abroad and used in this country in the making of butter substitutes. We likewise advocate the extension of this tax to all oils so used, or which otherwise compete with the products of the American farm.

25. Packers and Stockyards Act: We advocate the amendment of the Packers and Stockyards Act to provide for the more effective regulation by the Department of Agriculture of the marketing of livestock. Direct buying by the packers, merely in an effort to evade the law and depress prices, should not be further tolerated. Packers should likewise be prevented from engaging in large-scale feeding projects, either directly or through financial interest.

We favor a congressional investigation of the packing industry, with a view to uncovering existing abuses and paving the way for remedial legislation.

26. Argentine sanitary pact: Since American agriculture in the past has suffered heavy losses from foot-and-mouth disease, brought in from other countries, we are opposed to the ratification of the pending convention or treaty with the Argentine. Approval of the treaty would open our markets to imports of animal products from zones or areas in the Argentine that are supposed to be free from foot-and-mouth disease, although it is prevalent in other parts of the country. This would expose our flocks and herds to the danger of infection.

27. Pure Food and Drugs Act: We favor amendment of the present statute relating to pure food and drugs in such a manner as to bring collateral advertising within the scope of the act.

28. Control of liquor traffic: We favor the adoption of adequate measures by the Federal Government to protect dry States in the enforcement of their laws against the sale and use of intoxicating liquors, fulfilling the pledge that was made by the advocates of repeal of the eighteenth amendment. Shipments of liquor passing through dry States should be under seal, and bills of lading should be filed with the secretary of state at point of origin.

We are opposed to excessive taxes on liquor, because taxes that are too high will encourage bootlegging, official corruption, and general violation of the law.

We recommend that granges throughout the land join with other organizations in a campaign of education, calling attention to the evil effects of strong drink, exposing the fallacy of the idea that any nation can drink its way to prosperity, and emphasizing the truth that decency and sobriety are virtues that bring their own reward.

29. Imported dairy products: The Lenroot-Taber Milk Act of 1927 should be broadened so as to require that butter, cheese, and other imported dairy products meet the same sanitary requirements that are in effect domestically.

30. Imported starches: We favor adequate excise taxes on tapioca, sago, and cassava, now entering this country duty free, and competing with domestically produced farm products.

31. Land ownership: We favor immediate action prohibiting land ownership or leasing in the name of minor children born in the United States of alien parents when the latter are prevented by law from leasing or owning land.

32. Statehood for Hawaii: Since the major portion of the population of the Territory of Hawaii is composed of those who are ineligible to become citizens of the United States, we are opposed to the admission of this Territory to statehood.

33. Honest merchandising: We favor legislation for truth in fabrics, both for the benefit of agriculture and the protection of the consumer. Labeling shoes to indicate the materials used in their manufacture should likewise be required.

Manufacturers of zinc-coated roofing and fencing should be required to appropriately label their products as a guide to purchasers.

34. Registration of lobbyists: We are opposed to the enactment of any legislation for the regulation of lobbying that would be violative of the constitutional rights of the people. But we condemn the exercise of undue pressure or the expenditure of large sums of money by selfish interests in the effort to shape legislation or to control public policy. We have no objection to the idea that lobbyists should be required to register and make a proper financial accounting.

35. Taking profits out of war: We reaffirm our position in favor of taking the profits out of war. In the event of future armed conflict, wealth as well as manpower should be conscripted. The manufacture of armaments and munitions for national defense should be taken over by the Government in time of war.

36. World peace: We earnestly advocate that the Government of the United States continue to exert every effort to promote peace and good will among nations. Since disarmament on a purely

national basis is not practicable, we cherish the hope that our Government may use its best endeavors to bring about reduction in armaments on an international scale.

We favor a sound neutrality policy that will save America from becoming entangled in foreign wars of greed, hatred, and aggression, and which are of no direct concern to us.

POINTS OF HISTORIC INTEREST IN THE NATIONAL CAPITAL

Mr. WALSH. Mr. President, from the Committee on Printing I report an original resolution and ask for its immediate consideration. It is in the usual form of similar resolutions adopted in connection with Presidential inaugurations.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 58) was read, considered, and agreed to, as follows:

Resolved, That a revised and corrected edition of Senate Document No. 183, Seventy-second Congress, second session, entitled "Points of Historic Interest in the National Capital", be printed, with illustrations, as a Senate document, and that 5,000 additional copies be printed for the use of the Senate document room.

INVESTIGATIONS BY THE COMMITTEE ON BANKING AND CURRENCY

Mr. BYRNES. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably, without amendment, Senate Resolutions Nos. 52, 53, 54, and 56, and I ask unanimous consent for their immediate consideration. The first resolution relates to investigations by the Committee on Banking and Currency.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 52), submitted by Mr. GLASS (for Mr. WAGNER) on the 11th instant, was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Banking and Currency, or any subcommittee thereof, hereby is authorized to sit during the sessions, recesses, and adjourned periods of the Seventy-fifth Congress at such times and places as it may deem advisable, to make investigations into all matters within its jurisdiction, and to compile and prepare statistics and documents relating thereto as directed from time to time by the Senate and as may be necessary, and to report in due course to the Senate the result thereof; to send for persons, books, and papers; to administer oaths, and to employ such expert stenographic, clerical, and other assistance as may be necessary; and all the expenses incurred in pursuance hereof shall be paid from the contingent fund of the Senate; and the committee is authorized to order such printing and binding as may be necessary for its use.

HEARINGS BEFORE THE COMMITTEE ON PRIVILEGES AND ELECTIONS

The resolution (S. Res. 53), submitted by Mr. GEORGE on the 11th instant, was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Privileges and Elections, or any subcommittee thereof, is authorized, during the Seventy-fifth Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE THE COMMITTEE ON COMMERCE

The resolution (S. Res. 54), submitted by Mr. COPELAND on the 11th instant, was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Commerce, or any subcommittee thereof, is authorized, during the Seventy-fifth Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost of not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE THE COMMITTEE ON IMMIGRATION

The resolution (S. Res. 56), submitted by Mr. RUSSELL on the 11th instant, was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Immigration, or any subcommittee thereof, hereby is authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHEPPARD:

A bill (S. 646) to provide the method of paying costs incident to the issuance or organization certificates;

A bill (S. 647) to amend section 9 of the Federal Credit Union Act, approved June 26, 1934 (Public, No. 467, 73d Cong.);

A bill (S. 648) to amend section 6 of the Federal Credit Union Act to provide for the cost of examination of Federal Credit Unions;

A bill (S. 649) to amend the Federal Credit Union Act to provide the method of taxing credit unions;

A bill (S. 650) to authorize investigations and researches in relation to credit for persons of small means; and

A bill (S. 651) to provide for space in Federal buildings for employees' credit unions; to the Committee on Banking and Currency.

A bill (S. 652) for the relief of John B. Jones;

A bill (S. 653) authorizing and directing the appointment of Joseph W. Harrison as a captain in the Chaplain Reserve Corps;

A bill (S. 654) to authorize the acquisition of land for military purposes in Bexar County, Tex., for use as an addition to Kelly Field Military Reservation, and to settle certain claims in connection therewith; and

A bill (S. 655) to amend an act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever", approved February 28, 1929, as amended, by including Roger P. Ames among those honored by said act; to the Committee on Military Affairs.

By Mr. WALSH:

A bill (S. 656) for the relief of the estate of Milton L. Baxter;

A bill (S. 657) for the relief of Nathan A. Buck;

A bill (S. 658) for the relief of Arthur K. Finney;

A bill (S. 659) for the relief of the estate of Marcellino M. Gilmette;

A bill (S. 660) for the relief of Evangelos Karacostas;

A bill (S. 661) for the relief of John Kelley;

A bill (S. 662) for the relief of Bertram Rich;

A bill (S. 663) for the relief of John P. Ryan;

A bill (S. 664) for the relief of Minnie M. Sears;

A bill (S. 665) to credit the account of Everett P. Sheridan;

A bill (S. 666) for the relief of Tom Small; and

A bill (S. 667) for the relief of William E. Jones, Walter M. Marston, William Ellery, Richard P. Hallowell, 2d, and Malcolm Donald as executors under the will of Frank W. Hallowell, and Malcolm Donald as executor under the will of Gordon Donald; to the Committee on Claims.

By Mr. CAPPER:

A bill (S. 668) to divest the products of child labor of their interstate character and to prohibit the interstate transportation of such products in certain cases, and for other purposes; to the Committee on the Judiciary.

A bill (S. 669) granting a pension to Mary A. Beck; to the Committee on Pensions.

By Mr. THOMAS of Oklahoma:

A bill (S. 670) authorizing an appropriation for payment to the Osage Tribe of Indians on account of their lands sold by the United States; to the Committee on Indian Affairs.

By Mr. REYNOLDS:

A bill (S. 671) to amend an act entitled "An act to provide for vocational rehabilitation of disabled residents of the District of Columbia, and for other purposes" (Public, No. 801, 70th Cong.); to the Committee on the District of Columbia.

By Mr. COPELAND:

A bill (S. 672) to authorize the coinage of 50-cent silver pieces in commemoration of the one hundred and fiftieth anniversary of the adoption of the Constitution of the United States; to the Committee on Banking and Currency.

A bill (S. 673) for the relief of S. T. Dickinson;

A bill (S. 674) for the relief of the heirs of Edward P. Frank, deceased;

A bill (S. 675) for the relief of the Sachs Mercantile Co., Inc.;

A bill (S. 676) for the relief of Heinrich Schmidt, G. m. b. H., of Flensburg, Germany;

A bill (S. 677) for the relief of the Telescope Folding Furniture Co., Inc.; and

A bill (S. 678) for the relief of James M. Winter; to the Committee on Claims.

A bill (S. 679) to extend the provisions of the Civil Service Act, as amended, to certain persons in the judicial service of the United States, and for other purposes; to the Committee on Civil Service.

A bill (S. 680) to provide for the extension of the admiralty jurisdiction and for a remedy; and

(By request.) A bill (S. 681) to amend Revised Statute 4131 (46 U. S. C. 221), and for other purposes; to the Committee on Commerce.

A bill (S. 682) to provide for cooperation with the States in the promotion of conservation education in the public elementary schools, high schools, colleges, and universities; to provide for cooperation with the States in the preparation of teachers, supervisors, and directors of conservation subjects on the natural resources; and to appropriate money and regulate its expenditure; to the Committee on Education and Labor.

A bill (S. 683) to amend section 24 of the Immigration Act of 1917, relating to the compensation of certain Immigration and Naturalization Service employees, and for other purposes; to the Committee on Immigration.

A bill (S. 684) for the relief of the city of New York; and

A bill (S. 685) to incorporate the American National Institute (Prix de Paris) at Paris, France; to the Committee on the Judiciary.

A bill (S. 686) for the relief of Anthony J. Constantino; and

A bill (S. 687) authorizing the Secretary of War to bestow the Silver Star upon Michael J. Quinn; to the Committee on Military Affairs.

A bill (S. 688) for the relief of Victor Oscar Gokey;

A bill (S. 689) for the relief of Raymond Nelson Hickman; and

A bill (S. 690) for the relief of James Francis Moore; to the Committee on Naval Affairs.

A bill (S. 691) granting a pension to Libbie T. Marrah;

A bill (S. 692) granting a pension to Anna L. Sweeney;

A bill (S. 693) granting a pension to Anna Wood; and

A bill (S. 694) granting double pension by reason of injury or disease to officers and enlisted men, and to their widows and dependents, whose death was due to service in line of duty; to the Committee on Pensions.

A bill (S. 695) to provide for the creation of the Saratoga National Historical Park in the State of New York, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. DAVIS:

A bill (S. 696) granting a pension to John Vandever; to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 697) for the relief of Annie Mae Carter (with an accompanying paper); and

A bill (S. 698) for the relief of Dr. R. N. Harwood; to the Committee on Claims.

By Mr. VAN NUYS:

A bill (S. 699) for the relief of Percy Head; to the Committee on Claims.

By Mr. TRUMAN:

A bill (S. 700) for the relief of Joseph J. McMahon; to the Committee on Military Affairs.

By Mr. BLACK:

A bill (S. 701) to aid the several States in making certain toll bridges on the system of Federal-aid highways free bridges, and for other purposes; to the Committee on Commerce.

By Mr. BARKLEY:

A bill (S. 702) to create a Division of Water Pollution Control in the United States Public Health Service, and for other purposes; to the Committee on Commerce.

By Mr. TYDINGS:

A bill (S. 703) for the relief of John T. Armstrong; and

A bill (S. 704) for the relief of the Baker-Whiteley Coal Co.; to the Committee on Claims.

A bill (S. 705) for the relief of the leader of the Naval Academy Band; to the Committee on Naval Affairs.

By Mr. SCHWELLENBACH:

A bill (S. 706) for the relief of the Lake Chelan reclamation district; and

A bill (S. 707) for the relief of Lucille McClure; to the Committee on Claims.

By Mr. KING:

A bill (S. 708) granting an increase of compensation to William B. Lancaster; to the Committee on Claims.

A bill (S. 709) to amend the act entitled "An act to incorporate the National Education Association of the United States", approved June 30, 1906, as amended; to the Committee on the Judiciary.

A bill (S. 710) granting a pension to Brigham F. Duffin; to the Committee on Pensions.

(By request.) A bill (S. 711) to amend an act entitled "An act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended, and particularly sections 863, 911, and 914 of the said code; to the Committee on the District of Columbia.

By Mr. MOORE:

A bill (S. 712) to authorize the coinage of 50-cent pieces in commemoration of the one hundred and sixtieth anniversary of the arrival of General Washington and the Continental Army at Morristown, N. J., after their inspiring victories at Trenton and Princeton, and the establishment of cantonments in Morristown for the duration of the war; to the Committee on Banking and Currency.

A bill (S. 713) to provide an appropriation for the payment of claims of persons who suffered property damage, death, or personal injury due to the explosion at the naval ammunition depot, Lake Denmark, N. J., July 10, 1926; to the Committee on Claims.

A bill (S. 714) relating to the eligibility of certain persons for admission to the civil service; to the Committee on Civil Service.

A bill (S. 715) to extend the time for completing the construction of a bridge across the Delaware River near Trenton, N. J.; to the Committee on Commerce.

A bill (S. 716) to provide for the establishment of one infantry battalion of Negro troops as a part of the National Guard of the State of New Jersey;

A bill (S. 717) to lease an unused portion, useless for military purposes, of the Fort Hancock Military Reservation to the State of New Jersey for a public aquatic park and pleasure ground for the benefit and enjoyment of the people of the United States; to the Committee on Military Affairs.

By Mr. LONERGAN:

A bill (S. 718) for the relief of the East Coast Ship & Yacht Corporation of Noank, Conn.; to the Committee on Claims.

A bill (S. 719) for the allowance of certain claims for extra labor above the legal day of 8 hours performed by engineers, firemen, laborers, and mechanics while employed in the care of public buildings of the United States outside the District of Columbia certified by the Court of Claims; to the Committee on Education and Labor.

A bill (S. 720) to authorize the acquisition of land for military purposes at Fort Ethan Allen, Vt.; to the Committee on Military Affairs.

(Mr. BORAH introduced Senate bill 721, which was referred to the Committee on the Judiciary, and appears in full under a separate heading.)

By Mr. WHEELER:

A joint resolution (S. J. Res. 31) making funds available for the control of incipient or emergency outbreaks of insect pests or plant diseases including grasshoppers and Mormon crickets; to the Committee on Agriculture and Forestry.

By Mr. COPELAND:

A joint resolution (S. J. Res. 32) to provide a medium for the adjudication of the remaining claims of American nationals against the Government of Germany, contemplated under the terms of the Treaty of Berlin, dated August 25, 1921; to the Committee on Foreign Relations.

A joint resolution (S. J. Res. 33) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. SHEPPARD:

A joint resolution (S. J. Res. 34) proposing an amendment to the Constitution of the United States relating to intoxicating liquors; and

A joint resolution (S. J. Res. 35) proposing an amendment to the Constitution of the United States relating to intoxicating liquors; to the Committee on the Judiciary.

(Mr. TYDINGS introduced Senate Joint Resolution 36, which was referred to the Committee on Appropriations, and appears under a separate heading.)

By Mr. VAN NUYS:

A joint resolution (S. J. Res. 37) authorizing the President of the United States of America to proclaim October 11, 1937, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. BULKLEY:

A joint resolution (S. J. Res. 38) to extend for a period of 3 years the guarantee by the United States of debentures issued by the Federal Housing Administrator; to the Committee on Banking and Currency.

LICENSING OF INTERSTATE CORPORATIONS

Mr. BORAH. I introduce a bill for reference to the Committee on the Judiciary, and ask that it be printed in the RECORD.

The VICE PRESIDENT. The bill will be received, printed in the RECORD, and referred as requested by the Senator from Idaho.

The bill (S. 721) to provide for the licensing of corporations engaged in interstate or foreign commerce, and for other purposes, was read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

A bill to provide for the licensing of corporations engaged in interstate or foreign commerce, and for other purposes

Be it enacted, etc., That this act may be cited as the "Corporation Licensing Act of 1937."

LICENSE REQUIRED FOR INTERSTATE OR FOREIGN BUSINESS

SEC. 2. On and after — days from the date of enactment of this act, it shall be unlawful for any corporation (except a bank, a common carrier subject to the Interstate Commerce Act, as amended, a common carrier or, insofar as engaged in radio broadcasting, a licensee, subject to the Communications Act of 1934, a China Trade Act corporation, or a corporation the majority of the stock of which is held by the United States or any agency or instrumentality thereof or corporations engaged in publishing newspapers, magazines, or books) organized under the laws of the United States or the District of Columbia, or of any State, Territory, or possession of the United States, or of any foreign country, to engage directly or indirectly in interstate or foreign commerce, without first having obtained a license therefor from the Federal Trade Commission (hereinafter referred to as the "Commission"); and for the purposes of this act, a corporation shall be deemed to be engaged in interstate or foreign commerce if it holds control (through stock ownership, a voting trust or trusts, a holding company or companies, or any other direct or indirect means) of a corporation engaged in interstate or foreign commerce, or of two or more corporations, any one of which is engaged in interstate or foreign commerce. As used in this act, the term "interstate or foreign commerce" means commerce between any place in a State, Territory, or possession of the United States, or the District of Columbia, and any place outside thereof; or between points within the same State or within the District of Columbia, but through any place outside thereof.

ISSUANCE OF LICENSES

SEC. 3. (a) Before any license shall be issued under this act the applicant corporation shall file with the Commission a sworn statement with respect to its operations, which shall include information concerning its organization and financial structure, the character of its transactions in interstate or foreign commerce, the terms, position, rights, and privileges of the different classes of its securities outstanding, the terms on which its securities have been offered to the public or otherwise, the property taken by the corporation at the time of its organization and the consideration paid therefor in money or otherwise, its bonded indebtedness and the interests of the promoters therein, the personnel and salaries of its management, its charter and bylaws, the number and local distribution of its stockholders, contracts made with promoters and with financial interests with respect to the organization of the corporation, management, and service contracts, special legislation relating to the corporation, its profits and losses for not more than the —— preceding fiscal years, and such further information with respect to the operations of the corporation as the Commission may, by regulation, require as necessary or appropriate in the public interest or for the protection of investors.

(b) Application for such licenses shall be made, and the licenses shall be issued, in such manner as the Commission shall, by regulation prescribe. Each such license shall contain such terms and conditions as the Commission shall prescribe as necessary or appropriate to carry out the purposes of this Act, shall be effective from the date specified therein, and shall continue in effect until suspended or revoked.

(c) The Commission shall by order deny the application for a license of any applicant corporation which fails to comply with the provisions of subsection (a) of this section, or if the Commission finds that the applicant corporation is an unlawful trust or combination in violation of the antitrust laws as designated in section 1 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, that it is a party to any contract, combination in the form of trust, or otherwise, or conspiracy in restraint of trade or commerce in violation of such laws, or that it is monopolizing, or attempting to monopolize, or combining or conspiring with any other person to monopolize, any part of such trade or commerce.

REVOCATION OF LICENSES

SEC. 4. After appropriate opportunity for notice and hearing, the Commission is authorized by order to suspend or revoke any such license if it finds that the corporation to which the license was issued has violated any provision of this act or any rule, regulation, or order of the Commission made thereunder; and the Commission shall revoke the license of any corporation which has been finally adjudged guilty by a Federal court in any proceeding, civil or criminal, of a violation of the antitrust laws.

REPORTS AND EXAMINATIONS

SEC. 5. (a) Each corporation which obtains a license under this act shall make an annual report to the Commission, certified if required by the rules and regulations of the Commission by independent public accountants, which shall contain such information with respect to the organization, capitalization, properties, earnings, profits, dividends, and business methods of the corporation, as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors. Each such corporation shall also make such special reports, similarly certified, as the Commission shall from time to time require for the purpose of keeping itself informed with respect to the operations of the corporation, and in the event that any such corporation shall increase its capital or issue any bonds, notes, debentures, or similar obligations it shall submit a statement with respect thereto to the Commission. The Commission may prescribe, in regard to reports and statements made pursuant to this section, the form or forms in which the required information shall be set forth, the items or details to be shown in the balance sheet and the earning statement, and the methods to be followed in the preparation of reports, in the appraisal or valuation of assets and liabilities, in the determination of depreciation and depletion, in the differentiation of recurring and nonrecurring income, in the differentiation of investment and operating income, and in the preparation, where the Commission deems it necessary or desirable, of separate and/or consolidated balance sheets or income accounts of any person directly or indirectly controlling or controlled by the corporation, or any person under direct or indirect common control with the corporation; but in the case of the reports and statements of any corporation whose methods of accounting are prescribed, or whose securities are registered, under the provisions of any law of the United States, or any rule or regulation thereunder, the rules and regulations of the Commission with respect to such reports and statements shall not be inconsistent with the requirements imposed by such law or rule or regulation in respect of the same subject matter.

(b) The Commission is further authorized to provide for periodical or special examinations of the corporations which obtain licenses under this act and to establish a schedule of reasonable fees for such examinations and for the issuance of licenses under this act. All such fees shall be collected by the Commission in such manner as it may direct, and the amount of all fees so collected shall be covered into the Treasury as miscellaneous receipts.

INVESTIGATIONS

SEC. 6. (a) The Commission may, in its discretion, make such investigations as it deems necessary to determine whether any person has violated or is about to violate any provision of this act or any rule or regulation thereunder, and may require or permit any person to file with it a statement in writing, under oath or otherwise as the Commission shall determine, as to all the facts and circumstances concerning the matter to be investigated. The Commission is authorized, in its discretion, to publish information concerning any such violations, and to investigate any facts, conditions, practices, or matters which it may deem necessary or proper to aid in the enforcement of the provisions of this act, in

the prescribing of rules and regulations thereunder, or in securing information to serve as a basis for recommending further legislation concerning the matters to which this act relates.

(b) For the purpose of any such investigation, or any other proceeding under this act, any member of the Commission or any officer designated by it is empowered to administer oaths and affirmations, subpena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records which the Commission deems relevant or material to the inquiry. Such attendance of witnesses and the production of any such records may be required from any place in the United States or any State at any designated place of hearing.

(c) In case of contumacy by, or refusal to obey a subpena issued to, any person, the Commission may invoke the aid of any court of the United States within the jurisdiction of which such investigation or proceeding is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, and other records. And such court may issue an order requiring such person to appear before the Commission or member or officer designated by the Commission, there to produce records, if so ordered, or to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found. Any person who shall, without just cause, fail or refuse to attend and testify or to answer any lawful inquiry or to produce books, papers, correspondence, memoranda, and other records, if in his power so to do, in obedience to the subpena of the Commission, shall be guilty of a misdemeanor, and, upon conviction, shall be subject to a fine of not more than $1,000 or to imprisonment for a term of not more than 1 year, or both.

(d) No person shall be excused from attending and testifying or from producing books, papers, contracts, agreements, and other records and documents before the Commission, or in obedience of the subpena of the Commission or any member thereof or any officer designated by it, or in any cause or proceeding instituted by the Commission under this act, on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subject to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

INJUNCTIONS AND PROSECUTION OF OFFENSES

SEC. 7. (a) Whenever it shall appear to the Commission that any person is engaged or about to engage in any acts or practices which constitute or will constitute a violation of the provisions of this act, or of any rule or regulation thereunder, it may in its discretion bring an action in the proper district court of the United States, the District Court of the United States for the District of Columbia, or the United States courts of any Territory or other place subject to the jurisdiction of the United States to enjoin such acts or practices, and upon a proper showing a permanent or temporary injunction or restraining order shall be granted without bond. The Commission may transmit such evidence as may be available concerning such acts or practices to the Attorney General, who may, in his discretion, institute the necessary criminal proceedings under this act.

(b) Upon application of the Commission the district courts of the United States, the District Court of the United States for the District of Columbia, and the United States courts of any Territory or other place subject to the jurisdiction of the United States shall also have jurisdiction to issue writs of mandamus commanding any person to comply with the provisions of this act or any order of the Commission made in pursuance thereof.

COURT REVIEW OF ORDERS

SEC. 8. (a) Any person aggrieved by an order issued by the Commission in a proceeding under this act to which such person is a party (except an order under section 4 revoking a license for violation of the antitrust laws) may obtain a review of such order in the Circuit Court of Appeals of the United States, within any circuit wherein such person resides or has his principal place of business, or in the United States Court of Appeals for the District of Columbia, by filing in such court, within 60 days after the entry of such order, a written petition praying that the order of the Commission be modified or set aside in whole or in part. A copy of such petition shall be forthwith served upon any member of the Commission, and thereupon the Commission shall certify and file in the court a transcript of the record upon which the order complained of was entered. Upon the filing of such transcript such court shall have exclusive jurisdiction to affirm, modify, and enforce or set aside such order, in whole or in part. No objection to the order of the Commission shall be considered by the court unless such objection shall have been urged before the Commission. The finding of the Commission as to the facts, if supported by substantial evidence, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the hearing before the Commission, the court may order such additional evidence to be taken before the Commission and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The Commission may modify its findings as to the facts, by reason of the additional evidence so taken, and it shall file such modified or new findings, which, if supported by substantial evidence, shall be conclusive, and its recommendation, if any, for the modification or setting aside of the original order. The judgment and decree of the court affirming, modifying, and enforcing or setting aside, in whole or in part, any such order of the Commission, shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 346 and 347).

(b) The commencement of proceedings under subsection (a) shall not, unless specifically ordered by the court, operate as a stay of the Commission's order.

JURISDICTION OF OFFENSES AND SUITS

SEC. 9. The district courts of the United States, the District Court of the United States for the District of Columbia, and the United States courts of any Territory or other place subject to the jurisdiction of the United States shall have exclusive jurisdiction of violations of this act or the rules and regulations thereunder, and of all suits in equity and actions at law brought to enforce any liability or duty created by this act or the rules and regulations thereunder. Any criminal proceeding may be brought in the district wherein any act or transaction constituting the violation occurred. Any suit or action to enforce any liability or duty created by this act or rules and regulations thereunder, or to enjoin any violation of such act or rules and regulations, may be brought in any such district or in the district wherein the defendant is found or is an inhabitant or transacts business, and process in such cases may be served in any other district of which the defendant is an inhabitant or wherever the defendant may be found. Judgments and decrees so rendered shall be subject to review as provided in sections 128 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 225 and 347). No costs shall be assessed for or against the Commission in any proceeding under this title brought by or against it in any such court.

RULES AND REGULATIONS

SEC. 10. The Commission is authorized to prescribe such rules and regulations and to issue such orders as may be necessary to carry out the provisions of this act.

PENALTIES

SEC. 11. Any corporation subject to this act, or any officer, director, agent, or employee thereof, that willfully violates any provision of this act shall, upon conviction thereof, be fined not more than $ or imprisoned not more than years, or both, and each day that any such violation continues shall be deemed a separate offense.

SEPARABILITY OF PROVISIONS

SEC. 12. If any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of the act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

RESERVATION OF RIGHT TO ALTER, AMEND, OR REPEAL

SEC. 13. The right to alter, amend, or repeal this act is hereby expressly reserved.

CHANGE OF REFERENCE

On motion of Mr. TYDINGS, the Committee on Claims was discharged from the further consideration of the joint resolution (S. J. Res. 16) to provide for the investigation of losses suffered by certain persons as a result of the taking of lands for military purposes, and it was referred to the Committee on Military Affairs.

HEARINGS BEFORE THE COMMITTEE ON TERRITORIES AND INSULAR AFFAIRS

Mr. TYDINGS submitted the following resolution (S. Res. 59), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Territories and Insular Affairs, or any subcommittee thereof, is authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

REORGANIZATION OF GOVERNMENT—ADDRESS BY SENATOR BYRD

[Mr. GLASS asked and obtained leave to have printed in the RECORD a radio address delivered by Senator BYRD on the subject of the reorganization of the Government, which appears in the Appendix.]

NEUTRALITY AND PEACE—ARTICLE BY SENATOR CLARK

[Mr. NYE asked and obtained leave to have printed in the RECORD an article by Senator CLARK on the subject of peace

and neutrality, published in the Washington Star of Sunday, Jan. 10, 1937, which appears in the Appendix.]

PRE-ELECTION ADDRESS BY HON. JAMES A. FARLEY

[Mr. NEELY asked and obtained leave to have printed in the RECORD a radio address by Hon. James A. Farley, chairman of the Democratic National Committee, delivered on Monday, Nov. 2, 1936, which appears in the Appendix.]

BALANCING THE BUDGET

Mr. TYDINGS. Mr. President, at the last session of the Congress I introduced a joint resolution having for its purpose an automatically balanced budget. It was not feasible to press its consideration at that time due to emergency legislation then pending. I am hopeful that the Appropriations Committee may find time to consider the joint resolution at the present session of Congress.

Briefly, I may state, the joint resolution supplements the present Budget law. It would provide that the President of the United States, immediately upon the convening of each Congress, shall submit a budget, which budget shall show the amount of money which is recommended to be allocated to each executive department, independent commission, board, bureau, office, or agency, or other establishment of the Federal Government. When that was done the Congress could reduce or increase the amount of money allocated to any governmental department, but if it should increase the amount of money allocated to any governmental department it would have to decrease correspondingly the appropriation for some other department or departments by a like amount so that expenditures would be within the income of the Government. In other words, the President would estimate the entire income of the Government and such income would be allocated by him according to his consideration of what each department should have. The Congress could change these figures, but it could not allocate in toto more money than the estimated income of the Government.

However, it might want to appropriate more money than would be represented by the Government's income. In that event, were the Congress to provide more money for all appropriations than the estimated income, the Congress would have to provide additional income in one of two ways: First, it could, of course, provide extra money by additional taxation. If it did not want to do that because of difficult times or inadvisability for one reason or another, it could authorize the Secretary of the Treasury to borrow the extra money, in which event it would have to provide the means of paying off the borrowed money within a period of 15 years after the loan was contracted, so that each measure authorizing the borrowing of additional money would carry with it the means of amortizing the loan.

This policy is in effect in some of the States of the Union. It is significant to note that the States where it is in effect are in a very fine financial condition as compared with those States which have no budgetary checks and balances in reference to income and appropriation.

In brief, the joint resolution provides that when the Government income is ascertained or estimated as accurately as it can be, it shall be allocated to the various departments of the Government.

There would be a sharp debate, it occurs to me, as to whether the Military Establishment should have more money than was recommended or less money, or whether the Department of Agriculture should have more money or less money. In the event it was felt that the Department of Agriculture should have more money than was allocated to it, then the Congress would be put upon its mettle to take that appropriation from the Military or Naval Establishment or some other department of the Government so that expenses and income would be in balance. In the event, however, that more money should be appropriated than was available from the income of Government, Congress would have to provide the extra money through additional taxation or, if it authorized the Treasury Department to borrow the additional money, it would have to provide the means of liquidating the loan. I cannot conceive of any case where there would be an emergency so great that the plan would not work. Certainly it would have worked in the case of all measures which we have enacted during the last 4 years.

At present there is no consideration of the amount of money spent by one department in relation to the money spent by another department. Each department's appropriation bill is considered separately. No effort is made to determine whether the War Department should get 2 percent or 8 percent or 20 percent of the governmental income, or whether the Department of Agriculture should get 2 or 8 or 10 percent.

An individual having an income ascertains how much he will spend for essentials and how much he will spend for things above what he may call essentials; but in the case of the Government the Congress takes up each appropriation bill separately without any consideration as to whether a large percentage of the Government's income or a small percentage is being provided for a particular department.

It seems to me the whole governmental picture should be considered at one time, that we ought to pass the Budget in toto, so to speak, after debate as to whether or not large or small sums should be given to any one department.

As stated, if this plan should be adopted, it would mean that there would be a consideration of the whole governmental problem, each department taking its relative position, and we would not consider just one department at a time, which invariably leads to deficits and makes deficiency appropriations always necessary.

Mr. ROBINSON. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Maryland yield to the Senator from Arkansas?

Mr. TYDINGS. I yield.

Mr. ROBINSON. The Senator is discussing a very interesting and important subject. I should like to ask whether the joint resolution proposes to restrict the power of the Budget authorities so that they shall not suggest or recommend appropriations in excess of the total estimated revenues?

Mr. TYDINGS. I shall be glad to answer the Senator's question. It does not. The Budget authorities would submit to Congress what they conceive the estimated revenue to be, on the one hand. They would then recommend how that total revenue should be expended. If, then, additional projects were recommended by the Budget authorities or the Executive, they could suggest how the necessary additional revenue should be raised. The Congress could take it or leave it.

Does that answer the Senator's question?

Mr. ROBINSON. Yes. Then if the Congress should see fit to make a different allocation within the aggregate of the revenue from that recommended by the Budget authorities, that action could be taken without limitation?

Mr. TYDINGS. That is correct.

Mr. ROBINSON. In other words, the Congress would have the power to make notable increases as to some of the departments or agencies, and correspondingly notable decreases as to others?

Mr. TYDINGS. That is correct.

Mr. ROBINSON. But if it made such different allocations from those suggested by the Budget as to require additional revenues, it must then find the means of supplying the funds necessary to meet the additional allocations?

Mr. TYDINGS. That is true; either by immediate taxation or by ultimate taxation.

Mr. ROBINSON. So that under the plan the Senator advances, he would expect that the Budget would be in constant and continuous balance after the plan was once inaugurated?

Mr. TYDINGS. That is true.

Mr. ROBINSON. Congress could either increase the taxes, levy new taxes, or authorize loans; but at no time would the appropriations be made without consideration of the means for meeting the expenditures?

Mr. TYDINGS. That is true. I thank the Senator for his concise contribution.

Mr. BYRNES and other Senators addressed the Chair.

Mr. TYDINGS. Before I yield again, let me point out one thing which perhaps is not sufficiently stressed.

In a period, we will assume, of great agricultural emergency there might be an enormous sum of money expended on the Army and Navy. Of course, if we should take the revenues of the Government and expend them on the Army and Navy to a large extent we should not have available the money necessary to take care of an agricultural emergency. It strikes me, therefore, that instead of considering the military bill and the agricultural bill and the Treasury bill as separate measures, the whole fabric of the Government income and expenditures ought to be considered at one time, so that there would be some relative consideration as to whether $2 should be spent for the Army and Navy and $1 for agriculture, or $2 for agriculture and $1 for the Army and Navy. I think we get into serious difficulty by looking only at one phase of the Government's activities at one time, rather than the entire governmental picture.

Mr. BYRNES and Mr. BORAH addressed the Chair.

The VICE PRESIDENT. Does the Senator from Maryland yield; and if so, to whom?

Mr. TYDINGS. I yield first to the Senator from South Carolina. Then I will yield to the Senator from Idaho.

Mr. BYRNES. Mr. President, let me ask the Senator a question.

Under existing law the Executive is charged with the duty of doing what the Senator has in mind. After investigation and consideration of the needs of the departments, as urged by them, the Executive must determine the amount that will be asked of the Congress for the various departments.

Mr. TYDINGS. That is true.

Mr. BYRNES. Does the Senator now propose that instead of the Executive determining the amount—or the percentage, if we choose to calculate it in percentages—the Congress shall do that instead of the Executive?

Mr. TYDINGS. The Executive only recommends. Under the proposed plan the Congress may depart from his recommendations in any way it wishes; but it must adopt the budget before separate appropriation bills are passed upon, and in that case it is bound not to exceed in its appropriations for all purposes the total amount of the budget.

Mr. BYRNES. Let us assume that the Executive submitted this week a budget representing the considered opinion of the Executive as to the needs of the various departments. Is it the plan of the Senator from Maryland that the Congress, taking that budget, would determine that a certain amount should be designated as the total amount of expenditures by the Congress, after considering the requests presented through the President?

Mr. TYDINGS. That is correct.

Mr. BYRNES. How could the Congress do that until the various committees had gone into a study of the needs of the departments as presented by the President?

Mr. TYDINGS. The President's budget would contain a recommended appropriation for each department.

Mr. BYRNES. And a total of all.

Mr. TYDINGS. And a total of all. It is my thought that the Budget would be automatically referred to the Committee on Appropriations, and the main duty of that committee would be to see what proportion of the total income was to be allocated to each of the departments.

Mr. BYRNES. The Senator from Maryland is a member of the Appropriations Committee. I desire to ask him how the Appropriations Committee could intelligently determine what proportion of the total income should be allocated to each of the departments until they had hearings upon the various bills, in order to determine the relative importance of the various proposals? That is the question to which I wish to get an answer. Should we not still have to go through hearings by the respective subcommittees in order to determine the relative importance of the requests?

Mr. TYDINGS. No; I do not think so.

Mr. BYRNES. Otherwise, we should be acting without full information.

Mr. TYDINGS. I do not think that is accurate, for the reason that there are certain routine, fixed expenses in every department. They are pretty general, and have been general over a long period of years. They may be called routine expenditures which the committee would quickly recognize. There would be no novelty, no increase or decrease, in a routine expenditure. Then, added to that, for each department would be the new ventures upon which it hoped to embark; so that the only real consideration at that particular time would be as to how many of the new ventures would fit into the estimated income of the Government.

Let me point out the fallacy of the present system. When we get the appropriation bill for the Army or for the Department of Agriculture, or for any other Government agency, we consider it without any reference to any other department of the Government. The Naval Affairs Committee may make recommendations for certain naval increases; the Committee on Agriculture and Forestry may make recommendations for certain agricultural increases, and what do we do? Do we compute how much money we have to spend on these items? No; we consider them absolutely separately, without any reference to the merit of the claims of one department or another.

Mr. BYRNES. The Senator refers to the necessity of considering new ventures. Is it not a fact that no new ventures would be included in any of the estimates for the appropriation bills unless for such new ventures there were authority of law, which means an act of the Congress?

Mr. TYDINGS. I think I see the Senator's point, which at first escaped me. His point is, how could the Appropriations Committee know how much it was going to recommend for the Army and Navy when the whole Budget was submitted to it? It is my thought that no bill would be definitely passed until all of the bills were investigated, exactly as they are now investigated, and therefore we should have a composite picture of the whole situation when the Budget was adopted.

Mr. BYRNES. Let me ask the Senator another question, because it is my belief that there can be no intelligent determination of a total amount until the various subcommittees of the Appropriations Committee have gone into the various bills.

Mr. TYDINGS. Granted.

Mr. BYRNES. As a matter of fact, the full Committee on Appropriations in each House must pass upon each of the bills; and upon that committee there sit the members of the Army subcommittee and the naval subcommittee, who must give consideration to the entire picture.

Mr. TYDINGS. I agree with the Senator; but what I am pointing out is that those subcommittees could meet just as they now meet, the separate bills could be approved just as they are now approved, but no one of them could be passed until they fitted into an entire national picture. There would not be any place where there would be a lack of consideration.

Mr. BYRNES. I shall interrupt the Senator but one moment more.

Mr. TYDINGS. I only wish to answer the Senator's question; that is all.

Mr. BYRNES. As to the new ventures, is it the Senator's idea that as to any subsequent legislation enacted by the Congress there should be carried automatically provision for revenue? To illustrate what I mean: If, for instance, a drought should develop in the West, demanding a large appropriation, and the Congress by the passage of a bill should authorize an appropriation of $300,000,000 to relieve such a drought condition, is it the Senator's idea that the bill should carry the revenue for that expenditure?

Mr. TYDINGS. First of all, if it were put into the main Budget bill, it would be necessary to reduce the appropriation for the other departments sufficiently to make up the $300,000,000. If we are to appropriate $300,000,000 that we do not have, for which the estimated income of the Government will not furnish sufficient money, then if we authorize the money to be borrowed, we ought at the same time to provide the means for liquidating the $300,000,000 over a period of not more than 15 years.

Mr. BYRNES. That is what I am asking the Senator. Assuming that we have ascertained the revenue and have apportioned it to the various regular departments of the

Government, and thereafter the Congress determines upon an additional expenditure—illustrating it by the suggested drought expenditure—we should then, as we have provided for an allotment of the regular revenue, provide the additional revenue. If that be so, and if for every additional expenditure there must be provision for raising additional revenue, exactly how would the Senator provide for it?

Mr. TYDINGS. The Senator has not a clear conception of what I attempted to say in the first part of my remarks.

Mr. BYRNES. I am sorry that is the case.

Mr. TYDINGS. Let us suppose there were 10 measures calling for extra appropriations, and the aggregate of them should amount to $500,000,000. In that case we should have to provide taxes equal to $500,000,000 to pay off the amount immediately; or, if the $500,000,000 were borrowed, we should have to provide taxes which would pay off the amount over a period of 15 years. We should not, however, have additional taxes carried in each of the separate 10 items of appropriation.

Mr. BYRNES. That is what I wanted the Senator to say. Then at the conclusion of a session, when all additional expenditures have been determined, a revenue bill must be introduced to provide the necessary amount, or authority must be given to borrow?

Mr. TYDINGS. The Senator is correct.

Mr. ADAMS and Mr. BARKLEY addressed the Chair.

The VICE PRESIDENT. Does the Senator from Maryland yield; and if so, to whom?

Mr. TYDINGS. I think the Senator from Colorado rose first. I yield to him, after which I shall be glad to yield to the Senator from Kentucky.

Mr. ADAMS. Mr. President, I desire to ask the Senator from Maryland to make clear the coordination between the House and the Senate in appropriation bills under his plan. As we know, appropriation bills must originate in the House of Representatives.

Mr. TYDINGS. That is true.

Mr. ADAMS. I desire to know what the function of the Senate would be, and how far the Senate Appropriations Committee and the Senate as a body would be limited, under the Senator's plan, in their independence of action.

Mr. TYDINGS. The Senate would have all the rights it now has. The House would have all the rights it now has. The House would act first, and when its Budget was adopted the Budget would come to us for approval. We could enlarge it or decrease it, but if we enlarged it we should have to appropriate additional sums. Obviously, however, if we did enlarge it, the enlargement would not be good until the House concurred in the increased appropriation.

Mr. ADAMS. That is, the Budget would be a separate measure?

Mr. TYDINGS. The Budget would be a separate measure, and the fabric of the Government would be considered as a whole. We would take the estimated income and allocate it among the different departments according to merit, whereas now there is absolutely no relationship between how much is appropriated for the Army and how much is appropriated for agriculture and how much is appropriated for relief and how much is appropriated for the Navy. The net result is that when we reach the end of each session, we find a large deficiency created, without any thought of where the money is to come from, and our usual procedure is then to authorize that the excess be borrowed without any thought of how the debt will be paid.

Mr. BARKLEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Maryland yield to the Senator from Kentucky?

Mr. TYDINGS. I yield.

Mr. BARKLEY. Is there any real or necessary relationship between the amount the Army may need and the amount agriculture may need?

Mr. TYDINGS. Certainly.

Mr. BARKLEY. How can that relationship be determined?

Mr. TYDINGS. Let me ask the Senator is there any real relationship in this own personal budget between the amount he provides for rent, for food, and for clothing and the sums he may expend for the purchase of a Victrola or an automobile? Naturally he is going to take care of the essentials first and find out how much he has over for trimmings.

Mr. BARKLEY. The relationship between the various items of my personal expenditures, of course, depends upon my income and my credit.

Mr. TYDINGS. Of course, no personal reference was intended.

Mr. BARKLEY. I understand; the Senator's question is apropos.

I do not see how we can determine the needs for the Army by determining first the needs of the farmer, or vice versa. I do not see how we can determine how much of a Navy we ought to have by first deciding how much the Bureau of Forestry ought to get for the purpose of reforestation, or how much ought to be appropriated for soil erosion, or for relief, or for rivers and harbors, or for anything else.

Mr. TYDINGS. Mr. President, I do not believe the Senator understood me accurately in regard to that matter. I do not mean to say that the amount of assistance given to agriculture will determine how large our Navy or Army ought to be. What I am saying is that we have so much money to spend, and we are sent here to spend it as wisely as we can in keeping with the requirements of the people and the Nation as a whole, and under the present system no thought is given to the relationship between the amount of money spent for one purpose and the amount of money spent for another purpose.

Mr. BARKLEY. Mr. President, will the Senator yield further?

Mr. TYDINGS. I yield to the Senator.

Mr. BARKLEY. If I understand the Senator's plan, it contemplates one omnibus appropriation bill, brought in, first, by the Committee on Appropriations of the House, though not necessarily, because there is no law that requires that appropriation bills originate in the House. It is customary, and it is done, but they are not on the same basis with revenue bills, which must originate in the House. But in order to coordinate all the expenses and the amounts to be allocated to the various departments would it not be necessary to have a single omnibus appropriation bill, in which would be allocated to each department the amount to which the Committee on Appropriations decided it was entitled?

Mr. TYDINGS. That is true.

Mr. BARKLEY. And if the amount provided in the bill went beyond the estimated revenues—which are always estimated and never absolutely certain—no matter what the emergency might be, or what the status of the session might be, that appropriation bill, if the amount carried in it exceeded the estimated income for the year, would have to be laid on a shelf until the process of imposing new taxes was initiated in the House, or a bond issue was made to cover the amount.

Mr. TYDINGS. The Senator was not in the Chamber, I believe, when I explained the matter in beginning my remarks, and, because many other Senators are on the floor now who were not here then, I shall take just a moment to go over what I said at the beginning.

Mr. BARKLEY. I am sorry I was not here when the Senator began his remarks; I was delayed.

Mr. TYDINGS. The Budget estimates show the estimated revenues for any particular year. Under the proposed plan the President would allocate the estimated revenues to all the departments, just as he does now. There would be no change in that. The President would say, "We are going to take in so much, and I recommend that it be expended in the following way." The recommendation would come to the Congress. I do not desire to go into all the details as to how it would be considered; I am merely summarizing. The recommendation would come to the Congress, and the Congress could reduce the amount the President had recommended for any department. That is easy. But it could not increase the amount he recommended for any department without taking from other departments a sufficient sum to make up for the increase to any particular department.

Mr. BARKLEY. In that case then, if an appropriation bill came to the Senate from the House and were reported by the committee—and, if I am assuming correctly, under the Senator's plan it would have to be a single omnibus appropriation bill instead of having a separate appropriation for each department——

Mr. TYDINGS. That is correct.

Mr. BARKLEY. That omnibus appropriation bill would come to the Senate. Let us assume it consumed all of the estimated revenues for that year. Then the only thing left for the Senate Committee on Appropriations, or the Senate itself, would be automatically to rubber-stamp the allocations of the House, or change them in such way as it might see fit. But if making the changes, either in the committee or on the floor of the Senate, involved an increase in the expenditures beyond the estimated revenues, then everything would have to be suspended in midair until we went back to the House in order to provide more taxes, or to secure authorization for a bond issue.

Mr. TYDINGS. That is not correct.

Mr. BARKLEY. How could we deal with it? How could we provide for an increase in taxes on the spur of the moment to take care of an increase in expenditures without going through the necessary legislative process?

Mr. TYDINGS. First of all, the Senate could not increase the expenditures for any department over the estimated revenues without first decreasing the expenditures of some other department or departments in an amount sufficient to make up the increase.

In the event the Senate wished to increase the appropriations beyond the total estimated revenues of the Government, then it should provide the revenue to make up the increase. Otherwise it would be appropriating money, first of all, which it did not have; and, second, which it was not bothering to get, passing on to some succeeding Congress the task of raising the money.

Mr. BARKLEY. This is a practical matter. Of course, the Constitution and the rules of both bodies permit Members to offer amendments. Suppose we had under consideration an appropriation bill which had allocated all the money available to the various departments, the bill came on the floor of the Senate, and some Member of the Senate, exercising his constitutional rights, representing his State, offered an amendment which increased the amount of the appropriation beyond the estimated revenues; then what would happen?

Mr. TYDINGS. Then he would have also to offer, with his amendment, an amendment to cut down some particular appropriation in order to make up the increase.

Mr. BARKLEY. Suppose the Senate were not willing to cut down the other appropriation?

Mr. TYDINGS. Then the increase would not prevail.

Mr. BARKLEY. So that automatically any Senator would be barred from voting for an increase in an appropriation, no matter how great the emergency, because he would be automatically barred from increasing the revenues in order to take care of it?

Mr. TYDINGS. No.

Mr. BARKLEY. We cannot increase the revenues——

Mr. TYDINGS. The Senator asks me a question, and then, before I attempt to answer it, he assumes he knows the answer, so what is the use asking the question? If the Senator desires to debate this matter in his own time, I shall be glad to yield.

Mr. BARKLEY. I do not wish to take the Senator off the floor.

Mr. TYDINGS. The Senator asks me a question; and when I attempt to answer it, he proceeds to state what he assumes to be the correct answer.

Mr. BARKLEY. No; I am trying to make my question a little more understandable, so that the Senator may answer it a little more intelligently.

Mr. TYDINGS. I beg the Senator's pardon.

Mr. BARKLEY. I now yield to the Senator for the answer he contemplated in the beginning.

Mr. TYDINGS. First of all, the Congress ought not to appropriate more money than the estimated revenues of the Government, as a general proposition, without raising new taxes to provide money with which to pay those appropriations, on the one hand; and, if new taxes are inadvisable, then it should authorize the borrowing of the money and make the taxes gentler by providing for repayment over a period of 15 years instead of immediately.

I stick to my premise, that no one ought to seek to have more money appropriated than the estimated revenues of the Government by offering an amendment to any particular appropriation bill, unless he can succeed in decreasing the appropriation for some item which has not merit equal to that which he attempts to insert in the bill by way of increase. In other words, we must cut our cloth to fit the individual to be clothed. That is, the Budget of the United States ought to contemplate the estimated revenues and how those revenues can be wisely spent. Any policy which leaves the door open to promiscuous appropriations without regard to how much may be available for expenditure or where the money is to come from is not good business.

Mr. BARKLEY. Mr. President, will the Senator yield further?

Mr. TYDINGS. I yield.

Mr. BARKLEY. In the instance which I cited, which is not at all fantastic, under the Senator's plan, where the Executive has allocated all of the estimated revenues, and an appropriation bill comes into the Senate from the Committee on Appropriations, and some Senator offers an amendment which would result in exceeding the estimated revenue, what would happen at that stage of the proceedings?

Mr. TYDINGS. The Senator will not allow me to drive home the point that the Senator who offers an amendment to increase an appropriation over and above the revenue must always offer an amendment to reduce the appropriation for some other item in an amount sufficient to make up for the increase.

Let us take a concrete example: We will assume there is an item of $10,000 for new machine guns in the War Department appropriation bill, that branch of the Budget, and that Senators feel that $20,000 ought to be appropriated for cannon, and only $15,000 are appropriated. The amendment of a Senator who so thought would then read: "To strike out '$10,000 for machine guns' and to insert '$5,000', and to strike out '$15,000 for cannon' and to insert '$20,000.'"

The question whether we ought to spend the money for one thing or another is the deciding factor. The Senate then must consider whether it desires to eliminate some item in order to provide for some other item which may be better, in its opinion; but it cannot keep on adding and adding and adding when there is no money in the Federal Treasury to pay for the increases.

Mr. BARKLEY. Suppose the Senate declines to reduce the appropriation?

Mr. TYDINGS. It cannot; under the law it would be automatic.

Mr. BARKLEY. If I offered an amendment to increase an appropriation——

Mr. TYDINGS. It would not be good unless it carried with it provision for a decrease of some other appropriation.

Mr. BARKLEY. Under the Senator's plan, I would have to offer simultaneously an amendment reducing the appropriation for some other department. Suppose the Senate declines to reduce the other appropriation. Then where do I stand?

Mr. TYDINGS. The Senator loses.

Mr. BARKLEY. In other words, I am automatically barred from presenting an emergency matter for the consideration of the Senate.

Mr. TYDINGS. Oh, no; the Senator may present it 50 times. The Senator may vary the amount, but the Senate will be the ultimate arbiter as to whether or not the item the Senator desires to insert is more worthwhile than the item for which he desires to reduce the total appropriation.

Mr. BARKLEY. It seems to me that makes every Member of the Senate an automaton, to be controlled by the Appropriations Committee, and he is even denied the right to offer an amendment, no matter how emergent the need for an appropriation may be.

Mr. TYDINGS. No; Mr. President, that is not true.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. BYRNES. I again direct the attention of the Senator to the question I asked a moment ago. Assume the enactment by the Congress of a law providing for the appropriation of $300,000,000 to relieve drought conditions in the West. The Senator's statement, as I understood it, was that if such an enactment of the Congress were approved by the President, it would be necessary for the Congress before adjournment to provide the necessary revenue to cover the total appropriations. With that in mind, I desire to call the attention of the Senator to the fact that existing law provides, whether the Executive complies with it or not, that with the submission of the Budget, if the estimated receipts for the ensuing fiscal year contained in the Budget on the basis of laws existing at the time of its transmittal, plus the estimated amount in the Treasury at the close of the fiscal year, are less than the estimated expenditures submitted by him in the Budget, the Executive must make recommendation to the Congress for new taxes, loans, or other appropriate action to meet the estimated deficiency; and if it appears that the enactments of the Congress thereafter will create deficiencies, and the President submits to the Congress estimates for deficiency appropriations, he must at the same time submit to the Congress recommendations for revenues to provide the funds to cover such deficiency appropriations or recommend loans for the purpose.

I now ask what change there would be in existing law under the plan proposed by the Senator other than the provision which the Senator says must be made before adjournment. Would he provide that the Congress could not adjourn until it had provided the revenue, or how could we force the action which is really contemplated by the existing law?

Mr. TYDINGS. I will say to the Senator from South Carolina that the point he has just raised is provided for in the joint resolution as presented. It would not change the President's functions at all. If the President should recommend that we appropriate more money than would be available to the Treasury, he would have to suggest a method of providing for it, either through the medium of a loan or through the medium of new taxation. That stays just the same. What I am speaking of is that when the Budget is adopted, and we allocate all our estimated revenues among the various departments, if by reason of some subsequent legislation, more money is appropriated than our estimated revenues, we may authorize that it be borrowed, in which case it will have to be amortized over a period of 15 years so as to make the taxation not burdensome, or we may provide that it shall be paid off by imposing an immediate tax.

Mr. BYRNES. Will the Senator again yield?

Mr. TYDINGS. In just a moment, Mr. President.

What I am first of all trying to make clear to the Senator and to the Senate is that at present in appropriating money for one department no consideration is given to the other departments. How do we prepare the Army bill? How do we prepare the Navy bill? We call on the Navy officials to come before us, and we call on the Army officials to come before us. They tell us their needs, and we give them what we think they ought to have. There is no reference to how much we have to spend for everything the Government does. Only in a remote way is consideration given by the Appropriations Committee at that time to anything except the Navy's needs. We may make the appropriation for the Navy two or three million dollars more than it asks, or even half a billion dollars more.

Mr. BYRNES. Mr. President, I recognize that statement as part of the Senator's general statement. Will the Senator yield further?

Mr. TYDINGS. In just a moment, Mr. President. What I am attempting to do is to provide for consideration of the manner in which the Government's money shall be divided among the different departments in relation to each other.

Mr. BYRNES. I understand the Senator's proposition with respect to that matter, but I wish to ask him a question.

Mr. TYDINGS. I may say that that is the practice in Great Britain.

Mr. BYRNES. I so understand.

Mr. TYDINGS. It is a very wise practice, and results in a great national debate in Great Britain as to whether or not the army or the navy or agriculture or shipping gets more of the national revenue than is its fair share when the various emergencies are considered.

Mr. BYRNES. Let me call the attention of the Senator to what he has just said. He has assumed that we have had the Budget submitted to us, that allotments under it have been made, and that there have been enactments of Congress demanding additional expenditures requiring additional revenue. The President, under existing law, must recommend to the Congress——

Mr. TYDINGS. I have all that in the joint resolution.

Mr. BYRNES. If in certain cases the Congress does not now provide revenues, how can the Congress be forced to do so under the plan proposed by the Senator from Maryland?

Mr. TYDINGS. The proposal is not worth anything unless when it becomes law it is adhered to.

Mr. ROBINSON rose.

Mr. TYDINGS. I should like to make a further statement in the short while remaining. I know the Senator from Arkansas is anxious to have this debate wound up as quickly as possible.

Mr. ROBINSON. No, Mr. President; I did not rise for that purpose.

Mr. TYDINGS. I thought the Senator did.

Mr. ROBINSON. But I did rise for the purpose of submitting another practical question to the Senator. With many of the statements he has made I am in hearty accord. I wish to ask him a question, however. Does he not see the practical difficulty in operating the plan embraced in his joint resolution growing out of the requirement in the Constitution that all bills for raising revenue must originate in the House of Representatives? That, by practice and precedent, has been construed to include tax bills and loans.

With that in mind, assume that the House should pass an omnibus appropriation bill allotting all the revenue, and that the Senate, with the expectation that additional revenues would be provided, should increase the aggregate amount of the omnibus bill substantially, say by half a billion dollars, so as to make it a question of practical importance. Suppose that in the conference the House, being opposed, we assume, to increasing taxes or making a new loan, should resist the Senate amendment; but, in order to prevent a total failure of legislation, suppose there also should happen what we know usually occurs in connection with large appropriation bills—namely, that some compromise should be effected, or an agreement reached, and that the bill should actually appropriate $250,000,000 in excess of the estimated revenues. The proposed joint resolution—and, for that matter, existing legislation—would impose upon someone the obligation of initiating additional legislation to provide the funds required to meet the deficit thus created.

Assuming, however, that there is no power to compel the exercise of the authority to appropriate public money—I think the precedents are to the effect that there is practically no limitation on it, and neither is there any enforceable method of compelling the exercise of what is necessarily a discretion in the legislative branch of the Government—suppose that the House of Representatives should fail to initiate the necessary legislation to provide for the deficit. The Senate could not do it, because the Constitution forbids it to do so. What would result, then, with respect to the Budget? The Budget would again be out of balance by the same old process that is now in vogue.

Mr. TYDINGS. The Senator, I think, overlooks the fact that if the Senate should increase the appropriations by $250,000,000 or $500,000,000, in the plan envisaged the action

would not be official until the House should concur in the Senate increase.

Mr. ROBINSON. Mr. President, will the Senator yield further?

Mr. TYDINGS. I yield.

Mr. ROBINSON. Of course I did not overlook that point. I discussed it. I assume that will happen which we all know happens here when we pass almost every important appropriation. Sharp differences exist between the two Houses. The Senate wants an appropriation. The House does not want it. In order to prevent the failure of legislation, conferees agree, and the respective bodies adopt the conference report, and it becomes law. There is no other way of getting an agreement when a difference exists. The Senate thinks the House ought to initiate legislation necessary to provide the additional revenues. The House, however, says, "That is our function; and, notwithstanding the fact that you have added a large amount to this general appropriation bill, and we have agreed to it in order to prevent the failure of legislation, we do not know of any source from which this additional fund properly can be obtained." In any event, I am assuming that no legislation is actually passed on the subject. I simply point out that we are right back where we started, and we have a failure to keep the Budget balanced. There is no way under the Constitution, that I know of, whereby such a condition can be avoided if the Congress appropriates money in excess of the aggregate amount of the revenue.

Mr. TYDINGS. I appreciate the observation made by the Senator from Arkansas, and the way I should like to answer at the moment is that, in considering a plan to try to put, according to my way of seeing it, some order into Government finance, I realize that there are many barriers and obstacles to any plan that may be reduced to paper. It was my thought, however, that if the plan were sound, the obstacles and barriers could be eliminated. One of them has been presented by the Senator from Arkansas in a very pertinent observation; but I still hold to the belief that the plan itself, after proper study, can overcome the obstacles that stand in its way and that the Nation would stand to profit by its adoption.

I do not mean to say that this is the last word. Of course, the committee would find many imperfections in the proposal, and they would propose many changes. I return, however, to the premise that Congress ought not to expend more money than is represented by the receipts of the Government unless it raises new revenue or provides a bond issue with proper amortization requirements. That is what every business in the country does; and the fact that we are the leading and greatest business, the one that handles the most money, is no reason why we should not profit by the excellent business administrations that have been carried on by lesser concerns and interests.

Mr. GLASS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Maryland yield to the Senator from Virginia?

Mr. TYDINGS. I yield.

Mr. GLASS. May I ask the Senator from Maryland what the Budget Bureau is for?

Mr. TYDINGS. The Budget Bureau is to estimate the probable revenues and to allocate them generally among the different departments.

Mr. GLASS. And to determine which are the worthiest items.

Mr. TYDINGS. To determine which are worthy; but I do not want——

Mr. GLASS. It looks as if the Senator wants Congress to go into the budgetary business.

Mr. TYDINGS. I do not want the Budget Bureau to determine for me which are the worthiest items. I do not think they have the right to determine in a democratic form of government which are the worthiest items.

Mr. GLASS. They do not determine the matter. They simply reach a conclusion after investigation and make their recommendations to Congress. It is then for Congress to determine whether their recommendation shall be accepted or rejected.

Mr. TYDINGS. Exactly, and that is what I would still have done, except that I would have the Congress give more thought to relative appropriations and not take them up separately without any regard to whether a third or fourth or fifth of the money used for certain purposes was more needed for some other department or activity.

Mr. GLASS. Is not that exactly what is done? It seems to me that the Appropriations Committee always have in mind a complete view and review of proposed appropriations and the revenue available to meet such appropriations.

Mr. TYDINGS. Under the Senator's guidance the Senate Appropriations Committee, I think, has tried to scrutinize every item, and I am not in any way reflecting on the splendid work the Senator and his committee have done. What I pointed out, however, was that I thought the Senator's labors would be somewhat facilitated if the responsibility were imposed on Congress of not appropriating more money than was available to the Treasury and going about it in a businesslike way.

Mr. GLASS. The Congress does not seem to be adverse to taking the responsibility of appropriating more money than it has.

Mr. TYDINGS. No; but I should like to correct that evil by providing that if the revenue is not available the Congress shall raise the money which it is going to spend.

Mr. CONNALLY. Mr. President——

Mr. TYDINGS. I wish to apologize to the Senator from Texas, because he has risen several times and I have not had an opportunity to yield to him.

Mr. CONNALLY. That is perfectly satisfactory. The Senator from Texas has not much seniority here; he is a very humble Member and is glad to be yielded to under any circumstances.

Mr. TYDINGS. The Senator from Texas makes up in ability whatever he may lack in seniority.

Mr. CONNALLY. I thank the Senator. I have a very high regard for his conceptions of free government and constitutional processes, but I wish to suggest to him that the control of the purse goes right back to the beginnings of parliamentary government. Whenever the Senator makes it harder for Congress to control appropriations he is making it easier for other departments to run the Government.

Mr. TYDINGS. I appreciate what the Senator says.

Mr. CONNALLY. The control of appropriations involves not simply their grant but their refusal, and I should be very reluctant to vote for any sort of a measure which would limit the absolute power of the Congress to appropriate money for any purpose at any time it wants to. I did not vote in the other House many years ago for the so-called Budget bill limiting the right of Congress to appropriate subject to some little bureau which sits in the Treasury Department. One almost has to go there on hands and knees and wear out his vest on the floor in order to get for Congress the right to make an appropriation. I have high regard for the Senator, but I must challenge his philosophy when he seeks to set up more barriers and make it more difficult for the representatives of the people who own the purse to handle the purse anyway they want to handle it. It is one of the glories of democracy that it has the right and power, if it wants to do so, to act as a damned fool [laughter], and if Congress spends more money than it should, the people back home, if they are wise, will retire us.

Mr. TYDINGS. Mr. President, the Senator intimated that under this proposal, if adopted, Congress perhaps could not reduce the appropriations provided for any department. There is nothing in the joint resolution to prevent the Congress from taking all appropriations away from any department without enacting a taxation or any other kind of measure. The only barrier here proposed is that Congress may not appropriate more money than there is in the Treasury without providing how at some time in the future it is going to pay the bill. If that be heresy then, of course, I am guilty of that crime. To me it is just good common sense.

I am not so enthralled with any legislative body as to feel that it has not some imperfections and that certain checks and balances are not good things for it; and I believe that one of those checks and one of those balances is the provision that the Congress ought not willy-nilly to appropriate money without any thought of pay day, because my experience here has been that everybody is more willing to appropriate than to tax; but there must be the "Siamese twins" sometimes somewhere along the road.

Mr. McKELLAR and Mr. ADAMS addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Maryland yield; and if so, to whom?

Mr. TYDINGS. I yield first to the Senator from Tennessee, and then I will yield to the Senator from Colorado.

Mr. McKELLAR. I wish to suggest to the Senator a very practical difficulty, as it seems to me, to carrying out his plan.

Mr. TYDINGS. Let me interrupt the Senator to say now, as I said to our leader, that I do not mean to say that the plan I have drawn will not have to be amended or abridged or, perhaps, rewritten. It would be impossible for me to visualize all the situations which a committee hearing would elicit. I am simply adhering to a plan which would set up a procedure to make appropriations conform to income, on the one hand, with all the picture of the Government's needs being considered, and, if more money should be needed, then to require Congress to provide it either by new taxation immediately or by a loan, which would subsequently be retired.

Mr. McKELLAR. I think the Senator's views about that matter are very important just at this time, but it strikes me that there are a good many practical reasons why his proposal could not be put into force. One of those reasons is that oftentimes, as the Senator knows, a great deal of legislation is enacted just at the close of a session of Congress. A great many bills authorizing appropriations are passed at the last moment, and, sometimes, after the two Houses have agreed on a final adjournment resolution, bills authorizing enormous or very considerable appropriations are passed.

After such appropriations have been authorized it is the duty of the Appropriations Committee to report an appropriation of the money. It seems to me that it would be very difficult under our present system, at any rate, without changing it entirely, to adopt a scheme such as the Senator very learnedly suggests. It seems to me it would be very difficult to do it for the practical reason that in the last days of the session so many new appropriations are authorized that it would be impossible for Congress to take care of them.

Mr. TYDINGS. I realize that objection, but I do not think it is paramount at all. I may say to the Senator I do not like referring to my own State, but we have this system in Maryland: We have a constitutional provision under which the State cannot borrow money for a period of more than 15 years, and when money is borrowed it is necessary to provide the taxes to amortize the loan. We have the budget system for the different departments, and the budget is considered as a whole. As a result, during the depression I think Maryland's credit was higher than that of any other State in the Union, at one time, if not now. The first reason was that we were compelled by law to allocate moneys with relativity with reference to the different departments; and the second reason was that we could not be prodigal and appropriate money without any thought of pay day. There is no difficulty in this proposal at all which the Congress cannot overcome.

I think our present policy of having deficits without any provision as to how they are to be paid could conceivably, if carried over a longer period of years than our recent depression happened to last, bring the country to a very serious crisis, whereas if we had provided in making these huge outlays a gradual system of taxation which would eventually overtake the appropriations and liquidate them, we would have forestalled possible trouble. Who knew that the depression would begin to subside when it did commence to do so? Who could say that it would not run for 20 years? Is there a Senator in this body who will assume for a moment that we could for a period of 20 years have kept the pace we had set at one time? Is it not wise to protect the credit of the Government, to look forward to the day when difficulties which cannot be foreseen shall arise rather than to say, "Oh, well, we got out of the last depression and that old system is good enough"? Who knows, with the condition in which the world is, what the future has in store?

I say it will be a good day when the Congress cannot appropriate more money than is available from the income of the Government without providing the means to make up the excess appropriations either through a bond issue, to be liquidated gradually, or by new taxation levied simultaneously with the excess appropriations.

If a war should break out in Europe tomorrow and sweep over and engulf the whole world, closing down our foreign trade, taking away the markets from our people, and relief should become a necessity or our policy of neutrality should fail, are we to have no checks and no balances at all on governmental finances? Are we to assume, because we are rich and blessed, there is no top and no bottom to the largesses of Congress? No man would agree to that for a moment, for, as the old colored woman told the lawyer, she would pay him $100 as soon as she got out of jail and then forgot to pay it, so it is with people who are in distress; so it is with our country.

Having passed through a depression, do we think one will never come again? It is just as sure to come again as the sun is to rise and set. I care not whether Democrats or Republicans run the Government for the next 100 years, because there are certain forces and events in mankind's experiences which no government can foresee or guard against. The elements themselves may create an unfavorable condition, foreign countries may create such a condition, and the government is wise which runs its business so that, so far as human ingenuity can foresee, no crisis shall arise which it is not prepared to meet.

My thought is that the Government receipts ought to be estimated as a whole and allocated among the respective departments in accordance with the needs of the Nation. If those receipts are not great enough and more money has to be appropriated for emergent items, then either immediate new taxes should be levied to raise the additional amount or, if the money is borrowed, a more gradual system of taxation with which to pay interest and provide amortization should be set up, so that the Government would always be conducting its business on a sound basis, and the needy and the distressed, the agriculturists or labor or industry that might need aid, would always find the Government's credit stable and able to provide it.

This system has been in vogue in my own State for many decades. It has worked admirably. I do not believe any student of finance or economics will say that at present the best business administration surrounds the appropriation of public money. Certainly we appropriate and postpone the day of taxation. Sometime we might postpone it too long when returning conditions of prosperity are too long delayed, and then we would find a capital levy or almost confiscatory taxes our only alternative.

We cannot destroy wealth twice. We can only destroy it once. Therefore it is my thought, now the worst of the depression is behind us and we have emerged from this dark period, that it is the time to put our finances in such shape that when another one shall come we shall be in a stronger position to weather the storm and carry the Government's financial credit and position to a safe harbor.

Mr. ADAMS. Mr. President, I wish to ask a question of the Senator from Maryland if he will permit me.

The PRESIDENT pro tempore. Does the Senator from Maryland yield to the Senator from Colorado?

Mr. TYDINGS. I shall be glad to yield, although I will say to the Senator from Colorado that I do not wish to transgress further on the time of the Senate because I think the leader on our side has some business he wishes to have transacted.

Mr. ADAMS. The matter is of some very considerable importance. I happen to come also from a State which has in its constitution and in its laws the same fiscal policies

that Maryland has adopted. I am familiar with a plan very similar to that which the Senator from Maryland submits in reference to our local State government, our cities, and our counties. They apply the budget system and an estimate of revenues. In the State of Colorado the legislature is limited by constitutional provision to the effect that an appropriation in excess of revenue is void. In other words, in my State we cannot appropriate money validly in excess of income.

Mr. TYDINGS. That is also true of Maryland.

Mr. ADAMS. The thought I wanted to suggest, following the line of suggestion made by the Senator from Arkansas [Mr. ROBINSON], and also the Senator from South Carolina [Mr. BYRNES], is how could we make the plan binding and effective, assuming it to be sound.

The Senator starts with an estimate; that is, he proposes to bind Congress by the estimates of revenues to be made by the executive department. That is the premise. Of course, that is not binding upon the Congress. It would be a matter of Congress in good faith following the suggestion. If Congress should now adopt the Budget, and at a subsequent day should make an appropriation in excess of that Budget, it would be exercising authority which legally would supersede the prior statute.

My question is whether it is not necessary, if we are to put the plan in effective operation, to do so not by statute but by a constitutional provision?

Mr. TYDINGS. I think the Senator's suggestion is one that may well be considered in connection with the joint resolution.

I shall conclude what I have to say by restating that I realize the plan I have here proposed is not perhaps the plan which would evolve out of the committee hearings. I do believe it is a basis for proper consideration, and that such consideration would bring forth a workable plan of great benefit to the people and the Government.

I now introduce the joint resolution and ask that it be referred to the Committee on Appropriations.

The PRESIDENT pro tempore. Without objection, the joint resolution will be received and referred as indicated.

The joint resolution (S. J. Res. 36) to provide for a balanced Budget was read twice by its title and referred to the Committee on Appropriations.

REORGANIZATION OF EXECUTIVE DEPARTMENTS (S. DOC. NO. 8)

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was read, as follows:

To the Congress of the United States:

I address this message to the Congress as one who has had experience as a legislator, as a subordinate in an executive department, as the chief executive of a State, and as one on whom, as President, the constitutional responsibility for the whole of the executive branch of the Government has lain for 4 years.

Now that we are out of the trough of the depression, the time has come to set our house in order. The administrative management of the Government needs overhauling. We are confronted not alone by new activities, some of them temporary in character, but also by the growth of the work of the Government matching the growth of the Nation over more than a generation.

Except for the enactment of the Budget and Accounting Act of 1921, no extensive change in management has occurred since 1913, when the Department of Labor was established. The executive structure of the Government is sadly out of date. I am not the first President to report to the Congress that antiquated machinery stands in the way of effective administration and of adequate control by the Congress. Theodore Roosevelt, William H. Taft, Woodrow Wilson, and Herbert Hoover made repeated but not wholly successful efforts to deal with the problem. Committees of the Congress have also rendered distinguished service to the Nation through their efforts from time to time to point the way to improvement of governmental management and organization.

The opportunity and the need for action now comes to you and to me. If we have faith in our republican form of government and in the ideals upon which it has rested for 150 years, we must devote ourselves energetically and courageously to the task of making that government efficient. The great stake in efficient democracy is the stake of the common man.

In these troubled years of world history a self-government cannot long survive unless that government is an effective and efficient agency to serve mankind and carry out the will of the Nation. A government without good management is a house builded on sand.

In striving together to make our Government more efficient, you and I are taking up in our generation the battle to preserve that freedom of self-government which our forefathers fought to establish and hand down to us. They struggled against tyranny, against nonrepresentative controls, against government by birth, wealth, or class against sectionalism. Our struggle now is against confusion, against ineffectiveness, against waste, against inefficiency. This battle, too, must be won, unless it is to be said that in our generation national self-government broke down and was frittered away in bad management.

Will it be said "democracy was a great dream but it could not do the job"? Or shall we here and now, without further delay, make it our business to see that our American democracy is made efficient so that it will do the job that is required of it by the events of our time?

I know your answer, and the answer of the Nation, because, after all, we are a practical people. We know good management in the home, on the farm, and in business, big and little. If any nation can find the way to effective government, it should be the American people through their own democratic institutions.

Over a year ago it seemed to me that this problem of administrative management of the executive branch of the Government should be a major order of business of this session of the Congress. Accordingly, after extended discussions and negotiations, I appointed a Committee on Administrative Management to examine the whole problem broadly and to suggest for my guidance and your consideration a comprehensive and balanced program for dealing with the overhead organization and management of the executive branch as it is established under the Constitution.

The Committee has now completed its work, and I transmit to you its report, "Administrative Management in the Government of the United States." I have examined this report carefully and thoughtfully, and am convinced that it is a great document of permanent importance. I think that the general program presented by the Committee is adequate, reasonable, and practical, and that it furnishes the basis for immediate action. The broad facts are known; the need is clear; what is now required is action.

The Committee on Administrative Management points out that no enterprise can operate effectively if set up as is the Government today. There are over 100 separate departments, boards, commissions, corporations, authorities, agencies, and activities through which the work of the Government is being carried on. Neither the President nor the Congress can exercise effective supervision and direction over such a chaos of establishments, nor can overlapping, duplication, and contradictory policies be avoided.

The Committee has not spared me; it says, what has been common knowledge for 20 years, that the President cannot adequately handle his responsibilities; that he is overworked; that it is humanly impossible, under the system which we have, for him fully to carry out his constitutional duty as Chief Executive because he is overwhelmed with minor details and needless contacts arising directly from the bad organization and equipment of the Government. I can testify to this. With my predecessors, who have said the same thing over and over again, I plead guilty.

The plain fact is that the present organization and equipment of the executive branch of the Government defeats the constitutional intent that there be a single responsible Chief Executive to coordinate and manage the departments and

activities in accordance with the laws enacted by the Congress. Under these conditions the Government cannot be thoroughly effective in working, under popular control, for the common good.

The committee does not spare the Comptroller General for his failure to give the Congress a prompt and complete audit each year, totally independent of administration, as a means of holding the Executive truly to account; nor for his unconstitutional assumption of executive power; nor for the failure to keep the accounting system of the Government up to date to serve as the basis of information, management, and control.

The Committee criticizes the use of boards and commissions in administration, condemns the careless use of "corporations" as governmental instrumentalities, and points out that the practice of creating independent regulatory commissions, who perform administrative work in addition to judicial work, threatens to develop a "fourth branch" of the Government, for which there is no sanction in the Constitution. Nor does the Committee spare the inadequacy of the civil-service system.

To meet this situation and bring our administrative management up to date the Committee presents an integrated five-point program, which you will find set out in its report. It includes these major recommendations:

First. Expand the White House staff so that the President may have a sufficient group of able assistants in his own office to keep him in closer and easier touch with the widespread affairs of administration, and to make the speedier clearance of the knowledge needed for Executive decision.

Second. Strengthen and develop the managerial agencies of the Government, particularly those dealing with the Budget and efficiency research, with personnel and with planning, as management arms of the Chief Executive.

Third. Extend the merit system upward, outward, and downward to cover practically all non-policy-determining posts; reorganize the civil-service system as a part of management under a single, responsible administrator; and create a citizen board to serve as the watchdog of the merit system, and increase the salaries of key posts throughout the service so that the Government may attract and hold in a career service men and women of ability and character.

Fourth. Overhaul the 100 independent agencies, administrations, authorities, boards, and commissions, and place them by Executive order within one or the other of the following 12 major executive departments: State, Treasury, War, Justice, Post Office, Navy, Conservation, Agriculture, Commerce, Labor, Social Welfare, and Public Works; and place upon the Executive continuing responsibility for the maintenance of effective organization.

Fifth. Establish accountability of the Executive to the Congress by providing a genuine independent post-audit of all fiscal transactions by an auditor general, and restore to the Executive complete responsibility for accounts and current transactions.

As you will see, this program rests solidly upon the Constitution and upon the American way of doing things. There is nothing in it which is revolutionary, as every element is drawn from our own experience, either in government or large-scale business.

I endorse this program and feel confident that it will commend itself to you also with your knowledge of government, and to the vast majority of the citizens of the country who want and believe in efficient self-government.

No important advance can be made toward the major objectives of the program without the passage by the Congress of the necessary legislation.

It will be necessary to provide for the establishment of two new departments, a department of social welfare and a department of public works, for the assignment by the President of all the miscellaneous activities to the 12 major departments thus provided, for reorganization of the civil-service system, for modernizing and strengthening the managerial agencies of the Executive, and for making the Executive more strictly accountable to the Congress. By the creation of two new departments nearly 100 agencies now not under regular departments can be consolidated as to their administrative functions under a total of 12 regular departments of the Government.

The remaining elements of the five-point program, though they must await your action on the basic legislation, may be initiated through appropriations and Executive orders.

In placing this program before you I realize that it will be said that I am recommending the increase of the powers of the Presidency. This is not true. The Presidency as established in the Constitution of the United States has all of the powers that are required. In spite of timid souls in 1787 who feared effective Government the Presidency was established as a single strong chief executive office in which was vested the entire executive power of the National Government, even as the legislative power was placed in the Congress and the judicial in the Supreme Court. What I am placing before you is not the request for more power, but for the tools of management and the authority to distribute the work so that the President can effectively discharge those powers which the Constitution now places upon him. Unless we are prepared to abandon this important part of the Constitution, we must equip the Presidency with authority commensurate with his responsibilities under the Constitution.

The Committee on Administrative Management, after a careful examination of recent attempts to reorganize the Government and of State reorganizations carried out so ably by Gov. Frank O. Lowden in Illinois, Gov. Alfred E. Smith in New York, Gov. Harry F. Byrd in Virginia, Gov. William Tudor Gardiner in Maine, and by other Governors, accepts the view held by my distinguished predecessors that the detailed work of reorganization is, as President Theodore Roosevelt said over 30 years ago, "essentially executive in its nature." The Committee accordingly recommends that reorganization should be a continuing duty and authority of the Chief Executive on the basis of standards set by the Congress. To make this safe, the Committee insists, however, that the Congress keep a watchful eye upon reorganization both through the annual Budget and through the maintenance of strict executive accountability to the Congress under the independent audit of all financial transactions by an auditor general. Under the proposed plan the Congress must by law establish the major departments and determine in advance the general principles which shall guide the President in distributing the work of the Government among these departments, and in this task the President is to act on the basis of careful research by the Bureau of the Budget and after conference with those primarily affected. Reorganization is not a mechanical task, but a human task, because Government is not a machine, but a living organism. With these clear safeguards, and in view of our past muddling with reorganization, one cannot but accept the logic and wisdom of the recommendations.

I would not have you adopt this five-point program, however, without realizing that this represents an important step in American history. If we do this, we reduce from over 100 down to a dozen the operating executive agencies of the Government, and we bring many little bureaucracies under broad coordinated democratic authority.

But in so doing we shall know that we are going back to the Constitution and giving to the executive branch modern tools of management and an up-to-date organization which will enable the Government to go forward efficiently. We can prove to the world that American government is both democratic and effective.

In this program I invite your cooperation and pledge myself to deal energetically and promptly with the executive responsibilities of reorganization and administrative management when you shall have made this possible by the necessary legislation.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 12, 1937.*

Mr. ROBINSON. I ask unanimous consent that the President's message, and the accompanying report of the President's Committee on Administrative Management in the

Executive Branch of the Government of the United States, be printed as a public document.

The PRESIDENT pro tempore. Without objection, it is so ordered; and, without objection, the message and the accompanying report will lie on the table.

EXEMPTION FROM TAX OF INAUGURAL ADMISSION TICKETS

Mr. KING. Mr. President, I ask the Chair to lay before the Senate for reading House Joint Resolution 106.

The PRESIDENT pro tempore laid before the Senate the joint resolution (H. J. Res. 106) to exempt from the tax on admissions amounts paid for admission tickets sold by authority of the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1937, which was read the first time by its title and the second time at length, as follows:

Resolved, etc., That all amounts paid for admission tickets sold by authority of the Committee on Inaugural Ceremonies of the Inauguration of the President-elect in January 1937, said committee to be appointed with the approval of the President-elect, shall be exempt from the tax on admissions imposed by section 500 of the Revenue Act of 1926, as amended, all the net proceeds from the sale of said tickets to be donated by the said committee to charity.

Mr. KING. Mr. President, a few days ago Senate Joint Resolution 18 was passed by the Senate. The measure which has today come over from the House is textually the same as the Senate joint resolution. I move that the Senate proceed to the immediate consideration of the House joint resolution.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed.

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore, as in executive session, laid before the Senate a message from the President of the United States submitting the nomination of Leighton Shields, of Missouri (now serving under a recess appointment), to be district attorney, United States Court for China, which was referred to the Committee on the Judiciary.

(For nomination this day received, see the end of Senate proceedings.)

ADJOURNMENT TO THURSDAY

Mr. ROBINSON. I move that the Senate adjourn until 12 o'clock noon on Thursday next.

The motion was agreed to; and (at 1 o'clock and 35 minutes p. m.) the Senate adjourned until Thursday, January 14, 1937, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate January 12, 1937

DISTRICT ATTORNEY, UNITED STATES COURT FOR CHINA

Leighton Shields to be district attorney for the United States Court for China. (Mr. Shields is now serving under a recess appointment.)

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 12, 1937

The House met at 12 o'clock meridian.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Eternal God, our Father, whose love and mercy reach to all men, arm us with that faith which enriches and dignifies life and fills it with the momentum of a great purpose. We are glad for the quiet of another night; today may we show forth Thy thought, power, and beauty; let Thy justice and goodness possess us. Almighty God, we hear the clanging discords of men throughout our land. We earnestly pray Thee that the higher and more blessed unity of our Lord may prevail among them. Grant that wisdom, steady, serious, and tranquil, may beat a pathway through the tides of controversy and that understanding and mutual good will may merge strong and enduring on the side of brotherhood. Hear our prayer, O Lord, for Thy name's sake. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 591. An act granting a pension to Grace G. Coolidge.

GRACE G. COOLIDGE

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 591) granting a pension to Grace G. Coolidge.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill (S. 591), as follows:

An act granting a pension to Grace G. Coolidge

Be it enacted, etc., That the Administrator of Veterans' Affairs is authorized and directed to place on the pension rolls the name of Grace G. Coolidge, widow of Calvin Coolidge, late a President of the United States, and to pay her a pension at the rate of $5,000 per annum.

There being no objection, the bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

EXEMPTING FROM TAX ADMISSIONS PAID FOR TICKETS TO INAUGURAL CEREMONIES

Mr. DOUGHTON. Mr. Speaker, I offer the following resolution, and ask for its immediate consideration.

The SPEAKER. The gentleman from North Carolina submits a resolution, which the Clerk will report, and asks unanimous consent for its present consideration.

The Clerk read the resolution, as follows:

House Joint Resolution 106

Joint resolution to exempt from the tax on admissions amounts paid for admission tickets sold by authority of the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1937

Resolved, etc., That all amounts paid for admission tickets sold by authority of the Committee on Inaugural Ceremonies of the inauguration of the President-elect in January 1937, said committee to be appointed with the approval of the President-elect, shall be exempt from the tax on admissions imposed by section 500 of the Revenue Act of 1926, as amended, all the net proceeds from the sale of said tickets to be donated by the said committee to charity.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. RICH. Mr. Speaker, reserving the right to object, may I ask the gentleman from North Carolina a question? I would like to know from the chairman if it is going to be the practice of this Congress to put through legislation for tax-exempt securities? If it is not, then we better start here to object. I give notice now that I shall object to all legislation for tax-exempt securities, but because of the fact that this might seem to be a political objection because it relates to the inaugural ceremonies I do not want to do it. However, I do want to notify the majority leader of this House that I am going to object in every way I possibly can to the issuance of any more tax-exempt securities. I will permit this resolution to pass, but I would like an expression from the leader of the majority upon this matter.

Mr. DOUGHTON. The gentleman from Pennsylvania asks me what the practice and policy of the House is going to be. Of course, I do not know. I do not know what the policy of the committee will be. But this has no relation whatever to tax-exempt securities. As far as I am personally concerned I have never believed in tax-exempt securities, but as I say this has no relation whatever to tax-exempt securities.

Mr. RICH. I want to say that the gentleman from North Carolina [Mr. DOUGHTON] has more influence in the House than any other Member. He has stated that he is opposed to tax-exempt securities, and I want to say that I will help

him in every way that I can to prohibit the issuing of any more by this Government. [Laughter and applause.]

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was agreed to.

A motion by Mr. DOUGHTON to reconsider the vote whereby the resolution was agreed to was laid on the table.

DEMOCRATIC CAUCUS

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. DOUGHTON. Mr. Speaker, I have asked for this time to inform the majority Members of the House that there will be a Democratic caucus at 10:30 o'clock tomorrow morning to hear a report of the majority committee on committees.

LEAVE TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that on Monday next my colleague, Mr. LUCE, after the reading of the Journal and the disposition of business on the Speaker's table, be allowed to address the House for 30 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. BOILEAU. Mr. Speaker, I ask unanimous consent that immediately after the special order today I be granted permission to address the House for 30 minutes.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that after the disposition of the special order today he may be permitted to address the House for 30 minutes. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a report of the mayors of certain cities of the United States to the President of the United States in reference to relief.

The SPEAKER. Is there objection?

There was no objection.

Mr. TURNER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include therein a short article on the Constitution by Mr. Fred Wilson, of Tennessee.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD, and to include therein a short article on the Constitution by Fred Wilson, of Tennessee. Is there objection?

Mr. RICH. Mr. Speaker, I reserve the right to object, to inquire who Mr. Fred Wilson is?

Mr. TURNER. Mr. Fred Wilson lives in Tennessee, and this is just a short article on the Constitution written by him. He has written a book on the Constitution.

Mr. RICH. Mr. Speaker, to allow this would be contrary to the rules of the Joint Committee on Printing, and I shall have to object. I object.

Mr. STEFAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement I made to the Secretary of Agriculture on crop conditions in the Third Congressional District of the State of Nebraska.

The SPEAKER. Is there objection?

There was no objection.

RECESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that the House stand in recess subject to the call of the Speaker. I may say to the gentleman from Maryland [Mr. GOLDSBOROUGH] that the President's message is coming and we are waiting for it now. I think it will be here in 10 or 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Accordingly (at 12 o'clock and 15 minutes p. m.) the House stood in recess, subject to the call of the Speaker.

AFTER THE RECESS

At 12 o'clock and 27 minutes p. m., the House was called to order by the Speaker.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries.

REORGANIZATION OF EXECUTIVE DEPARTMENTS (S. DOC. NO. 8)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee of the Whole House on the state of the Union and ordered printed:

To the Congress of the United States:

I address this message to the Congress as one who has had experience as a legislator, as a subordinate in an executive department, as the chief executive of a State, and as one on whom, as President, the constitutional responsibility for the whole of the executive branch of the Government has lain for 4 years.

Now that we are out of the trough of the depression, the time has come to set our house in order. The administrative management of the Government needs overhauling. We are confronted not alone by new activities, some of them temporary in character, but also by the growth of the work of the Government matching the growth of the Nation over more than a generation.

Except for the enactment of the Budget and Accounting Act of 1921, no extensive change in management has occurred since 1913, when the Department of Labor was established. The executive structure of the Government is sadly out of date. I am not the first President to report to the Congress that antiquated machinery stands in the way of effective administration and of adequate control by the Congress. Theodore Roosevelt, William H. Taft, Woodrow Wilson, and Herbert Hoover made repeated but not wholly successful efforts to deal with the problem. Committees of the Congress have also rendered distinguished service to the Nation through their efforts from time to time to point the way to improvement of governmental management and organization.

The opportunity and the need for action now comes to you and to me. If we have faith in our republican form of government, and in the ideals upon which it has rested for 150 years, we must devote ourselves energetically and courageously to the task of making that Government efficient. The great stake in efficient democracy is the stake of the common man.

In these troubled years of world history a self-government cannot long survive unless that government is an effective and efficient agency to serve mankind and carry out the will of the nation. A government without good management is a house builded on sand.

In striving together to make our Government more efficient, you and I are taking up in our generation the battle to preserve that freedom of self-government which our forefathers fought to establish and hand down to us. They struggled against tyranny; against nonrepresentative controls; against government by birth, wealth, or class; against sectionalism. Our struggle now is against confusion, against ineffectiveness, against waste, against inefficiency. This battle, too, must be won, unless it is to be said that in our generation national self-government broke down and was frittered away in bad management.

Will it be said, "Democracy was a great dream, but it could not do the job"? Or shall we here and now, without further delay, make it our business to see that our American democracy is made efficient, so that it will do the job that is required of it by the events of our time?

I know your answer, and the answer of the Nation, because, after all, we are a practical people. We know good management in the home, on the farm, and in business, big and little. If any nation can find the way to effective government, it should be the American people through their own democratic institutions.

Over a year ago it seemed to me that this problem of administrative management of the executive branch of the Government should be a major order of business of this session of the Congress. Accordingly, after extended discussions and negotiations, I appointed a Committee on Administrative Management to examine the whole problem broadly and to suggest for my guidance and your consideration a comprehensive and balanced program for dealing with the overhead organization and management of the executive branch as it is established under the Constitution.

The Committee has now completed its work, and I transmit to you its report, "Administrative Management in the Government of the United States." I have examined this report carefully and thoughtfully and am convinced that it is a great document of permanent importance. I think that the general program presented by the committee is adequate, reasonable, and practical, and that it furnishes the basis for immediate action. The broad facts are known; the need is clear; what is now required is action.

The Committee on Administrative Management points out that no enterprise can operate effectively if set up as is the Government today. There are over 100 separate departments, boards, commissions, corporations, authorities, agencies, and activities through which the work of the Government is being carried on. Neither the President nor the Congress can exercise effective supervision and direction over such a chaos of establishments, nor can overlapping, duplication, and contradictory policies be avoided.

The Committee has not spared me; it says, what has been common knowledge for 20 years, that the President cannot adequately handle his responsibilities; that he is overworked, that it is humanly impossible, under the system which we have, for him fully to carry out his constitutional duty as Chief Executive because he is overwhelmed with minor details and needless contacts arising directly from the bad organization and equipment of the Government. I can testify to this. With my predecessors who have said the same thing over and over again, I plead guilty.

The plain fact is that the present organization and equipment of the executive branch of the Government defeats the constitutional intent that there be a single responsible Chief Executive to coordinate and manage the departments and activities in accordance with the laws enacted by the Congress. Under these conditions the Government cannot be thoroughly effective in working, under popular control, for the common good.

The Committee does not spare the Comptroller General for his failure to give the Congress a prompt and complete audit each year, totally independent of administration, as a means of holding the Executive truly to account; nor for his unconstitutional assumption of executive power; nor for the failure to keep the accounting system of the Government up to date to serve as the basis of information, management, and control.

The Committee criticizes the use of boards and commissions in administration, condemns the careless use of "corporations" as governmental instrumentalities, and points out that the practice of creating independent regulatory commissions, who perform administrative work in addition to judicial work, threatens to develop a "fourth branch" of the Government for which there is no sanction in the Constitution. Nor does the Committee spare the inadequacy of the civil-service system.

To meet this situation and bring our administrative management up to date, the Committee presents an integrated five-point program which you will find set out in its report. It includes these major recommendations:

First. Expand the White House staff so that the President may have a sufficient group of able assistants in his own office to keep him in closer and easier touch with the widespread affairs of administration, and to make the speedier clearance of the knowledge needed for executive decision.

Second. Strengthen and develop the managerial agencies of the Government, particularly those dealing with the Budget and efficiency research, with personnel and with planning, as management arms of the Chief Executive.

Third. Extend the merit system upward, outward, and downward to cover practically all non-policy-determining posts; reorganize the civil-service system as a part of management under a single responsible administrator, and create a citizen board to serve as the watchdog of the merit system and increase the salaries of key posts throughout the service, so that the Government may attract and hold in a career service men and women of ability and character.

Fourth. Overhaul the 100 independent agencies, administrations, authorities, boards, and commissions and place them by Executive order within one or the other of the following 12 major executive departments: State, Treasury, War, Justice, Post Office, Navy, Conservation, Agriculture, Commerce, Labor, Social Welfare, and Public Works, and place upon the Executive continuing responsibility for the maintenance of effective organization.

Fifth. Establish accountability of the Executive to the Congress by providing a genuine independent post-audit of all fiscal transactions by an auditor general, and restore to the Executive complete responsibility for accounts and current transactions.

As you will see, this program rests solidly upon the Constitution and upon the American way of doing things. There is nothing in it which is revolutionary, as every element is drawn from our own experience either in Government or large-scale business.

I endorse this program and feel confident that it will commend itself to you also, with your knowledge of Government, and to the vast majority of the citizens of the country, who want and believe in efficient self-government.

No important advance can be made toward the major objectives of the program without the passage by the Congress of the necessary legislation.

It will be necessary to provide for the establishment of two new departments, a department of social welfare and a department of public works, for the assignment by the President of all the miscellaneous activities to the 12 major departments thus provided, for reorganization of the civil-service system, for modernizing and strengthening the managerial agencies of the Executive, and for making the Executive more strictly accountable to the Congress. By the creation of two new departments nearly 100 agencies now not under regular departments can be consolidated as to their administrative functions under a total of 12 regular departments of the Government.

The remaining elements of the five-point program, though they must await your action on the basic legislation, may be initiated through appropriations and Executive orders.

In placing this program before you I realize that it will be said that I am recommending the increase of the powers of the Presidency. This is not true. The Presidency as established in the Constitution of the United States has all of the powers that are required. In spite of timid souls in 1737 who feared effective Government, the Presidency was established as a single strong Chief Executive office in which was vested the entire executive power of the National Government, even as the legislative power was placed in the Congress and the judicial in the Supreme Court. What I am placing before you is not the request for more power, but for the tools of management and the authority to distribute the work so that the President can effectively discharge those powers which the Constitution now places upon him. Unless we are prepared to abandon this important part of the Constitution, we must equip the Presidency with authority commensurate with his responsibilities under the Constitution.

The Committee on Administrative Management, after a careful examination of recent attempts to reorganize the Government and of State reorganizations carried out so ably by Gov. Frank O. Lowden in Illinois, Gov. Alfred E. Smith in New York, Gov. Harry F. Byrd in Virginia, Gov.

William Tudor Gardiner in Maine, and by other Governors, accepts the view held by my distinguished predecessors that the detailed work of reorganization is, as President Theodore Roosevelt said over 30 years ago, "essentially executive in its nature." The Committee accordingly recommends that reorganization should be a continuing duty and authority of the Chief Executive on the basis of standards set by the Congress. To make this safe, the Committee insists, however, that the Congress keep a watchful eye upon reorganization both through the annual Budget and through the maintenance of strict executive accountability to the Congress under the independent audit of all financial transactions by an auditor general. Under the proposed plan, the Congress must by law establish the major departments and determine in advance the general principles which shall guide the President in distributing the work of the Government among these departments, and in this task the President is to act on the basis of careful research by the Bureau of the Budget and after conference with those primarily affected. Reorganization is not a mechanical task but a human task, because government is not a machine but a living organism. With these clear safeguards and in view of our past muddling with reorganization, one cannot but accept the logic and wisdom of the recommendations.

I would not have you adopt this five-point program, however, without realizing that this represents an important step in American history. If we do this, we reduce from over 100 down to a dozen the operating executive agencies of the Government, and we bring many little bureaucracies under broad coordinated democratic authority.

But in so doing we shall know that we are going back to the Constitution and giving to the executive branch modern tools of management and an up-to-date organization which will enable the Government to go forward efficiently. We can prove to the world that American government is both democratic and effective.

In this program I invite your cooperation and pledge myself to deal energetically and promptly with the executive responsibilities of reorganization and administrative management when you shall have made this possible by the necessary legislation.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 12, 1937.*

ORDER OF BUSINESS

The SPEAKER. Under special order heretofore made, the Chair recognizes the gentleman from Maryland [Mr. GOLDSBOROUGH] for 1 hour.

Mr. PATMAN. Pending that, Mr. Speaker, may I be permitted to propound a unanimous-consent request?

The SPEAKER. Does the gentleman from Maryland yield for that purpose?

Mr. GOLDSBOROUGH. I do.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. MAVERICK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. LUDLOW. Mr. Speaker, will the gentleman from Maryland yield to me until I can make a unanimous-consent request?

Mr. GOLDSBOROUGH. I yield.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that on Thursday next, after the reading of the Journal and the disposition of business on the Speaker's table, I may be permitted to address the House for 1 hour.

The SPEAKER. The gentleman from Indiana asks unanimous consent that on Thursday next, after the reading of the Journal and the disposition of business on the Speaker's table, he be permitted to address the House for 1 hour. Is there objection?

Mr. SNELL. Mr. Speaker, I reserve the right to object in order to ask whether it is the intention to have any special legislation come up in the House this week?

The SPEAKER. The Chair requests the majority leader to answer that.

Mr. RAYBURN. Mr. Speaker, the only bill that might have come up would have been the independent offices appropriation bill, and I think that will not come in. We would like to have Members who desire to make speeches make them this week, because next week we will be very busy.

Mr. SNELL. The gentleman expects to have some legislation next week?

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

EXTENSION OF REMARKS

Mr. SNYDER of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of transportation and to include therein a short bill.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. GIFFORD. Mr. Speaker, in view of the suggestion made by the majority leader, I ask unanimous consent that, following the special order already granted for Thursday next, I may be permitted to address the House for 40 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts.

There was no objection.

The SPEAKER. The gentleman from Maryland [Mr. GOLDSBOROUGH] is recognized for 1 hour.

PERMANENT DISTRIBUTION OF NATIONAL PRODUCTION

Mr. GOLDSBOROUGH. Mr. Speaker, I am today discussing H. R. 31, introduced by me on January 5, 1937. I introduced an identic bill on August 22, 1935, H. R. 9216, Seventy-fourth Congress, upon which hearings were held before the Committee on Banking and Currency of the House of Representatives on April 27 and 28, 1936, which hearings are entitled "Permanent Distribution of National Production."

Later in these remarks I will attempt to explain the bill, but what I intend as a graphic background will perhaps assist the explanation.

In a speech made at the annual dinner of the Chamber of Commerce of the State of New York, on November 19, 1936, President James Roland Angell, of Yale University, is quoted by the New York Times, of November 20, as follows:

> The gravest danger with which we are confronted is the possible lack of sufficient moral insight to recognize that, if we wish to salvage the high and indubitable advantages of a free democracy, we must breed a sufficiently vivid form of intelligent social altruism voluntarily to forego some of the individual prerogatives which in a simpler day we could properly and successfully claim.

He said that if the good things of life cannot be distributed with reasonable justice and with due regard to the social service actually rendered, and if needless cruelty cannot be prevented, then—

> I say again we may look for some form of dictatorial control and with its coming the destruction of many of the highest spiritual values in life.

He said that, being an optimist, he had no doubt ways would be discovered to do full justice to the social and economic necessities of the people without crushing individual initiative and self-reliance.

Mr. Winthrop W. Aldrich, chairman of the board of directors of the Chase National Bank, spoke at the same dinner, and is quoted as follows by the Times:

> In my opinion the underlying factor was the widespread belief that the existing administration was pledged to protect those among us who are the least able to protect themselves.
>
> If my estimate is correct, the election of 2 weeks ago was an American reflection of a world-wide movement that the war and its consequences greatly stimulated—the movement yielding up

some of the individual's freedom to act in return for increased security.

We are seeing in many countries the abandonment of the philosophy that the individual has a right to go ahead as far and as fast as his capacities allow, and the substitution in place of it of the philosophy that the activities of the individual must be restrained to some extent for the benefit of all.

No man can tell for what period of time this world-wide movement will go or what further changes it will produce in the economic, social, and political world as we know it. It is the twentieth-century's version of the philosophy of the eighteenth. It is a swing away from the intense individualism of the rights of man toward a limited application of that theory. It seeks to restrain and direct the freedom of the few for the benefit of the many.

Quoting from the New York Post of December 9, Mr. Colby M. Chester, president of the National Association of Manufacturers, at the opening session of the organization's annual meeting at the Waldorf-Astoria, said:

Industry must accept its responsibility for the national welfare as being an even higher duty than the successful operation of private business.

Mr. Chester called this the no. 1 plank in the proposed program of reform.

In a wireless from Paris, on November 5, in the New York Times, the following statement appears:

A predication that the three great democracies—France, Great Britain, and the United States—are on the verge of great prosperity but a warning that such prosperity must have wide distribution among the lower-income brackets was voiced today at a luncheon of the American Club of Paris by Sir Robert M. Kindersley, a director of the Bank of England.

"This prosperity is democracy's great opportunity," he said, "but it is also her responsibility and it is for her to see that when it comes it is fairly, equitably, and justly distributed, thus placing democracy on the broadest possible basis. * * * Otherwise prosperity cannot conceivably last except for a short time.

"If, on the other hand, we are generous and broadminded, if we have vision and see to it that a fair and just distribution takes place, the length of the prosperity which can come to the world is in my opinion immeasurable."

It seems to me especially wise and fitting to quote from the text of the annual message of the President of the United States delivered in this room on January 6. The President said:

Ours was the task to prove that democracy could be made to function in the world of today as effectively as in the simpler world of a hundred years ago. Ours was the task to do more than to argue a theory. The times required the confident answer of performance to those whose instinctive faith in humanity made them want to believe that in the long run democracy would prove superior to more extreme forms of government as a process of getting action when action was wisdom, without the spiritual sacrifices which those other forms of government exact.

That challenge we met. To meet it required unprecedented activities under Federal leadership—to end abuses—to restore a large measure of material prosperity—to give new faith to millions of our citizens who had been traditionally taught to expect that democracy would provide continuously wider opportunity and continuously greater security in a world where science was continuously making material riches more available to man.

Again he stated:

That cooperation of the past 4 years between the Congress and the President has aimed at the fulfillment of a twofold policy—first, economic recovery through many kinds of assistance to agriculture, industry, and banking; and, second, deliberate improvement in the personal security and opportunity of the great mass of our people.

And again:

Nor was the recovery we sought merely a purposeless whirring of machinery. It is important, of course, that every man and woman in the country be able to find work; that every factory run; that business as a whole earn profits. But government in a democratic nation does not exist solely, or even primarily, for that purpose.

It is not enough that the wheels turn. They must carry us in the direction of a greater satisfaction in life for the average man. The deeper purpose of democratic government is to assist as many of its citizens as possible—especially those who need it most—to improve their conditions of life, to retain all personal liberty which does not adversely affect their neighbors, and to pursue the happiness which comes with security and an opportunity for recreation and culture.

Even with our present recovery we are far from the goal of that deeper purpose. There are far-reaching problems still with us for which democracy must find solutions if it is to consider itself successful.

Evidently the leaders of thought in this country are aware of the fact that the major problem to be solved by the American people is the one of poverty in the midst of plenty; is the problem of distributing to our people all of the wanted goods and services they are able to produce. It has always seemed to me to be wise to take it for granted that there is a solution of every social problem, and that the rational process was, first, ascertaining the problem; second, ascertaining the solution; and, third, working out the solution on a practical and common sense basis, and with the facts of human nature kept constantly in mind.

The bill introduced by me is an attempt toward a solution of the indicated problem of poverty in the midst of plenty. But again, before explaining the bill, it has seemed to me best to call attention to certain facts and to quote from those, some of whom seem to understand the facts, and all of whom, in a general way, appear to understand the necessary result of the facts and some of the economic factors involved.

In 1787 John Adams wrote to Thomas Jefferson:

All the perplexities, confusion, and distress in America arise, not from defects in the Constitution or Confederation, not from want of honor or virtue, so much as from downright ignorance of the nature of coin, credit, and circulation.

Pope Pius, in Forty Years After, on the reconstruction of the social order (1931), says:

This power—

Concentrated economic domination—

becomes particularly irresistible when exercised by those who, because they hold and control money, are able also to govern credit, and determine its allotment; for that reason supplying, so to speak, the lifeblood to the entire economic body, and grasping, as it were, in their hands the very soul of production so that no one dare breathe against their will.

In 1916 President Wilson made the following statement:

A great industrial nation is controlled by its system of credit. Our system of credit is concentrated. The growth of the Nation, therefore, and all our activities are in the hands of a few men. * * * We have come to be one of the worst ruled, one of the most completely controlled and dominated governments in the civilized world—no longer a government by free opinion, no longer a government by conviction and the vote of the majority, but a government by the opinion and duress of small groups of dominant men.

Bishop McConnell, of the New York Methodist area, a former president of the Federal Council of the Churches of Christ in America, stated very recently:

Now, however, the questioning is covering a wider range and is going deeper. The issue can be put about thus: Assuming that the businessman thinks of dividends first and the public good second, and that the public thinks of its own good first and dividends second, the question is as to which point of view is to have the right-of-way. Quite likely, as in all such matters, a practical compromise is to be worked out, but the business world will do well to try to help in an adjustment. For very careful students who are not at all radical are pointing out that capitalism in the United States is sinning against its own interests in not producing more goods at reduced prices and in trying to keep wages down. Industrial leaders could take at least the first steps away from a scarcity to a plenty policy if they would do just the opposite—at least that is the opinion of those best entitled to an opinion.

All this is on the assumption that our present order can be improved within its present framework. Anyhow, the wise course for the leaders of the industrial system is to show a cooperative attitude in such matters. To be sure, there are men in this land of ours so boneheaded as not to be able to see the plain meaning of the Roosevelt reelection—the interest of the public in what concerns human welfare.

If we will take the pains to listen to comments of ordinary people, we can soon learn that there is an increasing public interest not only in social security but in such scrutiny of industrial methods as will indicate that public welfare stands where it ought to stand—in the first place.

All authorities appear to agree that we can have no permanent prosperity in this country without permanently increasing the consuming power of the masses of the people. Reading from Income and Economic Progress, a publication of the Brookings Institute, Washington, D. C., pages 37 and 38:

First, the consumptive requirements or wants of the people were far from satisfied during the period of our highest economic achievement. The value of the total national production of goods and services in 1929, if divided equally among the entire population, would have given to each person approximately $665. There were nearly 6,000,000 families with incomes less than $1,000;

12,000,000 with incomes under $1,500; over 16,000,000 with incomes under $2,000; and over 19,000,000, or 71 percent of the total, with incomes less than $2,500. A family income of $2,500, at 1929 prices, was a very moderate one, permitting few of the luxuries of life. Hence it was clear that the consumptive requirements, and especially the wants, of the masses of the people were far from satisfied.

To raise the incomes of the 19.4 million families receiving less than $2,500 in 1929 to a $2,500 level, with no changes in the incomes of the families receiving more than that amount, would have required an increase in national production of more than $16,000,000,000. A horizontal increase of $1,000 in the income of all families receiving less than $5,000 in 1929 would necessitate an expansion of production to the extent of over $25,000,000,000. To give all the families of the Nation a "reasonable standard" of living, such as is set forth in studies made by the Bureau of Home Economics of the United States Department of Agriculture, would have necessitated an increase in production over 1929 levels of approximately 75 percent. The full utilization of our productive capacity, it will be recalled, would have permitted an increase in production of only about 20 percent, or $15,000,000,000. We were clearly not confronted in 1929 with overproduction, either actual or potential. The desires of the people were vastly greater than could have been satisfied by the productive power then available.

Second, the market demand for consumption goods was less than our capacity to supply such demand. That is to say, while we could not have supplied all of the goods that were desired by the people, we were able to furnish a larger volume than the people were willing or able to purchase with the incomes which they had available. A substantially greater output of consumption goods would undoubtedly have resulted had the market demands of consumers been larger.

I know the House will pardon me for making use of extensive quotations, but I am anxious, if possible, to fortify my explanation of the bill with the philosophy of others than the author of the bill.

It is, of course, obvious that these remarks contain a criticism, both express and implied, of our currency system, but they do not contain a criticism of bankers who supply it. Bankers are experts at their job, and as administrative entities the banking systems of the world are probably much superior to anything else we have—both as regards efficiency and departmental integrity.

The system of fractional reserves which makes it impossible for the people to pay their debts has no background of economic theory. It is a banking practice which originated with the Goldsmiths of London and which was perfected by the Rothschilds. In an editorial appearing in the Baltimore Evening Sun of August 19, 1935, there appears the following sentence:

Most economists agree that a nation cannot well emerge from a depression until it has written off the excessive burden of debt accumulated during the preceding period of prosperity.

This situation epitomizes the tragedy of economic life under the present monetary system.

The concept of the standardized economist is that the way to create money is by making a so-called deposit of money borrowed from a bank. In other words, you borrow from the bank, you reloan to the bank when you make a so-called deposit, and the currency of the country is created by that so-called deposit, the necessary inference being that prosperity will continue and increase until the loans made by the banks become so great that the banks become alarmed, when they proceed to collect what is due them, which in turn contracts the currency, which in turn destroys the value of property, which in turn causes universal bankruptcy and another period of depression.

As illustrating the situation we are in, let us consider for a moment the thing we call the national debt, and which is the daily pabulum of every alarmist and reactionary in the country.

Under the national debt system, which was born in England several hundred years ago, society pays for its money twice. The Government pays out money to members of society, and receives in exchange for the money either goods or services; in other words, society pays for its money when it gets it, but under the national debt system the Government—society—is required to borrow its money from the banks, and then society, which has already paid in goods and services for the money received by it, has to pay for the same money again in repaying the banks.

From the very beginning of my knowledge of business matters I have never understood the wisdom of the universal transaction of business on the basis of a debt. I read a very interesting statement made by Benjamin Disraeli. He declared that the curse of money began with King William III, who introduced in England what Disraeli termed the system of Dutch finance:

The principle (of Dutch finance) was to mortgage industry in order to protect property (money); abstractly nothing can be conceived more unjust; its practice in England has been equally injurious. It has made debt a national habit; it has made credit the ruling power, not the exceptional auxiliary, of all transactions; it has introduced a loose, inexact, haphazard, and dishonest spirit in the conduct of both public and private life; a spirit dazzling and yet dastardly; reckless of consequences and yet shrinking from responsibility. And in the end it has so overstimulated the energies of the population to maintain the material engagements of the State and of society at large that the moral condition of the people has been entirely lost sight of.

Why is it preferable to have a nation of bondholders and slaves rather than a nation of stockholders has always been entirely beyond my comprehension, and so, with all the factors implicit in these remarks, I introduced in September 1935 H. R. 9216, now H. R. 31. This bill provides for a discount to the consumer on all wanted goods sold at retail, starting with a discount of 25 percent, and providing that this discount shall be varied from time to time to a point making it possible for all the people to purchase all the people can produce. Under this bill the retailer can deposit with his bank a certificate in an amount representing the discount, which amount is placed to his credit as a deposit, the bank in turn receiving a credit on the books of a commission created by the Federal Government in an amount equal to the discount, and receiving a certificate in an equivalent amount from this Government commission, which it can use to equalize interbank balances, and which it can also use as currency in periods of emergency.

You will ask how, under such a system, inflation can be prevented. It can be prevented by the open-market operations of the Federal Reserve System; it can be prevented by the raising of the reserve requirements of all banks members of the Federal Reserve System; it can be prevented by the raising of rediscount rates in the Federal Reserve banks; it will be prevented for many years by the gradual paying off of the enormous National, State, municipal, corporate, and personal debt load of the country. As you will see, the consumer's dividend amounts to an inverted sales tax, and the bill provides that in case of necessity, to prevent inflation, the process can be reversed and a sales tax imposed. A universal sales tax is a tax on distribution, is a tax on consumption, is a starvation tax, and it will never be necessary to impose this burden upon the people, because while you may have speculation, you cannot have inflation unless and until and after your retail discount becomes so great that the people are able to consume all the wanted goods and services they can produce. Of course, if the discount were increased beyond that point you would have a rise in prices, which would be true inflation.

Now, there are other features of the bill, but I think my statement is sufficiently full to make clear the purposes of the proposed legislation.

We want to substitute cash purchases for installment purchases in every city and town and village and hamlet and rural district in this country. High-pressure salesmanship is selling to our people everything from automobiles to washing machines on the installment plan. This means that the people as a people do not have sufficient purchasing power to buy the articles so sold on an installment basis, which in turn means, of absolute mathematical necessity, that they are mortgaging not only their property but their future earning power, and it is only a question of time when they will be unable to meet their obligations, which means another national economic collapse.

On October 5, 1936, Alfred P. Sloan, Jr., president of General Motors Corporation, made the following statement in the course of a speech at Lansing, Mich.:

There will be another depression. We haven't discovered what causes them nor what will avoid them. It is inevitable that the next will be more severe than the last. Everything we have done will tend to intensify the next one.

I make no claim that the bill I am discussing will solve the problem which I have attempted to set out. It is, I believe, the only bill ever introduced into a legislative body in the world in an attempt to solve the problem of poverty in the midst of plenty by direct means. It is, I believe, the first measure ever introduced into a legislative body which involves, as a necessary implication, an economic system based on cooperation, and not, as I have said before, based on a debtor-creditor system, which necessarily involves scarcity; the first bill, insofar as I know, ever introduced involving the conception that we should all be producers of one kind or another, and that debt should be the occasional incident rather than the necessary accompaniment and dominant feature of our economic life. [Applause.]

The SPEAKER pro tempore (Mr. WARREN). Under the special order, the gentleman from Wisconsin [Mr. BOILEAU] was granted permission to address the House for 30 minutes. The gentleman from Wisconsin has informed the Chair that if he were not present in the Chamber at this time he did not desire to speak. The Chair does not see the gentleman from Wisconsin.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, if no one desires to make any further remarks, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 34 minutes p. m.) the House adjourned until tomorrow, Wednesday, January 13, 1937, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

192. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of the Interior for the fiscal year 1937 in the sum of $6,400 (H. Doc. No. 101); to the Committee on Appropriations and ordered to be printed.

193. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to existing appropriations of the War Department of the fiscal year ending June 30, 1937, to provide for a transfer of funds (H. Doc. No. 102); to the Committee on Appropriations and ordered to be printed.

194. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Federal Communications Commission, amounting to $350,000, to continue available until June 30, 1938 (H. Doc. No. 103); to the Committee on Appropriations and ordered to be printed.

195. A communication from the President of the United States, transmitting a supplemental estimate of appropriation of $95,000,000 for emergency conservation work, for the fiscal year 1937 (H. Doc. No. 104); to the Committee on Appropriations and ordered to be printed.

196. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment, United States Senate, for the fiscal year 1937 in the sum of $10,000 (H. Doc. No. 105); to the Committee on Appropriations and ordered to be printed.

197. A letter from the Attorney General, transmitting a report showing the special assistants employed under said appropriation and paid or payable therefrom, the rates of compensation, the amounts paid, and a description of duties; to the Committee on Expenditures in the Executive Departments.

198. A letter from the secretary of American Bar Association, transmitting a resolution unanimously adopted by the house of delegates of the American Bar Association held at Columbus, Ohio, January 5 to 7, 1937; to the Committee on the Civil Service.

199. A letter from the Acting Secretary of War, transmitting a report dated January 8, 1937, from the Chief of Engineers, United States Army, on preliminary examination of St. Lucie Inlet, Fla., authorized by the River and Harbor Act approved August 30, 1935, together with accompanying papers; to the Committee on Rivers and Harbors.

200. A letter from the Acting Secretary of War, transmitting a report dated January 8, 1937, from the Chief of Engineers, United States Army, on preliminary examination and survey of St. Croix River, Maine, authorized by the River and Harbor Act approved August 30, 1935, together with accompanying papers; to the Committee on Rivers and Harbors.

201. A communication from the President of the United States, transmitting two estimates of appropriations for the Post Office Department, one being a deficiency estimate of $100,000 for the fiscal year 1936, and the other a supplemental estimate of $984,000 for the fiscal year 1937 (H. Doc. No. 106); to the Committee on Appropriations and ordered to be printed.

202. A letter from the Chairman of the United States Tariff Commission, transmitting a report of the Tariff Commission, made under its general powers, entitled "Extent of Equal Tariff Treatment in Foreign Countries"; the report describes briefly the commercial policies of 42 foreign countries, with particular attention to equal and unequal tariff treatment and the use of most-favored-nation clauses in commercial agreements; to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Missouri: A bill (H. R. 2679) to authorize the acquisition of land with improvements thereon for military purposes adjoining Jefferson Barracks, Mo.; to the Committee on Military Affairs.

By Mr. BIGELOW: A bill (H. R. 2680) to amend title I of the Social Security Act to provide for an increase in noncontributory old-age pensions; to the Committee on Ways and Means.

By Mr. BLAND: A bill (H. R. 2681) to provide for preliminary examination and survey of Whitings Creek, Middlesex County, Va., and channel connecting with the Rappahannock River; to the Committee on Rivers and Harbors.

By Mr. CLUETT: A bill (H. R. 2682) to authorize a preliminary examination of the Battenkill in New York with a view to the control of its floods; to the Committee on Flood Control.

Also, a bill (H. R. 2683) to authorize a preliminary examination of the Mettawee River in New York with a view to the control of its floods; to the Committee on Flood Control.

By Mr. CANNON of Missouri: A bill (H. R. 2684) to amend the World War Adjusted Compensation Act to extend benefits to provisional officers; to the Committee on Ways and Means.

By Mr. CONNERY: A bill (H. R. 2685) to regulate interstate commerce in goods, wares, and merchandise manufactured, produced, or mined by persons under —— years of age, and for other purposes; to the Committee on Labor.

Also, a bill (H. R. 2686) to provide automatic increases in compensation to employees of the custodial service of the Post Office Department of the United States; to the Committee on the Civil Service.

Also, a bill (H. R. 2687) to reclassify the compensation of head charwoman and charwoman in the custodial service of the Post Office Department of the United States; to the Committee on the Civil Service.

By Mr. DIXON: A bill (H. R. 2688) to authorize the coinage of 50-cent pieces in commemoration of the fiftieth anniversary of Cincinnati, Ohio, as a center of music and its contribution to the art of music for the past 50 years; to the Committee on Coinage, Weights, and Measures.

By Mr. GASQUE: A bill (H. R. 2689) to provide pensions for the needy widows and orphans of deceased World War veterans; to the Committee on Pensions.

By Mr. HAINES: A bill (H. R. 2690) granting annual and sick leave with pay to substitutes in the Postal Service; to the Committee on the Post Office and Post Roads.

By Mr. HILDEBRANDT: A bill (H. R. 2691) to adjust the basis of compensation for overtime services of certain employees in the Postal Service, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. McCORMACK: A bill (H. R. 2692) to provide national flags for the burials of honorably discharged former service men and women; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 2693) to provide for a national cemetery in every State; to the Committee on Military Affairs.

By Mr. McGRATH: A bill (H. R. 2694) authorizing the construction of two lighter-than-air craft and authorizing an appropriation therefor; to the Committee on Naval Affairs.

By Mr. MOSER of Pennsylvania: A bill (H. R. 2695) to amend the act entitled "An act to amend and consolidate the acts respecting copyright", approved March 4, 1909, as amended, and for other purposes; to the Committee on Patents.

By Mr. NICHOLS: A bill (H. R. 2696) authorizing an appropriation to carry out the provisions of section 26 of the agreement with the Muskogee or Creek Tribe of Indians, approved March 1, 1901; to the Committee on Indian Affairs.

By Mr. PHILLIPS: A bill (H. R. 2697) concerning the deportation of aliens; to the Committee on Immigration and Naturalization.

By Mr. RAMSPECK (by request): A bill (H. R. 2698) to amend the Classification Act of March 4, 1923, as amended; to the Committee on the Civil Service.

Also (by request), a bill (H. R. 2699) to reclassify salaries of employees in the custodial service of the Post Office Department and in the custodial service of the Treasury Department of the United States, including all positions therein, and for other purposes; to the Committee on the Civil Service.

Also, a bill (H. R. 2700) extending the classified executive civil service of the United States; to the Committee on the Civil Service.

By Mr. STEFAN: A bill (H. R. 2701) to amend an act approved December 17, 1928, entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment thereon in claims which the Winnebago Tribe of Indians may have against the United States, and for other purposes"; to the Committee on Indian Affairs.

By Mr. SUMNERS of Texas: A bill (H. R. 2702) to permit grand jury extensions to be ordered by any district judge; to the Committee on the Judiciary.

Also, a bill (H. R. 2703) to provide for the representation of the United States Court of Appeals for the District of Columbia on the annual conference of senior circuit judges; to the Committee on the Judiciary.

Also, a bill (H. R. 2704) to amend the Criminal Code in regard to crimes on the high seas; to the Committee on the Judiciary.

Also, a bill (H. R. 2705) to provide for the manner of inflicting the punishment of death; to the Committee on the Judiciary.

Also, a bill (H. R. 2706) to provide for the appointment of one additional United States district judge for the northern district of Georgia; to the Committee on the Judiciary.

Also, a bill (H. R. 2707) to provide for the appointment of one additional United States district judge for the western district of Washington; to the Committee on the Judiciary.

Also, a bill (H. R. 2708) to provide for the appointment of one additional United States district judge for the southern district of Texas; to the Committee on the Judiciary.

Also, a bill (H. R. 2709) to provide for the appointment of one additional United States district judge for the eastern district of Louisiana; to the Committee on the Judiciary.

By Mr. THOMPSON of Illinois: A bill (H. R. 2710) to amend the World War Adjusted Compensation Act; to the Committee on Ways and Means.

By Mr. VINSON of Kentucky: A bill (H. R. 2711) to create a Division of Water Pollution Control in the United States Public Health Service, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. KENNEDY of Maryland: A bill (H. R. 2712) to amend an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, and acts in amendment thereof; to the Committee on the Judiciary.

By Mr. TOLAN: A bill (H. R. 2713) providing for an additional Naval Academy in the San Francisco Bay area in the State of California, and for other purposes; to the Committee on Naval Affairs.

Also, a bill (H. R. 2714) to provide employment for the blind citizens in the United States and its possessions; to the Committee on Labor.

By Mr. BARRY: A bill (H. R. 2715) to reduce the rate of interest on obligations of home owners to the Home Owners' Loan Corporation; to the Committee on Banking and Currency.

Also, a bill (H. R. 2716) to provide for the local delivery rate on certain first-class mail matter; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 2717) consolidating the post offices in the county of Queens, N. Y.; to the Committee on the Post Office and Post Roads.

By Mr. FULMER: A bill (H. R. 2718) to amend the Tariff Act of 1930; to the Committee on Ways and Means.

Also, a bill (H. R. 2719) to reduce the rate of interest on obligations of home owners to the Home Owners' Loan Corporation; to the Committee on Banking and Currency.

Also, a bill (H. R. 2720) authorizing the Reconstruction Finance Corporation to make loans to certain hospitals; to the Committee on Banking and Currency.

Also, a bill (H. R. 2721) providing for Federal crop insurance, imposing a tax therefor, and providing an appropriation therefor; to the Committee on Agriculture.

By Mr. REECE of Tennessee: A bill (H. R. 2722) to amend the World War Adjusted Compensation Act; to the Committee on Ways and Means.

By Mr. PATTERSON: A bill (H. R. 2723) granting equipment allowance to third-class postmasters; to the Committee on the Post Office and Post Roads.

By Mr. DEMPSEY: A bill (H. R. 2724) to provide for the establishment of an agricultural experiment station within the Middle Rio Grande Conservancy District in the State of New Mexico; to the Committee on Agriculture.

By Mr. ANDRESEN of Minnesota: A bill (H. R. 2725) to regulate and control the manufacture, sale, and use of weighing and measuring devices for use or used in trade or commerce, and for other purposes; to the Committee on Coinage, Weights, and Measures.

By Mr. VINSON of Kentucky: A bill (H. R. 2726) to reduce internal-revenue taxes on tobacco products; to the Committee on Ways and Means.

By Mr. RANDOLPH: A bill (H. R. 2727) to establish a Board of Civil Service Appeals and to amend an act entitled "An act to provide for the classification of civilian positions within the District of Columbia and in the field service", approved March 4, 1923, and for other purposes; to the Committee on the Civil Service.

By Mr. GREEN: A bill (H. R. 2728) to amend the World War Veterans' Act, 1924, as amended, by providing allowances for widows and children and dependent parents of veterans of the World War; to the Committee on World War Veterans' Legislation.

By Mr. KNUTSON: A bill (H. R. 2729) granting an additional pension of $25 per month to all widows who are now or who may hereafter become, on account of age or physical or mental disabilities, helpless or blind or so nearly helpless or blind as to need or require the regular aid and attendance of another person; to the Committee on Pensions.

By Mr. CONNERY: A bill (H. R. 2730) to protect American labor, to insure employment opportunities for America's workers, to increase the purchasing power of America's farmers, to provide markets for the products of America's

workers and America's farmers, to relieve the distress created through the entry into American markets of articles, goods, or commodities, the products of foreign workers at total landed costs (including the payment of tariff duties, if any) which are less than the costs of production of similar or comparable articles, goods, or commodities, the products of America's workers and America's farmers; to the Committee on Ways and Means.

By Mr. EICHER: A bill (H. R. 2731) to restore and stabilize agricultural buying power by regulating interstate and foreign commerce, and the value of money, in agricultural commodities of which there is an exportable surplus, to establish a minimum cost of production price for the domestic consumption percentages thereof and to provide for the orderly marketing of the domestic and export percentages thereof, to authorize debentures for processed and manufactured agricultural products for export, and for other purposes; to the Committee on Agriculture.

By Mrs. NORTON: A bill (H. R. 2732) providing retirement pay for the judges of the police court of the District of Columbia, the municipal court of the District of Columbia, and the juvenile court of the District of Columbia; to the Committee on the District of Columbia.

By Mr. DEMPSEY: A bill (H. R. 2733) to restore certain benefits to members of the Civilian Conservation Corps and their dependents; to the Committee on Labor.

Also, a bill (H. R. 2734) to authorize the coinage of 50-cent pieces in commemoration of the four hundredth anniversary of the journey and explorations of Francisco Vasquez de Coronado; to the Committee on Coinage, Weights, and Measures.

By Mr. HAINES: A bill (H. R. 2735) reducing the rates of taxation on tobacco products; to the Committee on Ways and Means.

Also, a bill (H. R. 2736) to regulate the rate of premium on bonds of officers and employees in the motor-vehicle service of the Post Office Department; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of Washington: A bill (H. R. 2737) to create a Federal Industrial Labor Council, to make agreements in commerce as herein defined irrevocable and enforceable, and for other purposes; to the Committee on Labor.

By Mr. SWEENEY: A bill (H. R. 2738) to extend the provisions of the 40-hour law for postal employees to watchmen and messengers in the Postal Service; to the Committee on the Post Office and Post Roads.

By Mr. McGROARTY: A bill (H. R. 2879) to authorize the erection of an addition to the existing Veterans' Administration facility, San Fernando, Calif.; to the Committee on World War Veterans' Legislation.

By Mr. CONNERY: Resolution (H. Res. 55) to provide for the services of an assistant clerk to the Committee on Labor; to the Committee on Accounts.

By Mr. BLAND: Resolution (H. Res. 56) providing for an assistant clerk for the Committee on Merchant Marine and Fisheries; to the Committee on Accounts.

By Mr. WHITE of Idaho: Resolution (H. Res. 57) to provide an additional clerk for the Committee on Irrigation and Reclamation; to the Committee on Accounts.

By Mr. NICHOLS: Joint resolution (H. J. Res. 107) making an appropriation for the District of Columbia Airport Commission; to the Committee on Appropriations.

By Mr. DICKSTEIN: Joint resolution (H. J. Res. 108) to amend the Neutrality Act of 1935 (Public Res. No. 67, 74th Cong., 1st sess.) approved August 31, 1935, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CANNON of Wisconsin: Joint resolution (H. J. Res. 109) to amend article III, section 1, of the Constitution of the United States; to the Committee on the Judiciary.

By Mr. MILLS: Joint resolution (H. J. Res. 110) to provide old-age pensions at the rate of $30 per month for all persons who are more than 60 years of age and possess property less than $10,000 in value, or with a net income of less than $1,000 per year; to the Committee on Ways and Means.

By Mr. KENNEY: Joint resolution (H. J. Res. 111) to create a Commission on National Banking Policies; to the Committee on Banking and Currency.

By Mr. CANNON of Missouri: Joint resolution (H. J. Res. 112) for the designation of a street to be known as Missouri Avenue; to the Committee on the District of Columbia.

By Mr. CURLEY: Joint resolution (H. J. Res. 113) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. McGROARTY: Joint resolution (H. J. Res. 114) to abolish the Bureau of Indian Affairs, to abolish the office of Commissioner of Indian Affairs, to create an Indian Emancipation Commission, and for other purposes; to the Committee on Indian Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Nebraska, memorializing the Congress of the United States to increase forthwith the Works Progress Administration allotments of Federal funds for the present emergency needs of the State of Nebraska; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARENDS: A bill (H. R. 2739) granting a pension to Lester Nevada Hays; to the Committee on Invalid Pensions.

By Mr. BIGELOW: A bill (H. R. 2740) for the relief of John N. Brooks; to the Committee on Claims.

By Mr. BOLAND of Pennsylvania: A bill (H. R. 2741) for the relief of John P. Poluke; to the Committee on Military Affairs.

Also, a bill (H. R. 2742) granting a renewal of patent no. 1327755, relating to drawer or shelf lining; to the Committee on Patents.

By Mr. BOYKIN: A bill (H. R. 2743) to amend the act entitled "An act for the relief of J. W. Hearn, Jr.", approved May 1, 1936; to the Committee on Claims.

By Mr. BOYLAN of New York: A bill (H. R. 2744) for the relief of the estate of John Gellatly, deceased, and/or Charlyne Gellatly, individually; to the Committee on Claims.

By Mr. CLUETT: A bill (H. R. 2745) granting an increase of pension to Hulda Bennett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2746) granting an increase of pension to Sophia Rawlins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2747) granting a pension to Louise Stockwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2748) granting an increase of pension to Ella S. T. Whitbeck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2749) granting an increase of pension to Georgiana P. Nichols; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2750) granting an increase of pension to Mary Devine; to the Committee on Invalid Pensions.

By Mr. CONNERY: A bill (H. R. 2751) to recognize the high public service rendered by soldiers who volunteered and served in trench-fever experiments in the American Expeditionary Forces; to the Committee on Military Affairs.

By Mr. DEMPSEY: A bill (H. R. 2752) for the relief of Charles E. Miller; to the Committee on Claims.

Also, a bill (H. R. 2753) granting a pension to Mrs. Peter M. Shelley; to the Committee on Pensions.

By Mr. DOUGLAS: A bill (H. R. 2754) granting an increase of pension to Nora White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2755) granting a pension to Nellie M. Benjamin; to the Committee on Invalid Pensions.

By Mr. DUNCAN: A bill (H. R. 2756) for the relief of certain claimants who suffered loss by flood in, at, or near Sugar Lake, in Platte and Buchanan Counties, in the State of Missouri, during the month of March 1934; to the Committee on Claims.

By Mr. EVANS: A bill (H. R. 2757) to carry out the findings of the Court of Claims in the claim of the Morse Dry Dock & Repair Co.; to the Committee on Claims.

By Mr. FORD of California: A bill (H. R. 2758) for the relief of Fred Pruscha, alias Fred Cole; to the Committee on Military Affairs.

By Mr. FULMER: A bill (H. R. 2759) granting a pension to Samuel R. Preston; to the Committee on Pensions.

By Mr. GINGERY: A bill (H. R. 2760) granting a pension to Laura Alice Hammaker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2761) for the relief of Diemer L. Bathrust; to the Committee on Claims.

Also, a bill (H. R. 2762) for the relief of Walter Francis Meinhart; to the Committee on Naval Affairs.

By Mr. HAINES: A bill (H. R. 2763) for the relief of Paul E. Gluck; to the Committee on Claims.

By Mr. HOFFMAN: A bill (H. R. 2764) granting a pension to Jessie Farr; to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 2765) granting an increase of pension to Eva Yost; to the Committee on Invalid Pensions.

By Mrs. JENCKES of Indiana: A bill (H. R. 2766) granting a pension to James William Westerfield; to the Committee on Pensions.

By Mr. JOHNSON of West Virginia: A bill (H. R. 2767) for the relief of George L. Stone; to the Committee on Claims.

Also, a bill (H. R. 2768) for the relief of James L. Barnett; to the Committee on the Civil Service.

By Mr. KENNEDY of Maryland (by request): A bill (H. R. 2769) for the relief of Frank Dauwe, Alberto Esparza, Frank Van den Hende, Germain Van der Poorten, and Cesar Van Overbenborger; to the Committee on Claims.

Also, a bill (H. R. 2770) for the relief of the Charles T. Miller Hospital, Inc., at St. Paul, Minn.; Dr. Edgar T. Herrmann; Ruth Kehoe; and Catherine Foley; to the Committee on Claims.

Also, a bill (H. R. 2771) for the relief of Harold W. Snell; to the Committee on Claims.

Also, a bill (H. R. 2772) for the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department; to the Committee on Claims.

Also, a bill (H. R. 2773) to authorize the settlement of individual claims for personal property lost or damaged, arising out of the activities of the Civilian Conservation Corps, which have been approved by the Secretary of War; to the Committee on Claims.

Also, a bill (H. R. 2774) for the relief of certain employees of the Division of Investigation, Department of the Interior, and certain disbursing officers of the Department of the Interior; to the Committee on Claims.

By Mr. KNUTSON: A bill (H. R. 2775) granting a pension to Augusta M. Coontz; to the Committee on Pensions.

By Mr. KRAMER: A bill (H. R. 2776) for the relief of Harry B. McCollister; to the Committee on Military Affairs.

By Mr. LUCKEY of Nebraska: A bill (H. R. 2777) for the relief of the Franklin Ice Cream Co.; to the Committee on War Claims.

By Mr. McGRATH: A bill (H. R. 2778) granting the retired pay and allowances, commensurate with the rank and grade, of Lt. Col. Edmund Sears Sayer, United States Marine Corps, retired; to the Committee on Military Affairs.

Also, a bill (H. R. 2779) for the relief of Lilly Bundgard and Gloria Bundgard; to the Committee on Claims.

By Mr. McGROARTY: A bill (H. R. 2780) for the relief of William Blakely, as administrator of the estate of Joseph Blakeley, deceased; to the Committee on Claims.

Also, a bill (H. R. 2781) for the relief of Rev. Harry J. Hill; to the Committee on Claims.

Also, a bill (H. R. 2782) for the relief of William Blakely; to the Committee on War Claims.

By Mr. MASON: A bill (H. R. 2783) for the relief of Arthur L. Johnson; to the Committee on Claims.

By Mr. MEAD: A bill (H. R. 2784) for the relief of Veronica Pasierbowicz; to the Committee on Immigration and Naturalization.

By Mr. MITCHELL of Illinois: A bill (H. R. 2785) for the relief of the heirs of Prof. William H. H. Hart, principal of the Hart Farm School and Junior Republic for Dependent Children; to the Committee on Claims.

By Mr. NICHOLS: A bill (H. R. 2786) for the relief of F. B. Stem; to the Committee on Claims.

By Mr. O'CONNELL of Montana: A bill (H. R. 2787) for the relief of Mr. and Mrs. Fred Hausauer; to the Committee on Claims.

Also, a bill (H. R. 2788) for the relief of Mike Chetkovich; to the Committee on War Claims.

By Mr. PEYSER: A bill (H. R. 2789) for the relief of Cohen, Goldman & Co., Inc.; to the Committee on Claims.

By Mr. POLK: A bill (H. R. 2790) granting an increase of pension to Anna M. Parish; to the Committee on Invalid Pensions.

By Mr. RAYBURN: A bill (H. R. 2791) for the relief of Frank W. Childress; to the Committee on Claims.

By Mr. REECE of Tennessee: A bill (H. R. 2792) for the relief of M. F. Powers; to the Committee on Claims.

Also, a bill (H. R. 2793) granting a pension to Annie Hankal; to the Committee on Pensions.

By Mr. RANDOLPH: A bill (H. R. 2794) to provide compensation for Walter L. Helbig for injuries received at the navy yard in Washington, D. C.; to the Committee on Claims.

By Mr. REES of Kansas: A bill (H. R. 2795) granting a pension to Mary Beck; to the Committee on Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 2796) granting a pension to Howard Henderson Richardson; to the Committee on Pensions.

Also, a bill (H. R. 2797) for the relief of Eaph Toler; to the Committee on Claims.

Also, a bill (H. R. 2798) for the relief of Howard Henderson Richardson; to the Committee on Military Affairs.

By Mr. SACKS: A bill (H. R. 2799) for the relief of Bernard Joseph McDermott; to the Committee on Naval Affairs.

Also, a bill (H. R. 2800) for the relief of Gus Piscitelli; to the Committee on Military Affairs.

By Mr. SHEPPARD: A bill (H. R. 2801) for the relief of Claude Curteman; to the Committee on Claims.

By Mr. SNYDER of Pennsylvania: A bill (H. R. 2802) for the relief of W. A. Merrill Sons & Co., Inc.; to the Committee on Claims.

By Mr. SPENCE: A bill (H. R. 2803) authorizing the President of the United States to appoint Sgt. Samuel Woodfill a captain in the United States Army and then place him on the retired list; to the Committee on Military Affairs.

By Mr. STACK: A bill (H. R. 2804) for the relief of Emma L. Albrecht; to the Committee on Foreign Affairs.

Also, a bill (H. R. 2805) for the relief of James McColligan; to the Committee on Military Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 2806) granting a pension to George Williams; to the Committee on Pensions.

Also, a bill (H. R. 2807) granting a pension to Hattie Alexander Norris; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 2808) for the relief of William Allen; to the Committee on Military Affairs.

Also, a bill (H. R. 2809) granting a pension to Adam Anderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2810) granting a pension to Maggie Allen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2811) granting a pension to Luticia C. Anderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2812) for the relief of Frank Adrian; to the Committee on Military Affairs.

Also, a bill (H. R. 2813) granting a pension to Angie Armstrong; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2814) granting a pension to Betsy Ann Boles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2815) granting a pension to Lena M. Burnett; to the Committee on Pensions.

Also, a bill (H. R. 2816) granting a pension to Belle Cannon; to the Committee on Pensions.

Also, a bill (H. R. 2817) for the relief of George Baker; to the Committee on Claims.

Also, a bill (H. R. 2818) granting a pension to Anna Dabney; to the Committee on Pensions.

Also, a bill (H. R. 2819) granting an increase of pension to Louisiana Cabe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2820) for the relief of William Clevenger; to the Committee on Military Affairs.

Also, a bill (H. R. 2821) granting a pension to Jane Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2822) granting a pension to Phoebe Fite; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2823) for the relief of John Albert Farne; to the Committee on Naval Affairs.

Also, a bill (H. R. 2824) granting an increase of pension to Elizabeth Guy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2825) granting a pension to Sarah J. Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2826) for the relief of Frank Stirk Hailey; to the Committee on Claims.

Also, a bill (H. R. 2827) for the relief of Jacob Wane Hammel; to the Committee on Naval Affairs.

Also, a bill (H. R. 2828) for the relief of F. E. Hall; to the Committee on Claims.

Also, a bill (H. R. 2829) granting a pension to Hannah T. Heaton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2830) granting a pension to Ebb Hundley; to the Committee on Pensions.

Also, a bill (H. R. 2831) for the relief of Howard Hollis Hammack; to the Committee on Military Affairs.

Also, a bill (H. R. 2832) for the relief of Walter B. Johnson and others; to the Committee on Claims.

Also, a bill (H. R. 2833) granting a pension to Garfield Hampton; to the Committee on Pensions.

Also, a bill (H. R. 2834) granting an increase of pension to Van Letsinger; to the Committee on Pensions.

Also, a bill (H. R. 2835) granting a pension to Susan Elizabeth Jeffers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2836) granting a pension to Vada Cross; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2837) granting a pension to Christine Ledford; to the Committee on Pensions.

Also, a bill (H. R. 2838) granting a pension to Zubie Owens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2839) granting a pension to Dicie Overbey; to the Committee on Pensions.

Also, a bill (H. R. 2840) granting a pension to Hattie Prewitt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2841) for the relief of Virgil O. Powell et al.; to the Committee on Claims.

Also, a bill (H. R. 2842) granting a pension to Spurgeon C. Portwood; to the Committee on Pensions.

Also, a bill (H. R. 2843) for the relief of M. E. Parmalee; to the Committee on Military Affairs.

Also, a bill (H. R. 2844) for the relief of Bob Quillen; to the Committee on Military Affairs.

Also, a bill (H. R. 2845) for the relief of William W. Perryman; to the Committee on Military Affairs.

Also, a bill (H. R. 2846) for the relief of Arthur D. Sullivan; to the Committee on Claims.

Also, a bill (H. R. 2847) for the relief of George Rayfield; to the Committee on Claims.

Also, a bill (H. R. 2848) granting a pension to Elizabeth Tuttle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2849) authorizing the President of the United States to appoint Corp. Robert Slover as a first lieutenant in the United States Marine Corps and place him on the retired list; to the Committee on Naval Affairs.

Also, a bill (H. R. 2850) for the relief of James W. Webster; to the Committee on Military Affairs.

Also, a bill (H. R. 2851) granting a pension to Carl D. Waters; to the Committee on Pensions.

Also, a bill (H. R. 2852) granting a pension to Martha Wyatt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2853) granting a pension to Allie M. Walker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2854) granting a pension to Louisa Weaver; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2855) granting a pension to Horace V. White; to the Committee on Pensions.

Also, a bill (H. R. 2856) for the relief of Samuel H. Kesterson; to the Committee on Claims.

Also, a bill (H. R. 2857) granting a pension to Lizzie Wilshire; to the Committee on Pensions.

By Mr. WHITE of Ohio: A bill (H. R. 2858) granting an increase of pension to Rachel M. Kuhn; to the Committee on Invalid Pensions.

By Mr. WILCOX: A bill (H. R. 2859) for the relief of Frank Anderson; to the Committee on Claims.

Also, a bill (H. R. 2860) for the relief of Walter W. Johnston; to the Committee on War Claims.

By Mr. WILLIAMS: A bill (H. R. 2861) granting a pension to Nancy V. Mosher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2862) granting a pension to Annie McKown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2863) granting an increase of pension to Ida Nagel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2864) granting a pension to Mary E. Mecomber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2865) granting a pension to Mary M. Norris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2866) granting a pension to Frances E. Newton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2867) granting a pension to Ella Strutton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2868) granting a pension to Annie Rhodes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2869) granting a pension to Malisa Maze; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2870) granting a pension to Margaret F. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2871) granting a pension to Annie C. Linthicum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2872) granting a pension to Ruah L. Martin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2873) granting a pension to Nan A. Benson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2874) granting a pension to Eddie Bassett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2875) granting a pension to James E. Hamilton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2876) granting a pension to Sarah K. Copeland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2877) granting a pension to Emma Knight; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2878) granting a pension to Etta Janes; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

15. By the SPEAKER: Resolution of the National Pension League of Los Angeles, Calif., providing for an emergency pension, of a tax levied and collected by the Government of these United States to provide an emergency pension for those who have been citizens of the United States for 15 years; to the Committee on Ways and Means.

16. Also, resolution of the Maritime and Transportation Servicemen's Union of the Pacific Coast, of San Francisco, Calif., concerning the Copeland Act or Merchant Marine Act; to the Committee on Merchant Marine and Fisheries.

17. Also, resolution of the Council of the City of Cuyahoga Falls., Ohio, urging the continuance of adequate direct relief in the form of Works Progress Administration; to the Committee on Appropirations.

18. By Mr. BLAND: Resolution of the Gloucester County petroleum industries committee, urging immediate repeal of the Federal lubricating-oil tax; to the Committee on Ways and Means.

19. Also, resolution adopted November 10, 1936, by the Gloucester County petroleum industries committee, urging immediate repeal of the Federal gasoline tax; to the Committee on Ways and Means.

20. Also, resolution of the Mathews executive committee, Mathews, Va., urging immediate repeal of the Federal gasoline tax; to the Committee on Ways and Means.

21. Also, resolution of the Mathews County petroleum industries committee, Mathews, Va., urging immediate repeal of Federal lubricating-oil tax; to the Committee on Ways and Means.

22. Also, resolution of the Northampton County petroleum industries committee, of Cape Charles, Va., urging an immediate repeal of the Federal lubricating-oil tax; to the Committee on Ways and Means.

23. Also, resolution of the Northampton County petroleum industries committee, Cape Charles, Va., urging an immediate repeal of the Federal gasoline tax; to the Committee on Ways and Means.

24. By Mr. BLOOM: Petition of the power-house employees at Ellis Island, requesting an increase in their annual salaries; to the Committee on the Civil Service.

25. By Mr. JOHNSON of Texas: Petition of Jake Stubbs, secretary of the Mexia Chamber of Commerce, Mexia, Tex., urging the need of emergency crop loans for 1937; to the Committee on Agriculture.

26. By Mr. KRAMER: Resolution of the Lumber and Allied Products Institute of Los Angeles, endorsing the program of the Federal Housing Administration under title II of the National Housing Act; to the Committee on Banking and Currency.

27. Also, resolution of Aviators' Post, No. 350, of the American Legion, Department of California, pertaining to petitioning Congress to amend its rules of procedure so as to provide for standing committees on civil aeronautics, etc.; to the Committee on World War Veterans' Legislation.

28. By Mr. TINKHAM: Resolutions of United States Storekeeper-Gaugers' Association of New England, requesting a per-diem allowance to storekeeper-gagers when assigned away from their bona-fide homes, and for an increase in salary at stated intervals; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 13, 1937

The House met at 12 o'clock meridian.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

The Lord God is a sun and shield: the Lord will give grace and glory: no good thing will he withhold from them that walk uprightly.

Heavenly Father, we pray that this living truth may defy our doubts, break through our prejudices, and triumph over our fears. Enfold us with a sense of Thy nearness and let Thy spirit give insight of mind and tranquillity of soul. Only as we submit ourselves to Thy direction do our highest possibilities show forth the wisest decisions. Inspire us to do the right as we know the right and defend the truth as we know the truth. O Divine Love, Thou art never far from us. Come to those who are ill, answer their need in tenderness, and bless them with a wealth of strength and with a richer wealth of love. In every crisis may we keep our anchorage to Thee unbroken. In our Savior's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 106. Joint resolution to exempt from the tax on admissions amounts paid for admission tickets sold by authority of the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1937.

SWEARING IN OF MEMBER

The SPEAKER. Pursuant to the authority conferred upon the Speaker by House Resolution 39, Seventy-fifth Congress, the Chair appoints Hon. William E. Thorpe, county judge of Greene County, N. Y., to administer the oath of office to Hon. PHILIP ARNOLD GOODWIN at Coxsackie, N. Y.

PERMISSION TO FILE REPORT

Mr. O'CONNOR of New York. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file perhaps three reports.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman from New York inform us to what legislation these reports will relate?

Mr. O'CONNOR of New York. They pertain, if the Rules Committee reports, to the matters contained in the President's message of yesterday as to the reorganization of the Government.

Mr. MARTIN of Massachusetts. Is there any particular reason for asking that we have until midnight tonight to put in our report? Why could we not bring it in tomorrow? What is the reason?

Mr. O'CONNOR of New York. We might want to act on it tomorrow and it would have to lay over for 1 day.

Mr. SNELL. Mr. Speaker, reserving the right to object, does the gentleman mean that he is going to force the entire reorganization program through immediately without any consideration in this House?

Mr. O'CONNOR of New York. Oh, no; nothing like that at all. Any reports from the Committee on Rules would pertain to how the matter would be handled by committees, or similar set-ups.

Mr. SNELL. But the gentleman does not expect to bring the legislation in here immediately?

Mr. O'CONNOR of New York. Oh, no; not at all.

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from New York a question: Will the gentleman call to the attention of the Members of the House the letter appearing in yesterday's RECORD written by Senator GLASS in reference to a radio speech by Senator BYRD in reference to reorganization? If the Members of the House of Representatives will read that letter of the Senator they will find it a mighty fine letter.

The SPEAKER. The gentleman from Pennsylvania will suspend a moment.

The Chair desires to call the attention of the gentleman from Pennsylvania to the rules of the House which forbid reference being made on the floor of the House to the activities of the Members of the Senate.

Does the gentleman object to the request of the gentleman from New York?

Mr. RICH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RICH. Mr. Speaker, I asked the chairman of the Committee on Rules a question, and he recognized me. I wanted him to call to the attention of the Members of the House the letter of the Senator from Virginia.

The SPEAKER. In the first place, the Chair does not think the gentleman has submitted a parliamentary inquiry. In the second place, the gentleman from New York would not be entitled to reply to a question which violated the rules of the House.

Mr. RICH. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RICH. Do I understand I am not permitted to say anything in reference to any Senator or what he has said? Is this the ruling of the Chair?

The SPEAKER. If the gentleman will read the rules he will find they prohibit any reference on the floor to votes or statements made upon the floor of the Senate.

Mr. GIFFORD. Mr. Speaker, I wish to propound a parliamentary inquiry.

The SPEAKER. Does the gentleman from New York yield for that purpose?

Mr. O'CONNOR of New York. I yield.

Mr. GIFFORD. When a speech made by a Member of the other body appears in the CONGRESSIONAL RECORD is it possible that no reference can be made thereto in debate on the floor of this House?

The SPEAKER. The Chair will read the rule in reply to the gentleman's inquiry.

It is a breach of order in debate to notice what has been said on the same subject in the other House, or the particular votes or majorities on it there; because the opinion of each House should be left to its own independency, not to be influenced by the proceedings of the other; and the quoting them might beget reflections leading to a misunderstanding between the two Houses.

Mr. GIFFORD. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state it, if the gentleman from New York will yield for that purpose.

Mr. O'CONNOR of New York. I yield, but I do not, of course, answer parliamentary inquiries. The Chair does that.

Mr. GIFFORD. I thank the gentleman for yielding. I wanted to propound to the Chair, if I might, this inquiry: The address to which I referred, as I understand it, was made over the radio and not in the other body itself. Mr. Speaker, I am very anxious about this, because in my remarks on tomorrow I had wanted to refer to that speech made over the radio. I am very anxious to know if I am to be ruled out of order in referring to this speech of the Senator made over the radio.

The SPEAKER. Will the gentleman state his inquiry?

Mr. GIFFORD. In my address of tomorrow I had thought of making reference to the speech in the CONGRESSIONAL RECORD made by the Senator over the radio. I ask the Chair if the Chair will consider this to be out of order?

The SPEAKER. If objection is made to it—and the Chair thinks it will probably be the duty of the Chair to make objection—the gentleman cannot do so, because according to the precedents, reference cannot be made to the proceedings in the Senate and speeches of Senators.

Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. O'CONNOR of New York. Mr. Speaker, I ask unanimous consent to make an announcement.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. O'CONNOR of New York. Mr. Speaker, the Rules Committee will meet at 2 o'clock.

Mr. SNELL. Mr. Speaker, I ask unanimous consent to make a short announcement.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SNELL. Mr. Speaker, there will be a meeting of the Republican members of the committee on committees at 4 o'clock this afternoon in the rooms of the Interstate and Foreign Commerce Committee, located in the New House Office Building, and there will be a Republican conference in this Hall at 10 o'clock tomorrow morning.

EXTENSION OF REMARKS

Mr. SABATH asked and was given permission to extend his remarks in the RECORD.

COMMITTEE ASSIGNMENTS

Mr. DOUGHTON. Mr. Speaker, I offer a resolution, which I send to the Clerk's desk.

The Clerk read the resolution, as follows:

House Resolution 58

Resolved, That the following-named Members be, and they are hereby, elected members of the standing committees of the House of Representatives, as follows:

Accounts: Richard M. Atkinson, Tennessee; John K. Griffith, Louisiana; Wade H. Kitchens, Arkansas; John J. Sparkman, Alabama.

Agriculture: Marvin Jones (chairman), Texas; Hampton P. Fulmer, South Carolina; Wall Doxey, Mississippi; John R. Mitchell, Tennessee; John W. Flannagan, Jr., Virginia; Harry P. Beam, Illinois; James G. Polk, Ohio; Richard M. Kleberg, Texas; Fred Cummings, Colorado; Walter M. Pierce, Oregon; Fred Bierman, Iowa; E. M. Owen, Georgia; Harold D. Cooley, North Carolina; William L. Nelson, Missouri; Frank E. Hook, Michigan; Harry B. Coffee, Nebraska; Scott W. Lucas, Illinois; Gerald J. Boileau, Wisconsin.

Appropriations: Joachim O. Fernandez, Louisiana; Millard F. Caldwell, Florida; David D. Terry, Arkansas; John M. Houston, Kansas; John P. Higgins, Massachusetts; J. Burrwood Daly, Pennsylvania; Joe Starnes, Alabama; Ross A. Collins, Mississippi; Charles H. Leavy, Washington.

Banking and Currency: Henry B. Steagall (chairman), Alabama; T. Alan Goldsborough, Maryland; Michael K. Reilly, Wisconsin; Frank W. Hancock, Jr., North Carolina; Clyde Williams, Missouri; Brent Spence, Kentucky; James I. Farley, Indiana; James A. Meeks, Illinois; Herman P. Kopplemann, Connecticut; Martin J. Kennedy, New York; Thomas F. Ford, California; Paul Brown, Georgia; D. Worth Clark, Idaho; Wright Patman, Texas; Raymond S. McKeough, Illinois; Marcellus H. Evans, New York; Andrew J. Transue, Michigan; James P. McGranery, Pennsylvania.

Census: William H. Larrabee (chairman), Indiana; John E. Rankin, Mississippi; John H. Kerr, North Carolina; Brooks Fletcher, Ohio; Matthew A. Dunn, Pennsylvania; William M. Colmer, Mississippi; George H. Mahon, Texas; John S. McGroarty, California; William R. Poage, Texas; Arthur W. Aleshire, Ohio; Guy L. Moser, Pennsylvania; A. Leonard Allen, Louisiana; Lewis L. Boyer, Illinois; R. T. Buckler, Minnesota; Franck R. Havenner, California.

Civil Service: Robert Ramspeck (chairman), Georgia; William I. Sirovich, New York; Jennings Randolph, West Virginia; Virginia E. Jenckes, Indiana; George H. Mahon, Texas; Edward W. Curley, New York; Frank W. Fries, Illinois; Wade H. Kitchens, Arkansas; Richard M. Atkinson, Tennessee; Guy L. Moser, Pennsylvania; Herbert S. Bigelow, Ohio; John J. Sparkman, Alabama; John K. Griffith, Louisiana; Edward L. O'Neill, New Jersey; Merlin Hull, Wisconsin; Henry G. Teigan, Minnesota.

Claims: Ambrose J. Kennedy (chairman), Maryland; Robert Ramspeck, Georgia; Samuel Dickstein, New York; Martin F. Smith, Washington; Dan R. McGehee, Mississippi; Elmer J. Ryan, Minnesota; Jack Nichols, Oklahoma; Charles L. South, Texas; John M. Coffee, Washington; Herman P. Eberharter, Pennsylvania; Eugene J. Keogh, New York; Richard M. Atkinson, Tennessee; William S. Jacobsen, Iowa; Ira W. Drew, Pennsylvania; Edwin V. Champion, Illinois.

Coinage, Weights, and Measures: Andrew L. Somers (chairman), New York; John J. Cochran, Missouri; William H. Larrabee, Indiana; Compton I. White, Idaho; Claude V. Parsons, Illinois; Brooks Fletcher, Ohio; Will Rogers, Oklahoma; Charles L. South, Texas; Dan R. McGehee, Mississippi; John McSweeney, Ohio; Vincent F. Harrington, Iowa; William F. Allen, Delaware; Peter J. DeMuth, Pennsylvania; Edward L. O'Neill, New Jersey; Thomas R. Amlie, Wisconsin.

Disposition of Executive Papers: Charles J. Colden (chairman), California.

District of Columbia: Mary T. Norton (chairman), New Jersey; Vincent L. Palmisano, Maryland; Ambrose J. Kennedy, Maryland; Jennings Randolph, West Virginia; Virginia E. Jenckes, Indiana; William T. Schulte, Indiana; Reuben T. Wood, Missouri; James L. Quinn, Pennsylvania; Jack Nichols, Oklahoma; Dan R. McGehee, Mississippi; Laurence F. Arnold, Illinois; Herbert S. Bigelow, Ohio; Leon Sacks, Pennsylvania; William F. Allen, Delaware; Merlin Hull, Wisconsin.

Education: Vincent L. Palmisano (chairman), Maryland; René L. DeRouen, Louisiana; William H. Larrabee, Indiana; Brooks Fletcher, Ohio; Braswell D. Deen, Georgia; Graham A. Barden, North Carolina; Edward J. Hart, New Jersey; William B. Barry, New York; John S. McGroarty, California; Eugene J. Keogh, New York; William J. Fitzgerald, Connecticut; J. Harold Flannery, Pennsylvania; Lewis L. Boyer, Illinois; Wade H. Kitchens, Arkansas; Edward L. O'Neill, New Jersey.

Election of President, Vice President, and Representatives in Congress: John S. McGroarty, California; Arthur W. Aleshire, Ohio.

Elections No. 1: Milton H. West (chairman), Texas; C. Jasper Bell, Missouri; Sam C. Massingale, Oklahoma; Herman P. Eberharter, Pennsylvania; Wade H. Kitchens, Arkansas; ———, ———.

Elections No. 2: Joseph A. Gavagan (chairman), New York; Raymond J. Cannon, Wisconsin; George H. Mahon, Texas; John McSweeney, Ohio; Edwin V. Champion, Illinois; ———, ———.

Elections No. 3: John H. Kerr (chairman), North Carolina; Ben Cravens, Arkansas; Alfred F. Beiter, New York; Albert Thomas, Texas; Harold G. Mosier, Ohio; ———, ———.

Enrolled Bills: Claude V. Parsons (chairman), Illinois; Charles N. Crosby, Pennsylvania; Michael J. Kirwan, Ohio; John M. Coffee, Washington.

Expenditures in the Executive Departments: John J. Cochran (chairman), Missouri; Allard H. Gasque, South Carolina; William M. Whittington, Mississippi; Glenn Griswold, Indiana; Ben Cravens, Arkansas; James L. Quinn, Pennsylvania; James A. O'Leary, New York; Don Gingery, Pennsylvania; James J. Lanzetta, New York; Elmer H. Wene, New Jersey; William S. Jacobsen, Iowa; Laurence F. Arnold, Illinois; William J. Fitzgerald, Connecticut; John F. Hunter, Ohio; Luther Patrick, Alabama; Merlin Hull, Wisconsin.

Flood Control: William M. Whittington (chairman), Mississippi; Glenn Griswold, Indiana; Monrad C. Wallgren, Washington; Robert T. Secrest, Ohio; Robert A. Green, Florida; Leo Kocialkowski, Illinois; Milton H. West, Texas; James L. Quinn, Pennsylvania; Phil Ferguson, Oklahoma; Orville Zimmerman, Missouri; John L. McClellan, Arkansas; A. Leonard Allen, Louisiana; Peter J. De-

Muth, Pennsylvania; Vincent F. Harrington, Iowa; H. Jerry Voorhis, California; Bernard J. Gehrmann, Wisconsin.

Foreign Affairs: Aaron Lane Ford, Mississippi; Ed. V. Izac, California; Lewis M. Long, Illinois; Robert L. Mouton, Louisiana; Robert G. Allen, Pennsylvania.

Immigration and Naturalization: Samuel Dickstein (chairman), New York; John H. Kerr, North Carolina; Vincent L. Palmisano, Maryland; William M. Colmer, Mississippi; William T. Schulte, Indiana; Charles Kramer, California; Milton H. West, Texas; John Lesinski, Michigan; Caroline O'Day, New York; James H. Gildea, Pennsylvania; Robert A. Green, Florida; Sam C. Massingale, Oklahoma; John J. Sparkman, Alabama; Harold K. Claypool, Ohio; William R. Poage, Texas.

Indian Affairs: Will Rogers (chairman), Oklahoma; Wilburn Cartwright, Oklahoma; Joe L. Smith, West Virginia; Samuel Dickstein, New York; Thomas O'Malley, Wisconsin; Henry E. Stubbs, California; Knute Hill, Washington; Elmer J. Ryan, Minnesota; James F. O'Connor, Montana; Nan W. Honeyman, Oregon; John R. Murdock, Arizona; Harry R. Sheppard, California; Bernard J. Gehrmann, Wisconsin; Dewey W. Johnson, Minnesota; R. T. Buckler, Minnesota.

Insular Affairs: Leo Kocialkowski (chairman), Illinois; Joe L. Smith, West Virginia; Wilburn Cartwright, Oklahoma; William H. Larrabee, Indiana; Elmer J. Ryan, Minnesota; Dan R. McGehee, Mississippi; C. Jasper Bell, Missouri; George H. Mahon, Texas; Don Gingery, Pennsylvania; John J. Dempsey, New Mexico; Caroline O'Day, New York; James J. Lanzetta, New York; Leon Sacks, Pennsylvania; Newt V. Mills, Louisiana; Harry Sauthoff, Wisconsin.

Interstate and Foreign Commerce: Clarence F. Lea (chairman), California; Robert Crosser, Ohio; Alfred L. Bulwinkle, North Carolina; Virgil Chapman, Kentucky; Paul H. Maloney, Louisiana; William P. Cole, Jr., Maryland; Samuel B. Pettengill, Indiana; Edward A. Kelly, Illinois; Edward A. Kenney, New Jersey; George G. Sadowski, Michigan; John A. Martin, Colorado; Edward C. Eicher, Iowa; Theodore A. Peyser, New York; Thomas J. O'Brien, Illinois; Henry Ellenbogen, Pennsylvania; Herron Pearson, Tennessee; Jerry J. O'Connell, Montana; George B. Kelly, New York; Lyle H. Boren, Oklahoma; Gardner R. Withrow, Wisconsin.

Invalid Pensions: John Lesinski (chairman), Michigan; Andrew L. Somers, New York; Joe L. Smith, West Virginia; Kent E. Keller, Illinois; Monrad C. Wallgren, Washington; Joseph Gray, Pennsylvania; Charles G. Binderup, Nebraska; Orville Zimmerman, Missouri; Anthony A. Fieger, Ohio; H. Jerry Voorhis, California; Clyde L. Garrett, Texas; Ira W. Drew, Pennsylvania; Frank W. Fries, Illinois; R. T. Buckler, Minnesota; George J. Schneider, Wisconsin.

Irrigation and Reclamation: Compton I. White (chairman), Idaho; Allard H. Gasque, South Carolina; Knute Hill, Washington; Henry E. Stubbs, California; J. Will Robinson, Utah; Milton H. West, Texas; Paul R. Greever, Wyoming; Charles L. South, Texas; Orville Zimmerman, Missouri; John J. Dempsey, New Mexico; Phil Ferguson, Oklahoma; Pete Jarman, Alabama; Albert Thomas, Texas; John R. Murdock, Arizona; James F. O'Connor, Montana; Nan W. Honeyman, Oregon.

Judiciary: Hatton W. Sumners (chairman), Texas; Andrew J. Montague, Virginia; Emanuel Celler, New York; Zebulon Weaver, North Carolina; John E. Miller, Arkansas; Arthur D. Healey, Massachusetts; Robert L. Ramsay, West Virginia; Francis E. Walter, Pennsylvania; Walter Chandler, Tennessee; Charles F. McLaughlin, Nebraska; William M. Citron, Connecticut; Sam Hobbs, Alabama; Abe Murdock, Utah; John H. Tolan, California; Edward W. Creal, Kentucky; R. P. Hill, Oklahoma; William T. Byrne, New York; George D. O'Brien, Michigan; Frank W. Towey, Jr., New Jersey.

Labor: William P. Connery, Jr. (chairman), Massachusetts; Mary T. Norton, New Jersey; Robert Ramspeck, Georgia; Glenn Griswold, Indiana; Kent E. Keller, Illinois; Matthew A. Dunn, Pennsylvania; Reuben T. Wood, Missouri; Jennings Randolph, West Virginia; John Lesinski, Michigan; James H. Gildea, Pennsylvania; Edward W. Curley, New York; Albert Thomas, Texas; Joseph A. Dixon, Ohio; William J. Fitzgerald, Connecticut; William F. Allen, Delaware; George J. Schneider, Wisconsin.

Library: Kent E. Keller (chairman), Illinois; Robert T. Secrest, Ohio; Graham A. Barden, North Carolina.

Memorials: Pete Jarman (chairman), Alabama; Mary T. Norton, New Jersey.

Merchant Marine and Fisheries: Schuyler Otis Bland (chairman), Virginia; William I. Sirovich, New York; Robert Ramspeck, Georgia; Ambrose J. Kennedy, Maryland; Charles N. Crosby, Pennsylvania; Monrad C. Wallgren, Washington; Joseph J. Mansfield, Texas; Lindsay C. Warren, North Carolina; Eugene B. Crowe, Indiana; Edward J. Hart, New Jersey; James A. O'Leary, New York; Frank W. Boykin, Alabama; Charles J. Colden, California; J. Hardin Peterson, Florida; Jack Nichols, Oklahoma.

Military Affairs: Lister Hill (chairman), Alabama; Andrew J. May, Kentucky; R. Ewing Thomason, Texas; Dow W. Harter, Ohio; Charles I. Faddis, Pennsylvania; Clarence W. Turner, Tennessee; Andrew Edmiston, West Virginia; Edwin M. Schaefer, Illinois; J. Joseph Smith, Connecticut; Matthew J. Merritt, New York; Maury Maverick, Texas; Frank J. G. Dorsey, Pennsylvania; John M. Costello, California; J. Mark Wilcox, Florida; G. Heyward Mahon, Jr., South Carolina; C. Arthur Anderson, Missouri; Stephen Pace, Georgia; Overton Brooks, Louisiana; Paul J. Kvale, Minnesota.

Mines and Mining: Joe L. Smith (chairman), West Virginia; Andrew L. Somers, New York; Ben Cravens, Arkansas; J. Hardin Peterson, Florida; Alfred F. Beiter, New York; Robert T. Secrest, Ohio; Elmer J. Ryan, Minnesota; Paul R. Greever, Wyoming; Don Gingery, Pennsylvania; Harold K. Claypool, Ohio; Luther Patrick, Alabama; Harry R. Sheppard, California; Clyde L. Garrett, Texas; J. Harold Flannery, Pennsylvania; George J. Schneider, Wisconsin.

Naval Affairs: Carl Vinson (chairman), Georgia; Patrick Henry Drewry, Virginia; Stephen W. Gambrill, Maryland; John J. Delaney, New York; Frank C. Kniffin, Ohio; Patrick J. Boland, Pennsylvania; Leonard W. Schuetz, Illinois; William H. Sutphin, New Jersey; Joseph B. Shannon, Missouri; John J. McGrath, California; W. D. McFarlane, Texas; John M. O'Connell, Rhode Island; Byron N. Scott, California; Joseph E. Casey, Massachusetts; Michael J. Stack, Pennsylvania; Alfred N. Phillips, Jr., Connecticut; Warren G. Magnuson, Washington; Norman R. Hamilton, Virginia.

Patents: William I. Sirovich (chairman), New York; Fritz G. Lanham, Texas; Braswell D. Deen, Georgia; Thomas O'Malley, Wisconsin; Matthew A. Dunn, Pennsylvania; Charles Kramer, California; Graham A. Barden, North Carolina; John L. McClellan, Arkansas; Frank W. Boykin, Alabama; William B. Barry, New York; William P. Connery, Jr., Massachusetts; John McSweeney, Ohio; Edwin V. Champion, Illinois; Thomas R. Amlie, Wisconsin; Dewey W. Johnson, Minnesota.

Pensions: Allard H. Gasque (chairman), South Carolina; Raymond J. Cannon, Wisconsin; Martin F. Smith, Washington; Reuben T. Wood, Missouri; Charles A. Buckley, New York; Nat Patton, Texas; James A. O'Leary, New York; Guy J. Swope, Pennsylvania; Michael J. Bradley, Pennsylvania; Laurence F. Arnold, Illinois; Joseph A. Dixon, Ohio; John F. Hunter, Ohio; Albert Thomas, Texas; Harry Sauthoff, Wisconsin; John T. Bernard, Minnesota.

Post Office and Post Roads: James M. Mead (chairman), New York; Milton A. Romjue, Missouri; Harry L. Haines, Pennsylvania; Thomas G. Burch, Virginia; Martin L. Sweeney, Ohio; John C. Taylor, South Carolina; Fred H. Hildebrandt, South Dakota; William A. Ashbrook, Ohio; Arthur W. Mitchell, Illinois; Henry C. Luckey, Nebraska; B. Frank Whelchel, Georgia; Edward W. Patterson, Kansas; Aime J. Forand, Rhode Island; Joe Hendricks, Florida; Noble J. Gregory, Kentucky; Donald L. O'Toole, New York; John Luecke, Michigan; Hugh M. Rigney, Illinois.

Printing: J. Walter Lambeth (chairman), North Carolina; William B. Barry, New York.

Public Buildings and Grounds: Fritz G. Lanham (chairman), Texas; John H. Kerr, North Carolina; Eugene B. Crowe, Indiana; Ben Cravens, Arkansas; C. Jasper Bell, Missouri; Charles A. Buckley, New York; Frank W. Boykin, Alabama; Michael J. Kirwan, Ohio; Newt V. Mills, Louisiana; Frank W. Fries, Illinois; Harry R. Sheppard, California; Luther Patrick, Alabama; Herman P. Eberharter, Pennsylvania; Thomas R. Amlie, Wisconsin; Franck R. Havenner, California.

Public Lands: René L. DeRouen (chairman), Louisiana; J. Will Robinson, Utah; Knute Hill, Washington; Compton I. White, Idaho; Henry E. Stubbs, California; J. Hardin Peterson, Florida; Hugh Peterson, Georgia; John J. Dempsey, New Mexico; Sam C. Massingale, Oklahoma; Paul R. Greever, Wyoming; John L. McClellan, Arkansas; John R. Murdock, Arizona; James F. O'Connor, Montana; ———; Henry G. Teigan, Minnesota.

Revision of the Laws: Raymond J. Cannon (chairman), Wisconsin; William P. Connery, Jr., Massachusetts; Charles N. Crosby, Pennsylvania; Eugene J. Keogh, New York; John M. Coffee, Washington; Guy J. Swope, Pennsylvania; Joseph A. Dixon, Ohio; Harry Sauthoff, Wisconsin; Dewey W. Johnson, Minnesota.

Rivers and Harbors: Joseph J. Mansfield (chairman), Texas; Joseph A. Gavagan, New York; René L. DeRouen, Louisiana; Robert A. Green, Florida; Claude V. Parsons, Illinois; William M. Colmer, Mississippi; Charles J. Colden, California; Alfred F. Beiter, New York; Martin F. Smith, Washington; William T. Schulte, Indiana; Hugh Peterson, Georgia; C. Jasper Bell, Missouri; Charles R. Eckert, Pennsylvania; Graham A. Barden, North Carolina; John McSweeney, Ohio; Elmer H. Wene, New Jersey; Harold G. Mosier, Ohio; Nan W. Honeyman, Oregon; Franck R. Havenner, California.

Roads: Wilburn Cartwright (chairman), Oklahoma; Lindsay C. Warren, North Carolina; William M. Whittington, Mississippi; Thomas O'Malley, Wisconsin; Monrad C. Wallgren, Washington; J. Will Robinson, Utah; Jennings Randolph, West Virginia; Robert T. Secrest, Ohio; Hugh Peterson, Georgia; John L. McClellan, Arkansas; Nat Patton, Texas; Orville Zimmerman, Missouri; John J. Sparkman, Alabama; Lewis L. Boyer, Illinois; William S. Jacobsen, Iowa; Bernard J. Gehrmann, Wisconsin.

Territories: Robert A. Green (chairman), Florida; John E. Rankin; Mississippi; Eugene B. Crowe, Indiana; Claude V. Parsons, Illinois; Raymond J. Cannon, Wisconsin; Thomas O'Malley, Wisconsin; Charles R. Eckert, Pennsylvania; Charles G. Binderup, Nebraska; Hugh Peterson, Georgia; John J. Dempsey, New Mexico; Jack Nichols, Oklahoma; Nat Patton, Texas; Guy J. Swope, Pennsylvania; Newt V. Mills, Louisiana; Elmer H. Wene, New Jersey.

War Claims: Alfred F. Beiter (chairman), New York; Joseph A Gavagan, New York; Braswell D. Deen, Georgia; Reuben T. Wood, Missouri; Thomas O'Malley, Wisconsin; Charles G. Binderup, Nebraska; Edward J. Hart, New Jersey; Sam C. Massingale, Oklahoma; James H. Gildea, Pennsylvania; William R. Poage, Texas; Anthony A. Fieger, Ohio; ———; ———; George J. Schneider, Wisconsin; John T. Bernard, Minnesota.

World War Veterans' Legislation: John E. Rankin (chairman), Mississippi; William P. Connery, Jr., Massachusetts; Glenn Griswold, Indiana; Joseph Gray, Pennsylvania; Charles A. Buckley, New York; James J. Lanzetta, New York; Harold K. Claypool, Ohio; H. Jerry Voorhis, California; Michael J. Bradley, Pennsylvania; Pete Jarman, Alabama; Richard M. Atkinson, Tennessee; Clyde L. Garrett, Texas; Edwin V. Champion, Illinois; John K. Griffith, Louisiana; Harry Sauthoff, Wisconsin.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that the reading of the names in the resolution be dispensed with and that the names be printed in the RECORD. It is simply a list of the majority members of the various committees.

Mr. BOILEAU. Will the gentleman yield?

Mr. RAYBURN. I yield to the gentleman from Wisconsin.

Mr. BOILEAU. Does the gentleman state to the House these are merely the names of the majority members?

Mr. RAYBURN. There are also assigned the so-called Progressive Members.

Mr. BOILEAU. The Members of the Farmer-Labor and Progressive Parties are included in there?

Mr. RAYBURN. Yes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BOILEAU. Mr. Speaker, I ask for recognition in opposition to the resolution.

The SPEAKER. The gentleman from Wisconsin [Mr. BOILEAU] is recognized.

Mr. BOILEAU. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BOILEAU. Mr. Speaker, have I 1 hour to speak in opposition to this resolution?

The SPEAKER. If the gentleman from North Carolina [Mr. DOUGHTON] relinquishes the floor, the gentleman is entitled to an hour.

Mr. BOILEAU. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BOILEAU. May I have authority to yield part of this time to others who may desire to speak on this matter without losing my right to use the full 1 hour?

The SPEAKER. The Chair is of the opinion that the gentleman may yield part of his time.

Mr. BOILEAU. Without asking unanimous consent of the House?

The SPEAKER. The Chair is of the opinion the gentleman may do that without asking consent of the House.

Mr. BOILEAU. Mr. Speaker, on yesterday I asked for and was granted unanimous consent to address the House for 30 minutes. At that time I had intended to address myself to the subject of committee assignments for the Farmer-Labor and Progressive Members of the House of Representatives.

I had received word, entirely unofficially, that the majority committee on committees, consisting of the Democratic members of the Ways and Means Committee, had made the assignments to the various committees covering the majority Members of the House, and that the question had been decided by the Democratic committee on committees as to the number and importance of committees to which the Farmer-Labor and Progressive Members of the House were to be assigned. After I had received that notice I thought it was the proper thing to notify the Democratic chairman of the Committee on Ways and Means, who is also chairman of the Democratic committee on committees, that I intended to address the House on this particular subject. I felt that he and other members of the committee should know that we, the Farmer-Labor and Progressive Members, were entirely dissatisfied with the treatment accorded us, not only in the matter of committee assignments but also in a slight degree we were dissatisfied because we had not had adequate opportunity to present our request to the committee on committees with reference to individual assignments.

Mr. Speaker, I realize I am talking now in opposition to the assignment of the majority Members of this House, but the only thing I can do is to appeal to the sense of fairness of the Democratic majority in this House. I know that each and every one on the majority side has had an opportunity to express preference as to the committee assignments, and I am conscious also of the fact that having had this opportunity to mention the first choice, and probably the second or third choice, through your representatives on the committee on committees, you have had an opportunity to work out your committee assignments, and in all probability the vast majority of the Members on the majority side are quite well satisfied with their committee assignments. I realize that when there is a vote taken on this resolution there will be the natural inclination on your part to vote for it; therefore the only appeal I can hope to make is that you disregard your own committee assignments and attempt to deal fairly with the other Members of this House who represent a constituency the same as you do. These other Members of the House are elected in the same manner you are, and under our Constitution they have just as much right in the House of Representatives, just as many prerogatives, and just as many rights as Members of the House as any individual on the majority side.

I know that on tomorrow, or in the near future, the distinguished Republican leader will present a resolution providing for election of Republican Members of various committees. It will then be too late for me to oppose the resolution because if we are to be treated fairly, Mr. Speaker, it is necessary to defeat the pending resolution at the present time. For all practical purposes it will be necessary to do that because after the pending resolution is adopted the question will be virtually settled.

We of the Farmer-Labor and Progressive group in this House number 13, and we demand that we be considered for all intents and purposes as a minority group. In no sense of the word can we ever be considered as a majority group. The precedents of the House are clear on that subject. It has been established over a long period of years that those Members with political designations other than the two dominant parties—in our instance the third party or fourth party, the Farmer-Labor-Progressive Members, or the so-called third party Members of the House—have received their appointments from the Members of the majority party.

This is probably as it should be. We prefer to have a definite bloc of committees assigned to us, but we are not pressing that issue now. We are asking for proper recognition on the committees, and it has been the traditional policy of the Congress from the very beginning that the dominant or the majority party—in this case the Democrats—should make assignments to the third party men in the resolution electing the majority Members. There is a very good reason for this, and I do not mean to infer in the slightest, I may say to the Republican leader and the members of the Republican Party, that we would not be given proper treatment if the Republicans were to give us our assignments. I do not mean to suggest that at all, but from the standpoint of good government and good parliamentary procedure it is proper that those who are in this more or less small minority should be protected by the majority group. This is obvious.

Mr. MAVERICK. Mr. Speaker, will the gentleman yield?

Mr. BOILEAU. I should prefer to go along a little further and then I should be pleased to yield to the gentleman.

It is good parliamentary procedure that the Democrats in this instance should give us our assignments, but we do maintain that our assignments should come out of the assignments set aside for minority Members.

Mr. Speaker, we are in accord and accept the proposition that the Democrats should assign our Members to committees in a resolution such as you have offered today, but we demand that in the consideration of this subject and in the assignment of committees we should, in every sense of the word, be considered as a minority group, and we want to emphasize the fact that our assignments as committee members of the House should be taken out of the quota that the precedents and the rules set aside for minority Members. We should have our assignments out of the bloc of assignments that go to the minority because we are minority Members of the House.

There is nothing in the rules of the House that provides that such assignments should be divided between Democrats and Republicans. All the rules and all the precedents are that the assignments should be made as among the majority on the one hand and among the minority Members on the

other, and I submit to you that as minority Members of the House—and this is the crux of our entire argument and I hope you will get this point—we are entitled to be given just the same consideration as is given to other minority Members of the House. In other words, we should be given as much consideration, in proportion to our percentage of the minority Members of the House, as the Republicans or any other group of minority Members in this body. If we are to be given what I consider fair treatment, or if we are to be given our fair proportion of majority and minority committees, obviously we will have more assignments than you Democrats will have, because today the Republican Members of the House, as in the last Congress, have much better committee assignments than you gentleman of the majority. I think probably this is as it should be, because it is necessary to have a minority that can express the minority views. It is necessary that we have a sufficient number of minority Members on committees so that all matters will be fairly considered from all angles. So if we are to be given consideration as minority Members and given our fair share of representation on the major and minor committees, I want to be very frank to you and say that we would probably have better committee assignments than you Democrats, but I may also say that this does not mean that we would have better committee assignments than other minority parties, and if we are minority Members of the House, we are entitled, not only according to what is right and wrong, but based upon "the rules of the game", to fair representation on the major committees of the House.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BOILEAU. I will yield to the gentleman.

Mr. McCORMACK. Does the gentleman claim that the Progressives in this House are a national minority party?

Mr. BOILEAU. I will answer that question. I may say to the gentleman from Massachusetts that neither he nor any other Democrat, so far as I can recollect, raised that question last November in Wisconsin and Minnesota.

I will answer your question very completely and I will say to the gentleman that there is a liberal movement in this country that may, in not so many years, have some of you coming to us for assignment as minority Members of this House.

Mr. DOUGHTON. Will the gentleman yield?

Mr. BOILEAU. Yes; certainly.

Mr. DOUGHTON. The gentleman was given an opportunity to express his views before we ever began the hearings.

Mr. BOILEAU. I wish to say we had an opportunity to appear before the committee, but there never was any opportunity afforded us until after the committee assignments were made to suggest our preference of committees. If you will permit me, I will make a statement which I consider to be fair, and the gentleman will agree to the facts, I am sure. I wish to say that upon my request the chairman of the committee very kindly and very courteously gave my colleague [Mr. WITHROW] and myself an opportunity to come before his committee. We expressed our view. We stated that we believed we should have a fair proportion of committee assignments. We had all the time we needed before the committee. It was necessary for the chairman to leave for a few minutes before we concluded, but the gentleman who took his place as chairman also accorded us every courtesy and every opportunity to express our views, but that was before any action had been taken on the question of how many committee assignments we should have. We were not apprised, and I am sure it was probably an oversight on the part of the gentleman from North Carolina [Mr. DOUGHTON]—we were not advised until yesterday how many committee assignments we were to have, what committees we were to be assigned to. The question that I presented in behalf of our group was not answered. I wanted to know, in behalf of the group I represented, and was authorized by the group to find out, if I could, what disposition was to be made of our request for committee assignments. That was not answered. As a result, we were waiting, day after day, for the committee on committees to answer the question as to whether or not we were to be given a definite group of assignments, or whether we were to be assigned by the Democratic members of the Ways and Means Committee.

We also wanted some suggestion as to how many committees we were to have. We wanted to know whether we would be given fair recognition. If we were to be given fair recognition, then, of course, we would make our requests accordingly, but without a reply to our request we did not know to whom or under what conditions we should make our requests. The result was that we did not know about it until the report of the committee on committees was finished. It was slightly revised yesterday.

I said earlier that the gentleman from North Carolina and his committee gave us a further hearing yesterday, but that was after the question had been thoroughly settled. They made some small changes after that, but the changes made were like crumbs from the table. They amounted to nothing. To all intents and purposes, the principle involved has not been changed, and we have not been treated fairly in the matter of committee assignments by this House.

Mr. DOUGHTON. Will the gentleman yield there?

Mr. BOILEAU. With pleasure.

Mr. DOUGHTON. The gentleman will admit that after he was given a hearing our committee began its deliberations, and the gentleman knew we were in session, and he submitted no list of the assignments he desired for his people until that committee had completed its work. Then we gave him another hearing. It was only a tentative conclusion at which we arrived. The gentleman did not submit his list until afterward, and the gentleman evidently knew we were in session.

Mr. BOILEAU. I knew you were in session, but I was waiting for you to tell us whether we would be treated fairly or whether we would have something crowded down our throats. We were not apprised of the decision of the committee until yesterday.

Mr. DOUGHTON. What right did the gentleman have to assume that he would not be treated fairly?

Mr. BOILEAU. Well, we have not been.

Mr. DOUGHTON. Well, that is just the gentleman's opinion.

Mr. BOILEAU. That is my opinion, and that is what I am telling the House now. I do not think we have been treated fairly.

During the Seventy-fourth Congress there were 82 major committee assignments made to minority members. The Republicans, the Farmer-Laborites, and Progressives altogether had 82 assignments on the 11 major committees of the House.

There are 102 minority Members over on this side of the House in this Congress. There are 89 Republicans, 8 Progressives, and 5 Farmer-Laborites, a total of 102 minority Members. The fair proportion of this group of 13 Progressives and Farmer-Laborites is 12¾ percent of the major committee assignments. That is fair. If we are to have our share of minority assignments on major committees, that is what we are entitled to. If we are to be given 12¾ percent of the minority committee assignments on major committees, we would be entitled to 10.45—10 or 11, as you choose. We are willing to have 10.

At the present time and in this report we have three major committee assignments. In other words, in major committee assignments we are given just exactly 30 percent of what we were entitled to.

I say to you, sir, that as far as I am personally concerned I am not complaining about my committee assignments. I have had the pleasure during the past two Congresses to serve under the distinguished gentleman from Texas [Mr. JONES] in the Committee on Agriculture. I am very happy on that committee. There is no other committee that I should prefer in this House. I want to go back on that committee, and the pending resolution reappoints me as a member of the Committee on Agriculture. There is no desire on my part for a different assignment, but I submit to you that

most of my Progressive and Farmer-Labor colleagues have not been fairly treated; it is a question of fair treatment to the minority groups.

If the time has come when minority Members of this House cannot have their fair opportunity to express their views in the committees of this House, where the real work is done, then I say to you there is grave danger of minority groups being suppressed in the future. It is a matter of rights, not only rights of individual Members but rights of American people—people of liberal tendencies in your district as well as in our districts. I submit to you we are entitled to 10 major committee assignments, and under the same rules entitled to 25 minority committee assignments. We have three of the former.

Mr. O'CONNOR of New York. Mr. Speaker, will the gentleman yield?

Mr. BOILEAU. I yield.

Mr. O'CONNOR of New York. Would the gentleman carry his argument so far as to maintain that if there were one member of a new minority party in the House other than the two minority parties the gentleman mentioned, that he would be entitled to take the same position?

Mr. BOILEAU. Yes.

Mr. O'CONNOR of New York. That he, as just one member of a minority party, would be entitled to his proportional representation on all committees, including the majority committees?

Mr. BOILEAU. I will answer the gentleman—the gentleman does not understand me, I know; it is my fault. I am sure the gentleman does not get the meat of my argument. As a group we are entitled to representation. If there were only 1 third party Member, instead of 13, out of a total of 102 minority Members, he would be entitled to 1 percent of major committee assignments assigned to the minority. As there are 82 major committee assignments to minority Members, that individual Member would be entitled to 1 percent of 82, or 8 percent. Then, if he was not given a major committee, he should properly receive an assignment on a good minor committee, such as Labor, or a committee dealing with some subject affecting his district. This is especially true if he has served 2 years, 4 years, 6 years and over, as is the case with some members of our group. We certainly do not claim that one individual representing a minority party should serve on all committees of the House. The gentleman from Wisconsin [Mr. WITHROW] and the gentleman from Minnesota [Mr. KVALE] have received major committee assignments in the pending resolution. The gentleman from Minnesota [Mr. KVALE] for several years has been on the Committee on Military Affairs. That is a major committee. Although I have not discussed the subject with him, I feel that he is entirely satisfied. The gentleman from Wisconsin [Mr. WITHROW], who is now serving his fourth term, was placed on the Committee on Interstate and Foreign Commerce. I am very glad of that. That is the committee he has been after for a long while. I am glad this report gives him that assignment. However, there are two Members of our group—two Members from Wisconsin—who are now serving their third term and who have always received about the same minor committee assignments ever since they have been here. I submit to you that if they stay here 50 years, and if the policy of the Ways and Means Committee is not changed, these men will probably remain on these same minor committees. That is unfair. Men who are serving third terms on the Republican side usually get pretty good committee assignments.

Every single Republican serving his third term in the Seventy-fourth Congress had a major committee assignment; every man of the Republican Party who was serving his third term last session got a major committee assignment. Why should we not have the same consideration? Nineteen Republicans in the Seventy-fourth Congress were serving their second term, and 16 of them received major committee assignments.

The gentleman from Wisconsin [Mr. SAUTHOFF], the gentleman from Minnesota [Mr. BUCKLER], and the gentleman from Wisconsin [Mr. GEHRMANN], who are serving their second terms, should be given the same consideration given to other minority Members. They, too, should have fair consideration. At least one or two of them should be on a major committee.

In all fairness, at least two major committee assignments should be made among the group of three who are now serving their second terms. Do not confuse the issue as between minority assignments and major assignments. We have attempted to make that point clear.

There are 102 minority Members, 13 in our group; in other words, we make up 12¾ percent of the minority and are entitled to this percentage of the total minority assignments on major and minor committees. We asked that we be given a block of assignments, 12¾ percent of the major and minor committee assignments; that they be given to us as a group for us to do with as we pleased. We asked as an alternative, if that request was not granted, that the Democratic majority take out of the minority committee assignments on major and minor committees our fair share and apportion them to us. I did not find out the result until yesterday, although it has been hanging fire since the 30th of December. I came down here in plenty of time and had plenty of opportunity to interview those in authority. We asked the majority party to give us a block of assignments to divide among ourselves.

There are two sides to the argument as to whether or not that should have been done. Some of my colleagues on the Democratic side, and particularly one or two distinguished gentleman from the Middle West were afraid that perhaps there might be some political implications if we Members of the Farmer-Labor and Progressive Parties were to be given a fair deal or a fair share of the committee assignments. In other words there might be an unfavorable reaction. In my judgment, the distinguished gentleman from Massachusetts has demonstrated that he himself fears that situation because he continually emphasizes the fact that we are not members of a third national political party. Let me say to the Members of the House that the rules and precedents of this House refer to "Members of the House" and not political parties.

Mr. Speaker, the fathers of this country did not anticipate that the time would ever come when a man had to belong to one or the other of two "choice" political parties in order to get a square deal in the congressional committee assignments. The fathers did not anticipate that one hand would wash the other and that the Members of the majority side would give to one minority party more than was their due so that, when the time should come that the majority was on the other side that the favors would be returned.

Mr. Speaker, that is not fair. That was not contemplated by the fathers. It was contemplated that this Congress would be run on a basis of equal representation.

Yesterday we went before the committee on committees after this pamphlet was printed. We had been given no opportunity previously because we had no information before as to who would decide on our assignments. Yesterday for the first time we had the opportunity to make our request as to individual assignments. We had no opportunity before that to present our preferences. That was the first time we had any knowledge as to whom we should go in order to get committee assignments.

Mr. DOUGHTON. Will the gentleman yield?

Mr. BOILEAU. I yield to the gentleman from North Carolina.

Mr. DOUGHTON. The gentleman says he was not given an opportunity until after this pamphlet was printed. I may say this was not printed until last night and the gentleman was given an opportunity to be heard and to make his choice yesterday, and, as a matter of fact, there were several changes made for him.

Mr. BOILEAU. I may be in error, but my information is to the effect that night before last this pamphlet was sent to the Public Printer. Of course, this information is not official. I recognize the fact that some changes were

made yesterday. Whether this is a revised edition or whether it actually had not gone to the Printer, I am not informed, but whatever the gentleman from North Carolina says on that point will be accepted by me as an absolute fact.

Mr. DOUGHTON. We were very glad to give the gentleman a hearing, and, as I previously stated, we revised the list and gave him two or three additional assignments.

Mr. BOILEAU. That is correct, and all of them were assignments to minor committees and do not amount to anything. The assignments were not given to the Members who enjoyed seniority. If a Member had the opportunity to choose, it was as between being assigned to one unimportant committee or another. He had only that choice.

We have nothing to say about the election of members of the majority committee on committees.

One of our Members requested that he be assigned to the Committee on Banking and Currency, and it was pointed out that this gentleman, who is now serving his third term, was a member of the Committee on Coinage, Weights, and Measures. In other words, because both of those committees deal to some extent with money, it was suggested as an argument against us that one committee was as good as the other.

When I first came here, as a Member of the Seventy-second Congress, I wanted to be assigned to the Committee on Military Affairs. Being a new Member I was pacified by being assigned to the Committee on War Claims. I am now serving on the Committee on Agriculture, and I may say to the Republican Members that although I was not usually in accord with the views of the majority of the Republicans, when I served here two terms as a progressive Republican, that nevertheless the Republicans during my second term gave me as much consideration as I could hope for. I was placed on the Agricultural Committee originally by the Republicans, and I have been there ever since. You Members of the majority have been kind enough to keep me on that committee, but have not given any consideration whatever to many other Members of the Farmer-Labor and Progressive Parties.

We are not asking you to kick off any Republican Members from these committees. Bear in mind that there is at least one minority vacancy on every single major committee in this House. We would not ask that a Member of the Republican minority who has been serving as a minority member of any committee be replaced; but as there are now vacancies, that instead of having one Republican Member holding down two major committee assignments, it seems to me consideration should be given to Members of the Farmer-Labor-Progressive group. The majority Members are giving preference to Members who are serving their first term in this House. We want to be very fair. One of our group, the gentleman from Minnesota [Mr. BUCKLER] has been endeavoring to get on the Committee on Agriculture for some time. He stated to me that was his first choice, but stated very frankly he did not think he had a chance to get on that committee. He referred to the fact that I, as a Member of the Progressive Party, had been on that committee for two terms, and would therefore have preference over him and probably be retained on that committee. He pointed also to the fact that the gentleman from Minnesota [Mr. ANDRESEN] has been serving on that committee for some time, and would undoubtedly be reassigned to the committee as a minority member. He felt he would not have a chance, although he was serving his second term in this House. The gentleman was very modest in his second request. It so happens that in his State there are located a good many Indians; therefore, he asked to be assigned to the Committee on Indian Affairs. That was one of the changes that was made yesterday afternoon. The gentleman from Minnesota was assigned to the Committee on Indian Affairs.

However, if we had been told we would have our fair share of committee assignments some days ago, we would have made more specific requests for major committees, but we were fighting yesterday with our backs to the wall. Agreement had already been made with the Republicans, and, although our request had been before your committee on committees since the first of the year, we were kept completely in the dark. I submit that we have not had a fair opportunity to state our requests.

The gentleman from Wisconsin [Mr. SCHNEIDER] expressed his first choice as one of the major committees, the Committee on Appropriations, and his second choice was to remain where he is now, on the Committee on Labor. He wanted membership on the Committee on the Post Office and Post Roads provided he could also remain on Labor, but the majority said: "No; you cannot have both." Why did they say, "You cannot have both Post Office and Post Roads and Labor at the same time"? Because "we do not give that kind of assignments to our own members." This was said to me a number of times, and, as I see it, it is a ridiculous argument. They say, "If we give one of our own Members an assignment to the Committee on the Post Office and Post Roads, we do not give him anything else." I have tried my very best to explain that we are not asking to be treated as you are treated, but as other minority Members of the House.

On the Republican side I know of instances where men hold down two assignments on some of the most important and exclusive committees of the House. So it seems to me to come with poor grace from any man who represents you on the majority committee and who by force of circumstances is supposed to represent me and those who belong to the same group as I do should insist upon measuring the minority on the same basis as you measure the majority, when he himself is one of those who would have most influence in deciding how many assignments the minority should have.

Now, Mr. Speaker, we ask only for fairness; and bear in mind we are not asking that you take away a single assignment from the Democrats; not at all. This will not change the status of Democrats. All that will happen if you vote down this resolution is that it will be held up a little bit, but you will be doing the right thing and treating the minority as it should be; and while I am frank to say I do not suppose you will do this, yet you ought to do it, because if you do this you will be showing that it is your intention in this Congress to deal fairly with the other Members of the House and apportion committee assignments among the minority in accordance with their seniority. Just give us what we are entitled to as a matter of right and as a matter of justice and in accordance with our numerical strength seniority and we will be satisfied.

There is not a single man in our group who is now serving his first term who is making any claim for a major committee assignment, although I may say that in the last Congress there were five Republicans who were given major committee assignments during their first term, so it would not be so awful if one of our group should aspire to receive similar treatment.

I want to withhold a little of my time. I have tried to explain this matter as we view it. There were several gentlemen who asked me a short time ago to yield, and I felt I had to decline to do so at that time. If any of them now desire me to yield for a question, I shall be very happy to do so.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BOILEAU. I yield.

Mr. McCORMACK. Will the gentleman answer the question I propounded in the early part of his statement as to whether or not he considers the Progressive Party and the Farmer-Labor Party a national political party?

Mr. BOILEAU. I certainly do. We certainly consider ourselves as a national political party. We now have 13 men representing our parties in the National House of Representatives and we have several in the United States Senate, and let me tell you that we may have some from some other States before long, and I may tell you that our party is not only a national party but we are on the ascendency, and I wonder if any of you will say as much for the Democratic Party.

Mr. WITHROW. Mr. Speaker, will the gentleman yield?

Mr. BOILEAU. I yield to the gentleman with pleasure.

Mr. WITHROW. I want it understood that as an individual I am perfectly satisfied with the committee assignment that has been allocated to me in the resolution on the Clerk's desk, but I do feel that as a group we have not been treated fairly, and the question I should like to propcund to the gentleman from Wisconsin is this: It is not a question of recognition of a national party, it is a question of dealing fairly with individual Members of the minority group.

Mr. BOILEAU. The rules of the House and all the precedents do not refer to political parties but to Members of the House as majority and minority Members.

Mr. WITHROW. Will the gentleman yield further?

Mr. BOILEAU. I yield.

Mr. WITHROW. Under the present system, I wonder what would happen if at the next session of Congress we would find the Republican Party minority dwindled to 43 and the Farmer-Labor-Progressive group would consist of 51? In that case would the gentleman be inclined to feel as though the Republican Party would still be recognized as the minority group and that we, with 51 in our group, would be compelled to go to the Democratic majority and have them include us in their group and give us assignments out of the majority group?

Mr. BOILEAU. I think about that time you would find the Democratic committee on committees saying, "Well, we could not see the force of your argument 2 years ago, but we have now come to the conclusion you were right." [Laughter.]

Mr. WITHROW. Will the gentleman yield further?

Mr. BOILEAU. I yield.

Mr. WITHROW. Assuming that possibly that might occur——

Mr. BOILEAU. I wish the gentleman would not put in the word "possibly."

Mr. WITHROW. Assume that would occur, and the Republicans had 43 and the Farmer-Laborites and Progressives had 51, by any stretch of imagination could you then imagine the Republican Party going to the Democratic majority to have their assignments made by the majority Members in their caucus? That is just exactly the way we are being treated at the present time. We are not being treated fairly as individuals of the minority group.

Mr. BOILEAU. I think the gentleman is absolutely correct.

Mr. COLDEN. Will the gentleman yield?

Mr. BOILEAU. I yield.

Mr. COLDEN. I should like to call the attention of the gentleman from Wisconsin to this fact, that he himself is a member of a very important committee, the Committee on Agriculture, a major committee. His colleague from Wisconsin [Mr. WITHROW] is a member of the Committee on Interstate and Foreign Commerce, a very important committee. Another gentleman is on the Committee on Coinage, Weights, and Measures, which has some importance. [Laughter.]

Mr. BOILEAU. Well, how much? I recall reading a book sometime ago in which the joke of the whole thing was that some man was elected to Congress and he was put on the Committee on Coinage, Weights, and Measures.

Mr. COLDEN. Well, I know certain Members of this House who are members of the Committee on Coinage, Weights, and Measures who take their jobs very seriously.

Mr. BOILEAU. It may be that you gentlemen from your part of the country do, but out our way we cannot see the importance of it. We are not going to be mollified into a state of blissful complacence because of assignments to that committee.

Mr. COLDEN. Another is a member of the Committee on Labor; another Member is on the Committee on Military Affairs; another, Rivers and Harbors, and another the Committee on Roads.

Mr. BOILEAU. The gentleman has made his point. I do not yield further.

Mr. COLDEN. I want to ask the gentleman, Now, does not the gentleman from Wisconsin believe that his party has been treated as fairly as the average Member on the majority side?

Mr. BOILEAU. No, no, in the first place; and in the second place, what of it? We are not majority Members. We are minority Members. I hope the gentleman understands that. I do not yield further until I have answered the gentleman's question.

We are entitled to 12.75 percent of the major committee assignments. There are 82 major committee assignments. If the gentleman wants to include in that some that are now considered as minor in the classification of major committees, then we would be entitled to 25 or 30 instead of 10.

The fact remains that the major committee assignments, exclusive committee assignments that you Democrats recognize as such, is what we are speaking about. We are not talking about these other committees. If that is the case, every Democrat has a major committee assignment, if you take in all the committees that do some important work.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. BOILEAU. I yield.

Mr. JOHNSON of Texas. What percentage does the gentleman figure he is entitled to?

Mr. BOILEAU. There are 82 apportioned among the minority of the House. We have 12¾ percent of the total number of minority Members of the House. Therefore we would be entitled to 12¾ percent of 82, or 10 and a fraction. If you consider it according to seniority, we would be entitled to 8 or 9.

Mr. JOHNSON of Texas. The new Democratic Members of the House, according to the way I figure it, would be entitled to about 22 percent of the major committee assignments.

Mr. BOILEAU. We are not new Democratic Members.

Mr. JOHNSON of Texas. Did the new Democratic Members get their percentage?

Mr. BOILEAU. I am talking about seniority.

Mr. JOHNSON of Texas. I am talking about Democratic Members.

Mr. BOILEAU. We have seniority. Our average seniority is almost as great as the Republicans.

Mr. JOHNSON of Texas. How many major committee assignments did you get?

Mr. BOILEAU. We have three, 30 percent of what we are entitled to.

Mr. JOHNSON of Texas. How many terms have those Members served?

Mr. BOILEAU. We have one man who is serving his sixth term. One his fifth, two their fourth terms. We have two other Members who are serving a third term. There are three in our group serving a second term. I said a moment ago we are minority Members. Out of 19 Republican Members serving a second term in the Congress, 16 of them have major committee assignments.

Mr. JOHNSON of Texas. The point I make is that on account of the large number of new Members, the committee had to apparently deal unjustly with a lot of their own Members.

Mr. BOILEAU. We are not asking that these assignments come out of your allotment at all. We are minority Members, and we ask that our allotments come out of the minority side. There are 89 Republicans on that side. There are 78—at least I am close to it—there were 79 last year, but there are 78 assignments among the Republicans on major committees; 78 among 89 Members. They have 17 new Members over there, so they have to double up or else everybody serving more than one term will have a major committee. There are quite a number of Republicans over there who do not want major committee assignments for one reason or another. Many of them who have served any length of time are ranking members on a minor committee. Rather than give up their seniority on the committee they have served on so long they prefer to stay on that committee rather than go on a major committee; so that every Republican who wants a major committee assignment can get it. There were seven Members on the Republican side last year that served on two very important major committees.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. BOILEAU. I yield.

Mr. JOHNSON of Texas. I understand that one of your Members was offered a membership on the Labor Committee and he turned it down.

Mr. BOILEAU. That is not a fact, unless something has happened that I do not know about.

Mr. BEITER. Will the gentleman yield?

Mr. BOILEAU. I yield.

Mr. BEITER. The gentleman referred to the Committee on War Claims as being a minor committee. I am chairman of that committee, and I want to say that there are four or five major bills before it. I consider them major bills.

Mr. BOILEAU. May I suggest that I served on that committee and did not consider it a major committee. I know that the gentleman will make it an important committee, and that his committee will undoubtedly handle some very important legislation.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BOILEAU. I yield.

Mr. McCORMACK. Would my friend rather have the members of his group assigned by the Republican committee on committees than by the Democratic committee on committees?

Mr. BOILEAU. It might just as well be that way, after the treatment we have had.

Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BOILEAU. Have I the right to reserve the balance of my time?

The SPEAKER. The gentleman from Wisconsin can yield the remainder of his time, but has not the right to reserve it.

Mr. BOILEAU. Mr. Speaker, I yield the balance of my time to my colleague the gentleman from Wisconsin [Mr. WITHROW].

The SPEAKER. The gentleman from Wisconsin [Mr. WITHROW] is recognized for 10 minutes.

Mr. WITHROW. Mr. Speaker, as I said before, as an individual I am perfectly satisfied with the assignment given me in the resolution, namely, to the Committee on Interstate and Foreign Commerce. I realize this is a very important committee, and I am very desirous of serving upon it. But, as a whole, our group as part of the minority of the House has not been treated fairly. I am not going to repeat what my colleague has already said, but I do want to say that in my opinion the crux of this question is that sometime ago an agreement was made between the Republicans and the Democrats, who at that time were the only parties in the House of Representatives. That unwritten agreement was to the effect that a certain ratio would be maintained between the majority and the minority parties regardless of how few Members the minority party had. In accordance with said agreement the ratio is being maintained at the present time. But what has happened? There has come to the House of Representatives another group, a truly minority group. The Republicans demand in this particular case that the ratio shall be maintained, and the result is that we the Progressive and Farmer-Labor groups are being sacrificed.

If we were treated on a par with the Republican membership of this House, we should have 10 major committee assignments, whereas we have only 3 major committee assignments. This is the unfairness of it all, and, my friends on the Democratic side of the aisle, you are being penalized as well as we, because our committee assignments at the present time really belong to you as a majority. We should not be forced to take our committee assignments from the majority or from the committee on committees of the Republicans; they should be assigned to us in a block for us to do with as we please, because, Mr. Speaker, we are in every sense a part of the minority group of this House.

We are not permitted a voice on the Ways and Means Committee. You do not intend to give us a position on the Ways and Means Committee. We cannot attend, and we are not permitted to belong to the so-called committee on committees of the Republicans. We have no representation as a minority group.

The question in my mind seems to be: Are you going to continue ignoring us as a minority group? As for our being recognized as a national political party, I say to you at this time—and I point with pride to the group to which I belong and of which I am chairman—that we Progressives in this House and the Farmer-Laborites have supported the President of the United States much more consistently and just as intelligently as any group in the United States; and we intend to proceed along these same lines when we feel that the President is advocating principles in which we believe.

Mr. BOILEAU. Mr. Speaker, will the gentleman yield?

Mr. WITHROW. I yield.

Mr. BOILEAU. Does the gentleman agree with me that the rules and the precedents of the House are such that the majority side could have always made the assignments to the third party Members, but that they are, according to the the rules, to come out of the allotment set aside for minority Members?

Mr. WITHROW. Yes; the gentleman has stated the matter correctly.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. WITHROW. I yield.

Mr. McCORMACK. Is the gentleman dissatisfied with the committee assignments made 2 years ago?

Mr. WITHROW. No; I am not particularly dissatisfied—but just a moment, it is not fair to ask me for a blanket statement as to whether I am dissatisfied or not. I say since that time we who belong to this minority group, every one of us, have been reelected; and we have seniority that we did not have 2 years ago.

Mr. McCORMACK. The gentleman is astute, but he has not answered my question, whether he was dissatisfied with the committee assignments made 2 years ago.

Mr. WITHROW. I was not particularly dissatisfied.

Mr. McCORMACK. Or was the gentleman's group dissatisfied?

Mr. WITHROW. No. Two years ago our requests were very modest.

Mr. McCORMACK. But the gentleman's group is dissatisfied this year?

Mr. WITHROW. Yes, indeed. The question before the Ways and Means Committee as we propounded it, and we had every reason to believe it would be answered, was whether or not we were going to have assignments given to us in a block. That was the question before the Ways and Means Committee, and that question was not answered to us as a group. We had every reason to believe and to assume it would be answered.

If that question had been answered and you had said "No; you are not going to receive your assignment as a block" then we would have submitted to you the request of our group, because just as soon as you indicated you were not going to give us our assignments in a block, we did immediately give the Ways and Means Committee the request of every Member of our two delegations, as well as their second and third choice.

Mr. BOILEAU. Will the gentleman yield?

Mr. WITHROW. I yield to my colleague from Wisconsin.

Mr. BOILEAU. The gentleman and I attended a meeting of the committee on committees at the suggestion of the gentleman from North Carolina, who gave us the opportunity to appear. We did go before the committee and ask them for a fair share of committee assignments. Is it not a fact that the day we went there we had a list of requests of our Members if the committee had shown any disposition to ask for it?

Mr. WITHROW. The gentleman is correct.

Mr. COOPER. Will the gentleman yield?

Mr. WITHROW. I yield to the gentleman from Tennessee.

Mr. COOPER. May I remind the gentleman that his group made the same request this year that was made 2 years ago with reference to block or group committee assignments. We

received that request then, considered it, and declined to grant it. We received his request again this year and considered it. What reason does the gentleman have to expect we would take different action to that taken 2 years ago?

Mr. WITHROW. The issue was not handled in that manner.

Mr. COOPER. It certainly was. The presentation was the same then as now.

Mr. WITHROW. If my memory serves me right, it was not made an issue at that time.

Mr. COOPER. It was identically the same then as now.

Mr. McCORMACK. Will the gentleman yield?

Mr. WITHROW. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The gentleman says it was not made an issue 2 years ago. Why was it not made an issue at that time? The same situation existed. If the gentleman is consistent, he would have made the same argument 2 years ago. As a matter of fact, away down deep in his heart he never expected it and he knows he is not entitled to it.

Mr. WITHROW. We are entitled to it, but we do not expect it.

Mr. BOILEAU. Will the gentleman yield?

Mr. WITHROW. I yield to the gentleman from Wisconsin.

Mr. BOILEAU. May I say to the gentleman that last year we had as many major committee assignments as we have this year. Last year the gentleman from Wisconsin, who now has the floor, was a member of the Committee on the Post Office and Post Roads. This year he has been assigned to the Committee on Interstate and Foreign Commerce. We still have the same number of major committee assignments, although we have more Members this year, and all of our Members have more seniority, and that seniority entitles them to more major committee assignments.

Mr. WITHROW. The gentleman is correct. [Applause.] [Here the gavel fell.]

Mr. DOUGHTON. Mr. Speaker, I ask for recognition in support of the resolution.

The SPEAKER. The gentleman from North Carolina [Mr. DOUGHTON] is recognized for 1 hour.

Mr. DOUGHTON. Mr. Speaker, I yield 10 minutes to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, the question of committee assignments is a very hard one and a very embarrassing one. I can assure you of that fact as a result of my 6 years' service as a member of the Ways and Means Committee. What I say is not in any controversial way but in an explanatory manner to the Members of the House, because there is no object in a Democrat entering into a controversy with my friend the gentleman from Wisconsin, who represents a group of only 13 or 14 members, because the weight is all on one side. However, the gentleman from Wisconsin has made some statements which I think should be clarified in the RECORD.

The gentleman contends that his group, as a matter of right, are entitled to committee assignments. Of course, the answer to that is self-evident. I can see the logic of his position from his angle, but certainly the Progressive Members of the House, elected in Wisconsin and California, and the Farmer-Laborites, elected in Minnesota, purely State parties, are not members of a national political party.

This is nothing but a forerunner of an attempt to break down the two-party system which has stood in this country for many decades. While realizing they have a perfect right to make the demand, and while they are entitled to committee assignments, nevertheless, their contention that they are entitled to it as a matter of right, until they have definitely established themselves as a national political party, seems to me to be without foundation.

Let us pursue this a little further. The gentleman from New York [Mr. O'CONNOR] asked a very pertinent question, predicated upon the assumption that one Member was elected as an independent, would he have the right of minority representation? Carrying out the argument and theory of the gentleman from Wisconsin [Mr. BOILEAU], he would be entitled to one assignment on every committee of the House.

Mr. BOILEAU. Will the gentleman yield?

Mr. McCORMACK. Assume that three, four, or a dozen ran for the Democratic nomination or Republican nomination or Progressive nomination in the State of Wisconsin and were defeated. Then suppose they ran as independents on election day and were elected. What is to stop those individuals, in no way connected with a national party, from coming in, banding together, and demanding the right to serve on various committees as members of a minority party?

Furthermore, the gentlemen over there claim representation as Members of one group, when they were elected, as a matter of fact, from two groups, the Progressives from Wisconsin and one gentleman from California and the other the Farmer-Labor group from Minnesota. The 13 or 14 Members come here now and decide to form one political party. What authority did they get from the people of their districts or their States to band together and suddenly decide to merge into one party?

Mr. BOILEAU and Mr. JOHNSON of Minnesota rose.

Mr. McCORMACK. I yield first to the gentleman from Wisconsin.

Mr. BOILEAU. I want to ask the gentleman this question: I understood the gentleman to say that if one man should come here representing a minority group, he could, according to my views, ask for representation on every committee of the House. Does the gentleman think my argument could be construed as one favoring that position?

Mr. McCORMACK. Why, certainly. If the gentleman's argument is sound, that is the only sound conclusion that could be reached.

Mr. BOILEAU. May I suggest to the gentleman that my argument is that every minority Member or every group of minority Members should have a fair proportion of committee assignments apportioned by the House among the minority, and that one minority group should not have committee assignments at the expense of other minority Members.

Mr. JOHNSON of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. Yes; I yield.

Mr. JOHNSON of Minnesota. The reason I am asking the gentleman this question is because the gentleman is determining the status of the Farmer-Labor Party of Minnesota as a third party.

Mr. McCORMACK. I am not determining that. The gentleman is misquoting me.

Mr. JOHNSON of Minnesota. I want to ask the gentleman this question: Does not the gentleman know that Democratic groups from Washington came to Minnesota a year ago pleading and begging that we not file a national third party ticket [applause], and now that we did not file a ticket, we who supported Roosevelt in November 1936 are in the basement, while the Republicans who fought him are in the parlor. [Laughter and applause.]

Mr. McCORMACK. The gentleman's statement makes no difference with respect to what I said, that we are concerned with national political parties.

Now, coming to the matter of committee assignments to individual members of his group, there is something in what the gentleman from Wisconsin [Mr. BOILEAU] states about that. I want to be frank. Unfortunately, the fault lies with the gentleman from Wisconsin [Mr. BOILEAU] or someone——

Mr. BOILEAU. Wait a second.

Mr. McCORMACK. Wait until I finish my statement.

Unfortunately the fault lies with the group itself. Two years ago the group contacted me and they contacted other Democratic members of the Ways and Means Committee, and they gave us a program of committee assignments and we did a pretty good job. The Democratic members of the Ways and Means Committee want to give this group of Members the best assignments we possibly can, and 2 years ago the gentleman gave us the specific committee assignments that were

sought and were content then with the results after the assignments had been made. As a group they received as good consideration as any delegation from any State having Democratic Members.

This year they came in and made a fight for minority representation as a matter of right, knowing what the answer would be, and knowing what the answer should be, because individual Members have intimated they knew they were not entitled, as a matter of right under existing circumstances, to minority representation. Then this group, or the spokesman of the same, failed to do what every Democratic delegation or every Member does from every State in the Union by presenting its, or their, own program or desires on committee assignments. Louisiana, Missouri, Michigan, Massachusetts, and every State in the Union with Democratic Members usually hold a meeting and present to the Democratic members of the Ways and Means Committee the committee assignments that the Members from their State are seeking.

Mr. BOILEAU. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. Yes.

Mr. BOILEAU. I am sure the gentleman wants to be fair. We are not Members of the majority, and how should we be expected to pursue any other method of seeking committee assignments than to submit our request for major committee assignments. The request was made by sending a memorandum to our distinguished Speaker on the 28th of December, and I received a courteous reply from the Speaker suggesting I address a copy of the communication to the chairman of the Ways and Means Committee and the individual members of the Ways and Means Committee, which I did. This was presented to them before the Congress convened, and every member of the committee had it on his desk before the 1st of January. The letter was sent to members of the Ways and Means Committee not later than the 1st of January. Our request was made and we never knew until yesterday what action was taken on our request.

Mr. McCORMACK. The gentleman did know, did he not, that Members of his group wanted major committee assignments, and that the letter the gentleman refers to was a request or demand for such representation as a matter of right.

Mr. BOILEAU. The gentleman will not find that stated in the letter in that way.

Mr. McCORMACK. In that communication did the gentleman say that the gentleman from Wisconsin [Mr. HULL] wanted Ways and Means, with Foreign Affairs as his second choice; that the gentleman from Wisconsin [Mr. GEHRMANN], as I recall it, wanted as first choice Rivers and Harbors and then Indian Affairs, and also stating what the gentleman from Minnesota [Mr. BERNARD] and the others wanted? Did the gentleman put that in his communication?

Mr. BOILEAU. No.

Mr. McCORMACK. You did 2 years ago, did you not?

Mr. BOILEAU. We did not ask for time before your committee 2 years ago.

Mr. McCORMACK. I know, but 2 years ago the gentleman and I conferred, did we not?

Mr. BOILEAU. Yes.

Mr. McCORMACK. And did the gentleman confer with other Democratic members of the Ways and Means Committee?

Mr. BOILEAU. I did.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Speaker, I yield the gentleman from Massachusetts 5 additional minutes.

Mr. McCORMACK. So the gentleman knew from his experience last year the course he should have taken this year.

Mr. BOILEAU. We knew about the course, but we did not know what status we would be given.

Mr. McCORMACK. Why did you not ask for committee assignments as you did 2 years ago?

Mr. BOILEAU. Because we were waiting for a decision as to how many assignments we would get. We wanted to know whether you were going to treat us fairly or unfairly, and that is the issue here.

Mr. McCORMACK. The gentleman talks about fairly or unfairly——

Mr. BOILEAU. That is the issue in this case.

Mr. McCORMACK. The gentleman's charge of unfairness is not fair.

Mr. BOILEAU. I do not know it, and I will say to the gentleman that I consider it grossly unfair to make such a statement when I made the request to all the responsible heads of the Democratic majority as early as the 28th of December. As soon as the gentleman from North Carolina [Mr. DOUGHTON] arrived in Washington I went to see him about this matter.

Mr. McCORMACK. I now yield to the gentleman from Kentucky [Mr. VINSON].

Mr. VINSON of Kentucky. In reference to the Farmer-Labor group, I want to state that the gentleman from Minnesota [Mr. KVALE] was assigned to the major Committee on Military Affairs. Mr. RYAN, the one Democrat from Minnesota, desired assignment to the Committee on Agriculture last year. It could not be given him. This year he wanted the same assignment, but there was no vacancy on the committee.

Mr. BUCKLER of Minnesota made request for Agriculture as his first choice and secondly Indian Affairs. He received Indian Affairs, Census, and Invalid Pensions. The other three Members from Minnesota are serving their first terms and have received appointments which are favorable as compared with many Democratic Members who are here for their first terms.

Mr. TEIGAN, of Minnesota, has been assigned to the Committee on the Civil Service, one of his expressed choices, and the Public Lands.

Mr. JOHNSON of Minnesota received assignment to the Committee on Revision of the Laws and Indian Affairs. Mr. BERNARD, of Minnesota, War Claims and Pensions. Boiling it down, the Farmer-Labor group has been treated as fairly as many Democrats of similar service.

Mr. McCORMACK. In conclusion, the charge of unfairness on the part of my friend from Wisconsin is a serious one which cannot be ignored. The gentleman from Wisconsin admits that he was treated fairly 2 years ago. They were satisfied with their treatment 2 years ago, and they left it to the judgment of the Democratic members of the Ways and Means Committee to take care of the Members of their group. I am sorry that the gentleman from Wisconsin did not present the committee with a list as he did 2 years ago.

The gentleman knows that 2 years ago I would come out from committee and confer with the gentleman from Wisconsin and other Members of his group to ascertain their views, conveying the same to the other Democratic members of the Ways and Means Committee. Other Members were doing the same thing. Our desire was to treat the Progressive Members and the Farmer-Labor Members with as much consideration as we could. If a situation has arisen this year where, outside of the question of right of representation being denied or not being acted upon because we did not consider it was entitled to consideration in absence of a national political minority party requesting it, we are very sorry that a list was not submitted to us until after the assignments had been made; until practically all the assignments had been made. There is no question in my mind—I can speak only for myself—that during the next 2 years as vacancies occur, as far as I am concerned, and I think to some extent I bespeak the mind of other members of the Ways and Means Committee, when vacancies occur in the different committees, the desires of that group will be given every favorable consideration possible.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Speaker, I yield the gentleman from Massachusetts 2 additional minutes.

Mr. McCORMACK. It is an unfortunate situation, but a situation that exists, and is not due to the Democratic members of the Ways and Means Committee. I am not going to

say that the gentleman from Wisconsin [Mr. BOILEAU] and other Members are entirely to blame. It was one of those unfortunate misunderstandings that arise, but the misunderstanding arose as the result of the failure of the gentleman from Wisconsin to communicate to the Democratic members of the Ways and Means Committee the specific committee assignments that were sought.

As we look over the picture, this particular group got pretty nearly as good representation, without a specific program being presented to us, as any State that has the same number of Democratic Members in this House at the present time.

Mr. BOILEAU. Will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. BOILEAU. Does the gentleman claim that had we presented our request for major committee assignments you would have given them to us because you believed we were entitled to them?

Mr. McCORMACK. No, no; not as a political party.

Mr. BOILEAU. We would not have gotten any more had we asked for specific assignments, would we?

Mr. McCORMACK. Well, the gentleman knows my state of mind.

Mr. BOILEAU. What is the gentleman's view about that?

Mr. McCORMACK. I have the greatest respect for the Members of the gentleman's group. I would extend to them the individual consideration that I would extend to any Democrat in making committee assignments. The views of the gentleman's group have received extreme consideration, the same as they received the maximum degree of consideration 2 years ago. The reason for the group represented by the gentleman probably not receiving one or two more major committee assignments is due to the gentleman himself or his own group in failing to present to the Democratic members of the Ways and Means Committee a program that we could have discussed and acted upon.

Mr. Speaker, we could discuss this forever and get nowhere. The fault lies, in the main, with the gentleman from Wisconsin himself. [Applause.]

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Speaker, I yield 7 minutes to the gentleman from North Dakota [Mr. BURDICK].

Mr. BURDICK. Mr. Speaker, we might as well get this matter out of our systems so we can start on something worth while.

In the State of North Dakota the Republican Party is in control of the progressive element of the State, known as the Nonpartisan League. When you speak about Republicans in North Dakota you mean the same brand of politics that you have in the Progressives of Wisconsin and the Farmer-Laborites of Minnesota. Their philosophies are exactly the same.

Together with my colleagues I occupy a peculiar position in this Congress now, because we remained with the Republican Party. I think we are both about as welcome to the ruling class of Republicans in this House as a weasel would be in a rabbit's nest. [Laughter.] So I have not asked for any committee assignments at all. The only one I hoped I would get would be membership in the Committee of the Whole House. [Laughter.] If that is going to interfere with the sublime supremacy of the Republican Party, I will withhold that request.

I am not asking for any committee assignments at all. I cannot ask for any from the Democrats, although every time a vote comes I have suported the Democrats probably 90 percent of the time. I did not do so because you were Democrats. I did it because you were right. [Applause.]

In the coming session of this Congress I expect to take the same attitude exactly.

So far as my ability goes, I am willing to serve anywhere. In the Seventy-fourth Congress my Republican brethren seemed to have sensed my peculiar fitness for public service, and I was assigned to some wonderful committees. I was given a membership on the Committee on Pensions, which met once during each session. [Laughter.]

I was given another committee assignment on Territories, which I think met a little more frequently. I was also given an assignment on the Committee on Indian Affairs, but whenever I brought in a report from that committee, not a single Republican paid any attention to it.

Mr. KNUTSON. Will the gentleman yield?

Mr. BURDICK. I yield.

Mr. KNUTSON. The gentleman will recall that 2 years ago he talked with me with respect to committee assignments, and the gentleman stated that he had only one preference, and that was the Committee on Indian Affairs. Is that not true?

Mr. BURDICK. That is right.

Mr. KNUTSON. And the gentleman was given that appointment?

Mr. BURDICK. Oh, yes. And every Republican here failed to back me up when I made a recommendation. [Laughter.]

I want to take this occasion to say that I hope we can straighten out this committee business with dispatch and settle it within the next few moments, because we have, in the States where we have had no rain for 7 years, a matter of great importance. The Resettlement Administration has not any funds. The meager funds they now have will be exhausted February 1. They are trying to keep families out in that area on $18 a month. It is not the fault of the Administration, because there is no money available. In a State like North Dakota, where $18 a month will hardly pay for fuel, we are trying to keep 37,000 families during the winter on an appropriation of that kind.

We are now about to ask for seed. Some say that the President has asked for too much money. I say to you that he has not asked for enough. [Applause.] Instead of asking for $967,000,000 to put this Nation on its feet for the next 12 months I am in favor of asking for $1,500,000,000. A Government does not go wrong in giving the people of the Nation a chance to live [applause], and I hope that those charged with the control of this House will, at the first opportunity, make available to the farmers of the Northwest feed and seed, will remove the restrictions, and make it possible for them to get the necessary elements to make a living for themselves and their families. Red-tape restrictions must be removed and help given in time. Delay means ruin and helpless families. If you will do this, I shall be satisfied to pass up all committee assignments and remain on the Committee of the Whole House. There I will do my best to represent the people of my State. [Applause.]

Mr. DOUGHTON. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. MAVERICK].

PROGRESSIVE AND FARMER-LABOR GROUPS HELPED ELECT ROOSEVELT

Mr. MAVERICK. Mr. Speaker, I feel that the committee has been entirely fair and has done the best it could. Certain statements have been made, however, upon which I should like to comment, for they are more or less a reflection on the assistance and cooperation of the Progressives in helping elect Franklin D. Roosevelt President. Some inference has been made that the Progressive and Farmer-Labor Parties do not, in effect, constitute a national movement. I attended the Progressive National Conference in Chicago. I am a member of its executive committee and am proud of my membership on it. The Democratic Party was proud of the Progressives at the time. We should be proud of that group now and give them recognition. Certainly if it is not a national party, it is a national movement, and they are entitled to every respect.

When the Democratic Party was having a hard time passing the holding-company bill and the T. V. A. bill every single member of the Farmer-Labor and Progressive Parties went down the line with our party and the President 100 percent. I believe at one time the vote was so close that the bill was saved only by the Progressive and the Farmer-Labor group in this House.

I believe that we should go out of our way to be fair with this group of Progressives. I am, however, going to vote to sustain the Committee on Ways and Means, because, although I say it regretfully, I do not believe the Progressive-Farmer-Labor group has been quite as aggressive as they should have

been in asking for these committee assignments ahead of time. I will vote for their contention next year.

Mr. BOILEAU. Mr. Speaker, will the gentleman yield?

Mr. MAVERICK. I yield.

Mr. BOILEAU. Does the gentleman mean to say we have not been aggressive in asking for these committee assignments, when I came here early in order to present the matter, and on the 28th of December had started working on it? Every time I saw a member of the Ways and Means Committee I asked him, "Have you made a decision? Are you going to give us these assignments?"

Mr. MAVERICK. You must admit the gentleman's party comes from two States, Wisconsin and Minnesota.

Mr. BOILEAU. And California.

PROGRESSIVE GROUP HAS REPRESENTATION ON THREE MAJOR COMMITTEES

Mr. MAVERICK. Your party has membership upon the Committee on Agriculture, which is vital in Wisconsin and Minnesota. The gentleman from Minnesota [Mr. KVALE] has an assignment on the Committee on Military Affairs and Mr. WITHROW has an assignment on the Committee on Interstate and Foreign Commerce. These are very important major committees, and very good assignments.

Mr. BOILEAU. But I call to the attention of the gentleman from Texas that we have Members in our group who have served here longer than he has, yet the gentleman, a first-termer last year, held a major committee assignment. These other men, too, have been working mighty hard in this House.

Mr. MAVERICK. My assignment on the Military Affairs Committee came after a very active fight for it. Also I come from a military district. I know your group has worked hard and I think the gentleman's group is entitled to more assignments, but have failed to get them probably because they were not active enough.

Mr. BOILEAU. How does the gentleman know how active we were when he was not with us? The records show how active we were.

Mr. MAVERICK. But the gentleman did not get active soon enough; I did not say the gentleman was not active at this time.

Mr. BOILEAU. The gentleman is not on the Committee on Ways and Means; he does not know how much we went around. The chairman of the Democratic committee on committees knew about it. We asked him to give us proper consideration.

Mr. MAVERICK. I repeat that I do not think the gentleman was as active as he should have been. I will vote with the gentleman next year, but not this year, because the gentleman was not active enough.

Mr. BOILEAU. Thanks for the support! It is appreciated! It is a great help!

Mr. MAVERICK. If my distinguished friend is angry about it, I am sorry.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Speaker, I regret very keenly the grievances that the gentleman from Wisconsin expresses and that he feels that his group, as he terms it, has not had the consideration and the recognition to which he thinks they are entitled. I may say as chairman of the committee that they had more consideration in the way of being given a hearing and opportunity to express their wishes than any other group in the House. They were accorded a hearing before our committee. At the outset they asked for recognition as a group, but they admit today they did not expect that.

If they did not expect it why did they act on that hypothesis? The gentleman from Wisconsin [Mr. WITHROW] stated very frankly that he did not expect it. Why did they not submit their request for the assignments to which he thought they were entitled? Of course, if we had conceded all of the assignments requested later by the gentleman from Wisconsin we would have given them much more favorable consideration and more desirable committee assignments than we gave Members of our own party. The gentleman knows that and he is bound to admit in all fairness that we have given him as desirable committee assignments as we have given the Members of our own party. Even after we had tentatively agreed on the membership of the various committees, in order to be absolutely fair we gave the gentleman an opportunity to submit his list which he had theretofore failed to do. We reconsidered and shifted the Members around and gave the Members of his party additional assignments in order to go as far as we possibly could to help the situation.

Mr. Speaker, every member of our committee desired to be entirely fair. We respected the gentleman in his views, although we were not in accord with them. We did not think his views were well founded, but we did think he was honest in his convictions and in thinking he was entitled to what he asked for. We have given them all we thought they were entitled to, and more than they asked, because they did not ask for anything in the way of individual assignments. I feel they have been given every consideration to which they are entitled under the circumstances, and in view of the way in which they presented the matter.

Mr. BOILEAU. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Wisconsin.

Mr. BOILEAU. May I say to the gentleman, and I think he will agree with me, that when I appeared before his committee the first time, and when I spoke to the gentleman personally, I made it very clear that we believed the matter could be properly taken care of by giving us a block of committee assignments for ourselves. However, I said very distinctly, and the correspondence is very clear, that all we were really after so far as fairness in the matter is concerned was that we should have a fair share of minority assignments, whether they be given to us in block or the committee apportion them to us.

Mr. DOUGHTON. But the gentleman did not specify any committees his group desired.

Mr. BOILEAU. The gentleman did not tell us of the decision of his committee until afterward, and the gentleman knew we were asking for more than three major committees. What did the gentleman think we were asking for?

Mr. DOUGHTON. What could the gentleman possibly have lost by specifying what committee assignments his Members desired? He did not do that.

Mr. BOILEAU. We presented those 2 years ago.

[Here the gavel fell.]

The SPEAKER. The question is on the resolution offered by the gentleman from North Carolina [Mr. DOUGHTON].

The question was taken; and on a division (demanded by Mr. BOILEAU) there were—ayes 235, noes 10.

So the resolution was agreed to, and a motion to reconsider was laid on the table.

RESIGNATION FROM COMMITTEES

The SPEAKER laid before the House the following letters of resignation from committees:

JANUARY 13, 1937.

Hon. W. B. BANKHEAD,
Speaker, House of Representatives.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on Foreign Affairs.

Respectfully,

MILLARD CALDWELL.

JANUARY 13, 1937.

The Honorable WILLIAM B. BANKHEAD,
Speaker of the House of Representatives.

SIR: I hereby tender my resignation as a member of the Committee on Accounts for the Seventy-fifth Congress.

Sincerely yours,

A. L. FORD.

JANUARY 13, 1937.

Hon. W. B. BANKHEAD,
Speaker of the House of Representatives,
Washington, D. C.

MY DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on Accounts, effective immediately.

Sincerely yours,

JOE STARNES.

The resignations were accepted.

EXTENSION OF REMARKS

Mr. RANDOLPH asked and was given permission to extend his remarks in the RECORD.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the death of the late Colonel MacCormack, formerly Commissioner of Immigration.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MEAD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting in the Appendix thereof a speech delivered by Commissioner Payne on Radio at the College of the City of New York.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CARLSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on a House resolution in regard to tax-exempt securities which I am today introducing.

The SPEAKER. The gentleman's own remarks?

Mr. CARLSON. Yes.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

CHILD LABOR

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I think we are all tremendously interested in the abolition of child labor. I have today introduced a resolution asking the Secretary of Labor to furnish to the House a record, if she has it, on the number of children employed in each State in the Union under the ages of 18, 17, and 16; also, the wages paid these children.

Mr. Speaker, I think it very important that the Members of the House know the number of children employed and the States in which child labor still exists. If the Department of Labor cannot furnish us all of this information, I shall ask for an immediate census covering child labor.

It is manifestly unfair to growing children to employ them in industry and works additional hardship upon labor in States which have laws prohibiting child labor. I earnestly hope this information will be returned to the House very promptly.

ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H. J. Res. 106. Joint resolution to exempt from the tax on admissions amounts paid for admission tickets sold by authority of the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1937.

The SPEAKER announced his signature to an enrolled bill and joint resolution of the Senate of the following titles:

S. 591. An act granting a pension to Grace G. Coolidge; and

S. J. Res. 17. Joint resolution to provide for the quartering, in certain public buildings in the District of Columbia, of troops participating in the inaugural ceremonies.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 47 minutes p. m.) the House adjourned until tomorrow, Thursday, January 14, 1937, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

203. A letter from the Secretary of Agriculture, transmitting a report of the Migratory Bird Conservation Commission for the fiscal year ended June 30, 1936 (H. Doc. No. 107); to the Committee on Agriculture and ordered to be printed.

204. A letter from the Acting Secretary of War, transmitting the annual report of the activities of the National Board for the Promotion of Rifle Practice for the fiscal year 1936; to the Committee on Military Affairs.

205. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Treasury Department for the fiscal year 1937, amounting to $8,000,000, together with drafts of proposed provisions pertaining to existing appropriations (H. Doc. No. 108); to the Committee on Appropriations and ordered to be printed.

206. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the legislative establishment, United States Senate, for the fiscal year 1937, amounting to $285,000 (H. Doc. No. 109); to the Committee on Appropriations and ordered to be printed.

207. A communication from the President of the United States, transmitting estimates of appropriations submitted by the Navy Department to pay claims for damages by collision or damages incident to the operations of a vessel of the Navy in the sum of $1,285.83 (H. Doc. No. 110); to the Committee on Appropriations and ordered to be printed.

208. A communication from the President of the United States, transmitting, in accordance with the provisions contained in the Deficiency Act of April 27, 1904 (U. S. C., title 31, sec. 583, par. 2), record of judgment rendered against the Government by the United States District Court for the Southern District of New York, as submitted by the Attorney General through the Secretary of the Treasury, requiring appropriation for payment of $551.42 (H. Doc. No. 111); to the Committee on Appropriations and ordered to be printed.

209. A communication from the President of the United States, transmitting a schedule of claims allowed by the General Accounting Office, as shown by certificates of settlement forwarded to the Treasury Department for payment, covering judgments rendered by the United States District Court for the Southern District of New York against collectors of customs, amounting to $65,954.49 (H. Doc. No. 112); to the Committee on Appropriations and ordered to be printed.

210. A communication from the President of the United States, transmitting a schedule of claims amounting to $63,853.16 allowed by the General Accounting Office, as covered by certificates of settlement (H. Doc. No. 113); to the Committee on Appropriations and ordered to be printed.

211. A communication from the President of the United States, transmitting estimates of appropriations submitted by the several executive departments and independent offices to pay claims for damages to privately owned property, in the sum of $33,873.92 (H. Doc. No. 114); to the Committee on Appropriations and ordered to be printed.

212. A communication from the President of the United States, transmitting a list of judgments rendered by the Court of Claims, which have been submitted by the Attorney General through the Secretary of the Treasury and require appropriation for their payment, amounting to $363,528.35 (H. Doc. No. 115); to the Committee on Appropriations and ordered to be printed.

213. A communication from the President of the United States, transmitting a schedule of claims allowed by the General Accounting Office, pursuant to Public Act No. 436, Seventy-fourth Congress, amounting to $1,353.01, and which require an appropriation for their payment (H. Doc. No. 116); to the Committee on Appropriations and ordered to be printed.

214. A communication from the President of the United States, transmitting records of judgments rendered by the United States district courts, as submitted by the Attorney General through the Secretary of the Treasury, and which require an appropriation for their payment, amounting to

$50,043.17 (H. Doc. No. 117); to the Committee on Appropriations and ordered to be printed.

215. A communication from the President of the United States, transmitting a schedule of claims allowed by the General Accounting Office, as shown by certificates of settlement transmitted to the Treasury Department, in the sum of $8,797.34 (H. Doc. No. 118); to the Committee on Appropriations and ordered to be printed.

216. A communication from the President of the United States, transmitting a supplemental estimate of an appropriation for the Department of Labor for the fiscal year 1937 and to and including December 31, 1937, in the sum of $150,000 (H. Doc. No. 119); to the Committee on Appropriations and ordered to be printed.

217. A communication from the President of the United States, transmitting an estimate of an appropriation submitted by the War Department to pay a claim for damages to privately owned property by collision with river and harbor vessels in the sum of $2,087.20 (H. Doc. No. 120); to the Committee on Appropriations and ordered to be printed.

218. A communication from the President of the United States, transmitting a schedule of a claim allowed by the General Accounting Office pursuant to Private Act No. 524, Seventieth Congress, amounting to $141 and which requires an appropriation for its payment (H. Doc. No. 121); to the Committee on Appropriations and ordered to be printed.

219. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of Labor for the fiscal year 1937, in the sum of $100,000 (H. Doc. No. 122); to the Committee on Appropriations and ordered to be printed.

220. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Department of Justice for the fiscal year 1937, to remain available until June 30, 1938, amounting to $48,500 (H. Doc. No. 123); to the Committee on Appropriations and ordered to be printed.

221. A communication from the President of the United States, transmitting two supplemental estimates of appropriation for the fiscal year ending June 30, 1937, for the Department of Agriculture, for "Salaries and expenses, Forest Service" (fighting and preventing forest fires), $2,045,000, and for enforcement of the Commodity Exchange Act of June 15, 1936, $150,000; total, $2,195,000 (H. Doc. No. 124); to the Committee on Appropriations and ordered to be printed.

222. A communication from the President of the United States, transmitting a supplemental estimate of appropriation (no year) for the Veterans' Administration in the amount of $1,000,000 (H. Doc. No. 125); to the Committee on Appropriations and ordered to be printed.

223. A letter from the Attorney General, transmitting a statement of the expenditures under appropriations for the United States Court of Customs and Patent Appeals for the fiscal year ended June 30, 1936; to the Committee on Expenditures in the Executive Departments.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. O'CONNOR of New York: Committee on Rules. House Joint Resolution 81. A joint resolution to create a Joint Congressional Committee on Government Organization; with amendment (Rept. No. 5). Referred to the Committee of the Whole House on the state of the Union.

Mr. O'CONNOR of New York: Committee on Rules. House Resolution 59. A resolution providing for the consideration of House Joint Resolution 81, to create a Joint Congressional Committee on Government Organization; without amendment (Rept. No. 6). Referred to the House Calendar.

Mr. O'CONNOR of New York: Committee on Rules. House Resolution 60. A resolution authorizing the Speaker to appoint a select committee to be known as the Select Committee on Government Organization; without amendment (Rept. No. 7). Referred to the House Calendar.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 2331) for the relief of Max Natenson, and the same was referred to the Committee on Immigration and Naturalization.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CONNERY: A bill (H. R. 2880) to regulate interstate commerce in goods, wares, and merchandise with respect to State enactments governing working conditions, maximum hours, and minimum wages, and for other purposes; to the Committee on Labor.

Also, a bill (H. R. 2881) to relieve unemployment, to protect labor, to prevent the shipment in interstate commerce of certain articles and commodities, in connection with which persons are employed more than 5 days per week or 6 hours per day, and prescribing certain conditions with respect to purchases and loans by the United States; to the Committee on Labor.

By Mr. CARTER: A bill (H. R. 2882) to provide for the construction of a post-office building at Crockett, Calif.; to the Committee on Public Buildings and Grounds.

By Mr. CULKIN: A bill (H. R. 2883) to prohibit the interstate transportation of goods produced or mined by children under 18 years of age; to the Committee on Labor.

By Mr. CARTWRIGHT: A bill (H. R. 2884) regulating the operation of motor vehicles in interstate commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL: A bill (H. R. 2885) to reduce the internal-revenue tax on malt liquors; to the Committee on Ways and Means.

By Mr. FITZGERALD: A bill (H. R. 2886) to authorize the Secretary of the Navy to proceed with the construction of certain public works; to the Committee on Naval Affairs.

By Mr. GASQUE: A bill (H. R. 2887) to amend the provisions of the pension laws for peacetime service to include the Reserve officers and members of the Enlisted Reserves; to the Committee on Pensions.

By Mr. MOTT: A bill (H. R. 2888) granting a leave of absence to settlers of homestead lands during the year 1937; to the Committee on the Public Lands.

By Mr. MAVERICK: A bill (H. R. 2889) to preserve inviolate the rights of inhabitants of the United States and of other individuals under its protection, to provide punishment for the deprivation of such rights, and for other purposes; to the Committee on the Judiciary.

By Mr. MEAD: A bill (H. R. 2890) fixing the annual compensation for postmasters of the fourth class; to the Committee on the Post Office and Post Roads.

By Mr. REES of Kansas: A bill (H. R. 2891) to prohibit interstate commerce in products of child labor, and for other purposes; to the Committee on Labor.

By Mr. ASHBROOK: A bill (H. R. 2892) to provide compensation for enrollees in the Civilian Conservation Corps suffering disability or death resulting from injury while in the performance of duty; to the Committee on the Judiciary.

By Mr. BUCK: A bill (H. R. 2893) validating a certain conveyance heretofore made by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, involving certain portions of right-of-way in the town of Elk Grove, in the county of Sacramento, State of California, acquired by Central Pacific Railway Co. under the act of Congress approved July 1, 1862 (12 Stat. L. 489), as amended by the act of Congress approved July 2, 1864 (13 Stat. L. 356); to the Committee on the Public Lands.

By Mr. DINGELL: A bill (H. R. 2894) to terminate the taxes on motor vehicles and accessories, and tires and tubes; to the Committee on Ways and Means.

By Mr. FREY of Pennsylvania: A bill (H. R. 2895) to extend the time for completing the construction of a bridge

across the Delaware River near Trenton, N. J.; to the Committee on Interstate and Foreign Commerce.

By Mr. HOOK: A bill (H. R. 2896) to prohibit the importation of copper; to the Committee on Ways and Means.

By Mr. LAMNECK: A bill (H. R. 2897) to provide for voluntary codes containing provisions relating to fair competition, child labor, hours, and wages, and for other purposes; to the Committee on the Judiciary.

By Mrs. NORTON: A bill (H. R. 2898) to amend section 1 of the act of Congress entitled "An act to fix the salaries of officers and members of the Metropolitan Police force, the United States Park Police force, and the Fire Department of the District of Columbia", approved May 27, 1924, and for other purposes; to the Committee on the District of Columbia.

By Mr. PETERSON of Florida: A bill (H. R. 2899) to provide for the establishment of a Coast Guard station at or near Pass-a-Grille Beach, Fla.; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 2900) to provide for the establishment of a Coast Guard station at or near Clearwater Beach, Fla.; to the Committee on Merchant Marine and Fisheries.

By Mr. RAMSPECK: A bill (H. R. 2901) to amend the act of May 29, 1930 (46 Stat. 349), for the retirement of employees in the classified civil service and in certain positions in the legislative branch of the Government, to include all other employees in the legislative branch; to the Committee on the Civil Service.

Also, a bill (H. R. 2902) to amend section 11 of the act of March 1, 1919 (40 Stat. 1270); to the Committee on Printing.

Also, a bill (H. R. 2903) to provide for the extension of the Classification Act of 1923, as amended, to the field services and other establishments of the Government, to amend the Classification Act of 1923, as amended, and for other purposes; to the Committee on the Civil Service.

By Mr. DORSEY: A bill (H. R. 2904) for the relief of officers and soldiers of the Volunteer service of the United States mustered into service for the War with Spain and who were held in service in the Philippine Islands after the ratification of the treaty of peace, April 11, 1899; to the Committee on War Claims.

By Mr. HENDRICKS: A bill (H. R. 2905) to amend an act entitled "An act providing for the establishment of a term of the District Court of the United States for the Southern District of Florida, at Orlando, Fla.", approved June 15, 1933; to the Committee on the Judiciary.

By Mr. HOUSTON: A bill (H. R. 2906) to liberalize eligibility for pensions to certain dependents of deceased service-connected disabled World War veterans, under existing laws; to the Committee on World War Veterans' Legislation.

By Mr. JOHNSON of Minnesota: A bill (H. R. 2907) to establish a Government monopoly of the armaments and munitions industry and to provide for the exclusive manufacture by the Government of all war supplies for the Army, Navy, and air forces of the United States; providing for the acquisition of such means of production as will carry out the scope, intent, and purposes of this act; providing for the issuance of licenses to dealers in firearms and ammunition; prohibiting the importation or exportation, sale, and manufacture of any munitions described in this act, except as provided in this act; and for other purposes; to the Committee on Military Affairs.

By Mr. McFARLANE: A bill (H. R. 2908) to increase the revenues, and for other purposes; to the Committee on Ways and Means.

By Mr. McREYNOLDS: A bill (H. R. 2909) authorizing an appropriation for payment to the Government of Great Britain for the account of N. J. Moosa, a British subject; to the Committee on Foreign Affairs.

Also, a bill (H. R. 2910) authorizing an appropriation for payment to the Government of the Netherlands for the account of the family of Miguel Paula; to the Committee on Foreign Affairs.

Also, a bill (H. R. 2911) authorizing an appropriation for payment to the French Government for the account of Henry Borday, a citizen of France; to the Committee on Foreign Affairs.

Also, a bill (H. R. 2912) authorizing an appropriation for payment to the Government of Great Britain for the account of the Shanghai Electric Construction Co., Ltd.; to the Committee on Foreign Affairs.

Also, a bill (H. R. 2913) authorizing an appropriation for payment to the Government of Canada for the account of Janet Hardcastle Ross, a citizen of Canada; to the Committee on Foreign Affairs.

Also, a bill (H. R. 2914) authorizing an appropriation for payment to the Government of Chile for the account of Enriqueta Koch v. de Jeannere, a citizen of Chile; to the Committee on Foreign Affairs.

Also, a bill (H. R. 2915) authorizing an appropriation for payment to the Government of China for the account of Li Po-tien; to the Committee on Foreign Affairs.

Also, a bill (H. R. 2916) authorizing an appropriation for payment to the Government of China for the account of certain Chinese citizens; to the Committee on Foreign Affairs.

Also, a bill (H. R. 2917) authorizing an appropriation for the payment of the claim of Gen. Higinio Alvarez, a Mexican citizen, with respect to lands on the Farmers Banco in the State of Arizona; to the Committee on Foreign Affairs.

Also, a bill (H. R. 2918) authorizing an appropriation for payment to the Government of China for the account of certain citizens of China; to the Committee on Foreign Affairs.

Also, a bill (H. R. 2919) authorizing an appropriation for payment to the Government of China for the account of certain Chinese citizens; to the Committee on Foreign Affairs.

Also, a bill (H. R. 2920) authorizing an appropriation for payment to the Government of the Dominican Republic for the account of Mercedes Martinez Viuda de Sanchez, a Dominican subject; to the Committee on Foreign Affairs.

Also, a bill (H. R. 2921) authorizing an appropriation for payment to the Government of China for the account of Ling Mau Mau, a citizen of China; to the Committee on Foreign Affairs.

Also, a bill (H. R. 2922) authorizing an appropriation for payment to the Government of China for the account of certain Chinese citizens; to the Committee on Foreign Affairs.

Also, a bill (H. R. 2923) authorizing an appropriation for payment to the Government of Nicaragua for the account of Mercedes V. de Williams and others; to the Committee on Foreign Affairs.

Also, a bill (H. R. 2924) for the relief of certain officers and employees of the Foreign Service of the United States who, while in the course of their respective duties, suffered losses of personal property by reason of war, catastrophes of nature, and other causes; to the Committee on Foreign Affairs.

Also, a bill (H. R. 2925) authorizing an appropriation for payment to the Government of Great Britain for the account of certain British citizens; to the Committee on Foreign Affairs.

Also, a bill (H. R. 2926) authorizing an appropriation for payment to the Government of Japan for proposed deportation of enemy aliens from China during the World War; to the Committee on Foreign Affairs.

By Mr. RAMSPECK: A bill (H. R. 2927) to amend section 1, paragraph 5, of the Interstate Commerce Act, as amended; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2928) to amend the law relating to residence requirements of applicants for examinations before the Civil Service Commission; to the Committee on the Civil Service.

By Mr. SCHNEIDER of Wisconsin: A bill (H. R. 2929) to provide for the establishment of a Coast Guard station at Manitowoc, Wis.; to the Committee on Merchant Marine and Fisheries.

By Mr. KRAMER: A bill (H. R. 2930) to provide for the payment of rewards to persons supplying the United States with information concerning frauds or conspiracies in public-land cases; to the Committee on the Judiciary.

By Mr. O'CONNOR of New York: Resolution (H. Res. 59) for the consideration of House Joint Resolution 81, to create a Joint Congressional Committee on Government Organization; to the Committee on Rules.

Also, resolution (H. Res. 60) authorizing the Speaker to appoint a select committee to be known as the Select Committee on Government Organization; to the Committee on Rules.

By Mr. CONNERY: Resolution (H. Res. 61) to appoint a select committee to investigate the allegations and charges that have been or may be made relative to irregularities in or pertaining to the monopoly which exists in radio and the activities and functions carried on under the Communications Act of 1934 and all matters pertaining to radio and radio broadcasting; to the Committee on Rules.

By Mrs. ROGERS of Massachusetts: Resolution (H. Res. 62) directing the Secretary of Labor to transmit to the House of Representatives certain information with respect to the employment of children; to the Committee on Labor.

Mr. HEALEY: Joint resolution (H. J. Res. 115) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. GUYER: Joint resolution (H. J. Res. 116) prohibiting the sale of malt, vinous, and spirituous liquors in the District of Columbia on January 20, 1937; to the Committee on the District of Columbia.

By Mr. PALMISANO: Joint resolution (H. J. Res. 117) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. QUINN: Joint resolution (H. J. Res. 118) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. CARLSON: Joint resolution (H. J. Res. 119) proposing an amendment to the Constitution of the United States relative to taxes on certain incomes; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOEHNE: A bill (H. R. 2931) for the relief of Martin E. Crowe; to the Committee on Military Affairs.

Also, a bill (H. R. 2932) granting an increase of pension to Dora Alice Lee; to the Committee on Invalid Pensions.

By Mr. BOILEAU: A bill (H. R. 2933) granting a pension to Edwin H. Tarbox; to the Committee on Pensions.

By Mr. COLE of Maryland: A bill (H. R. 2934) for the relief of Raymond E. Payne and Anna R. Payne; to the Committee on Claims.

Also, a bill (H. R. 2935) for the relief of Montrose Grinstead; to the Committee on Claims.

By Mr. DIXON: A bill (H. R. 2936) for the relief of E. B. Gray; to the Committee on Claims.

By Mr. FITZPATRICK: A bill (H. R. 2937) for the relief of Luigi Bevilacqua; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 2938) for the correction of the naval record of officers and sailors who served on the *St. Louis*, the *Harvard*, and the *Yale* during the Spanish War; to the Committee on Naval Affairs.

By Mr. FORD of California: A bill (H. R. 2939) for the relief of Martin Crowe; to the Committee on Military Affairs.

By Mr. GAMBRILL: A bill (H. R. 2940) for the relief of Marie B. Neale; to the Committee on Claims.

By Mr. GUYER: A bill (H. R. 2941) granting an increase of pension to Mary J. Hart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2942) granting a pension to Isadorah Wilson; to the Committee on Invalid Pensions.

By Mr. HEALEY: A bill (H. R. 2943) for the relief of Gloria Hayes; to the Committee on Claims.

Also, a bill (H. R. 2944) for the relief of John A. Lane; to the Committee on Military Affairs.

Also, a bill (H. R. 2945) for the relief of James Richard Garrigan; to the Committee on Military Affairs.

Also, a bill (H. R. 2946) for the relief of John W. Reardon; to the Committee on Military Affairs.

By Mr. HENDRICKS: A bill (H. R. 2947) granting a pension to Minnie F. Leach; to the Committee on Invalid Pensions.

By Mr. HILDEBRANDT: A bill (H. R. 2948) for the relief of Gust Dahlman; to the Committee on Claims.

By Mr. KELLY of Illinois: A bill (H. R. 2949) for the relief of Thomas Francis Fleming; to the Committee on Naval Affairs.

By Mr. KEOGH: A bill (H. R. 2950) granting a pension to Helen Stover; to the Committee on Pensions.

By Mr. KNIFFIN: A bill (H. R. 2951) granting an increase of pension to Mary Buhrer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2952) granting a pension to Charles F. Boroff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2953) granting an increase of pension to Elizabeth Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2954) granting an increase of pension to Catherine Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2955) granting an increase of pension to Abbie Davison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2956) granting an increase of pension to Harriet Deamer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2957) granting a pension to Charles E. Morris; to the Committee on Pensions.

Also, a bill (H. R. 2958) granting an increase of pension to Celestia A. Finks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2959) granting an increase of pension to Nancy A. Welch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2960) granting an increase of pension to Phebe L. Alspaugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2961) granting a pension to Theresa Budai; to the Committee on Pensions.

Also, a bill (H. R. 2962) granting a pension to Catherine Goodrich; to the Committee on Pensions.

Also, a bill (H. R. 2963) granting an increase of pension to Ella A. Stevens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2964) granting an increase of pension to Sarah Marks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2965) granting a pension to Myrtle R. Oldfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2966) granting an increase of pension to Margaret I. Reider; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2967) granting an increase of pension to Catherine J. Cupp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2968) granting an increase of pension to Frances A. Kuder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2969) granting an increase of pension to Jennie Kohn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2970) granting an increase of pension to Mary L. Hill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2971) granting an increase of pension to Christena Huffman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2972) granting an increase of pension to Eunice Palmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2973) granting a pension to Mettia Grace Cameron; to the Committee on Invalid Pensions.

By Mr. KOCIALKOWSKI: A bill (H. R. 2974) for the relief of Charles J. Rysko; to the Committee on Military Affairs.

Also, a bill (H. R. 2975) for the relief of Joseph A. Plozy; to the Committee on Military Affairs.

By Mr. McFARLANE: A bill (H. R. 2976) authorizing the President to present, in the name of Congress, a Distinguished Service Cross to Hal N. Potter; to the Committee on Military Affairs.

By Mr. McLEAN: A bill (H. R. 2977) for the relief of Josephine Pencak Pipala, (nee Jozefa Pencak); to the Committee on Immigration and Naturalization.

By Mr. McREYNOLDS: A bill (H. R. 2978) for the relief of Mrs. M. N. Shwamberg and others; to the Committee on Foreign Affairs.

By Mr. MASON: A bill (H. R. 2979) granting an increase of pension to Laura McBratney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2980) granting a pension to Martha Weiss; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2981) granting a pension to Anna Milholland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2982) granting an increase of pension to Agnes B. Smith; to the Committee on Invalid Pensions.

By Mr. MOTT: A bill (H. R. 2983) for the relief of Mr. and Mrs. J. C. Porter; to the Committee on Claims.

By Mr. MURDOCK of Arizona: A bill (H. R. 2984) to credit the account of Charles C. Stemmer, postmaster at Cottonwood, Ariz., with a sum of money representing the loss by robbery of the post office at Cottonwood, Ariz.; to the Committee on Claims.

Also, a bill (H. R. 2985) for the relief of Edmond G. Warren; to the Committee on Claims.

Also, a bill (H. R. 2986) for the relief of John Mulhern; to the Committee on Claims.

Also, a bill (H. R. 2987) for the relief of M. K. Fisher; to the Committee on Claims.

Also, a bill (H. R. 2988) for the relief of the legal representatives of John T. Brickwood (deceased), Edward Gaynor, Theodore Gebler, Lee W. Mix, Arthur L. Peck, Thomas D. Casanega, Joseph de Lusignan, and Joseph H. Berger; to the Committee on Claims.

By Mr. MURDOCK of Utah: Also, a bill (H. R. 2989) for the relief of Royal Terry, Chris Larsen, Joe Pargis, and S. L. Hinckley; to the Committee on Claims.

By Mr. PALMISANO: A bill (H. R. 2990) for the relief of Chaim (Hyman) Kaplan; to the Committee on Immigration and Naturalization.

By Mr. POAGE: A bill (H. R. 2991) for the relief of Earl J. Thomas; to the Committee on Merchant Marine and Fisheries.

By Mr. QUINN: A bill (H. R. 2992) for the relief of Charlotte Lamby; to the Committee on Claims.

By Mr. RAMSPECK: A bill (H. R. 2993) for the relief of Alfred Truitt; to the Committee on Claims.

By Mr. RANKIN: A bill (H. R. 2994) for the relief of L. S. Snipes; to the Committee on Claims.

By Mr. ROBSION of Kentucky: A bill (H. R. 2995) granting a pension to Abijah Wombles; to the Committee on Pensions.

By Mr. STUBBS: A bill (H. R. 2996) granting a pension to Mrs. William M. Weatherford; to the Committee on Pensions.

Also, a bill (H. R. 2997) for the relief of Ernest W. Bailey; to the Committee on Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 2998) granting a pension to Laura A. Thompson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2999) for the relief of the Guamoco Mining Co.; to the Committee on Claims.

By Mr. TINKHAM: A bill (H. R. 3000) for the relief of John Lopez; to the Committee on Claims.

Also, a bill (H. R. 3001) for the relief of Ray Funcannon; to the Committee on Naval Affairs.

Also, a bill (H. R. 3002) for the relief of Timothy Joseph McCarthy; to the Committee on Naval Affairs.

By Mr. UMSTEAD: A bill (H. R. 3003) for the relief of Maj. Patrick H. Winston; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

29. By Mr. BOEHNE: Petition of S. A. Bell and Jesse E. Ellis, of Newburgh, Ind.; John Martin, of Evansville, Ind.; and others, favoring the enactment of the Townsend national recovery plan into law during the Seventy-fifth session of Congress; to the Committee on Ways and Means.

30. By Mr. CARTER: Petition of the Workers Alliance of America, by D. L. Moore, secretary, Richmond, Calif., favoring deficiency appropriation of $1,250,000,000 to continue and expand Works Progress Administration and pay decent wages; to the Committee on Ways and Means.

31. Also, Resolutions No. 206 and 207 of the City Council of the City of El Cerrito, Calif., adopted January 4, 1937, urging that the Federal Government continue responsibility for the relief of the employable unemployed by adopting at this time some policy generally to be followed over a period of years; to the Committee on Appropriations.

32. By Mr. HILDEBRANDT: Petition of the Farmers National Farm Loan Association of Hecla, S. Dak., requesting the rate of interest of 3½ percent be made possible to the borrowers of the Federal land-bank loans; to the Committee on Banking and Currency.

33. By Mr. JOHNSON of Texas: Petition of W. S. Barron, of Bryan, Tex., secretary-treasurer of the Bryan National Farm Loan Association, urging interest rates of Farm Credit Administration be retained at 3½ percent and made effective for Land Bank Commissioner loans and also purchases of repossessed securities by Federal land banks; to the Committee on Banking and Currency.

34. By Mr. KRAMER: Resolution of the Kern County Chamber of Commerce, pertaining to completion of the Central Valley water project, etc.; to the Committee on Agriculture.

35. By the SPEAKER: Resolution requesting the President of the United States to recommend to Congress and requesting Congress to make an appropriation to Works Progress Administration in an amount sufficient to permit completion of projects begun but not yet completed on the basis of original agreements for allocating costs of materials; to the Committee on Ways and Means.

36. Also, resolution of Oakland City Council, Oakland, Calif., requesting that the Federal Government recognize its continuing responsibility for the relief of the employable unemployed and adopt a policy generally to be followed over a period of years; to the Committee on Ways and Means.

SENATE

THURSDAY, JANUARY 14, 1937

The Senate met at 12 o'clock meridian.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, whose blessed Son came not to be ministered unto but to minister, we beseech Thee so to direct us in our work that following in His steps we may give ourselves wholly to the service of our fellow men.

Fill us with righteous scorn of earth's ensnaring lure, quicken each laggard step and faltering heart in our conflict for that right, that, contending against evil with a courage born of goodness, we may banish all oppression from our midst.

Grant that with singleness of heart we may wisely serve Thee in our generation, by promoting such concord and harmony at home as will lead the nations of the world into the way of truth and justice, to the establishment of universal peace as the blessed fruit of righteousness. We ask it in the name and for the sake of Jesus Christ our Lord. Amen.

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, January 12, 1937, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE—ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bill and joint resolutions, and they were signed by the Vice President:

S. 591. An act granting a pension to Grace G. Coolidge;

S. J. Res. 17. Joint resolution to provide for quartering, in certain public buildings in the District of Columbia, of troops participating in the inaugural ceremonies; and

H. J. Res. 106. Joint resolution to exempt from the tax on admissions amounts paid for admission tickets sold by authority of the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1937.

CALL OF THE ROLL

Mr. ROBINSON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Chavez	Johnson, Colo.	Pittman
Andrews	Clark	King	Pope
Ashurst	Connally	La Follette	Radcliffe
Austin	Copeland	Lodge	Reynolds
Bachman	Davis	Logan	Robinson
Bailey	Dieterich	Lonergan	Russell
Bankhead	Duffy	Lundeen	Schwartz
Barkley	Ellender	McCarran	Schwellenbach
Bilbo	Frazier	McGill	Sheppard
Black	George	McKellar	Steiwer
Bone	Gerry	McNary	Thomas, Okla.
Borah	Gibson	Maloney	Thomas, Utah
Brown, Mich.	Gillette	Minton	Townsend
Brown, N. H.	Glass	Moore	Truman
Bulkley	Green	Murray	Tydings
Bulow	Guffey	Neely	Vandenberg
Burke	Hale	Norris	Van Nuys
Byrd	Harrison	Nye	Walsh
Byrnes	Hatch	O'Mahoney	Wheeler
Capper	Hayden	Overton	
Caraway	Hitchcock	Pepper	

Mr. MINTON. I announce the absence of the Senator from South Carolina [Mr. SMITH], due to an accident to a member of his family; the absence of the Senator from West Virginia [Mr. HOLT] because of illness; and I further announce that the Senator from Delaware [Mr. HUGHES], the Senator from Illinois [Mr. LEWIS], and the Senator from New York [Mr. WAGNER] are unavoidably detained from the Senate.

Mr. ROBINSON. I announce that the Senator from California [Mr. MCADOO] is unavoidably detained from the Senate.

Mr. BULKLEY. I announce that my colleague the junior Senator from Ohio [Mr. DONAHEY] is detained from the Senate because of a cold.

Mr. THOMAS of Oklahoma. I announce that my colleague [Mr. LEE] is absent from the Senate because of illness.

Mr. MCNARY. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent because of illness in his family; that the Senator from Minnesota [Mr. SHIPSTEAD] is absent because of illness, and that the Senator from Maine [Mr. WHITE] is necessarily detained from the Senate.

The VICE PRESIDENT. Eighty-two Senators have answered to their names. A quorum is present.

MIGRATORY BIRD CONSERVATION COMMISSION

The VICE PRESIDENT. In accordance with title 16, chapter 7a, section 715a, United States Code, the Chair appoints the Senator from Oregon, Mr. MCNARY, as a member of the Migratory Bird Conservation Commission, to fill the vacancy caused by the death of Hon. Peter Norbeck, late a Senator from the State of South Dakota.

ORDINANCES OF THE PUBLIC SERVICE COMMISSION OF PUERTO RICO

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, and, with the accompanying documents, referred to the Committee on Territories and Insular Affairs, as follows:

To the Congress of the United States:

As required by section 38 of the act of Congress approved March 2, 1917, entitled "An act to provide a civil government for Puerto Rico, and for other purposes", I transmit herewith certified copies of each of three ordinances adopted by the Public Service Commission of Puerto Rico. The ordinances are described in the accompanying letter from the Secretary of the Interior forwarding them to me.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 14, 1937.*

LAWS OF FIRST NATIONAL ASSEMBLY OF THE PHILIPPINES

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, and, with the accompanying documents, referred to the Committee on Territories and Insular Affairs, as follows:

To the Congress of the United States:

As required by section 2 (a) (11) of the Act of Congress approved March 24, 1934, entitled "An Act to provide for the complete independence of the Philippine Islands, to provide for the adoption of a constitution and a form of government for the Philippine Islands, and for other purposes", I transmit herewith copies of laws enacted by the First National Assembly of the Philippines during its first session, from June 16, 1936, to October 10, 1936, and its special session, from October 19, 1936, to October 30, 1936.

The missing numbers will be sent you when copies are received from the Philippine Islands.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 14, 1937.*

REPORT OF NATIONAL BOARD FOR PROMOTION OF RIFLE PRACTICE

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of War, transmitting, pursuant to law, the annual report of the activities of the National Board for the Promotion of Rifle Practice for the fiscal year ended June 30, 1936, which, with the accompanying report, was referred to the Committee on Military Affairs.

REPORT OF MIGRATORY BIRD CONSERVATION COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Secretary of Agriculture, ex-officio chairman of the Migratory Bird Conservation Commission, transmitting, pursuant to law, the report of the Commission for the fiscal year ended June 30, 1936, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry.

EXTENT OF EQUAL TARIFF TREATMENT IN FOREIGN COUNTRIES

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the United States Tariff Commission, transmitting a report of the Commission, made under its general powers, entitled "Extent of Equal Tariff Treatment in Foreign Countries", which, with the accompanying report, was referred to the Committee on Finance.

FOREIGN SUBSIDIES TO FISHERIES ENTERPRISES

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the United States Tariff Commission, transmitting, in further response to Senate Resolution 159, agreed to January 30, 1934, a report of an investigation with respect to "subsidies, bounties, and other assistance given to fisheries enterprises by foreign governments", which, with the accompanying report, was referred to the Committee on Finance.

PETITIONS AND MEMORIALS

Mr. LODGE presented a resolution adopted by the Bridgewater (Mass.) Council for Peace Action, favoring the enactment of legislation placing mandatory embargoes on arms, munitions, and war materials; the restriction of the activities of the War and Navy Departments to the protection of continental United States; the taxing of profits out of war and nationalization of the munitions industry; and opposing the enactment of universal draft laws, which was referred to the Committee on Foreign Relations.

Mr. MALONEY presented a memorial of sundry citizens (being real-estate owners in Braden Castle, Fla.) of the States of Florida, Illinois, Indiana, Iowa, Massachusetts, Michigan, New Jersey, New York, Ohio, and Pennsylvania, remonstrating against the completion of the north Florida ship canal, which was referred to the Committee on Commerce.

Mr. WALSH presented a resolution adopted by the United States Storekeeper-Gaugers Association of New England, at Boston, Mass., favoring the enactment of legislation allowing an increase in salary at stated intervals until the maximum salary for the classification of storekeeper-gaugers is reached, which was referred to the Committee on Appropriations.

He also presented a resolution adopted by Local No. 348, National Federation of Federal Employees, favoring continuance of supervision of the Civilian Conservation Corps by the War Department, which was referred to the Committee on Military Affairs.

He also presented a resolution adopted by the Greater New England Social and Political Club, New Bedford, Mass., endorsing the program of the National Association of Cotton Manufacturers to have the tariff on Japanese textiles increased so that imports of Japanese textile goods may be reduced, which was referred to the Committee on Finance.

AMERICAN NEUTRALITY IN TIME OF WAR

Mr. DAVIS. Mr. President, I ask unanimous consent to have printed in the RECORD and referred to the Senate Committee on Foreign Relations a letter addressed to me by John H. Bradfute, president of the Kiwanis Club of Pittsburgh, together with certain questions which have been addressed to me by constituents on the question of neutrality in time of war.

I am confident that the Senate Committee on Foreign Relations, which is renowned because of its distinguished members having such intimate knowledge over a long period of time on these important issues, will give satisfactory consideration to these problems. The questions presented represent the thinking of members of peace organizations, chambers of commerce, and citizens throughout the country and in the State of Pennsylvania who have written or talked to me on this subject. I am submitting them solely for the purpose of getting committee reaction to them. The questions are as follows:

1. On what basis is it possible for Congress, the President, or any tribunal of international law to determine the line of demarcation between the so-called munitions of war and other supplies?

2. If "munitions of war" be interpreted as limited to specific items without regard to the collateral aid found in those not so listed, what assurance do we have that we are maintaining a neutral position?

3. If all of our exports are regarded as munitions of war, would their prohibition from world markets by any official act of the United States be considered as the maintenance of a neutral position when it is obvious that some countries are more dependent upon shipments from us than are others?

4. If we determine to trade with all countries in time of war on the cash-and-carry basis, what assurance do we have that such policy on our part will not bring the instrumentalities of battle immediately to our own shores just outside the 3-mile limit?

5. What do we propose to do about the maintenance of the 3-mile limit as regards military aviation?

6. Does not the tremendous advantage which a few nations hold in commercial transport and credit facilities give them the virtual control of any sales transacted by us on the cash-and-carry basis to the exclusion of nations lacking these facilities? Can such action be held as a neutral position?

7. Does the past history of our Nation indicate the possibility of isolating ourselves from general wars where naval combat is extensive, and does the increased nearness of our country to the rest of the world by virtue of modern inventions give any support to this contention?

The VICE PRESIDENT. Is there objection to the request of the Senator from Pennsylvania?

There being no objection, the letter and the questions were referred to the Committee on Foreign Relations and the letter was ordered to be printed in the RECORD, as follows:

PITTSBURGH, PA., *January 7, 1937.*

Hon. JAMES J. DAVIS,
Senate Office Building, Washington, D. C.

SIR: The Kiwanis Club of Pittsburgh, by a vote of a majority of its members at a regular meeting held this day, has directed me to write to you as follows:

Commerce between American nationals and the nationals or the government of a nation at war with another nation or with either of the warring factions of a nation where a civil war is in progress carries the danger of breaches of neutrality and temptation for this country to enter such conflict.

It is the firm belief of the membership of this club that all traffic of that kind should be on a strictly cash basis, deliveries to be made only to foreign-owned ships at American ports.

We do not believe it to be the duty of the United States to attempt to control shipments of so-called munitions of war or any other supplies. To one nation, a supply of raw cotton; to another nation, raw copper; to another, raw wheat; to another nation, some raw material only remotely connected with munitions of war, may be the deciding factor in a closely drawn conflict. We believe that it is not the duty of the United States Government to pass upon the propriety of shipping any raw or manufactured product of this country to a belligerent. But we do believe that the suggested plan of cash payments and delivery at the shore line to foreign ships is the best method of insuring the neutrality of this country in wars involving other than American nations or factions of nations that are at war, and we therefore most respectfully urge you to take the lead in an attempt to make this the fixed policy of the United States in such matters.

Very respectfully,

KIWANIS CLUB OF PITTSBURGH,
JOHN H. BRADFUTE, *President.*

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GEORGE:

A bill (S. 722) for the relief of Jesse W. Smith; to the Committee on Military Affairs.

By Mr. CLARK:

A bill (S. 723) to regulate interstate commerce in goods, wares, and merchandise with respect to State enactments governing working conditions, maximum hours, and minimum wages, and for other purposes; to the Committee on Education and Labor.

By Mr. MURRAY:

A bill (S. 724) to amend Public Law No. 383, Seventy-third Congress (48 Stat. L. 984), relating to Indians, by exempting from the provisions of such act any Indian tribe or reservation located in the State of Montana; to the Committee on Indian Affairs.

A bill (S. 725) to promote the safety of employees and travelers upon common carriers engaged in interstate commerce by railroad by compelling such carriers to maintain tracks, bridges, and appurtenances thereto in safe and suitable condition; to the Committee on Interstate Commerce.

A bill (S. 726) granting a pension to Daisy Saunders; to the Committee on Pensions.

A bill (S. 727) validating homestead entry Billings 029004, of Lillian J. Glinn; to the Committee on Public Lands and Surveys.

By Mr. KING:

A bill (S. 728) for the relief of Zion's Cooperative Mercantile Institution; to the Committee on Claims.

A bill (S. 729) to establish a branch of the Department of the Interior in one of the public-land States, to transfer to such branch certain bureaus and offices of the Department of the Interior, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. COPELAND:

A bill (S. 730) amending the Civil Service Retirement Act; and

A bill (S. 731) for the retirement of employees in the classified civil service, and for other purposes; to the Committee on Civil Service.

A bill (S. 732) for the relief of Joseph Sciortino;

A bill (S. 733) conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment on the claim of Robert A. Watson;

A bill (S. 734) for the relief of George Jacobson, as father and natural guardian of Harold Jacobson, a minor, of Brooklyn, N. Y.; and

A bill (S. 735) for the relief of Edward L. Gockeler; to the Committee on Claims.

A bill (S. 736) granting a pension to Dennis Smith; and

A bill (S. 737) granting a pension to Anna McNamara; to the Committee on Pensions.

By Mr. McCARRAN:

A bill (S. 738) to amend the Interstate Commerce Act, as amended, by providing for the regulation of the transportation of passengers and property by aircraft in interstate commerce, to provide for safety measures therein, and for other purposes; to the Committee on Commerce.

A bill (S. 739) to authorize the rewriting of the Code of Laws for the District of Columbia; to the Committee on the Judiciary.

A bill (S. 740) to provide for the issuance of renewable 4-year-term contracts to qualified star-route contractors and subcontractors, and for other purposes; to the Committee on Post Offices and Post Roads.

(Mr. McCARRAN introduced Senate bill 741, which was referred to the Committee on Civil Service and appears under a separate heading.)

By Mr. THOMAS of Oklahoma:

A bill (S. 742) for the relief of Harry W. Robertson (with accompanying papers); to the Committee on Military Affairs; and

A bill (S. 743) for the relief of Samuel C. Sparks; to the Committee on Naval Affairs.

By Mr. MALONEY:

A bill (S. 744) for the relief of Lulu M. Peiper;

A bill (S. 745) for the relief of Bertha E. Kowalski; and

A bill (S. 746) for the relief of Hedwig Grassman Stehn; to the Committee on Claims.

A bill (S. 747) for the relief of Lt. William J. Wholean;

A bill (S. 748) for the relief of James E. Breslin; and

A bill (S. 749) for the relief of Ensign Stanley Harrison; to the Committee on Finance.

A bill (S. 750) to grant relief to persons erroneously convicted in courts of the United States; to the Committee on the Judiciary.

A bill (S. 751) for the relief of Lewis W. Bryant; and

A bill (S. 752) for the relief of William J. Roper; to the Committee on Military Affairs.

A bill (S. 753) for the relief of Horace Franklin McMahon;

A bill (S. 754) for the relief of Austin L. Tierney;

A bill (S. 755) for the relief of Peter Joseph Costigan; and

A bill (S. 756) for the relief of Albert Ralphaiel Anastasio; to the Committee on Naval Affairs.

A bill (S. 757) granting an increase of pension to Julia T. Root;

A bill (S. 758) granting a pension to Caroline Cutler;

A bill (S. 759) granting a pension to Jane A. Britton; and

A bill (S. 760) granting a pension to Ida D. Fletcher; to the Committee on Pensions.

By Mr. WALSH:

A bill (S. 761) for the relief of the State of Massachusetts; to the Committee on the Judiciary.

A bill (S. 762) to carry out the findings of the Court of Claims in the case of the Union Iron Works;

A bill (S. 763) to carry out the findings of the Court of Claims in the case of the Atlantic Works, of Boston, Mass.; and

A bill (S. 764) for the relief of Joseph F. Bolger; to the Committee on Claims.

A bill (S. 765) for the relief of James Philip Coyle;

A bill (S. 766) to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects destroyed in a fire at the Radio Direction Finder Station, North Truro, Mass., on December 27, 1934;

A bill (S. 767) for the relief of the Charles T. Miller Hospital, Inc., at St. Paul, Minn.; Dr. Edgar T. Herrmann; Ruth Kehoe, nurse; and Catherine Foley, nurse;

A bill (S. 768) for the relief of Edgar Joseph Casey;

A bill (S. 769) to place William H. Clinton on the retired list of the Navy;

A bill (S. 770) for the relief of Ray Funcannon;

A bill (S. 771) for the relief of Denis Healy;

A bill (S. 772) for the relief of F. P. Delahanty;

A bill (S. 773) for the relief of Dominick Edward Maggio;

A bill (S. 774) to incorporate the Marine Corps League;

A bill (S. 775) for the relief of Leo James McCoy;

A bill (S. 776) for the relief of Albert Lawrence Sliney;

A bill (S. 777) authorizing the appointment and retirement of Francis Joseph Thomas as an ensign in the United States Navy; and

A bill (S. 778) for the relief of Chief Carpenter William F. Twitchell, United States Navy; to the Committee on Naval Affairs.

By Mr. VANDENBERG:

A bill (S. 779) for the relief of Mrs. Zeba Shargabian; to the Committee on Immigration.

By Mr. REYNOLDS:

A bill (S. 780) to establish a Racing Board in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. CAPPER:

A bill (S. 781) for the relief of officers and soldiers of the Volunteer service of the United States mustered into service for the War with Spain and who were held in service in the Philippine Islands after the ratification of the treaty of peace, April 11, 1899; to the Committee on Claims.

A bill (S. 782) granting a pension to Mary E. Bordwell; and

A bill (S. 783) granting an increase of pension to Mattie F. Colebaugh; to the Committee on Pensions.

By Mr. MOORE:

A bill (S. 784) for the relief of Amelia Corr; and

A bill (S. 785) for the relief of Joseph A. Frayne; to the Committee on Naval Affairs.

A bill (S. 786) granting an increase of pension to Mary M. Bartlett; to the Committee on Pensions.

By Mr. GUFFEY:

A bill (S. 787) for the relief of A. D. Cummins & Co., Inc.; to the Committee on Claims.

A bill (S. 788) to amend section 602½ of the Revenue Act of 1934; to the Committee on Finance.

By Mr. ASHURST:

A bill (S. 789) making it unlawful to pay, or agree to pay, any ransom or reward for the release of kidnaped persons; to the Committee on the Judiciary.

By Mr. CONNALLY:

A bill (S. 790) to repeal section 13 of the act entitled "An act to regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes", approved February 22, 1935; to the Committee on Finance.

By Mr. LODGE:

A bill (S. 791) for the relief of William H. Ames; to the Committee on Claims.

By Mr. SCHWELLENBACH:

A bill (S. 792) for the relief of Sam Larson, guardian of Margaret Larson, a minor; to the Committee on Claims.

By Mr. MINTON:

A bill (S. 793) for the relief of Catherine Humler; to the Committee on Finance.

A bill (S. 794) for the relief of James W. Kiplinger (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 795) granting a pension to Mary Hersey;

A bill (S. 796) granting an increase of pension to Michael Burger;

A bill (S. 797) granting a pension to Willard Hyser;

A bill (S. 798) granting a pension to Fannie R. Sperzel;

A bill (S. 799) granting a pension to Lizzie Sarver;

A bill (S. 800) granting an increase of pension to Lucy S. Kemp;

A bill (S. 801) granting a pension to Mary E. Troutman;

A bill (S. 802) granting a pension to Flora Deutschman Whitson;

A bill (S. 803) granting a pension to Benjamin F. Bennett;

A bill (S. 804) granting a pension to Amanda Bastian;

A bill (S. 805) granting a pension to Paulean Auberry;

A bill (S. 806) granting a pension to Martha E. Pixley;

A bill (S. 807) granting a pension to Edward Morgan; and

A bill (S. 808) granting a pension to Christena Aikin; to the Committee on Pensions.

By Mr. CLARK:

A bill (S. 809) for the relief of Minnie D. Hines; and

A bill (S. 810) for the relief of Daniel B. Meador; to the Committee on Claims.

By Mr. STEIWER:

A bill (S. 811) for the relief of Roy G. Cairns;

A bill (S. 812) for the relief of E. P. Conroy and Graham Conroy;

A bill (S. 813) for the relief of Edith M. Powell; and

A bill (S. 814) for the relief of Lawrence S. Snyder; to the Committee on Claims.

A bill (S. 815) to provide $25,000 for the restoring and preserving of the home of Dr. John McLoughlin, at Oregon City, Oreg.; to the Committee on Public Lands and Surveys.

Mr. POPE. Mr. President, I introduce a bill and ask that it be referred to the Committee on Agriculture and Forestry, as it relates to farm loans.

The VICE PRESIDENT. The bill will be received and referred as requested by the Senator from Idaho.

By Mr. POPE:

A bill (S. 816) to amend the Federal Farm Loan Act and the Farm Credit Act of 1935, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. NEELY:

A bill (S. 817) for the relief of Charles Tabit; and

A bill (S. 818) for the relief of the trustees of the Presbyterian Church at Keyser, formerly New Creek, W. Va.; to the Committee on Claims.

A bill (S. 819) granting a pension to Silman G. Brogan; and

A bill (S. 820) granting a pension to Earl E. Bayles; to the Committee on Pensions.

By Mr. HARRISON:

A bill (S. 821) for the relief of Lawson N. Dick; to the Committee on Claims.

A bill (S. 822) granting a pension to John G. Minnich; to the Committee on Pensions.

By Mr. RUSSELL:

A bill (S. 823) to provide for a refund of taxes and amounts paid for tax-exemption certificates under the Bankhead Cotton Act of 1934, the Kerr-Smith Tobacco Act, as amended, and the Potato Act of 1935; to the Committee on Finance.

A bill (S. 824) for the relief of Sam Kimzey; to the Committee on Claims.

By Mr. BYRD:

A bill (S. 825) granting a pension to Oneida W. Edmonson; to the Committee on Finance.

A bill (S. 826) for the relief of the estate of H. Lee Shelton;

A bill (S. 827) for the relief of the estate of Mrs. H. Lee Shelton;

A bill (S. 828) for the relief of Ellen Taylor;

A bill (S. 829) extending the time for filing a claim for reimbursement for the funeral expenses of Harold P. Straus;

A bill (S. 830) for the relief of Mrs. J. R. Scruggs; and

A bill (S. 831) for the relief of Mrs. Irvin Johnson; to the Committee on Claims.

By Mr. LA FOLLETTE:

A bill (S. 832) to amend the act entitled "An act to extend to certain publications the privileges of second-class mail matter as to admission to the mails", approved June 6, 1900; to the Committee on Post Offices and Post Roads.

Mr. McNARY. At the request of the senior Senator from California [Mr. JOHNSON], who is absent on account of illness, I introduce a joint resolution and ask its reference to the appropriate committee.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

By Mr. McNARY (for Mr. JOHNSON of California):

A joint resolution (S. J. Res. 39) to amend Public Law No. 780, Seventy-fourth Congress, authorizing the acquisition of lands in the city of Alameda, county of Alameda, State of California, as a site for a naval air station, and for other purposes (with an accompanying paper); to the Committee on Naval Affairs.

By Mr. CAPPER:

A joint resolution (S. J. Res. 40) proposing to amend the Constitution of the United States to exclude aliens in counting the whole number of persons in each State for apportionment of Representatives among the several States; to the Committee on the Judiciary.

By Mr. KING:

A joint resolution (S. J. Res. 41) requesting the President to call a conference of representatives of the Federal and State Governments to consider certain questions relative to Federal and State taxation; to the Committee on Finance.

By Mr. MINTON:

A joint resolution (S. J. Res. 42) authorizing the President of the United States of America to proclaim October 11, 1937, General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

A joint resolution (S. J. Res. 43) to provide for the preparation, printing, and distribution of pamphlets containing the history of Brig. Gen. Casimir Pulaski, Revolutionary War hero, on occasion of the one hundred and fiftieth anniversary of the death of Brig. Gen. Casimir Pulaski on October 11, 1929, with certain biographical sketches and explanatory matter; to the Committee on Printing.

ADJUSTMENT OF FEDERAL EMPLOYEES' SALARIES

Mr. McCARRAN. I introduce a bill for reference to the Committee on Civil Service.

The VICE PRESIDENT. The bill will be received and referred as requested by the Senator from Nevada.

Mr. McCARRAN. Because of the importance of the bill, I ask that it be printed in full in the RECORD, and I also ask that a letter from Dr. Meriam, of the Brookings Institution, be printed in the RECORD following the bill.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill (S. 741) to amend the act of March 4, 1923, entitled "An act to provide for the classification of civilian positions within the District of Columbia and within the field services, and amendments thereto" was read twice by its title, referred to the Committee on Civil Service, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc.,

SECTION 1. That to provide a more effective means of regulating and controlling the compensation of employees of the National Government, the provisions of the Classification Act of 1923, as amended by this and prior acts, are extended to all civilian positions in the field services and establishments of the Government, subject to the limitations, conditions, and amendments herein contained.

SEC. 2. This act shall not apply to any of the positions specifically excluded from the Classification Act by section 2 thereof, whether located in the District of Columbia or in the field, nor to any of the following positions in the Government Printing Office, the compensation of which is fixed under an act of Congress approved June 7, 1924 (U. S. C., title 44, sec. 40); positions of Foreign Service officers in the Foreign Service of the Department of State, the compensation of which is fixed under an act of Congress approved May 24, 1924 (U. S. C., title 22, sec. 3); positions of commercial attachés, assistant commercial attachés, trade commissioners, and assistant trade commissioners in the Foreign Commerce Service of the Department of Commerce, the compensation of which is fixed under an act of Congress approved March 3, 1927 (U. S. C., Supp. 3, title 15, sec. 197b); nor to positions the duties of which are to perform or assist in apprentice, helper, or journeymen work in a recognized trade or craft or to perform the work of a skilled or an unskilled laborer or to serve as an officer or a member of the crew of a vessel: *Provided, however,* That positions the duties of which are to perform the work of a skilled, a semiskilled, or a common laborer in the regular custody, operation, or maintenance of a Government building or other Government property, or in work which is subordinate, incidental, or preparatory to work of a professional, scientific, or technical character, may be included if the salaries and wages of said positions have been customarily determined through the same general procedure that has been followed in determining the salaries and wages of other employees in the establishments in which they are employed.

SEC. 3. If the Civil Service Commission finds a position, or class of positions, which may not fairly and reasonably be allocated to grades within the compensation schedules contained in the Classification Act, as amended, it shall prescribe such additional services and grades of said services as it may deem necessary and shall fix the range of compensation for said services and grades so that the compensation shall be comparable with that in the compensation schedules of the Classification Act, as amended, for positions that are comparable as to qualifications, duties, and conditions of labor: *Provided, however,* That such additional compensation schedules prepared by the Civil Service Commission shall not be put into effect until they have been approved by the President, and that the Civil Service Commission shall make to Congress as soon as practicable a full and complete report of its action taken in pursuance of the authority contained in this section of the act.

SEC. 4. The Civil Service Commission is hereby authorized, after suitable investigation, which shall include consultation with the heads of departments in which such positions are located, to exclude from the compensation schedules of the Classification Act, as amended: Positions or work which is financed jointly by the United States and a State, county, or municipality, or cooperating persons or organizations outside the Federal service, the pay of which is fixed under a cooperative agreement with the United States; positions none or only part of the compensation of which is paid from the funds of the United States; positions filled by inmates, patients, students, or beneficiaries in Government institutions; positions outside the continental United States filled by native citizens or foreign nationals, the rates for which should be governed by local standards; emergency, seasonal, or other positions the duties of which are of purely temporary duration or which are required only for brief periods at intervals; and positions filled by persons employed locally on a fee, contract, or piecework basis who may lawfully perform their duties concurrently with their private profession, business, or other employment, and whose duties require only a portion of their time, where it is impracticable to ascertain or anticipate the proportion of time devoted to the service of the United States. If the Civil Service Commission excludes any such positions from the compensation schedules, it may recommend to the heads of the departments in which such positions are located the procedure which it believes should be followed in fixing the compensation of said positions and the rate of compensation which it believes should be paid. If the Civil Service Commission makes such recommendations to a head of a department and if they are not adopted by the head of the department in a way deemed by the Commission to be satisfactory, the Commission shall report the facts to the President and to Congress.

SEC. 5. In accordance with rules and regulations to be prescribed in advance by the Civil Service Commission, the heads of each and every department and agency shall, immediately upon the passage of this act, adjust the compensations of all its employees included within the terms of this act, so that said compensation conforms with the schedule of salaries established in the Classification Act of 1923, as amended. In accordance with said rules and regulations prescribed by the Civil Service Commission, the head of each department and independent agency shall report to the Civil Service Commission the duties and responsibilities of each such employee, his compensation immediately prior to the passage of this act, and the new rate of compensation fixed in accordance with the terms of the Classification Act of 1923, as amended. The Civil Service Commission shall review the action of the heads of departments and independent establishments in fixing salaries in accordance with this act, and shall approve or disapprove said action. If it disapprove, it shall itself fix the rate of compensation, which rate shall thereafter be the lawful rate.

SEC. 6. If the Civil Service Commission shall determine at any time that the rates of the compensation schedules of the Classification Act, as amended, are inadequate for positions having the characteristics described below, it is hereby authorized, after consultation with the heads of departments, and subject to the approval of the President, to establish on account of such characteristics necessary schedules of differentials or adjustments in the rates prescribed in such compensation schedules, but the differential in the compensation of any such position shall not exceed 25 percent of the minimum rate of the class to which such position is allocated under such compensation schedules; positions whose duties and responsibilities cause them to fall within the compensation schedules, but which are located at stations which are isolated, remote, or inaccessible when compared with stations at which positions of the same class are usually located, or which involve physical hardships or hazards which are excessive when compared with those usually involved in positions of the same class or occupation, or which are located outside the continental limits of the United States: *Provided,* That nothing herein contained shall preclude the Civil Service Commission from taking the factor of isolation, hardship, hazard, or foreign service into consideration in allocating a given class to a service and grade under the compensation schedules herein if it is uniformly involved in each position in the class, in which event no adjustment is authorized under this section in the rate so determined.

SEC. 7. Allocations to grade and classes shall be made in accordance with section 4 of the Classification Act and initial compensation shall be fixed in accordance with section 6 of said act, except that if an employee is receiving compensation in excess of the maximum rate prescribed for the appropriate class no change shall be made in the existing compensation, but the position shall be correctly allocated and when it becomes vacant the compensation attached thereto shall be brought within the compensation schedule.

SEC. 8. Sections 7 and 9 of the Classification Act of 1923 are hereby repealed, and it shall no longer be mandatory for the departments to operate and for the Civil Service Commission to review and revise uniform systems of efficiency ratings for positions covered by this act and the Classification Act of 1923. The Civil Service Commission, in consultation with representatives of the heads of departments concerned, may ascertain to what extent it is practicable to determine and record the quantity and quality of the work of employees in the different classes of positions under this act and to secure and record other information that will permit of an evaluation of said work; and if the Commission deems such ascertaining and recording practicable and desirable, it may, subject to the approval of the President, require it and prescribe how and to what extent such records shall be used in adjusting compensation. Whenever such a system of service records is maintained and used in connection with salary adjustments, the current records shall be open to inspection by representatives of the Civil Service Commission and by employees of the department, under conditions to be determined by the Civil Service Commission.

SEC. 9. If the Civil Service Commission, with the approval of the President, requires and supervises a system for ascertaining and recording the quantity and quality of an employee's work and directs that said system alone shall be used in determining, within the salary ranges established, the exact salary rate at which an employee with a specified work record shall be compensated, the employee's salary may, at any time, be adjusted to said rate in accordance with his work record, and he shall be demoted or dropped from the service if he fails for a period of 6 consecutive months to maintain the minimum standard of performance thus fixed by the Commission.

If the Civil Service Commission deems it impracticable to maintain such records for a given class or to make such records the sole basis for determining the exact salary rate within the salary range established for the class, an employee whose position is allocated to said class may be advanced to the next higher rate within the range of the class to which his position is allocated at the end of each year of service until he has reached the maximum rate for said class, provided the head of the department certifies in each instance that said employee has rendered faithful and efficient service warranting such advance. If the head of the department is unable so to certify, he or his official representative shall give the employee, in writing, a statement of those deficiencies in the work or conduct of said employee that necessitates withholding the increment in salary, lowering the compensation within the range for the class, demoting the employee to a lower class, or removing the employee from the service. Insofar as practicable, the employee whose record is unsatisfactory shall be notified at least 60 days in advance of any such proposed disciplinary action and be afforded a fair and reasonable opportunity to correct his deficiencies.

SEC. 10. Section 13 of the act of March 4, 1923, is amended as follows:

"PROFESSIONAL AND SCIENTIFIC SERVICE

"Grade 1: $2,100, $2,200, $2,300, $2,400, $2,500, $2,600.
"Grade 2: $2,700, $2,800, $2,900, $3,000, $3,100, $3,200, $3,300.
"Grade 3: $3,300, $3,400, $3,500, $3,600, $3,700, $3,800, $3,900.

"SUBPROFESSIONAL SERVICE

"Grade 1: $1,500, $1,560, $1,620.
"Grade 2: $1,620, $1,680, $1,740.
"Grade 3: $1,740, $1,800, $1,860.
"Grade 4: $1,860, $1,980, $2,100.
"Grade 5: $2,100, $2,200, $2,300.
"Grade 6: $2,300, $2,400, $2,500, $2,600.
"Grade 7: $2,400, $2,500, $2,600, $2,700, $2,800, $2,900.
"Grade 8: $2,800, $2,900, $3,000, $3,100, $3,200, $3,300.

"CLERICAL, ADMINISTRATIVE, AND FISCAL SERVICE

"Grade 1: $1,500, $1,560, $1,620, $1,680, $1,740.
"Grade 2: $1,680, $1,740, $1,800, $1,860, $1,920.
"Grade 3: $1,860, $1,920, $1,980, $2,040, $2,100.
"Grade 4: $2,000, $2,100, $2,200, $2,300, $2,400.
"Grade 5: $2,200, $2,300, $2,400, $2,500, $2,600.
"Grade 6: $2,400, $2,500, $2,600, $2,700, $2,800, $2,900.
"Grade 7: $2,800, $2,900, $3,000, $3,100, $3,200, $3,300.
"Grade 8: $3,100, $3,200, $3,300, $3,400, $3,500, $3,600.
"Grade 9: $3,400, $3,500, $3,600, $3,700, $3,800, $3,900.
"Grade 10: $3,700, $3,800, $3,900, $4,000, $4,100.

"CUSTODIAL SERVICE

"Grade 2: $1,500, $1,560, $1,620.
"Grade 3: $1,620, $1,680, $1,740.
"Grade 4: $1,740, $1,800, $1,860.
"Grade 5: $1,860, $1,920, $1,980.
"Grade 6: $1,980, $2,040, $2,100.
"Grade 7: $2,100, $2,200, $2,300.
"Grade 8: $2,300, $2,400, $2,500, $2,600.
"Grade 9: $2,600, $2,700, $2,800, $2,900, $3,000.
"Grade 10: $2,900, $3,000, $3,100, $3,200, $3,300.

"CLERICAL-MECHANICAL SERVICE

"Grade 1: 75 cents an hour.
"Grade 2: 85 and 90 cents an hour.
"Grade 3: 95 cents and $1 an hour.
"Grade 4: $1.05 and $1.10 an hour.

"Provided, That charwomen working part time be paid at the rate of 65 cents an hour and head charwomen at the rate of 70 cents an hour."

SEC. 11. In adjusting rates of compensation under this act, employees affected thereby shall maintain the same relative standing in respect of the top rate in the grade as held by them prior to the passage of this act.

SEC. 12. The provisions of law exempting the positions of any Federal agency from the operation of the Classification Act of 1923, as amended, are hereby repealed, and immediately following the passage of this act all such positions shall be classified in accordance with the terms of this act.

SEC. 13. This act shall take effect as of the first day of the first calendar month following the date of its enactment.

The letter presented by Mr. MCCARRAN to accompany the bill was ordered to be printed in the RECORD, as follows:

THE BROOKINGS INSTITUTION,
Washington, D. C., January 13, 1937.

Hon. PAT MCCARRAN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Dr. Moulton, the president of the Brookings Institution, has referred to me for attention and reply your letter of January 9, asking for our comments on the rough draft of a bill which you have prepared to adjust upward the salaries of those Government employees whose salary incomes are below $3,600.

As I explained to you informally over the telephone, here at the Brookings Institution we have never attempted to advise the Congress or the committees with respect to what the salaries or the salary levels should be, partly because we have not made the detailed economic and statistical studies required for specific recommendations on that subject, but more generally because the questions involved are of broad legislative policy which the Congress itself must answer. We have, however, been very glad to consider questions regarding the methods and devices for fixing salaries so that they will be related to the duties and responsibilities of the several classes of positions and so that throughout the service the principle of like pay for like work may be practically applied.

I have examined the rough draft of the proposed bill from the standpoint of methods and devices. I find that in drafting it you have given very careful consideration not only to existing salary standardization or classification law but also to proposals for the extension of that legislation that has been presented to the Congress after thorough investigation and study. It seems to me that your proposed bill has recognized the points that have to be covered in such legislation and has made excellent provision for meeting the various situations. To be a little more specific, your section 1 extends the Classification Act, as amended, to the field services and establishments, subject to certain necessary limitations, conditions, and amendments. I have always regarded such extension as the next great step forward in salary standardization in the Federal service. It was yesterday recommended to Congress in the message and report on reorganization submitted by the President.

Your section 2 excludes from the operation of the act not only the groups of positions for which special legislation has been passed but also "positions the duties of which are to perform or assist in apprentice, helper, or journeyman work in a recognized trade or craft", the latter with minor exceptions already recognized in existing law. That section adequately meets one of the difficulties in this type of legislation.

Sections 3, 4, 5, 6, and 7 deal with the detailed techniques of classification, salary standardization, and allocations. They seem to me to embody the best of the experience to date.

Section 8 repealing the existing mandatory requirements for uniform systems of efficiency rating and substituting a permissive system seems to me to be in the interests of good, realistic personnel administration, in that it recognizes the fact that the extent to which efficiency rating is practicable and worth while varies with the nature of the duties and responsibilities of the several classes of positions. The first part of section 9 that permits employees engaged on duties measurable as to quantity and quality of output to advance in pay as their production advances appeals to me as sound. It offers an incentive to the employees, and my own experience with this type of work has convinced me that the best employees are the cheapest.

Personally, I approve of the latter part of this section that permits advancement within the salary rate for the grade at the rate of one step a year until the maximum is reached, provided the employee has rendered faithful and efficient service. I particularly like the provision that employees whose service is not regarded as faithful and efficient and as warranting advancement shall be so notified in writing. If each department, independent establishment, and major bureau has a competent personnel officer who follows carefully the record of each employee, the proposed section will in my judgment improve materially the output of the employees. This section requires first-class administration by the departmental officials and especially by the personnel officers. Effectively used by them it will give maximum results in efficiency. It is, of course, subject to abuse but I know of no way in which the danger of abuse can be eliminated without at the same time restricting the operating officers from promptly rewarding faithful and efficient service. I think the answer is first-class personnel officers in every organization.

Your section 11 dealing with the methods for adjusting rates upon the introduction of the new salary schedules should I think be submitted, if that is permissible, to the Acting Comptroller General to see how he will interpret it if it is enacted into law. The alternative to it is a definite detailed schedule actually applying the principle you have laid down in the present draft. Such a schedule would be a bit long and cumbersome, and I should prefer your briefer provision if I could be sure that it would be applied in just the way I interpret it. In section 10 you have met the difficulty of giving material advances to those in the lowest grades of the subprofessional, clerical, administrative, and fiscal and custodial services by reducing the number of salary steps within the salary range. It seems to me that the introduction of a minimum wage at the bottom makes the course you have pursued the practical one. There never has been, to my knowledge, any fundamental principle that required six steps above the entrance rate for all grades and I think they are inapplicable where a relatively high entrance rate is used. Since you have reduced the number of steps in certain grades the adjustment to the new steps is more difficult and I should like to know in advance how the Comptroller General's Office would interpret the language of the bill.

If I can be of any service to you in connection with classification legislation please let me know.

Very sincerely yours,

LEWIS MERIAM.

AMENDMENT TO THE NAVAL APPROPRIATION BILL

Mr. MCNARY submitted an amendment, intended to be proposed by him to the naval appropriation bill for the fiscal year ending June 30, 1938, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

At the appropriate place in the bill to insert the following:

"There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,500,000, to be used for the further development of the naval base at Tongue Point, Oreg.

"The Secretary of the Navy is authorized and directed to expend the appropriation of $1,500,000, made pursuant to this act, for the following purposes:

"For constructing hangars, ramps, barracks, shops, storehouses, and any other facilities required for the use and maintenance of naval aviation squadrons and their personnel.

"For dredging.

"For maintaining existing piers and shore facilities heretofore constructed.

"For enlarging existing piers and shore facilities heretofore constructed, if found necessary and desirable by the Secretary of the Navy."

INDIAN AFFAIRS—LAWS AND TREATIES

Mr. THOMAS of Oklahoma submitted the following resolution (S. Res. 60), which was referred to the Committee on Indian Affairs:

Resolved, That the Committee on Indian Affairs is hereby authorized to have prepared for the use of the Senate, a compilation of the laws, agreements, Executive orders, proclamations, etc., relating to Indian affairs passed and proclaimed since March 4, 1927, including the Seventy-fifth Congress, to be known as "Laws and Treaties Relating to Indian Affairs, Volume 5."

INVESTMENTS OF FOREIGN CAPITAL

Mr. KING. I submit a resolution which I ask may be referred to the Committee on Banking and Currency. Because of its importance, I ask that the resolution may be printed in the RECORD.

The VICE PRESIDENT. The resolution will be received, printed in the RECORD, and referred as requested by the Senator from Utah.

The resolution (S. Res. 61) was referred to the Committee on Banking and Currency, as follows:

Whereas there are large capital exports from foreign countries into the United States which have resulted in augmenting gold holdings in the Treasury of the United States; and

Whereas much of such capital is employed in the acquisition of American securities, including stocks and bonds of private corporations; and

Whereas it is alleged that such foreign capital so invested in the United States affects prices and tends to inflation; and

Whereas it is claimed that the revenue laws of the United States discriminate in favor of the holders of foreign capital to the disadvantage of American investors; and

Whereas it is claimed that the sudden withdrawal of such capital would result in the withdrawal of large gold holdings in the Treasury of the United States: Therefore be it

Resolved, That the Banking and Currency Committee of the Senate, or any duly authorized subcommittee thereof, is authorized and directed to make an investigation for the purpose of ascertaining (a) the amount of foreign capital invested in the United States, the character of the investments, the amount of gold brought into the United States by nonresidents for the purpose of capital investment, and the effect of such foreign investments in the United States upon domestic prices and upon the business and economic structure of our country; (b) whether or not the tax laws of the United States unduly favor such foreign

investors, and the general effect of such investments in the United States upon our domestic policies; (c) the amount of investments in foreign countries by citizens of the United States, the effect of such investments upon the economic and business life of the countries in which such investments are made, and the forms of taxation to which such investments are subjected; and (d) the probable effects with respect to governmental regulation by foreign countries of the investments of citizens of the United States in such foreign countries which might result from the enactment of legislation by Congress with respect to foreign capital in the United States. The committee shall report to the Senate as soon as practicable the result of its investigations, together with its recommendations for such legislation as it deems necessary.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the Seventy-fifth and succeeding Congresses, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $10,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

COUNTING OF ALIENS IN APPORTIONMENT OF REPRESENTATIVES

Mr. CAPPER. Mr. President, I have today reintroduced a proposal (S. J. Res. 40) to amend the Constitution of the United States so that in apportioning Representatives in the National House of Representatives aliens who have not completed their naturalization shall not be counted.

The Constitution now provides that in apportioning Representatives among the States the whole number of persons shall be counted, excluding only Indians not taxed. The effect of this is to give States with large alien populations additional representation in the popular branch of Congress, at the expense of those States whose population is largely made up of native-born and naturalized citizens.

According to the latest census figures, there are some 14,000,000 foreign-born persons in the United States. Of these nearly 8,000,000 are naturalized citizens. These would be counted if the amendment I am proposing should be submitted to the States and should be ratified.

There are more than 1,000,000 of these foreign born who have taken out first papers; these would not be counted under the terms of my amendment until they had taken out final citizenship papers. After that they would be counted the same as are native-born Americans.

The census also shows some 4,500,000 foreign born who have made no move toward becoming citizens, plus one-half million carried in the census reports as having no citizenship records at all.

In other words, there are about 6,000,000 foreign born in this country, not citizens, who are accounted in apportioning Representatives in Congress. In one State alone, New York, there are nearly 1,500,000 foreign-born persons who are not citizens, but who were allowed representation in Congress. If my amendment were a part of the Constitution, admittedly that State would have probably four fewer Representatives in Congress, and those four seats would go to other States, and very properly so.

I may mention in passing that the State of New York, with such a large foreign-born, unnaturalized alien population, does not allow them to be counted in apportioning members of their own State legislature or assembly, thereby admitting the injustice of basing representation upon such foreign-born residents unless and until they have become citizens. A few other States would be similarly affected.

I do not intend to take up the time of the Senate today to discuss this proposal at greater length. It seems to me so perfectly plain that representation should be based upon citizenship as not to require extended argument. Later in the session, when the proposal comes before the Senate, as I expect it to come, with a favorable committee report, I shall discuss it at greater length. I hope Senators will take occasion to study the merits of the proposal, and vote accordingly.

CONTINUATION OF RECONSTRUCTION FINANCE CORPORATION

Mr. GLASS. Mr. President, from the Committee on Banking and Currency I report back favorably, unanimously, and without amendment, the bill (S. 415) to continue the functions of the Reconstruction Finance Corporation, and for other purposes, and I submit a report (No. 2) thereon.

The VICE PRESIDENT. Does the Senator from Virginia desire present consideration of the bill?

Mr. GLASS. I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. Is there objection?

Mr. McNARY. Mr. President, I think the request is subject to a point of order, because it flies in the face of the rule that a bill must go to the calendar and lie over for a day. At this time I am not going to raise that objection. However, this morning I was talking to the junior Senator from Virginia [Mr. BYRD], who has an amendment to offer, as I understand. I shall withhold objection until that amendment is disposed of.

The VICE PRESIDENT. The question before the Senate is whether there is objection to the present consideration of the bill. If unanimous consent is given for its consideration, then any Senator may offer any amendment that is in order.

Mr. BORAH. Mr. President, may I ask before the request is passed on, is this a measure continuing the act as it now exists?

Mr. GLASS. It is.

Mr. ROBINSON. Mr. President, I may state that at this time there is no business on the calendar. Many committees of the Senate are at work. As everyone knows, next week there will be little opportunity for the consideration of legislative matters. If this measure could be disposed of today, it would be practicable, so far as I am now informed, to adjourn or recess until Monday. If the bill goes over, as it must under the rule if objection is made to its present consideration, it will probably be necessary to have a session tomorrow.

Mr. McNARY. I am not insisting on the objection at this time. I should like to have the amendment considered before unanimous consent is given for the consideration of the bill itself, or to have an opportunity to confer with the junior Senator from Virginia [Mr. BYRD] to ascertain if he has arrived at an agreement with his colleague in regard to the amendment proposing a modification of the bill.

Mr. BYRD. Mr. President, I ask that the matter be temporarily laid aside.

The VICE PRESIDENT. Does the Senator object to the present consideration of the bill?

Mr. BYRD. I object.

The VICE PRESIDENT. Objection is heard. The bill will go to the calendar.

LOUISIANA FARM PROBLEMS—ADDRESS BY SENATOR OVERTON

[Mr. ELLENDER asked and obtained leave to have printed in the RECORD an address on the subject of Louisiana farm problems, delivered by Senator OVERTON at a farmers' meeting held in Alexandria, La., on Dec. 17, 1936, which appears in the Appendix.]

REORGANIZATION OF THE GOVERNMENT—INTERVIEW WITH SENATOR BYRD

[Mr. KING asked and obtained leave to have printed in the RECORD an article on reorganization of the Government, published in the Saturday Evening Post of Jan. 2, 1937, entitled "Pruning and Spraying—An Interview with HARRY FLOOD BYRD, United States Senator", which appears in the Appendix.]

STATEMENT ON ELECTION NIGHT BY HON. JAMES A. FARLEY

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD the statement issued by Hon. James A. Farley on the night of the election, Nov. 3, 1936, which appears in the Appendix.]

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT, as in executive session, laid before the Senate messages from the President of the United States, submitting sundry nominations and withdrawing a nomination, which were referred to the appropriate committees.

(For nominations this day received and nomination withdrawn, see the end of Senate proceedings.)

ADJOURNMENT

Mr. ROBINSON. I move that the Senate adjourn.

The motion was agreed to; and (at 12 o'clock and 18 minutes p. m.) the Senate adjourned until tomorrow, Friday, January 15, 1937, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 14, 1937

NATIONAL MEDIATION BOARD

William M. Leiserson, of Ohio, to be a member of the National Mediation Board for the term expiring February 1, 1940. (Reappointment.)

WORKS PROGRESS ADMINISTRATION

Clarence G. Nevins, of Kansas, to be State administrator in the Works Progress Administration for Kansas, vice Evan Griffith, resigned.

COAST GUARD

Capt. (Engineering) Christopher G. Porcher to be commodore, on the retired list, in the Coast Guard of the United States, to rank as such from January 1, 1937.

The following-named officers in the Coast Guard of the United States, to rank as such from the dates set opposite their names:

TO BE COMMANDERS

Lt. Comdr. John Trebes, June 14, 1936.

Lt. Comdr. Lyndon Spencer, December 1, 1936.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

TO QUARTERMASTER CORPS

Lt. Col. Sydney Smith Winslow, Coast Artillery Corps, with rank from May 1, 1935.

Maj. William Lackey Mays, Infantry, with rank from August 1, 1935.

TO SIGNAL CORPS

First Lt. Robert Earl Schukraft, Coast Artillery Corps, with rank from August 1, 1935.

PROMOTIONS IN THE REGULAR ARMY

To be colonel

Lt. Col. Simon Bolivar Buckner, Jr., Infantry, from January 11, 1937.

To be lieutenant colonel

Maj. Arthur Arnim White, Field Artillery, from January 11, 1937.

To be majors

Capt. Robert Oliver White, Quartermaster Corps, from December 29, 1936.

Capt. Charles William Dietz, Quartermaster Corps, from January 1, 1937.

Capt. Roy Marsh McCutchen, Corps of Engineers, from January 1, 1937.

Capt. Aubrey Hoodenpyl Bond, Corps of Engineers, from January 1, 1937.

Capt. Hubert Walter Collins, Corps of Engineers, from January 1, 1937.

Capt. Robert Dorrance Ingalls, Corps of Engineers, from January 1, 1937.

Capt. Walter Lyman Medding, Corps of Engineers, from January 1, 1937.

Capt. Albert Carl Lieber, Jr., Corps of Engineers, from January 1, 1937.

Capt. George Jacob Nold, Corps of Engineers, from January 1, 1937.

Capt. Hugh Franklin Ewing, Quartermaster Corps, from January 1, 1937.

Capt. Samuel Howes Baker, Quartermaster Corps, from January 1, 1937.

Capt. John Isham Moore, Air Corps (temporary major, Air Corps), from January 1, 1937.

Capt. Lloyd Milton Garner, Quartermaster Corps, from January 1, 1937.

Capt. Harris Markham Findlay, Field Artillery, from January 2, 1937.

Capt. Russell Crayden Winchester, Cavalry, from January 9, 1937.

Capt. George Hunter Passmore, Infantry, from January 11, 1937.

Capt. James Stevenson Rodwell, Cavalry, from January 12, 1937.

Capt. George Orenthus Allen Daughtry, Infantry, from January 13, 1937.

MEDICAL CORPS

To be captain

First Lt. Eugene Rhea Chapman, Medical Corps, from January 8, 1937.

APPOINTMENT TO TEMPORARY RANK IN THE AIR CORPS, IN THE REGULAR ARMY

Capt. Leon Edgar Sharon to be major with rank from January 21, 1937.

REAPPOINTMENT IN THE OFFICERS' RESERVE CORPS OF THE ARMY

GENERAL OFFICER

To be brigadier general, Reserve

Brig. Gen. Luke Henry Callan, Reserve, from February 4, 1937.

WITHDRAWAL

Executive nomination withdrawn from the Senate January 14, 1937

APPOINTMENT, BY TRANSFER, IN THE ARMY

TO THE AIR CORPS

Second Lt. David Gilbert Presnell, Field Artillery. (Lieutenant Presnell died on Jan. 11, 1937.)

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 14, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, we thank Thee for Thy merciful gifts, so rich and bountiful, for the friendships which stir our affections, for the memories of the past with their melodies, for the joy of living, and for the hope of the years. Gracious Father, we would renew our allegiance to Thee and to our country. Let Thy blessing be upon us as a people; grant that the happiness of all may be the object of each. Bring us to the realization that it is better to give than to receive and better to serve than to be served. Blessed Lord, as these days are perilous with contagion, we pray Thee to keep our Speaker and the Congress in Thy nurturing care. We beseech Thee to preserve the health of their bodies and the vigor of their minds. In the name of our Savior. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries.

COMMITTEE ASSIGNMENTS

Mr. SNELL. Mr. Speaker, I offer a privileged resolution for immediate consideration.

The Clerk read as follows:

House Resolution 63

Resolved, That the following Members be, and they are hereby, elected members of the standing committees of the House of Representatives, to wit:

Accounts: James Wolfenden, Pennsylvania; Leo E. Allen, Illinois; Donald H. McLean, New Jersey.

Agriculture: Clifford R. Hope, Kansas; J. Roland Kinzer, Pennsylvania; Fred C. Gilchrist, Iowa; Charles W. Tobey, New Hampshire; August H. Andresen, Minnesota; Clare E. Hoffman, Michigan; Bert Lord, New York; Samuel W. King, Hawaii.

Appropriations: Albert E. Carter, California; Robert F. Rich, Pennsylvania; Charles A. Plumley, Vermont; Everett M. Dirksen, Illinois; Albert J. Engel, Michigan.

Banking and Currency: Jesse P. Wolcott, Michigan; Hamilton Fish, Jr., New York; Charles L. Gifford, Massachusetts; Philip A. Goodwin, New York; John W. Gwynne, Iowa; Robert Luce, Massachusetts; Dudley A. White, Ohio.

Census: J. Roland Kinzer, Pennsylvania; Benjamin K. Focht, Pennsylvania; J. Parnell Thomas, New Jersey; Dudley A. White, Ohio; William Lemke, North Dakota.

Civil Service: Edith Nourse Rogers, Massachusetts; Charles W. Tobey, New Hampshire; Charles A. Halleck, Indiana; Melvin J. Maas, Minnesota; Edward H. Rees, Kansas.

Claims: U. S. Guyer, Kansas; George N. Seger, New Jersey; Frank Carlson, Kansas; J. Parnell Thomas, New Jersey.

Coinage, Weights, and Measures: Lloyd Thurston, Iowa; Clarence E. Hancock, New York; Chauncey W. Reed, Illinois; August H. Andresen, Minnesota; Robert Luce, Massachusetts; E. Harold Cluett, New York.

Disposition of Executive Papers: Bertrand W. Gearhart, California.

District of Columbia: Everett M. Dirksen, Illinois; Dewey Short, Missouri; Ralph O. Brewster, Maine; W. Sterling Cole, New York; George J. Bates, Massachusetts; Paul W. Shafer, Michigan.

Education: George A. Dondero, Michigan; W. Sterling Cole, New York; Karl Stefan, Nebraska; Edward H. Rees, Kansas; Noah M. Mason, Illinois; E. Harold Cluett, New York.

Election of President, Vice President, and Representatives in Congress: George Holden Tinkham, Massachusetts; Thomas A. Jenkins, Ohio; Bertrand W. Gearhart, California; Harold Knutson, Minnesota.

Elections No. 1: Clarence E. Hancock, New York; Ralph E. Church, Illinois; Benjamin Jarrett, Pennsylvania.

Elections No. 2: U. S. Guyer, Kansas; Charles D. Millard, New York; Francis D. Culkin, New York.

Elections No. 3: Charles L. Gifford, Massachusetts; James W. Wadsworth, Jr., New York; Charles A. Wolverton, New Jersey.

Ways and Means: Lloyd Thurston, Iowa.

Enrolled Bills: Charles A. Eaton, New Jersey; August H. Andresen, Minnesota.

Expenditures in the Executive Departments: Charles L. Gifford, Massachusetts; Clare E. Hoffman, Michigan; Bertrand W. Gearhart, California; D. Lane Powers, New Jersey; George J. Bates, Massachusetts.

Flood Control: Harry L. Englebright, California; Charles W. Tobey, New Hampshire; Frank Carlson, Kansas; Benjamin Jarrett, Pennsylvania; Charles R. Clason, Massachusetts.

Foreign Affairs: George A. Dondero, Michigan.

Immigration and Naturalization: J. Will Taylor, Tennessee; Charles D. Millard, New York; Benjamin K. Focht, Pennsylvania; Noah M. Mason, Illinois; Edward H. Rees, Kansas; Samuel W. King, Hawaii.

Indian Affairs: Fred C. Gilchrist, Iowa; Fred L. Crawford, Michigan; Francis H. Case, South Dakota; Fred J. Douglas, New York; Usher L. Burdick, North Dakota.

Insular Affairs: Lloyd Thurston, Iowa; Richard J. Welch, California; W. Sterling Cole, New York; Karl Stefan, Nebraska; Fred L. Crawford, Michigan; Ralph O. Brewster, Maine.

Interstate and Foreign Commerce: Carl E. Mapes, Michigan; Charles A. Wolverton, New Jersey; James Wolfenden, Pennsylvania; Pehr G. Holmes, Massachusetts; B. Carroll Reece, Tennessee; James W. Wadsworth, New York; Charles A. Halleck, Indiana.

Invalid Pensions: Ralph O. Brewster, Maine; Leslie C. Arends, Illinois; Dudley A. White, Ohio; Paul W. Shafer, Michigan; Usher L. Burdick, North Dakota.

Irrigation and Reclamation: Fred A. Hartley, Jr., New Jersey; Bertrand W. Gearhart, California; Francis H. Case, South Dakota; James C. Oliver, Maine; William Lemke, North Dakota.

The Judiciary: U. S. Guyer, Kansas; Clarence E. Hancock, New York; Earl C. Michener, Michigan; John M. Robsion, Kentucky; Chauncey W. Reed, Illinois.

Labor: Richard J. Welch, California; Fred A. Hartley, Jr., New Jersey; W. P. Lambertson, Kansas; Clyde H. Smith, Maine; Arthur B. Jenks, New Hampshire.

Library: Allen T. Treadway, Massachusetts; Bert Lord, New York.

Memorials: Frank Crowther, New York.

Merchant Marine and Fisheries: Richard J. Welch, California; Francis D. Culkin, New York; George N. Seger, New Jersey; Benjamin Jarrett, Pennsylvania; James C. Oliver, Maine.

Military Affairs: Walter G. Andrews, New York; Dewey Short, Missouri; Leslie C. Arends, Illinois; Charles R. Clason, Massachusetts; Albert G. Rutherford, Pennsylvania; J. Parnell Thomas, New Jersey; Samuel W. King, Hawaii.

Mines and Mining: Harry L. Englebright, California; Dewey Short, Missouri; John M. Robsion, Kentucky; Francis H. Case, South Dakota; William Lemke, North Dakota.

Naval Affairs: Charles D. Millard, New York; Melvin J. Maas, Minnesota; Ralph E. Church, Illinois; James W. Mott, Oregon; Ralph O. Brewster, Maine; Fred L. Crawford, Michigan; W. Sterling Cole, New York; Samuel W. King, Hawaii.

Patents: Fred A. Hartley, Jr., New Jersey; Leslie C. Arends, Illinois; Ralph E. Church, Illinois; Charles A. Wolverton, New Jersey; Karl Stefan, Nebraska; Robert Luce, Massachusetts.

Pensions: Walter G. Andrews, New York; Benjamin K. Focht, Pennsylvania; Melvin J. Mass, Minnesota; Frank Carlson, Kansas; Fred J. Douglas, New York.

Post Office and Post Roads: Fred A. Hartley, Jr., New Jersey; Bertrand W. Gearhart, California; Frank Carlson, Kansas; E. Harold Cluett, New York; Noah M. Mason, Illinois; Paul W. Shafer, Michigan; Arthur B. Jenks, New Hampshire.

Printing: Robert F. Rich, Pennsylvania.

Public Buildings and Grounds: J. Will Taylor, Tennessee; Pehr G. Holmes, Massachusetts; Karl Stefan, Nebraska; Clyde H. Smith, Maine; Albert G. Rutherford, Pennsylvania; Fred J. Douglas, New York.

Public Lands: Harry L. Englebright, California; James W. Wadsworth, New York; James W. Mott, Oregon; Fred L. Crawford, Michigan; Fred J. Douglas, New York; William Lemke, North Dakota.

Revision of the Laws: Jesse P. Wolcott, Michigan; Earl C. Michener, Michigan; John M. Robsion, Kentucky; Ralph E. Church, Illinois.

Rivers and Harbors: George N. Seger, New Jersey; Albert E. Carter, California; Francis D. Culkin, New York; George A. Dondero, Michigan; Dewey Short, Missouri; George J. Bates, Massachusetts; Samuel W. King, Hawaii.

Roads: Jesse P. Wolcott, Michigan; James W. Mott, Oregon; Bert Lord, New York; Karl Stefan, Nebraska; Cassius C. Dowell, Iowa.

Territories: Harry L. Englebright, California; Walter G. Andrews, New York; Robert L. Bacon, New York; Cassius C. Dowell, Iowa; Usher L. Burdick, North Dakota; Samuel W. King, Hawaii.

War Claims: Benjamin K. Focht, Pennsylvania; Clare E. Hoffman, Michigan; Albert G. Rutherford, Pennsylvania; Clyde H. Smith, Maine; Charles R. Clason, Massachusetts; Arthur B. Jenks, New Hampshire.

World War Veterans' Legislation: Edith Nourse Rogers, Massachusetts; Charles A. Plumley, Vermont; Albert J. Engel, Michigan; Chauncey W. Reed, Illinois; Charles A. Halleck, Indiana; James C. Oliver, Maine.

Rules: J. Will Taylor, Tennessee; Donald H. McLean, New Jersey.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. Under the previous order of the House the gentleman from Indiana [Mr. LUDLOW] is recognized for 1 hour.

Mr. LUDLOW. Mr. Speaker, in the name and in behalf of the common people of this country—the people who have to fight and die; to have their homes wrecked and their heartstrings torn asunder in war—I arise today to paint a vivid but true picture of threatened world war and to urge my colleagues at the opening of the Seventy-fifth Congress to take immediate steps to keep America from being drawn into the deluge.

I think I understand the spirit of the common people on this proposition of war. I thank God I was born a commoner. I thank God that from my youth I have been accustomed to hard and grueling toil. I thank God that there have been times when I have gone hungry. I thank God that work and distress and hardships and disappointments—the common lot in life—have taught me the meaning of the term "the brotherhood of man and the fatherhood of God." It is a comfort and a satisfaction to me that I am from, and of, the common people—the people whom Lincoln said that God must love since He made so many of them—because my place among them enables me to interpret accurately, I think, the hopes and aspirations of those who travel the common walks of life.

And if ever I prayed to God Almighty to give me the gift of expression I pray for it today, because I want to make perfectly clear and understandable what the common people of America are thinking on the subject of war. They are thinking this: They are thinking that they love their country and that they would pour out the last drop of their blood, if necessary, to defend it from attack or invasion by a foreign foe, but they are bitterly denouncing and resenting the idea that if a world war comes their sons shall be conscripted and sent away to die in foreign slaughter pens in the settlement of quarrels of other nations.

Furthermore, the common people are tired of being eternally the buffer in the game of war, and since they have to do the suffering and the dying, and to furnish war's cannon fodder, they are asking why they should not have something to say as to whether war shall be declared. They are asking why a question so tragic in its nature, so intimately interwoven with life and death, which involves the very existence as well as the welfare and happiness of the millions of our people, should not be submitted to the people for decision in a national referendum.

Mr. Speaker, are we, who occupy the seats of authority, willing to sit idly by while the deadly train of events on the world's stage moves ever onward, drawing our precious young men closer, closer, and closer to the holocaust of war, to be mown down by machine guns; to be blown to bits by bombs rained from the air; to be horribly strangled by poison gases or perhaps to die an agonizing death from disease germs hellishly spawned in foreign laboratories? Are we willing to say to the fathers and mothers of America that we intend to loaf along and do nothing while their sons are being sucked into the vortex of another foreign war, to die like sheep in a shambles?

These are questions that appeal to the conscience of every Member of this House as we begin the work of a new Congress. They are questions that ought to stir us tremendously and incite us to the highest aims of love and duty. If we are sincere in our humanitarian professions these questions should interest us to the exclusion of all things else. If there is burning in our hearts as much as a spark of the glow that was lighted at Bethlehem, over nineteen hundred years ago, we will not fumble or hesitate or temporize. We will do our humble, but, let us hope effective, part to bring about "Peace on earth, good will toward men."

Legislation to stabilize peace and to prevent our young men from being dragged into slaughter pens in foreign countries should be the very first consideration of the Congress of the United States as it reassembles in the Capital of our Nation.

WORLD IS SPEEDING TOWARD WAR

The Seventy-fifth Congress meets amidst world conditions of the most ominous and unsettled nature. Where is the patriot who, as he surveys the world picture, does not shudder for the peace and security of America amid such uncertain and precarious surroundings? Bald, stark naked civil war is raging in one country, threatening to drag into its maelstrom at least two and possibly four great powers at any moment and thus set the whole world aflame. War broods over three-quarters of the globe. Governments everywhere are going centripetal at an amazing rate. Since the world war—which was supposed to be a war to end war—19 democracies have died and the liberties of the people have died with them. What a sad spectacle of fallen democracies! Today dictators, mad with lust for power and economic advantages, are thrumming the strings of war and preparing for another mass slaughter.

It is almost the universal opinion of experts on international affairs that we are headed straight toward another general war which, if it comes, with all of the modern death-dealing inventions, will be the most awful calamity that can be imagined. The very thought of what the next war will be like, with its cornucopia of horrors, its refinements of cruelty based on the amazing progress that has been made in the development of scientific war-making processes, its aerial bombardments raining death from the skies, its lethal gases and disease germs produced with satanic ingenuity to torture and kill by wholesale civilians as well as the fighting forces, staggers the imagination, blinds the intellect, and sickens the heart of long suffering humanity.

The conclusion of all qualified witnesses who came before the Senate Munitions Investigating Committee—a conclusion that runs like a sad and prophetic refrain through the entire sordid testimony—is that if another world war comes it will destroy civilization and wreck the world. The witnesses who so testified should be credible witnesses, because they deal with the implements of death.

SECRETARY HULL'S WISE ADMONITION

It is no wonder that Secretary of State Hull, speaking to the dignitaries assembled at Buenos Aires just before Christmas, said:

> We must destroy war or war will destroy us.

These are not the words of a radical or an alarmist. They are the words of one of the most clear-thinking, sound-thinking statesmen in the world today. They are the words of a man of world vision who is on the watchtower at the head of our great department of Government that deals with our foreign relations.

I cannot refrain from quoting one more paragraph from the speech of Secretary Hull to the South American statesmen, because I think it is so clearly applicable to the Congress of the United States now assembled in the city of Washington.

> Those who sit in the masters' seats and shape the destinies of other men—

He said—

> are under the most imperative of mandates to leave no course which may avoid war unexplored. The real patriots and the real heroes of the future will be the leaders who find and follow the road to peace.

What a wonderfully clear statement of the solemn duty now resting upon the statesmen whom I am addressing in these legislative halls!

War with its agonies of death and separations, with its insufferable burdens of cost, with its dislocation of everything that makes for normal happiness, is today humanity's cross and anything we may do, even in a small way, to lift that cross certainly is commendable and praiseworthy.

BOTH PARTY PLATFORMS FOR PEACE

In this critical hour I am not inclined to indulge in any useless jeremiads over what we shall, or shall not do, to meet this situation. I have faith to believe that, somehow or other, Congress will arise to the sublime heights of its responsibility. I believe this more and more as every day brings to me fresh evidence of the peace sentiment that pervades the country and of the willingness of Members of Congress to heed that sentiment. America is today in the surges of a peace movement that reached high tide when our two great political conventions this year adopted platform planks in harmony with the public trend. At Cleveland the Republicans said:

> We pledge ourselves to promote and maintain peace by all honorable means not leading to foreign alliances or political commitments.

At Philadelphia the Democrats said:

> We reaffirm our opposition to war as an instrument of national policy, and declare that disputes between nations should be settled by peaceful means. We shall continue to observe a true neutrality in the disputes of others; to be prepared, resolutely, to resist aggression against ourselves; to work for peace, and to take the profit out of war; to guard against being drawn by political commitments, international banking, or private trading, into any war which may develop anywhere.

We meet, therefore, in the Seventy-fifth Congress with both parties pledged to peace legislation in harmony with the public demand and with the Democratic Party and its enormous majority definitely committed to legislation taking the profits out of war.

STATING THE CASE FOR THE PEACE AMENDMENT

So with this setting intimately related to and interwoven with all human values, directly confronting us, I come before you today to explain a proposed peace amendment which I have long advocated; which I have reintroduced in the new Congress and for which I invite your sympathetic interest and support, as I sincerely believe it is the best peace proposal on the national horizon. It was given the name "Peace Amendment" by Good Housekeeping, a magazine with some millions of women readers, which is ardently supporting it. As a prelude to further discussion of the subject I should like at this time to read the text of my proposed constitutional amendment, as follows:

> SECTION 1. Except in the event of an invasion of the United States or its territorial possessions and attack upon its citizens residing therein, the authority of Congress to declare war shall not become effective until confirmed by a majority of all votes cast thereon in a Nation-wide referendum. Congress, when it deems a national crisis to exist, may by concurrent resolution refer the question of war or peace to the citizens of the States, the question to be voted on being "Shall the United States declare war on ----------?" Congress may otherwise by law provide for the enforcement of this section.
>
> SEC. 2. Whenever war is declared the President shall immediately conscript and take over for use by the Government all the public and private war properties, yards, factories, and supplies, fixing the compensation for private properties temporarily employed for war purposes at a rate not in excess of 4 per centum, based on tax values assessed in the year preceding the war.

[Applause.]

The war referendum resolution I propose has sunk deep into the consciousness of America. Please indulge me while I recount some of the elements of support that have been attracted to it:

First. The 21 railroad brotherhoods, comprising the flower of organized labor. They approved it at a special meeting held in Washington for that purpose.

Second. The American War Mothers, comprising the mothers of our soldiers of the late war. Meeting in Washington they approved it unanimously.

Third. The Church of the Disciples of Christ, by action taken in their international convention last year at San Antonio and again this year at Kansas City. This denomination has 7,648 churches and 1,377,595 communicants in America.

Fourth. Archbishops Curley, McNicholas, and Droessaerts, and many bishops of the Catholic Church.

Fifth. Rabbis Stephen Wise, Israel, Goldstein, Feuerlicht, and many other rabbis and leaders of the Jewish people.

Sixth. Leaders of all Protestant denominations and church organizations and groups too numerous to mention.

Seventh. The Woman's Christian Temperance Union as a national organization, with all State organizations cooperating. At Tulsa this year the national W. C. T. U. took action approving the resolution and throwing its support back of the proposed constitutional amendment.

Eighth. Sixty-five presidents of universities and colleges.

Ninth. Hon. Frank B. Kellogg, coauthor of the Pact of Paris, and Hon. A. B. Houghton, former Ambassador to Germany and England.

Tenth. Seventy-two Members of the House of Representatives, representing over 18,000,000 people, have given their written pledges to the resolution by signing the discharge petition at the last session of Congress.

Besides these pillars of support countless thousands of individuals and groups, large and small, have expressed approval. That it is in harmony with what the people are thinking is indicated by the poll conducted by the Institute of Public Opinion recently which showed 71 percent of the people—81 percent of the women—in favor of a war referendum.

As this proposed peace amendment embodies two substantive propositions I am willing that it be divided and considered in the form of two separate House joint resolutions. Let us now consider these two propositions.

REVERENCE FOR CONSTITUTION

At the outset I want to say that I hold the Constitution in the highest reverence as the sheet anchor of our liberties and the arch stone of our public welfare, and I will never be a party to amending it for any light and inconsequential causes. When I propose an amendment to the Constitution, particularly one dealing with so important a matter as the exercise of the war power, I realize that the burden of proof is on me to show that the Constitution should be so amended.

What, then, are some of the defects of the present constitutional method of declaring war? What is there about the existing constitutional method of declaring war that makes it a menace to peace? Let us analyze the situation. Under the existing constitutional mechanism war is declared by Congress; that is to say, by a majority of each branch. There are 435 members of the House and 96 Senators, and war may be declared by 218 Representatives and 49 Senators, a total of 267 individuals, while about 127,000,000 other people have nothing to say about it. Thus we find the war power vested in a very little group in Washington, a group that is singularly influenced and dominated by one other individual, the other individual being whoever may happen at any given time to occupy the office of President of the United States.

MEMBERS OF CONGRESS ARE HUMAN

I would be the last person in the world to cast aspersions on Members of Congress. For 36 years as a newspaper correspondent and a representative I have lived among them and I have a good opinion of their average patriotism and capacity. It is a high average. But when the war pressure from a thousand directions is on and the heat is applied and the propaganda is in full swing, Members of Congress are likely to crack under the strain and vote for war when they would not want to do so. Members of Congress are, after all, human. No Member wants to be called "yellow" and no Member wants to be seared and burned by the opprobrious epithet of "traitor." It is not fair to Members of Congress to ask them or to expect them to vote on a declaration of war. This most vital of all questions should be decided not by the agent but by the principal, and in this case the principal is the 127,000,000 people who comprise the American Nation. In the way provided in my resolution the agent will advise the principal, but the principal will act. As war is now declared, the agent acts and the principal has nothing to say about it. Under the proposed plan the question of war or peace will be decided exactly as it should be decided, with every citizen casting his vote in the privacy of the ballot booth, alone with his Maker, and the majority of all ballots will be the verdict of the combined judgment and conscience of America. With the millions upon millions of God-fearing citizens deciding this great question by ballot the wiles of Machiavellian schemers will be of no avail and the shafts of the wicked will break and fall. Ulterior influences cannot reach and tamper with that jury.

ILLUSTRATIONS OF VARIOUS "PRESSURES"

Let us try to visualize just a few of the myriad of influences and pressures that may now be brought to bear on Congress to force a declaration of war—influences and pressures which might be effective on Congress but which would be wholly ineffective if applied to the Nation under the war referendum system.

Illustration No. 1: Senator John Smith has a brother who is president of a large munitions company. The brother has visions of enormous bonuses certain to come to him if war is declared. If Senator Smith were a judge assigned to try a case under such circumstances he would be expected to disqualify himself, but as a Senator he is under no such compulsion and he will have a vote on the declaration of war.

Illustration No. 2: Representative John Brown owes a large sum of money to the home bank at Smithville, his loan being subject to call. The Smithville bank is affiliated with a great big bank in New York which belongs to a ring of international financiers. The New York bank and its associates are promoting the war movement. It says to its Smithville correspondent: "Take care of Congressman Brown and see that he votes right on the declaration of war."

Illustration No. 3: War clouds are gathering over America and, let us say, Japan. A break appears imminent. During the week immediately following the time set for a vote in Congress on a war resolution the congressional convention will be held in Congressman John Jones' district, and Congressman Jones is a candidate to succeed himself. Without the support of the Sharpsville Bugle, the leading newspaper of his political faith in the district, John Jones could not get within a thousand miles of the nomination. The Bugle is violently anti-Japanese, and is demanding that Representative Jones vote for war.

Illustration No. 4: With the war declaration pending in Congress the Legislature of the State of New York meets, and in its assumed capacity to speak for the people of that sovereign State, it adopts a resolution in the form of a memorial demanding that the New York delegation in Congress, 2 Senators and 45 Representatives, shall vote for war. The action of the legislature is unanimous. The vote of the New York delegation in Congress is numerically equal to the combined votes of many other States. If it is cast as directed from Albany it will tip the scales in favor of war. It is known that ulterior influences were very busy around Albany before the legislature took action.

These are but instances of many forms of pressure to which Congress may be subjected in war times. A thousand other illustrations could be given of special pressures that might be brought to bear on Congress to force a declaration

of war, influences which could not possibly be brought to bear on the country at large in a referendum on war. If the decision of war or peace were left to all of the people of the country the action of the New York Legislature would not have an effect altogether out of proportion to its actual importance. It might have a little influence on the great national jury but it assuredly would not be a determining factor in the result. The Sharpsville Bugle might bugle to its heart's content but its raucous calls would hardly swing a nation.

There is no desire or intent in this recital of just a few of the ulterior influences that may now operate to defeat the popular will, to speculate on how John Smith, John Brown, John Jones, and the New York delegation would vote on a declaration of war. Giving to all of them the credit of being honest, sincere, and patriotic men who will see their duty and do it, nevertheless it must be obvious to everybody that such a system of declaring war is all wrong.

DANGER THAT TYRANT WILL GRAB WAR POWER

Now let me call your attention to another defect in our existing constitutional war-making mechanism which I believe is far more serious than anything I have mentioned and that is the opportunity it would give to a tyrant in the White House to plunge the Nation into war at any time to pursue his selfish aims or for his own aggrandizement.

Mr. KNUTSON. Will the gentleman yield?

Mr. LUDLOW. I will yield to my friend the gentleman from Minnesota.

Mr. KNUTSON. As the sole surviving Member of the Sixty-fifth Congress who voted against war I am intensely interested in what the gentleman is saying. I am in close sympathy with what he seeks to accomplish. I am satisfied that if we had had such a provision in the Consitution in 1917, America never would have gone to war. We never would have had the depression with all the wreckage left in its wake.

I want to appeal to my colleagues on this side of the House to sign the petition which I assume the gentleman will shortly file without loss of time, because it is most imperative in view of the world situation today that we take every precaution to prevent America from being dragged into another world war as it seems it is being slowly dragged into. I think it is obligatory on every Member of this House to sign the petition.

Mr. LUDLOW. I want to thank the gentleman from Minnesota for his contribution, which is very kind and much appreciated.

I have already said that the tendency of governments all around the world is to go centripetal at an amazing rate, also that 19 democracies have died since the world war and with them have died the hopes and aspirations of the common people of those countries. Centralization is the order of governmental development everywhere. Too often all power is being centralized in tyrants who play with the lives of their subjects as they would with so many toys, moving them here, there and yonder on war's checkerboard, using them as cannon-fodder without the slightest regard for humane considerations.

CENTRALIZATION OF POWER

In our own country we have not escaped the trend toward centralization of authority. I hold before me a list of 77 major laws that were passed by the Seventy-second and Seventy-third Congresses. Of these, 18 originated in Congress and 59 originated in the executive departments. I mention this trend of executive influence over Congress not in criticism, because executive leadership was necessary to bring our country out of the darkest night of economic distress and despair it ever has known, and an all-wise Providence was kind to America in furnishing one who was capable of that leadership, but if the man who happens at any given time to be President has so much influence over Congress in an economic emergency, less serious than war, to what lengths might not a tyrannical President go in usurping the war power and plunging America into war to satisfy his own whims? If we are to stabilize peace in America and do our part toward stabilizing the peace of the world we should decentralize the war power and vest it with the people themselves. That is where it ought to be. That is where sovereignty abides, and we should do this before it is everlastingly too late, before some tyrant makes his appearance in the White House. No stauncher friend of peace ever occupied the Executive Office than President Roosevelt, but, after all, the period of one president's service is but a second in the life of a nation and I shudder to think what might happen to our beloved country some time in the future if a tyrant of Napoleonic stripe should appear in the White House, grab the war power and run amuck.

As matters now stand, with the war power lodged where it is, such a tyrant would find the situation exactly to his liking. There would be nothing to prevent him from plunging America into war with half of the world.

President Woodrow Wilson well said that he had heard of governments making war on governments, but that in all the range of his observation he never knew "of peoples making war on peoples", and our present great Executive, Franklin D. Roosevelt, uttered a sentiment of cheer and inspiration to the human race around the world when he said that "war by governments" must give way to "peace by peoples." If in every country on the globe the war power could be democratized and vested with the people, war probably would almost vanish from the earth, for the people do not want war. They are sick of its heartaches, of its grief and suffering; of the pain it puts in the hearts of mothers. America has always been noted for its primacy as an exponent of righteousness and high ideals; and I ask to what greater cause could we dedicate ourselves than to assume the leadership in trying by precept and example to emancipate the human race from the curse of war.

TWO WAYS TO PREVENT WAR

There are two ways, as I conceive it, to prevent war or at least to minimize the possibility of our involvement in foreign wars. My proposed "Peace Amendment" covers both ways. One way is to give all the people—women as well as men—the right to vote on a declaration of war. And why should not women have that right? Women go down into the valley of the shadow of death to bring our boys into the world. Why should they not have something to say as to whether their flesh and blood shall be hurled into the hell of a foreign conflict? Of the 531 members of Congress at the present time, only six are women, so you see how utterly negligible is the prospect of giving expression to whatever may be women's viewpoint on any particular war proposal. The other way to prevent war is to take the profit out of war. Take the profit out of war and there will be few wars. My proposed peace amendment is based on the philosophy that those who have to suffer, and if need be to die, and to bear the awful burdens and heartaches of war, should have something to say as to whether war should be declared. What could be more elementally just than that?

WHY REFERENDUM WAS NOT IN ORIGINAL CONSTITUTION

Now, you may ask, if the existing method of declaring war is so imperfect and undependable as a means of registering the Nation's will in regard to war, why did the founding fathers adopt it at the beginning? Why was such a mechanism ever written into the Constitution? Why did not George Washington favor a war referendum? Why did not Thomas Jefferson, who wrote into the great Declaration the immortal doctrine that "all men are created equal" see to it that a provision for a popular vote on war was included in his cherished Bill of Rights? Pertinent and proper questions, all of these. Certainly no one doubts the breadth and depths of the altruism of the seers who founded this Republic. But far-seeing as they were, they could not foresee the development in the means of communication that has made a war referendum practicable. Acting in the light of their times they lodged the war-making power the nearest to the people it could be put under the conditions then existing—and that was in the Congress. There was great rejoicing among the friends of the people in the Constitutional Convention

when they were able to defeat a movement to lodge the war power with the President, which was the aim of the monarchists of that time; and Thomas Jefferson in one of his letters spoke exultantly of that victory for the people. The only kind of representative government the founding fathers knew was representative government at its best, and when they got the war power vested in Congress they consoled themselves with the thought that it was lodged nearest to the people.

In those times the railroad, the telegraph, the telephone, the radio were in the bosom of the unknown future. Even the pony express was as yet undreamed of. A letter mailed on the eastern seaboard was 6 months reaching the uttermost frontiers of the country, if indeed it ever got there, and traveling was so tedious, long-drawn-out and precarious that Members of Congress were allowed mileage at the rate of 20 cents a mile to cover tavern bills, etc., on the long journey to Washington and return to their homes.

NOW IT IS DIFFERENT

Now the fast train roars across the country in 100 hours; the airplane in 24; the telegraph, telephone, and radio have annihilated time and space. The two great broadcasting systems gave me time over their networks to explain my peace amendment to the people of the country, and sitting before a microphone in Washington I talked to the entire Nation. The only tenable argument ever made against a war referendum, namely, that it would consume too much time, thus giving an enemy nation the advantage, has been completely nullified by modern perfection in the means of communication. On this subject Admiral McGowan, a great officer of the World War, gave expert testimony.

There seems—

He said—

to be a very general misapprehension as to the time required to hold a referendum. The United States has long since graduated out of the stagecoach and pony-express class, and there is no reason whatever why in this day of railroads and airplanes and telegraph and telephone and radio we could not refer the question of war or peace to the people of the country and have their answer back within a week—indeed, within 48 hours, if absolutely necessary.

This is the testimony of a great officer who was paymaster general of the United States Navy and head of the Bureau of Supplies in the world's greatest war, and who had a very practical vision of war problems. Since he testified, all of the agencies of transmitting the written and spoken word have been further developed so as to quicken communication, and in my opinion there is no longer the slightest reason to raise the time factor as an objection to a war referendum.

NOT A PACIFIST PROPOSITION

Now if any one, here or elsewhere, has jumped to the conclusion that the constitutional amendment I am advocating is a pacifist proposition, as the word pacifist is generally understood, I want to correct that impression. This proposition has nothing whatever to do with the size of our national defense. It goes only to the one point of deciding how the war-making power shall be exercised, whether by a little group or oligarchy in Washington or by the people who have to do the suffering and dying and who pay the bills. I believe it should be vested with the people. Personally I believe that with conditions in the world as they are today we must have strong and adequate national defense. The Constitution enjoins upon the Government the duty of protecting the national welfare. How can the national welfare be protected without an adequate Army and Navy to do it with?

OUR VAST WAR APPROPRIATIONS

While I want to see the Army and Navy kept at a satisfactory standard of efficiency I would like to see everything possible done by stabilizing the cause of peace to reduce our enormous war expenditures which are sapping the Nation and making our taxes mountain high. In this connection I wish to present some figures which I think will open your eyes. The last session of Congress, which ended on June 20, 1936, was 169 days in duration. The appropriations made at that session on account of wars past and preparation for wars to come, appropriations that had the support of members of both political parties because they were so integrated with the war problem that both parties felt impelled to support them, amounted to a grand total of $5,317,805,092—an amount of such magnitude that while it jingles in the ear it does not register on the mind. Of this stupendous sum $400,000,000 was to pay the interest on that part of the public debt created by war; $560,000,000 for retirement of war debt; $593,727,000 to compensate disabled soldiers through the Veterans' Administration, and so forth. Such debts, having been created by war, cannot be avoided.

WAR CONSUMES VALUE OF NINE STATES

To put the facts in concrete form, Congress at its last session, on account of wars past and preparation for wars to come, voted money for war purposes that wipe out or offset the total value of all real estate and improvements in nine States and about two-thirds of the value of all real estate and improvements in the District of Columbia to boot. Those nine States are New Hampshire, Vermont, Delaware, New Mexico, Nevada, Idaho, Wyoming, Arizona, and Utah. The total value of all real estate and improvements in those nine States is $4,612,995,000 or $704,810,092 less than the war appropriations of one short session of Congress. To state the case in another way, the war appropriations of this one short session exceed by $40,432,772 the total value of all real estate and improvements in the State of Indiana and the District of Columbia combined. We cannot have wars without paying for them and, as already stated, these appropriations were passed by the Representatives and Senators of both parties, so that no political issue was involved, but in the face of such staggering burdens of cost is it not time to pause and consider whither we are drifting?

WOULD LIFT US OUT OF MIASMAS OF WAR

I hope the peace amendment I have introduced will appeal to the sound judgment of my colleagues as they analyze it in the light of reason. It would not interfere in any way with the exercise of our right of self-defense but it would tend to lift us out of the miasmas and quicksands of war and the unholy concomitants of war. It would be a great and helpful factor in keeping us out of all foreign wars and out of all wars we should not enter.

Mr. McGROARTY. Will the gentleman yield?

Mr. LUDLOW. I yield to my friend the gentleman from California.

Mr. McGROARTY. The gentleman from Minnesota [Mr. KNUTSON] intimated that you would file a petition for the consideration of your bill. To which committee has it been referred?

Mr. LUDLOW. The bill, I may say, was introduced in the last Congress and received the only reference it could have, to the Committee on the Judiciary, it being a constitutional question.

Mr. McGROARTY. Does the gentleman anticipate that the committee will refuse to report the bill out?

Mr. LUDLOW. The committee did not report it in the last Congress, and I have no intimation of any change in the prospect.

Mr. McGROARTY. Would the gentleman suggest that we appear before the committee?

Mr. LUDLOW. There were hearings in the last Congress on the merits of the proposition. What steps would be advisable to take now in regard to another hearing I cannot say.

Mr. McGROARTY. What I was getting at is this: To me it seems that there is too much of refusal of the committee to report out bills. I resent the committee holding up bills from the floor of the House and preventing Members from discussing them. I think there ought to be more liberality in the committee. As to the committees I am serving on, I shall certainly exercise my influence to report any bill out that should receive the attention of this House. I hope the Judiciary Committee will change its mind and report the gentleman's resolution out so that it can be debated on the floor of the House.

Mr. LUDLOW. I want to thank the gentleman for his valuable suggestion. I have the highest respect for the

Committee on the Judiciary, and I join the gentleman from California in his hope that the resolution will be reported out. Certainly a measure that holds the heart interest of so many millions of people is entitled to a better fate than to be stifled in committee. If it is not reported out within the time limit provided in our rules, it is my purpose to file a discharge petition and to request Members of the House to join me in trying to effectuate action in that way. In doing so I will intend no offense to the Committee on the Judiciary, which includes in its membership many whom I am proud to number among my warm friends. As the gentleman from California has so well said, important measures such as this should not be strangled in committees. That is unfair and un-American. I do not believe the Judiciary Committee will insist on killing a bill that undoubtedly has the approval of many millions of our citizens.

As far as finite vision can discern, some wars appear to be foreordained and inescapable, as for instance the War of the American Revolution, which forged into our social structure great principles of right and justice. But some wars, and I think most wars, are not unavoidable. Most wars are caused by greed and ambition and hate and selfishness and are initiated by plots and machinations that are in the highest degree antisocial and antipathetic to every principle of humanity. It is to protect our children and our children's children and the America of posterity from such ungodly wars that the peace amendment is directed. [Applause.]

The SPEAKER pro tempore (Mr. MARTIN of Colorado). Under the special order the gentleman from Massachusetts [Mr. GIFFORD] is recognized for 40 minutes.

Mr. GIFFORD. Mr. Speaker, I noted, of course, on the calendar that I would follow the gentleman from Indiana [Mr. LUDLOW]. It immediately occurred to me that the gentleman from Indiana had made so many contributions that have been most valuable to the Congress I might well pay him high tribute. And, remembering some of the things he had formerly stated, I could well make use of them for my own purposes this afternoon.

Some of us are still fearful about a great many things. The gentleman from Indiana expressed what he is perhaps fearful of at the present. But back in 1927 Hon. Finis Garrett, leader of the Democratic Party, having noted a remarkable speech by the gentleman from Indiana, before he became a Member of the House—he was then, I believe, president of the National Press Association—saw fit to place it in the RECORD. And following today's remarks by the gentleman from Indiana [Mr. LUDLOW] and as a proper sequence to them, I wish to quote from that address, hoping that the gentleman feels exactly the same today:

> Those of us who spend our time watching the wheels of Government go around see a hydra-headed and vicious paternalism grown up in this country, which is touching every phase of life with its meddlesome activities, and is sapping the very foundations of local self-government. The fact that this paternalism often hides behind the cloak of benevolence renders it less abhorrent only to those who are willing to take a dangerous dose of poison provided it is sugar-coated. We who are behind the scenes do not lack concrete examples of this devitalizing influence at work in our Republic. They hit us in the face every time we turn around.

"Back to the Constitution" was the title of that address. He said if any political party would only adopt those words, that party would sweep the country. I appeal to the gentleman, realizing the great influence he has upon this Congress, that at a very early date he make another speech which will be entitled "Back to the Constitution."

What I have to say this afternoon, having in mind what the gentleman said at that time, will, I am sure, reinforce those remarks of his.

Mr. Speaker, at the cordial invitation of the majority leader that speeches be made this week, if they were to be made at all in the immediate future, I rose to my feet and asked for time, having noted a hesitancy at first, particularly on the minority side.

Mr. LUDLOW. Will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. LUDLOW. I thank the gentleman for the compliment he pays me. I assume the gentleman does not mean to imply in what he has said that all of the responsibility for centralization rests on our side of the aisle, for the creation of governmental agencies and governmental commissions?

Mr. GIFFORD. Oh, in these latter days I shall have to say you have had full responsibility.

Mr. LUDLOW. Let me state to the gentleman that, as a matter of fact, when the last administration of his party expired there was a list of commissions, bureaus, and what nots of governmental agencies that were listed in the Library of Congress—and I can bring the book to him if he desires—that comprised 148 printed pages, which had grown up under the administration of the gentleman's party. Just the listing of them makes an entire volume in itself.

Mr. GIFFORD. I will say that that undoubtedly aroused interest, and it was one cause of the speech that the gentleman made at that time, but that was long before the Hoover administration. The gentleman made this speech in 1927.

Mr. LUDLOW. It may not synchronize exactly with that speech, but what I am telling the gentleman is true about the list of governmental establishments that were in existence during and prior to the Hoover administration. It is a matter of recognized history that the Hoover administration added to the number.

Mr. GIFFORD. I shall be glad to be interrupted a little later.

Mr. LUDLOW. I did not mean for one moment to absolve our side of the House from its responsibility along that line either, but I meant to convey the information that it has not been a one-party proposition. Both parties have been equally guilty. Both parties must answer for the conditions in governmental trends which I tried to describe in the speech to which the gentleman refers.

Mr. GIFFORD. I am willing to be interrupted a little later, but I should like to go on for a while. My conversation may perhaps be irritating to you, but it would also be irritating to me to have to adapt my conversation as you would like to have it.

Having noticed the hesitancy on the part of the minority in particular to take the floor early in this session, for the sake of the new Members of this House, at least, who, I felt, would reasonably and naturally expect a minority to be exceedingly active in this Congress, I have risen to speak.

After a period of 14 years of service in this House, and having been entertained so often in previous sessions by severe criticisms and ridicule heaped upon my Republican Presidents, I may in my remarks this afternoon have the temerity to follow somewhat the procedure of those other days, in the hope that it may possibly entertain those new Members and also remind them that if those precedents are to be followed, the minority on the Republican side will be perfectly justified in coming to life and expressing the opinions, criticisms, and fears which are in the minds and hearts of about 17,000,000 Republican voters.

We suffered a deluge of quantity votes in the last election, but we may still hold to the opinion that the minority votes may have been superior in quality. [Laughter.]

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. A little later.

The bait used by the Democrats in the last election certainly was superior to ours in collecting votes, but certainly my suggestion as to the quality versus quantity theory will find warm and sympathetic response in the hearts of those Members from those Southern States which registered some 25,000 to 35,000 votes only, although the quantity of people is actually about as great as in those States from which the rest of us come, which register 150,000. In such cases we may well imagine that quantity would not be as persuasive in elections if all the citizens who voted in those sections of our country were encouraged or permitted to participate. I come from a congressional district where most of the more recent residents voted the Democratic ticket. Those who have lived there the longest and who fully understand or should understand our history and our problems voted the Republican ticket. It is of great interest to me to look over my district from the quantity angle when I ask for advice on public opinions.

These are not the wails of a loser. No one could be in a happier frame of mind than I in this Congress. I come to you not pledged to vote for any crackpot legislation of any sort whatever. I do not even express any sympathy for such legislation, and I shall criticize it as I have criticized it so much here and during the recent campaign. It is, perhaps, strange that I should still be with you if quantity votes alone should account for it.

Still we have a responsibility as we watch you bring in the branches for your own funeral pyre in 1940. You are going to build it yourselves. Some people say about the minority that we should attempt to outdo you in liberality. But just be patient. About 1940 a conservative party will be something greatly to be desired in this Nation.

Mr. JOHNSON of Oklahoma. Mr. Speaker, will the gentleman yield at this point?

Mr. GIFFORD. Not at present. I do not want to adapt my conversation to yours now; I will later.

It is the bounden duty of the minority to be concrete, to criticize, and to point out the weaknesses and dangers of any proposed legislation. I read lately that it would be the duty of the minority to inform themselves and understand better all legislative proposals than the majority Members themselves. This should not be a difficult assignment. [Laughter.] To prove my assertion I now call attention to the minority arguments attending the tax bill passed in the last session of Congress. I shall point out the damage it has already done, and I shall comment on the Robinson-Patman bill and others which, obeying the dictates of your President, you hastily and by steam-roller tactics placed on the statute books. I refer you to the minority arguments on such legislation, in which we well advised you. No; it will not be too difficult.

We well understand the President's appeal in his recent message to Congress. No; I do not like to express fear, but I may state to the gentleman from Indiana that we are all of us, I am sure, fearful about something; and I think it is wise and safe to continue in that fear. To illustrate: Pat said, "In the war I was shot through the left chest and the bullet came out through my back."

Mike said, "How could you have been shot through your chest and the bullet have come out through your back without passing through your heart?"

"Oh", Pat said, "at the moment my heart was in my mouth." [Laughter.]

You carry your heart in your mouth. It is the safest way. Be frightened and perhaps we may avoid being injured.

Flushed with victory! I was interested to note the joyfulness of the entrance of the President of the United States into this Chamber. You must pardon the minority, after such a thorough defeat, for having a little feeling about the matter. And if I may use an acerbity—sometimes translated as a sourness, but call it what you wish—when the President came here with his first message, a message that was really addressed to the Supreme Court, not to us, although it was delivered in this room where applause and adulation would be forthcoming, I, on the minority, of course, had in mind what had happened heretofore, and perhaps had a little streak of meanness in my disposition, and I somehow want to share with you what kept going through my mind. And I really hope you will enjoy it. It, too, is an acerbity, but I could not help thinking—

Here comes the fall bride,
With a smile a mile wide,
As down the church aisle
She doth trot him.

Every line of her grin,
Every tilt of her chin,
Seems to say:
"I got him, I got him, I got him."

We listened to the message. What was the message? Why, "We won!" "The country has backed us in our proceedings." And, "I thank you for your cooperation." I ask you to read the message again, erase the word "cooperation", and insert in lieu thereof the word "obedience." Then you will have it. He meant further that considering the last mandate the country still expects complete obedience from you. I have but little doubt you still think that way.

Some of us, rather out of sympathy with certain of his methods of appeal, could not help but recall his savage appeals to class hatred. Did he not say on October 31 at Madison Square Garden, "Never before were these forces so unanimously against anyone as these forces are against me. I welcome their hatred."

Yes; that is what he said.

He electrified the country with that statement, and I claim he won millions of votes by another amazing statement which is still ringing in your ears and mine:

"I want it said of my last administration that these forces have met their match. I want it said of my second administration that these forces have met their master." How the masses love a master! It is exemplified in European countries.

He is not my master! Is he yours? And are you connected with any one of those forces? Those are forces assaulted and defined as forces of lust and power. Never was there such an exhibition by any President of the United States, nor by any individual who seems to have such lust of power as does our present President.

Ah, but he tells you, sugar-coatedly, it is for benevolent purposes. But he warns: "This power we have taken back to Washington in other hands would be dangerous."

He therein pays a tribute to himself, does he not?

I want to comment on the last message sent to the Congress. It deals with the reorganization of our entire Federal Government. For what purpose? The former Comptroller General stated yesterday as reported in headlines that it was a smoke screen to take away the last vestige of power that the Congress has over the purse strings of the country. "Smoke screen" well defines it.

About the only department answerable to us was the Comptroller General. That was the last and only control we had over those purse strings. Now the President wants it placed in the Treasury Department, and hereafter when an appropriation that we have made is spent contrary to law, there cannot be a decision on the matter except after a complaint, and then only through the judicial processes of the Attorney Generals' office. There will no longer be anyone to determine what our intent was or what the law really is. No longer could we prevent a favorite of the Government from breaking a contract, which may be to the Nation, if he can convince the powers that be that he could make no profit under his bid. This sort of favoritism is the thing we tried so hard to do away with 15 years ago, but now it seems that it is to be brought back.

The President said in his message that he was not asking for more power. He said, "I already have that power under the Constitution." Yes; he has the power under the Constitution to shoot a gun, but now he wants a cannon. That is, he wants greater instruments of power in order to carry such things out more fully and put this Nation more directly under his supervision.

He states, "Oh, yes; I will leave matters of policy in the semi- or quasi-judicial independent organizations. I shall leave questions of policy up to them, but I want their personnel and I want their administration under my control."

Gifford Pinchot made a statement—and I think it is a wise saying—that "the last election determined that we no longer want to be under the control of concentrated wealth." But in so doing the Nation has condoned a much worse and a more damaging thing in connection with the control of Government. It is known by the name of "Farleyism."

Does anyone doubt that Farley stands behind the President in the matter of appointments? And they have done what to the civil service? I cannot think of a proper word, so I will let you provide one for me. Make it an ugly word. The President wants to do away with the Civil Service Board and have but one individual. He wants to do all the appointing; and who is it that will tell him whom to appoint? He wants to revamp all of the organizations, and yet does not claim but 1-percent saving on the whole thing.

After all the inquiry they must have made, the committee which reported on that was obliged to say that he intends to carry on as permanent organizations practically all of these temporary things. He wants to convert them into the permanent establishments. The committee seems to take it for granted.

Mr. Speaker, I spent many hours, a day or two ago, over Budget messages. I went over them for the last 8 years, and I have some interesting facts in my notebook. You will notice many pages of manuscript here devoted to mean attacks on this side when you were in the minority. If properly baited I shall read some of them.

To revert briefly to the Budget reports for the last 8 years, I went from one to the other and made certain comparisons. Lo and behold, when I came down to the last one, and compared it with the first of 4 years ago, the picture set out was a most startling one to me. The recent Budget messages have been rather short and have been largely statements of fact, fairly truthful, I am sure.

In the last message it was stated that in 1938 the Budget will be balanced. But what did I find to be true? In 1938 the President and this administration will have brought about the formation of a $7,000,000,000 government, permanently established. If he plans to balance that Budget costing $7,000,000,000, he must raise $7,000,000,000 yearly. Can he raise it in any other way than by placing taxes upon our people? No. If the Budget is really to be balanced, it must be paid for in taxes. Where is he going to get this money? Why, he is expecting to get three and three-tenths billions of the $7,000,000,000 from income taxes, $993,000,000 more in 1938 than the Government will receive this fiscal year. He must either expect amazingly prosperous times, or he expects to take more away from the reserves of our citizens, as was done last year in the most recent tax bill. Dip deeper and deeper into the reserves that have been accumulated during all the years against rainy days and progress? Take it away from that railroad that is bound to pay every year a portion of its indebtedness, but at the same time is fined some 35 percent if it dares pay its indebtedness. It must distribute it to the stockholders, and by way of those stockholders he is going to get some of that extra $993,000,000.

Oh, he told the country during the last election, "We get most of our money from direct taxes—from the income-tax payer."

Do we not know that he gets only 8 cents out of every dollar from the income-tax payer and 7 cents only from the corporation, and the corporation takes it from us first? It does not count as really a direct tax.

Did he tell us that he got 6 cents out of every dollar from rum last year, with $720,000,000 of real new revenue for the Democratic administration? No; only that 8 cents and the 7 cents; all the rest came from indirect taxation. He wants to change that picture; he would like to convince the masses of the people that he will tax only the few rich, and that they will be relieved of the burden.

I was privileged to talk to W. P. A. workers who felt I was not quite sympathetic enough, and I said, "I am more sympathetic with you than you seem to understand. You probably misunderstand me. You pay twice. You work for it—perhaps not as hard as you might, but you work for it—and then you are taxed again to pay for it. You pay twice and I am really sorry." However, I could not make them see that. One could not make them understand that when they took a glass of beer or smoked a cigarette or bought some clothes or bought something to eat they were really paying for it. Real-estate and municipal taxes do not pay this debt.

Referring for a moment to 1940, I want to talk briefly about the economic forces against which you are trying to joust. They are inexorable economic forces.

This afternoon the Speaker eulogized the trip to South America, but we of the minority are not wholly fooled. That was not in its larger purpose a peace trip. It was not primarily to get a multilateral action of South American republics as against the unilateral situation existent before. No; we know your trade agreements were growing sour. If you want me to prove it, I will read from the New York Sun the exact results. The idea of good Yankee trading has been insulted by the trades we have been making. Trade was growing sour, and, while Europe was otherwise involved, it was a good time to go to South America and work within that framework of peace talk for some new trade agreements. We will tell Argentina she can now send more of her cattle here. Listen to that, you gentlemen from Texas! Tell Cuba we will enlarge her quota of sugar a little more. This was flattery to those so-called democratic countries; but was Batista, the real man of Cuba, there? When I read about those republics of South America, democracies, usually with a dictator backed by an army close behind, perhaps really running the country, I thought of overnight revolutions, and now they tie these democracies (?) up with an entirely new Monroe Doctrine, really in order that we may get more trade with them. That, as appears to us, is what the expedition was for.

Referring now to economic conditions, you are trying every day to raise prices. This is your great ambition. Talk of social security when you add 9 cents on every dollar which the consumer must pay, on the one hand, and at the same time lower our tariffs. Soon these economic forces will come together in one mighty impact. The largest army will conquer the world, as the old saying is, but low prices get the business.

Mr. JOHNSON of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. Yes; I yield.

Mr. JOHNSON of Minnesota. If these forces will come into conflict and cause another depression, how does the gentleman account for the closing of about 6,500 banks under the administration of Herbert Hoover?

Mr. GIFFORD. Would the gentleman like to have me answer that question?

Mr. JOHNSON of Minnesota. Yes.

Mr. GIFFORD. That diverts me somewhat, but I am ready with my answer.

I was here under the Hoover administration. I was here when Austria began the trouble and when Germany followed and then England followed, and yet your President in 1932 asserted that he was for sound money and ridiculed Hoover for suggesting that we might have to go off the gold standard. But after his election, where did he go? Down to Warm Springs. Whom did he send for to consult about money policies? Look it up. When the country found who he was sending for and whose advice he was taking, that started something. No matter what may be said now, history will record what brought about the desperate state of affairs that followed. Lay it to Hoover temporarily, as you may, but we know where the real blame is going to be laid later on.

Mr. JOHNSON of Minnesota. Mr. Speaker, will the gentleman yield further?

Mr. GIFFORD. Yes.

Mr. JOHNSON of Minnesota. I do not think the gentleman has answered the question. I wanted an answer as to the forces under the Hoover administration which ended in the cataclysmic closing of the 6,500 banks, as compared with the present or contemporary forces which the gentleman prophesies will result in the growth of the conservative group in 1940.

Mr. GIFFORD. That takes a rather long answer, but I shall adapt my conversation to your advantage, if you wish. Look up the record. When the R. F. C. loans were published as the result of our action here and the people read that their banks were in trouble, that was a large, contributing factor.

If you are interested in these economic forces, read a speech I put in the RECORD during the last Congress. I fought for 10 days on the floor to be allowed 20 minutes in which to make that speech, and objection was made on that side. That speech was on "nervous money." The President, before leaving for South America, called it "hot money." It is really properly termed "tramp money."

These economic forces have been recognized by him; and even Governor Eccles, who formerly said that this country could stand a debt of $40,000,000,000, seems now worried and demands a balanced Budget. He is frightened about our increased holdings of gold and hopes to "freeze" a billion dollars of it with more borrowed money, on which we pay interest.

We cannot see how that freezing process will lessen the danger greatly. We surely increase the credit reserves in the banks by this borrowed money. The danger point is nearly reached. That is why the Budget must be balanced very shortly. Credit and finance have worked so differently than he or any of the rest of us could prophesy. The more we owe, the more danger of inflation. These natural economic laws are inexorable. I thank God that the President—and he has my prayers as he has yours; I pray for him—has at last recognized this danger. I am glad to see him running in the other direction. I only hope he can run fast enough.

Mr. PIERCE. Will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. PIERCE. Does the gentleman agree that we did wrong in going off the gold standard?

Mr. GIFFORD. I believe we did wrong in devaluing to 59 cents. We could have devalued to 75 or 80 with safety. He recalled Moley from the stabilization conference in Europe, and probably said, "Now, over here we will do a little gambling on our own account." That was the end of Moley.

Mr. PIERCE. Will the gentleman yield further?

Mr. GIFFORD. I yield.

Mr. PIERCE. Then we went off gold too much? The gentleman does not complain because we did go off gold, but it was because we went off more than he thinks we should have gone?

Mr. GIFFORD. I should like to agree with Hoover and say perhaps we should have gone off a little. But the point is we went off too much.

Mr. PIERCE. All the world went off, did it not?

Mr. GIFFORD. Yes. Where is Dr. Warren, with whom he sought to consult at Warm Springs? Why did not Senator GLASS accept the post as Secretary of the Treasury? Probably because he could not get a statement from your President that he would not go off of gold. Before he took the oath of office we knew that gold was being withdrawn from us. Our own citizens were hoarding it. Foreigners were taking their hot money, so called, withdrawing it overnight.

Mr. PIERCE. The gentleman admits it was necessary to go off gold?

Mr. GIFFORD. Oh, a little; but he tried to go too far, hoping to beat all of the other countries. Look at the trouble he caused in other countries. You had to vote extra money to pay our men abroad to live, with our dollar at 59 cents. We could get $20 for our own gold to buy securities. People of foreign countries got $35 for theirs and bought our best securities at this favorable margin. It is a humiliating story to tell it all.

I want to ask you to read that little short speech I made last June.

Mr. FITZPATRICK. Will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. FITZPATRICK. What is the purchasing power of the dollar today in the United States as compared with 1929?

Mr. GIFFORD. Oh, I do not know, but I know a lady the other day ordered 25 cents' worth of beefsteak, and she said, "If I am not at home, push it through the keyhole." [Laughter.]

Mr. FITZPATRICK. Will the gentleman answer my question? What is the purchasing power of the dollar today as compared with 1929?

Mr. GIFFORD. I do not know.

Mr. FITZPATRICK. Is not the purchasing power greater? Then there must be more valuation in the dollar.

Mr. GIFFORD. I can tell the gentleman about my own purchasing power. I know that. Shall I tell the gentleman about that?

Mr. FITZPATRICK. The gentleman was just speaking about the valuation of the dollar, and he referred to European countries.

Mr. GIFFORD. Oh, it is just as hard to get hold of a dollar today as it was before devaluation.

Mr. FITZPATRICK. But how about it in the United States?

Mr. GIFFORD. The President seems to have assured us that we could pay our bills at 59 cents on the dollar after devaluation. We have just as hard work to get a dollar now as we did before. That phase of it all amounted to nothing, and you know it.

If there are no further questions, Mr. Speaker, I yield back the balance of my time.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. SNELL. Mr. Speaker, reserving the right to object, do I understand there is an impeachment proceeding coming up this afternoon?

Mr. RANKIN. It is just a resolution for investigation.

Mr. SNELL. Well, whatever it is.

Mr. RANKIN. I will not take over 10 minutes.

Mr. SNELL. Well, if we are going to start, I make the point of order that there is no quorum present. I think we should have a full understanding of this.

Mr. RANKIN. The gentleman does not object to my time?

Mr. SNELL. No; but I think we ought to have a quorum present.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

Mr. GIFFORD. Reserving the right to object, I think it is a fair question, and I want the gentleman to have his time, but I did want to leave the Chamber. Is the gentleman going to attack my speech?

Mr. RANKIN. Oh, no, no.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. SNELL. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. RANKIN. Will the gentleman withhold that for a moment and let me make a suggestion?

Mr. SNELL. Well, if you are going to start any of these things, we are going to have a quorum here. I want our members of the Committee on the Judiciary present to hear the gentleman's statement.

The SPEAKER. The Chair will count. [After counting.] One hundred and ninety-one Members are present, not a quorum.

Mr. O'CONNOR of New York. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 4]

Bernard	Dunn	Kniffin	Scrugham
Bland	Ellenbogen	Kvale	Stubbs
Brewster	Evans	Lanham	Sumners, Tex.
Brooks	Fish	Lanzetta	Sweeney
Buckley, N. Y.	Goodwin	Lea	Taylor, Colo.
Burch	Hancock, N. C.	McGehee	Terry
Cannon, Mo.	Harter	McLean	Tinkham
Cannon, Wis.	Higgins	Maas	Wadsworth
Casey, Mass.	Hill, Okla.	Mansfield	Weaver
Citron	Hill, Wash.	Mapes	West
Clark, Idaho	Holmes	Murdock, Utah	White, Idaho
Cole, N. Y.	Izac	Nichols	Wigglesworth
Cravens	Jarrett	Owen	Withrow
Crosser	Jenckes, Ind.	Quinn	Wood
Cummings	Kee	Rabaut	Zimmerman
Dingell	Keller	Romjue	
Disney	Kerr	Sadowski	
Douglas	Kloeb	Schaefer, Ill.	

The SPEAKER. Three hundred and sixty-four Members have answered to their names, a quorum.

On motion of Mr. O'CONNOR of New York, further proceedings under the call were dispensed with.

Mr. McSWEENEY. Mr. Speaker, I am requested to announce that my colleague the gentleman from Ohio, Mr. CROSSER, is absent on account of illness.

The SPEAKER. The gentleman from Mississippi [Mr. RANKIN] is recognized for 10 minutes.

Mr. WOODRUFF. Mr. Speaker, I wish to make an announcement.

The SPEAKER. Does the gentleman from Mississippi yield for that purpose?

Mr. RANKIN. Not if it is to be taken out of my time.

The SPEAKER. The gentleman declines to yield.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein a short resolution which will be the basis of those remarks.

Mr. RICH. Mr. Speaker, reserving the right to object, will the gentleman restate his request?

Mr. RANKIN. I asked permission to revise and extend my remarks in the RECORD and to include therein a resolution about which I shall talk.

Mr. WOODRUFF. Mr. Speaker, reserving the right to object——

Mr. RANKIN. Mr. Speaker, I withdraw my request if I am going to be harassed with reservations to take up my time.

FEDERAL JUDGE JOHN J. GORE

Mr. RANKIN. Mr. Speaker, I have today introduced a resolution for an investigation of Judge John J. Gore, Federal judge for the middle district of Tennessee, for the purpose of making an investigation looking to the impeachment of Judge Gore. One of the grounds on which I shall base my charges when the matter comes before the House is that Judge Gore violated the law, willfully violated the law, by issuing an injunction to paralyze the operations of the Tennessee Valley Authority. Congress passed the law 3 years ago providing for the creation of the Tennessee Valley Authority and for its operation. We have passed upon that subject since that time. Useless to say that our actions in that respect have been approved by the American people by 11,000,000 majority.

The Power Trust, in my opinion the most corrupt and powerful organization of wealth and influence ever known in America, has been trying for years to destroy the Tennessee Valley Authority. They want to destroy the "yardstick" which has been established for the measurement of light and power rates, and to get control of the electric energy generated on the Tennessee River.

They went before a Federal judge in Alabama and tried to destroy the Tennessee Valley Authority about 2 years ago through the Ashwander case. That case went to the Supreme Court of the United States, and the Supreme Court, in terms which it seems to me no one could misunderstand, held that Congress had a right to do exactly what it was doing through the Tennessee Valley Authority. In the face of that decision this judge in this case issued an injunction to paralyze the operation of the Tennessee Valley Authority. In doing so, as I said, he abused his official prerogatives by arrogating to himself the right to set aside an act of Congress and to repudiate a decision of the Supreme Court of the United States.

Some will say, "Why not appeal?" What good does it do to appeal when we have already appealed and the Supreme Court of the United States has sustained us. It would merely take about 2 years more time. This judge might have as little regard for the decision of the Supreme Court the next time and might proceed to enjoin again.

This is not an attack on the judiciary. I, for one, am not in favor of taking away from the Supreme Court of the United States the right to pass upon the constitutionality of acts of Congress.

Certain inferior Federal judges in this country, however, are bringing the judiciary into ill repute. This is one of them. In my humble opinion, such decisions as this will do more to promote communism in this country than all the soap-box orators in America.

How do you suppose the people of Memphis, Tenn.—Nashville, Knoxville, Chattanooga, and other towns and communities in Tennessee—feel, people who are being robbed and plundered by overcharges in light and power rates every month that rolls around? How do you suppose the people of Birmingham, Tuscaloosa, Jasper, and other towns in Alabama; Aberdeen, Columbus, Starkwell, Jackson, and other towns throughout Mississippi and other communities throughout these States feel tonight when they realize that this injunction, in violation of the law, in violation of a decision of the Supreme Court of the United States, has been issued to hold them while this influence continues to rob them of hundreds of thousands of dollars monthly through overcharges for electric light and power?

Mr. Speaker, I would prefer the charges now, but there has come to me information touching other charges that involve moral turpitude, such as unconscionable attorneys' fees paid under questionable conditions, misconduct in the handling of bankruptcy matters, misconduct in the handling of receiverships, and the purchase of land by officials out of the funds of these receiverships and these bankruptcy proceedings. These questions, as I say, involve moral turpitude. If these charges be true, they demand that the Congress of the United States investigate them; so, Mr. Speaker, I have chosen this course, which, I understand, is the usual procedure.

I therefore offer and send to the Clerk's desk a resolution, and I ask its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Committee on the Judiciary is authorized and directed, as a whole or by subcommittee, to inquire into and investigate the official conduct of John J. Gore, United States district judge for the middle district of Tennessee, to determine whether in the opinion of said committee he has been guilty of any high crime or misdemeanor which, in the contemplation of the Constitution, requires the interposition of the constitutional powers of the House. Said committee shall report its findings to the House, together with such resolution of impeachment or other recommendation as it deems proper.

SEC. 2. For the purpose of this resolution the committee is authorized to sit and act during the present Congress at such times and places, in the District of Columbia and elsewhere, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearing, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony as it deems necessary.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution. I have discussed this matter with the chairman of the Judiciary Committee.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

Mr. MICHENER. Mr. Speaker, reserving the right to object, we might as well understand in the beginning that if this resolution passes we are embarking upon one of the most serious undertakings of the House of Representatives. That is the impeachment of a Federal judge. An attack upon a just court is a direct attack upon the liberties of the people, and matters of this kind must be apprcached after mature thought and unprejudiced consideration.

The precedents are clear; the rules are clear. If a Federal judge has so conducted himself as to warrant an investigation of this kind, the rules provide that any Member of the House willing to assume the responsibility of impeachment may rise upon the floor of the House and upon his individual responsibility as a Member of Congress publicly impeach the judge. When that is done, then the procedure which the gentleman here seeks is followed.

I know nothing about this case and never heard of it until a minute ago, but I have been through several impeachment cases in this House. I thought the rule was pretty well established in the Seventy-fourth Congress that when a Member of the House had sufficient evidence or had sufficient proof calling for the intervention of the constitutional power of impeachment of a Federal judge, that Member should have the courage, or at least the proof, to stand up before the Congress and impeach the judge.

Mr. RANKIN. Will the gentleman yield?

Mr. MICHENER. I decline for the moment to yield to the gentleman.

In other words, if this resolution is passed we have accomplished indirectly all we could accomplish directly by a resolution of impeachment. By this procedure no one

assumes any responsibility. A cloud of suspicion is cast over a presiding judge of our courts. His whole official life is to be investigated by a committee of Congress, and this without a scintilla of proof that he is an unfit judge. The only charge made is that he rendered a decision in a given case which, in the opinion of the gentleman from Mississippi [Mr. RANKIN], is improper. If this is an improper decision, an appeal can and should be taken to the higher court, and we should all be pleased to accept the ruling of the highest court as the law of the land.

The gentleman from Mississippi, in explaining his position, indicates that he does not feel there should be an appeal taken in this matter. Whether the decision is wrong should be determined by the courts of the land in a constitutional way. The gentleman should not make a political issue out of a matter of this kind.

Mr. RANKIN. Mr. Speaker, if the gentleman is going to make a political speech and fill the RECORD full of misrepresentations, I am going to demand the regular order.

The gentleman from Michigan [Mr. MICHENER], under reservation of objection, seems to have made a political speech. As a member of the Judiciary Committee, I hope he will manifest the courage, as he calls it, to investigate this case thoroughly from every angle.

This injunction seems to be a part of a well-laid plan to destroy the T. V. A. "yardstick", in order that the private power interests of this country may continue to rob the ultimate consumers of electric light and power of more than a billion dollars a year.

If they can destroy the T. V. A. or paralyze its operations, then their next move will be against Boulder Dam, Grand Coulee, Bonneville, Peck, and other great power projects in the West.

This is a battle between the administration, on one hand, backed up by the expressed confidence of the people, and corrupt power interests on the other, to see who will own and control our great wealth of hydroelectric power in the years to come.

Whoever controls the water power in this country in the future will control the Nation. This administration has made a masterful effort to retain it for the American people and to give them the benefit of it for all time to come.

The Supreme Court of the United States has upheld what Congress has done in that respect. Yet here we have a local Federal judge, answerable to nobody on earth except the Congress of the United States, setting aside the acts of Congress and the decision of the Supreme Court of the United States, in order to carry out the will of these utilities, and to help them rob and plunder the millions of consumers of electric light and power now and for all time to come; shut the door of hope in the face of the farmers of this Nation and prevent them from enjoying the use of any electricity at all.

This is the most flagrant abuse of judicial power that has ever come to my notice since I have been in public life. I hope the Committee on the Judiciary reports back recommendations of impeachment on this proposition, regardless of what their investigation may show concerning the alleged misconduct touching other matters.

This decision also sounds a warning to this Congress that something must be done to curb a certain element of the Federal judiciary and put a stop to their persistent attempts to ignore the Congress and the Supreme Court and govern this country by injunctions.

Mr. MICHENER. Taking advantage of the privilege extended, I want to call the attention of the House to the seriousness of this matter of impeaching our Federal judges, the effect of which is, in many cases, in the minds of many people, to impeach our Federal courts. As I have just stated, I have no knowledge about what is claimed in this case. Neither has the House. All we do know is contained in the short statement made by the gentleman from Mississippi that this Federal judge has made a decision which does not comport with the judgment of the gentleman from Mississippi as to the type of decision a Federal judge should make when passing upon matters pertaining to the Tennessee Valley Authority.

I have never read that decision. After reading the decision, I may be in accord with the gentleman from Mississippi as to the merits of the decision. If this judge made a wrong decision as to the law, and did it conscientiously and without color of fraud, then he certainly is not impeachable on that ground. If it were otherwise, there would be many impeachments, especially in cases where the court is divided.

Let us assume that the House proceeded to impeach this judge for making an improper decision as to just what the law is, and then the higher court on appeal sustained the judgment of the judge. We should not attempt to discuss the results on this occasion, however. If the gentleman from Mississippi honestly believes that this judge should be impeached, and has sufficient evidence to present to the House warranting such action, it would seem that he should follow the rules, assume the responsibility, and then proffer his proof to the Committee on the Judiciary, to which impeachment matters are referred.

This resolution simply directs the Judiciary Committee to go on a fishing expedition to ascertain whether or not it can find some grounds on which to impeach this judge. Our liberties, as well as our property, are unsafe if our judicial officers are to be threatened with impeachment on the slightest provocation unless their decisions are in harmony with the economic and political views of all of our citizens. This is impossible, and the part of wisdom, it would seem, suggests that this resolution be referred to the Committee on the Judiciary for consideration before any action is taken. If the gentleman from Mississippi has proof to submit, he will find the committee an unprejudiced, conscientious forum, ready to do its full duty at all times.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. MICHENER. Mr. Speaker, I object.

The SPEAKER. Objection is heard, and the resolution is referred to the Committee on the Judiciary.

EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, I renew my request to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

APPOINTMENT OF MEMBERS OF SELECT COMMITTEE ON GOVERNMENT ORGANIZATION

Mr. O'CONNOR of New York. Mr. Speaker, I call up House Resolution 60.

The Clerk read the resolution, as follows:

House Resolution 60

Resolved, That the Speaker of the House of Representatives be, and he is hereby, authorized to appoint a select committee of seven Members of the House to be known as the Select Committee on Government Organization, for the purpose of considering and reporting upon the subject matter contained in the message of the President of the United States of January 12, 1937. All bills and resolutions introduced in the House proposing legislation concerning reorganization, coordination, consolidation, or abolition of, or reduction of personnel in, organizations or units in the executive branch of the Government shall be referred by the Speaker to the said Select Committee on Government Organization. The said Select Committee on Government Organization is hereby authorized to report to the House at any time by bill or otherwise with recommendations upon any matters covered by this resolution; and any bill or resolution so reported shall be placed upon the calendar and have a privileged status.

That said committee or any subcommittee thereof is authorized to sit and act during the present Congress at such times and places within the United States whether or not the House is sitting, has recessed, or adjourned; to hold such hearings; to require the attendance of such witnesses and the production of such books, papers, and documents by subpena or otherwise and to take such testimony as it deems necessary. Subpenas shall be issued under the signature of the Speaker of the House of Representatives or the chairman of said committee, and shall be served by any person designated by them or either of them. The chairman of the committee or any member thereof may administer oaths to witnesses. Every person who, having been summoned as a witness by authority of said committee or any subcommittee thereof, willfully makes default, or who, having appeared, refuses to answer any questions pertinent to the matter herein authorized, shall be

held to the penalties provided by sections 102, 103, and 104 of the Revised Statutes of the United States, as amended (U. S. C., title 2, secs. 192, 193, and 194).

Mr. O'CONNOR of New York. Mr. Speaker, I yield 30 minutes to the gentleman from Massachusetts [Mr. MARTIN].

Mr. O'CONNOR of New York. Mr. Speaker, this resolution (H. Res. 60), which has been reported by the Rules Committee is one step toward carrying out the recommendations made in the message of the President which was read to us on last Tuesday. The message and the report of the President's committee makes certain recommendations as to the reorganization of the various Government departments.

It was found there was no one committee in the House that could handle all the matters which may be involved in connection with a reorganization of the various branches, bureaus, and departments of the Government. The jurisdiction of our standing committees, some 46 in number, is set forth very specifically in the rules of the House, and a bill attempting a reorganization of the general governmental set-up could not be referred to any one committee. It was therefore determined that in order to handle such recommendations a committee specifically authorized to deal with such recommendations be set up.

It was first suggested that another standing committee of the House be created in addition to the 46 existing committees. This committee, of course, would for all time infringe upon the jurisdiction of the present committees, such as the Civil Service Committee, the Committee on Expenditures in the Executive Departments, and others. Those committees, naturally, do not want to be shorn of all their power for all time, and after consideration, it was agreed upon—newspaper stories to the contrary notwithstanding—by the Speaker of the House and the leader of the House that a special, temporary committee be set up for this purpose.

This resolution therefore provides for a select committee, sometimes called a "special" committee, of seven members to be appointed by the Speaker and to serve during this Congress, to which committee all bills relating to a reorganization of the Government would be referred.

Of course, such a committee does, during this Congress, infringe upon the jurisdiction of other committees of the House. The chairmen of those committees have been most magnanimous and have not protested, at least not very strongly, against this intrusion of their prerogatives.

The procedure that this resolution takes is similar to the so-called Economy Committee back in 1933, as I recall, where a special committee was set up to handle similar proposals as to economy in government. That committee reported legislation which was acted on in the House.

Accompanying this resolution, which is House Resolution 60, is House Joint Resolution 81, which we propose to call up after this resolution is disposed of, which provides for a joint committee of seven Members of the House and seven Members of the Senate, and we understand the seven Members on the part of the House on this joint committee will be the same seven Members who are appointed on the special committee. This joint committee of the House and Senate will investigate the subject of Government reorganization, and the committee will be a means of cooperation between the two bodies so that the difficulties encountered by separate action and in conference, and so forth, will be avoided as far as possible.

Mr. SNELL. Mr. Speaker, will the gentleman yield for a question?

Mr. O'CONNOR of New York. Yes.

Mr. SNELL. The gentleman stated there is no standing committee of this House at the present time that would have jurisdiction of all these matters.

Mr. O'CONNOR of New York. I so understand.

Mr. SNELL. It would seem to me that the Committee on Expenditures in the Executive Departments, which covers all the departments, would have or could have jurisdiction of a matter of this kind, since this is primarily a matter of expenditure, and that it would be a very appropriate committee to refer this matter to.

Mr. O'CONNOR of New York. I do not so understand. This matter, of course, is not solely directed toward expenditures. I understand, for instance, the Civil Service Committee would be involved in matters which are not within the jurisdiction of the Committee on Expenditures in the Executive Departments.

Mr. SNELL. Is it not a fact that a great many of these matters have already been studied more or less by that committee? I am not saying anything against the entire proceedings.

Mr. O'CONNOR of New York. I think so. I think that committee has had a number of these matters under consideration by separate bills.

Mr. SNELL. That is what I thought, and considering the amount of work they have done along this line it seemed to me it would be a pretty good committee to which to refer this matter.

Mr. O'CONNOR of New York. I do not believe that could be done entirely from a jurisdictional standpoint. We are limited under our rules with respect to the exact jurisdiction of a committee.

Mr. O'MALLEY. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR of New York. I yield to the gentleman from Wisconsin.

Mr. O'MALLEY. I noted with a great deal of interest that the gentleman said this committee was being set up under the same procedure that created the Special Economy Committee, may we look forward to the same results from this committee?

Mr. O'CONNOR of New York. Well, of course, the gentleman is a young man and hope should spring more eternally within him than in most of us old fellows. [Laughter.]

Mr. HARLAN. Mr. Speaker, will the gentleman from New York yield for a question?

Mr. O'CONNOR of New York. I yield to the gentleman from Ohio.

Mr. HARLAN. Referring to the question of the gentleman from New York with reference to the Committee on Expenditures in Executive Departments, is it not true that the chairman of that committee, who is familiar with everything that that committee has done and with this resolution also, has appeared before the Rules Committee and expressed his approval of this resolution and his willingness that this special committee be set up.

Mr. O'CONNOR of New York. That is correct, or at least, he did not object and I think he somewhat agreed with the fact that his committee was not completely authorized to handle the entire work.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR of New York. I yield.

Mr. COCHRAN. In keeping with what the gentleman from New York has just stated, we have had three or four bills introduced in the present Congress providing for reorganization of Government agencies, and only one of them has gone to the Committee on Expenditures in Executive Departments. One went to the Committee on Patents and I do not know where the other two or three were referred, but the only one that went to the Committee on Expenditures in Executive Departments is a bill introduced by the gentleman from Wisconsin [Mr. BOILEAU] consolidating the Army and Navy and creating a Department of National Defense. This is the only bill that has come to us.

Mr. SNELL. Mr. Speaker, will the gentleman yield for me to make a statement right here?

Mr. O'CONNOR of New York. I yield.

Mr. SNELL. In 1932 or 1933, when President Hoover made specific recommendations with respect to a reorganization, if I am not incorrect in the matter, it was referred by the Speaker to the Committee on Expenditures in the Executive Departments; and if that resolution, which was nearly as broad as the pending one, was referred in that way without any objection, why should not this one go there also?

Mr. O'CONNOR of New York. Of course, we do things a little differently now than under the Hoover administration.

Mr. SNELL. That is what I wanted the gentleman to say. You are doing things differently, and the gentleman has admitted my point. [Laughter.]

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR of New York. Yes.

Mr. MAY. As I understand this resolution, it authorizes hearings by the committee that will be appointed, and from such hearings they will get adequate information which will be available to both Houses of Congress, and the resolution leaves it entirely in the hands of Congress instead of some outside committee or agency.

Mr. O'CONNOR of New York. Surely; it is entirely a congressional committee.

Mr. GIFFORD. Will the gentleman yield?

Mr. O'CONNOR of New York. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. I want to supplement the suggestion of the majority leader that the various messages of President Hoover were referred to the Committee on Expenditures. I want to say that it would be hardly fair if the chairman of the Committee on Expenditures were not included in this committee. I think he ought to be, and he has a right to expect to be included. But that is not sufficient, in my mind, to cut out the rest of the committee, who, when they were assigned to this committee, supposed it would be an important committee. Does not the gentleman think there might be a little unfairness in that?

Mr. O'CONNOR of New York. I cannot pass upon that.

Mr. GIFFORD. This is simply a different way of doing business.

Mr. MAVERICK. Will the gentleman yield?

Mr. O'CONNOR of New York. I yield to the gentleman from Texas.

Mr. MAVERICK. Is not this committee to be more or less in the nature of a standing committee?

Mr. O'CONNOR of New York. It is a special committee.

Mr. MAVERICK. It is a legislative committee.

Mr. O'CONNOR of New York. Yes.

Mr. MAVERICK. Should it not be constituted through the committee on committees other than through the Speaker?

Mr. O'CONNOR of New York. Oh, no; that would be accomplishing what we do not want to do, to interfere with the other standing committees in a permanent way. This is the way it has been handled heretofore, and when its work is done, which we hope will be in 2 or 3 months, or at least at the end of this Congress, the committee expires automatically.

Mr. RICH. Will the gentleman yield?

Mr. O'CONNOR of New York. I yield to the gentleman from Pennsylvania.

Mr. RICH. I would like to state that the chairman of the Committee on Expenditures last year appointed a committee to handle and make a study of certain matters, and no doubt that committee collected valuable information. The chairman, Mr. COCHRAN, the gentleman from Missouri, tried to get his committee to work in conjunction with that appointed by the Senate, but was unable to do so. I think if we could get the two committees together you would get a lot of information that would be valuable.

Mr. O'CONNOR of New York. Of course, all committees expire at the end of each Congress. That is a fact that is sometimes overlooked. Whether they are standing committees or special committees, they are defunct when final adjournment is called. However, it is not beyond possibility, if this job were not completed during this Congress, that it might be proposed and adopted to create a standing committee to handle the matter. No harm is done in the meantime, because the men who are members of this committee, if they so desired and the House wanted them to serve, could be elected to the standing committee to continue the work during another Congress.

Mr. EATON. Will the gentleman yield?

Mr. O'CONNOR of New York. I yield.

Mr. EATON. I would like to ask the gentleman why would it not be appropriate to refer this whole thing to the Committee on Disposition of Useless Documents?

Mr. O'CONNOR of New York. I am not familiar with the duties of that committee, except that I recall I helped to change its name in the last Congress.

Mr. EATON. That was a kindness.

Mr. O'CONNOR of New York. I think the name was more unkind that the present one.

Mr. EATON. The reason I asked that is because I would like to know whether this proposed committee will handle the salaries of employees, the same as the Economy Committee did, in which they reduced the salaries of all those under $1,000 that they possibly could, and, where possible, raised the salaries of the others. Is that the intention in this case?

Mr. O'CONNOR of New York. I have no knowledge of what the intentions of this committee may be after it is set up and goes to work. My views are only personal. Of course, we have always heard about putting more efficiency into Government. Very few people entertain the hope that Government, whether it is local, State, or Federal, will ever be as efficient as private business. It seems hopeless to get what we know as real efficiency in Government. All we can do is improve it from time to time. If this is one step in realizing efficiency, that will help the Government. Personally I hope that some economy will grow out of it. [Applause.]

I think it is an alarming thing, something that has attracted the attention of our taxpayers and the people of this country, that the cost of government has practically doubled, and in spite of the campaign speeches made and criticism by big business that the increase was due to "wasting money on relief", the facts are that the cost of government has increased by more than all the cost of relief—by at least a billion dollars. I would like to see at least that billion dollars taken out of the cost of government, rather than to take a billion dollars away from the people of the country who really need relief. [Applause.]

So the additional cost cannot all be charged to relief. There is at least a billion dollars, and perhaps more, that has been foisted on the cost of government by so-called temporary agencies and bureaus. If one of you ever saw a "temporary" agency, I never did. We have been using the nomenclature, we have been calling them "temporary", but just deceiving ourselves, because once one of them gets its elongated nose under the Government tent it sees to it that it is forever folded into the arms of Mother Government. We see that happening every day now. The urge is to perpetuate themselves, to perpetuate their big organizations, with the friends and relatives, to the fourth degree, on the pay roll; but beyond that, the greater urge is to prevent that inevitable day of reckoning when they must finally account for their stewardship. [Applause.]

Mr. BOILEAU. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR of New York. I yield.

Mr. BOILEAU. I am under the impression that in recent years no special committee that has been appointed has been given the power of bringing legislation to the floor. With the exception of the Economy Committee, I have no recollection of any other committee having the power to report and bring legislation to the floor.

Mr. O'CONNOR of New York. I do not recall any, other than the Economy Committee.

Mr. ANDREWS. It is my understanding that the Brookings Institution, at the instigation of the committee which expired last Congress, had made a very detailed study of the Government, and is about to submit recommendations to Congress. Would that report go to this committee and be acted upon by this committee?

Mr. O'CONNOR of New York. Of course, the gentleman refers to reports to the House. I imagine the intent of the resolution is that all matters pertaining to this, which come to the House, will be referred to this special committee.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. O'CONNOR of New York. I yield.

Mrs. ROGERS of Massachusetts. How much will the services of the Civil Service Committee be used in this reorganization? I am a member of that committee and I have great respect and admiration for the chairman of that committee, the gentleman from Georgia [Mr. RAMSPECK]. He has fought hard for the merit system. I feel he and his committee would be a tremendously valuable member in the reorganization.

Mr. O'CONNOR of New York. And so do I. I imagine this special committee will be glad to have the assistance, at hearings or otherwise, of the distinguished chairman of the Committee on the Civil Service and other members of the committee, or anyone else who desires to contribute anything to the matter.

Now, Mr. Speaker, later on I shall offer some perfecting amendments to this resolution to cure defects which were discovered after the resolution was printed last evening.

We hope the proposal will work out something toward efficiency and economy. We are not going to satisfy everybody in this attempt at reorganization of the Government. It is not going to be done in a day or a week; but if, during this Congress, we make some progress, we shall at least feel somewhat content that we have gone some distance and satisfied to some extent the justified complaints of the American people. [Applause.]

Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The gentleman from Massachusetts [Mr. MARTIN] is recognized for 30 minutes.

Mr. MARTIN of Massachusetts. Mr. Speaker, it is recognized this resolution calls for legislation to be considered in an entirely different way than usual. It is entirely irregular and will interfere with the jurisdiction of regular committees. The Republican members of the Rules Committee, however, are not going to object to the creation of a special committee. We realize in the last campaign the Democrats talked so much about efficiency and economy they probably feel they have got to do something about it. One cannot but be a little skeptical whether anything will come of it, but we want to give the administration a fair chance to see just what they will accomplish.

When the original proposal was made it called for the appointment of a standing committee of the House. This certainly would have called forth our vigorous opposition, because it brings one's mind back to the days when a political revolution was fought over this very issue. I refer to the occasion when a distinguished western Senator, in the days of Uncle Joe Cannon, made a great reputation here because he was opposed to the Speaker's appointing a standing committee of the House. A great parliamentary battle was fought over that, which was termed "Cannonism." Happily, the proposal to restore this old power of the Speaker has been abandoned, and we feel we can go along in the appointment of this committee. The Democratic Party will now have a full chance to bring about economy and efficiency if they are really serious about it. We shall, of course, reserve our full rights to oppose any legislation they may bring in. By permitting the appointment of a committee we do not commit ourselves to the legislation which may follow.

Mr. EATON. Mr. Speaker, will the gentleman yield for a question?

Mr. MARTIN of Massachusetts. I yield.

Mr. EATON. Can the gentleman give us any idea as to the amount of money that will be appropriated in order to bring about this economy?

Mr. MARTIN of Massachusetts. I may say to the distinguished gentleman from New Jersey that all the maneuverings I have seen around here have generally added to the cost of government. The gentleman from New York quite frankly admits these temporary agencies of government have proven extremely expensive. They have not only loaded the departments with excess personnel but the personnel has received a higher wage than that received by the Government employees who perform similar work under civil service.

Mr. TAYLOR of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield.

Mr. TAYLOR of Tennessee. Does not the gentleman think the primary object back of these movements is to make permanent these temporary activities?

Mr. MARTIN of Massachusetts. I think that has considerable to do with it; it is desired to bring these temporary organizations into the permanent set-up of the Government; but I think there is a little more to it than that. I think also there is some political bunkum in the proposal. It is desired to let the country think we are actually trying to economize here. I predict, however, that when this Congress passes out of existence we shall find there has been little accomplished in the direction of economy. I asked the distinguished chairman of the Committee on Appropriations how much we saved in the last economy bill, and he frankly admitted that it was hardly anything.

This is all I care to say about the subject this afternoon. We are going to support the appointment of the special committee because we want to give the Democrats a chance to see what they will do in reducing the cost of the administration of government.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield.

Mr. HOFFMAN. Would this committee point out the way by which the campaign promise of 1932 to reduce Government expenditures by 25 percent could be accomplished?

Mr. MARTIN of Massachusetts. I am afraid that is asking the impossible.

Mr. BOILEAU. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield.

Mr. BOILEAU. If we were to vote down the resolution now pending it would not affect the introduction of this legislation, as I understand it, but would only result in such legislation being referred to one of the standing committees of the House.

Mr. MARTIN of Massachusetts. The gentleman is correct. If the pending resolution should by any chance be voted down it would be possible, of course, to let the legislation pass through the regular channels of the House.

Mr. BOILEAU. So if we vote against this resolution it is not a vote against the bill for reorganization?

Mr. MARTIN of Massachusetts. I would not consider it so. I would consider it an indication that those who voted that way preferred to have the subject handled in the regular way.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield.

Mr. COX. But that is not the most feasible and best way to handle the proposition, is it?

Mr. MARTIN of Massachusetts. If the gentleman from Georgia will permit me, I may say you probably will not have any economy unless all these things are brought up in one bill with the great power of the President of the United States placed squarely back of it.

Mr. Speaker, I reserve the balance of my time.

Mr. SNELL. Mr. Speaker, I yield 10 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Speaker, I regret that I must impose myself upon the House again this afternoon. I happen to be the ranking man on the Republican side on the Committee on Expenditures in the Executive Departments. This committee was formed in 1927, and at that time it was said it would be one of the most important committees of the Congress. I stepped aside for another, a younger Member from Massachusetts, and allowed him to go on the Committee on Appropriations because I was in line to be chairman of this supposedly extremely important committee.

The work of this committee was to be as follows:

The examination of the accounts and expenditures of the several departments, independent establishments, and commissions of the Government and the manner of keeping the same; the economy, justness, and correctness of such expenditures; their conformity with appropriation laws; the proper application of public moneys; the security of the Government against unjust and extravagant demands; retrenchment; the enforcement of the payment of moneys due to the United States; the economy and accountability of public officers; the abolishment of useless offices.

As the chairman of the Rules Committee says:

We are now doing business in another way.

He wants seven new members appointed at the moment who will be docile, who will be conferred with as to whether they will be favorable to the President's desire for more power, as I suggested to you earlier this afternoon. The message of the President with reference to consolidation is full of demands for more and more power.

I do not wonder that the chairman of my committee, on the Democratic side, stated before the Rules Committee that he was willing that this be done. Unquestionably he will be appointed to this new committee. I greatly respect him, and I think he has been a real good fellow and gone along with your wishes. He has not allowed any of the expenditures on your part for the past 4 years to be investigated. Time and again we on this side have demanded that Resettlement agencies and other "give-away" agencies of the Government be brought before our committee, but the majority has not seen fit to permit this committee to examine into any of those expenditures. About all we have had to consider were bills raising or lowering our own salaries. The nasty things have been handed to this committee, but the chairman has done a wonderful work in suppressing them and not embarrassing the Members.

We have a resolution offered here today providing for a committee to take the place of a present permanent committee of the House: Listen to this:

All bills and resolutions introduced in the House proposing legislation concerning reorganization, coordination, consolidation, or abolition of, or reduction of personnel in, organizations or units in the executive branch of the Government—

Shall be referred to this select committee, the members of which will be carefully selected to carry out the wishes indicated in the message we listened to a day or two ago. You on that side know it, too.

Why, even the Supreme Court of the United States is an instance. Secretary Wallace said during the last campaign:

It is most important to elect a President who will select the right members of the Supreme Court.

And it was stated in some newspaper yesterday:

The way of the future will be for the President to send for someone proposed for appointment as a Justice and say, "Jake, how will you vote on certain legislation if we make you a member of the Supreme Court?"

Perhaps you read that.

Mr. BURDICK. Will the gentleman yield?

Mr. GIFFORD. If the gentleman will be kind to me.

Mr. BURDICK. I sympathize with the position the gentleman finds himself in.

Mr. GIFFORD. Do not make it personal.

Mr. BURDICK. No. I want to know if the gentleman does not realize the position he is in is very much the same position I am in after being run over by the minority committee on committees.

Mr. GIFFORD. In answer to the gentleman, may I say, as I said this morning, "I am perfectly happy." I do not think he is. [Laughter.] I am perfectly satisfied when I remember my friend, Mr. WIGGLESWORTH, who was assigned to the Appropriations Committee, when I, as his senior, might have insisted on being put on that committee. But I took the bait. This was to have been one of the most important committees set up by both sides of the House.

Today I see it wholly emasculated, because for the moment it is necessary to carry out the President's wishes as outlined in his recent message. It is necessary at this particular moment to have a favorable committee, or at least a committee that is sympathetic with that message. As the chairman of the Rules Committee put it, it is the new way of this present Democratic majority. They must be sympathetic.

Mr. Speaker, I thought it therefore my duty to take the floor again and explain that this resolution emasculates the duties of an existing committee in order to assure the carrying out of the President's lust for more power and to provide one composed of faithful and obedient personnel. However, I am still a member of the Committee of the Whole. I can make my work just as interesting as I please, even though I will now be on a committee shorn of all importance. Most of us want to be assigned to a major committee. We think we have more standing by being a member of a major committee. I have warned the Members before that the power of this committee to investigate expenditures was really worthless. We shall remain on the Committee of the Whole and can take part in all legislation.

Mr. Speaker, I trust I have made it plain what the majority is doing and why they are doing it. No one can or will attempt to deny it. "It is the new way we now have." In order to serve we must be sympathetic and obedient to what the President tells us he wants. [Applause.]

Mr. SNELL. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I was chairman of the Rules Committee when the Committee on Expenditures in the Executive Departments was first set up, and I know very well what the intention of the House was at that time. I have engaged in a considerable study of the matter, and what the gentleman from Massachusetts has just stated here is absolutely true.

When we set up that committee we insisted on a strong personnel, and I can say without fear of successful contradiction that the intent of the House at the time we set up that committee was to take charge of exactly such propositions as is before the House at the present time.

If we set up a new committee to take charge of this legislation, there will be practically nothing left for the Committee on Expenditures in the Executive Departments during the present session. This committee has been set up. It has committee rooms, clerks, and all of the necessary paraphernalia to consider this legislation, and without additional costs.

Mr. COCHRAN. Will the gentleman yield?

Mr. SNELL. I yield to the gentleman from Missouri.

Mr. COCHRAN. The committee has about 16 bills referred to it now, and only 1 bill on reorganization.

Mr. SNELL. Regardless of the statement made by the gentleman from Missouri, chairman of that committee, I maintain the proper place for this legislation is that committee, because he knows as well as I do that is what the committee was established for.

Mr. COCHRAN. Will the gentleman tell me why bills on reorganization were referred to other committees like they have been in this session? Only one of four bills introduced came to the Committee on Expenditures.

Mr. SNELL. A bill was sent up here by President Hoover, and referred to your committee by a Democratic Speaker.

Mr. COCHRAN. The gentleman knows that the committee held hearings on the bill?

Mr. SNELL. And threw them all out the window without any very serious consideration.

Mr. COCHRAN. The gentleman knows that Mr. Hoover was more interested in one proposition than any other, and that was to take away from the engineers of the Army flood control and rivers and harbor work, and the House would not stand for it. Mr. Hoover wanted to turn that work over to civilian engineers, and the committee said "No" then, and will say "No" again to any such recommendation.

Mr. SNELL. I do not know what Mr. Hoover wanted, but I know what you did, and you never gave his recommendations any consideration whatever.

Mr. COCHRAN. That was what Mr. Hoover suggested, and the committee as well as the House refused to stand for it.

Mr. SNELL. Mr. Speaker, you never gave the House any opportunity to act. Just a word further. I have tried to make my position clear as to the jurisdiction of the Committee on Expenditures in the Executive Departments. I still think I am right. I appreciate the fact, as the gentleman from New York [Mr. O'CONNOR] has said, that the majority desires to proceed in a new way, so far as making this study is concerned. I believe there is no one on this side who has any objection to making this study, but we also believe it is not necessary to set up a new committee to do the work. It is a very important proposition. The only thing I was somewhat discouraged about was the reported statement of the President that he did not expect this would save very much money. I think if this work is properly, carefully, and consistently done it can be handled so as to save money for the taxpayers of the country.

Mr. BOILEAU. Mr. Speaker, will the gentleman yield?

Mr. SNELL. I yield.

Mr. BOILEAU. May I suggest that if we included in this reorganization the consolidation of the War Department and the Navy Department, we could save a lot of money.

Mr. SNELL. I do not know what is intended.

Mr. BOILEAU. That is not included in the recommendations, I may state to the gentleman.

Mr. SNELL. As I understand it, when this question is before them, they can consider the entire question of consolidation and reorganization, and the gentleman or any other gentleman has a right to introduce a resolution and have it referred to this select committee.

Mr. BOILEAU. I may state to the gentleman that the bill which the gentleman from Missouri has referred to is a bill which I introduced on that subject and is now before his committee.

Mr. SNELL. I think it was proper to send it there, because at that time there was no special committee.

Mr. COCHRAN. Mr. Speaker, if the gentleman from New York will permit, I may say to the gentleman from Wisconsin that the committee has held hearings on two occasions with respect to the very proposition he has embodied in the bill which he has introduced in this Congress, a bill to consolidate the Army and Navy, and if the gentleman wants copies of the hearings all he has to do is to come to the committee and he can get them. The House voted on this proposition on one occasion and it was defeated. It was included in the first economy bill. I was a member of the first economy committee.

Mr. SNELL. In concluding my remarks, Mr. Speaker, about all I want to say further is that I am firm in my conviction that this work could be well and properly done by the existing committees of the House and that it is not necessary to go to additional expense to set up a new committe or a new organization to do it. We are anxious to have this work well and properly done and we shall not oppose that. All we do is simply to suggest that we think it would be better if you used the organization at your command at the present time rather than set up a new one with additional expense to the Government.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Speaker, I take this time in order to ask the gentleman from Missouri a question. I should like to ask what position the gentleman takes as chairman of the Committee on Expenditures in the Executive Departments with reference to this invasion of the authority of his committee?

Mr. COCHRAN. The position I take is to go along with the Democratic leaders of the House of Representatives and the President, as I have always done.

Mr. JENKINS of Ohio. Does not the gentleman know that the chairman of every committee has always been very zealous in his attempt to see that his committee is given proper recognition with respect to everything that may come within its jurisdiction? Why does not the gentleman stand on his hind legs, as it were, and demand that his committee be given the work that belongs to it under the jurisdiction originally conferred upon it?

Mr. COCHRAN. I will say to the gentleman from Ohio and to the Members of the House that on four different occasions a subcommittee of my committee went before the Committee on Rules and asked for additional jurisdiction and additional power. The Rules Committee at no time has ever given us any additional power or jurisdiction. I repeat what I said before to the gentleman that there have been four bills on reorganization introduced in this House at this session of the Congress and only one of them has been referred to the Committee on Expenditures. In other words, the rules of the House today provide that such bills as pertain to certain subjects shall go to committees other than the Committee on Expenditures in the Executive Departments even when they provide for the setting up or destroying of existing agencies. The Committee on Expenditures has no monopoly on such legislation under existing rules.

Mr. JENKINS of Ohio. I am sorry my good friend from St. Louis, who has always been such a valiant fighter, has now put up the white flag, indicative of the fact he is supinely surrendering the jurisdiction of his committee.

Mr. COCHRAN. I will say to the gentleman from Ohio that the gentleman from Missouri wants to see something accomplished and he knows this is the best way to accomplish it. He is not surrendering the jurisdiction of his committee any more than a dozen committees of the House are surrendering their jurisdiction.

The people of the country are expecting us to do something along this line, and I for one desire to render a real public service in improving administration as well as simplifying procedure, consolidating some offices and abolishing others, and from years of experience I know if this is to be done the only way to do it is through a special committee which above all can report bills and have the same right to call up the legislation as the Committees on Ways and Means and Appropriations have. That is why I favor the resolutions. If we are going to depend upon a half dozen committees of the House which will have jurisdiction unless this legislation is passed then you can just as well drop the matter entirely because history will repeat and we will accomplish nothing.

[Here the gavel fell.]

Mr. O'CONNOR of New York. Mr. Speaker, I yield 7 minutes to the gentleman from Indiana [Mr. GREENWOOD].

Mr. GREENWOOD. Mr. Speaker, in considering this resolution I think it is not so much a question of conflict of jurisdiction between standing committees as a desire on the part of the Members of the House to obtain action on reorganization of Government agencies for the purpose of efficiency and economy.

I am pleased to see that the chairman of the Committee on Expenditures in the Executive Departments is not so jealous of the powers of his committee that he is unwilling to turn this comprehensive matter over to a special committee. It is true that our friends of the opposition would like to stir up a little jealousy in the heart of our friend from Missouri, but the gentleman from Missouri knows what a difficult task this is, and he is willing that a special committee of the House shall at this time try to bring about some very beneficial results by making a special study of this matter.

There has been considerable said about the Committee on Expenditures in the Executive Departments. This committee was organized in 1927, when Mr. Coolidge, one of the great heralded economy Presidents in our history, was President.

So far there has been no comprehensive plan of reorganization. There have been various bills, but not in any great detail or widespread in their provisions.

Now we have before us a plan, a comprehensive plan.

When the gentleman from Massachusetts [Mr. GIFFORD] and his party were in power, if the leaders had come forward with a comprehensive plan, they had jurisdiction and they might have exercised it.

Mr. GIFFORD. Will the gentleman yield?

Mr. GREENWOOD. Yes; I yield.

Mr. GIFFORD. I was not on that committee at that time.

Mr. GREENWOOD. Then I beg the gentleman's pardon. I thought that he was. But no doubt Republicans had charge of that committee, but no comprehensive plan was brought forward by them to deal with this question in regard to economy and efficiency.

None of the bills presented sought to reduce power, but they always sought to extend the power. The first thing in the reorganization is to have better efficiency and after that the curtailment of personnel.

Mr. McCORMACK. Will the gentleman yield?

Mr. GREENWOOD. I yield.

Mr. McCORMACK. Is not one of the strongest arguments against dividing the President's message among standing committees that under this special committee it can be considered as a whole by one committee?

Mr. GREENWOOD. The gentleman is right. Another reason for having a special committee is that the Speaker no doubt will select members from other major committees to serve, and if he selected a member from a standing committee there could be only one major assignment. That man, if he accepted the appointment on the special committee,

would have to resign from the standing committee. No doubt the Speaker will want to select members from the major committees. Now, after 2 years, if there has been valuable accomplishment by this committee, it will be time for the House to decide whether it should be a permanent committee. I think a special committee at this time is the better one. I am glad that the chairman of the Committee on Expenditures in the Executive Departments has no feeling about this question of jurisdiction. There is not a single standing committee of the House that could take up this comprehensive plan, because it will deal with jurisdictional questions on perhaps 10 or a dozen of the leading committees of the House. It will be done in conjunction with the Senate and the executive department. I think this is a proper way to bring it in. Then at a later date we can decide upon the permanency of the committee.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. GREENWOOD. I yield.

Mr. RICH. I may not be in harmony with making a standing committee of the House, but I want to say that the chairman of the Committee on Expenditures in the Executive Departments is about as well qualified as any man in the House to handle that situation.

Mr. GREENWOOD. I will have no argument with the gentleman about that. We all admit his qualifications.

Mr. RICH. He ought to be placed on this committee, because I believe he is better qualified than any man in the House.

Mr. GREENWOOD. The gentleman can talk to the Speaker about that. That power rests with him.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. GREENWOOD. I yield.

Mr. RANDOLPH. Personally no member of any major committee will suffer with respect to seniority, but the House as a whole will have the benefit of their services and will expedite the matter?

Mr. GREENWOOD. We will get a select committee composed of those whom the Speaker thinks are best qualified to handle the job. Without any loss in standing on any major committee, a Member can serve on this committee.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. GREENWOOD. I yield.

Mr. JENKINS of Ohio. Does the gentleman know of anything that has developed which would indicate how the Speaker would divide the appointments to this committee?

Mr. GREENWOOD. None whatever. Under the resolution that power rests in the Speaker. We are not attempting to assume what the Speaker would do.

[Here the gavel fell.]

Mr. O'CONNOR of New York. Mr. Speaker, I offer an amendment to the resolution.

The Clerk read as follows:

Amendment offered by Mr. O'CONNOR of New York: On page 1, lines 10 and 11, strike out "executive branch of the"; on page 1, line 8, after the word "legislation", insert "concerning such subject matter or."

Mr. SNELL. Mr. Speaker, I should like to have the gentleman tell us in just a few words what these amendments do to this resolution.

Mr. O'CONNOR of New York. The first amendment strikes out the words "executive branch of the Government." On reconsideration, it was thought that the language originally was too limited, because some of the commissions, and so forth, may not be strictly within the executive branch of the Government.

The gentleman may remember the Humphreys case, a member of the Federal Trade Commission, in which the Supreme Court held that the Federal Trade Commission was a Commission connected with the legislative branch of the Government and was not strictly in the executive branch of the Government.

Then, of course, if it may be desired to make some changes in reference to the Comptroller General's office, that office would not be strictly within the executive branch of the Government. So, to enable this committee to deal with all these multifarious commissions, agencies, and bureaus, we are striking out the limitation to the executive branch of the Government.

Mr. SNELL. If I had the votes, I would try to beat you on that, because I do not want to try to destroy the General Accounting Office, if that is one of the objects.

Mr. O'CONNOR of New York. That is not the specific purpose. The amendment is aimed at these other commissions.

Mr. SNELL. It seems to me that this is largely what we consider to be the executive branch of the Government, where it is intended to make these changes. I should think that that would properly designate it. It will be impossible to reach the legislative branch or the judicial branch.

Mr. O'CONNOR of New York. The present language possibly does not reach some of these commissions. The intent is to reach everything outside of the strictly legislative and judicial branches of the Government.

Mr. SNELL. We do not have any objection to that.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR of New York. I yield.

Mr. SABATH. This only refers to bills that should be referred by the Speaker to this select committee. It that not right?

Mr. O'CONNOR of New York. That is correct.

Mr. SABATH. It has no reference to the jurisdiction of the committee, with the exception of what bills may be referred by the Speaker to that committee?

Mr. O'CONNOR of New York. That is correct.

Mr. RAMSPECK. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR of New York. I yield.

Mr. RAMSPECK. I want to raise this question with the gentleman from New York as to the amendment offered in line 8: As I construe it, it would mean that the Speaker would have to refer any bill introduced hereafter which concerns any subject mentioned in the President's message to this select committee. For instance, suppose a bill comes in here dealing with salaries of the lower-grade employees. Under the language, as I understand it, that would have to go to this committee, because the question of salaries is dealt with in the President's message. Or if any bill came in here amending the act creating one of these commissions it would have to go to this committee. I think it has gone too far.

Mr. O'CONNOR of New York. The purpose of that amendment is this: It was felt that the second sentence, beginning "all bills, resolutions", was limiting the first part, and that is why we added the words "concerning such subject matter", or relating to those matters.

I am not, of course, in a position to pass upon the exact question the gentleman raises. The subject matter of the President's message was Government reorganization. I think that is a fair, comprehensive description of it. Bills relating to this subject matter would be referred to this special committee.

Mr. RAMSPECK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RAMSPECK. Mr. Speaker, if this amendment is adopted and a bill comes in dealing with an amendment to the Social Security Act or to the Classification Act, let us say—these matters being mentioned in the President's message—would such bills be referred to this select committee, thereby tying up the jurisdiction of practically half the committees of the House?

The SPEAKER. In reply to the gentleman from Georgia, the Chair states that the Chair doubts the propriety, in advance of the decision of the pending matter, of undertaking to construe its legislative effect. The pending amendment was offered by the chairman of the Committee on Rules, and he has stated his interpretation of it. The Chair does not think the gentleman has submitted a proper parliamentary inquiry.

Mr. O'CONNOR of New York. Mr. Speaker, in order that there may be no confusion or misunderstanding, I may state to the gentleman from Georgia that this language was added as a perfecting amendment as the result of a conference between the Parliamentarian and myself. I do not, however, think it is indispensable, and I ask unanimous consent to withdraw that portion of the amendment.

The SPEAKER. Without objection, that portion of the amendment is withdrawn.

There was no objection.

The SPEAKER. The question is on the amendment offered by the gentleman from New York.

The amendment was agreed to.

Mr. O'CONNOR of New York. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to; and a motion to reconsider the vote whereby the resolution was agreed to was laid on the table.

Mr. PETTENGILL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PETTENGILL. In reference to the words in lines 7 and 8, "introduced in the House", a bill or resolution which came over from the Senate which, had it been introduced in the House, would go to this select committee, would then go to the Committee on Expenditures in the Executive Departments, would it not?

The SPEAKER. Replying to the gentleman's inquiry, it is the present opinion of the Chair that any bills that came from the Senate would be introduced in the House by a message from the Senate and would properly be referred to this select committee if they were within the jurisdiction of the committee.

Mr. RICH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RICH. May I offer an amendment to the resolution at this time?

The SPEAKER. The resolution has been agreed to, the Chair will state to the gentleman from Pennsylvania, and it is too late to offer any amendment.

EXTENSION OF REMARKS

Mr. BURDICK. Mr. Speaker, I ask unanimous consent to extend the remarks I made on the floor of the House yesterday and also to extend my remarks on the resignation from the committee assignments made by the minority of this House which I filed with the Speaker of this House.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

JOINT CONGRESSIONAL COMMITTEE ON GOVERNMENT ORGANIZATION

Mr. O'CONNOR of New York. Mr. Speaker, prior to calling up House Resolution 59, a rule, I should like to inquire if an agreement can be reached with the other side to save some time. This is a rule for the consideration of House Joint Resolution 81, setting up the Joint Committee on Government Organization. There would be an hour on the rule, an hour of general debate on the resolution, and then it would be read.

Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 81 and that the resolution be considered in the House as in the Committee of the Whole; and, pending that, I ask unanimous consent that debate be limited to 1 hour, to be equally divided and to be controlled by the gentleman from New York [Mr. SNELL] and myself.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman from New York [Mr. O'CONNOR] yield for a question?

Mr. O'CONNOR of New York. I yield.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I am extremely anxious to know what the administration plans to do in the matter of relief. I know it is popular with many to advocate the cutting of these expenditures, but in my district in Massachusetts a great hardship is being worked because people are being taken off relief rolls, people who are pitifully in need of it.

The SPEAKER. The Chair states to the gentlewoman from Massachusetts that there is no matter pending before the House.

The gentleman from New York is recognized.

The Clerk will report the joint resolution.

The Clerk read as follows:

Resolved, etc., That (a) there is hereby established a joint congressional committee to be known as the Joint Committee on Government Organization (hereinafter referred to as the joint committee).

(b) The joint committee shall be composed of seven Members of the Senate, appointed by the President of the Senate, and seven Members of the House of Representatives, appointed by the Speaker of the House of Representatives.

SEC. 2. It shall be the duty of the joint committee—

(a) To investigate the organization and activities of the departments, independent establishments, bureaus, boards, commissions, divisions, services, offices, and other agencies of the executive branch of the Government, with the view to determining whether, in the interest of simplification, efficiency, or economy, or in order to eliminate conflicting or overlapping activities, any of such organizations or units should be coordinated or consolidated with any other organization or unit, reorganized, or abolished, or the personnel thereof reduced; and

(b) To report, from time to time, to the Senate and the House of Representatives the results of its investigations, together with such recommendations as it deems advisable.

SEC. 3. The joint committee, or any subcommittee thereof, shall have power to hold hearings and to sit and act at such places and times, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. Amounts appropriated for the expenses of the joint committee shall be disbursed one-half by the Secretary of the Senate and one-half by the Clerk of the House.

SEC. 4. The joint committee shall have power to employ and fix the compensation of such officers, experts, and employees as it deems necessary for the performance of its duties, but the compensation so fixed shall not exceed the compensation fixed under the Classification Act of 1923, as amended, for comparable duties. Officers and employees in the executive branch of the Government shall be detailed to the service of the joint committee, on its request, without additional compensation, and such officers and employees shall be paid from the appropriations regularly available for their salaries.

With the following committee amendment:

Page 2, line 21, after the word "advisable", insert the following: "Subpenas shall be issued under the signature of the chairman of said joint committee, and shall be served by any person designated by him."

Mr. O'CONNOR of New York. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, no doubt the argument will be made that on many occasions in the past special committees have been appointed or created by the House to do the very work now proposed and recommended by the President of the United States.

Nearly 10 years ago I joined with others in creating an efficiency committee, the accounts and expenditures committee, and other committees, but, unfortunately, we never gave them the power nor the jurisdiction which they should have to properly consider evidence supporting proposed legislation before the House.

The present resolution provides for the creation of a joint commission, to be composed of seven Members each of the House and the Senate. The Members of the House who serve on that commission are the same members of the select committee of the House which we have created by the resolution just passed. Such a commission would be highly productive of results by virtue of the powers it would enjoy—greater than those ever given a previous committee or commission.

There is no doubt but that a great deal of information has been compiled by the Committee on Expenditures in the Executive Departments, the President's committee, and the Brookings Institution, which promised to report the results of its survey to the House. This information will be ready for the joint commission and can be utilized by it.

I have the utmost confidence in the Speaker and in the Vice President, and am satisfied that only qualified and most experienced Members of the House and Senate, who can be depended upon to devote themselves to the task, will be appointed to the proposed commission.

In the past, numerous committees have devoted years of investigation to important subjects, only to have it later develop that their recommendations for legislation would be

referred to committees having neither a knowledge of the particular matter nor time to study the recommendations made. The regularly constituted legislative committees were invariably unable to give proposed legislation the consideration it deserved. In my opinion, this was most unfortunate for Members of the House and for the people of the country as a whole.

Mr. Speaker, I believe the pending resolution will remedy this situation, and I feel that we may expect a much more efficient and economical consideration of legislation.

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. I would like to ask the gentleman a question. A little while ago we passed a resolution providing for the establishment of a committee of seven to be appointed by the Speaker. Why should we adopt another resolution providing for the same thing?

Mr. SABATH. The resolution to which the gentleman refers is one providing for a select committee of the House. This bill provides for a joint commission, composed of Members of both the House and the Senate. Therefore, Members of the House who are members of such commission, and also of the select committee of the House, having jurisdiction to report legislation and thoroughly investigate all matters, can bring about real action on the part of the House.

Mr. JENKINS of Ohio. If we adopted Resolution 81 it gives the commission enough power to encompass all the authority we have given the other committee.

Mr. SABATH. But this commission will not have legislative power. The committee which we created by the resolution just passed has such power, and the personnel of the joint commission and the select committee will be the same; consequently the matter will be simplified, and will bring about favorable results, in my opinion.

Mr. JENKINS of Ohio. If we adopt Resolution 81 I cannot see why we need what was passed awhile ago.

Mr. COX. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Georgia.

Mr. COX. Does not the virtue in the pending resolution lie in the fact that in the set-up of this joint committee we get simultaneous treatment of the problem on the part of both Houses? In other words, it facilitates action by the Congress.

Mr. SABATH. The gentleman from Georgia is correct.

[Here the gavel fell.]

Mr. SNELL. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, I do not know of anything that is more important at the present time than the simplification of the various departments of our Government. This matter has been talked of for a number of years, but very little has been accomplished. I hope this may be the beginning of action.

I may not be in sympathy with this resolution in its entirety, but so much criticism has been heaped on other committees for not getting action that I hope the chairman of the Rules Committee and the chairmen of the other committees of the House mean to do something at this time.

Last year the gentleman from Missouri [Mr. COCHRAN], chairman of the Committee on Expenditures in the Executive Departments, appointed a committee to make an investigation of overlapping in the various departments of our Government, but I do not believe they have made a report; at least, I have not seen it. The Senate appointed a committee for the same purpose and I believe have made a report. The President of the United States appointed a commission and that commission has made a report.

It seems to me the Speaker of the House of Representatives should try to get capable men on this committee and these Members ought to be able to submit a report in, we will say, 60 to 75 days. That would be by March 15.

If you will let this resolution go through without providing for a time within which to bring in a report or bill, the committee will not be worth any more than past committees.

I hope before we conclude the consideration of this joint resolution you will give consideration to the fact that we want to get action, and I would also ask the Members of the House to take into consideration some of the things that have been reported in a statement which may be found tabulated in the Appendix of the RECORD on pages 26 to 28. This comes from a committee report of the Senate. For me to read it now would be taking up your time unnecessarily, but before we adopt this resolution will not the chairman of the Rules Committee try to inculcate in this bill a definite time when this committee must report a bill. If you do this, I believe you will get action.

Mr. O'CONNOR of New York. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield.

Mr. O'CONNOR of New York. Of course, this joint committee does not report any bills whatever.

Mr. RICH. Are they not going to submit a bill to us for action?

Mr. O'CONNOR of New York. The committee appointed under the resolution just passed will report.

Mr. RICH. I wanted to put an amendment on that bill requiring them to report by March 15, but the Speaker ruled it out of order. You can find a way to do anything here if you will only do it and you ought to come in here and fix a definite time so that we may be sure of accomplishing something.

Mr. O'CONNOR of New York. How would April 1 suit the gentleman?

Mr. RICH. Mr. Speaker, I yield back the balance of my time.

Mr. SNELL. Mr. Speaker, my understanding is that the special or select committee of the House set up under Resolution 60 is the House part of the joint committee established under House Joint Resolution 81.

Mr. O'CONNOR of New York. It is expected the Speaker will appoint the same persons.

Mr. SNELL. That is what I understood.

The SPEAKER pro tempore (Mr. VINSON of Kentucky). The Clerk will read the bill for amendment.

The Clerk read as follows:

SEC. 2. It shall be the duty of the joint committee—

(a) To investigate the organization and activities of the departments, independent establishments, bureaus, boards, commissions, divisions, services, offices, and other agencies of the executive branch of the Government, with the view to determining whether, in the interest of simplification, efficiency, or economy, or in order to eliminate conflicting or overlapping activities, any of such organizations or units should be coordinated or consolidated with any other organization or unit, reorganized, or abolished, or the personnel thereof reduced; and

(b) To report, from time to time, to the Senate and the House of Representatives the results of its investigations, together with such recommendations as it deems advisable.

Mr. O'CONNOR of New York. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'CONNOR of New York: Page 2, line 5, strike out "the executive branch of."

The amendment was agreed to.

The Clerk read as follows:

SEC. 3. The joint committee, or any subcommittee thereof, shall have power to hold hearings and to sit and act at such places and times, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. Amounts appropriated for the expenses of the joint committee shall be disbursed one-half by the Secretary of the Senate and one-half by the Clerk of the House.

With the following committee amendment:

Page 2, line 21, after the word "advisable" and the period, insert "Subpenas shall be issued under the signature of the chairman of said joint committee, and shall be served by any person designated by him."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 4. The joint committee shall have power to employ and fix the compensation of such officers, experts, and employees as it

deems necessary for the performance of its duties, but the compensation so fixed shall not exceed the compensation fixed under the Classification Act of 1923, as amended, for comparable duties. Officers and employees in the executive branch of the Government shall be detailed to the service of the joint committee, on its request, without additional compensation, and such officers and employees shall be paid from the appropriations regularly available for their salaries.

Mr. O'CONNOR of New York. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'CONNOR of New York: Page 3, line 7, strike out "in the executive branch."

The amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—PUBLIC SERVICE COMMISSION OF PUERTO RICO

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Insular Affairs:

To the Congress of the United States:

As required by section 38 of the act of Congress approved March 2, 1917, entitled "An act to provide a civil government for Puerto Rico, and for other purposes", I transmit herewith certified copies of each of three ordinances adopted by the Public Service Commission of Puerto Rico. The ordinances are described in the accompanying letter from the Secretary of the Interior forwarding them to me.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 14, 1937.*

THE FIRST NATIONAL ASSEMBLY OF THE PHILIPPINES

The SPEAKER laid before the House the following further message from the President of the United States, which was read, and, with the accompanying statement, referred to the Committee on Insular Affairs:

To the Congress of the United States:

As required by section 2 (a) (11) of the Act of Congress approved March 24, 1934, entitled "An act to provide for the complete independence of the Philippine Islands, to provide for the adoption of a constitution and a form of government for the Philippine Islands, and for other purposes", I transmit herewith copies of laws enacted by the First National Assembly of the Philippines during its first session, from June 16, 1936, to October 10, 1936, and its special session, from October 19, 1936, to October 30, 1936.

The missing numbers will be sent you when copies are received from the Philippine Islands.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 14, 1937.*

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following communication:

WASHINGTON, D. C., *January 14, 1937.*

Hon. W. B. BANKHEAD,
Speaker, House of Representatives.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on Appropriations, effective immediately.

Sincerely yours,

LLOYD THURSTON.

The resignation was accepted.

The SPEAKER laid before the House the following communication:

January 14, 1937.

Hon. WILLIAM B. BANKHEAD,
Speaker, House of Representatives.

DEAR SIR: I hereby tender my resignation as a member of the Committee on Banking and Currency.

JOHN W. GWYNNE.

APPOINTMENT TO COMMITTEE

Mr. SNELL. Mr. Speaker, I offer the following resolution, and I ask for its immediate consideration.

The Clerk read as follows:

House Resolution 64

Resolved, That JOHN W. GWYNNE, of Iowa, be, and he is hereby, elected a member of the Committee on the Judiciary.

The resolution was agreed to.

LEAVE OF ABSENCE

By unanimous consent, the following leave of absence was granted as follows:

To Mr. MAPES, leave of absence for today, on account of illness.

To Mr. ELLENBOGEN, for an indefinite period, on account of illness.

To Mr. LANHAM (at the request of Mr. JOHNSON of Texas), indifinitely, on account of illness.

To Mr. BIERMANN, until January 20, on account of business in his district.

RESIGNATION FROM COMMITTEES

The SPEAKER laid before the House the following communication:

WASHINGTON, D. C.

MR. SPEAKER: The Republican minority having filed its resolution on committee appointments, and the same having been duly adopted by the House, I hereby tender my resignation from all committees to which I was named by the Republican minority for the following reasons, to wit——

Mr. SNELL. Mr. Speaker, reserving the right to object, is it proper to give the reasons for resigning from committees?

The SPEAKER. It has been done before. The Clerk will proceed.

The Clerk continued reading:

First. I received no committee assignments from the minority in the Seventy-fourth Congress, save three minor committees. I endeavored to serve on these to the best of my ability, believing that in the Seventy-fifth Congress I might be advanced.

Second. Instead of being advanced I was left on the same committees and actually demoted in rank to the tail-end kite of a discredited political party. I was fully advised of the punishment in store for me if I did not support Mr. SNELL for the speakership. I refused to support him for the good of the Republican Party, and this action has been the result.

Third. I am not in sympathy with the present leadership of the Republican Party in this House and will not accept this demonstration of party punishment.

USHER L. BURDICK.

The resignation was accepted.

EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

There was no objection.

HOUSE RESOLUTION 59

Mr. O'CONNOR of New York. Mr. Speaker, I ask unanimous consent to lay House Resolution 59 on the table.

The SPEAKER. Is there objection?

There was no objection.

AUTOMOBILE INDUSTRY STRIKE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I wish to call the attention of the House to the situation existing in Michigan, where an attempt is being made by John L. Lewis and the C. I. O. to wreck the American Federation of Labor, and to an article appearing in the Chicago Tribune under a headline which states that "Thousands of Ohio strikers rush to join Flint rioters", and to further statements in the Michigan papers that delegations from Toledo and other Ohio cities are marching into Michigan to assist the "downsitters" in holding possession of the plants at Flint and elsewhere.

THE RIGHT TO WORK—THE MANNER IN WHICH THE COOPERATION OF INDUSTRY IS RECEIVED

Throughout the country the press, shortly after the November election, carried the information that the President, during the new administration, would hold out the olive branch to industry and that he hoped for its cooperation in solving, among others, the questions of unemployment and the balancing of the Budget.

Referring in his message of January 8 to the question of the amount of funds which would be needed for relief during the year 1938, the President expressed a hope that it would not exceed the sum of $1,537,123,000, and then said:

This hope is based on the assumption that industry will cooperate in employing men and women from the relief rolls in larger numbers than during the past year.

He had previously, in his message of January 6, told us that the problems which confronted the Government in March of 1933 had by his administration been overcome, and that by the cooperation of Congress he had been able—

To solve difficulties of extraordinary magnitude and ramification with few important errors, and at a cost cheap when measured by the immediate necessities and the eventual results.

On the same day we were told by him that—

It is important, of course, that every man and woman in this country be able to find work, that every factory run, that business as a whole earn profits. But government in a democratic nation does not exist solely, or even primarily, for that purpose. * * *

The deeper purpose of democratic government is to assist as many of its citizens as possible—especially those who need it most—to improve their conditions of life, to retain all personal liberty which does not adversely affect their neighbors, and to pursue the happiness which comes with security and an opportunity for recreation and culture.

Not a person in this Congress but who realizes that our return to recovery was led by the motor industries of Michigan. All know, if they have seen fit to advise themselves, that it was through the industry, the ability, the management, and the possession of resources which had been accumulated by the motor industry in the State of Michigan during the preceding years that that industry was enabled to give employment throughout the depression to hundreds of thousands of workers who otherwise would have been without the means of livelihood.

All know that because of this great industry the burden of relief laid upon State and Nation was greatly lessened.

Notwithstanding statements to the contrary, it is true that in no other industry, in no other State, have the wage earners as a class received as high a rate of compensation—an average of 78 cents per hour—as steady employment, under as good working conditions as have the workers in the motor industry in Michigan, and the average weekly earnings of workers in that industry in November of 1936 were about 40 percent higher than the average of 25 other manufacturing industries.

That industry produced a product which was ever growing better at a lessening price, and, miracle of miracles, it did this at a time when it was earning a profit for its stockholders, putting into each finished unit a greater amount of labor at a higher wage rate than at any time in its previous history.

And at the same time that wage, notwithstanding the increase in the cost of farm products, in the cost of living as a whole, I repeat, that wage had a greater purchasing value than at any time in the previous history of the industry.

Travel back, if you will, a few short months or years in political history and you find that throughout the first campaign of the President and throughout his first administration and into the second there was carried the thought time and time again, bitterly expressed in no uncertain terms, that capital and industry and business were unfair to labor and that the day must come when there would be a reckoning.

Businessmen and manufacturers, as a class, were branded as economic royalists, as exploiters of child labor, as slave drivers. All know that there are some capitalists and some businessmen, as there are men in every walk of life, in every profession, who will take advantage unfairly of their fellow men. All know, too, that the charge so bitterly and repeatedly made would inevitably arouse class prejudice and class hatred, and all knew that the charge, when applied to all businessmen, to all industrialists, was absolutely false. Yet exceptions were not made.

By the making of this charge and the expenditure of untold amounts of the taxpayers' money in every conceivable way there was drawn to the banner of the Democratic candidate a vast army of voters. John L. Lewis and the C. I. O., William F. Green and the American Federation of Labor, hundreds of thousands of farmers, relief workers, and those holding Federal jobs—all yielded to the urge to vote for one who claimed so large a part in recovery—this in utter disregard of the fact that previous depressions had dissipated their force in far less time and with a greater degree of recovery than the present one. As Al Smith said, "No one wants to shoot Santa Claus."

It has been openly charged, whether truthfully or not I have no information, but at least with no widespread denial in the public press, that strikes were withheld until after election day in order that the election result might not be affected.

Almost immediately following the election, trouble began, and the new year saw a bitter fight in the ranks of organized labor itself. The new year witnessed the drive of the C. I. O., under the leadership of John L. Lewis, to force the closed shop upon American industry and to wreck the A. F. of L.

Although its membership was hopelessly in the minority, in the motor industries of Michigan and in many other places, that minority membership saw fit to engage in a so-called "sit down" strike. By this method this small minority has thrown out of employment, directly and indirectly, hundreds of thousands of workingmen who desire to continue in their jobs. It has thrown upon the relief rolls other hundreds of thousands, and, if permitted to continue in its attitude, the total cost cannot be estimated.

In Flint, Mich., we find a minority of the workers taking, and by force retaining, possession of the factories and equipment and forcing hundreds of thousands of men who desire to work and to support themselves to remain idle. Reliable press information is that in one group of 9,300, 9,000 desire to work, while 300 are holding possession of the factory.

And on what pretext do they do this? Their demand, and the demand of their leadership, is—and about this there is no doubt—that the owners of those plants must recognize their union and deal with, and only with, the heads of that organization on questions which affect the interests of the workers. No more unpatriotic, unlawful, or unfair proposition could be advanced.

Lewis would determine the hours of labor, the wage to be paid, the conditions surrounding the worker, and designate who should and who should not work; in short, he would take over the management of the motor industry except as to that part of it which would place upon his shoulders the responsibility of providing funds, materials, and the production of the finished product. Who condones and upholds this lawless conduct?

The morning papers quote the Governor of Michigan as saying that he will not aid the prosecutor of Genesee County, where Flint is located, to enforce warrants issued against those who are retaining possession of these factories, thus denying assistance to enforce the law of the land; further, that he will insist that the owners of the factories, the factory management, heat the buildings, so that the strikers may remain in comfort and that the relief authorities will see that they do not lack for food.

The Governor of the State of Michigan says that he will maintain law and order, that no force will be permitted to be used by either side, thus unquestionably denying to the owners of the Flint factories, to the men who desire to work therein, their rights guaranteed under the Constitution.

Mr. Lewis is quoted in this morning's New York papers as saying that he was entirely satisfied with the progress of the strike, the object of which, he said, was to stop production, and he made the further statement that "production is being stopped on a progressive basis."

He further said:

I have just been informed by representatives of Gov. Frank Murphy, of Michigan, that the forces of the State will not be used to evacuate the stay-in strikers at General Motors; that they will be protected from assault.

The press generally contains the statement that hundreds and even thousands of strike sympathizers are moving from Ohio up into the State of Michigan.

Apparently Governor Murphy intends to permit nonresidents to move into the State to assist the "sit-down" strikers in maintaining their illegal possession of the factories, which would otherwise give employment, aid in recovery, lessen the relief roll, but he will not aid Michigan's own citizens nor protect them in their constitutional rights.

There is no claim—there can be done—that these "sit down" strikers own the factories or have any legal right therein. Yet, in defiance of law, they have taken and are holding possession, and they are backed, if the newspaper reports be true, by the Governor of the State.

THE RIGHT TO A JOB

The administration rode into power on a plea for the "forgotten man"; a denunciation of the privileged few; a plea for the right to work at a living wage which would guarantee an American standard of living.

In this strike the "forgotten man" is the one who is deprived of his opportunity to work by the privileged few, headed by one of the President's chief supporters, John L. Lewis. State and Federal Government, by nonactivity, by failing to uphold the law, are giving assistance to those who have taken, and are unlawfully holding, possession of other people's property.

In his appeal for an investigation, following the President's lead, in an attempt to creat prejudice and class feeling, John L. Lewis makes the statement, if the press be correct, that General Motors tried for 6 months to drive the President out of the White House; "they are now turning around and trying to drive organized labor out of their plants." What he should have said was that they refused to permit him to act as a dictator for labor. He wishes to rule by force. He is by force retaining possession of these factories.

If they did the first, it was their right, under the Constitution, and certainly the President is not presumed to be a party to an illegal attack upon all who did not vote for him. Equally true is it that General Motors has the right to the possession of its plants.

Going back to the President's statement of January 6, repeating that statement:

> The deeper purpose of democratic government is to assist as many of its citizens as possible, especially those who need it most, to improve their conditions of life, to retain all personal liberty which does not adversely affect their neighbors.

If this be his purpose, then why does he permit a minority, or even if it be a majority, to deprive citizens of their property; to deprive hundreds of thousands of workingmen of their opportunity to work at wages under conditions which are satisfactory to them?

Why is it that his personal friend, the man who came from the Philippine Islands to aid him in his campaign in Michigan, who is now the chief executive officer of that State, permits men without authority of law to seize and hold possession of the property of others and, by their actions, to deprive honest, conscientious, thrifty American citizens of their opportunity to earn the funds, not only to support themselves and their families, but give them an opportunity for "recreation and culture", two of the objectives mentioned by the President?

Until this administration learns that it cannot sow the wind without reaping the whirlwind, until it learns that "As ye sow, so shall ye reap", until it learns that property rights, the right to work, as guaranteed under the Constitution of this country, cannot be violated or taken from the citizen without bringing disaster to the country as a whole, the trouble will continue.

A word from the President to the Governor of the State of Michigan, suggesting to him that he see that Federal and State constitutional rights are guaranteed to property owners and to workers will end this intolerable situation. A Cleveland or a Coolidge would not have hesitated for a moment, and the problem would have been solved.

The motor industry is not only willing but eager to keep people off the relief rolls. The workers in the motor industry are anxious to stay off of relief. But how can industry cooperate, how can it aid in balancing the Budget by giving work, giving jobs, when the executive authority of State and Nation permits the very factories which provide this employment to remain in the hands of those who say to the workers, "Thou shalt not work"?

A little cooperation from the Government would undoubtedly aid in solving the problem.

The facts demonstrate—

First. That this strike is an attempt to destroy the American Federation of Labor.

Second. That when businessmen do cooperate, as, for instance, in the motor industry, by the giving of employment, the Federal Government, instead of encouraging their efforts, gives at least tacit support to those who would close the factories.

Third. That these strikes are the direct outgrowth of the teachings and the encouragement given by the President to John L. Lewis and his followers and by his statements that economic royalists, entrenched greed, and international bankers were depriving them of a fair opportunity to share in profits.

Fourth. That by the failure of the Governor of Michigan and a like failure on the part of the President to protect the citizen—that is, the factory owner in his right to possession of his property, which in this case would insure the giving of employment to hundreds of thousands—the administration is actually retarding recovery, encouraging lawlessness, and assisting in the destruction of the American Federation of Labor.

Fifth. That by a failure to act, the Governor of Michigan and the President are permitting, if not sanctioning, mob rule.

EXTENSION OF REMARKS

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 50 minutes p. m.), pursuant to its order heretofore entered, the House adjourned until Monday, January 18, 1937, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

224. Under clause 2 of rule XXIV, a letter from the Chairman of the United States Tariff Commission, transmitting its report on an investigation with respect to subsidies, bounties, and other assistance given to fisheries enterprises by foreign governments, was taken from the Speaker's table and referred to the Committee on Ways and Means.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 2575) granting a pension to Charlie J. Dupree, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM: A bill (H. R. 3004) to amend the act entitled "An act to amend and consolidate the acts respecting copyright", approved March 4, 1909, as amended, and for other purposes; to the Committee on Patents.

By Mr. BULWINKLE: A bill (H. R. 3005) to provide for the conveyance of certain property to the city of Gastonia, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. CANNON of Wisconsin: A bill (H. R. 3006) pertaining to forfeiture of citizenship of American citizens; to the Committee on Immigration and Naturalization.

By Mr. DICKSTEIN: A bill (H. R. 3007) to repeal the act approved July 12, 1932 (47 Stat. 656); to the Committee on Public Buildings and Grounds.

By Mr. DISNEY: A bill (H. R. 3008) repealing section 2 of Public Law No. 716 of the Seventy-fourth Congress, being an act entitled "An act to relieve restricted Indians whose lands have been taxed or have been lost by failure to pay taxes, and for other purposes"; to the Committee on Indian Affairs.

By Mr. FULMER: A bill (H. R. 3009) to provide for cooperation with the several States in the care, treatment, education, vocational guidance and placement, and physical rehabilitation of crippled children, and for other purposes; to the Committee on Education.

By Mr. KLOEB: A bill (H. R. 3010) to amend existing law to provide increases of the pensions payable to the dependents of a World War veteran who dies from a service-connected disability; to the Committee on World War Veterans' Legislation.

By Mr. KENNEY: A bill (H. R. 3011) to authorize the purchase of the bust of Abraham Lincoln by Charles Henry Niehaus; to the Committee on the Library.

Also, a bill (H. R. 3012) to guarantee to persons of every race, color, and creed equal protection of the laws by punishing and deterring the crime of lynching; to the Committee on the Judiciary.

By Mr. LEA: A bill (H. R. 3013) to authorize the Secretary of War to donate two bronze cannon to Fort Humboldt Post, No. 212, American Legion, Eureka, Calif.; to the Committee on Military Affairs.

Also, a bill (H. R. 3014) to provide funds for cooperation with public-school districts of the Hoopa Valley Indian Reservation, Calif., for extension of school buildings and equipment to be available for Indian children; to the Committee on Indian Affairs.

By Mr. McCORMACK: A bill (H. R. 3015) to amend existing law to liberalize application of the statute of limitations as to filing of suits under Government insurance policies; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 3016) to liberalize existing law relative to application for United States Government life insurance by those in active military service; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 3017) to amend existing law to provide privilege of renewing expiring 5-year level premium term policies for another 5-year period; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 3018) to amend existing law to define total and permanent disability under United States Government insurance policies; to the Committee on World War Veterans' Legislation.

By Mr. MAY: A bill (H. R. 3019) to amend existing law to prevent denial of compensation for service-connected disability by reason of willful misconduct which did not interfere with full performance of duty during service; to the Committee on World War Veterans' Legislation.

By Mr. MOTT: A bill (H. R. 3020) authorizing the establishment of a Coast Guard station on the coast of Oregon, at or near Taft, Oreg.; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 3021) to authorize the acquisition of a certain building, furniture, and equipment in the Crater Lake National Park; to the Committee on the Public Lands.

By Mrs. NORTON: A bill (H. R. 3022) to establish a racing board in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. THOMPSON of Illinois: A bill (H. R. 3023) to fix the maximum rate of interest on loans secured by Government life-insurance policies; to the Committee on World War Veterans' Legislation.

By Mr. WIGGLESWORTH: A bill (H. R. 3024) to provide for a census of unemployed persons; to the Committee on the Census.

By Mr. DIES: A bill (H. R. 3025) to provide for the exclusion and expulsion of alien Fascists and Communists; to the Committee on Immigration and Naturalization.

By Mr. RIGNEY: A bill (H. R. 3026) for the equalization of letter carriers; to the Committee on the Post Office and Post Roads.

By Mr. RANDOLPH (by request): A bill (H. R. 3027) to authorize the rewriting of the Code of Laws for the District of Columbia; to the Committee on the District of Columbia.

By Mr. FULMER: A bill (H. R. 3028) to provide for the purchase of land, enlargement, extension, and remodeling of the post-office building in Columbia, S. C., and authorizing an appropriation therefor; to the Committee on Public Buildings and Grounds.

By Mr. ROBINSON of Utah: A bill (H. R. 3029) to provide for the construction and equipment of a building for the experiment station of the Bureau of Mines at Salt Lake City, Utah; to the Committee on Mines and Mining.

By Mr. BREWSTER: A bill (H. R. 3030) to provide for the construction of a Coast Guard cutter; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 3031) to provide for the establishment of a Coast Guard station on the coast of Maine on Schoodic Peninsula, Hancock County, Maine, at such point as the Commandant of the Coast Guard may recommend; to the Committee on Merchant Marine and Fisheries.

By Mr. MAY: A bill (H. R. 3032) to amend existing law to restore 100 percent of compensation previously payable to veterans under the World War Veterans' Act; to the Committee on World War Veterans' Legislation.

By Mr. SCOTT: A bill (H. R. 3033) to add section 315 (a) to the Communications Act of 1934; to the Committee on Interstate and Foreign Commerce.

By Mr. IGLESIAS: A bill (H. R. 3034) for a survey and examination of Fajardo Harbor, Fajardo, P. R.; to the Committee on Rivers and Harbors.

By Mr. SCRUGHAM: A bill (H. R. 3035) to amend the act entitled "An act for the relief of unemployment through the performance of useful public work, and for other purposes", approved March 31, 1933; to the Committee on Mines and Mining.

By Mr. SUTPHIN: A bill (H. R. 3036) to amend an act to maintain the credit of the United States Government; to the Committee on Expenditures in the Executive Departments.

By Mr. KRAMER: A bill (H. R. 3037) making it unlawful to pay, or agree to pay, any ransom or reward for the release of kidnaped persons; to the Committee on the Judiciary.

By Mr. SCOTT: A bill (H. R. 3038) to amend section 326 of the Communications Act of 1934; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 3039) to amend section 315 of the Communications Act of 1934; to the Committee on Interstate and Foreign Commerce.

By Mr. SIROVICH: Resolution (H. Res. 65) to authorize the Speaker of the House of Representatives to appoint a special committee of the House to investigate all appointments of personnel to positions with the Social Security Board; to the Committee on Rules.

Also, resolution (H. Res. 66) authorizing and directing the Civil Service Committee of the House of Representatives to investigate the appointment and engagement of all persons employed by the Social Security Board; to the Committee on Rules.

By Mr. TREADWAY: Resolution (H. Res. 67) directing the Secretary of State to furnish the House of Representatives with certain information relative to trade treaties; to the Committee on Ways and Means.

By Mr. RANKIN: Resolution (H. Res. 68) for the investigation of Judge John J. Gore; to the Committee on the Judiciary.

By Mr. BROOKS: Resolution (H. Res. 69) to redistribute the wealth of the Nation; to the Committee on Ways and Means.

By Mr. REED of New York: Joint resolution (H. J. Res. 120) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. SIROVICH: Joint resolution (H. J. Res. 121) to suspend from operation for a temporary period Public Law No. 808, Seventy-fourth Congress (H. R. 8597), entitled "An

act to amend section 13 of the act of March 4, 1915, entitled 'An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea'; to maintain discipline on shipboard; and for other purposes", which act was approved by Congress on June 25, 1936; to the Committee on Merchant Marine and Fisheries.

By Mr. DREW of Pennsylvania: Joint resolution (H. J. Res. 122) to direct the Interstate Commerce Commission to take action relative to adjustments in the rate structure of common carriers subject to the Interstate Commerce Act, and fixing of rates and charges; to the Committee on Interstate and Foreign Commerce.

By Mr. BIERMANN: Joint resolution (H. J. Res. 123) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. FULMER: Joint resolution (H. J. Res. 124) to refund taxes collected under the Bankhead Act and to redeem certain exemption certificates issued thereunder; to the Committee on Agriculture.

By Mr. BUCKLER of Minnesota: Joint resolution (H. J. Res. 125) authorizing and directing the Comptroller General of the United States to certify for payment certain claims of grain elevators and grain firms, to cover insurance and interest on wheat during the years 1919 and 1920 as per a certain contract authorized by the President; to the Committee on War Claims.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDRESEN of Minnesota: A bill (H. R. 3040) granting an increase of pension to Thomas G. Nesseth; to the Committee on Pensions.

Also, a bill (H. R. 3041) for the relief of the city of Red Wing, Minn.; to the Committee on Claims.

Also, a bill (H. R. 3042) for the relief of Rogowski Bros.; to the Committee on Claims.

Also, a bill (H. R. 3043) for the relief of Frank W. Farrington; to the Committee on Claims.

Also, a bill (H. R. 3044) for the relief of Malachy Ryan; to the Committee on Claims.

By Mr. BELL: A bill (H. R. 3045) for the relief of Margaret Redmond; to the Committee on Pensions.

Also, a bill (H. R. 3046) for the relief of Fred W. Ross; to the Committee on Claims.

By Mr. BIERMANN: A bill (H. R. 3047), for the relief of Florence Byvank; to the Committee on War Claims.

Also, a bill (H. R. 3048) granting a pension to Carrie M. Schriver; to the Committee on Invalid Pensions.

By Mr. BOYER: A bill (H. R. 3049) granting a pension to Anna Eichholtz; to the Committee on Invalid Pensions.

By Mr. BOYLAN of New York: A bill (H. R. 3050) for the relief of the estate of John Gellatly, deceased, and/or Charlyne Gellatly, individually; to the Committee on the Judiciary.

By Mr. BULWINKLE: A bill (H. R. 3051) for the relief of Taylor Marlor; to the Committee on Military Affairs.

Also, a bill (H. R. 3052) for the relief of Joe McIntosh; to the Committee on Military Affairs.

Also, a bill (H. R. 3053) for the relief of Maggie Day Reece; to the Committee on Claims.

Also, a bill (H. R. 3054) for the relief of Marie Caldwell; to the Committee on Claims.

By Mr. CARLSON: A bill (H. R. 3055) for the relief of the estate of John E. Callaway; to the Committee on Claims.

By Mr. CARTWRIGHT: A bill (H. R. 3056) for the relief of Samuel C. Sparks; to the Committee on Naval Affairs.

By Mr. COFFEE of Washington: A bill (H. R. 3057) for the relief of August Svelund and St. Paul & Tacoma Lumber Co., a corporation, or either or both of them; to the Committee on Claims.

By Mr. COLMER: A bill (H. R. 3058) for the relief of former employees of the Federal Subsistence Homesteads Corporation; to the Committee on Claims.

By Mr. CRAWFORD: A bill (H. R. 3059) granting a pension to Ellsworth Hendricks; to the Committee on Invalid Pensions.

By Mr. DEMUTH: A bill (H. R. 3060) granting an increase of pension to Leah Jones; to the Committee on Invalid Pensions.

By Mr. DIES: A bill (H. R. 3061) granting an increase of pension to John H. Hardy; to the Committee on Pensions.

Also, a bill (H. R. 3062) granting a pension to James P. Stone; to the Committee on Pensions.

By Mr. EICHER: A bill (H. R. 3063) granting a pension to Mary H. Perkins; to the Committee on Invalid Pensions.

By Mr. FITZPATRICK: A bill (H. R. 3064) for the relief of Ludwig Benstem; to the Committee on Military Affairs.

By Mr. FORD of California: A bill (H. R. 3065) for the relief of John J. Gorman; to the Committee on World War Veterans' Legislation.

By Mr. GAMBRILL: A bill (H. R. 3066) for the relief of Roger Donaldson; to the Committee on Claims.

Also, a bill (H. R. 3067) for the relief of John Edgar White, a minor; to the Committee on Claims.

By Mr. GIFFORD: A bill (H. R. 3068) for the relief of Stephen B. McCann; to the Committee on Military Affairs.

By Mr. GINGERY: A bill (H. R. 3069) granting a pension to Lana Miller; to the Committee on Invalid Pensions.

Also a bill (H. R. 3070) granting a pension to Arthur C. Isenberg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3071) for the relief of Arthur John Box; to the Committee on Military Affairs.

By Mr. GRAY of Pennsylvania: A bill (H. R. 3072) granting a pension to Bertha Calhoun; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3073) granting an increase of pension to Susanna Calhoun; to the Committee on Invalid Pensions.

By Mr. HALLECK: A bill (H. R. 3074) for the relief of Allen A. North; to the Committee on Military Affairs.

By Mr. HOBBS: A bill (H. R. 3075) for the relief of E. P. Lewis; to the Committee on Claims.

By Mr. JOHNSON of West Virginia: A bill (H. R. 3076) granting a pension to Maria J. Way; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3077) for the relief of William Lester Taylor; to the Committee on Naval Affairs.

Also, a bill (H. R. 3078) granting an increase of pension to Mack C. Ratcliff; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 3079) for the relief of Robert R. Trosper; to the Committee on Naval Affairs.

By Mr. KENNEY: A bill (H. R. 3080) for the relief of Wenzel A. Klinger; to the Committee on Claims.

Also, a bill (H. R. 3081) granting compensation to Mae Schichtel; to the Committee on Claims.

Also, a bill (H. R. 3082) for the relief of Christopher D. Eger; to the Committee on Military Affairs.

Also, a bill (H. R. 3083) granting compensation to Raymond F. Smith; to the Committee on Claims.

Also, a bill (H. R. 3084) for the relief of Patrick Henry Walsh; to the Committee on Claims.

Also, a bill (H. R. 3085) for the relief of the estate of Peter Duffy; to the Committee on War Claims.

Also, a bill (H. R. 3086) for the relief of Leonard Delillo; to the Committee on Naval Affairs.

By Mr. LAMNECK: A bill (H. R. 3087) granting an increase of pension to Drusilla Sherlock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3088) granting an increase of pension to George E. Partee; to the Committee on Pensions.

By Mr. LEA: A bill (H. R. 3089) granting an increase of pension to Deborah Hunter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3090) for the relief of Peter Haan; to the Committee on Military Affairs.

Also, a bill (H. R. 3091) granting a pension to Fordyce Tucker; to the Committee on Pensions.

Also, a bill (H. R. 3092) granting a pension to Thomas J. Davis; to the Committee on Pensions.

Also, a bill (H. R. 3093) for the relief of Blanche N. Puter; to the Committee on Claims.

By Mr. McCORMACK: A bill (H. R. 3094) for the relief of David Limonsky, alias David Binder; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 3095) for the relief of Isaac Limonsky; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 3096) for the relief of Lazer Limonsky, alias Louis Meerowitz; to the Committee on Immigration and Naturalization.

By Mr. McGRANERY: A bill (H. R. 3097) granting a pension to Jeannette C. Rutherford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3098) granting a pension to Timothy A. Linehan; to the Committee on Pensions.

By Mr. McFARLANE: A bill (H. R. 3099) for the relief of R. F. Lane; to the Committee on Claims.

By Mr. McREYNOLDS: A bill (H. R. 3100) for the relief of John A. Williams; to the Committee on Military Affairs.

Also, a bill (H. R. 3101) granting a pension to Editha Smith; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 3102) for the relief of James J. McBarnes; to the Committee on Military Affairs.

By Mr. MERRITT: A bill (H. R. 3103) authorizing the Secretary of War to bestow the award of the Purple Heart upon Edward H. McCrahan; to the Committee on Military Affairs.

By Mr. O'BRIEN of Michigan: A bill (H. R. 3104) for the relief of Mrs. Zeba Shargabian; to the Committee on Immigration and Naturalization.

By Mr. PETERSON of Florida: A bill (H. R. 3105) for the relief of Jennie De Mata; to the Committee on Claims.

By Mr. RANDOLPH: A bill (H. R. 3106) for the relief of Lily Singleton Osburn; to the Committee on Claims.

By Mr. RUTHERFORD: A bill (H. R. 3107) granting a pension to Fred C. Vanderpool; to the Committee on Pensions.

Also, a bill (H. R. 3108) for the relief of Wilfred J. Drey; to the Committee on Claims.

By Mr. SCOTT: A bill (H. R. 3109) for the relief of DeForest Loys Trautman; to the Committee on Naval Affairs.

By Mr. SCHNEIDER of Wisconsin: A bill (H. R. 3110) granting an increase of pension to Lena Campbell; to the Committee on Invalid Pensions.

By Mr. SCRUGHAM: A bill (H. R. 3111) for the relief of Fred M. Munn; to the Committee on Military Affairs.

By Mr. SHEPPARD: A bill (H. R. 3112) for the relief of Ralph C. Irwin; to the Committee on the Post Office and Post Roads.

By Mr. SNYDER of Pennsylvania: A bill (H. R. 3113) granting an increase of pension to Ellen Cora Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3114) for the relief of the L. J. Houze Convex Glass Co.; to the Committee on Claims.

By Mr. SOMERS of New York: A bill (H. R. 3115) for the relief of the Sacs Mercantile Co., Inc., to the Committee on Claims.

Also, a bill (H. R. 3116) to correct the military record of Arthur R. Adair; to the Committee on Military Affairs.

Also, a bill (H. R. 3117) granting a pension to Henrietta Zeno; to the Committee on Invalid Pensions.

By Mr. THOMAS of New Jersey: A bill (H. R. 3118) for the relief of Amelia Corr; to the Committee on Claims.

By Mr. TOBEY: A bill (H. R. 3119) authorizing the President to order Louis U. La Bine before a retiring board for a hearing of his case and upon the findings of such board to determine whether or not he be placed on the retired list, with rank and pay held by him at the time of his discharge; to the Committee on Military Affairs.

Also, a bill (H. R. 3120) granting a pension to Charles H. Putman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3121) for the relief of John H. Reardon, alias John Wilson; to the Committee on Military Affairs.

By Mr. WILCOX: A bill (H. R. 3122) for the relief of Harry Kukofsky; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

37. By Mr. CRAWFORD: Petition of Henry Cowell and over 200 residents of Owosso, Mich., and nearby cities, relating to issuance of currency; to the Committee on Banking and Currency.

38. By Mr. BLAND: Resolution of the Northumberland County Petroleum Industries Committee, Reedville, Va., urging immediate repeal of the Federal gasoline tax; to the Committee on Ways and Means.

39. Also, resolution of the Northumberland County Petroleum Industries Committee, Reedville, Va., urging immediate repeal of the Federal lubricating-oil tax; to the Committee on Ways and Means.

40. By Mr. CARTER: Resolution of the Council of the City of Oakland, Calif., urging an immediate appropriation to the Works Progress Administration in an amount sufficient to permit completion of projects begun but not yet completed on the basis of original agreements for allocating costs of materials; to the Committee on Appropriations.

41. Also, resolution of the Council of the City of Richmond, Calif., urging Federal appropriation to Works Progress Administration in an amount sufficient to permit completion of projects begun but not yet completed on the basis of original agreements for allocating cost of materials; to the Committee on Appropriations.

42. Also, resolution of the City Council of Oakland, Calif., urging that the Federal Government recognize its continuing responsibility for the relief of the employable unemployed and adopt a policy generally to be followed over a period of years; to the Committee on Ways and Means.

43. By Mr. COLDEN: Letter from the Red River Lumber Co., Westwood, Calif., regarding depredations of the pine-bark beetle, together with two photographs illustrating the damage done to pine forests; to the Committee on Agriculture.

44. Also, resolution passed by the Aviators' Post, No. 350, American Legion, Los Angeles, Calif., suggesting the establishment of standing committees on aviation in Congress; to the Committee on World War Veterans' Legislation.

45. Also, resolution of Riverside County Chamber of Commerce, Riverside, Calif., asking that measures be adopted to control the pine-bark beetle, which has infested pine timber in the national parks and forests of Riverside County and other areas of California; to the Committee on Agriculture.

46. Also, resolution adopted by the League of California Municipalities at a meeting in San Francisco on December 30, 1936, making recommendations for legislation providing for Federal relief of unemployable unemployed; to the Committee on Ways and Means.

47. By Mr. GOODWIN: Petition of the National Paint, Varnish, and Lacquer Association, urging the extension of titles I and II of the National Housing Act; to the Committee on Appropriations.

48. By Mr. MERRITT: Resolution of the International Association of Mechanic Welders, urging that congressional action be taken, requesting that the practice of the daily work report filled out by the welders themselves and the counting of welders' production will be henceforth abolished, that the Navy Department will rely upon the appointment of competent and qualified supervisors, to gain a fair day's work from the welders; to the Committee on Naval Affairs.

49. Also, resolution by the Queens County Chapter, No. 25, Military Order of the Purple Heart, in regular meeting assembled the 14th day of October 1936, that the Brooklyn Naval Hospital, Brooklyn, N. Y., be made available for veterans in need of hospitalization in the counties of Kings and Queens in all respects, and that a veterans' hospital be erected by the United States Government in the county of

Queens, State of New York, for the use of veterans resident in that county, and others; to the Committee on Military Affairs.

50. Also, resolution by the student council of the Adult Education League, that the undersigned students, citizens, and taxpayers, of the city of New York, do hereby go on record for the establishment of adult education on a permanent basis; and that we desire to maintain the present teaching staff, who have proven capable and understanding in the teaching of adult students; to the Committee on Education.

51. Also, resolution unanimously adopted by the Powhatan Democratic Club, of the Borough of Queens, N. Y., supporting the project for the building of a new cruiser in the Brooklyn Navy Yard, thereby keeping thousands of employees on the pay rolls; to the Committee on Naval Affairs.

52. By Mrs. ROGERS of Massachusetts: Petition of Local No. 348, National Federation of Federal Employees, urging the continuance of War Department supervision over Civilian Conservation Corps activities; to the Committee on Military Affairs.

SENATE

FRIDAY, JANUARY 15, 1937

The Senate met at 12 o'clock meridian.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Our Father who art in heaven, giver of every good and perfect gift, who hast revealed Thyself to us in the person of Thy dear Son; bless, we pray Thee, our land with increase, and satisfy her poor with bread.

Grant sight to all who are blinded by luxury, and deliverance to those who are bound by want, that the rich may follow the holy simplicity of Christ, and the poor be made partakers of the inheritance of the meek. Draw us close to Thee and to each other with the cords of love, so that all men may discover the way that leadeth to salvation, both in the life that now is and in the life that is to come. We ask it through the mercy of Him who, for our sakes, became poor, that we through His poverty might be made rich, Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 14, 1937, was dispensed with, and the Journal was approved.

ENROLLED BILL AND JOINT RESOLUTIONS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that that committee had presented to the President of the United States the following enrolled bill and joint resolutions:

On January 8, 1937:

S. J. Res. 3. Joint resolution to prohibit the exportation of arms, ammunition, and implements of war from the United States to Spain.

On January 14, 1937:

S. 591. An act granting a pension to Grace G. Coolidge; and

S. J. Res. 17. Joint resolution to provide for the quartering, in certain public buildings in the District of Columbia, of troops participating in the inaugural ceremonies.

MESSAGES FROM THE PRESIDENT—APPROVAL OF A BILL AND JOINT RESOLUTIONS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that the President had approved and signed the following joint resolutions and act:

On January 8, 1937:

S. J. Res. 3. Joint resolution to prohibit the exportation of arms, ammunition, and implements of war from the United States to Spain.

On January 14, 1937:

S. J. Res. 17. Joint resolution to provide for the quartering, in certain public buildings in the District of Columbia, of troops participating in the inaugural ceremonies; and

S. 591. An act granting a pension to Grace G. Coolidge.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the House had passed a joint resolution (H. J. Res. 81) to create a joint congressional committee on Government organization, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

The VICE PRESIDENT. The calendar under rule VIII is in order.

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Caraway	King	Pepper
Andrews	Chavez	La Follette	Pittman
Ashurst	Clark	Lee	Radcliffe
Austin	Connally	Lodge	Reynolds
Bachman	Copeland	Logan	Robinson
Bailey	Davis	Lonergan	Russell
Bankhead	Dieterich	Lundeen	Schwartz
Barkley	Duffy	McCarran	Schwellenbach
Bilbo	Ellender	McGill	Sheppard
Black	Frazier	McKellar	Stelwer
Bone	George	McNary	Thomas, Okla.
Borah	Gerry	Maloney	Thomas, Utah
Brown, Mich.	Glass	Minton	Townsend
Brown, N. H.	Green	Murray	Truman
Bulow	Hale	Neely	Tydings
Burke	Harrison	Norris	Vandenberg
Byrd	Hatch	Nye	Van Nuys
Byrnes	Hitchcock	O'Mahoney	Walsh
Capper	Johnson, Colo.	Overton	White

Mr. COPELAND. I announce that my colleague [Mr. WAGNER] is detained from the Senate because of illness. I ask that this announcement stand for the day.

Mr. MINTON. I announce the absence of the Senator from South Carolina [Mr. SMITH], due to a serious injury to a member of his family.

I further announce that the junior Senator from Ohio [Mr. DONAHEY] and the Senator from West Virginia [Mr. HOLT] are detained by illness; and that the senior Senator from Ohio [Mr. BULKLEY], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Delaware [Mr. HUGHES], the Senator from Illinois [Mr. LEWIS], the Senator from California [Mr. MCADOO], the Senator from New Jersey [Mr. MOORE], and the Senator from Iowa [Mr. GILLETTE] are unavoidably detained from the Senate. I ask that this announcement stand for the day.

I also announce that the Senator from Idaho [Mr. POPE] and the Senator from Montana [Mr. WHEELER] are detained by important committee meetings.

Mr. MCNARY. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent because of illness in his family, and that the Senator from Minnesota [Mr. SHIPSTEAD] is absent because of illness.

The VICE PRESIDENT. Seventy-six Senators have answered to their names. A quorum is present.

PETITIONS

Mr. LODGE presented a resolution adopted by Local No. 348, National Federation of Federal Employees, favoring continuance of supervision of the Civilian Conservation Corps by the War Department, which was referred to the Committee on Military Affairs.

Mr. WALSH presented a resolution adopted by the Bridgewater (Mass.) Council for Peace Action, favoring the enactment of legislation placing mandatory embargoes on arms, munitions, and war materials; the restriction of the activities of the War and Navy Departments to the protection of continental United States; the taxing of profits out of war and nationalization of the munitions industry; and opposing the enactment of universal draft laws, which was referred to the Committee on Foreign Relations.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHEPPARD:

A bill (S. 833) for the relief of E. E. Bartlett; and

A bill (S. 834) for the relief of J. H. Bowling; to the Committee on Claims.

A bill (S. 835) granting a pension to Ruby M. Aubert; to the Committee on Pensions.

By Mr. McGILL:

A bill (S. 836) for the relief of Allie Fisher; to the Committee on Military Affairs.

A bill (S. 837) granting a pension to Mahala S. Harr; to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 838) to amend section 107 of the Judicial Code to create a mountain district in the State of Tennessee, and for other purposes; to the Committee on the Judiciary.

By Mr. NYE:

A bill (S. 839) to authorize the coinage of 50-cent pieces in commemoration of the peaceful and friendly relations which have existed between the United States and Canada and in commemoration of the founding of the International Peace Garden at the international boundary line between the United States and Canada in the Turtle Mountains of North Dakota and Manitoba; to the Committee on Banking and Currency.

By Mr. McCARRAN:

A bill (S. 840) to authorize the Secretary of the Interior to issue patents for certain lands to certain settlers in the Pyramid Lake Indian Reservation, Nev.; to the Committee on Indian Affairs.

By Mr. ANDREWS:

A bill (S. 841) to amend an act entitled "An act providing for the establishment of a term of the District Court of the United States for the Southern District of Florida, at Orlando, Fla.", approved June 15, 1933; to the Committee on the Judiciary.

By Mr. ANDREWS and Mr. PEPPER:

A bill (S. 842) to provide for an investigation and report of losses resulting from the campaign for the eradication of the Mediterranean fruit fly by the Department of Agriculture; to the Committee on Agriculture and Forestry.

By Mr. BAILEY:

A bill (S. 843) for the relief of Guy F. Allen, chief disbursing officer, Division of Disbursement, Treasury Department; and

A bill (S. 844) for the relief of Grier-Lowrance Construction Co., Inc.; to the Committee on Claims.

By Mr. BORAH:

A bill (S. 845) granting an increase of pension to Ella Harris; to the Committee on Pensions.

By Mr. TRUMAN:

A bill (S. 846) granting a pension to Augusta Coontz; to the Committee on Pensions.

By Mr. STEIWER and Mr. HATCH:

A bill (S. 847) to prevent the use of Federal official patronage in elections and to prohibit Federal officeholders from misuse of positions of public trust for private and partisan ends; to the Committee on the Judiciary.

By Mr. FRAZIER:

A bill (S. 848) to provide for the purchase and sale of farm products; to the Committee on Agriculture and Forestry.

By Mr. LOGAN:

A bill (S. 849) for the relief of Henry Cowgill, Jr.; to the Committee on Claims.

A bill (S. 850) granting a pension to Effie L. Addis; to the Committee on Pensions.

By Mr. BROWN of Michigan:

A bill (S. 851) granting a pension to Ruth Iola Goulette Pridham; to the Committee on Pensions.

By Mr. REYNOLDS:

A bill (S. 852) for the relief of James W. Harper; to the Committee on Military Affairs.

By Mr. WHEELER:

A bill (S. 853) to authorize the coinage of 50-cent pieces in commemoration of the construction of the Fort Peck Dam; to the Committee on Banking and Currency.

A bill (S. 854) for the relief of James O. Cook; to the Committee on Claims.

By Mr. CAPPER:

A bill (S. 855) to aid in alleviating the loss caused by sickness; to the Committee on Finance.

A bill (S. 856) to protect producers, manufacturers, and consumers from the unrevealed presence of substitutes and mixtures in woven or knitted fabrics and in garments or articles of apparel made therefrom, manufactured in any Territory of the United States or the District of Columbia, or transported or intended to be transported in interstate or foreign commerce, and providing penalties for the violation of the provisions of this act, and for other purposes; to the Committee on Interstate Commerce.

By Mr. CHAVEZ:

A bill (S. 857) for the relief of Blaz S. Chavez, Frank Chavez, Juan Sanchez, and Ramon Ortego; to the Committee on Claims.

A bill (S. 858) to amend Public Law No. 383, Seventy-third Congress (48 Stat. L. 984), relating to Indians, by exempting from the provisions of such act Navajo Indians located in the State of New Mexico; to the Committee on Indian Affairs.

A bill (S. 859) for the relief of Emmett Murphy; to the Committee on Military Affairs.

A bill (S. 860) to correct the naval record of Alfred F. Wagoner; to the Committee on Naval Affairs.

A bill (S. 861) to provide for the issuance to Perfecto Gallegos, of Las Vegas, N. Mex., of a patent to certain public lands; to the Committee on Public Lands and Surveys.

A bill (S. 862) to amend the postal laws so as to provide for a minimum salary of $5,000 a year for postmasters at central-accounting offices; to the Committee on Post Offices and Post Roads.

By Mr. WALSH:

A bill (S. 863) for the relief of Veracunda O'Brien Allen;

A bill (S. 864) for the relief of the estate of George W. Eldridge;

A bill (S. 865) for the relief of Alceo Govoni; and

A bill (S. 866) for the relief of the estate of James D. McEachern; to the Committee on Claims.

A bill (S. 867) granting compensation to Philip R. Roby; to the Committee on Finance.

A bill (S. 868) for the relief of Marino Ambrogi;

A bill (S. 869) for the relief of John A. Flagg; and

A bill (S. 870) for the relief of Hector H. Perry; to the Committee on Military Affairs.

By Mr. GIBSON:

A bill (S. 871) for the retirement of employees in the classified civil service to include employees in the legislative branch; to the Committee on Civil Service.

By Mr. BURKE:

A bill (S. 872) for the relief of Oscar R. Wolf; and

A bill (S. 873) for the relief of Thony Zarbano; to the Committee on Military Affairs.

By Mr. LUNDEEN:

A bill (S. 874) to establish a Government monopoly of the armaments and munitions industry and to provide for the exclusive manufacture by the Government of all war supplies for the Army, Navy, and air forces of the United States; providing for the acquisition of such means of production as will carry out the scope, intent, and purposes of this act; providing for the issuance of licenses to dealers in firearms and ammunition; prohibiting the importation or exportation, sale, and manufacture of any munitions described in this act except as provided in this act; and for other purposes; to the Committee on Military Affairs.

By Mr. PEPPER and Mr. ANDREWS:

A bill (S. 875) authorizing the construction of improvements at St. Josephs Harbor, Fla.; to the Committee on Commerce.

By Mr. THOMAS of Utah:

A bill (S. 876) for the relief of Michael Ilitz; to the Committee on Military Affairs.

(Mr. BLACK introduced Senate bill 877, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

By Mr. HARRISON:

A bill (S. 878) for the relief of Margaret Scott Bayley; to the Committee on Claims.

By Mr. COPELAND:

A joint resolution (S. J. Res. 44) conferring jurisdiction upon the Court of Claims to hear and determine the claim of the estate of John F. Hackfeld, deceased; to the Committee on the Judiciary.

By Mr. FRAZIER:

A joint resolution (S. J. Res. 45) relating to ownership of stocks and bonds of industrial, railroad, mining, banking, shipping, oil, and other corporations, firms, and partnerships by Members of the Senate and House of Representatives of the United States of America and by employees of the Federal Government and their relation to such corporations and firms; to the Committee on Finance.

(Mr. VANDENBERG introduced S. J. Res. 46, which was referred to the Committee on Printing, and appears under a separate heading.)

CHANGE OF REFERENCE

On motion by Mr. SHEPPARD, the Committee on Military Affairs was discharged from the further consideration of the bill (S. 128) to provide for the commemoration of the Battle of Helena, in the State of Arkansas, and it was referred to the Committee on Public Lands and Surveys.

NEUTRALITY POLICIES—ADDRESS BY SENATOR CLARK

[Mr. BONE asked and obtained leave to have printed in the RECORD a radio address on the subject of Neutrality, delivered by Senator CLARK on Jan. 12, 1937, which appears in the Appendix.]

NATIONAL SYSTEM OF CHARTERS AND LICENSES FOR CORPORATIONS

[Mr. O'MAHONEY asked and obtained leave to have printed in the Appendix a radio address delivered by him on Wednesday, January 13, 1937, on the subject National Charters the Basis of Recovery, with a statement of the Twentieth Century Fund, Inc., on Concentration of Employment, which appear in the Appendix.

CONTINUATION OF RECONSTRUCTION FINANCE CORPORATION

The VICE PRESIDENT. Morning business is closed. The calendar under rule VIII is in order.

Mr. GLASS. I move that the Senate proceed to the consideration of Senate bill 415, providing for a continuation of the functions of the Reconstruction Finance Corporation.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 415) to continue the functions of the Reconstruction Finance Corporation, and for other purposes, which was read, as follows:

Be it enacted, etc., That notwithstanding any other provision of law, until the close of business on June 30, 1939, the Reconstruction Finance Corporation is hereby authorized to continue to perform all functions which it is authorized to perform under law, and the liquidation and winding up of the Corporation's affairs as provided for by section 13 of the Reconstruction Finance Corporation Act, as amended, are hereby postponed during the period that functions of the Corporation are continued pursuant to this act: *Provided*, That in order to facilitate the withdrawal of the credit activities of the Corporation when from time to time during such period the President finds, upon a report of the Board of Directors of the Corporation or otherwise, that credit for any class of borrowers to which the Corporation is authorized to lend is sufficiently available from private sources to meet legitimate demands upon fair terms and rates, the President may authorize the directors to suspend the exercise by the Corporation of any such lending authority for such time or times as he may deem advisable.

SEC. 2. (a) Section 7 of the act approved January 31, 1935 (Public, No. 1, 74th Cong.), is hereby amended by striking from the first sentence thereof "April 1, 1937" and inserting in lieu thereof "the close of business on June 30, 1939"; section 1 of the act approved March 31, 1936 (Public, No. 484, 74th Cong.), is hereby amended by striking from the first sentence thereof "February 1, 1937" and inserting in lieu thereof "the close of business on June 30, 1939"; section 9 of the act approved January 31, 1935 (Public, No. 1, 74th Cong.), is hereby amended by striking from the first sentence thereof "June 16, 1937" and inserting in lieu thereof "the close of business on June 30, 1939."

(b) The agencies referred to in the acts referred to in subdivision (a) of this section, and the RFC Mortgage Co., shall be deemed to be established by or pursuant to law within the meaning of section 7 (a) of the First Deficiency Appropriation Act, fiscal year 1936.

The VICE PRESIDENT. The bill is before the Senate and open to amendment.

Mr. BYRD. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. In section 1, page 1, line 4, it is proposed to strike out "June 30, 1939" and in lieu thereof to insert "June 30, 1938", so as to read:

That notwithstanding any other provision of law, until the close of business on June 30, 1938, the Reconstruction Finance Corporation is hereby authorized to continue to perform all functions which it is authorized to perform under law, and the liquidation and winding up of the Corporation's affairs as provided for by section 13 of the Reconstruction Finance Corporation Act, as amended, are hereby postponed during the period that functions of the Corporation are continued pursuant to this act.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Virginia [Mr. BYRD].

Mr. BYRD. Mr. President, it was with much reluctance that yesterday I objected to the immediate consideration of Senate bill 415, offered by my colleague the senior Senator from Virginia [Mr. GLASS]. I was impelled to do this because an extension for 2½ years longer of emergency agencies created by Congress only for the period of the emergency would, in my judgment, seriously interfere with an effective reorganization of the machinery of government. I thought it a reasonable request that these emergency agencies be continued only to July 1, 1938. Then Congress could extend them further if the necessity arose.

The Brookings Institution, employed jointly by the President's committee and the Senate and House committees, has made certain recommendations affecting these emergency agencies, and certainly these recommendations should at least receive consideration from Congress before July 1, 1939.

Senate bill 415 not only extends the loaning authority of the Reconstruction Finance Corporation, but likewise extends the life of the following emergency agencies of Government: The Commodity Credit Corporation, which does not expire until April 1; the Export-Import Bank, which does not expire until June 16; the RFC Mortgage Corporation, which does not expire until June 30; and the Electric Home and Farm Authority, which expires on February 1.

It is true that these agencies are financed through the Reconstruction Finance Corporation, but no haste for immediate action exists with respect to either the Commodity Credit Corporation, the Export-Import Bank, or the RFC Mortgage Corporation. In fact, there is time for full consideration and discussion of the extension of the loaning powers of the Reconstruction Finance Corporation and of the Electric Home and Farm Authority, both of which expire February 1. We were informed at the beginning of this session that ample opportunity would be given for debate on all measures.

No Member of the Senate has a higher personal respect than have I for Mr. Jesse Jones, the Chairman of the Reconstruction Finance Corporation, and his colleagues. With a business efficiency and a scrupulous regard for the saving of the taxpayers' money, Mr. Jones has won the confidence and respect of all American citizens. What I say today I do not want in any way to be construed as any reflection upon him, but as a discussion of the question of the extension of emergency agencies of government in relation to an effective reorganization.

The pending bill would extend all five of the above-named agencies for a period of 2½ years, or until July 1, 1939. It

is true that authority would be given to the President to withdraw the loaning facilities of the Reconstruction Finance Corporation to the Export-Import Bank, to the Commodity Credit Corporation, to the Electric Home and Farm Authority, and to the RFC Mortgage Corporation; but why extend them for 2 years and 6 months if the reorganization is to be made effective sooner?

We have 19 emergency agencies of the Government created in the stress and trial of the crisis. Congress recognized them as such and provided for their termination on definite dates.

One of the most difficult problems in the reorganization of the Federal Government is to determine definitely whether or not emergency functions should be made permanent. This decision should be made by Congress, as Congress created these agencies. It is for Congress to say whether or not functions of government regarded as proper during the emergency should be frozen into the general structure of the Government.

Reorganization, whether accomplished by the President or by Congress, cannot be effective until July 1, 1938. The Budget now before Congress provides for no economies for the year beginning July 1, 1937, and ending July 1, 1938. The most to be hoped for by those of us who believe that the time has come for a substantial reduction in public spending, the elimination of waste, extravagance, and duplicated effort is retrenchment and reform beginning July 1, 1938.

I am opposing the pending bill in its present form because, first, it extends these emergency activities for 2 years and 6 months, or until July 1, 1939, and this applies not only to the Reconstruction Finance Corporation but to the other five emergency agencies. If the bill is passed, it will mean that the other 14 emergency agencies will without doubt be given the same status, and it is likely that reorganization will be deferred until the expiration date of the emergency agencies on July 1, 1939.

I, for one, cannot agree that the crisis which made necessary, and in the opinion of many very desirable, the creation of these emergency agencies will continue to exist for the next two and a half years. In fact, we have been told the emergency is largely over.

The best time to abolish a bureau or agency is on the date of its termination. If continued, such agencies will remain indefinitely among the functions of our Government.

I am further opposed to the bill because there is no haste necessary in enacting legislation for the extension of three of the agencies involved, namely, the Commodity Credit Corporation, the Export-Import Bank, and the RFC Mortgage Corporation. I think that each of these emergency agencies should stand on merit and not be covered by the cloak of popularity of the distinguished Chairman of the Reconstruction Finance Corporation, and should come before Congress for full discussion.

In connection with the R. F. C., and especially because of its admirable management by Mr. Jones, I desire to call to the attention of the Senate a condition reported by the Brookings Institution. This condition should be corrected, not only for the sake of understandable bookkeeping but in justice to the R. F. C.

The Federal Treasury carries as assets on its semiannual statement notes and stock of the R. F. C. to the amount of $4,295,000,000. The public, knowing the R. F. C. as a lending agency and having confidence in its management, believes that the notes and stock are an actual asset as represented by recoverable and sound loans. This claim has been publicly made from time to time, and the amount of the alleged assets of the R. F. C. has been deducted from the public debt in numerous debates and public speeches.

The fact is that of this amount, $2,434,025,943 is represented by payments by the R. F. C. to other governmental agencies for expenses, and most of these advances are not recoverable. Included in these advances is an item of $1,500,000,000 for direct relief and expended by Mr. Hopkins. Certainly this is not recoverable.

A condensed statement of the assets and liabilities of the Reconstruction Finance Corporation as of September 30, 1936, follows:

ASSETS

Loans to nongovernmental agencies: [1]	
Banks and trust companies	$929,976,420
Building and loan associations	3,377,810
Insurance companies	38,384,312
Mortgage loan companies	149,108,259
Credit unions	298,033
Agricultural financial institutions	35,020,486
Railroads	349,260,577
State funds (insuring deposits of public moneys, etc.)	1,230,271
Fishing industry	620,776
Industrial and commercial business	57,690,456
Self-liquidating projects	[2] 184,417,834
Repair of damage from earthquakes, floods, etc.	1,410,681
Drainage, levee, and irrigation districts	61,778,073
Mining industry	1,186,000
Relief advances to State and local governments	295,994,711

[1] Includes loans to Federal land banks and joint-stock land banks.

[2] Figure includes loans for financing repair of damage from earthquakes and other disasters in 1933.

I should like to know, Mr. President, to what extent that particular item of relief advanced to State and local governments, amounting to more than $295,000,000, is listed as recoverable.

Securities purchased from Public Works Administration	$140,477,550
Loans and allocations to Federal governmental agencies	2,434,025,943

Mr. President, as to that item, I make the statement—and I make it advisedly—that not 20 percent will be recoverable to the Reconstruction Finance Corporation; yet, insofar as the statement of the Treasury is concerned, the total notes held by the United States Treasury are listed as assets of the United States Government.

I continue reading the list:

Interest on funds allocated to Federal agencies	$20,710,323
Preferred stock installment contracts	724,661
Cash	1,055,074
Collateral purchased	3,512,411
Accrued interest and dividends	31,015,075
Furniture and fixtures	542,621
Miscellaneous	2,486,771
Total	4,744,305,128

LIABILITIES

Liabilities for funds held as cash collateral and deposited with bids	3,293,656
Funds held for other agencies	5,941,100
Trust funds	33,687,142
Notes	4,011,749,667
Accrued interest	8,297,118
Stock	500,000,000
Surplus and reserves	141,487,720
Miscellaneous liabilities	39,848,725
Total	4,744,305,128

It will be seen that something less than one half the liabilities of the Corporation are covered by claims against nongovernmental agencies, the other half representing funds which have been disbursed for relief or used for the purchase of capital stock in other governmental corporations, to furnish them funds for loan operations, and to pay their operating expenses. The stock of the Corporation and $3,795,000,000 of its notes as of July 31, 1936, are owned by the United States Treasury. The notes held by the Treasury are therefore in large part simply a bookkeeping offset against Reconstruction Finance Corporation nominal claims for funds which have been routed through the Reconstruction Finance Corporation and used for relief and other emergency purposes.

The funds had been allocated and disbursed to other Federal governmental agencies, up to September 30, 1936, as follows, and much of this is for ordinary expenses of government:

Secretary of Agriculture for crop loans	$115,000,000
Capital of regional agricultural credit corporations	20,000,000
Governor of Farm Credit Administration	40,500,000

Regional agricultural credit corporations, for expenses	$14,576,843
Secretary of the Treasury to pay for capital of Federal home-loan banks	104,542,000
Secretary of the Treasury to pay for capital of the Home Owners' Loan Corporation	200,000,000
Land bank commissioner and Federal Farm Mortgage Corporation for loans to joint-stock land banks and to farmers	202,600,000
Federal Housing Administration	44,000,000
Commodity Credit Corporation, purchase of stock	97,000,000
Loans to Commodity Credit Corporation	95,808,924
For direct relief	1,499,998,176
Total	2,434,025,943

And then the R. F. C. takes credit for $20,710,322 for interest on the advances it has made to the other departments of government.

Mr. President, I am unable to understand this method of bookkeeping, and I sought by inquiry to ascertain the reason for this devious method of making direct expenditures. The only explanation I received from any Government official was that the reason may have been to avoid large totals in the regular appropriation bills. But, whatever the reasons, such a policy should be discontinued, and a correct statement given of the actual value of the R. F. C. notes carried as assets on the public balance sheet of the Treasury.

These notes, by reason of these diversions, are not worth 50 cents on the dollar in recoverable assets, notwithstanding the splendid management of the R. F. C. in making safe loans. The reports of the R. F. C. make clear these diversions, but the reports of the Treasury do not.

Immediately, I hope, the Secretary of the Treasury will appraise the value of the R. F. C. notes now carried at face value as assets of the Government, and write off the diversion of such funds, so that a true statement of the value of the R. F. C. notes and stock may be arrived at.

Mr. President, I should like now, just briefly, to refer to a subject in which I have been very deeply interested; that is, the reorganization of the Federal Government for the purpose of economy and efficiency.

We hear a great deal said lately about efficiency. I believe in economy as well as efficiency. In fact, economy is a main part of governmental efficiency. If we can give to the people for 75 cents the same public service that is now costing $1, that is both efficiency and economy; and that is what I think we should strive to do.

Mr. President, we have heard some estimates made as to the savings that may be brought about by a reorganization of the Government. If the Brookings Institution is correct—and that is an unbiased, nonpartisan organization, employed jointly by the President's committee, by the Senate committee, and the House committee, having no bias or partisanship attached to it—the consolidation of two emergency agencies now doing similar work, the Home Owners' Loan Corporation and the Federal Housing Administration, will save $25,000,000 yearly. The Home Owners' Loan Corporation has 18,059 employees and the Federal Housing Administration 3,660, with duplicated offices all over the United States, both renting space for offices when they could be consolidated, as they are doing practically the same work. This is only one of the many mergers and consolidations that will save substantial sums to the taxpayers.

Of course, we cannot reduce expenditures unless we have the courage to stop spending unnecessary public money in duplicated and overlapping activities.

Retrenchment as such is always unpopular, no matter how obvious the need, no matter how necessary the results and how greatly to be desired. Efficiency is always exacting. The economical way is the hard way in anything. But there are times in the histories of governments, as in the lives of individuals, when these things must be brought about if we are to continue on an even course in the pursuit of national happiness. Such a time, I think, is upon us.

I believe the country wants a thorough reorganization here at Washington—one that will not merely be a regrouping or revamping of boards, bureaus, and commissions but the abolition of many bureaus and boards and the transfer of necessary activities to existing agencies, so that actual economy in reduction of cost will result.

One of our great problems, as I have stated, is the 19 boards, commissions, and bureaus that will expire in 1937. Congress established these activities to meet an emergency, and the country was so informed. To regroup these emergency agencies now in permanent branches of the Government means, in my judgment, continuance of such functions after the emergency is over, perhaps for all time to come.

Never before in our history has there been such an opportunity as now exists for a constructive reorganization of the Federal Government—a reorganization that will save the taxpayers large sums and substitute simplicity for confusion without impairing the objectives of Congress and the President; a reorganization that will eliminate duplicated efforts, simplify the processes of government, and reduce red tape and the consequent annoyance to the American citizen who of necessity must have business dealings with his Government and finds himself confronted by several departments with overlapping authority.

We as Members of Congress are trustees for the taxpayer's dollar, and our obligation is to make it buy the fullest value.

The manifold activities of Government must be systematized and directed with maximum efficiency.

No essential agency should be starved, but saving should be found in consolidation and simplification.

Unless the Government simplifies itself, it will defeat its own objectives. Most objectives are gained only by the most simple, direct, and efficient methods.

The Federal machine has become so top-heavy and unwieldy as to defeat, by conflicting activity and needless red tape, the accomplishment of purposes for which legislation has been passed. This has resulted in a tremendous expenditure for overhead administration; and excess overhead cost is simply a waste of public money.

The fact is, we are emerging from the depression loaded up with the greatest and most costly bureaucracy in all history. In addition to the previous accumulation of independent agencies, we have been saddled with nearly half again as many as we had in 1932. Some of them are proper. Others overlap. Some have outlived their usefulness or have been superseded. Most of the new ones were set up in a time of crisis, with virtually no regard for how they fitted into a coordinated Federal Government pattern. There are glaring cases of duplicated effort. Some of the agencies actually have been found competing with themselves. Where before the Government was complex, it is now confusing.

To point out 50 Federal agency legal divisions in Washington is enough to describe the Federal jungle.

There have been at least 24 agencies—I do not mean that all of them have been established recently—concerned with lending Government funds. Five others are in liquidation.

There have been at least three agencies concerned with insuring deposits and loans.

There have been at least 34 agencies concerned with acquisition of land.

There have been at least 16 agencies concerned with wildlife preservation.

There have been at least 10 agencies concerned with Government construction.

There have been at least nine agencies concerned with credit and finance.

There have been at least a dozen agencies concerned with home and community planning.

There have been at least 10 agencies concerned with materials of construction.

There are innumerable other instances of glaringly obvious overlapping functions and useless agencies. The duplication is apparent not only in Washington but in every nook and corner of the country. Agency offices at the seat of the Government are sprawled from Alexandria, Va., to Baltimore, Md. The Social Security Board recently advertised for office space in the District of Columbia and did not get a single bid. It took one unit to Baltimore.

An example of the situation here is the Resettlement Administration, with 13 separate Washington addresses.

There are 46 personnel officers listed here for the Government.

Available Federal records show 104 information and publications offices here.

One hundred and twenty-six Federal agency libraries are listed in the District of Columbia.

There are 51 traffic managers here whose duties are to arrange for personnel transportation, freight in some instances, and sometimes to make purchases.

It is estimated that there are hundreds of ex-newspapermen employed by the Federal Government in the press sections which have become such prolific adjuncts to the numerous agencies.

In 1930 the Federal and District Governments paid in Washington alone for 17,142 telephones. In 1936 the number increased to 32,882.

In Washington alone the Federal Government now has 114,792 listed civil executive employees, as announced by the Civil Service Commission, not including those on judicial, executive, military, and relief pay rolls. This is comparable to the number employed on Armistice Day, November 11, 1918, when we were fighting a war for our existence as an independent Nation. We now have twice as many employees in Washington alone as we had in the prosperous days of 1927.

Uncle Sam pays an annual rent bill of $25,000,000. If he paid taxes on his own property, the Washington collector alone would demand $6,000,000 per year.

More new jobs have been created since 1933 than during the first century of the Nation's existence, and even now we are still adding at the rate of nearly 100 new employees for each day in every month. That is the exact average of the additions since the 1st of last July.

In 1916 our total annual cost of government, including interest on the public debt, was $1,000,000,000.

The interest on our public debt alone is now nearly as great as the total cost of government in 1916. Today we are spending more than eight times the amount we spent in 1916. This is not by any means all due to recovery and relief. Eliminating recovery and relief, we are spending now six times as much as we spent in 1916, and the new Budget starting next July gives very little hope for a substantial reduction in public spending.

But to me the most astonishing result of my investigation is the increase in Federal activities outside of Washington. On March 1, 1933, the Federal Government leased 6,084 buildings or parts of buildings outside of Washington. In the period from March 1, 1933, to July 1, 1936, the Government built 664 new buildings, at a cost of $239,000,000. Yet on July 1, 1936, notwithstanding the construction of the new buildings, the number of leased buildings outside of Washington was increased to 11,842, so that the number was doubled in a period of 3 years and 4 months. Figures are available only to July 1, 1936, and today the number is even greater.

The amount of floor space is a good index of the activity of a business, insofar as the clerks and others connected with it are concerned. The floor space of leased and Government-owned buildings outside of Washington on July 1, 1936, amounted to 102,319,199 square feet, as compared with 56,239,294 square feet of Government leased and owned buildings as of March 1, 1933, showing an increase in the floor space of Government owned and leased buildings outside of Washington within a period of 3 years and 4 months of nearly 100 percent.

None of these figures include Military Establishment or veterans' hospital space or public-health buildings.

The magnitude of our expansion outside of Washington is illustrated by the fact that we lease or own office space equivalent to 52 Empire State Buildings, or more than one Empire State Building for each State in the Union, and I repeat, this does not include the floor space of buildings owned or leased in the city of Washington. This surprised me, because I was under the impression, as perhaps other Senators were, that the main increase in governmental activities had occurred in Washington itself. Yet it appears that coincident with the expansion at Washington an equal or greater expansion has been made outside.

No one will deny the need for governmental simplification. No greater service to the new policies of government adopted by Congress can now be rendered than to promote a governmental reorganization to administer these policies in the most direct, simple, and economical manner.

As the emergency passes, I do not believe the country will long submit to Federal expenditures at the rate of 10 percent of our present national income for normal expenses, excluding recovery and relief, of the Federal Government alone.

Mr. President, if the Secretary of Commerce is correct when he estimates the gross income of this country, as he did the other day, then the Federal Government alone for normal expenses is spending 10 percent of the total gross income of the Nation, and that does not include the taxation imposed by different municipalities, States, and other taxing units.

Justification perhaps existed for extravagance in the creation of new bureaus during the trial and stress of the emergency, but now, with the passing of the crisis, such extravagance should and must be eliminated.

There is no legitimate fault to be found with increasing the sound service of our Government in response to reasonable demands of modern times by those things necessary for our protection and progress. It is right that government should progress in a measure commensurate with the progress of our civilization and the growing complexity of our social and economic life, but by the same token the Government should constantly strive for the same economy and efficiency exacted of citizens by the advances in other phases of progress. That applies not only to the Federal Government, but to the multitude of State, city, township and county, and district governments as well. How else can we survive the demands of the Federal Government and hundreds of thousands of local and district governments?

Mr. President, I appreciate greatly the consideration and attention given to what I have said by the Members of the Senate. I am offering the amendment so as to limit the life of the emergency agencies to July 1, 1938.

As I have before stated, if there is to be a reorganization of the Government, it should become effective on that date. We cannot expect it to become to any large degree effective before then, because the Budget for the year July 1, 1937, to July 1, 1938, has been submitted to us.

Mr. President, I can see no good reason for refusing this request, coming from one who has given his time to an investigation of the conditions in the governmental departments, who has been appointed as chairman of the committee on the reorganization, who has certain pertinent, definite suggestions to make when the reports are submitted, as prepared by the Brookings Institution, with respect to these particular departments. I hope the Senate will decide to limit the life of these emergency departments to July 1, 1938.

Let me call to the attention of the Senate the fact that if the emergency shall continue next year, such activities as are necessary can easily be continued by joint resolution passed by the Congress a year from now. But why now continue these particular organizations for 2 years and 6 months from this time?

Mr. KING. Mr. President, will the Senator permit a question?

Mr. BYRD. Certainly.

Mr. KING. There is some necessity why the Reconstruction Finance Corporation should have its life prolonged for another year or for 2 years. Upon what theory is it necessary to yoke a measure to accomplish that result with provision for a continuance of the life of other organizations referred to by the Senator?

Mr. BYRD. I should say that the only reason is that the Reconstruction Finance Corporation finances the other particular corporations. The pending measure would not only continue the lending power of the Reconstruction Finance Corporation but it would continue the life of the other five organizations as well.

Mr. ROBINSON. Mr. President, I merely desire to say, in further answer to the question of the Senator from

Utah, that the agencies which would be continued under the bill now before the Senate are instrumentalities through which the Reconstruction Finance Corporation operates and functions, and it was thought desirable by the committee that their life be extended for the same period during which the life of the Reconstruction Finance Corporation is to be extended, namely to June 30, 1939.

Mr. GLASS. Mr. President, of course I have no comment to make upon the very impressive statement made by my colleague as to the imperative need of curtailing governmental agencies and reducing public expenditures. I venture to say that no Member of this body has more persistently—and some people think violently—denounced wasteful public expenditures than have I, and if I could think the enactment of the bill unanimously reported from the Committee on Banking and Currency would involve the wasteful expenditure of a single dollar, I would not advocate it.

I have the greatest respect for my colleague's capabilities in the matter of the reorganization of the Government. He did an amazingly splendid job along that line in the State of Virginia, for which he was not only commended by his own Commonwealth but by many of the other States of the Union. But I do not believe that questions of that sort are involved in the matter now before the Senate, which I think is a very simple proposition, as to whether or not the Senate desires to extend the life of the Reconstruction Finance Corporation. That is all the pending bill provides.

The agencies cited by my colleague are practically parts of the Reconstruction Finance Corporation, for the simple reason that they cannot operate without its sanction. Every dollar they have expended has come, as it must come, from the Reconstruction Finance Corporation.

With the utmost confidence I, for one, accepted the suggestion of the Chairman of the Reconstruction Finance Corporation that he be given the requested period of time in which to continue his work and to liquidate the Corporation. I think the difference in time occasioned by providing that the effective date shall be the end of the fiscal year is not worth much agitation; and had that question been presented to the committee when it originally acted, I do not know that it would have met with any particular objection.

Mr. President, we all know how the Reconstruction Finance Corporation has been administered. No agency of this Government has been administered with efficiency comparable to that of the Reconstruction Finance Corporation. I think the fear of my colleague that the passage of the pending bill would set a precedent for the continuation of all emergency agencies is not well founded, for the reason that Jesse Jones is not at the head of all emergency Federal agencies, but he is at the head of the Reconstruction Finance Corporation, and the net results of his administration will show that he has saved the Federal Government hundreds of millions of dollars and that he has earned for the Government a great many million dollars. That is the whole of it. We are dealing with the Reconstruction Finance Corporation and the agencies allied with and practically under the jurisdiction of that Corporation.

I am not going to vote for the continuance of other agencies unless it shall be shown that they are absolutely necessary. I am not advocating anything of that nature, and do not regard the action we are now asked to take as any precedent for the continuance of the other agencies cited by my distinguished colleague.

The question is a very simple one, as to whether or not we are willing to trust Chairman Jones with the continuance of his operations for another two and a half years. In this connection I feel authorized to say that I am assured by the Chairman of the Reconstruction Finance Corporation that he is liquidating the allied agencies as rapidly as he possibly and reasonably can and that he proposes to continue to do so.

So far as the Export-Import Bank is concerned, I never did think it was worth a "thripens", or that it ought ever to have been established, for that matter.

So far as the Commodity Credit Corporation is concerned, I am assured by the Chairman of the Reconstruction Finance Corporation that it is being liquidated as rapidly as possible.

Therefore I think there need be no fear whatsoever on the part of the Senate if we should adopt the report of the committee and pass the pending bill.

Mr. BYRNES. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Virginia yield to the Senator from South Carolina?

Mr. GLASS. I yield.

Mr. BYRNES. I desire to ask the Senator from Virginia a question. Whether the bill as reported from the committee, containing the date June 30, 1939, should be enacted, or whether the amendment making the date June 30, 1938, should be agreed to and the bill, as thus amended, enacted, would such action interfere in any way with any reorganization plan, whether such plan be put into effect by the Congress or whether, in accordance with the President's request, the plan be carried out by the Executive by the authority of Congress?

Mr. GLASS. It would not interfere; and any subsequent legislation would supersede the present legislation. Any reorganization plan that might be presented and adopted by the Congress would wipe out the agencies for whose abolition provision was made.

Mr. BYRD. Mr. President, will my colleague yield?

Mr. GLASS. I yield.

Mr. BYRD. From his own experience, does my colleague think it would be less difficult to abolish an agency for which there is provided a definite time of termination or to abolish it during its tenure of life as fixed by the Congress?

Mr. GLASS. Mr. President, if the Senator desires my private opinion, I think it is going to be difficult to abolish any of these agencies, for that matter; but I do not think it is going to be any more difficult after the passage of the bill reported by the Banking and Currency Committee than it otherwise would be. I think the proposed action should not be taken as a precedent at all.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. GLASS. I yield.

Mr. BARKLEY. Will it be any more difficult to include in any reorganization plan temporary agencies which have a definite life attached to them than to include those which have a permanent life, and are scattered all over the city of Washington and all over the country?

Mr. GLASS. I think not. If we are to have a real reorganization plan—and I wish to say that I would trust my colleague above anyone else I know to present a sensible reorganization plan—if we are to have a real reorganization plan, the passage of the pending bill will not affect it at all.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Virginia yield to the Senator from Idaho?

Mr. GLASS. I yield.

Mr. BORAH. I should like to know just how intimately the agencies which are covered by section 2 of the bill are associated with the Reconstruction Finance Corporation in its administration.

Mr. GLASS. They are practically entirely within the jurisdiction of the Reconstruction Finance Corporation, because the agencies cannot get any money unless the Reconstruction Finance Corporation loans them the money; and the R. F. C. is as rapidly as possible curtailing its loans to these agencies.

Mr. BORAH. I submit another question. The bill contains the following provision:

> That in order to facilitate the withdrawal of the credit activities of the Corporation when from time to time during such period the President finds, upon a report of the Board of Directors of the Corporation or otherwise, that credit for any class of borrowers to which the Corporation is authorized to lend is sufficiently available from private sources to meet legitimate demands upon fair terms and rates, the President may authorize the directors to suspend the exercise by the Corporation of any such lending authority for such time or times as he may deem advisable.

That provision, if availed of, would correspondingly reduce the activities of the agencies in question, would it not?

Mr. GLASS. Undoubtedly; and the President is also authorized by the existing law to abolish them at any time he wants to do so.

Mr. BORAH. I submit a third question. Am I to understand that the Senator contends that the passage of the bill under consideration would not embarrass in any way any program of reorganization which might be submitted either by the administration or by the committee of which the junior Senator from Virginia [Mr. BYRD] is chairman?

Mr. GLASS. I cannot conceive that it would. It certainly is not intended to do so, and I think it will not do so. It certainly will not embarrass me hereafter. I shall vote as I please on the question of abolishing the other agencies.

Mr. BORAH. I should not want to cast any vote which would embarrass the free consideration of the program for reorganization.

Mr. GLASS. Of course, I should not want to do that, either. I am for reorganization; I am for reduction; I am for curtailing useless expenditures, and I did not favor those which have already been made.

Mr. BORAH. I feel that the bill under consideration in and of itself is necessary, but I shall vote for it with the understanding that it will not embarrass my entire freedom in dealing with the subject of reorganization.

Mr. GLASS subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD, immediately following my remarks, a letter from Mr. Jesse H. Jones, Chairman of the Board of the Reconstruction Finance Corporation, relating to the activities of that Corporation.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

RECONSTRUCTION FINANCE CORPORATION,
Washington, January 15, 1937.

Hon. CARTER GLASS,
United States Senate, Washington, D. C.

DEAR SENATOR GLASS: To bring to your attention and that of the United States Senate a more recent account of the activities of the Reconstruction Finance Corporation, beg to advise that our total loan authorizations, independent of allocations to other governmental agencies and for relief by direction of Congress, have been $8,574,260,051.01, which is made up of 34,000 separate loans and transactions.

$1,260,616,818.26 of these authorizations have been canceled, due in most cases to the fact that the applicants were able to get the funds elsewhere after the loans were authorized by the Reconstruction Finance Corporation.

We have actually disbursed $6,344,413,566.45. Of this amount, $4,374,347,801.83, or 69 percent, has been repaid, leaving a balance outstanding of $1,970,065,764.62.

We have outstanding commitments at this time of $969,229,666.30, but much of this will not be used, due in large measure to the fact that it is available.

Our total authorizations included $1,259,531,619.41 for capital investments in 6,858 banks. Of this amount $110,575,785.77 has been canceled, the banks finding that due to recovery the funds were not needed.

We have actually disbursed $1,050,767,103.23 for the purchase of preferred stock, capital notes, and debentures in 6,091 banks. Of this bank capital investment $402,715,377.58 has been repaid. Seven hundred and fourteen banks have retired their capital entirely, leaving 5,377 banks in which we still have capital investments aggregating $648,051,725.65.

Our policy for the past year or more has been to assist and encourage applicants in getting their loans from private sources where possible rather than by making them ourselves. The fact that we are in a position to make the loans enables us to do this, in many cases.

We are liquidating as rapidly as is consistent with the best interests of our borrowers, and the best interest of the country. Our bill is drawn with this in view.

During the year 1936, except for funds advanced to other governmental agencies and for relief, our collections exceeded loans disbursed by $736,000,000.

We have operated at a total expense of approximately one-half of 1 percent per annum.

We have paid the Treasury $190,732,868.24 for the money we have borrowed from it.

After the payment of interest and all expenses, our operating surplus from loans and investments authorized by our directors, giving effect to accrued interest receivable and payable, is $150,702,834.07. Of this earned surplus $114,400,000 has already been collected.

This $150,702,834.07 will more than cover such individual losses as we will naturally have in so large an operation.

Very truly yours,

JESSE H. JONES, *Chairman.*

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Virginia [Mr. BYRD].

Mr. BYRD. On that question I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. GLASS (after having voted in the negative). I inadvertently voted. I have a general pair with the Senator from Minnesota [Mr. SHIPSTEAD], and therefore withdraw my vote. I am not advised how the Senator from Minnesota would vote if present.

Mr. MINTON. I announce that the Senator from Ohio [Mr. BULKLEY] has a general pair with the Senator from New Hampshire [Mr. BRIDGES]. I am not advised as to how either Senator would vote if present.

I further announce that the Senator from Idaho [Mr. POPE] and the Senator from Montana [Mr. WHEELER] are detained in connection with important committee meetings.

Mr. MCNARY. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent on account of illness in his family. His general pair with the Senator from Ohio [Mr. BULKLEY] has been announced.

I further announce that the Senator from Vermont [Mr. GIBSON] is necessarily absent. He has a general pair with the Senator from California [Mr. MCADOO]. I am not advised how the Senator from Vermont would vote if present.

The senior Senator from Minnesota [Mr. SHIPSTEAD] is absent on account of illness. He has a general pair, as stated heretofore, with the Senator from Virginia [Mr. GLASS]. I am not advised how the Senator from Minnesota would vote if present.

The result was announced—yeas 23, nays 52, as follows:

YEAS—23

Austin	Chavez	King	Steiwer
Bailey	Clark	Lodge	Townsend
Bilbo	Copeland	McCarran	Tydings
Burke	Davis	McNary	Vandenberg
Byrd	Gerry	Maloney	White
Capper	Hale	O'Mahoney	

NAYS—52

Adams	Caraway	Lee	Pittman
Andrews	Connally	Logan	Radcliffe
Ashurst	Dieterich	Lonergan	Reynolds
Bachman	Duffy	Lundeen	Robinson
Bankhead	Ellender	McGill	Russell
Barkley	Frazier	McKellar	Schwartz
Black	George	Minton	Schwellenbach
Bone	Green	Murray	Sheppard
Borah	Harrison	Neely	Thomas, Okla.
Brown, Mich.	Hatch	Norris	Thomas, Utah
Brown, N. H.	Hitchcock	Nye	Truman
Bulow	Johnson, Colo.	Overton	Van Nuys
Byrnes	La Follette	Pepper	Walsh

NOT VOTING—19

Bridges	Glass	Johnson, Calif.	Shipstead
Bulkley	Guffey	Lewis	Smith
Donahey	Hayden	McAdoo	Wagner
Gibson	Holt	Moore	Wheeler
Gillette	Hughes	Pope	

So Mr. BYRD's amendment was rejected.

The PRESIDENT pro tempore. The bill is still before the Senate and open to amendment. If no further amendment be offered, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and read the third time.

The PRESIDENT pro tempore. The question is, Shall the bill pass?

Mr. ROBINSON. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Minnesota [Mr. SHIPSTEAD]. In his absence I withhold my vote.

The roll call was concluded.

Mr. MINTON. I reannounce the general pair of the Senator from Ohio [Mr. BULKLEY] with the Senator from New Hampshire [Mr. BRIDGES]. I also announce that the Senator from Idaho [Mr. POPE] and the Senator from Montana [Mr. WHEELER] are detained by important committee meetings.

Mr. MCNARY. I make the following announcements:

The Senator from Vermont [Mr. GIBSON] has a general pair with the Senator from California [Mr. MCADOO].

The Senator from New Hampshire [Mr. BRIDGES] is absent due to illness in his family. His general pair has been announced.

The Senator from Minnesota [Mr. SHIPSTEAD] is absent because of illness. His general pair has also been announced.

I am not advised how any of these Senators would vote if present.

The result was announced—yeas 74, nays 1, as follows:

YEAS—74

Adams	Chavez	Lee	Radcliffe
Andrews	Clark	Lodge	Reynolds
Ashurst	Connally	Logan	Robinson
Austin	Copeland	Lonergan	Russell
Bachman	Davis	Lundeen	Schwartz
Bailey	Dieterich	McCarran	Schwellenbach
Bankhead	Duffy	McGill	Sheppard
Barkley	Ellender	McKellar	Steiwer
Bilbo	Frazier	McNary	Thomas, Okla.
Black	George	Maloney	Thomas, Utah
Bone	Gerry	Minton	Townsend
Borah	Green	Murray	Truman
Brown, Mich.	Hale	Neely	Tydings
Brown, N. H.	Harrison	Norris	Vandenberg
Bulow	Hatch	Nye	Van Nuys
Burke	Hitchcock	O'Mahoney	Walsh
Byrnes	Johnson, Colo.	Overton	White
Capper	King	Pepper	
Caraway	La Follette	Pittman	

NAYS—1

Byrd

NOT VOTING—19

Bridges	Glass	Johnson, Calif.	Shipstead
Bulkley	Guffey	Lewis	Smith
Donahey	Hayden	McAdoo	Wagner
Gibson	Holt	Moore	Wheeler
Gillette	Hughes	Pope	

So the bill was passed.

EXPEDITION OF APPEALS FROM INJUNCTIONS AND RESTRAINING ORDERS

Mr. BLACK. Out of order, I introduce a bill and ask that it may be referred to the Committee on the Judiciary.

The PRESIDENT pro tempore. Without objection, the bill will be received.

The bill (S. 877) providing for appeals from orders of Federal courts prohibiting compliance with Federal laws was read twice by its title.

Mr. BLACK. I ask unanimous consent to speak briefly on the bill.

The PRESIDENT pro tempore. Without objection, the Senator may proceed.

Mr. BLACK. Mr. President, the bill just introduced by me is identical with the one I offered at the last session of Congress with reference to expedition of action on cases by the Supreme Court of the United States. I call especial attention to the bill, and I should like to express the fervent hope that the Judiciary Committee will take some action in connection with this matter, whether or not by the particular method proposed.

What I suggest by the bill is that, within 10 days from the time that an appeal shall be taken from an injunction or restraining order issued by any court of the United States, the entire record shall be transmitted to the Supreme Court of the United States. In other words, the bill, if enacted, would require expedition in connection with the Supreme Court's final determination on injunctions or restraining orders which prevent the enforcement of a Federal law. I believe that on that one ground, perhaps, all the people will agree.

I call particular attention also to the fact that at the present time the Tennessee Valley Authority is specifically restrained from practically any and all action until a restraining order shall be finally acted upon by a judge, and perhaps until it shall reach its devious way on up to the Supreme Court of the United States. As a result, numerous municipalities are deprived of the privilege of obtaining loans provided by the Government and are likewise deprived of the privilege of operating their own municipal plants.

There is no question raised by the bill as to the controversial issue of the right of the Supreme Court to declare laws unconstitutional. It is an effort, however, to bring about immediate action by the Supreme Court when laws affecting 128,000,000 people are suspended by injunctive process or by restraining orders of an inferior court. The bill, if enacted, would obviate waiting until a case could go through the circuit court of appeals. It would obviate the Supreme Court being required to send the entire case back to the lower court because the record was not properly made. In other words, the bill would require a stenographic transcript of the entire record, with every word appearing in the record which justified granting the restraining order or injunction by the lower court, to be filed in the Supreme Court.

Senators will recall that recently a case from North Carolina, as I remember, was sent back to the lower court because of the fact that the record was not complete. My bill would require the entire record to go to the Supreme Court.

Under the present proceeding in the case just mentioned the case would go back to the North Carolina district court. Then it would pursue its tedious way to the circuit court of appeals. Perhaps finally within a year it might reach the Supreme Court of the United States. The Court may at that time hold that the law was constitutional all the time, and that the municipalities were entitled to receive the benefit of the loans provided by governmental action. If the Supreme Court should so decide, it would mean that for a year or more the law had been rendered absolutely ineffective and had been nullified by action of the lower court.

I invite particular attention to the fact that in the bill no controversial issue is raised with reference to the rights of the lower court or the rights of the Supreme Court of the United States, but it is based upon the belief that if the courts are to continue to have the authority to enjoin and restrain laws affecting 128,000,000 people it must be done with expedition, and it must be done with such expedition that the rights of the people shall not be taken away from them any longer than is necessary.

Mr. McKELLAR. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Tennessee?

Mr. BLACK. I yield.

Mr. McKELLAR. Referring to a case recently decided at Nashville, in which an injunction was granted, under the provisions of the Senator's bill would such a case be appealed immediately and directly to the Supreme Court of the United States, not going to the circuit court of appeals at all? Secondly, how long would it take under the provisions of the Senator's bill?

Mr. BLACK. My bill provides that its terms shall apply to restraining orders, judgments, decrees, and injunctions in all cases already issued and hereafter to be issued. If the United States Government should give notice of appeal directly to the Supreme Court of the United States, the court in Tennessee would be required to send the entire record within 10 days to the Supreme Court of the United States. The record would have to arrive at the Supreme Court of the United States within 10 days. Then the case would have a preferential status in the Supreme Court.

Mr. LOGAN. Mr. President, will the Senator yield?

Mr. BLACK. Certainly.

Mr. LOGAN. Has the Senator considered that in many cases there would be an utter impossibility of getting the entire record prepared in 10 days? If it should be confined to 10 days I think I know, from my experience as a lawyer and a judge, that cases would be found in which the record could not be transcribed at all in time to present the matter to the Supreme Court within 10 days.

Mr. BLACK. If 10 days is too short a time, it could be made 12 days or 15 or 20 or 25 or 30 days. In the main it is my judgment, from 20 years' experience and practice, which is not so broad as that of the Senator from Kentucky, because he has also been on the bench and rendered distinguished service, that in the matter of restraining orders and injunctions 10 days would be adequate time. There might be some cases in which 10 days would not be sufficient time.

Mr. LOGAN. If the Senator is speaking of a temporary injunction or restraining order, that might be true; but if the injunction were granted as the final judgment of the court, it might take a longer time to prepare the record unless there was some provision that the evidence relating only to the question of injunction should be carried up and not the entire record.

Mr. BLACK. It might be wise to incorporate some such provision. May I say I have no doubt that the combined wisdom and experience of the members of the Judiciary Committee are such as to enable them to suggest many helpful and perhaps necessary amendments to the bill which I am introducing.

Mr. LOGAN. I may say to the Senator that in my State, in cases where an injunction is granted, we may go to our highest court or to one of the judges thereof and move to vacate the injunction or the restraining order. However, the provision is that the original order may be taken up in order to expedite the matter. I suggest to the Senator that perhaps it might be necessary to have the original record, rather than a transcript of the record, transmitted to the Supreme Court, and then returned to the lower court after the Supreme Court had finished with the record.

Mr. BLACK. That might be an excellent idea. I am delighted that the Senator is a member of the Judiciary Committee, because of his vast experience and because I know that his experience is such that he is bound to be led to the conclusion that whatever may be the result hereafter with reference to a pending controversy, expedition in decision is essential.

Mr. LOGAN. It is absolutely necessary.

Mr. McKELLAR. Mr. President, will the Senator yield further?

Mr. BLACK. Certainly.

Mr. McKELLAR. I have not read the Senator's bill. As I understand, it would not require the Court to render an opinion within any specified time, but merely would require that the record shall be before the Court within 10 days?

Mr. BLACK. It would require the record to be placed before the Supreme Court within 10 days, and then that the case so appealed to the Supreme Court should be given preferential consideration over all other causes not of a like nature.

The idea I have in mind is that we have reached a condition in the United States where no law is final until the Supreme Court has passed upon it. No law is final, according to the belief of many, until the Supreme Court has passed upon the policy involved and determined, whether or not the Supreme Court believes Congress should have enacted the legislation. Whether that conclusion is correct or not is immaterial to this proposal. For instance, when the enforcement of the A. A. A. law was restrained, hundreds of suits were filed all over the United States. These required the time of the Attorney General's office, the judges, the clerks, and thousands and thousands of dollars were spent in these lawsuits to determine the constitutionality of the law. If there had been a method of speedy determination provided, that long delay and unnecessary expense would have been obviated.

Mr. McKELLAR. Will the Senator yield further?

Mr. BLACK. Certainly.

Mr. McKELLAR. It seems to me some law of the kind now proposed is necessary. In a recent case at Nashville the bond required was probably not one-fifth as much as the probable loss which would be brought about by stopping the entire work of the T. V. A.

Mr. BLACK. No one can determine the loss to the people which is involved in restraining the T. V. A. activity.

Mr. McKELLAR. It is almost impossible to determine, and therefore it seems to me that if a plan could be worked out to bring about a speedy hearing on appeal in cases where preliminary injunctions have been issued against the enforcement of acts of Congress, it would be exceedingly wise to enact it into law.

Mr. McCARRAN. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Nevada?

Mr. BLACK. I yield.

Mr. McCARRAN. I wish to say to the Senator, preliminarily, that I am very sympathetic with the general spirit of his bill; but I am impressed by the fact that in working out a measure of this kind something must be considered in the way of differentiation as to the order and the subject matter from which an appeal is taken.

For instance, if it is an appeal from a temporary restraining order or a temporary injunction—heard perhaps in chambers, as many of them are—then I think the Senator's 10-day provision may be ample; but if it is an appeal taken from an injunction rendered at the conclusion of a hearing which of itself may have covered months of time, then I am afraid that the Senator's 10-day period will be too short. I think a differentiation should be injected into the bill to the effect that in the case of a restraining order from a certain proceeding, then a certain limitation should be made. In the case of a restraining order issued after a different proceeding, then a different limitation may be necessary; but, as a whole, the spirit of the bill and its intendment seem to me to be justifiable.

Mr. BLACK. I appreciate the Senator's suggestion; and something of that kind may be worked out in the committee. Another thing that may be done is that a provision may be incorporated in the bill to the effect that within 10 days a notice should come up and a reason should be given as to why the matter could not be completed within the 10 days, and a certain number of other days added. What I desire is that when the enforcement of laws affecting the 128,000,000 people of the United States is restrained, if the right is to continue to exist on the part of a court to take such action, it should be done immediately without injuring the people.

Mr. ROBINSON. Mr. President, as I understand, the Senator has not asked for the present consideration of the bill.

Mr. BLACK. No.

Mr. ROBINSON. He is asking its reference to a committee, where the details of the proposed legislation, if the committee thinks its fundamental purpose is meritorious, may be worked out.

Mr. BLACK. That is correct.

Mr. ROBINSON. I agree with the statements which have been made here that in some instances the limitation of 10 days might impose impossibilities on the lower courts. What the Senator desires to do, as I understand, is to assure prompt action upon the one question as to whether a given act is constitutional by the authority that would finally determine it, and the authority which under present conditions sometimes does not reach a conclusion until years have elapsed.

Mr. BLACK. The Senator is correct; and I was simply calling the matter to the attention of the committee because I thought it might be better to do so in the open session of the Senate.

Mr. ASHURST. Mr. President, will the Senator yield?

Mr. BLACK. I yield to the Senator from Arizona.

Mr. ASHURST. I have listened with interest, as I always do, to all the able Senator from Alabama has said. In my judgment, the Senator long ago earned for himself a place on the Senate Committee on the Judiciary. To my regret, for reasons best known to the Senator, he has thus far not seen fit to accept membership on the committee. I assure him that the committee will be glad to invite him before the appropriate subcommittee which will consider his bill.

I am sure that the observation made by the able Senator from Nevada [Mr. McCARRAN], and supplemented by the able Senator from Arkansas [Mr. ROBINSON], that in certain instances the 10-day period might be altogether too short, if not impossible of compliance, is well founded.

While I feel that no assurance is necessary, I rise to say that, so far as my humble efforts may be concerned, the Judiciary Committee will give to this bill a close examination. I am assuming that it is the same, not in haec verba but the same bill in purport, as the bill introduced by the Senator in the Seventy-fourth Congress.

Mr. BLACK. I may say to the Senator that it is the same bill which the Supreme Court opposed.

Mr. ASHURST. Mr. President, the Supreme Court, upon invitation, sent to the Senate Committee on the Judiciary a committee of its members opposing the proposed legislation, not because the Supreme Court thought it inexpedient but,

on the contrary, because, as its committee said, the provisions of the bill were now in effect the law. Many times in public life our faces grow red, and the Judiciary Committee did not wish its countenance to turn crimson by bringing in a bill proposing to legislate upon a subject as to which the Supreme Court of the United States has said, "That is now in effect the law." If that is not the law, however, I wish to associate myself with the able Senator from Alabama and say that some measure such as he has suggested ought to be the law, because, if the constitutionality of bills passed by Congress is challenged, no coherent man will say that the courts should take an unduly long time to determine the question. So I shall support any sensible and practical method which does not involve undue haste.

I beg the able Senator from Alabama to believe that at a most early date he will receive an invitation to appear before the subcommittee on the bill introduced by him.

Mr. BLACK. Mr. President, I had not intended to speak further, but, in view of the Senator's statement, I wish to say that the Supreme Court sent before the Judiciary Committee a committee whose members took the position that under rules now in effect sufficient expedition could be achieved. They did that by reason of the fact that it was stated that a motion could be made by the Government to bring a case directly from the lower court to the Supreme Court of the United States, and that in important cases the motion would be granted.

Unfortunately, since that time there have been two separate instances which have demonstrated to me that the Government does not have the right that it should have to expedite decisions. The first was the Tennessee Valley Authority case from North Carolina, where the Supreme Court sent the case back to North Carolina because of the fact that the record was not complete. This bill requires a completion of the record.

Mr. ASHURST. Mr. President, will the Senator permit a further interruption?

Mr. BLACK. Certainly.

Mr. ASHURST. Obviously the Supreme Court could not do anything else if the entire record was not before them.

Mr. BLACK. I am not criticizing the Court on account of sending back the case.

Mr. ASHURST. The Senator criticizes the delay incident to these transfers and removals, and argues, ably, that if all the original papers could be sent to the Supreme Court there would not arise the delay occasioned by the failure of the district court to send up all the papers.

Mr. BLACK. If that had been done, this particular case would not have been sent back.

Secondly, while I cannot recall the exact title of the case, I know that a week or two ago the newspapers carried information to the effect that a motion had been made to bring up to the Supreme Court an attack on the Social Security Act, obviating the necessity of going through the circuit court of appeals. The Supreme Court denied the motion. That requires, therefore, that the case shall go through the circuit court of appeals. In my State injunctions have been issued which have held up the collection of funds. We have been endeavoring to reach some kind of a conclusion or agreement which would permit the money to be paid to the various States. Six thousand complainants, as I recall, or some large number—it may not be 6,000, but a large number of complainants—are interested in that suit. This bill would prevent the denial of considering an appeal directly in the Supreme Court until it could be considered by the circuit court of appeals.

I shall be happy to go before the Judiciary Committee any day from now on to present the matter.

The PRESIDENT pro tempore. The bill introduced by the Senator from Alabama [Mr. BLACK] (S. 877) will be referred to the Committee on the Judiciary.

PRINTING OF ILLUSTRATIONS, ETC., IN GOVERNMENT REPORTS

Mr. VANDENBERG. Mr. President, I introduce a joint resolution and desire to make a very brief explanation of it.

We were discussing this afternoon some of the relative problems of economy. This is a small matter, perhaps, yet it can be the seed of a very large menace unless appropriate controls are created. I am speaking as a member of the Senate Committee on Printing and of the Joint Congressional Committee on Printing. That will explain my interest.

The average annual report made by the ordinary governmental department is typified by the document I hold in my hand, which is the report of the Federal Trade Commission and which costs 34 cents a copy to print. Here is a new type of annual report, Mr. President, the annual report of the Resettlement Administration. It contains the same number of pages, but it costs $1.07 per copy; and the bill, incidentally, is paid from relief funds, less the proceeds of sale on a portion of the edition. I am sure Senators are familiar with it. It is a very beautiful piece of work. It is a triumph in typography, with all its magnificent color work and all its artistic maps and illustrations. In fact, I never have seen finer salesmanship or propaganda in my life. But this happens to be at the net expense of relief funds, and finally at the expense of the public. The report costs $1.07 a copy and sells for 40 cents from the Superintendent of Documents. Why, Mr. President, some of it is so extraordinary that it could not even be handled in the Government Printing Office. It had to be sent outside. All of the valuable information in it could have been made available to Congress in an ordinary report at ordinary cost. But the Resettlement Administration, alone among governmental agencies, required these embellishments.

That would not be so bad, except that the newspapers say that this has immediately excited the jealousy of all the hundreds of other departments and bureaus of the Government. Naturally they do not wish to be outdone in this new field of bureaucratic promotion. I quote from the contemporary press:

> Other Government departments are jealous of the R. R. A. report. More than one information chief has been called in by his department head and told, in effect, "If Tugwell could do this, why cannot we?"

I think I am entitled to say that the Public Printer may find himself considerably embarrassed by this movement. If every department of the Government shall finally print reports at the rate of anything like $1.07 per copy hereafter, the Budget will not be balanced within the life of any Member of this body. But if this sort of expensive propaganda—all charged to the taxpayer—is permitted for one, it will have to be condoned for all.

I am introducing a joint resolution which simply requires that when anything by way of illustrations, pictures, or color printing is requested of the Public Printer in respect to annual reports hereafter, the request shall be referred to the Joint Congressional Committee on Printing for approval before it can take effect. Thus we may have some semblance of a check on these extravagances and upon these departmental press agents and promoters. Thus, also, we may establish uniformity.

Mr. ROBINSON. Mr. President, has the Senator the figures as to the total cost of printing the report to which he has referred, namely, the report of the Resettlement Administration?

Mr. VANDENBERG. I have not the total here, Mr. President. It is not a large sum. I know that it is $1.07 apiece. I am not complaining about the total expense involved here, but I am urging that the time to stop a bad habit is when it starts and before it becomes contagious. I am not commenting at the moment on the work of the Resettlement Administration. That is beside the point. I am dealing solely with a problem in printing and propaganda.

Mr. ROBINSON. The Senator exhibited what he said was the report of the Federal Trade Commission, which is a relatively small volume.

Mr. VANDENBERG. Mr. President, it has the same number of pages as the other volume.

Mr. ROBINSON. Yes; but the second volume is larger, as the Senator will see by exhibiting it.

Mr. VANDENBERG. Because of its magnificent typography and illustrations, and its cover.

Mr. ROBINSON. And because of its beautiful colors.

Mr. VANDENBERG. That is it.

Mr. ROBINSON. Just what useful purpose is served by the colors on the cover is a question in my mind, Mr. President. I am a great admirer of art when my limited intelligence permits me to recognize and appreciate it, but I do not understand the purpose of that kind of a cover.

Mr. VANDENBERG. I ask that the joint resolution be referred to the Committee on Printing.

The PRESIDENT pro tempore. Without objection, the joint resolution introduced by the Senator from Michigan will be received and referred to the Committee on Printing.

The joint resolution (S. J. Res. 46) requiring the approval of the Joint Committee on Printing for the inclusion of illustrations and color printing in Government annual reports was read twice by its title and referred to the Committee on Printing.

REPORT OF BILL FROM COMMITTEE ON BANKING AND CURRENCY

Mr. ROBINSON. Mr. President, I ask unanimous consent that during the recess or adjournment of the Senate to follow the session of today the Committee on Banking and Currency may have leave to report as if the Senate were in session.

Mr. McNARY. Mr. President, what is the length of time covered by the request of the Senator?

Mr. ROBINSON. That during the recess or adjournment which will follow the session of today—that is, during tomorrow—the committee may have leave to report. It is my intention to move an adjournment until Monday, unless it shall be necessary to keep the Senate in session in order to give the committee a chance to report; and I do not wish to do that.

Mr. McNARY. Mr. President, may I ask the nature of the report? In some instances I have thought that a request of this kind was reasonable, although it is unusual, because when a report is made under a unanimous-consent agreement of this kind the measure reported is subject to immediate consideration when the Senate convenes. Otherwise it must go over for a day, giving each Senator opportunity to study the proposal. I am asking, therefore, the reason for the proposal, and what is to be offered on Monday.

Mr. ROBINSON. I do not know that the committee will be ready to report. I am making the request at the suggestion of members of the Banking and Currency Committee. There is no business on the calendar of the Senate at the present time, and if we have a session on Monday, I should like the Senate to have the opportunity of considering any report the committee may make. I may say that there are two bills pending before the Committee on Banking and Currency for the extension of certain statutes hereofore passed by Congress. If the committee should in the meantime report either of those bills, I should think the Senate might desire to proceed to their consideration. There would be no disposition to press either measure to a conclusion if the Senator thought reasonable time had not been afforded for deliberation.

Mr. McNARY. Mr. President, that is fair enough; but I think the practice is not a good one, and I must object. When the bills or joint resolutions are reported on Monday, if they should appear to be fair and there is urgent necessity for immediate consideration, I shall interpose no objection. I should rather leave it in that way than to consent at this time to the request made by the Senator from Arkansas.

Mr. ROBINSON. Then, at the conclusion of the session today, I shall move an adjournment until tomorrow.

HOUSE JOINT RESOLUTION REFERRED

The PRESIDENT pro tempore laid before the Senate the joint resolution (H. J. Res. 81) to create a joint congressional committee on Government organization, which was read twice by its title.

Mr. ROBINSON. I move that the joint resolution be referred to the Committee on Rules.

The motion was agreed to.

EXECUTIVE SESSION

Mr. ROBINSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

Mr. PITTMAN, from the Committee on Foreign Relations, reported favorably the nominations of the following ambassadors:

William Phillips, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary to Italy, to which office he was appointed during the last recess of the Senate, vice Breckinridge Long;

William Christian Bullitt, of Pennsylvania, lately Ambassador Extraordinary and Plenipotentiary to the Union of Soviet Socialist Republics, to be Ambassador Extraordinary and Plenipotentiary to France, to which office he was appointed during the last recess of the Senate, vice Jesse Isidor Straus; and

Joseph E. Davies, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary to the Union of Soviet Socialist Republics, to which office he was appointed during the last recess of the Senate, vice William Christian Bullitt.

Mr. PITTMAN also, from the Committee on Foreign Relations, reported favorably the nominations of sundry officers in the Diplomatic and Foreign Service to offices to which they were appointed during the last recess of the Senate.

Mr. McKELLAR, from the Committee on Appropriations, reported favorably the nominations of Clarence G. Nevins, of Kansas, to be State administrator for Kansas in the Works Progress Administration, vice Evan Griffith, resigned, and John J. McDunough, of Massachusetts, to be State administrator for Massachusetts in the Works Progress Administration.

He also, from the same committee, reported favorably the nominations of the following-named persons for appointment to the offices to which they were appointed during the last recess of the Senate:

Stanley H. Wright to be director of the Public Works Administration for North Carolina, vice Herman G. Baity;

Massena L. Culley to be director of the Public Works Administration for Mississippi;

Ralph C. Chaney, of Ohio, to be State engineer inspector for the Public Works Administration in Ohio;

Robert A. Hurley to be State administrator in the Works Progress Administration for Connecticut, vice Matthew J. Daly;

F. H. Locey, of Hawaii, to be director in the Works Progress Administration for the Territory of Hawaii;

Miles H. Fairbank, of Maryland, to be regional administrator for the Puerto Rico Reconstruction Administration, vice Carlos E. Chardon; and

Frank Ingram to be a State administrator in the Works Progress Administration for Florida, vice E. A. Pynchon.

Mr. SHEPPARD, from the Committee on Military Affairs, reported favorably the nominations of sundry general and numerous other officers and persons for appointment in the Regular Army.

He also, from the same committee, reported favorably the nominations of sundry officers for appointment, by transfer, in the Regular Army.

He also, from the same committee, reported favorably the nominations of sundry officers for appointment to temporary rank in the Air Corps of the Regular Army under the provisions of law.

He also, from the same committee, reported favorably the nomination of Capt. Leon Edgar Sharon, of the Air Corps, for appointment as major with temporary rank in the Air Corps, Regular Army, from January 21, 1937, under the provisions of law.

He also, from the same committee, reported favorably the nomination of Brig. Gen. Luke Henry Callan, Reserve, to be brigadier general, Reserve, from February 4, 1937, under the provisions of law.

He also, from the same committee, reported favorably the nominations of sundry general officers, for appointment in the National Guard of the United States, under the provisions of law.

The PRESIDENT pro tempore. The reports will be be placed on the Executive Calendar.

ADJOURNMENT

The Senate resumed legislative session.

Mr. ROBINSON. I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock and 40 minutes p. m.) the Senate adjourned until tomorrow, Saturday, January 16, 1937, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 15, 1937

WORKS PROGRESS ADMINISTRATION

George Keller, of Iowa, to be State administrator in the Works Progress Administration for Iowa.

COMMISSIONERS OF THE DISTRICT OF COLUMBIA

George E. Allen, of the District of Columbia. (Reappointment.)

Melvin C. Hazen, of the District of Columbia. (Reappointment.)

PROMOTION IN THE COAST GUARD

Lt. Donald G. Jacobs to be lieutenant commander in the Coast Guard of the United States, to rank as such from June 1, 1935.

SENATE

SATURDAY, JANUARY 16, 1937

The Senate met at 12 o'clock meridian.

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

O Thou to whose all-searching sight all things are whole, whose justice weighs men's motives, not alone their deeds: stoop to our world of sense and lift us high above the lower things to kindling thoughts of goodness, to promptings of a love that conquers self and counts supreme the deeds which yield life's truest harvest as they spring from the soul's outreaching hope.

O Light behind life's shadows, O Love behind life's sorrows, shine forth in us as we walk our way with Him in whom Thou hast gathered up man's noblest thoughts and mingled them with Thine, Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of Friday, January 15, 1937, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Byrnes	Green	McNary
Andrews	Capper	Guffey	Maloney
Ashurst	Caraway	Hale	Minton
Austin	Chavez	Harrison	Murray
Bachman	Clark	Hatch	Neely
Bailey	Connally	Hayden	Norris
Bankhead	Copeland	Hitchcock	Nye
Barkley	Davis	Johnson, Colo.	O'Mahoney
Bilbo	Dieterich	King	Overton
Black	Duffy	La Follette	Pepper
Bone	Ellender	Lee	Pittman
Borah	Frazier	Lodge	Pope
Brown, Mich.	George	Logan	Radcliffe
Brown, N. H.	Gerry	Lonergan	Reynolds
Bulow	Gibson	Lundeen	Robinson
Burke	Gillette	McCarran	Russell
Byrd	Glass	McKellar	Schwartz
Schwellenbach	Thomas, Utah	Tydings	Walsh
Sheppard	Townsend	Vandenberg	Wheeler
Steiwer	Truman	Van Nuys	White
Thomas, Okla.			

Mr. MINTON. I announce that the Senator from South Carolina [Mr. SMITH] is detained on account of a serious injury to a member of his family; that the junior Senator from Ohio [Mr. DONAHEY] and the Senator from West Virginia [Mr. HOLT] are detained on account of illness; and that the senior Senator from Ohio [Mr. BULKLEY], the Senator from Delaware [Mr. HUGHES], the Senator from Illinois [Mr. LEWIS], the Senator from California [Mr. MCADOO], the Senator from Kansas [Mr. MCGILL], the Senator from New Jersey [Mr. MOORE], and the Senator from New York [Mr. WAGNER] are unavoidably detained from the Senate.

Mr. MCNARY. I announce the absence of the Senator from New Hampshire [Mr. BRIDGES] by reason of illness in his family; and also that the Senator from Minnesota [Mr. SHIPSTEAD] is absent because of illness.

The VICE PRESIDENT. Eighty-one Senators have answered to their names. A quorum is present.

WITHDRAWALS AND RESTORATIONS OF PUBLIC LANDS

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting, pursuant to law, a letter from the Commissioner of the General Land Office dated January 8, 1937, reporting relative to withdrawals and restorations of public lands under the act of June 25, 1910 (36 Stat. 847), during the period from January 1, 1936, to December 31, 1936, inclusive, which, with the accompanying papers, was referred to the Committee on Public Lands and Surveys.

REPORT OF GEORGETOWN BARGE, DOCK, ELEVATOR & RAILWAY CO.

The VICE PRESIDENT laid before the Senate a letter from Hamilton & Hamilton, attorneys, transmitting, pursuant to law, the annual report of the Georgetown Barge, Dock, Elevator & Railway Co. for the year ended December 31, 1936, which, with the accompanying report, was referred to the Committee on the District of Columbia.

PETITION

The VICE PRESIDENT laid before the Senate a letter in the nature of a petition from the Workers' Alliance of America, signed by David Lasser, national president, praying for the making of a deficiency appropriation of $1,040,000,000 for the employment of 2,800,000 W. P. A. workers for the balance of the present fiscal year, which was referred to the Committee on Appropriations.

REPORTS OF THE COMMITTEE ON BANKING AND CURRENCY

Mr. GLASS. For the junior Senator from New York [Mr. WAGNER], chairman of the Banking and Currency Committee, who is unavoidably absent, I report from that committee favorably and without amendment the bill (S. 416) to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised, and I submit a report (No. 3) thereon.

Mr. ADAMS, from the Committee on Banking and Currency, to which was referred the bill (S. 4) to authorize the coinage of 50-cent pieces in commemoration of the three hundredth anniversary of the original Norfolk, Va., land grant and the two hundredth anniversary of the establishment of the city of Norfolk, Va., as a borough, reported it with an amendment and submitted a report (No. 4) thereon.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS of Oklahoma:

A bill (S. 879) to carry out certain obligations to certain enrolled Indians under tribal agreement; to the Committee on Indian Affairs.

A bill (S. 880) for the relief of Albert D. Castleberry; to the Committee on Military Affairs.

By Mr. RUSSELL:

A bill (S. 881) to provide for loans to farmers for crop production and harvesting during the year 1937, and for other purposes; to the Committee on Agriculture and Forestry.

A bill (S. 882) to amend the Judicial Code to create a new district in the State of Georgia, known as the northeastern district, and for other purposes; to the Committee on the Judiciary.

By Mr. McNARY:

A bill (S. 883) authorizing the attendance of the Marine Band and Drum Corps, from San Diego, Calif., at the Annual Rose Festival to be held at Portland, Oreg.; to the Committee on Naval Affairs.

(By request.) A bill (S. 884) to amend chapter 6 of title 8 of the United States Code by adding thereto a new section to be known as section 155a, to prevent the separation from their families of certain aliens convicted of crime who arrived in the United States as minor children, limiting the time in which certain aliens convicted of crime may be deported, providing for legalization of their status for the purpose of acquiring citizenship, and canceling pending deportation warrants against such aliens; to the Committee on Immigration.

By Mr. GILLETTE:

A bill (S. 885) for the relief of H. G. Harmon; and

A bill (S. 886) authorizing the redemption by the United States Treasury of certain documentary revenue stamps now held by L. J. Powers; to the Committee on Claims.

A bill (S. 887) for the relief of Walford W. Watt; to the Committee on Military Affairs.

By Mr. HAYDEN:

A bill (S. 888) granting an increase of pension to Eva Elliott; and

A bill (S. 889) granting an increase of pension to Lorenzo D. Walters; to the Committee on Pensions.

By Mr. GUFFEY:

A bill (S. 890) for the relief of Walter S. Hendershot; to the Committee on Military Affairs.

By Mr. ROBINSON:

A bill (S. 891) for the relief of Sidney H. Bailey; to the Committee on Military Affairs.

By Mr. ADAMS:

A bill (S. 892) to repeal the act entitled "An act relating to Philippine currency reserves on deposit in the United States"; to the Committee on Banking and Currency.

A bill (S. 893) for the relief of Jack Wade, Perry Shilton, Louie Hess, Owen Busch, and William W. McGregor; to the Committee on Claims.

HEARINGS BEFORE THE COMMITTEE ON PUBLIC LANDS AND SURVEYS

Mr. ADAMS submitted the following resolution (S. Res. 62), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Public Lands and Surveys, or any subcommittee thereof, be, and hereby is, authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not to exceed 25 cents per hundred words, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

A. J. WATTS—WITHDRAWAL OF PAPERS

On motion by Mr. BLACK, it was

Ordered, That the Secretary of the Senate be, and he is hereby, authorized to release to A. J. Watts the papers accompanying and in connection with the bill (S. 3067) for the relief of A. J. Watts (74th Cong., 1st sess.).

LEASES ON NAVAL PETROLEUM RESERVE NO. 2

Mr. WALSH. Mr. President, on December 19 last the Secretary of the Navy transmitted a report to the Senate, as required by law, setting forth the oil and gas leases made in the naval petroleum reserve no. 2 in California since the last session of Congress. The report is very brief. Only a few leases were made. A great many inquiries are being received as to the leases, and I ask that the brief report of the Secretary of the Navy be printed in the body of the CONGRESSIONAL RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE NAVY,
Washington, December 17, 1936.

The VICE PRESIDENT,
United States Senate, Washington, D. C.

MY DEAR MR. VICE PRESIDENT: On July 9, 1936, the Acting Secretary of the Interior and the Acting Secretary of the Navy, for and on behalf of the United States and certain holders of United States oil and gas prospecting permits and leases, executed a plan agreement for cooperative development of lands of the United States in Buena Vista Hills oil and gas field, Kern County, Calif., which plan agreement was entered into under statutory authority provided by the acts approved March 4, 1931 (46 Stat. 1523; 30 U. S. C., sec. 226), and August 21, 1935 (49 Stat. 674), amending the act of Congress entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain", approved February 25, 1920 (41 Stat. 437).

Section 17 of the above-mentioned act of February 25, 1920, as amended, referring to oil and gas leases on lands of the United States, reads in part as follows:

"Leases shall be for a period of 20 years with the preferential right in the lessee to renew the same for successive periods of 10 years upon such reasonable terms and conditions as may be prescribed by the Secretary of the department having jurisdiction thereof, unless otherwise provided by law at the time of the expiration of such periods: *Provided*, That any lease heretofore or hereafter issued under this act that has become the subject of a cooperative or unit plan of development or operation of a single oil or gas pool or area, or other plan for the conservation of the oil and gas of a single pool or area, which plan has the approval of the Secretary of the department or departments having jurisdiction over the Government lands included in said plan as necessary or convenient in the public interest, shall continue in force beyond said period of 20 years until the termination of such plan: *And provided further*, That said Secretary or Secretaries shall report all leases so continued to Congress at the beginning of its next regular session after the date of such continuance."

In compliance with the last proviso quoted above, I hereby report that the following oil and gas leases in naval petroleum reserve no. 2, in California, have been continued, in the public interest, beyond the period of 20 years until the termination of the plan agreement:

Associated Oil Co., leases Sacramento nos. 019571 and 019571 (a); General Petroleum Corporation of California, leases Sacramento nos. 019336, 019337, 019424 (b), and 022065 (b); Honolulu Oil Corporation, Ltd., leases Sacramento nos. 019343, 019385 (b), and 019386 (b); Murvale Oil Co., lease Sacramento no. 019577; North American Oil Consolidated, leases Sacramento nos. 019383 (c), 019396 (b)–019626–019627–019628–019629 (consolidated), 019630, and 019752; Union Oil Co. of California, leases Sacramento nos. 019352, 019352 (b), and 019424 (a); the United Oil Co., leases Sacramento nos. 019594 and 019384 (c).

Very respectfully,

CLAUDE A. SWANSON.

WITH YOUTH PLOWED UNDER—POEM BY GEORGE S. HOLMES

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD a poem by George Sanford Holmes entitled "With Youth Plowed Under", which appears in the Appendix.]

CHAIRMAN FARLEY'S ADDRESS TO HIS FELLOW WORKERS

[Mr. BACHMAN asked and obtained leave to have printed in the RECORD the radio address delivered on Nov. 10, 1936, by Hon. James A. Farley, chairman of the Democratic National Committee, to his fellow workers in the Presidential campaign, which appears in the Appendix.]

SEVENTEENTH ANNIVERSARY OF EIGHTEENTH AMENDMENT

Mr. SHEPPARD. Mr. President, on this the seventeenth anniversary of the adoption of Nation-wide prohibition, which was repealed after an existence of nearly 14 years, it is significant to observe that the scene with reference to beverage alcohol as a social menace is rapidly changing.

To a degree never before realized, human safety and human life are dependent on the careful operation of machinery. About 37,000 deaths and hundreds of thousands of accidents resulted from the operation of automobiles alone in the United States last year. It is estimated that 100 persons perish in traffic in this country every day—a little more than four every hour—one every 15 minutes. A prominent newspaper writer, Mr. Blair Moody, in a dispatch from Detroit to the Washington Evening Star of January 4, 1937, informs us, to use his own language, that "in one wild Christmas Eve carnage 10 people were killed in a single night on the streets of Detroit alone." He also states in this dispatch that the property loss including wages and medical expenses of persons injured in connection with automobile accidents in this country last year is estimated by the National Safety Council at a billion six hundred million

dollars. The factory cost of all new passenger cars sold last year is estimated by the automobile industry at a billion eight hundred and forty million dollars. Thus the property loss from automobile accidents in 1936 almost equaled the value of the passenger-car output in that year.

It is true that it is difficult to determine the exact extent to which the drinking driver is responsible for these conditions, due to the fact that the capacity for careful driving of even a moderate and occasional drinker not visibly intoxicated or that of a drinker whose condition is not subject to detection by ordinary means is impaired to such an extent that he becomes the cause of accidents or is helpless to avert them. When it is definitely known, however, that the obviously drinking or drunken driver caused at least 3,600 deaths in the single year of 1935, according to statistics compiled by the National Safety Council, it is reasonable to assume that the actual number of deaths caused by all drinking drivers far exceeds that figure. More significant than all assumptions and figures, however, is the fact that the drinking-driver situation is such that sober and careful drivers and pedestrians are in constant dread of what may happen to them from drinking and drunken drivers. Still more significant is the fact that such statistics as have been compiled show an increasing percentage in recent years of deaths and accidents that can be traced to drinking drivers. In the "horse and buggy" days the drinking driver could drop the lines, relapse into a stupor, and reasonably depend upon his sober horse to take him home safely, and this without menace to others on the highway. In the present age if the driver relaxes control of the steering wheel of an automobile for but a moment he invites and frequently causes death or mutilation to himself, to other drivers, to passengers, and pedestrians.

The new scene consists also in the increasing responsibilities that devolve upon the airplane pilot and the locomotive engineer, on whose sobriety, steadiness of nerve, control of reflexes, and reactions depend the lives of greater and greater numbers of people. The same impairment of mental and physical capacities produced by even moderate indulgence in alcohol in the case of the driver of an automobile occurs also in the case of the airplane pilot and the locomotive engineer. It occurs also in the case of those who operate the vast machinery of modern industry—machinery representing the most tremendous concentrations of mechanical power ever known—where momentary loss of mental and physical control may mean destruction of life and property on an unprecedented scale.

It is well said that, with alcoholic liquor so extensively sold today, it can scarcely be an exaggeration to credit to its use a considerable proportion of the 4,000 accidental deaths last year in the trade and service industries; of the 1,900 deaths recorded in the manufacturing world; of the 2,100 deaths reported in the field of transportation and public utilities; of the 2,500 deaths in construction activities, and certainly a definite percentage of the 31,500 fatalities recorded as home deaths.

While it is true that rigid rules against drinking while at work have been established by employers, the fact that liquor is increasingly available everywhere and less subject to regulation than ever before creates a situation whereby the operators of machinery are increasingly powerless to resist the lure of alcoholic drink.

Another aspect of the alcohol problem may be found in the wider and more complicated problems of modern government, requiring the exercise by the individual of all his faculties and all his mental and moral resources. These faculties and resources are needed in their utmost purity and power at the ballot box, where every individual in a democracy participates in the direction of a nation's destinies. A drink-dulled mind is thus a handicap to the performance of the duties of citizenship—a handicap which becomes more serious as society becomes more vast and intricate.

The new scene shows the civilization of the machine age speeding forward. The individual must go forward with it, his faculties alert, intact, and constantly improving. Progress will continue in proportion as individuals are able to operate modern machinery with safety and efficiency. They cannot do so if beverage alcohol is permitted to narcotize their energies and to slow down their mental and physical powers. The world must be made safe for the speed essential to modern civilization.

Another part of the new scene is the new saloon—more alluring, more enticing, more dangerous than the old. The old saloon was the outgrowth of years of experience in the attempt to police the liquor traffic. The argument in support of it was that it segregated the sale of liquor from that of other merchandise; that women and children were excluded.

The old saloon fell into disrepute, not only because of the products which it sold but because of the social and other abuses which it helped to develop. It was promised that when the eighteenth amendment was repealed the saloon in any form would not be permitted to return. Many ingenious devices have been contrived to prevent the place of retail sale from having the appearance of a saloon. Package stores are being tried. The requirements that liquors shall be purchased only with meals, that patrons shall drink while seated at tables and not while standing with one foot on a brass rail at a bar are also being tried. But thoughtful observers of conditions today are inquiring whether these modern substitutes for the saloon are not in many respects far worse. The employment of hostesses and barmaids, including many young girls, and the presence of women and girl patrons in growing numbers in these new liquor places are developing serious problems.

A characteristic of the old saloon, however, that has returned in more sinister proportions is the practice of wage-check cashing across the bar.

This new-old scheme of boosting bar profits through "courtesy" drinks, common in preprohibition saloon days—

Says the American Business Men's Research Foundation—

is rapidly becoming a menace to the happiness and solvency of thousands of American homes.

It also says that on the basis of investigations made during the past few weeks, as a result of complaints from various industrial centers, the present unrestricted practice of cashing wage checks in taverns and saloons, which is now being widely promoted by liquor sellers and dive keepers, has not only become a serious factor in increasing liquor consumption but is depriving legitimate trade of millions of dollars of normal business.

Again it says that thousands of taverns or saloons, especially those in the vicinity of factories and industrial plants, are adding thousands of dollars to their gross profits every pay day by promoting the vicious custom of cashing wage-earners' checks, with the confident knowledge, attested by long experience, that such favors unfailingly swell the bar purchases of customers thus accommodated.

The foundation says also that first-hand investigations develop the fact that in many cases a large proportion of the tavern patrons for hours following pay-offs are those who crowd into the bar for this accommodation, and who, practically without exception, reciprocate by purchases ranging from one to an indefinite number of "courtesy" drinks.

It further says that this practice, on the basis of reports received, is developing even more serious abuses, such as temporarily withholding complete payment of checks so proffered, with the result that credit so extended leads to week-end liquor bouts that leave in the barkeeper's till all or a large portion of the entire amount of the workers' checks.

The foundation asserts that self-evidently the most serious phase of the saloon pay-check cashing problem is the increasing diversion of labor's wages thereby to the liquor trade from legitimate neighborhood retailers, merchants, and banks, and the consequent curtailment of savings deposits and expenditures for the purchase of necessities and wholesome luxuries.

It asserts also that so extensive is the check-cashing accommodation now in evidence at various points that it apparently indicates cooperation and encouragement of

brewers and distillers in developing this plan of profit boosting.

Again it asserts that the most surprising development of the investigation so far has been the apparent indifference of many employers to the serious dangers involved in saloon check cashing, with the consequent tragic effects upon the life and happiness of thousands of workers' families involved.

Another phase of the liquor problem at the present time is the increasing consumption and increasing storage for future consumption of distilled and fermented liquors. Consider what has happened in the 3 years since repeal. Before national prohibition the largest consumption of alcoholic beverages occurred in 1911, amounting to a little more than 22 gallons per capita.

In the 3 years since national prohibition the per-capita consumption of legal liquor has been increasing in such a ratio as will bring this consumption to what it was in 1911 in another 3 years. The official tax-paid per-capita withdrawal figures representing liquors withdrawn from bonded warehouses for sale are as follows: About eight and a half gallons per capita in 1934; eleven and a half gallons per capita in 1935; and about thirteen and a quarter gallons per capita in 1936. This does not take into account the consumption of bootleg liquor since repeal.

Not only are we confronted with a rapidly mounting consumption of liquors but with the efforts of liquor manufacturers to insure greater consumption in the future. Vast quantities of distilled and fermented liquors are being manufactured and stored in Government warehouses for future use.

These tremendous stocks indicate the plans of the liquor traffic for the future. Misery in storage! Crime on deposit! Murder in reserve! Hell warehoused for the future destruction of mankind!

According to the study entitled "After Repeal", published by the Institute of Public Administration, an endowed institution affiliated with the New York Bureau of Municipal Research and Columbia University, the most discouraging thing in connection with the liquor traffic since repeal is that the bootlegger is still with us.

Repeal Associates, an organization including many individuals formerly connected with the Association Against the Prohibition Amendment, is so disturbed by the present situation that it has sent a letter to temperance groups urging cooperation in the effort to suppress bootlegging, saying:

> Knowing your keen interest in the promotion of abstemious temperance in the use of alcoholic beverages, I take pleasure in inviting you to join in a campaign to get rid of bootlegging—a campaign in which Repeal Associates is now engaged. Despite a fundamental difference in our philosophy as to the best methods for handling the liquor problem, I am confident you will agree with us that bootleggers and the murderous criminal organizations which they support are still serious menaces to public security and personal well-being and stumbling blocks in the way of temperance education and proper control of the liquor traffic.

And yet we were told that with repeal the bootlegger would disappear.

Officials charged with the enforcement of liquor laws say that the bootlegger persists and continues to be a real problem.

Such are some of the present aspects of the liquor problem. An element of the problem which never has changed, however, and which never will change is the nature of beverage alcohol and its effects on the human body.

Because of its nature and of its effects I arraign beverage alcohol before the thought and judgment of America.

I arraign it as a narcotic poison.

I arraign it as a poison side by side with morphine, opium, and cocaine.

I arraign it as a false and pretended stimulant.

I arraign it as an agent that attacks the higher centers of the brain and blunts the normal guides of observation, attention, judgment, reflexes, and reactions.

I arraign it as a habit-forming, will-destroying drug.

I arraign it as a destroyer of life, reason, self-control, endurance, skill, and moral fiber.

I arraign it as a source of crime and waste and human degradation.

I arraign it as an executioner of soul and body.

I arraign it as a promoter of disease.

I arraign it as a barrier to thrift.

I arraign it as a threat to life and limb.

I arraign it as a producer of mental break-down and insanity.

I arraign it as the enemy of youth.

I arraign it as a wrecker of homes.

I arraign it as a defiler of motherhood and virtue.

I arraign it as a blight upon the happiness and the progress of mankind.

What will the future historian have to say concerning the constitutional change that occurred on December 5, 1933? That date marked the repeal of the eighteenth amendment to the Constitution, which had outlawed liquor throughout the United States. Three years have since elapsed. Within that period a majority of the States of the Union have enacted legislation reestablishing the legalized liquor traffic under various plans of regulation and control, and the Federal Government has established its administrative system for policing the liquor traffic within those spheres of Federal activity now possessed by the National Government under the twenty-first amendment.

How is the new attempt to solve the age-long problem of beverage alcohol working? To what extent are we realizing upon the promises that the legalization of beer and wine would discourage the use of hard liquors, that repeal of national prohibition would promote temperance, would lessen the cost of administration of the liquor laws, and reduce crime? In none of the present so-called liquor-control systems is there any adequate or effective method for dealing with the social factors involved in the liquor problem.

It would be difficult to imagine a greater diversity of approach than is suggested in the liquor-control laws that have been set up since repeal of national prohibition. In 15 States the State monopoly is in force, where liquors of higher alcoholic content are sold either by State stores or by State-appointed agents. But even in the monopoly plan great differences of method are employed. In 25 States license systems are in vogue. These also vary greatly. Some provide for a central licensing authority with full power to issue licenses; others provide for the exercise of concurrent power between the State and local license boards; still others allow some types of licenses to be issued by the central authority and other types by local bodies. In six States there is State prohibition, while two others have local dispensaries. Wide variance is also shown in the method allowed for local option in those States which permit it.

No matter what type of law has been enacted since repeal by the States or by the Federal Government, the basic consideration appears to have been the collection of liquor revenues, with slight regard for social consequences. In the mad scramble for tax receipts social considerations are being ignored.

This condition challenges action. The American people did not adopt either State or National prohibition as a result of prejudice or of haste. No, Mr. President, they adopted prohibition after years of experience with the liquor traffic had left them no other choice.

Today there is still no other choice. The bootlegger is still with us, crime is still rampant, the highjacker is still present, the gangster still kills, public enemies still war upon us, kidnapers still ply their ghastly trade, while the destroyer, alcohol, converts the highways into avenues of death and mutilation.

Mr. President, it is evident that 3 years after repeal beverage alcohol is more of a danger and more of a menace to America than ever before. It is also evident that those who brought about repeal have not remedied the danger nor modified the menace. It is further evident that the evils of beverage alcohol have assumed such obviously destructive forms that an aroused public sentiment, when the case is properly presented, may well be expected to support the reenactment of Nation-wide prohibition. The widespread revolt against the eighteenth amendment was, in my judgment, due mainly to the feeling that prohibition was an effort

on the part of certain groups to interfere with the private habits of others. This was perhaps the principal cause of the break-down of enforcement and of the support of the paid propaganda which ultimately produced repeal. Present events in connection with beverage alcohol show that the liquor problem involves more numerous and more serious considerations than has ever been realized by the opponents of prohibition.

The American people are becoming alarmed over the continuous and increasing slaughter of human beings in which beverage alcohol plays a continuous and ever-growing part. They will not long continue to tolerate the degradation of their most cherished traditions and ideals resulting from a traffic producing so many evils, including the spread of drink among the women of the race.

EXECUTIVE SESSION

Mr. ROBINSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore. If there be no reports of committees, the clerk will state in their order the nominations on the calendar.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of William Phillips, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary to Italy.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of William Christian Bullitt, of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary to France.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Joseph E. Davies, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary to the Union of Soviet Socialist Republics.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. ROBINSON. I ask unanimous consent that the remaining nominations in the Diplomatic and Foreign Service be confirmed en bloc.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the nominations are confirmed en bloc.

WORKS PROGRESS ADMINISTRATION

The legislative clerk read the nomination of Clarence G. Nevins, of Kansas, to be State administrator for Kansas.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of John J. McDunough, of Massachusetts, to be State administrator for Massachusetts.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Robert A. Hurley, of Connecticut, to be State administrator for Connecticut.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Frank Ingram, of Florida, to be State administrator for Florida.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of F. H. Locey, of Hawaii, to be director for the Territory of Hawaii.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

MILES H. FAIRBANK

The legislative clerk read the nomination of Miles H. Fairbank, of Maryland, to be regional administrator for the Puerto Rico Reconstruction Administration.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

PUBLIC WORKS ADMINISTRATION

The legislative clerk read the nomination of Stanley H. Wright to be director of the Public Works Administration for North Carolina.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Massena L. Culley to be director of the Public Works Administration for Mississippi.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Ralph C. Chaney to be director of the Public Works Administration for Ohio.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

IN THE ARMY

Mr. GREEN. Mr. President, I ask unanimous consent that the nomination of Luke Henry Callan to be brigadier general in the Officers' Reserve Corps be considered at this time.

The PRESIDENT pro tempore. Without objection, the nomination will be considered and will be stated by the clerk.

The legislative clerk read the nomination of Luke Henry Callan to be brigadier general in the Officers' Reserve Corps.

Mr. GREEN. I move that the nomination be confirmed.

The PRESIDENT pro tempore. On motion of the Senator from Rhode Island, the question is, Will the Senate advise and consent to this nomination?

The motion to confirm the nomination was agreed to.

The legislative clerk read the nomination of John Hendricken Hughes to be major general, Regular Army.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of David Lamme Stone to be major general, Regular Army.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of John Lesesne DeWitt to be major general, Regular Army.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Harry Edward Knight to be major general, Regular Army.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of George Parker Tyner to be brigadier general, Regular Army.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of William Henry Wilson to be brigadier general, Regular Army.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Robert McCandlass Beck, Jr., to be brigadier general, Regular Army.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Walter Krueger to be brigadier general, Regular Army.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Asa Leon Singleton to be brigadier general, Regular Army.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of George Catlett Marshall to be brigadier general, Regular Army.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Kenyon Ashe Joyce to be brigadier general, Regular Army.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of George Grunert to be brigadier general, Regular Army.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Walter Campbell Short to be brigadier general, Regular Army.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Campbell Blackshear Hodges to be brigadier general, Regular Army.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Lesley James McNair to be brigadier general, Regular Army.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Henry Conger Pratt to be brigadier general, Regular Army.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk proceeded to read sundry nominations for appointments and promotions in the Regular Army.

Mr. SHEPPARD. I ask unanimous consent that the remaining military nominations be confirmed en bloc.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the nominations are confirmed en bloc. That completes the calendar.

ADJOURNMENT TO TUESDAY

Mr. ROBINSON. I move that the Senate stand in adjournment until 12 o'clock noon Tuesday next.

The motion was agreed to; and (at 12 o'clock and 45 minutes p. m.) the Senate adjourned until Tuesday, January 19, 1937, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate
January 16, 1937

AMBASSADORS EXTRAORDINARY AND PLENIPOTENTIARY

William Phillips to be Ambassador Extraordinary and Plenipotentiary to Italy.

William Christian Bullitt to be Ambassador Extraordinary and Plenipotentiary to France.

Joseph E. Davies to be Ambassador Extraordinary and Plenipotentiary to the Union of Soviet Socialist Republics.

DIPLOMATIC AND FOREIGN SERVICE

Maurice M. Bernbaum to be Foreign Service officer, unclassified, vice consul of career, and secretary in the Diplomatic Service.

Stephen C. Brown to be Foreign Service officer, unclassified, vice consul of career, and secretary in the Diplomatic Service.

John D. Jernegan to be Foreign Service officer, unclassified, vice consul of career, and secretary in the Diplomatic Service.

Hartwell Johnson to be Foreign Service officer, unclassified, vice consul of career, and secretary in the Diplomatic Service.

Leslie W. Johnson to be Foreign Service officer, unclassified, vice consul of career, and secretary in the Diplomatic Service.

Brewster H. Morris to be Foreign Service officer, unclassified, vice consul of career, and secretary in the Diplomatic Service.

Carmel Offie to be Foreign Service officer, unclassified, vice consul of career, and secretary in the Diplomatic Service.

J. Graham Parsons to be Foreign Service officer, unclassified, vice consul of career, and secretary in the Diplomatic Service.

Fred K. Salter to be Foreign Service officer, unclassified, vice consul of career, and secretary in the Diplomatic Service.

Maynard N. Shirven to be Foreign Service officer, unclassified, vice consul of career, and secretary in the Diplomatic Service.

Myles Standish to be Foreign Service officer, unclassified, vice consul of career, and secretary in the Diplomatic Service.

Arthur R. Williams to be Foreign Service officer, unclassified, vice consul of career, and secretary in the Diplomatic Service.

Philip P. Williams to be Foreign Service officer, unclassified, vice consul of career, and secretary in the Diplomatic Service.

Robert E. Wilson to be Foreign Service officer, unclassified, vice consul of career, and secretary in the Diplomatic Service.

H. Merle Cochran to be Foreign Service officer of class 1.

Walter A. Leonard to be secretary in the Diplomatic Service.

Walter H. Sholes to be consul general.

James W. Riddleberger to be secretary in the Diplomatic Service.

J. Hall Paxton to be secretary in the Diplomatic Service.

William P. Blocker to be secretary in the Diplomatic Service.

Walter H. McKinney to be secretary in the Diplomatic Service.

Dale W. Maher to be secretary in the Diplomatic Service.

Gerald Keith to be secretary in the Diplomatic Service.

Edward T. Wailes to be secretary in the Diplomatic Service.

Herbert S. Bursley to be secretary in the Diplomatic Service.

Robert D. Murphy to be secretary in the Diplomatic Service.

Howard K. Travers to be secretary in the Diplomatic Service.

Joseph L. Brent to be secretary in the Diplomatic Service.

Harold L. Williamson to be consul.

James Orr Denby to be consul.

Walter T. Prendergast to be consul.

WORKS PROGRESS ADMINISTRATION

Clarence G. Nevins to be State administrator in the Works Progress Administration for Kansas.

John J. McDunough to be State administrator in the Works Progress Administration for Massachusetts.

Robert A. Hurley to be State administrator in the Works Progress Administration for Connecticut.

Frank Ingram to be State administrator in the Works Progress Administration for Florida.

F. H. Locey to be director in the Works Progress Administration for the Territory of Hawaii.

PUERTO RICO RECONSTRUCTION ADMINISTRATION

Miles H. Fairbank to be regional administrator for the Puerto Rico Reconstruction Administration.

PUBLIC WORKS ADMINISTRATION

Stanley H. Wright to be director of the Public Works Administration for North Carolina.

Massena L. Culley to be director of the Public Works Administration for Mississippi.

Ralph C. Chaney to be State engineer inspector for the Public Works Administration in Ohio.

APPOINTMENTS IN THE REGULAR ARMY

John Hendricken Hughes to be major general.
David Lamme Stone to be major general.
John Lesesne DeWitt to be major general.
Harry Edward Knight to be major general.
George Parker Tyner to be brigadier general.
William Henry Wilson to be brigadier general.
Robert McCandlass Beck, Jr., to be brigadier general.
Walter Krueger to be brigadier general.
Asa Leon Singleton to be brigadier general.
George Catlett Marshall to be brigadier general.
Kenyon Ashe Joyce to be brigadier general.
George Grunert to be brigadier general.
Walter Campbell Short to be brigadier general.
Campbell Blackshear Hodges to be brigadier general.
Lesley James McNair to be brigadier general.
Henry Conger Pratt to be brigadier general.

Albert Owen Seaman to be Assistant to the Quartermaster General, with the rank of brigadier general, for the period of 4 years beginning December 23, 1936, with rank from December 18, 1936.

Max Clayton Tyler to be Assistant to the Chief of Engineers, with the rank of brigadier general, for the period of 4 years beginning July 30, 1936, with rank from June 26, 1936.

AIR CORPS

To be second lieutenants with rank from October 1, 1936

Berton Root
William Melville Brown
Herman Alfred Schmid
Lloyd Pauahi Hopwood
James Arthur DeMarco
Joseph Day Lee, Jr.
Leslie Raybold
Wilbur Walter Aring
James Oscar Guthrie
Charles Phillip Hollstein
Jack Lindley Randolph
Homer Astley Boushey, Jr.
Don Orville Darrow
Harold Austin Gunn
Francis Leslie Rivard
Frederic Henry Miller, Jr.
Donald Robert Hutchinson
John Allen Hilger
Lawrence Clinton Coddington
Robert Kirkland Black
Frank Richardson Cook
George Everill Pierce
Paul Engberg Todd
Louis William Proper
Ralph Charles Rockwood
Tom Jefferson Cunningham
William Henry Gist, Jr.
Potter Brooks Paige
William Ross Robertson, Jr.
Joseph Stanley Holtoner
James Clyde Selser, Jr.
Douglas Ellsworth Williams
Lewis Leo Mundell
Brooke Empie Allen
Oliver Edwin Ford, Jr.
John Beaumont Cornett
John Hal Jeffus
Boyd Hubbard, Jr.
Lawrence Worthington Greenbank
Norman Lewis Peterson
Douglas Whitehill Smith
Victor Raymond Haugen
Hilmer Cannon Nelson
William Parker Fisher
Robert Windeck Hall
Paul Howard Dane
Graves Hubbard Snyder
Chester Witten Cecil, Jr.
John Markward Reynolds
Ralph MacKenzie Kellogg

MEDICAL CORPS

To be first lieutenants with rank from July 1, 1936

Benjamin Anderson Strickland, Jr.
Waldron Lewis Morse
Clarence Asa Tinsman
Raymond McKinley Williams
Charles Bateman Perkins
Clark Bolton Meador
Charles Henry Moseley
John Chisholm Fitzpatrick
Levi Martin Browning
John William Kemble
John William Raulston
William Ferrall Cook
Erving Francis Geever
Conn Lewis Milburn, Jr.
James Thomas McGibony
Robert Henry Blount
John Kemp Davis
Louis Frederick Hubener
Wilbur Carmen Berry
Karl Herbert Houghton
Albert Charles Krukowski
Kenneth Somers
Edward Sigerfoos

To be first lieutenants with rank from December 7, 1936

Claude Cordray Dodson
William Darrell Willis
Dean Schamber
Lester Orville Crago
Eugene Coryell Jacobs
William J. L. Porcher
Albert Alfred Biederman
Alfred August Grebe
Emmert Carl Lentz
Marshall Nelson Jensen
Edward Rudolf Wernitznig
Lewis Calvin Shellenberger
Albert W. Shiflet
Kenneth Rider Nelson
Gottlieb Leonard Orth
Edward Alexander Cleve
Douglas Blair Kendrick, Jr.
William Francis Conway
Robert Joseph Benford
Harold Valdo Weatherman
Rex Clayton House
Robert John Hoagland
Ronald Fisher Kirk
Charles Joseph Farinacci
Warren Henry Diessner
Weldon Kenneth Ruth
Gus Warlick Neece
Ryle August Radke
Lee Page Mayes
Scott Murray Smith
William Frederic Holmes, Jr.
Bruno Jastremski
Theodore Moffett Carow
James Polk Sullivan
William Edgar Wilkinson
Edwin Matthew Goyette
James Goree Moore
Harold Allen Myers
Merrill John Reeh
Myron Jewell Tremaine
Donald Bullen Peterson

To be first lieutenant with rank from December 16, 1936

Paul Owen Wells

To be first lieutenants with rank from January 1, 1937

Lloyd Ethan Gould
Beverly Holland
Santino Joseph Lerro

DENTAL CORPS

To be first lieutenants with rank from November 5, 1936

Conrad Toral Kvan
George Thomas Perkins
Roy L. Bodine, Jr.
Carvel Clark Ellison
Arthur Julian Hemberger
Hutton A. Shearer
Marion Lawerance Mills
Stanley Foster Steele
Jack Monroe Hawkins
Charles Max Farber
Maurice Edson Washburn
Edmund Harold Van Dervort
Robert Bruce Loos
Stuart E. Hays, Jr.
Cephas William Gary
Wayne Alden Hayes
Robert Virgil Nelson
Harold Edward Dilley
William Victor Hill
Paul Wilson Holter
George Othur Snow
Ellsworth Kessler Kelly
Walter John Reuter

VETERINARY CORPS

To be first lieutenants with rank from November 30, 1936

Fred Lewis Herring
Wayne Devere Shipley
Don L. Deane
Benjamin Francis Leach
Walter Smit

CHAPLAINS

To be chaplains with the rank of first lieutenant

Thomas Hampton Reagan
Aubrey John O'Reilly

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

Lt. Col. Sydney Smith Winslow to Quartermaster Corps.

Maj. William Lackey Mays to Quartermaster Corps.

Maj. Charles Wilkes Christenberry to Adjutant General's Department.

Maj. Richard Mar Levy to Adjutant General's Department.

Maj. Francis Atherton Macon, Jr., to Adjutant General's Department.

Maj. Orlen Nelson Thompson to Adjutant General's Department.

Capt. Stuart Millikin Bevans to Adjutant General's Department.

Capt. Harris Fulford Scherer to Adjutant General's Department.

Capt. Lowell Whittier Bassett to Judge Advocate General's Department

Capt. John James Honan to Judge Advocate General's Department.

Maj. Charles Hayes Henry to Quartermaster Corps.

Capt. Richard Tobin Bennison to Quartermaster Corps.

Capt. Paul William George to Quartermaster Corps.

Capt. James Franklin Greene to Quartermaster Corps.

Capt. Lew Myers Morton to Quartermaster Corps.

Capt. James Alva Murphey to Quartermaster Corps.

Capt. Clarence Henry Schabacker to Quartermaster Corps.

First Lt. Charles Freeman Kearney to Quartermaster Corps.

First Lt. Frank M. Steadman to Quartermaster Corps.

Maj. Richard David Daugherity to Finance Department.

Maj. Harry Foster to Finance Department.

Maj. Louis Wilson Maddox to Finance Department.

Maj. Harold Ragan Priest to Finance Department.

Capt. Emmett James Bean to Finance Department.

Capt. George Louis Boyle to Finance Department.

Capt. Morris Handley Forbes to Finance Department.

Capt. Millard Fillmore Willet Oliver to Finance Department.

Capt. Lee Roy Woods, Jr., to Finance Department.

First Lt. John Henderson Dudley to Corps of Engineers.

First Lt. Daniel Stickley Spengler to Corps of Engineers.

First Lt. Robert Earl Schukraft to Signal Corps.

First Lt. Clarence Harvey Gunderson to Chemical Warfare Service.

Second Lt. James Willoughby Totten to Field Artillery.

Second Lt. William Nott Beard to Corps of Engineers.

Second Lt. Andrew Davis Chaffin, Jr., to Corps of Engineers.

Second Lt. Ellis Oakes Davis to Corps of Engineers.

Second Lt. William Parrish Fickes to Corps of Engineers.
Second Lt. James Benjamin Lampert to Corps of Engineers.
Second Lt. Lawrence Edward Laurion to Corps of Engineers.
Second Lt. Kenneth Einar Madsen to Corps of Engineers.
Second Lt. David McCoach, Third, to Corps of Engineers.
Second Lt. John Daniel McElheny to Corps of Engineers.
Second Lt. William David Milne to Corps of Engineers.
Second Lt. Reginald Joseph Beauregard Page to Corps of Engineers.
Second Lt. Stephen Elliott Smith to Corps of Engineers.
Capt. Kenneth Frease March to Signal Corps.
Capt. Raymond Thomas Beurket to Chemical Warfare Service.
Capt. Leonard James Greeley to Chemical Warfare Service.
Capt. Thomas Howard James to Chemical Warfare Service
First Lt. Roy Whitman Muth to Chemical Warfare Service.
First Lt. Raymond Charles Brisach to Field Artillery.
First Lt. Donald Cameron Cubbison, Jr., to Field Artillery.
First Lt. Henry Walter Herlong to Field Artillery.
First Lt. Duff Walker Sudduth to Field Artillery.
Second Lt. Paul Earl Johnson, Jr., to Field Artillery.
First Lt. Robert Totten to Coast Artillery Corps.
Second Lt. Louis Lee Ingram to Coast Artillery Corps.
Maj. Ernest Alvin Kindervater to Infantry.
Capt. James Roy Andersen to Air Corps.
First Lt. Paul Ernest Ruestow to Air Corps.
First Lt. Herbert Bishop Thatcher to Air Corps.
Second Lt. Kenneth Paul Bergquist to Air Corps.
Second Lt. John Kimball Brown, Jr., to Air Corps.
Second Lt. Willis Fred Chapman to Air Corps.
Second Lt. Charles Jordan Daly to Air Corps.
Second Lt. Leighton Ira Davis to Air Corps.
Second Lt. Richard Elmer Ellsworth to Air Corps.
Second Lt. Arthur Allison Fickel to Air Corps.
Second Lt. Wilhelm Cunliffe Freudenthal to Air Corps.
Second Lt. Thomas Joseph Gent, Jr., to Air Corps.
Second Lt. Pelham Davis Glassford, Jr., to Air Corps.
Second Lt. Jack Wallis Hickman to Air Corps.
Second Lt. Downs Eugene Ingram to Air Corps.
Second Lt. Samuel Barcus Knowles, Jr., to Air Corps.
Second Lt. Samuel Cummings Mitchell to Air Corps.
Second Lt. Thomas Cebern Musgrave, Jr., to Air Corps.
Second Lt. Jack Roberts to Air Corps.
Second Lt. Joseph Gordon Russell to Air Corps.
Second Lt. Lamont Saxton to Air Corps.
Second Lt. Albert Joseph Shower to Air Corps.
Second Lt. Maurice Monroe Simons to Air Corps.
Second Lt. George Rosse Smith, Jr., to Air Corps.
Second Lt. Robert Morris Stillman to Air Corps.
Second Lt. Raymond William Sumi to Air Corps.
Second Lt. Glenn Curtis Thompson to Air Corps.
Second Lt. James Willoughby Totten to Air Corps.
Second Lt. Aaron Warner Tyer to Air Corps.
Second Lt. James Howard Walsh to Air Corps.
Second Lt. Thomas Wildes to Air Corps.
Second Lt. James Van Gorder Wilson to Air Corps.

PROMOTIONS IN THE REGULAR ARMY

William Schuyler Woodruff to be colonel, Infantry.
Thomas Franklin McNeill to be colonel, Infantry.
John Gavin Tyndall to be colonel, Field Artillery.
Alfred Lawrence Pearson Sands to be colonel, Field Artillery.
Charles Peaslee George to be colonel, Field Artillery.
John Delbert Reardan to be colonel, Air Corps.
Ernest Leonard Pell to be colonel, Infantry.
William Henry Shepherd to be colonel, Field Artillery.
Marshall Guion Randol to be colonel, Field Artillery.
Joseph Carmoreau Hatie to be colonel, Infantry.
George Meredith Peek to be colonel, Field Artillery.
Alexander James Stuart to be colonel, Ordnance Department.
John Nesmith Greely to be colonel, Field Artillery.
George Ruhlen to be colonel, Coast Artillery Corps.
John Edward Mort to be colonel, Field Artillery.
Webster Allyn Capron to be colonel, Ordnance Department.
Frederick Monroe Barrows to be colonel, Field Artillery.
Henry Wirt Thomas Eglin to be colonel, Coast Artillery Corps.
Cary Ingram Crockett to be colonel, Infantry.
Glen Edgar Edgerton to be colonel, Corps of Engineers.
Charles Lacey Hall to be colonel, Corps of Engineers.
Virgil Lee Peterson to be colonel, Corps of Engineers.
John Wesley Niesz Schulz to be colonel, Corps of Engineers.
Clarence Lynn Sturdevant to be colonel, Corps of Engineers.
James Henry Burns to be colonel, Ordnance Department.
Everett Strait Hughes to be colonel, Ordnance Department.
Thomas Jefferson Smith to be colonel, Ordnance Department.
Roger Sheffield Parrott to be colonel, Field Artillery.
Oliver Andrews Dickinson to be colonel, Field Artillery.
Richard Edgar Cummins to be colonel, Cavalry.
Telesphor George Gottschalk to be colonel, Field Artillery.
Harvey Douglas Higley to be colonel, Field Artillery.
James Wilbur Lyon to be colonel, Chemical Warfare Service.
Rodney Hamilton Smith to be colonel, Coast Artillery Corps.
Albert Lawrence Loustalot to be colonel, Coast Artillery Corps.
Richard Donovan to be colonel, Coast Artillery Corps.
Robert Clive Rodgers to be colonel, Cavalry.
Homer Havron Slaughter to be colonel, Infantry.
Sanderford Jarman to be colonel, Coast Artillery Corps.
Clair Warren Baird to be colonel, Coast Artillery Corps.
Edward Willis Putney to be colonel, Coast Artillery Corps.
Henry Clinton Kress Muhlenberg to be colonel, Air Corps.
Simon Bolivar Buckner, Jr., to be colonel, Infantry.
Louis Lindsay Pendleton to be colonel, Coast Artillery Corps.
John Francis Curry to be colonel, Air Corps.
James Eugene Chaney to be colonel, Air Corps.
Thomas Alexander Terry to be colonel, Coast Artillery Corps.
Edward Nicoll Woodbury to be colonel, Coast Artillery Corps.
Carl Cogswell Oakes to be colonel, Finance Department.
John Thomas Kennedy to be colonel, Field Artillery.
Ray Longfellow Avery to be colonel, Chemical Warfare Service.
Owen Riggs Meredith to be colonel, Infantry.
Edward Alexander Stockton, Jr., to be colonel, Coast Artillery Corps.
Homer McLaughlin Groninger to be colonel, Cavalry.
James Hutchings Cunningham to be colonel, Coast Artillery Corps.
Richard Carlton Stickney to be lieutenant colonel, Infantry.
Edward James Dwan to be lieutenant colonel, Cavalry.
John Ross Mendenhall to be lieutenant colonel, Infantry.
Norman Randolph to be lieutenant colonel, Infantry.
Joseph Monroe Murphy to be lieutenant colonel, Infantry.
George Edward Stratemeyer to be lieutenant colonel, Air Corps.
Eustis Lloyd Hubbard to be lieutenant colonel, Cavalry.
Frederic William Boye to be lieutenant colonel, Cavalry.
Leroy Hugh Watson to be lieutenant colonel, Infantry.
Joseph May Swing to be lieutenant colonel, Field Artillery.
Charles Wolcott Ryder to be lieutenant colonel, Infantry.
Stafford LeRoy Irwin to be lieutenant colonel, Field Artillery.
Joseph Taggart McNarney to be lieutenant colonel, Air Corps.
Pearson Menoher to be lieutenant colonel, Cavalry.
Albert Henry Warren to be lieutenant colonel, Coast Artillery Corps.
Omar Nelson Bradley to be lieutenant colonel, Infantry.
Paul John Mueller to be lieutenant colonel, Infantry.
Leland Stanford Hobbs to be lieutenant colonel Infantry.
John Frederick Kahle to be lieutenant colonel, Coast Artillery Corps.
Edwin Bowman Lyon to be lieutenant colonel, Air Corps.

Reinold Melberg to be lieutenant colonel, Coast Artillery Corps.

Clarence Brewster Lindner to be lieutenant colonel, Coast Artillery Corps.

John Henry Cochran to be lieutenant colonel, Coast Artillery Corps.

Carl Conrad Bank to be lieutenant colonel, Field Artillery.

Vernon Evans to be lieutenant colonel, Infantry.

Roscoe Barnett Woodruff to be lieutenant colonel, Infantry.

Joseph Jesse Teter to be lieutenant colonel, Adjutant General's Department.

Lewis Clarke Davidson to be lieutenant colonel, Infantry.

Dwight David Eisenhower to be lieutenant colonel, Infantry.

Harold William James to be lieutenant colonel, Infantry.

Hume Peabody to be lieutenant colonel, Air Corps.

Martin John O'Brien to be lieutenant colonel, Coast Artillery Corps.

Joseph Cumming Haw to be lieutenant colonel, Coast Artillery Corps.

James Basevi Ord to be lieutenant colonel, Infantry.

Earl Larue Naiden to be lieutenant colonel, Air Corps.

Henry McElderry Pendleton to be lieutenant colonel, Cavalry.

Iverson Brooks Summers to be lieutenant colonel, Adjutant General's Department.

Edmund de Treville Ellis to be lieutenant colonel, Quartermaster Corps.

Robert William Strong to be lieutenant colonel, Cavalry.

Clifford Randall Jones to be lieutenant colonel, Coast Artillery Corps.

John Beugnot Wogan to be lieutenant colonel, Field Artillery.

Clesen Henry Tenney to be lieutenant colonel, Coast Artillery Corps.

Clifford Barrington King to be lieutenant colonel, Field Artillery.

Frank Edwin Emery, Jr., to be lieutenant colonel, Coast Artillery Corps.

Edward Caswell Wallington to be lieutenant colonel, Chemical Warfare Service.

Carl Ernest Hocker to be lieutenant colonel, Coast Artillery Corps.

John William Leonard to be lieutenant colonel, Infantry.

Richmond Trumbull Gibson to be lieutenant colonel, Coast Artillery Corps.

Edward Campbell McGuire to be lieutenant colonel, Cavalry.

Clyde Raymond Eisenschmidt to be lieutenant colonel, Infantry.

John McDonald Thompson to be lieutenant colonel, Quartermaster Corps.

James Alward Van Fleet to be lieutenant colonel, Infantry.

Edward Gill Sherburne to be lieutenant colonel, Infantry.

Walter Wood Hess, Jr., to be lieutenant colonel, Field Artillery.

Michael Frank Davis to be lieutenant colonel, Air Corps.

John Fuller Davis to be lieutenant colonel, Cavalry.

Hubert Reilly Harmon to be lieutenant colonel, Air Corps.

Benjamin Greeley Ferris to be lieutenant colonel, Infantry.

Charles Samuel Ritchel to be lieutenant colonel, Infantry.

Thomas Guerdon Hearn to be lieutenant colonel, Infantry.

Donald Henley to be lieutenant colonel, Infantry.

Joseph Daly Coughlan to be lieutenant colonel, Chemical Warfare Service.

Reese Maughan Howell to be lieutenant colonel, Field Artillery.

Henry Jervis Friese Miller to be lieutenant colonel, Air Corps.

Alfred Schrieber Balsam to be lieutenant colonel, Quartermaster Corps.

Arthur Arnim White to be lieutenant colonel, Field Artillery.

Howard Donnelly to be lieutenant colonel, Infantry.

John Nicholas Robinson to be lieutenant colonel, Infantry.

Victor Vaughan Taylor to be lieutenant colonel, Adjutant General's Department.

Thomas James Hanley, Jr., to be lieutenant colonel, Air Corps.

Jacob John Gerhardt to be lieutenant colonel, Infantry.

Leo Andrew Walton to be lieutenant colonel, Air Corps.

Ralph Pittman Cousins to be lieutenant colonel, Air Corps.

Charles Robert Finley to be lieutenant colonel, Coast Artillery Corps.

Vernon Edwin Prichard to be lieutenant colonel, Field Artillery.

Adlai Howard Gilkeson to be lieutenant colonel, Air Corps.

Gilbert Smith Brownell to be lieutenant colonel, Infantry.

Miles Andrew Cowles to be major, Field Artillery.

Lawrence McCeney Jones to be major, Field Artillery.

Gordon Graham Heiner, Jr., to be major, Field Artillery.

George Walter Hirsch to be major, Ordnance Department.

Forrest Clifford Shaffer to be major, Ordnance Department.

Frank Fenton Reed to be major, Ordnance Department.

John Will Coffey to be major, Ordnance Department.

Grayson Cooper Woodbury to be major, Ordnance Department.

Robert Alston Willard to be major, Signal Corps.

Clyde Hobart Morgan to be major, Ordnance Department

Robert Wilson Hasbrouck to be major, Field Artillery.

John Taylor deCamp to be major, Coast Artillery Corps.

Sargent Prentiss Huff to be major, Ordnance Department.

William Henry Donaldson, Jr., to be major, Coast Artillery Corps.

Duncan Gregor McGregor to be major, Ordnance Department.

Thomas Jackson Heavey to be major, Cavalry.

Henry Maris Black to be major, Chemical Warfare Service.

Joshua Ashley Stansell to be major, Signal Corps.

Lowell Herbert Smith to be major, Air Corps.

Raymond Eccleston Serveira Williamson to be major, Cavalry.

David Charles George Schlenker to be major, Signal Corps.

William Henry Whiting Reinburg to be major, Cavalry.

Elmer Hugo Almquist to be major, Field Artillery.

Frank Leslie Carr to be major, Cavalry.

Frank Edmund Bertholet to be major, Cavalry.

Marion Carson to be major, Cavalry.

Rossiter Hunt Garity to be major, Cavalry.

Robert MacDonald Graham to be major, Cavalry.

Leo Buffington Conner to be major, Cavalry.

Arthur Burnola Custis to be major, Ordnance Department.

Loyd Van Horne Durfee to be major, Infantry.

Desmond O'Keefe to be major, Judge Advocate General's Department.

Hal Marney Rose to be major, Cavalry.

John Ter Bush Bissell to be major, Field Artillery.

John Bellinger Bellinger to be major, Ordnance Department.

George Senseny Eyster to be major, Infantry.

Henry Richard Anderson to be major, Infantry.

William McCaskey Chapman to be major, Infantry.

Norman McNeill to be major, Infantry.

Glen Henry Anderson to be major, Infantry.

Bryant Edward Moore to be major, Infantry.

Leo Vincent Warner to be major, Field Artillery.

Alston Deas to be major, Infantry.

Henry William Bobrink to be major, Quartermaster Corps.

Onslow Sherburne Rolfe to be major, Infantry.

Henry Perkins Gantt to be major, Field Artillery.

Jesse Brooke Matlack to be major, Field Artillery.

Parry Weaver Lewis to be major, Coast Artillery Corps.

Edward Wrenne Timberlake to be major, Coast Artillery Corps.

William Wallace Jenna to be major, Infantry.

Harry Cooper Barnes, Jr., to be major, Coast Artillery Corps.

Robert John Hoffman to be major, Infantry.

Clare Wallace Woodward to be major, Infantry.

John Stevenson Mallory to be major, Field Artillery.

Frederick Dent Sharp to be major, Field Artillery.
William Sydney Barrett to be major, Infantry.
Paul Ryan Goode to be major, Infantry.
Harry Niles Rising to be major, Ordnance Department.
Henry Cornelius Demuth to be major, Field Artillery.
Lowell Meeker Riley to be major, Field Artillery.
Emil Krause to be major, Infantry.
Robert Lynn Bacon to be major, Infantry.
Edwin Jacob House to be major, Air Corps.
Arthur Charles Purvis to be major, Infantry.
James Jackson Hea to be major, Infantry.
Carlisle Brittania Wilson to be major, Infantry.
Harold Lewis Milan to be major, Infantry.
Horace Harding to be major, Field Artillery.
Fred Ernest Davis to be major, Quartermaster Corps.
George Darryll Gamble to be major, Quartermaster Corps.
Carey Edwin Goodwyn to be major, Quartermaster Corps.
Herbert Allen Gardner to be major, Quartermaster Corps.
Joseph Idus Lambert to be major, Cavalry.
Leonard B. Gallagher to be major, Corps of Engineers.
Clarence Nelson Iry to be major, Corps of Engineers.
Hugh Whitt to be major, Finance Department.
Ray Aloysious Dunn to be major, Air Corps.
Hamilton Hall Treager Glessner to be major, Signal Corps.
Crawford McMann Kellogg to be major, Chemical Warfare Service.
James Anderson Beirne Gibson to be major, Ordnance Department.
Frederick Foster Christine to be major, Air Corps.
Albert Lobitz to be major, Quartermaster Corps.
Patrick Kelly to be major, Quartermaster Corps.
Simon Jacobson to be major, Quartermaster Corps.
Edward William Lachmiller to be major, Quartermaster Corps.
Talmage Phillips to be major, Quartermaster Corps.
John Paul Tillman to be major, Finance Department.
Charles Harrison Brammell to be major, Field Artillery.
John Aubrey Wheeler to be major, Ordnance Department.
Earl Spiker Schofield to be major, Air Corps.
Arthur Walter Stanley to be major, Quartermaster Corps.
Henry James Conner to be major, Quartermaster Corps.
Arthur Emel Simonin to be major, Air Corps.
Graves Barney McGary to be major, Quartermaster Corps.
Frank O'Driscoll Hunter to be major, Air Corps.
Arthur William Parker to be major, Quartermaster Corps.
Herbert Lee Jackson to be major, Cavalry.
David Sidney Seaton to be major, Air Corps.
Schenk Henry Griffin to be major, Corps of Engineers.
Harold Huston George to be major, Air Corps.
Alden Harry Waitt to be major, Chemical Warfare Service.
Sterling Clifton Robertson to be major, Infantry.
Richard Landrum Smith to be major, Corps of Engineers.
Harold Arthur Barnes to be major, Quartermaster Corps.
William Hammond Waugh to be major, Corps of Engineers.
Clarence Barnard to be major, Ordnance Department.
Joseph Laurence Aman to be major, Ordnance Department.
Walter Jay Reed to be major, Air Corps.
St. Clair Streett to be major, Air Corps.
Ranald Trevor Adams to be major, Field Artillery.
John Van Ness Ingram to be major, Quartermaster Corps.
James Stevenson Crawford to be major, Ordnance Department.
Andrew Jackson Nichols to be major, Infantry.
Archie Donald Cameron to be major, Infantry.
Stewart Hancock Elliott to be major, Ordnance Department.
John Conrad Christophel to be major, Quartermaster Corps.
Asa Irwin to be major, Quartermaster Corps.
Van Leslie Prather to be major, Quartermaster Corps.
Edward Peter Doyle to be major, Quartermaster Corps.
Robert Lake Miller to be major, Quartermaster Corps.
Robert Oliver White to be major, Quartermaster Corps.
Charles William Dietz to be major, Quartermaster Corps.
Roy Marsh McCutchen to be major, Corps of Engineers.
Aubrey Hoodenpyl Bond to be major, Corps of Engineers.
Hubert Walter Collins to be major, Corps of Engineers.
Robert Dorrance Ingalls to be major, Corps of Engineers.
Walter Lyman Medding to be major, Corps of Engineers.
Albert Carl Lieber, Jr., to be major, Corps of Engineers.
George Jacob Nold to be major, Corps of Engineers.
Hugh Franklin Ewing to be major, Quartermaster Corps.
Samuel Howes Baker to be major, Quartermaster Corps.
John Isham Moore to be major, Air Corps.
Lloyd Milton Garner to be major, Quartermaster Corps.
Harris Markham Findlay to be major, Field Artillery.
Russell Crayden Winchester to be major, Cavalry.
George Hunter Passmore to be major, Infantry.
James Stevenson Rodwell to be major, Cavalry.
George Orenthus Allen Daughtry to be major, Infantry.
Eugene Rhea Chapman, to be captain, Medical Corps.
Earl Clinton Robbins to be captain, Air Corps, with rank from January 22, 1937.
Andrew Joseph Kerwin Malone to be captain, Air Corps, with rank from January 22, 1937.
Russell Keillor to be captain, Air Corps, with rank from January 22, 1937.
Ernest Harold Lawson to be captain, Air Corps, with rank from January 22, 1937.
John Edward Bodle to be captain, Air Corps, with rank from January 22, 1937.
Russell Scott to be captain, Air Corps, with rank from January 22, 1937.
Burton Murdock Hovey, Jr., to be captain, Air Corps, with rank from January 22, 1937.
Richard Eastman Cobb to be captain, Air Corps, with rank from January 22, 1937.
Dale Davis Fisher to be captain, Air Corps, with rank from January 23, 1937.
Henry Weisbrod Dorr to be captain, Air Corps, with rank from January 23, 1937.
Carlisle Iverson Ferris to be captain, Air Corps, with rank from January 23, 1937.
Elwood Richard Quesada to be captain, Air Corps, with rank from January 23, 1937.
Willard Roland Wolfinbarger to be captain, Air Corps, with rank from January 23, 1937.
Berna Thomas Bowers to be major, Medical Corps.
Leon Lloyd Gardner to be major, Medical Corps.
Prentice Lauri Moore to be major, Medical Corps.
John Morris Hargreaves to be major, Medical Corps.
Don Longfellow to be major, Medical Corps.
William Frank DeWitt to be major, Medical Corps.
Reinhardt Ludwig Schmidtke to be captain, Medical Corps.
John Edwin Granade to be captain, Medical Corps.
Clifford Otto Bishop to be captain, Medical Corps.
Robert Estes Blount to be captain, Medical Corps.
Paul Hamilton Jenkins to be captain, Medical Corps.
Walter Philippe Manning to be captain, Medical Corps.
Ray Edward Currie to be captain, Medical Corps.
Heinz Kuraner to be captain, Medical Corps.
Emmett Leroy Kehoe to be captain, Medical Corps.
Clarence Harold White to be captain, Medical Corps.
Raphael Allen Edmonston to be captain, Medical Corps.
Knox Dunlap to be captain, Medical Corps.
Stephen Dominic Berardinelli to be captain, Medical Corps.
William Joseph Power to be captain, Medical Corps.
Lawrence Carter Ball to be captain, Medical Corps.
John Knox Cullen to be captain, Medical Corps.
Howard William Doan to be captain, Medical Corps.
Kenneth Ross Hagen to be captain, Medical Corps.
Robert Weston Boal to be captain, Medical Corps.
Lewis William Kirkman to be captain, Medical Corps.
Brantley Ingold Newsom to be lieutenant colonel, Dental Corps.
Oscar Peter Snyder to be lieutenant colonel, Dental Corps.
Rex McKinley McDowell to be lieutenant colonel, Dental Corps.
Charles Melville Taylor to be lieutenant colonel, Dental Corps.

Thomas Lovett Smith to be lieutenant colonel, Dental Corps.

George Ray Tressel to be lieutenant colonel, Dental Corps.

Frederic Harold Bockoven to be lieutenant colonel, Dental Corps.

Everitte Favor Arnold to be major, Dental Corps.

Marvin Edward Kennebeck to be major, Dental Corps.

Walter Edwin Chase to be major, Dental Corps.

Oscar John Ogren to be captain, Dental Corps.

Mott Ramsey to be lieutenant colonel, Veterinary Corps.

Gerald Woodward Fitz Gerald to be lieutenant colonel, Veterinary Corps.

Daniel Sommer Robertson to be lieutenant colonel, Veterinary Corps.

Herbert Morris Cox to be major, Veterinary Corps.

Laurence Robert Bower to be major, Veterinary Corps.

Wayne Otho Kester to be captain, Veterinary Corps.

Robert Arthur Boyce, Jr., to be captain, Veterinary Corps.

Clarence Leonard Taylor to be captain, Veterinary Corps.

Paul Christian Borup to be first lieutenant, Medical Administrative Corps.

Philip Wright Hockersmith to be first lieutenant, Medical Administrative Corps.

CHAPLAINS

Edmond Joseph Griffin, United States Army, to be chaplain with the rank of lieutenant colonel.

Ora Jason Cohee, United States Army, to be chaplain with the rank of lieutenant colonel.

Charles Oliver Purdy to be chaplain with the rank of lieutenant colonel.

Stanislaus Joseph Ryczek, United States Army, to be chaplain with the rank of captain.

Stanley Joseph Reilly, United States Army, to be chaplain with the rank of captain.

John Edward Duffy, United States Army, to be chaplain with the rank of captain.

Luther Weltmer Evans, United States Army, to be chaplain with the rank of captain.

PROMOTIONS IN THE PHILIPPINE SCOUTS

Fidel Ventura Segundo to be major.

Salvador Formoso Reyes to be major.

APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS, IN THE REGULAR ARMY

To be colonels with rank from August 26, 1936

Arnold Norman Krogstad
Walter Hale Frank
Frank Dorwin Lackland
Herbert Arthur Dargue
Harrison Henry Cocke Richards
Ira Adelbert Rader
Douglas Blakeshaw Netherwood
Lewis Hyde Brereton
Hugh Johnston Knerr
Eugene Alexander Lohman
Follett Bradley
Shepler Ward FitzGerald
Leslie MacDill
Lawrence Sprague Churchill
Clarence Leonard Tinker
Martin Francis Scanlon
Byron Quinby Jones
Davenport Johnson
Walter Glenn Kilner
Henry William Harms

To be lieutenant colonels with rank from August 26, 1936

William Ormon Butler
John Graham Colgan
Vernon Lee Burge
William Benjamin Wright, Jr.
Raymond Edward O'Neill
Dudley Blanchard Howard
Floyd Emerson Galloway
Calvin Earl Giffin
Stephen Joseph Idzorek
Harrison William Flickinger
Carl William Connell
Thomas Settle Voss
Thomas Watson Hastey
Morris Berman
Walter Bender
Albert Michael Guidera
James Francis Doherty
Lynwood Benjamin Jacobs
Frank Wilbur Wright
Edgar Peter Sorensen
Robert Olds
Ross Gordon Hoyt
William Bentley Mayer
Richard Henry Ballard
Ralph Hudson Wooten
Harold Mark McClelland
Wolcott Paige Hayes
Edmund Walton Hill
Walter Francis Kraus
William Eugene Farthing

To be majors with rank from August 26, 1936

Charles Carl Chauncey
Walter Eugene Richards
Homer Barron Chandler
Carl Weston Pyle
John Myers McCulloch
Charles Wesley Sullivan
Melvin B. Asp
George Clement McDonald
Peter Emanuel Skanse
Alfred Evans Waller
Malcolm Nebeker Stewart
Odas Moon
Arthur George Liggett
Westside Torkel Larson
Newton Longfellow
Martinus Stenseth
Rex Kirkland Stoner
Bushrod Hoppin
John Myrddin Davies
Lloyd Barnett
James Bernard Carroll
James Edward Duke, Jr.
Charles William Steinmetz
John Arthur Laird, Jr.
Wendell Brown McCoy
Walter Thomas Meyer
James Douglas Givens
William Cushman Farnum
Charles Milton Cummings
William Turnbull
James Atwater Woodruff
Lester James Maitland
Arthur Ignatius Ennis
Frederick Dan Lynch
Thomas Lonnie Gilbert
William Warren Welsh
Joseph Williams Benson
Caleb Vance Haynes
John Frederick Whiteley
Harold Arthur Bartron
Guy Lewis McNeil
Lewis Selwyn Webster
Alfred Liljevalch Jewett
Louie Clifford Mallory
Clarence Prescott Talbot
Roy William Camblin
Cornelius John Kenney
Winfield Scott Hamlin
Robert Theodore Zane
LeRoy Allen Walthall
Lucas Victor Beau, Jr.
Newman Raiford Laughinghouse
James Milligan Gillespie
Frederick von Harten Kimble
William Jones Hanlon
David Robert Stinson
Joseph Theodore Morris
Howard Arnold Craig
William Robert Sweeley
George Allan McHenry, Jr.
Carlyle Howe Ridenour
Russell Carrigan MacDonald
Bennett Edward Meyers
Paul Hyde Prentiss
Robert Storie Heald
Warren Arthur Maxwell
Frederick Mercer Hopkins, Jr.
Leonard Dickson Weddington
Paul Edmund Burrows
George Harold Brown
Dale Vincent Gaffney
Elmer Daniel Perrin
Edward Michael Powers
Richard Hartnett Magee
Kenneth Bonner Wolfe
John Vernon Hart
Henry Harold Reily
Dayton Dudley Watson
Donald David FitzGerald
Austin Walrath Martenstein
Edwin Barton Bobzien
John D. Corkille
Levi L. Beery
Carlton Foster Bond
John DeForest Barker
Warren Rice Carter
Thad Victor Foster
Harold Alling McGinnis
Harry Arthur Halverson
Charles Theodore Skow
Morton Howard McKinnon
Walter Bernard Hough
William Michael Lanagan
George Platt Tourtellot
Walter Kellsey Burgess
Paul California Wilkins
George Hendricks Beverley
Norman Delroy Brophy

To be major with rank from October 1, 1936

Raymond Morrison.

To be major with rank from November 1, 1936

Wallace Gordon Smith.

To be major with rank from November 4, 1936

Charles Adam Horn.

To be major with rank from November 9, 1936

Clarence Chamberlin Wilson.

To be major with rank from November 29, 1936

Byron Elihu Gates.

To be major with rank from December 9, 1936

William Lewis Boyd.

To be major with rank from January 21, 1937

Leon Edgar Sharon.

REAPPOINTMENTS IN THE OFFICERS' RESERVE CORPS OF THE ARMY OF THE UNITED STATES

Luke Henry Callan to be brigadier general, Reserve.

Leigh Robinson Gignilliat to be brigadier general, Reserve.

Henry Joseph Reilly to be brigadier general, Reserve.

Sanford H. Wadhams to be brigadier general, Medical Corps Reserve.

Lewis Atterbury Conner to be brigadier general, Inactive Reserve.

George Washington Crile to be brigadier general, Inactive Reserve.

Milton Fennimore Davis to be brigadier general, Inactive Reserve.

Joel Ernest Goldthwait to be brigadier general, Inactive Reserve.

Charles Horace Mayo to be brigadier general, Inactive Reserve.

William James Mayo to be brigadier general, Inactive Reserve.

Thornwell Mullally to be brigadier general, Inactive Reserve.

Fred Towsley Murphy to be brigadier general, Inactive Reserve.

John Hodgen Rice to be brigadier general, Inactive Reserve.

Frederick Fuller Russell to be brigadier general, Inactive Reserve.

Henry Alden Shaw to be brigadier general, Inactive Reserve.

Cary Fletcher Spence to be brigadier general, Inactive Reserve.

Henry Lewis Stimson to be brigadier general, Inactive Reserve.

APPOINTMENTS IN THE NATIONAL GUARD OF THE UNITED STATES, ARMY OF THE UNITED STATES

Claude Vivian Birkhead to be major general, National Guard of the United States.

George Lee McClain to be brigadier general, Adjutant General's Department, National Guard of the United States.

Charles Gray Blakeslee to be brigadier general, National Guard of the United States.

James Ezekiel Edmonds to be brigadier general, National Guard of the United States.

Mervin Gilbert McConnel to be brigadier general, National Guard of the United States.

Holman Taylor to be brigadier general, National Guard of the United States.

Amos Walter Wright Woodcock to be brigadier general, National Guard of the United States.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 18, 1937

The House met at 12 o'clock meridian.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, our help in ages past and our hope for years to come, we pause to offer Thee our praise and gratitude. Grant that our spirits may chant a silent and humble refrain in memory of Thy mercy. Let Thy spirit come to every breast and bestow blessings of peace. Graciously remember our firesides and the loved ones of our home circles; may they be kept very near and dear to the heart of our Heavenly Father. We pray Thee to bear with our infirmities and fortify us against error and make us strong, wise, and urgent men for today. When the way is uncertain and confused, do Thou show forth the light of Thy wisdom. Without fear or hesitation may our devotion to the public good be without stint or reservation. Sustain us with the counsel of the Lord. In our Savior's name. Amen.

The Journal of the proceedings of Thursday, January 14, 1937, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 415. An act to continue the functions of the Reconstruction Finance Corporation, and for other purposes.

LEOLA J. BLACKFORD

Mr. WARREN. Mr. Speaker, I offer a privileged resolution from the Committee on Accounts and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 34

Resolved, That there shall be paid out of the contingent fund of the House to Leola J. Blackford, widow of Frederic H. Blackford, late an employee of the House, an amount equal to 6 months' compensation, and an additional amount, not to exceed $250, to defray funeral expenses of the said Frederic H. Blackford.

The resolution was agreed to.

NELLIE OWINGS ROGERS

Mr. WARREN. Mr. Speaker, I offer a further privileged resolution and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 35

Resolved, That there shall be paid, out of the contingent fund of the House, to Nellie Owings Rogers, widow of Reuben D. Rogers, late an employee of the House, an amount equal to 6 months' compensation, and an additional amount, not to exceed $250, to defray funeral expenses of the said Reuben D. Rogers.

The resolution was agreed to.

MARGARET L. LUCAS

Mr. WARREN. Mr. Speaker, I offer a further privileged resolution and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 48

Resolved, That there shall be paid out of the contingent fund of the House to Margaret L. Lucas, widow of Arthur Lucas, late an employee of the House, an amount equal to 6 months' compensation, and an additional amount, not to exceed $250, to defray funeral expenses of the said Arthur Lucas.

The resolution was agreed to.

BERTHA SLEE

Mr. WARREN. Mr. Speaker, I offer a further privileged resolution and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 49

Resolved, That there shall be paid out of the contingent fund of the House to Bertha Slee, widow of Richard B. Slee, late an employee of the House, an amount equal to 6 months' compensation, and an additional amount, not to exceed $250, to defray funeral expenses of the said Richard B. Slee.

The resolution was agreed to.

ELECTIONS TO HOUSE COMMITTEES

Mr. DOUGHTON. Mr. Speaker, I offer the following resolution for immediate consideration.

The SPEAKER. Under the order of the House the gentleman from Massachusetts [Mr. LUCE] is entitled to recognition. Does he yield for this purpose?

Mr. LUCE. Yes, Mr. Speaker.

The Clerk read as follows:

House Resolution 70

Resolved, That the following-named Members be, and they are hereby, elected members of the standing committees of the House of Representatives, as follows:

Merchant Marine and Fisheries: VINCENT F. HARRINGTON, Iowa.

War Claims: HAROLD G. MOSIER, Ohio; J. HAROLD FLANNERY, Pennsylvania.

The resolution was agreed to.

Mr. DOUGHTON. Mr. Speaker, I offer the following resolution for immediate consideration.

The Clerk read as follows:

House Resolution 71

Resolved, That ANTHONY J. DIMOND, Delegate from Alaska, be, and he is hereby, elected a member of the standing committees of the House of Representatives on Rivers and Harbors, Merchant Marine and Fisheries, Agriculture, Public Lands, Indian Affairs, Territories, and Mines and Mining.

The resolution was agreed to.

Mr. DOUGHTON. Mr. Speaker, I offer the following resolution for immediate consideration.

The Clerk read as follows:

House Resolution 72

Resolved, That SANTIAGO IGLESIAS, Resident Commissioner from Puerto Rico, be, and he is hereby, elected a member of the stand-

ing committees of the House of Representatives on Insular Affairs, Agriculture, Labor, and Territories.

The resolution was agreed to.

PERMISSION TO ADDRESS THE HOUSE

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent that following the address of my colleague the gentleman from Massachusetts [Mr. LUCE] I may be allowed to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. GOLDSBOROUGH. Mr. Speaker, on January 11 I obtained permission to extend my remarks by inserting an address of the Honorable Marriner S. Eccles, Chairman of the Board of Governors of the Federal Reserve System, delivered at the Seventh New England Bank Management Conference of the New England Council, in Boston, November 13, 1936. I have been notified that it would take 3¼ pages of the RECORD to insert this address and that it would cost $147.

Mr. Speaker, I now renew my request.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

SWEARING IN OF MEMBERS

Mr. KVALE presented himself at the bar of the House and took the oath of office.

The SPEAKER. The Chair announces that on January 13, pursuant to the authority conferred upon him by House Resolution 39, Seventy-fifth Congress, he appointed Hon. William E. Thorpe, county judge of Greene County, N. Y., to administer the oath of office to Hon. PHILIP ARNOLD GOODWIN at Coxsackie, N. Y. The Chair has since learned that Judge Thorpe is not available to perform this duty, and therefore designates Hon. Frederick G. Traver, county judge of Ulster County, N. Y., to administer the oath of office to Mr. GOODWIN at Coxsackie, N. Y.

The SPEAKER laid before the House the following communication:

COLUMBUS, TEX., *January 14, 1937.*

Hon. WILLIAM B. BANKHEAD,
Speaker, House of Representatives, United States,
Washington, D. C.

SIR: In accordance with your designation of me, pursuant to House Resolution No. 50, adopted by the House of Representatives, to administer the oath of office to Representative-elect JOSEPH J. MANSFIELD, of the Ninth District of Texas, I have the honor to report that on the 14th day of January 1937, at the city of Columbus, county of Colorado, State of Texas, I administered the oath of office to Mr. MANSFIELD, form prescribed by section 1757 of the Revised Statutes of the United States, being the form of oath administered to Members of the House of Representatives, to which Mr. MANSFIELD subscribed. I have the honor to be

Yours respectfully,

HENRY BUESCHER,
County Judge, Colorado County, Tex.

HON. JOSEPH J. MANSFIELD

Mr. RAYBURN. Mr. Speaker, I offer a resolution, which I send to the desk.

The Clerk read the resolution, as follows:

House Resolution 73

Whereas JOSEPH J. MANSFIELD, a Representative from the State of Texas from the Ninth District thereof, has been unable to appear in person to be sworn as a Member of this House, but has sworn to and subscribed to the oath of office before Hon. Henry Buescher, county judge of Colorado County, Tex., authorized by resolution of this House to administer the oath, and the said oath of office has been presented in his behalf to the House, and there being no contest or question as to his election: Therefore be it

Resolved, That the said oath be accepted and received by the House as the oath of office of the said JOSEPH J. MANSFIELD as a Member of this House.

The resolution was agreed to.

PERMISSION TO ADDRESS THE HOUSE

Mr. CURLEY. Mr. Speaker, at the conclusion of the address to be delivered by the gentlemen from Massachusetts [Mr. LUCE and Mr. TREADWAY], I ask unanimous consent to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SUMNERS of Texas. Mr. Speaker, at the conclusion of the special orders previously entered, I ask unanimous consent to address the House for 7 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

EXTENSION OF REMARKS

Mr. FADDIS asked and was given permission to extend his remarks in the RECORD.

Mr. LEA. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CELLER] may extend his remarks in the RECORD and include therein a speech made by him on the subject of the Free Port of New York.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER. Under a special order for today, the gentleman from Massachusetts [Mr. LUCE] is recognized for 30 minutes.

Mr. SNELL. Mr. Speaker, I make the point of order there is not a quorum present.

The SPEAKER. The Chair will count. [After counting.] One hundred and sixty-nine Members present; not a quorum.

Mr. RAYBURN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 5]

Allen, Del.	Fernandez	Kniffin	Sadowski
Biermann	Fleger	Lanzetta	Sanders
Boyer	Gasque	Lord	Schulte
Buckley, N. Y.	Gearhart	McGrath	Smith, Conn.
Bulwinkle	Goodwin	Mansfield	Stubbs
Cannon, Wis.	Harrington	Mapes	Sullivan
Celler	Healey	Montague	Taylor, Colo.
Chandler	Higgins	Mosier, Ohio	Tinkham
Chapman	Hildebrandt	O'Connell, Mont.	Towey
Citron	Hill, Okla.	Pettengill	Wearin
Clark, Idaho	Hobbs	Quinn	White, Idaho
Clark, N. C.	Johnson, Minn.	Rabaut	Wigglesworth
Cravens	Johnson, Okla.	Richards	Woodruff
Crosser	Keller	Ryan	
Ellenbogen	Kerr	Sacks	

The SPEAKER pro tempore (Mrs. NORTON). Three hundred and seventy-five Members have answered to their names. A quorum is present.

On motion of Mr. COOPER, further proceedings under the call were dispensed with.

Mr. GREEVER. Mr. Speaker, will the gentleman from Massachusetts [Mr. LUCE] yield for a moment?

Mr. LUCE. I yield to the gentleman from Wyoming.

DEATH OF HON. ROBERT D. CAREY

Mr. GREEVER. Mr. Speaker, it is my painful duty this morning to announce to the House of Representatives the death of Hon. Robert D. Carey, who until January 3 of this year was a United States Senator from the State of Wyoming.

Senator Carey served with distinction as Governor of Wyoming from 1919 to 1923 and as United States Senator from the State of Wyoming from 1931 to 1937. During his entire mature life he has been an outstanding citizen and a leader in public life within the State of Wyoming and in the Nation. He carried on the fine traditions of public service in the State and Nation laid down before him by his father, the late Joseph M. Carey, who was a Territorial Delegate to the Congress of the United States, a Governor of the State of Wyoming, and a United States Senator from the State of Wyoming.

Senator Carey was a leader, an illustrious and outstanding citizen, and statesman, and Wyoming and the Nation have lost a very great deal in his untimely death.

The SPEAKER. Under a special order of the House for today, the gentleman from Massachusetts [Mr. LUCE] is recognized for 30 minutes.

Mr. LUCE. Mr. Speaker, when George Washington gave his first message to Congress there was formal reply by the Senate and by the House after the fashion of Parliament.

This practice continued through Adams' administration, but was dropped with that of Jefferson; yet the President's message continued to give opportunity, as was the case with the Speech from the Throne in Parliament, for debate covering all manner of questions. This general debate has now come to be confined to the Committee of the Whole House on the state of the Union. Nevertheless, the practice of paying attention to the messages of Presidents and Governors might well be resumed in some form.

In my own State it was abandoned about 1825, and I imagine it appears in no other American legislature today. The custom now is to refer the messages of Presidents and governors to the various committees concerned, where usually they are promply pigeonholed and never come to life.

This lack of regard and respect for what a Chief Executive may say strikes me as unfortunate; therefore this morning I am going to make an address in the nature of a reply to the Speech from the Throne. I shall not be presumptuous enough to think I reflect the sentiment of the whole House, perhaps even a big majority of the House, although I hope it will find sympathy in every man here trained in the practice of the law. I do not intend to discuss the whole of the President's message, but shall confine myself to what he had to say about constitutionality and the courts.

First it may be well to have an idea of what has taken place. At the outset, Presidents undertook the task of passing upon constitutionality. Washington's first veto was on that ground, and it was said that he acted upon the advice of Jefferson, who thought that otherwise his power of veto would fall into disuse by his not exercising it and that the people would think that it was of no consequence. Adams did not veto nor did Jefferson. There were seven vetos under Madison and Monroe; six of them were on the ground of unconstitutionality. One by Madison concerned a topic as big in the eyes of the people then as any New Deal measure today, the question being as to the constitutional limits on appropriations for internal improvements, such as roads and canals.

By the way, I would remind the House that when the Virginia-Kentucky resolutions were passed in 1798 they brought up this question of constitutionality, the issue arousing the interest of the whole country. The complaint of Jefferson, Madison, and most of the other Democrats of the time, then known as Anti-Federalists, was not that the Supreme Court had pronounced laws unconstitutional but that it had failed so to do. Indeed, the Court avoided the question of constitutionality, and only once in its first 50 years did it rule that a statute was unconstitutional. Meanwhile Jackson had vetoed the bank bill, partly on constitutional grounds, starting a controversy that shook every corner of the Nation. Since then, Presidents and courts alike have thought it proper to test the constitutionality of statutes.

If gentlemen desire to inform themselves of what has taken place, I advise them to send to the Library of Congress for an exceedingly valuable report entitled "Provisions of Federal Law Held Unconstitutional by the Supreme Court of the United States." Each Member or any other person may secure additional copies from the Government Printing Office for 15 cents apiece.

Mr. COX. Mr. Speaker, will the gentleman yield there?

Mr. LUCE. Certainly.

Mr. COX. Has the gentleman made a careful analysis of the document to which he makes reference; and if so, is it, in his judgment, a very good job? In other words, has the gentleman made a careful analysis of it?

Mr. LUCE. I have.

Mr. COX. Does the gentleman think it is a fair statement of the problem with which he is undertaking to deal?

Mr. LUCE. No question of that was aroused in my mind.

Mr. COX. I will say to the gentleman I have examined it, and it has impressed me as being a very good job.

Mr. LUCE. It proved very helpful to me, and by reason of its facts, if for nothing else, it furnishes easy access to the history of the problem. I found in it nothing controversial or partisan, and it seemed to me comprehensive enough for all practical purposes.

By the tabulation therein you will find that the Supreme Court in 147 years has in 76 cases held statutes unconstitutional. Only in 10 cases have there been decisions by a majority of 1; in only two more by a majority of 2.

The Court has always studiously avoided, if it could, applying the test. I might give you quotation after quotation from Justices in the course of the last 50 years laying that down as the practice of the Court, but one that is typical will suffice—the words of Justice Sutherland in the Atkins against Children's Hospital case:

> This Court, by an unbroken line of decisions from Chief Justice Marshall to the present day, has steadily adhered to the rule that every possible presumption is in favor of the validity of an act of Congress until overcome beyond rational doubt.

Since the present Chief Executive was inaugurated there have been 12 decisions where statutes have been held unconstitutional.

I have here a memorandum also from the legislative research service of the Library—a service, by the way, with which the newer Members should acquaint themselves.

Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore (Mr. MCMILLAN). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LUCE. This being granted, I will add to the transcript of my remarks a list of the Supreme Court decisions involving the constitutionality of legislation enacted since March 4, 1933.

These decisions have much interested the people, particularly those of them who concern themselves with the principles of government and the application of the Constitution in our Federal system.

Mr. O'CONNOR of Montana. Mr. Speaker, will the gentleman yield?

Mr. LUCE. Certainly.

Mr. O'CONNOR of Montana. Is it not a fact that every decision the gentleman is speaking about was rendered prior to November 3, 1936?

Mr. LUCE. The list in question was brought up to date.

Mr. O'CONNOR of Montana. Is it not a fact that the major portion of those decisions to which the gentleman refers were rendered prior to the time of the election?

Mr. LUCE. Of course.

Mr. O'CONNOR of Montana. And is it not a further fact that the members of the gentleman's party throughout the United States emphasized every single thing the gentleman is talking about here this morning, and is it not a further fact that the American people repudiated every contention that you make?

Mr. LUCE. I regret that the gentleman should interpolate into a serious discussion of fact, opinions which I do not entertain or share with him.

Mr. O'CONNOR of Montana. Was not the verdict of the American people rendered on November 3, after the same arguments had been made that you and the gentleman who preceded you here the other day made in the House?

Mr. LUCE. Mr. Speaker, the gentleman has anticipated what I am going to say.

Mr. O'CONNOR of Montana. Oh, no.

Mr. LUCE. I have as yet made no argument——

Mr. O'CONNOR of Montana. I realize the gentleman has not and the American people realized that the Republicans had no argument to make last fall and that is why they rendered the decision which they did.

Mr. LUCE. Now, Mr. Speaker, regretting this somewhat untimely interruption, I would go on with the subject to which I shall address myself, the foundation, simply, having been laid, for I would discuss some sentences in the address of the President. He said:

> With a better understanding of our purposes and a more intelligent recognition of our needs as a nation, it is not to be assumed

that there will be prolonged failure to bring legislative and judicial action into closer harmony.

The phrase about "intelligent recognition" is so worded as to leave it uncertain whether the President wished on the part of the Supreme Court more intelligent recognition of our needs as a nation, and it is to be hoped that he did not intend such a superfluous affront. "Understanding of our purposes" would seem clearly to have been sought from the Supreme Court. It is hard to see how the words can mean anything but that the Court, when interpreting the Constitution, shall pay attention to the purpose of laws.

The province of the Court is to determine the meaning of what the Constitution says. This is so well established that I feel it hardly necessary to back it up with quotations, and yet a few may well be given to show their explicit nature.

Particularly I call attention to what Mr. Justice Holmes said in the Minimum Wage case. Mr. Justice Holmes—and I am proud of the fact that he came from my State—perhaps the greatest lawyer of our time, himself a liberal of liberals, the foremost of dissenters from his colleagues on the Supreme Bench, put the matter with his usual pithiness in what he had to say about the Minimum Wage case—

The criterion of constitutionality is not whether we believe the law to be for the public good.

I repeat that—said by the greatest liberal who ever sat on our bench:

The criterion of constitutionality is not whether we believe the law to be for the public good.

Gentlemen, of course, who have strong partisan predilections may question my quotation of another man, because he happens to be a Republican and was a candidate for the Presidency of the United States; yet I think there is no man here who will deny that Charles Evans Hughes is a great lawyer. Here is what he said:

The good sought in unconstitutional legislation is an insidious feature, because it leads citizens and legislators of good purpose to promote it without thought of the serious breach it will make in the ark of our covenant, or the harm which will come from breaking down recognized standards.

Said Justice White in the Employers' Liability cases—

In testing the constitutionality of the act, we must confine ourselves to the power to pass it, and may not consider evils which it is supposed will arise from the execution of the law, whether they be real or imaginary.

If it be charged that the present membership of the Supreme Court has, however, not followed that course, permit me to remind you that of the two outstanding decisions that aroused the wrath of the New Deal the Schechter case destroying the N. R. A. was unanimously decided and the Butler case destroying the processing tax had the two-thirds vote that some men would have put into the Constitution.

In the Schechter case every judge acted on the principle that the purpose to be secured was not a prerogative of the Federal Government. Yet here was a purpose to be accomplished that apparently was wished by an overwhelming majority of the American people. Those within the sound of my voice who were in New York and saw that parade going up Broadway will recall the enthusiasm with which the people apparently had approved this measure. They will remember the blue eagle on our stationery and in the windows of our shops. They will recall how general and hearty seemed to be the approbation for this thing everywhere, yet after the Supreme Court had killed the blue eagle and had buried it in the potter's field, with none so poor to do it reverence, all enthusiasm vanished. No longer are men parading our streets, no longer are unsightly emblems disfiguring our stationery. New Dealers do not even come here with any measure looking to accomplish the same purpose, perhaps because they are satisfied that they were wrong and thankful that the Supreme Court was right.

It is common to urge enactment that has been decided to be of an unconstitutional nature, upon the ground of the general-welfare clause in the Constitution. Mr. Justice Sutherland, in Carter against Carter, decided only last May, held what I believe has been the practically unanimous opinion of the Justices, reaching conclusions with the help of the wisest, most intelligent, most earnest counsel to be secured, that the general-welfare clause does not permit legislation of every kind that can be thought to be for the common good. Mr. Justice Sutherland said:

The Constitutional Convention made no grant of authority to Congress to legislate substantially for the general welfare—

That was also laid down in United States against Butler—

and no such authority exists, save as the general welfare may be promoted by the exercise of the powers which are granted.

This was not questioned by the dissenting Justices. The case almost wholly concerned questions as to what the granted powers are.

Further, in a case decided only a few days ago, it is shown that the Court does not seek pretext for nullifying social-justice legislation. Under the decision, delivered on the 4th of this January, in Kuehner against Irving Trust Co., there was upheld unanimously a provision of the Bankruptcy Act of 1934 which limits the claims of landlords for indemnity under covenants of a lease to 3 years' rent. This was upheld as not in violation of the fifth amendment, which reads:

nor be deprived of life, liberty, or property without due process of law.

Nevertheless, the President said, again to read his language:

It is not to be assumed that there will be prolonged failure to bring legislative and judicial action into closer harmony.

And he based that upon "a better understanding" of our purpose. As I have said, purpose as such has never been taken into account by our Supreme Court. Our Justices again and again have declared it ought not to be taken into account. Yet the Chief Executive in effect demands that the Court take into account the purpose of legislation.

Mr. CONNERY. Mr. Speaker, will the gentleman yield?

Mr. LUCE. Yes.

Mr. CONNERY. Does not the gentleman think that the President's idea might be along the line of either Jefferson's or Hamilton's? Jefferson favored frequent amendment to the Constitution and a thorough overhauling of the Constitution every generation.

Hamilton said they should follow the language of the Constitution, but suited to the needs of the American people. Is that not what the President means when he says the Supreme Court should look to what the best interests of the American people are?

Mr. LUCE. However, the gentleman overlooks the fact—I will just read the sentence again, that it may be clearly understood.

With a better understanding of our purposes and a more intelligent recognition of our needs as a nation, it is not to be assumed that there will be prolonged failure to bring legislative and judicial action into closer harmony.

You will see the meaning is that the courts ought to work in harmony with the executive and legislative branches, and to that alone I am addressing my remarks.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. LUCE. I yield.

Mr. COX. Might it also mean that Congress should have better regard for the letter of the Constitution? [Applause.]

Mr. LUCE. Such implication was not the one that came to the minds of the people. It is not the one that I drew. As for myself, I was amazed and alarmed when I heard that proposal, for I have never heard more dangerous words spoken within the walls of this Chamber; never heard a doctrine advanced that threatened to do more to undermine the Republic than that which was implied in this language. [Applause.]

Mr. O'CONNOR of Montana. Mr. Speaker, will the gentleman yield?

Mr. LUCE. I yield.

Mr. O'CONNOR of Montana. Is it not a fact that the decision rendered by the Supreme Court in the famous gold case was a unanimous decision by all members of the Court?

Mr. LUCE. Yes.

Mr. O'CONNOR of Montana. Is it not a fact that if the Attorney General of the United States was to be believed, he

made this statement before that Court, that if the Court did not hold that the gold contract was invalid, it would increase the indebtedness of the United States something like $35,000,000,000? And do you not think, having in mind just exactly Jefferson's idea of how the Constitution should be construed, that that Court knew, if it did not hold a contract not a contract, the indebtedness of the United States would almost be doubled, and that was one of the reasons that prompted a unanimous decision on the part of all members of the Court?

Mr. LUCE. I am profoundly grateful to the gentleman for bringing out once more the proposition I wish to lay down, that the Court has no right to consider what will be the effect of legislation.

Mr. O'CONNOR of Montana. Well, that is not the question.

Mr. LUCE. That is the question I am talking about, and the only one to which I wish to address myself.

Mr. O'CONNOR of Montana. But is it not a fact that in your own mind you know, and every other American citizen knows, that the Court did keep the needs of the American people in mind when it rendered that gold decision?

Mr. LUCE. If I did, sir, my words would be vain and idle, and I should humbly apologize to the House and I should be ashamed of the Supreme Court of the United States. [Applause.]

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. LUCE. I yield.

Mr. ROBSION of Kentucky. The gentleman assumes that the remarks of the President were directed at the courts, with respect to the Court being brought into harmony with the Congress. I think the gentleman is correct, because the President did commend Congress, although the Supreme Court had held unconstitutional 12 of its acts, and had no criticism, but all praise for the Congress, and I think we have a right to assume that the remarks were directed at the Court to bring it into harmony with the legislative and executive branches.

Mr. LUCE. The gentleman is wholly, completely, and absolutely right. There is no other deduction whatever that can be drawn from this language, save that he meant to scold the Supreme Court.

Now, look at what would be the results if the doctrine were otherwise; that is to say, if the courts were to consider purposes; if the Court were to bear in mind that in sustaining the constitutionality of an act it would bring $10,000 or $10,000,000 or a thousand million dollars benefit to some, or injury of that same extent to others. See what would follow if that principle were embodied in our form of government. Then the Court, with its nine members, would share in the powers of the Chief Executive in passing upon the merit of measures. Their approval would be like the signing of a bill and their disapproval like the Executive's veto, with the difference that the President's veto can be overruled by a two-thirds vote of Congress, while that of the Court would be final.

So far as the veto is legislative, the Court would make the law. Of course, this could be met by changing the Constitution so as to give the right of appeal from the Court to somebody—to the President or Congress or to the electorate. Whether that should be done is not the instant matter. The matter that does confront us so gravely is the President's declaration that the judicial branch is asked by the people—note that, sir—that the judicial branch is asked by the people to take its part in making democracy successful.

The SPEAKER pro tempore (Mr. MCMILLAN). The time of the gentleman from Massachusetts [Mr. LUCE] has expired.

Mr. SNELL. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts may have 10 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. SNELL]?

There was no objection.

Mr. LUCE. The President's declaration that the judicial branch is asked by the people to do its part in making democracy succeed implies that the Court has the duty denied by Justice Holmes and that it has failed to perform such duty. The fact is that it has performed its full duty when it decides what the Constitution means; and it would fail in its duty if it shaped that decision to meet the views of anybody else. [Applause.] Disclosure of the President's opposing idea was the most dangerous and damaging element in what he said. To lead the country to think that a judge may properly take into account the shifting gusts of public opinion is indefensible. We picture Justice as blindfolded. She must not only be blind but deaf; she must not listen to a word spoken outside the four walls of her chamber.

Would any man here discuss a pending case with a judge in the absence of counsel from both sides? Is there a man here who would broach the subject at a dinner table where a judge sat? Who does not know that if he talked about a pending case with a juryman and it were found out, he would be haled before the bench for contempt of court? Once let it be thought that judges should give heed to press or public, to editors or electors, to preachers or politicians, to reformers or reactionaries—that judges should bend judgment and wrench conscience, should be subservient and complaisant, then no man would be safe. Then from the grounds that surround the Capitol there should be removed the only statue we see fit to permit, the statue of John Marshall, fearless defender of the Supreme Court's obligation to protect the public from unconstitutional statutes. Then from the face of the new Supreme Court Building, with the purity of its purposes and practices typified by the whiteness of its walls, we should blot out that pledge to the Nation: "Equal Justice Under Law." [Applause.]

Mr. GIFFORD. Mr. Speaker, will the gentleman yield?

Mr. LUCE. I yield.

Mr. GIFFORD. I do not want to let the matter pass on the assurance of the gentleman from Montana. Whenever the gold-contract decision is brought up on the floor of this House, it should be added that the Supreme Court yielded to the fact that we might welch on our contracts, and yet, though rendering that decision, they cursed the proceedings.

Mr. CONNERY and Mr. O'CONNOR of Montana rose.

Mr. O'CONNOR of Montana. Mr. Speaker, I ask unanimous consent to address the House for 4 minutes.

Mr. LUCE. Mr. Speaker, I yield to the gentleman from Massachusetts.

Mr. CONNERY. Mr. Speaker, did not the President in his message refer to the Supreme Court in terms substantially that he would like to see the Supreme Court give a more enlightened interpretation of the Constitution as the Constitution stands?

Mr. LUCE. The word he used was "intelligent."

Mr. CONNERY. That he would like to see the Supreme Court give an intelligent interpretation of the Constitution.

Mr. LUCE. Yes. Does the gentleman approve such language in an address to our most honored institution?

Mr. CONNERY. In my judgment, the Supreme Court is as human as anybody else.

Mr. LUCE. But was that what was meant by "intelligent"?

Mr. CONNERY. The Court?

Mr. LUCE. The Court.

Mr. CONNERY. Personally I do not think the Court were very intelligent in some of their decisions. [Laughter and applause.] Take, for instance, the language of Justice Stone, a member of the Supreme Court, when he said in one case that the Court were giving their economic opinions and not their opinions on the Constitution.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. LUCE. I yield.

Mr. MAY. As I understand the learned gentleman's address this afternoon, it is that he bases his remarks on the statement by the President in his annual message to the Congress on the subject of the Court's getting away from the long-existing rule of constitutional interpretation based upon

a long line of precedents, getting over to an attitude of being more liberal on the social and general objectives of the Congress. As I understand it, the general-welfare clause is not a mandate to Congress to legislate; that the Court adopts the rule of construing the Constitution as a pattern for the Legislature; and that social or any other objective is not considered in the matter of determining whether it fits into the pattern.

Mr. LUCE. I so understand.

Mr. FADDIS. Mr. Speaker, will the gentleman yield?

Mr. LUCE. I yield.

Mr. FADDIS. Is it not true that the Constitution of the United States gives the Congress the power through the general-welfare clause—just as definitely as it gives the Supreme Court any power—to pass upon the constitutionality of an act of Congress?

Mr. LUCE. If the gentleman would read the decisions abstracted in the document to which I referred and would then go to the Library, as I did, and read the decisions in full, he would find that there is no ground whatever, in the opinions of the long line of judges who for 147 years have been interpreting the Constitution—there is no opinion that there is any such power as the gentleman thinks in the general-welfare clause of the Constitution.

Mr. FADDIS. Mr. Speaker, if the gentleman will permit a further interruption, the gentleman misunderstands my point. I am not looking at the Constitution as the Court has formed it by their interpretations; I am looking at the language of the instrument itself.

Mr. LUCE. Possibly the gentleman is more learned than the Court.

Mr. FORD of California. Mr. Speaker, will the gentleman yield?

Mr. LUCE. Certainly.

Mr. FORD of California. Is there a word in the Constitution of the United States that gives the Court the right to abrogate or declare unconstitutional any law that Congress passes? Furthermore, does not the Constitution vest in the Congress all legislative powers? The only statement in the Constitution that in any wise limits the power of Congress to legislate is the provision giving the veto power to the President. This veto power is specifically given to the President and not to the Supreme Court.

Mr. LUCE. I am, of course, aware that the doctrine the gentleman presents is not novel and is adhered to by sundry persons in various parts of the country; but the great body of opinion has always been that the view entertained by the gentleman is wrong; the great body of opinion as formed by the courts, by the Congress, and by the Nation has been that it is the duty of the Court to declare unconstitutional any statute going beyond the powers granted to Congress in the Constitution.

Mr. COX. Will the gentleman yield?

Mr. LUCE. I yield to the gentleman from Georgia.

Mr. COX. Throughout all the years that has been the interpretation of the Constitution given by the liberal and reactionary members of the Court, has it not?

Mr. LUCE. The gentleman is correct.

Mr. REED of New York. Will the gentleman yield?

Mr. LUCE. I yield to the gentleman from New York.

Mr. REED of New York. The gentleman who just previously interrupted said all legislative power was vested in the Congress of the United States. The Constitution does not read that way. The Constitution states, "All legislative power herein granted." All judicial power is vested in the Supreme Court of the United States.

Mr. LUCE. I might add if it were true that all legislative power rested in the Congress, then the provision about the veto power, which distinctly gives the President a share in legislation, is in contradiction.

SUPREME COURT DECISIONS INVOLVING THE CONSTITUTIONALITY OF LEGISLATION ENACTED SINCE MARCH 4, 1933

I. In the following cases the Supreme Court has considered the validity of laws passed since March 4, 1933, and held the same unconstitutional in whole or in part:

1. *Booth* v. *United States* (291 U. S. 339 (unanimous)): Provision in the Independent Offices Appropriation Act of June 16, 1933 (48 Stat. 307, sec. 13), reducing the salary of retired Federal judges who under section 260 of the Judicial Code remained subject to call to judicial service.

2. *Lynch* v. *United States* (292 U. S. 571 (unanimous)): Part of section 17 of the Economy Act of March 20, 1933 (48 Stat. 11), repealing all laws granting or pertaining to yearly renewable term insurance.

3. *Panama Refining Co.* v. *Ryan* (293 U. S. 388 (one dissent)): Section 9 (c) of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200), dealing with oil regulation.

4. *Perry* v. *United States* (294 U. S. 330 (four Justices dissenting from the judgment denying recovery and a fifth concurring in the judgment but dissenting on the constitutional holding)): The gold-clause resolution of June 5, 1933 (48 Stat. 113, sec. 1), so far as applicable to the gold clause in Government obligations (but recovery was denied because plaintiff did not show "damages").

5. *Railroad Retirement Board* v. *the Alton Railroad Co., et al.* (295 U. S. 330 (four dissents)): The Railroad Retirement Act of June 27, 1934 (48 Stat. 1283, ch. 868).

6. *Schechter Poultry Corporation* v. *United States* (295 U. S. 495 (unanimous)): The code provisions of the National Industrial Recovery Act (48 Stat. 195, title I, in part).

7. *Louisville Joint Stock Land Bank* v. *Radford* (295 U. S. 555 (unanimous)): The Frazier-Lemke Farm Bankruptcy Act of June 28, 1934 (48 Stat. 1289, ch. 869).

8. *Hopkins Federal Savings & Loan Association* v. *Cleary* (296 U. S. 315 (unanimous)): Section 5 (i) of the Home Owners' Loan Act as amended April 27, 1934 (48 Stat. 646, sec. 6), providing for the conversion of State loan associations into Federal associations upon vote of 51 percent of the votes cast at a legal meeting called for the purpose.

9. *United States* v. *Butler* (297 U. S. 1 (three dissents)): The agricultural processing taxes under the Agricultural Adjustment Act of May 12, 1933 (48 Stat. 31).

10. *Rickert Rice Mills* v. *Fontenot* (297 U. S. 110 (unanimous)): The Agricultural Adjustment Act amendments of August 24, 1935 (49 Stat. 750, title I, in part).

11. *Carter* v. *Carter Coal Company* (298 U. S. 238 (four Justices dissenting in part)): The Guffey Coal Act of August 30, 1935 (49 Stat. 991, ch. 824), regulating mining and distribution of bituminous coal.

12. *Ashton* v. *Cameron County Water Improvement District* (298 U. S. 513 (four dissents)); The Municipal Bankruptcy Act of May 24, 1934 (48 Stat. 798), adding chapter 60, sections 78–80 to the Bankruptcy Act and authorizing readjustment of indebtedness by political subdivisions of States.

II. In the following cases the Supreme Court has passed on the validity of acts passed since March 4, 1933, and sustained the legislation:

1. *Woodson* v. *Deutsche, etc., Vormals* (292 U. S. 449 (unanimous)): Act of March 28, 1934 (48 Stat. 510), restricting suits against the Alien Property Custodian, the Treasurer of the United States, or the United States for recovery of deductions for administrative expenses made from alien property held by the Custodian—upheld against the argument that the United States may not constitutionally deprive former alien enemies of property rights hitherto vested in them.

2. *Norman* v. *B. & O. Railroad Company* (294 U. S. 240 (four dissents)): The Gold Clause Resolution (48 Stat. 113, sec. 1) abrogating gold-clause stipulations as applied to private contracts.

3. *Nortz* v. *United States* (294 U. S. 317 (four dissents)): The gold-clause resolution, in its requirement that holders of gold certificates accept therefor legal tender currency of equal face amount.

4. *United States* v. *Wood* (no. 34, decided Dec. 7, 1936; Law Ed. Adv. Ops., v. 81, p. 80 (three dissents)): Act of August 22, 1935 (49 Stat. 682, ch. 605), specifically making Government employees, pensioners, etc., in the District of Columbia subject to jury duty.

5. *United States* v. *Curtiss-Wright Export Corporation* (no. 98, decided Dec. 21, 1936 (one Justice dissenting)): Joint resolution of May 28, 1934 (48 Stat. 811, ch. 365), authorizing the President to restrict sale of munitions to countries engaged in war in the Chaco, upheld as against the argument that it constituted a delegation of legislative power to the President.

6. *Kuehner* v. *Irving Trust Company* (no. 354, decided Jan. 4, 1937 (unanimous)): Part of section 77B, subsection (b) (10) of the Bankruptcy Act enacted June 7, 1934 (48 Stat. 911, 915), which limits claims of landlords for indemnity under covenants in a lease, to 3 years' rent, upheld as not in violation of the fifth amendment.

7. *Kentucky Whip and Collar Company* v. *Illinois Central Railroad Company* (no. 138, decided Jan. 4, 1937 (unanimous)): The Ashurst-Sumners Act of July 24, 1935 (49 Stat. 494), prohibiting interstate transportation of convict-made goods intended to be used, etc., in violation of State law, upheld as a regulation of interstate commerce, against the argument that it violated the fifth amendment and constituted a delegation of legislative power.

8. *United States* v. *Hudson* (no. 97 (decided Jan. 11, 1937), unanimous): Section 8 of the Silver Purchase Act of June 19, 1934 (48 Stat. 1178, ch. 674), taxing certain transfers of silver within 35 days of passage, upheld, in its retroactive operation, as not in violation of the fifth amendment.

III. In several cases the Supreme Court has specifically refused to pass on the constitutionality of legislation, deciding the cases before them on other grounds, that is:

Wilshire Oil Co. v. *United States* (295 U. S. 100), where the Court held that a decision of a circuit court of appeals on the validity of the National Industrial Recovery Act was unnecessary, and refused to review the question on certificate.

Moor v. *Texas & New Orleans Railroad Co.* (297 U. S. 101), the Court dismissed a writ of certiorari to review this refusal of the lower court to grant a mandatory injunction to compel carriage of cotton, on which the tax under the Cotton Control Act had not been paid, where plaintiff claimed the act was unconstitutional.

In a further case the Court held that a decision of a circuit court of appeals holding invalid subsection (b) (5) of section 77B of the Bankruptcy Act, was "premature", and affirmed the judgment on another "entirely adequate ground" without expressing any opinion on the constitutionality of the Bankruptcy Act:

Tennessee Publishing Co. v. *American National Bank* (299 U. S. 18 (unanimous)).

In *Ashwander* v. *Tennessee Valley Authority* (297 U. S. 283), the Court carefully confined its opinion to the particular contract before it, which called for sale of power generated at the Wilson Dam, constructed under the National Defense Act of 1916. "We express no opinion as to the validity * * * of the T. V. A. Act or of the claims made in the pronouncements of the Authority" apart from the particular contract.

IV. Two cases involving the validity of action by the President (*Humphrey's Executor* v. *United States* (295 U. S. 602)) and by the Securities Exchange Commission (*Jones* v. *Securities Exchange Commission* (298 U. S. 1)) are to be distinguished in that no question of the constitutionality of legislation was involved in the decisions.

W. C. GILBERT.

JANUARY 15, 1937.

[Here the gavel fell.]

The SPEAKER. Under a special order of the House, the gentleman from Massachusetts [Mr. TREADWAY] is recognized for 15 minutes.

Mr. TREADWAY. Mr. Speaker, I realize how difficult it is for me to hold the interest of the Members of the House after such a scholarly address as has just been delivered by my colleague from Massachusetts [Mr. LUCE], but I think there is a subject of sufficient importance to warrant my calling it to the attention of the House at this time.

On January 8 the chairman of the Ways and Means Committee, the gentleman from North Carolina [Mr. DOUGHTON], introduced House Joint Resolution 96, calling for a 3-year extension of the reciprocal-trade agreements, which expire in June. On Saturday we were informed that the hearings on this resolution would commence on Thursday of this week, and the chairman of the Ways and Means Committee has courteously informed me this morning that the first 2 days of the hearing will be devoted to the proponents of the measure, undoubtedly the representatives of the administration, and that the opposition will be heard a week from today. It is to this fact I desire to call the attention of the House at this time.

Mr. Speaker, it will be difficult to properly present the opposition to this extension owing to the fact that all statistics and opportunity for publicity are in the hands of the administration. This resolution is a simple little thing, calling for an extension of 3 years of a so-called emergency authorization. When the act was originally passed the testimony before our committee called for its adoption largely as an emergency measure. I assume that the emergency today is pretty well over, if we are to believe the representatives of the Democratic Party. Now, they come in and ask for an extension for 3 years, and I wish, therefore, to call the attention of my colleagues and the country to the fact that the opposition to this extension of reciprocal treaty-making authority will be heard by the Ways and Means Committee in their committee room in the House Office Building 1 week from today, January 25.

It was very difficult at the time this bill was first before the Congress to get testimony in opposition. I will not go into the detailed reasons therefor, but they are very apparent. Later on, of course, there will be opportunity to discuss this measure when it comes before the committee and before the House for consideration. While those in favor of the resolution have the entire personnel of the Government to furnish them with arguments and figures, the opponents must depend on the industry of the country to make their case clear before the committee. So I appeal to the Members of the House who represent industrial and agricultural districts to call the attention of their constituents to the importance of this measure in their own interests.

Mr. CONNERY. Will the gentleman yield?

Mr. TREADWAY. I would prefer not to, but I shall yield to the gentleman from Massachusetts.

Mr. CONNERY. My friend the gentleman from Massachusetts stated they would have to depend on industry. As a matter of fact, let us take agriculture. There are so many imports coming into the country now in the way of agricultural products that it has become a battle of agriculture against these foreign imports and not industry.

Mr. TREADWAY. Yes. May I call attention that the gentleman from Florida [Mr. WILCOX] has proposed an exemption for the agricultural products of Florida from the operation of the reciprocal treaties. If it is fair for the products of Florida to be excluded from the working of the reciprocal treaties and the reduction of tariff rates thereunder, why should not the industries of New England have the same privilege of exemption? Why should we have any reciprocal treaties at all?

Mr. CONNERY. The reason I bring this matter to my colleague's attention is due to the fact that New England is always accused of fighting for the protective tariff, as if it did not affect the rest of the United States, but now that it is getting to pinch the toes of the South and Southwest perhaps we will get some drastic action in reference to this matter.

Mr. TREADWAY. I hope the Representatives of the South and West who are Members of this body and now control it exclusively will bear these things in mind when the extension resolution comes upon this floor for consideration.

Mr. COCHRAN. Will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Missouri.

Mr. COCHRAN. Does not the gentleman think we should also bear in mind the views of the people as expressed on November 3 last? These reciprocal treaties were an issue in the campaign after the Republican candidate's speech on the subject.

Mr. TREADWAY. Let us not get into a political discussion of that feature. Issues did not cut much of a figure in the election. But this problem is too serious to bring up that sort of argument. If the gentleman wants to argue that, I will be glad to argue it with him; but I want to take this time to discuss reciprocal treaties rather than to argue the issues decided in the election.

Mr. COCHRAN. The gentleman addressed himself to the Republican Members of the House and told them to get their friends here. That is bringing politics into the discussion.

Mr. TREADWAY. The reason I said that is because the administration has its people here all the time and has all the Departments of the Government at its disposal. It has every bit of publicity possible. How many people are employed in these various departments simply to put out publicity and propaganda on behalf of the administration?

Mr. WILCOX. Will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Florida.

Mr. WILCOX. Inasmuch as the gentleman has referred to my position, may I set the gentleman right? The amendment which I offered does not seek to exempt Florida products, but it does seek to establish a tariff that will equalize the difference in the cost of production of all agricultural products.

Mr. TREADWAY. Why, that is the Republican theory exactly and has been since the year 1. Certainly we join with the gentleman and shake hands with him most heartily from New England to Florida. We have always advocated the theory of difference in cost of production. Thank you, sir.

Mr. WILCOX. If the Republican Party takes that position——

Mr. TREADWAY. We have never taken any other.

Mr. WILCOX. I may say to the gentleman I think that position, as I have stated it, is eminently correct.

Mr. TREADWAY. The gentleman should have run on the Republican ticket and should be sitting on this side of the aisle if he believes in that principle.

Mr. WILCOX. But the statement of my position on that economic question does not give the gentleman the privilege of charging me with Republican inclinations.

Mr. TREADWAY. Well, the gentleman entertains Republican doctrines. There is no better Republican doctrine than the one the gentleman has stated.

Mr. CULKIN. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. I yield.

Mr. CULKIN. Does the gentleman know that the assembly and senate of the State of the gentleman from Florida protested the iniquitous character of these trade agreements?

Mr. TREADWAY. Then the gentleman from Florida is carrying out the wishes of his people.

Mr. CULKIN. And does the gentleman know that agriculture in its organized phase, both North and South, has protested the application of the doctrine of these trade agreements and especially the favored-nation clause?

Mr. TREADWAY. May I ask the gentleman if that sort of thing has any kind of effect when the administration gives orders to the majority of this House?

Mr. CULKIN. I think the House should listen, and I think the House will listen.

Mr. TREADWAY. I realize that, but the gentleman knows what the experience has been during the past 4 years.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Minnesota.

Mr. KNUTSON. I have not had an opportunity to read the resolution introduced by the gentleman from North Carolina [Mr. DOUGHTON]. Does it continue the present indefensible method of negotiating these trade agreements by star-chamber proceedings?

Mr. TREADWAY. It is most general in its terms, simply extending for 3 years the present law with respect to the making of these treaties.

Mr. KNUTSON. And it proposes to continue to ignore Congress?

Mr. TREADWAY. Oh, absolutely.

Mr. KNUTSON. Well, I shall be against it. [Laughter and applause.]

Mr. CONNERY. If the gentleman from Massachusetts will permit, I want to say to my colleague that I am sorry he tried to put the gentleman from Florida in the Republican Party——

Mr. TREADWAY. Oh, no; we need him.

Mr. CONNERY. I simply want to welcome him as another Democrat like myself, and we will join the Democrats of Massachusetts and Florida to fight this iniquitous law.

Mr. TREADWAY. Certainly; and there is no more important fight to the American people than the fight for the protection of American industry and agriculture and the development of the principle of adjusting the difference in cost of production at home and abroad. I understand this is what the gentleman from Florida favors, as well as my colleague from Massachusetts. Therefore, that branch of the Democratic Party which they and their associates so ably represent should vote against the extension of this reciprocal trade agreement law, and I think they will.

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Oregon.

Mr. MOTT. I am interested in the gentleman's invitation to bring on witnesses here in opposition to the extension of the Reciprocal Trade Agreement Act. There are many of them in Oregon who would like to so testify, because it has done us a tremendous amount of damage, but I would like to ask the gentleman, who is a member of the Ways and Means Committee, frankly, whether he thinks, in view of the political set-up of the Ways and Means Committee, there is really any chance of stopping the extension of the reciprocal trade agreement law?

Mr. TREADWAY. I think that is a very pertinent question and I am very pleased to answer it if I may ask the other gentleman to wait just a moment. I think the question is very worthy of answer, not meaning to imply that they all are not, but I think this is a very important question. We have 7 votes in the Ways and Means Committee, while the majority has 18. This, of itself, answers the question of the gentleman from Oregon in one particular. We cannot expect to get far in our opposition. The gentleman says his people have been injured by these reciprocal-trade agreements——

Mr. MOTT. Our shingle makers have been injured, our dairymen have been injured, our sawmills have been injured, as well as all others who have come in contact with these treaties.

Mr. TREADWAY. I think it is very important, even though we know the verdict in advance, that there should be a record made of the exact situation. I hope the gentleman from Oregon will communicate promptly with his people to see if somebody cannot be sent on here, even from the far State of Oregon, to appear before the Ways and Means Committee a week from today to state the situation, because it is only as we get the people themselves to testify that we can hope, in any way, to make a record in opposition to the dictation of the administration.

Mr. MILLARD. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from New York.

Mr. MILLARD. Is it not a fact that in other countries they have to report back to their legislative body for its approval, while in this country they do not?

Mr. TREADWAY. While I am always pleased to answer the inquiries of my colleagues on either side of the House, if I had not been interrupted by too many questions I should already have referred to that very feature. I have introduced two privileged resolutions, but by a courteous arrangement with one of the members of the committee, they will not be called up by me until it is convenient. One asks for the precedents, if any, for treaties being made and not confirmed by the United States, and the other resolution calls for information as to which of the treaties thus far entered into have been subject to ratification by the legislative bodies of the foreign countries concerned. In other words, I quote the Secretary of State in saying that one of the arguments in favor of the original legislation was that the emergency should not require these treaties to go to our Senate because other legislative bodies in the countries that were negotiating these treaties had placed authority in the executive branch.

I think the record will show, if that question is answered, that with possibly one or two exceptions not one of those foreign countries was allowed to close these negotiations without confirmation by the legislative body, either before or after the effective date of the agreement.

Mr. KNUTSON. Will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman.

Mr. KNUTSON. Can the gentleman tell the House what necessity there is for the extension of this emergency jurisdiction?

Mr. TREADWAY. I think that question could be well asked of the opposite side. I have never seen in all this great propaganda that has been put forth a statement of the amount of the imports and exports. I will ask the gentleman from Minnesota if he has ever seen any statement of the increase in imports into this country?

Mr. KNUTSON. I will say to the gentleman that if the record of the increase of imports into this country was made public, and made available to the membership of this House, the resolution of the gentleman from North Carolina would not get to first base.

(The time of Mr. TREADWAY having expired, by unanimous consent, he was given 10 minutes more.)

Mr. DOUGHTON. Will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from North Carolina.

Mr. DOUGHTON. What does the gentleman from Minnesota think the hearings are for? The gentleman knows that we will get that information from the Department of Commerce. The gentleman from Minnesota displays an ignorance that I did not think he was capable of. [Laughter.]

Mr. KNUTSON. Does the gentleman intend to bring all that information out at these hearings?

Mr. DOUGHTON. There is no intention of keeping any information out. The gentleman knows that that information can be had from the Commerce Department.

Mr. GIFFORD. Will the gentleman yield?

Mr. TREADWAY. I yield.

Mr. GIFFORD. I want to say to the gentleman from Minnesota that that fine Democratic paper, the New York

Sun, about 3 weeks ago gave the whole story, and it wailed bitterly because we got the worst of the bargain.

Mrs. ROGERS of Massachusetts. Will the gentleman from Massachusetts yield?

Mr. TREADWAY. I yield to my colleague.

Mrs. ROGERS of Massachusetts. Will labor be asked to testify before the committee? Labor is very much interested in the matter.

Mr. TREADWAY. Every organized body ought to appear. I am confident that all interested in the preservation of the industry of this country will be in opposition to this resolution.

Now, if I may continue very briefly, Mr. Speaker, I have been asked once or twice about the features of Resolution No. 96. It is simply a continuation of the present law, and every defect that is in the present law, in the estimation of our country, will be continued in effect when that resolution is extended for 3 years.

What has been the effect of the administration's tariff policy? Our opponents have bragged about the increase in exports. I am going to refer very briefly—because I cannot get very much information on the subject—to the increase of imports. What record we can get is about as follows: Our favorable balance of trade with foreign countries has about almost disappeared. In 1934, before the trade-treaty program came into operation, our exports exceeded our imports by $478,000,000. In 1935 this favorable balance of trade had shrunk to $235,000,000.

Figures for the full year of 1936 are not yet available, but in the 11-month period from January through November, our favorable balance of exports over imports had declined to $49,000,000.

In 1935 our exports increased over 1934 by $149,000,000, or 7 percent, and in the same period our imports increased $392,000,000, or 24 percent. That is a 7-percent increase in our exports and a 24-percent increase in our imports. That tells the story of what the reciprocal trade agreements do to American agriculture, industry, and labor. It shows the tremendous price at which the small increase in foreign trade has been secured. That is the price of this internationalism that we are getting into.

Mr. GIFFORD. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. GIFFORD. In a debate recently with a lady exponent of this proposition, she said, "Oh, but I want to call your attention to the fact that this great increase in imports is on noncompetitive articles."

Mr. TREADWAY. Of course the lady was misinformed, because that increase of imports comes right into competition with our industry. Ask the representatives of the shoe industry, for example.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. WHITE of Idaho. How does the gentleman account for the general increase in dividends and the wage increases and the general prosperity?

Mr. TREADWAY. Oh, now the gentleman is getting into a sore subject with the Democratic Party. What about the decrease in the surpluses of those companies that have declared those extra dividends? The gentleman has barked up the wrong tree once more.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. RICH. When they come to consider the fact of these dividends, why, the corporations were driven to it.

Mr. TREADWAY. Yes; because the Treasury wanted the money.

Mr. RICH. And if we have a bad time again it will bankrupt all the business interests of the country.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. COCHRAN. The gentleman just asked what about the shoe industry. Coming from the section in which are located the greatest shoe factories in the world, I say that I have not received any complaint about it from our shoe manufacturers.

Mr. TREADWAY. I will tell the gentleman why he did not get any complaint, and why we do not get any in our offices here. They are afraid of the administration, they are afraid that the screws are going to be put on, and I can show the gentleman letters to that effect.

Mr. COCHRAN. Nobody out my way was afraid; on the contrary, they are full of confidence as to the future.

Mr. TREADWAY. They are afraid the administration will put them out of business and make things worse for them than they are now.

Mr. COCHRAN. They fear nothing now.

Mr. TREADWAY. I am telling the gentleman what I know.

Mr. COCHRAN. They are making more money than they have in years. Their output has greatly increased.

Mr. TREADWAY. I am telling the gentleman what I know about it. If companies were increasing their output so materially, certainly there would be greater employment and less people on relief. The increased dividends are not the result of increased business but, as has been said, the result of an iniquitous tax bill. When the inevitable rainy day comes there will be no surpluses to tide it over.

Figures for 1935 and 1936 are equally one-sided. In a comparable 11-month period exports increased $164,000,000, or 8 percent, and imports increased $313,000,000, or 16 percent. Thus the imports are double or triple the exports all the time.

Further, the reason why we should not approve these reciprocal treaties is the star-chamber manner in which they are negotiated. Even the administration seems to admit a little mistake in that particular. They say that they are going to liberalize the hearings. Never has even a Member of Congress been able to find out for his people what the subject matters are that are to be brought before this conference. Now they say they are going to announce to the business world in advance what subjects will be brought up. That shows a little defect in the present system, but the jury system will be just the same in the future as now. It will be a stacked jury against American industry—a star-chamber affair. That is what you are up against—a stacked jury. Go down and see who sits around the table when these conferences on trade agreements are being entered into.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. If the gentleman will make as big a bull as he did a moment ago, I yield to him.

Mr. WHITE of Idaho. To ask the gentleman if it is his contention that all the commerce going through our ports should go one way?

Mr. TREADWAY. Oh, I believe in the wisest kind of reciprocity, not all one-sided, and for the other fellow.

I want to see our side get a little chance. We think they do not under the present system.

Mr. WHITE of Idaho. Do you not think that the price level is a reflection of good, fair reciprocity?

Mr. TREADWAY. I think you can set up good, fair reciprocity, but it is not done under the Doughton resolution for an extension of the present reciprocal trade treaty legislation.

Mr. DOUGHTON. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. I yield.

Mr. DOUGHTON. Does the gentleman believe in the type of reciprocity we had in 1929–33, when both exports and imports were paralyzed? Is that the kind of reciprocity the gentleman favors?

Mr. TREADWAY. No. I favor the kind of reciprocity——

Mr. DOUGHTON. I ask the gentleman that question, Does he favor that kind of reciprocity?

Mr. TREADWAY. I favor reciprocity, but not one-sided reciprocity such as we have now. I do not think the gentleman is propounding any definite question that warrants an answer.

Mr. DOUGHTON. Does the gentleman agree with the type of reciprocity that we had——

Mr. TREADWAY. We can discuss all that when the time comes.

Mr. DOUGHTON. The gentleman does not wait until I finish the question. [Laughter.]

Does the gentleman favor the type of reciprocity we had in 1929–33? [Laughter and applause.]

Mr. TREADWAY. I repeat that the gentleman's remarks do not constitute an inquiry which is susceptible of serious reply.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has again expired.

CONTEMPT PROCEEDINGS AGAINST NEWSPAPER EDITORS AND REPORTERS

The SPEAKER pro tempore. Under the special order of the House, the gentleman from New York [Mr. CURLEY] is recognized for 30 minutes.

Mr. CURLEY. Mr. Speaker, I hope I may be able to hold the attention of the Members for the period that has been allotted to me to discuss a subject that has been before this body previously and which has been revived during the past year.

A year ago this month I introduced in this House a bill to protect newspapers, their editors, and reporters against contempt proceedings for refusal to reveal confidential sources of information in any court of the United States or in the District of Columbia. The subcommittee of the Committee on the Judiciary held a meeting at which the merit of the proposed legislation was discussed. I was very courteously permitted to present my views and those of a very large number of influential citizens interested in protecting the "freedom of the press" and those of our citizens necessarily engaged in writing for the public information. The bill was not reported out of committee.

IMMUNITY FOR REPORTERS

This is not a new question by any means. As a matter of fact, in the States of New Jersey, Maryland, Kentucky, and Alabama there are similar laws now in operation. One more State—Arkansas—was added to the others just recently when a referendum was submitted to a popular vote in that great Commonwealth which granted immunity to newspaper reporters by the overwhelming vote of 4 to 1. Because of increasing public interest in this country for protection of the constitutional rights of newspaper reporters, I was advised to introduce another bill. This bill is now H. R. 1065.

The universal opinion prevailing to grant immunity to the reporters of news from punishment from contempt was well emphasized by the people of the State of Arkansas. An amendment to the State constitution was drafted by a committee of the Arkansas State Bar Association. The amendment provides for protection from contempt proceedings editors, reporters, journalists, and other news gatherers when they refuse to reveal the confidential sources upon which their written stories are based. This referendum was approved on November 3, 1936, by a vote of 121,300 to 28,174, which means that in the State of Arkansas concrete evidence, in addition to that offered by other States with like statutes on their books, indicates the press will be the guardian of its own liberty and freedom as intended by the Constitution of the United States and expressly provided for in amendments I and V, respectively. Freedom of the press will be amply safeguarded by newspaper reporters who in all cases must be responsible for their correct and fearless publications and presentations of news. To quote from a well-known head of the Associated Press, Mr. Byron Price, who said in an address published a while ago:

> It was the American people who wrote the guaranty of freedom into the Constitution, and their action was based on an assumption that the press would develop as a respectable, trustworthy, and responsible medium for dissemination of information.

LAWYERS AND DOCTORS PROTECTED

My bill is designed to extend existing privileges granted to lawyers, doctors, and clergymen in the State courts to newspaper reporters, editors, publishers, and correspondents who appear in litigation in any court of the United States and in the District of Columbia. The compelling reason in giving the national scope to the bill is the fact that the public will receive greater benefit through a more complete protected circulation of confidential sources of information in the Federal courts by giving a legal status to the privilege. In addition it would set an example, as well as a precedent, for other individual State courts to follow by setting up similar laws on the subject.

Our past experience tells us that newspapers in turning the searchlight on crime and racketeering had as their basis "tips" through confidential sources. The leads for evidence were secretly given and often a "contract" entered into between the one supplying the information and the reporter not to reveal the name of the one giving him the news. Many dangerous criminals have been brought to justice through the same type of newspaper leads, and in a number of cases the news reporter for his cooperation with society has been jailed for his refusal to reveal his valuable secret source of information or was otherwise penalized for contempt.

Mr. Speaker, when New York State's highest court last year denied a newspaperman's appeal from a sentence of contempt of court, imposed for refusing to divulge before a grand jury investigating the "policy racket" the source of certain information used by this newspaperman in a series of published articles, and confirmed a 30-day jail sentence, the public of the United States naturally wondered why this should be so.

I am firmly convinced—and I trust the Members of the House hold with me in the premise—that any newspaperman who cares anything about the honor of his profession would refuse to reveal the sources of the confidential information supplying him with the facts that make exposure possible; and on that thought I was impelled to introduce this bill—H. R. 1065.

NEWSPAPERMAN CHOSE JAIL

The newspaperman's lawyer in arguing the appeal asserted that, having to choose "between legal duty on one hand and professional honor on the other", his client chose the latter. The court of appeals, admitting that "there is no statute covering the subject", nevertheless concluded—

> That the policy of the law is to require the disclosure of all information by witnesses in order that justice may prevail. The tendency is not to extend the classes to whom privilege from disclosure is granted but to restrict that privilege.

I hold that, while this verdict is logical enough, the law being what it is, to compel revelation of a newspaperman's sources of the day's news of sinister combinations of wealth, political power, and ruthless crime is to ask that he sentence his friend to quick and savage assassination. It is to expose the reporter to the same peril.

The Legislatures of Maryland, New Jersey, Kentucky, Alabama, and Arkansas already have placed laws on the statute books protecting newspapermen in just the manner in which this bill will guard them.

SUPREME COURT DECISION

Freedom of the press is a cardinal law of this land. It is a right that cannot be tampered with, as was so clearly pointed out by our Supreme Court in the historic decision handed down on February 10, 1936.

While our Constitution prohibits the States from abridging the freedom of the press, I believe we should strengthen the hand and the pen of our publishers in recognition of the constant able manner in which they work to the defeat of crime. I believe the newspaperman is the strongest of all our law-enforcing agencies and the most dreaded of the lawbreaker.

Mr. Justice Sutherland last year, in reading the decision of the Court, brought to mind many worthwhile repeating historical facts concerning the freedom of the press, excerpts of which will stand constant repeating.

This learned Justice said in part that—

> As early as 1644 John Milton in "an appeal for the liberty of unlicensed printing" assailed an act of Parliament which has just been passed providing for censorship of the press previous to publication. He vigorously defended the right of every man to make public his honest views "without previous censure" and declared

the impossibility of finding any man base enough to accept the office of censor and at the same time good enough to be allowed to perform its duties. The act expired by its own terms in 1695. It was never renewed, and the liberty of the press thus became, as pointd out by Wickwar, merely "a right or liberty to publish without a license what formerly could be published with one." But mere exemption from previous censorship was soon recognized as too narrow a view of the liberty of the press.

Mr. Justice Sutherland further on in the opinion and speaking of the early effort to control or censor the press through "taxing knowledge"—as it was then commonly spoken of—tells us:

That the taxes had, and were intended to have, the effect of curtailing the circulation of newspapers, and particularly the cheaper ones, whose readers were generally found among the masses of the people, went almost without question, even on the part of those who defended the act.

And the Justice continues:

It is idle to suppose that so many of the best men of England would for a century of time have waged, as they did, stubborn and often precarious warfare against these taxes if a mere matter of taxation had been involved. The aim of the struggle was not to relieve taxpayers from a burden, but to establish and preserve the right of the English people to full information in respect to the doings of their government.. * * * In the ultimate an informed and enlightened public opinion was the thing at stake * * *.

And in this language:

FETTER OURSELVES

A free press stands as one of the greatest interpreters between the government and the people. To allow it to be fettered is to fetter ourselves.

In direct argument for this bill, H. R. 1065, may I quote here and there from editorials which appeared in many of our journals in comment on the measure?

Since it is a duty of newspapers, among other things, to expose wrongdoing in public office and in other relations generally, it is evident that, unless sources of information can be protected, the establishment of essential facts becomes more difficult.

It is in the interest of good government and public safety that corruption and crime be exposed. A measure which would assist the press in its efforts to do this carries no privilege which could be used to the harm of anybody. It would greatly strengthen the likelihood that evildoers would be more promptly brought to brook and the damage which they might do would be prevented.

The New York Times says:

The records are replete with instances of newspapermen serving jail sentences for contempt rather than betray a cardinal ethic of their profession.

The point of view of Mr. William Randolph Hearst is given in a telegram to me, which reads:

I think your bill is one that is just to newspapermen, but is primarily in the interests of the public. Most of these confidential communications to newspapermen are in the nature of revelations which aid the cause of justice. Obviously the sources of information would be closed if newspapermen were compelled to reveal these sources. In fact, newspapermen do not reveal them. Like Mr. Mooney, they go to jail rather than do so. The question, therefore, merely is whether newspapermen should go to jail for serving the public interests.

And from a Massachusetts paper this editorial comment, in part:

Let it be understood in the beginning that the public officials and all private citizens are thoroughly protected from the efforts of the irresponsibles or vicious through the libel laws so strictly regulating what a newspaper may publish. The character and reputation of every good citizen and honest public official is secure against unwarranted attacks of the press. That is amply insured by law, and there are very few newspapermen who will defy the law, especially when severe penalties have been provided. * * *

The exposés made by newspapers throughout the country always come from some tip given to a trustful newspaper reporter by an under official or institutional employee. That tip results from the continuation of wrong acts, oftentimes injurious to the public, that are abhored by those who are forced by the positions they hold to countenance, and sometimes become a party to, these wrongful acts.

Without the confidence they can impose in a representative of a newspaper, they would never dare to divulge the existence of these wrongs. The man who originates and perpetrates impositions upon others selects the most dependent ones under him to carry out the necessary minor parts of the scheme; he selects those who cannot afford to lose the positions they enjoy, knowing that any attempt to expose the acts would lead to discharge and possibly insinuations to prospective future employers regarding the character of the workers.

There is one rule of honor in modern newspaperdom, confidence must always be observed and respected. One newspaper we know had an order on the bulletin board of the news room notifying every reporter that a breach of confidence resposed in him meant automatic discharge. The rule so strictly was followed that a reporter was willing to be "scooped" rather than break confidence. The result was most satisfactory, for the newspaper was rewarded with many confidences that resulted in exclusive stories.

There is public safety in this confidential relation between newspapermen and those from whom they must of necessity receive suggestion, or "tips" of where to look for stories. It opens vast fields for investigation of many abuses existing in our body politic as well as, all too frequently, in the activities of private enterprises. No newspaper desires to warrantedly injure the reputation of any individual or institution, but, on the other hand, a part of its duty is to expose the machinations of those who seek to profit dishonestly.

In the history of the press in America there have been few, very few, cases where the power of the press has been wrongfully applied, and those were in cases where the newspaper suffered more than the one it sought to expose or injure. Public sentiment and the libel laws are the governors upon the press of the world.

CASES IN EVIDENCE

Shortly before his death last year, Mr. Merlen E. Pew, famed editor of Editor and Publisher, wrote to me on this subject. His letter is so full of sound judgment and argument that I am sure Members of this House will want to hear it. I quote:

The press is not government, does not seek to be government, but it is the chief means of public communication and the basic factor in a government that depends upon an informed public opinion. Censorship is repugnant to the wholesome American mind and the press confidence factor, which your bill deals with most effectively as regard the Federal Courts, is in essence and everyday practice a drastic form of censorship.

Two young men, Jack Durham and Wesley Carty, of Danville, Ky., were employed as city editor and reporter on the Danville Advocate. In pursuit of their occupations, these young men printed a story of a matter under police investigation and the newspapermen were brought before Judge Harlan by City Attorney Huguely and ordered to reveal the source of information upon which their news accounts were based. Regarding this source of information as a professional confidence, the boys refused to respond and were sent to jail as common criminals by Judge Harlan. At their own expense, the boys obtained writs of habeas corpus, but were again brought before the judge and again committed to jail until they would yield the information. This process continued until the boys had been jailed no less than 11 times. They took this punishment bravely, clung to their point that they were bound by confidence which they could not break, except in dishonor, and finally the judge and prosecutor discontinued the persecution and the boys never did reveal the source of their news.

This is only one of hundreds of incidents that might be cited. You will recall the case of three or four members of the staff of the Washington Herald who were imprisoned in the District of Columbia within 10 years at the behest of the district attorney because they would not reveal to a local district judge the origin of a news report which told in specific terms where liquor was being retailed in violation of the prohibition law in the city of Washington, indicating a farcical falure on the part of the local authorities to enforce the Prohibition Act. It was a valuable piece of public information and good journalism. The reporters explained that they had received the information in confidence and that to reveal it would incriminate the person or persons who had been prevailed upon by the reporters to yield the facts. These men were not detectives in the employ of the Government, but rather did represent the general public's legitimate concern with law enforcement. Their real crime, of course, was to expose the failure of the Government in that instance and they were made to pay in the terms of a criminal.

It must be understood in the first place that newspapermen are not actuated by personal curiosity. They do not pry into people's affairs or into the affairs of government through idle meddling. They have no personal concern in these matters ordinarily, but are employed to make proper investigations in the public interest by newspapers that are committed under our system to publish all they can find out of value to the reader citizen. And without an informed public opinion this democracy cannot stand. I submit that a reporter who violates confidences in news relations will forfeit his best asset and render himself useless in his profession. He is bound by the same honor that attaches to confidences that lie between clergymen and parishioner, the lawyer and client, the doctor and patient. Any other position for the reporter is unthinkable. He becomes a sneak and soon loses both professional and personal standing in the community.

I do not think, speaking as an editor of more than 30 years' experience, that there is any element of pride in the newspaper profession which exceeds that of the average newspaperman in the fact that he can be trusted by the persons with whom he does business to write his public reports in honor to yield public advantage without the sacrifice of the personal loyalties which constitute the common decency of life. It is this feeling on the part of a newspaperman that causes the stubborn resistance against judicial attempts to break down our ethical foundation, and news-

papermen take this savage punishment with striking fortitude, certainly demonstrating their complete sincerity.

More than 25 years ago the State of Maryland recognized the incongruity of this form of censorship in a democracy and passed an act protecting press confidences. I doubt if it can be shown that the system of justice in the State of Maryland has been impaired by this act, and certainly it must be true that for a quarter of a century Maryland newspapermen have gone about their work free of the intimidation that is implied by a system which can incriminate a man who stands four-square in defense of the ethics of his profession.

It seems to me that your bill covers the problem very neatly. As a newspaperman I heartily endorse your act and urge its favorable consideration by the House Judiciary Committee. It represents, in my view, simple justice long deferred.

So, Mr. Speaker, ladies, and gentlemen, I hope we are all of one opinion so far as our feelings toward the prevention of crime is concerned. It is my humble opinion, in view of the number of occasions in which reporters have been punished for protecting their professional honor, that the time has arrived when this Government should place upon the Federal statute books H. R. 1065, legislation which will safeguard this very sacred American principle. [Applause.]

ELECTION OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. PATMAN). Under the special order of the House, the gentleman from Texas [Mr. SUMNERS] is recognized for 7 minutes.

Mr. SUMNERS of Texas. Mr. Speaker, I want to call attention to a very important matter.

When the "lame duck" amendment to the Constitution, and associate legislation was passed, we moved up the time for the inauguration of the President from the 4th of March to the 20th of January. That reduced the time between the election of the electors and the inauguration of the President 4 days of March, all of February, and 11 days of January, 43 days. There are two fixed points, the election of the electors on the first Tuesday of November and the inauguration of the President on the 20th of the January following. When we advanced the time of the inauguration we failed to follow up with a corresponding advance of the election, with the result that there is now clearly not enough time between those points to settle any election contest, election of electors, before the electors must meet if there is to be time to do the other things which we know must be attended to before we are ready to inaugurate the President.

Now, that is a serious matter. When we assumed the responsibility of submitting to the people the amendment which moved up the time when the President takes office from the 4th of March to the 20th of January, we assumed the responsibility of adjusting the election machinery, to that change in date, so that if there should be a contest in any State with regard to the election of the electors, there would be enough time within which to settle that matter before the time when the electors should meet. Now, that is plain.

I make this statement, and an examination will convince you that it is true: There is not a single State in the United States that can speed up its judicial machinery fast enough to settle a serious controversy in regard to an election before the time when the electors must meet. That is a very serious situation. We have no excuse to sit around here and wait for a crisis to develop which governmental experience and common sense warn us is bound to develop sometime. I am therefore offering an amendment which will advance the time for the general election from November to October, 1 month, which will, I hope, receive the serious consideration of the Committee on Election of President and Vice President. This resolution, as I have stated, would move up the time of the election from the first Tuesday in November to the first Tuesday in October. There is no other way to do it, because there are two points which must be considered, the time of the election and the time the President is inaugurated. There is not a lawyer who has examined the law who will not agree that there was no more than the necessary time between the election and the inauguration of the President before the "lame duck" amendment. We moved that time up from the 4th of March to the 20th of January. We did not move up the date of election.

I hope we will share with the able chairman of the Committee on Election of President and Vice President and his associate committeemen the responsibility of making this change. We ought to do it early in this session while the State legislatures are meeting. It is provided in the bill which I am introducing that the law shall not become effective until 1940.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. ROBSION of Kentucky. There was a dispute in 1876. Does the gentleman know of any other dispute about an elector from any State, except the one in 1876?

Mr. SUMNERS of Texas. No. We have been very fortunate about that, but we do know that electors are elected like any other officer, and there might be a dispute about the election of any of them at any time. We have no excuse for not providing sufficient time to dispose of the matter. We are not deciding now whether this should be done; that was decided when we submitted and the States ratified the twentieth amendment.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. RANKIN. There was a controversy a hundred years ago over the election of the President, and it was thrown into the House of Representatives. There is no reason on earth why it should not be carried on for several weeks, and it looks to me as if we are hemmed in there with some limitation.

Mr. SUMNERS of Texas. That is true, but that was not a contest as to which candidate for President carried a given State. We know now that issue may arise at any time in a close election and we know now there is no way judicially to settle that matter before the time when the electoral vote must be counted. I refer to a situation where there is a charge of fraud in the election of the elector of the President. We know those charges do arise in connection with the election of public officials. This is the election of public officials.

The horse-sense thing is now to make it possible to settle that dispute orderly and properly in the regular way before the time for these officers to begin their work. With the shortening of the time there are only about 41 or 42 days now between the election and the meeting of the electors. Just think of it! Only forty-odd days between the time the electors are elected and they get on the job. There is not a lawyer in the House who does not know that forty-odd days is not a sufficient length of time to settle an election dispute involving probably an entire State.

Mr. LUCAS. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. LUCAS. As I understand, the distinguished gentleman from Texas was chairman of the Judiciary Committee when the "lame duck" amendment was passed.

Mr. SUMNERS of Texas. The Judiciary Committee did not handle that amendment.

Mr. LUCAS. Can the gentleman tell me whether or not those who did handle the "lame duck" amendment went into a discussion of the subject matter the gentleman is now considering?

Mr. SUMNERS of Texas. I am not advised. The Committee on the Judiciary did not handle that amendment; the committee of my distinguished friend Mr. FLETCHER, of Ohio, handled it. But whether it was discussed or not, all the discussion on earth cannot stretch forty-odd days into sufficient length of time to settle an election dispute in a great State. That is all there is about it; it does not make any difference what was said.

Mr. PIERCE. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. PIERCE. What about the amendment abolishing the electoral college?

Mr. SUMNERS of Texas. We have not abolished it. That is a constitutional amendment. I am talking about an act of Congress which we ought to enact now. The first Tuesday in October is just as good a time to hold the general

election as a month later. In much of the United States October is better than November.

Mr. FLETCHER. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. FLETCHER. Does the gentleman anticipate any objection from State legislatures and Governors? Our committee found they were unanimously in opposition to the measure. I am wondering if the gentleman has any additional information from his contacts.

Mr. SUMNERS of Texas. May I say to my friend that I can quite appreciate that State legislatures and Governors would be opposed to this proposed change as an independent matter, but they cannot be opposed to providing enough time orderly and properly to settle so important a question as to who has really been elected President of the United States. I do not believe any of them will profess to believe it can be done in 40 days. We have got to do something about it. It is not their responsibility; it is ours; and we should take it, for we have got to make provision for the election of the electors and the settlement of disputes in contests affecting them. That is our job.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. COX. I regard the question of amending the Constitution as most serious business. In view of the rarity of contests over the election of electors arising, does the gentleman think the situation sufficiently serious to justify an amendment to the Constitution?

Mr. SUMNERS of Texas. This does not involve an amendment to the Constitution; this would be simply an act of Congress moving the date of the national election from the first part of November to the first part of October.

Mr. COX. I did not understand the gentleman's proposition.

Mr. LUCAS. Mr. Speaker, will the gentleman yield?

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent to proceed for 2 additional minutes in order that I may answer questions.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SUMNERS of Texas. Mr. Speaker, I yield to the gentleman from Illinois.

Mr. LUCAS. As I understand the proposition, if the gentleman's measure passes the House, it would simply mean that State and National elections would be held 30 days prior to the present date.

Mr. SUMNERS of Texas. Yes; the gentleman is correct.

Mr. LUCAS. Has the gentleman given sufficient consideration to the question to advise the House intelligently whether we would have enough time even then?

Mr. SUMNERS of Texas. We would not have any time to spare, I will say to the gentleman from Illinois. I wrote the bill which changes the form of bringing the returns permitting them to be sent by registered mail instead of being brought in person. I think we can rearrange things a little and save perhaps 3, 4, or 5 days at that end, but even moving the date of the election forward a month and what other time we could squeeze in would not give us a day longer than was needed to settle an election contest, and sometime we have got to face it.

Mr. PIERCE. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. PIERCE. If the gentleman's bill were passed, would it not necessitate legislation in every State regarding the election of their officers?

Mr. SUMNERS of Texas. Yes. When the States ratified the "lame duck" amendment they did not have anything left but to move up the date of the general election, because they moved up the time when the elected President takes office. In other words, we have two points, the date when the President is inaugurated and the date of the election of the electors. If before the twentieth amendment the time between these points was not more than sufficient—and our people evidently thought that for many decades—then one point cannot be moved closer to the other without moving the other back also; this is just common sense.

Mr. FLETCHER. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. FLETCHER. If some of the States refused to conform to this proposed law what would be done?

Mr. SUMNERS of Texas. They would have to have two elections.

I am calling this to the attention of the House now, because it is our responsibility, and we should not sit idly by until the situation is upon us before we pass legislation to meet it. [Applause.]

THE STABILIZATION FUND

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that on tomorrow it may be in order to consider H. R. 2519 or S. 416, bills to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised; that all points of order against said bills shall be considered as being waived; and that general debate be limited to 2 hours, 1 hour to be controlled by the chairman of the Committee on Coinage, Weights, and Measures and 1 hour by the ranking minority member of that committee, after which the bill shall be read under the 5-minute rule for the offering of amendments.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. SNELL. Mr. Speaker, reserving the right to object, I appreciate the fact that a request from the majority leader at this time is pretty nearly law so far as the House is concerned, especially when he has 4 to 1 to back him. That goes a long way in making these requests.

There is just one thing I would like to bring to the attention of the majority leader of the House, and that is it seems to me it is rather rushing the situation to bring two very important measures here before the House so early in the session and without very much consideration by the committee. I doubt if there have been any hearings printed or anything else that might give information to the Members of the House or help them in any way to form their judgment with reference to these two measures. I know that the gentleman could secure a meeting of the Rules Committee this afternoon and pass a rule to bring up this matter tomorrow, but it does seem to me he is rushing the situation, especially considering the fact that the Speaker and several of the leaders on that side have expressed the thought that the emergency has passed and that during the present session we would give careful, judicious consideration to important measures. The valuation of the dollar is, to me, one of the very important measures to come up before the House during the present session. As far as time is concerned, I think that is probably all right.

Mr. RAYBURN. May I say to the minority leader that it is not going to be the policy, as far as I can control it, to unnecessarily or unduly rush matters through the House. In my own experience I can say, in the handling of some very intricate and important bills, like the stock-exchange bill, the Public Utilities Act, and others, that I did not ask for a gag rule. We had ample time for general debate and the bills were read for amendment. A great many bills of importance, and behind which the administration stood so firmly, not only in Democratic but Republican administrations, have been put through without amendment.

So far as I am concerned, I desire the fewest number of so-called gag rules. But the Treasury thinks it is vitally important to American business, on account of certain conditions in Europe, that this bill be passed at the earliest possible moment.

We are giving notice now that it will come up tomorrow. I think sufficient debate is allowed, 1 hour on a side, after which the bill will be read under the 5-minute rule. May I say further that this bill has no new features at all. It is simply an extension of authority already granted until, as I understand it, the 30th of June 1938.

Mr. SNELL. I thank the gentleman for his statement and I hope he will carry out the intention he has expressed to the effect he will not force these measures through rapidly. Is

there anything that the Members are entitled to know with reference to whether the President has any advanced ideas he intends to exercise under this extended grant of power?

Mr. RAYBURN. That I do not know. Probably the chairman of the committee, if he is here, can answer the question. If any information is available, he will have it.

Mr. SNELL. I appreciate the fact it would be purely technical if I objected at this time, but I do not intend to object. However, I do want to impress upon the majority leader it is our hope that he will carry out the views he has just expressed here, and also the views which I understand have been expressed by the Speaker, that these very important measures will be considered in the way they are entitled to be considered, as the real emergency must have passed.

Mr. RAYBURN. I may say to the gentleman that frankly I have always thought the more important a bill the more consideration should be given it, and I do not think it is fair consideration to cut off debate unduly.

Mr. SNELL. Mr. Speaker, I shall not object.

The SPEAKER. The gentleman from Texas [Mr. RAYBURN] asks unanimous consent that on tomorrow it may be in order to consider H. R. 2519 or S. 416, bills to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised; all points of order against the bill to be waived; that general debate on said bills be limited to 2 hours, to be equally divided and controlled by the chairman of the committee and the ranking minority member of the Committee on Coinage, Weights, and Measures; and thereafter the bills shall be read for amendment under the 5-minute rule.

Is there objection?

Mr. SNELL. Mr. Speaker, reserving the right to object, I do not understand this matter of waiving all points of order. What is that part of the request?

Mr. RAYBURN. That means all points of order against the bill are waived. I understand there might be an appropriation in it; therefore the gentleman in charge of the bill wants to protect the bill in its entirety.

Mr. SNELL. Does the gentleman think it is a good idea to waive points of order and allow appropriations to be inserted in general legislation bills? Of course, that is the gentleman's responsibility.

Mr. RAYBURN. No; I do not.

Mr. SNELL. I think the gentleman is making a serious mistake in permitting that.

Mr. RAYBURN. I think it is very important that this bill be passed promptly.

Mr. SNELL. The gentleman is not going to make further requests of that nature, is he?

Mr. RAYBURN. I hope not.

Mr. SNELL. Hope springs eternal, you know.

Mr. RAYBURN. I mean by the statement that as long as the majority can function in an orderly fashion without gag rules I shall do everything to bring about that condition. Of course, times may arise in which we will probably have to have some gag rules.

Mr. MICHENER. Will the gentleman yield?

Mr. RAYBURN. I yield to the gentleman from Michigan.

Mr. MICHENER. The gentleman states we will not have gag rules as long as the majority can function. The gentleman means, I presume, that as long as he can get what he wants by unanimous consent, regardless of how ridiculous it may be, he will not ask for a gag rule.

Mr. RAYBURN. It is not the purpose of the majority of the House to put through anything ridiculous at this session. [Laughter.]

Mr. WHITE of Idaho. Mr. Speaker, reserving the right to object, I think this is very important legislation, inasmuch as we are dealing with $2,000,000,000 and with the discretion of the Treasury in its administration. I am going to ask the gentleman if he will not modify the request and provide for 4 hours of debate instead of 2 in order to give us a chance to be heard on it.

Mr. RAYBURN. I would rather not do that, I will say to the gentleman from Idaho; but if the debate goes on and it is apparent that other gentlemen who have information on this subject desire to be heard and the House wants to hear them, I think we could arrange for that on tomorrow.

Mr. PARSONS. If the gentleman will permit, after all, they can engage in the debate under the 5-minute rule.

Mr. RAYBURN. Yes; there will not be any effort by myself or by the committee to cut off debate under the 5-minute rule.

Mr. CHURCH. Mr. Speaker, reserving the right to object, what is the importance of rushing this matter through tomorrow instead of day after tomorrow or the next day?

Mr. RAYBURN. I understand a condition has arisen with reference to trade with one country in the Orient which makes it very, very important to American business that this action be taken at an early date.

Mr. CHURCH. I object, Mr. Speaker.

Mr. COX. Mr. Speaker, may I ask the gentleman to please withdraw his objection and let me state why the request of the majority leader comes at this time?

Mr. CHURCH. I withhold my objection, Mr. Speaker.

Mr. COX. The importance of getting quick action upon this bill has been impressed upon the membership. The Committee on Rules, of course, will assemble and pass out a resolution if this unanimous-consent request is denied. The request is made simply to avoid the necessity of assembling the committee for the purpose of taking action which would mean a continuation of the present session for something like an hour or an hour and a half longer. The gentleman would not save anything by objecting to the request, and I sincerely trust that the gentleman will not object, because he will penalize the Members by holding them in session for an hour or an hour and a half longer.

Mr. CHURCH. Mr. Speaker, reserving the right to object, I may say to the gentleman that we have been going along here for several days without having a great deal to do. We have had a long discussion this morning and we are now getting notice of an important measure to be considered tomorrow, when points of order will be waived, as in a gag rule. I believe that actions speak louder than words. I believe in the promise of the chairman that he will give us more notice later, but I believe this should be a warning with respect to future measures, so that they may not be considered by waiving point of order in gag rules.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ORDER OF BUSINESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RAYBURN. Mr. Speaker, I may say it is the intention now to bring up on Thursday of this week the measure extending the powers of the Reconstruction Finance Corporation until June 30, 1939.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted, as follows:

To Mr. KENNEY, for the week, on account of death of his brother, Mr. John E. Kenney, a lawyer of the city of Worcester, State of Massachusetts.

To Mr. RANDOLPH, on account of official business.

To Mr. MAPES, for today, on account of illness.

ORDER OF BUSINESS

Mr. RICH. Mr. Speaker, may I ask the majority leader how much time we are going to have in the consideration of the measures extending the life of the organizations that were created during the last few years, especially the R. F. C.?

The SPEAKER. Does the gentleman from Pennsylvania submit the request in the form of a parliamentary inquiry?

Mr. RICH. No, Mr. Speaker; I am asking the Chair if I may ask the majority leader that question.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to proceed for 1 minute. Is there objection,

There was no objection.

Mr. RICH. Mr. Speaker, I would like to ask the majority leader if he can tell us how much time we are going to have on the measure for the extension of the R. F. C.?

Mr. RAYBURN. A resolution has not been introduced for its consideration as yet, but I think there will be liberal time; at least, as much as we will have on the bill just referred to, and probably more.

Mr. RICH. What does the gentleman mean by "liberal time"?

Mr. RAYBURN. I think 2 hours of debate and reading it under the 5-minute rule would be liberal.

EXTENSION OF REMARKS

Mr. LUCE. Mr. Speaker, in the course of my remarks today I requested permission to revise and extend my remarks. It was at an unusual time, and I am not certain whether the request was put, so I now renew the request.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 40 minutes p. m.) the House adjourned until tomorrow, Tuesday, January 19, 1937, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

225. A letter from the president of Georgetown Barge, Dock, Elevator & Railway Co., transmitting their annual report for the year ending December 31, 1936; to the Committee on the District of Columbia.

226. A letter from the Secretary of War, transmitting a report dated January 12, 1937, from the Chief of Engineers, United States Army, on preliminary examination of Bayou Sennette, La.; to the Committee on Rivers and Harbors.

227. A letter from the Secretary of War, transmitting a report dated January 12, 1937, from the Chief of Engineers, United States Army, on preliminary examination of Salters Creek, Newport News, Va., and channel connecting with deep waters in Hampton Roads; to the Committee on Rivers and Harbors.

228. A letter from the Secretary of War, transmitting a report dated January 12, 1937, from the Chief of Engineers, United States Army, on preliminary examination of St. Marys River, Md.; to the Committee on Rivers and Harbors.

229. A letter from the Secretary of War, transmitting a copy of a petition from the Socialist Party of the Philippines, dated November 27, 1936; to the Committee on Insular Affairs.

230. A letter from the Acting Secretary of the Treasury, transmitting a report on the War Finance Corporation (in liquidation) covering the period from January 1, 1936, to December 31, 1936 (H. Doc. No. 126); to the Committee on Banking and Currency.

231. A communication from the President of the United States, transmitting a deficiency estimate for the legislative establishment, House of Representatives, for the fiscal year 1936, in the sum of $7,500 (H. Doc. No. 127); to the Committee on Appropriations.

232. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of Justice for the fiscal year 1937, amounting to $29,000, for salaries, Department of Justice (H. Doc. No. 128); to the Committee on Appropriations and ordered to be printed.

233. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Treasury Department for the fiscal year 1937, $1,225 (H. Doc. No. 129); to the Committee on Appropriations and ordered to be printed.

234. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the District of Columbia for the fiscal year 1937 in the amount of $24,000, together with a draft of a proposed provision pertaining to an existing appropriation (H. Doc. No. 130); to the Committee on Appropriations and ordered to be printed.

235. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the legislative establishment, House of Representatives, for the fiscal year 1938, amounting to $3,250 (H. Doc. No. 131); to the Committee on Appropriations and ordered to be printed.

236. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 6, 1937, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey at or near Put-in-Bay, Ohio, with a view to establishing a harbor, authorized by the River and Harbor Act approved August 30, 1935 (H. Doc. No. 132); to the Committee on Rivers and Harbors and ordered to be printed with an illustration.

237. A letter from the Secretary of the Interior, transmitting an amended draft of a resolution to comply with the provisions of Senate joint resolution dated March 28, 1918 (40 Stat. 499); to the Committee on the Public Lands.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. SOMERS of New York: Committee on Coinage, Weights, and Measures. H. R. 2519. A bill to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised; without amendment (Rept. No. 12). Referred to the Committee of the Whole House on the state of the Union.

Mr. STEAGALL: Committee on Banking and Currency. H. R. 2301. A bill to continue the functions of the Reconstruction Finance Corporation, and for other purposes; without amendment (Rept. No. 13). Referred to the Committee of the Whole House on the state of the Union.

Mr. JONES: Committee on Agriculture. H. R. 1545. A bill to provide for loans to farmers for crop production and harvesting during the year 1937 and from year to year thereafter, and for other purposes; with amendment (Rept. No. 14). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 717) granting an increase of pension to Mary M. Snyder; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 2818) granting a pension to Anna Dabney; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 1234) granting a pension to Jane Armstrong; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 928) granting a pension to Venia Moody; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS: A bill (H. R. 3123) to authorize the Secretary of War to lease to Old Fort Niagara Association,

Inc., portions of the Fort Niagara Military Reservation, N. Y.; to the Committee on Military Affairs.

By Mr. BACON: A bill (H. R. 3124) to assure to persons within the jurisdiction of every State the equal protection of the laws by discouraging, preventing, and punishing the crime of lynching; to the Committee on the Judiciary.

Also, a bill (H. R. 3125) to amend section 1001 (a) of the Revenue Act of 1932; to the Committee on Ways and Means.

Also, a bill (H. R. 3126) to provide for the application of 2-cent rate on first-class mail matter for delivery within the confines of any incorporated city and to contiguous cities; to the Committee on Ways and Means.

Also, a bill (H. R. 3127) providing for the examination and survey of Orowoc Creek, Long Island, N. Y.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 3128) to amend the Tariff Act of 1930; to the Committee on Ways and Means.

Also, a bill (H. R. 3129) to extend the civil-service merit system by placing the position of postmaster in first-, second-, and third-class offices in the competitive classified service; to provide for promotion within the Postal Service to the position of postmaster as a reward for merit; and for other purposes; to the Committee on the Civil Service.

Also, a bill (H. R. 3130) to extend the status of veterans of the World War to persons enlisted and serving on United States Shipping Board vessels during the World War in war zones; to the Committee on Naval Affairs.

Also, a bill (H. R. 3131) to repeal the Silver Purchase Act; to the Committee on Ways and Means.

By Mr. BLAND: A bill (H. R. 3132) to provide for a preliminary examination and survey of Garden Creek, Mathews County, Va., and channel connecting with the Chesapeake Bay; to the Committee on Rivers and Harbors.

By Mr. BLOOM: A bill (H. R. 3133) to promote the general welfare through the appropriation of funds to assist the States and Territories in providing more effective programs of public pregrade education; to the Committee on Education.

By Mr. BOLAND of Pennsylvania: A bill (H. R. 3134) to impose taxes on fuel oil; to the Committee on Ways and Means.

By Mr. CLUETT: A bill (H. R. 3135) for the exchange of land in Hudson Falls, N. Y., for the purpose of the post-office site; to the Committee on Public Buildings and Grounds.

By Mr. COLE of New York: A bill (H. R. 3136) to amend the Federal Corrupt Practices Act, 1925, approved February 28, 1925, and acts amendatory and supplementary thereto; to the Committee on the Judiciary.

By Mr. CULKIN: A bill (H. R. 3137) to authorize appropriation for construction at Pine Camp, N. Y.; to the Committee on Military Affairs.

Also, a bill (H. R. 3138) to authorize appropriations for construction at Madison Barracks, N. Y.; to the Committee on Military Affairs.

Also, a bill (H. R. 3139) to authorize appropriations for construction at Fort Ontario, N. Y.; to the Committee on Military Affairs.

Also, a bill (H. R. 3140) to prohibit the advertising of alcoholic beverages by radio, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DISNEY: A bill (H. R. 3141) to establish the National Academy of Public Affairs, providing for a board of supervisors therefor, and making an appropriation for its establishment and maintenance; to the Committee on Education.

By Mr. GREEN: A bill (H. R. 3142) to provide for the establishment of a Coast Guard station on the coast of Florida at or near Cedar Key; to the Committee on Merchant Marine and Fisheries.

By Mr. LEA: A bill (H. R. 3143) to amend the act creating the Federal Trade Commission, to define its powers and duties, and for other purposes; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 3144) to amend section 601 of the Revenue Act of 1932, as amended, to provide for an excise tax on egg products; to the Committee on Ways and Means.

By Mr. MAHON of Texas: A bill (H. R. 3145) to provide reamortization of Land Bank Commissioner loans which have heretofore been made by the Land Bank Commissioner and which provide for the liquidation of principal and interest in a 10- or 13-year period; to the Committee on Agriculture.

By Mr. SCHNEIDER of Wisconsin: A bill (H. R. 3146) to amend the laws relating to postal savings depositories, increasing the limitation on the amounts which may be deposited; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 3147) to provide for the establishment of a Coast Guard station at Marinette, Wis.; to the Committee on Merchant Marine and Fisheries.

By Mr. STARNES: A bill (H. R. 3148) granting the consent of Congress to the State of Alabama, or Etowah County, or both, to construct, maintain, and operate a free highway bridge across the Coosa River at or near Gilberts Ferry in Etowah County, Ala.; to the Committee on Interstate and Foreign Commerce.

By Mr. SWEENEY: A bill (H. R. 3149) for the relief of the postal employees; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 3150) to reclassify the salaries of watchmen, messengers, and laborers in first- and second-class post offices and the Railway Mail Service; to the Committee on the Post Office and Post Roads.

By Mr. WILCOX: A bill (H. R. 3151) to create an Air Corps under the Secretary of War to be known as the United States Air Corps and to provide for the organization, disposition, and administration of said corps, and for other purposes; to the Committee on Military Affairs.

By Mr. LAMNECK: A bill (H. R. 3152) for the allowance of certain claims for extra labor above the legal day of 8 hours performed by engineers, firemen, laborers, and mechanics while employed in the care of public buildings of the United States outside the District of Columbia certified by the Court of Claims; to the Committee on Claims.

By Mr. MEAD: A bill (H. R. 3153) authorizing the erection of a memorial to Brig. Gen. Casimir Pulaski at Savannah, Ga.; to the Committee on the Library.

By Mr. SCOTT: A bill (H. R. 3154) to provide for the appointment of a public defender in the District of Columbia; to the Committee on the Judiciary.

Also, a bill (H. R. 3155) to provide for the appointment of a Public Defender in each United States district court; to the Committee on the Judiciary.

By Mr. WHELCHEL: A bill (H. R. 3156) making it unlawful to pay or agree to pay any ransom or reward for the release of kidnaped persons; to the Committee on the Judiciary.

By Mr. HILL of Oklahoma: A bill (H. R. 3157) to provide for the establishment of an Institute of Indian Education at the University of Oklahoma, placing said institute under the direction of the board of regents of the University of Oklahoma, in cooperation with the Bureau of Indian Affairs of the Department of the Interior, and authorizing Congress to make appropriations therefor; to the Committee on Indian Affairs.

By Mr. THOMAS of New Jersey: A bill (H. R. 3158) to provide that the punishment of death for transporting any kidnaped person in interstate or foreign commerce shall be by hanging in public; to the Committee on the Judiciary.

By Mr. DIXON: A bill (H. R. 3159) to amend the act entitled "An act to authorize the coinage of 50-cent pieces in commemoration of the fiftieth anniversary of Cincinnati, Ohio, as a center of music, and its contribution to the art of music for the past 50 years", approved March 31, 1936; to the Committee on Coinage, Weights, and Measures.

By Mr. RYAN: A bill (H. R. 3160) to provide aid for the operation and maintenance of adequate public-school facilities throughout the country; to the Committee on Education.

By Mr. BOLAND of Pennsylvania: A bill (H. R. 3161) to increase the efficiency of the United States Navy, and for other purposes; to the Committee on Military Affairs.

By Mr. MURDOCK of Utah: A bill (H. R. 3162) conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Uncompahgre (Tabegauche), Uintah (Uinta), and White River (Yampa and Grand River) Bands of the Ute Indians may have against the United States, and for other purposes; to the Committee on Indian Affairs.

By Mr. SUMNERS of Texas: A bill (H. R. 3163) to change the time of the appointment of Presidential electors and the election of Senators and Representatives in Congress; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. RAMSAY: A bill (H. R. 3164) authorizing the purchase of United States Supreme Court Decisions and Digest; to the Committee on the Library.

By Mr. BEITER (by request): A bill (H. R. 3165) to provide suitable living quarters in the city of Washington for Members of the United States Congress and members of the Federal judiciary of the Government and Cabinet officers, wherein the full and proper degree of privacy with respect to the positions so held may be assured, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. IZAC: Resolution (H. Res. 74) to request the President to promote a quick settlement of the shipping strike; to the Committee on Merchant Marine and Fisheries.

By Mr. LUDLOW (by request): Joint resolution (H. J. Res. 126) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. STEAGALL: Joint resolution (H. J. Res. 127) to extend for a period of 2 years the guaranty of the United States of debentures issued by the Federal Housing Administration; to the Committee on Banking and Currency.

By Mr. SECREST: Joint resolution (H. J. Res. 128) creating a commission for the erection of a memorial building to the memory of the veterans of the Civil War, to be known as the Ladies of the Grand Army of the Republic National Shrine Commission; to the Committee on the Library.

By Mr. McKEOUGH: Joint resolution (H. J. Res. 129) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. CANNON of Wisconsin: Joint resolution (H. J. Res. 130) to prohibit the insertion in the CONGRESSIONAL RECORD of speeches or material not actually delivered on the floor of the House of Representatives or Senate of the United States; to the Committee on Printing.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Minnesota, memorializing Congress to continue a low minimum interest rate on farm loans through the Federal land-bank system; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACON: A bill (H. R. 3166) for the relief of Nathaniel Monsell, deceased; to the Committee on Military Affairs.

Also, a bill (H. R. 3167) for the relief of David Myerle, as executor of the last will and testament of Phineas Burgess, deceased; to the Committee on Claims.

Also, a bill (H. R. 3168) for the relief of John Kutil; to the Committee on Military Affairs.

Also, a bill (H. R. 3169) for the relief of Matthew Grady; to the Committee on Military Affairs.

Also, a bill (H. R. 3170) for the relief of William T. Murphy; to the Committee on Military Affairs.

Also, a bill (H. R. 3171) granting a pension to Bertha M. Lewis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3172) for the relief of Francis Joseph Meade; to the Committee on Naval Affairs.

Also, a bill (H. R. 3173) for the relief of the estate of Thomas Stack; to the Committee on War Claims.

Also, a bill (H. R. 3174) granting a pension to Emma Hilliker; to the Committee on Invalid Pensions.

By Mr. BARRY: A bill (H. R. 3175) for the relief of Giuseppe Campo; to the Committee on Immigration and Naturalization.

By Mr. BLOOM: A bill (H. R. 3176) for the relief of Chazkiel (or Charles) Lewkowski; to the Committee on Immigration and Naturalization.

By Mr. BOEHNE: A bill (H. R. 3177) granting an increase of pension to John S. Nixon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3178) granting an increase of pension to Margaret Huffines; to the Committee on Invalid Pensions.

By Mr. BOYKIN: A bill (H. R. 3179) for the relief of R. L. Scott; to the Committee on Claims.

By Mr. BREWSTER: A bill (H. R. 3180) granting a pension to Rachel A. Bosworth; to the Committee on Invalid Pensions.

By Mr. CANNON of Wisconsin: A bill (H. R. 3181) granting an increase of pension to Andrew A. Menne; to the Committee on Pensions.

By Mr. CARTER: A bill (H. R. 3182) for the relief of John Shea; to the Committee on Pensions.

By Mr. CLUETT: A bill (H. R. 3183) granting an increase of pension to Kate M. Farrell; to the Committee on Invalid Pensions.

By Mr. CUMMINGS: A bill (H. R. 3184) granting a pension to Margaret M. Boardman; to the Committee on Pensions.

By Mr. DELANEY: A bill (H. R. 3185) conferring jurisdiction upon the Court of Claims to hear and determine the claims of James Calvin Jones; to the Committee on Claims.

By Mr. DIES: A bill (H. R. 3186) to provide for the appointment of John D. A. Hogan as captain, Medical Administrative Corps, United States Army; to the Committee on Military Affairs.

Also, a bill (H. R. 3187) granting a pension to Samuel Harris; to the Committee on Pensions.

Also, a bill (H. R. 3188) for the relief of Joseph Daniel McIntosh; to the Committee on Naval Affairs.

By Mr. DIXON: A bill (H. R. 3189) for the relief of the Perkins-Campbell Co.; to the Committee on Claims.

By Mr. DOUGHTON: A bill (H. R. 3190) for the relief of Grier-Lowrance Construction Co., Inc.; to the Committee on Claims.

By Mr. EATON: A bill (H. R. 3191) granting a pension to Sarah Hannah Allison; to the Committee on Invalid Pensions.

By Mr. ENGEL: A bill (H. R. 3192) for the relief of Clifford L. Bohn; to the Committee on Claims.

By Mr. FISH: A bill (H. R. 3193) granting an increase of pension to Mary Alice Brokaw; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 3194) granting an increase of pension to Hattie E. Chappell; to the Committee on Invalid Pensions.

By Mr. GEHRMANN: A bill (H. R. 3195) for the relief of C. B. Morse; to the Committee on World War Veterans' Legislation.

By Mr. GOODWIN: A bill (H. R. 3196) granting a pension to Lottie Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3197) granting an increase of pension to Georgianna Barker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3198) granting a pension to John Schoonmaker, Jr.; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3199) granting an increase of pension to Anna Keener; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3200) granting an increase of pension to Phinia E. Howard; to the Committee on Invalid Pensions.

By Mr. GRISWOLD: A bill (H. R. 3201) for the relief of Bertha M. Harris; to the Committee on Claims.

By Mr. HARLAN: A bill (H. R. 3202) for the relief of Herman Pais; to the Committee on Immigration and Naturalization.

By Mr. HAVENNER: A bill (H. R. 3203) for the relief of Rosalie Rose; to the Committee on Claims.

Also, a bill (H. R. 3204) for the relief of F. E. Booth Co.; to the Committee on Claims.

Also, a bill (H. R. 3205) for the relief of William H. Kelly; to the Committee on Pensions.

Also, a bill (H. R. 3206) for the relief of the legal representatives of Owen Thorne, deceased; to the Committee on Claims.

By Mr. FITZGERALD: A bill (H. R. 3207) granting an increase of pension to Martha M. Tryon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3208) granting an increase of pension to Augusta E. Cutler; to the Committee on Invalid Pensions.

By Mr. JOHNSON of West Virginia: A bill (H. R. 3209) granting a pension to J. E. Barrows; to the Committee on Pensions.

Also, a bill (H. R. 3210) to place Harold Staats, formerly captain, Officers' Reserve Corps, on the emergency officers' retired list; to the Committee on Pensions.

Also, a bill (H. R. 3211) granting a pension to Margaret E. Clutts; to the Committee on Invalid Pensions.

By Mr. KOCIALKOWSKI: A bill (H. R. 3212) for the relief of Pavli Lemene; to the Committee on Military Affairs.

By Mr. LAMNECK: A bill (H. R. 3213) granting an increase of pension to Mary C. Reichard; to the Committee on Invalid Pensions.

By Mr. McKEOUGH: A bill (H. R. 3214) granting a pension to Annie Marie Swingle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3215) for the relief of Mildred Lane; to the Committee on Claims.

Also, a bill (H. R. 3216) granting a pension to Ella F. Stewart; to the Committee on Invalid Pensions.

By Mr. McMILLAN: A bill (H. R. 3217) for the relief of Vincent Chicco; to the Committee on the Judiciary.

By Mr. McREYNOLDS: A bill (H. R. 3218) for the relief of Claud H. Brandon; to the Committee on Naval Affairs.

By Mr. MALONEY: A bill (H. R. 3219) granting a pension to Delia Porter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3220) for the relief of Thomas C. Smith and others; to the Committee on Claims.

Also, a bill (H. R. 3221) for the relief of Robert J. White; to the Committee on Naval Affairs.

By Mr. MILLARD: A bill (H. R. 3222) for the relief of Sophie Caffrey; to the Committee on Claims.

Also, a bill (H. R. 3223) for the relief of Thomas D. Hollingsworth; to the Committee on Ways and Means.

By Mr. PARSONS: A bill (H. R. 3224) granting a pension to James Hord; to the Committee on Invalid Pensions.

By Mr. REED of Illinois: A bill (H. R. 3225) for the relief of Roland Stafford; to the Committee on Claims.

Also, a bill (H. R. 3226) granting a pension to Ella M. Rickert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3227) for the relief of Oscar Avery Bates; to the Committee on Naval Affairs.

Also, a bill (H. R. 3228) for the relief of Clement Ildrum Shackley; to the Committee on Naval Affairs.

Also, a bill (H. R. 3229) granting a pension to Lena Keating Wagner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3230) granting a pension to Olive M. Hunt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3231) for the relief of Capt. Roger H. Young; to the Committee on War Claims.

Also, a bill (H. R. 3232) conferring jurisdiction upon the Court of Claims of the United States to hear, consider, and render judgment on the claims of Joliet National Bank, of Joliet, Ill., and Commercial Trust & Savings Bank, of Joliet, Ill., arising out of loans to the Joliet Forge Co., of Joliet, Ill., for the providing of additional plant facilities and material for the construction of steel forgings during the World War; to the Committee on Claims.

Also, a bill (H. R. 3233) for the relief of Paul Smith, alias John O'Brien; to the Committee on Naval Affairs.

By Mr. RICH: A bill (H. R. 3234) granting a pension to Chester Wheeler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3235) to refund to Lewis H. Frantz income taxes erroneously and illegally collected; to the Committee on Claims.

By Mr. ROBSION of Kentucky: A bill (H. R. 3236) authorizing the Secretary of War to appoint John C. Hacker a warrant officer in the United States Army and then place him on the retired list; to the Committee on Military Affairs.

Also, a bill (H. R. 3237) granting a pension to John H. Botner; to the Committee on Pensions.

Also, a bill (H. R. 3238) for the relief of Willis F. Spradlin; to the Committee on Military Affairs.

By Mr. RYAN: A bill (H. R. 3239) for the relief of Capt. James W. Darr; to the Committee on Military Affairs.

Also, a bill (H. R. 3240) granting a pension to Ida S. Nolterieke; to the Committee on Pensions.

By Mr. SANDERS: A bill (H. R. 3241) for the relief of John Thomas Allen; to the Committee on Naval Affairs.

By Mr. SCHNEIDER of Wisconsin: A bill (H. R. 3242) granting an increase of pension to Clara Rabe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3243) for the relief of Charles R. Hooper; to the Committee on Claims.

Also, a bill (H. R. 3244) granting an increase of pension to Anna Daul; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3245) granting a pension to Leah A. Rowe; to the Committee on Invalid Pensions.

By Mr. STEAGALL: A bill (H. R. 3246) for the relief of William J. Clark; to the Committee on Military Affairs.

Also, a bill (H. R. 3247) for the relief of Sadie Mitchell Elmore; to the Committee on Claims.

Also, a bill (H. R. 3248) for the relief of W. L. Horn; to the Committee on Military Affairs.

Also, a bill (H. R. 3249) for the relief of R. M. Hall, Jr.; to the Committee on Claims.

By Mr. SUMNERS of Texas: A bill (H. R. 3250) for the relief of Charlie Chapman Fryar; to the Committee on Military Affairs.

By Mr. SWOPE: A bill (H. R. 3251) for the relief of Joseph A. Rudy; to the Committee on Claims.

Also, a bill (H. R. 3252) granting a pension to Annie I. Ritz; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 3253) for the relief of John Fitzgerald; to the Committee on Claims.

Also, a bill (H. R. 3254) granting an increase of pension to Thomas G. Pardue; to the Committee on Pensions.

By Mr. THURSTON: A bill (H. R. 3255) granting a pension to Arthur Benjamin Caton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3256) granting an increase of pension to Mariam Story; to the Committee on Invalid Pensions.

By Mr. TREADWAY: A bill (H. R. 3257) for the relief of Mr. and Mrs. Harold Huddleston; to the Committee on Claims.

By Mr. WADSWORTH: A bill (H. R. 3258) for the relief of Charles A. Palmer; to the Committee on Military Affairs.

By Mr. WEAVER: A bill (H. R. 3259) for the relief of Laura E. Alexander; to the Committee on Claims.

Also, a bill (H. R. 3260) granting a pension to Johnie G. Morris; to the Committee on Pensions.

Also, a bill (H. R. 3261) granting an increase of pension to Jacob Schneider, Jr.; to the Committee on Pensions.

Also, a bill (H. R. 3262) for the relief of John H. Wykle; to the Committee on Claims.

Also, a bill (H. R. 3263) granting a pension to James P. Case; to the Committee on Pensions.

Also, a bill (H. R. 3264) for the relief of John C. Gibbs; to the Committee on War Claims.

Also, a bill (H. R. 3265) granting a pension to Ellen F. Colt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3266) granting a pension to John C. Miller; to the Committee on Pensions.

Also, a bill (H. R. 3267) for the relief of Ben F. Draper; to the Committee on Claims.

Also, a bill (H. R. 3268) for the relief of William Randolph Cason; to the Committee on Claims.

Also, a bill (H. R. 3269) for the relief of Mrs. Charles R. Yopp; to the Committee on Claims.

Also, a bill (H. R. 3270) for the relief of James Clinton; to the Committee on Claims.

Also, a bill (H. R. 3271) granting a pension to Ella Presley; to the Committee on Pensions.

Also, a bill (H. R. 3272) granting a pension to Mrs. William B. Raper; to the Committee on Pensions.

Also, a bill (H. R. 3273) for the relief of Mack Corn; to the Committee on War Claims.

Also, a bill (H. R. 3274) granting a pension to Flora Duckett; to the Committee on Invalid Pensions.

By Mr. WELCH: A bill (H. R. 3275) for the relief of Max Weinrib; to the Committee on Immigration and Naturalization.

By Mr. WENE: A bill (H. R. 3276) for the relief of the Delaware Bay Shipbuilding Co.; to the Committee on Claims.

By Mr. WHELCHEL: A bill (H. R. 3277) for the relief of certain persons whose crops were destroyed by hail on July 11, 1936; to the Committee on Claims.

By Mr. WITHROW: A bill (H. R. 3278) to confer citizenship on Martha N. Hanson; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 3279) for the relief of George H. Hauge; to the Committee on Claims.

By Mr. WOOD: A bill (H. R. 3280) granting a pension to Sherman King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3281) granting a pension to Eliza James; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3282) for the relief of St. Ludgers Catholic Church of Germantown, Henry County, Mo.; to the Committee on War Claims.

Also, a bill (H. R. 3283) granting a pension to Mary E. Hays; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

53. By the SPEAKER: Petition of the city of Sheffield, Ala., petitioning the establishment of the principal office of the Tennessee Valley Authority on the United States reservation known as nitrate plant no. 2; to the Committee on Military Affairs.

54. By Mr. ANDREWS: Petition of residents of Buffalo, N. Y., urging the continuation of the nursery schools under the Works Progress Administration set-up; to the Committee on Appropriations.

55. Also, resolution adopted by the Buffalo Building Trades Council on January 4, 1937, that the council go on record as being opposed to the erection of fabricated steel houses at the Lackawanna, N. Y., housing project; to the Committee on Appropriations.

56. Also, letter from National Paint, Varnish, and Lacquer Association, favoring extension of title II of National Housing Act; to the Committee on Banking and Currency.

57. Also, telegram from E. H. Anderson, secretary, Erie County Chapter, New York State Society of Professional Engineers, protesting against any change in the Federal civil-service law; to the Committee on Ways and Means.

58. By Mr. BLAND: Resolution of the Westmoreland County Petroleum Industries Committee, of Colonial Beach, Va., urging the immediate repeal of the Federal gasoline tax; to the Committee on Ways and Means.

59. Also, resolution of the Westmoreland County Petroleum Industries Committee, of Colonial Beach, Va., urging immediate repeal of the Federal lubricating-oil tax; to the Committee on Ways and Means.

60. Also, resolution of the Spotsylvania County Petroleum Industries Committee, of Fredericksburg, Va., urging immediate repeal of the Federal gasoline tax; to the Committee on Ways and Means.

61. Also, resolution of the Spotsylvania County Petroleum Industries Committee, of Fredericksburg, Va., urging immediate repeal of the Federal lubricating-oil tax; to the Committee on Ways and Means.

62. By Mr. BUCKLER of Minnesota: Petition of F. J. Wickie, president, and E. G. McVean, secretary, of the Kittson County Petroleum Industries Committee, Minnesota, praying for the immediate repeal of the Federal gasoline and lubricating-oil taxes; to the Committee on Interstate and Foreign Commerce.

63. By Mr. COLDEN: Resolution of the Workers' Alliance Local, No. 8, 10707 South Avalon Boulevard, Los Angeles, Calif., urging the appropriation of $1,250,000,000 for the Works Progress Administration; to the Committee on Appropriations.

64. Also, resolution in the form of a petition of the Metropolitan District Material Dealers' Association, Inc., Los Angeles, Calif., urging the continuance of title II of the Federal Housing Act; to the Committee on Banking and Currency.

65. By Mr. HILDEBRANDT: Petition of Charles Mix County Farmers Union, Platte, S. Dak., approving and supporting Representative BURDICK in his measure to cancel said feed and seed loans; to the Committee on Agriculture.

66. Also, petition of the farmers of Plankinton, Aurora County, S. Dak., signed by 1,300 farmers, requesting assistance due to the grasshopper plague and drought of 1936; to the Committee on Agriculture.

67. Also, petition concerning grasshopper control; to the Committee on Agriculture.

68. By Mr. REED of Illinois: Resolution adopted by Du Page County, Ill., executive committee of the American Legion, requesting that Armistice Day be celebrated in a proper manner in the Civilian Conservation Corps camps throughout the United States; to the Committee on Appropriations.

69. Also, resolution adopted by the membership of the First Congregational Church of Dundee, Ill., commending the action of the President and of the Congress on the passage of neutrality legislation; to the Committee on Foreign Affairs.

SENATE

TUESDAY, JANUARY 19, 1937

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, in whose hand are the destinies of the universe and of human life: give us in these days of needed courage and gladness such utter confidence in Thee that we may do our work with hearts triumphant in perpetual hope, with open eyes of wonder and the receptive mind of intelligence and with wills in harmony with Thine.

Help us to realize that he who would be monarch of himself, swaying the scepter of his soul, will believe in God, will believe in man, will believe in conscience, will believe in duty, and that while he believes in these no darkness from without can quench the light that is within. We ask it in the name of Jesus Christ our Lord. Amen.

ELLISON D. SMITH, a Senator from the State of South Carolina, appeared in his seat today.

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of Saturday, January 16, 1937, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. LEWIS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Caraway	Hitchcock	O'Mahoney
Andrews	Chavez	Johnson, Colo.	Overton
Ashurst	Clark	King	Pepper
Austin	Connally	La Follette	Pittman
Bachman	Copeland	Lee	Pope
Bailey	Davis	Lewis	Reynolds
Bankhead	Dieterich	Lodge	Robinson
Barkley	Duffy	Logan	Russell
Bilbo	Ellender	Lonergan	Schwartz
Black	Frazier	Lundeen	Schwellenbach
Bone	George	McAdoo	Sheppard
Borah	Gerry	McCarran	Smith
Bridges	Gibson	McKellar	Steiwer
Brown, Mich.	Gillette	McNary	Thomas, Okla.
Brown, N. H.	Glass	Maloney	Thomas, Utah
Bulkley	Green	Minton	Truman
Bulow	Guffey	Moore	Tydings
Burke	Hale	Murray	Vandenberg
Byrd	Harrison	Neely	Van Nuys
Byrnes	Hatch	Norris	Walsh
Capper	Hayden	Nye	White

Mr. LEWIS. I announce the absence of the Senator from Ohio [Mr. DONAHEY], caused by illness. I further announce that the Senator from Kansas [Mr. MCGILL] is detained at his home by a severe cold; and that the Senator from West Virginia [Mr. HOLT], the Senator from Delaware [Mr. HUGHES], the Senator from New York [Mr. WAGNER], and the Senator from Montana [Mr. WHEELER] are unavoidably detained from the Senate.

Mr. MCNARY. I announce that the senior Senator from Minnesota [Mr. SHIPSTEAD] is absent because of illness, and that the senior Senator from Delaware [Mr. TOWNSEND] is necessarily detained from the Senate.

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present.

ADMINISTRATION OF OATH TO SENATOR-ELECT FROM IOWA

Mr. ROBINSON. Mr. President, permit me to announce that the Senator-elect from the State of Iowa [Mr. HERRING] is present and is ready to take the oath of office.

The VICE PRESIDENT. The credentials of the Senator-elect from Iowa were presented on the first day of the session. If the Senator-elect will advance to the desk, the oath of office will be administered to him.

Mr. HERRING, escorted by Mr. GILLETTE, advanced to the Vice President's desk, and the oath prescribed by law was administered to him by the Vice President.

COMMITTEE SERVICE

Mr. ROBINSON. I ask unanimous consent to have entered the order which I send to the desk assigning the Senator from Iowa [Mr. HERRING] to committees.

There being no objection, the order was read and agreed to, as follows:

Ordered, That the Senator from Iowa, Mr. HERRING, be assigned to service on the following committees: Banking and Currency, Finance, Library, and Public Buildings and Grounds.

SPECIAL COMMITTEE ON INVESTIGATION OF CAMPAIGN EXPENDITURES

The VICE PRESIDENT. The Chair will state that during the period of the adjournment of the Congress he was called upon to fill a vacancy on a committee. He thinks the RECORD should show it.

So the Chair formally announces that, during the sine-die adjournment of the Senate, he appointed the Senator from North Dakota [Mr. FRAZIER] as a member of the Special Committee on Investigation of Campaign Expenditures, created under Senate Resolution 225, Seventy-fourth Congress, to fill the vacancy caused by the resignation of Mr. LA FOLLETTE.

BOARD OF VISITORS TO THE NAVAL ACADEMY

The VICE PRESIDENT. In accordance with the provisions of the act of August 29, 1916, the Chair appoints Mr. TYDINGS, Mr. BONE, Mr. HALE, and Mr. GIBSON as the members on the part of the Senate of the Board of Visitors to the United States Naval Academy.

REPORT ON WAR FINANCE CORPORATION (IN LIQUIDATION)

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, the report of the Secretary of the Treasury on the War Finance Corporation (in liquidation), covering the period from January 1, 1936, to December 31, 1936, which, with the accompanying papers, was referred to the Committee on Finance.

SIGNING OF PAPERS BY THE ASSISTANT TO THE SECRETARY OF THE INTERIOR

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting a draft of proposed legislation fully authorizing the Assistant to the Secretary of the Interior to sign such official papers and documents as the Secretary may direct, which, with the accompanying paper, was referred to the Committee on the Judiciary.

PETITIONS

The VICE PRESIDENT laid before the Senate the following resolution of the Legislature of the State of Minnesota, which was referred to the Committee on Banking and Currency:

Resolution memorializing Congress and the President of the United States to continue a low minimum interest rate on farm loans through the Federal land-bank system

Whereas the financial returns of the farming industry in the State of Minnesota have been such that those engaged in the pursuit of farming have been unable to recover as quickly as other groups because of the long years of depression that farm people suffered previous to other groups experiencing the suffering years of the depression; and

Whereas the farmers are large users of credit and such a large percentage of their income is used in paying interest on farm mortgages, production credit, and other necessary loans;

It is therefore essential that before we can have any general and lasting return in prosperity to agriculture that the interest payments as paid by agriculture should be on the lowest basis possible and in keeping with that paid by other groups of American society: Therefore be it

Resolved, That we urge upon the Congress to pass such legislation and the President of the United States to support the same, providing for the continuance of the low interest rates of the Farm Credit Administration on farm loans and believing that this interest rate should not exceed 3 percent at the present time, as the general money market does not justify a higher rate of interest on term farm loans; be it further

Resolved, That the secretary of the State of Minnesota is hereby instructed to forward a copy of this resolution to the President of the Senate of the United States, the Speaker of the House of Representatives and to each Representative and Senator in the State of Minnesota and to the President of the United States.

The VICE PRESIDENT also laid before the Senate a resolution adopted by the Board of Commissioners of the City of Sheffield, Ala., urging the board of directors of the Tennessee Valley Authority to establish its principal office on the United States reservation known as nitrate plant no. 2, which was referred to the Committee on Agriculture and Forestry.

Mr. CAPPER presented a resolution adopted by Local No. 32, Kansas Allied Workers, of Pittsburg, Kans., favoring the enactment of legislation providing for a 6-hour workday and a 5-day week without reduction in pay, which was referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (S. 462) to permit the exchange of used parts of certain types of equipment for new or reconditioned parts of the same equipment, reported it without amendment and submitted a report (No. 5) thereon.

He also, from the Committee on Commerce, to which was referred the bill (S. 62) to extend the times for commencing and completing the construction of a free highway bridge across the Missouri River at or near Atchison, Kans., reported it without amendment and submitted a report (No. 8) thereon.

Mr. WALSH, from the Committee on Naval Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 766. A bill to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects destroyed in a fire at the radio direction finder station, North Truro, Mass., on December 27, 1934 (Rept. No. 6); and

S. 767. A bill for the relief of the Charles T. Miller Hospital, Inc., at St. Paul, Minn.; Dr. Edgar T. Herrmann; Ruth Kehoe, nurse; and Catherine Foley, nurse (Rept. No. 7).

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GEORGE (by request):

A bill (S. 894) to provide for the renewal of 5-year level premium term policies of veterans' insurance for an additional period of 5 years; to the Committee on Finance.

By Mr. SHEPPARD:

A bill (S. 895) for the relief of Capt. Fremont B. Hodson, Infantry, United States Army (with accompanying papers); to the Committee on Claims.

A bill (S. 896) to amend the laws of the District of Columbia relating to corporations; to the Committee on the District of Columbia.

A bill (S. 897) for the relief of Capt. H. D. Fillmore; to the Committee on Finance.

A bill (S. 898) to correct the naval record of John Edward Anderson (with accompanying papers); to the Committee on Naval Affairs.

By Mr. THOMAS of Oklahoma:

A bill (S. 899) for the relief of Tom Kelly; and

A bill (S. 900) for the relief of the heirs of George Spybuck, deceased; to the Committee on Claims.

A bill (S. 901) to amend the Criminal Code with respect to the manner of inflicting the punishment of death; to the Committee on the Judiciary.

By Mr. CAPPER:

A bill (S. 902) to extend the time for reducing the rate of interest on loans by Federal land banks; to the Committee on Banking and Currency.

By Mr. McNARY:

A bill (S. 903) to stabilize communities, farm income, forest industries, employment, and taxable forest wealth; to assure a continuous and ample supply of forest products; and to secure the benefits of forests in regulation of water supply and stream flow, prevention of soil erosion, and amelioration of climate; to the Committee on Agriculture and Forestry.

A bill (S. 904) for the relief of Multnomah County, Oreg.;

A bill (S. 905) to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of Suncrest Orchards, Inc.;

A bill (S. 906) for the relief of the Portland Iron Works;

A bill (S. 907) for the relief of Horace G. Wilson;

A bill (S. 908) for the relief of Kate Hatton;

A bill (S. 909) for the relief of the estates of Edwin G. Scott, Clyde R. Dindinger, and Ralph R. Fraley;

A bill (S. 910) for the relief of the estate of Ralph R. Fraley;

A bill (S. 911) for the relief of M. Seller & Co.;

A bill (S. 912) for the relief of Homa L. Rhoten;

A bill (S. 913) for the relief of Allie F. Muth; and

A bill (S. 914) for the relief of William J. Ewing; to the Committee on Claims.

A bill (S. 915) to authorize the distribution to persons admitted to citizenship of the patriotic poster entitled "Look the Truth in the Face"; to the Committee on Immigration.

By Mr. HAYDEN:

A bill (S. 916) for the relief of Harriet King; to the Committee on Claims.

By Mr. McNARY:

A bill (S. 917) for the relief of officers and soldiers of the volunteer service of the United States mustered into service for the War with Spain and who were held in service in the Philippine Islands after the ratification of the treaty of peace April 11, 1899; to the Committee on Military Affairs.

A bill (S. 918) granting a pension to Jane Armstrong;

A bill (S. 919) granting a pension to Fred Burns;

A bill (S. 920) granting an increase of pension to Francis H. Kearney;

A bill (S. 921) granting an increase of pension to Caroline Rhude;

A bill (S. 922) granting a pension to Lee A. Smith; and

A bill (S. 923) granting an increase of pension to Nellie A. Worden (with accompanying papers); to the Committee on Pensions.

A bill (S. 924) to extend the provisions of the Forest Exchange Act to lands adjacent to the national forests in the State of Oregon; and

A bill (S. 925) to provide $25,000 for the restoring and preserving of the home of Dr. John McLoughlin at Oregon City, Oreg.; to the Committee on Public Lands and Surveys.

By Mr. WHITE:

A bill (S. 926) for the relief of Benjamin C. Quinby; to the Committee on Civil Service.

A bill (S. 927) for the relief of Frank Wheelock Plummer Breed; to the Committee on Naval Affairs.

A bill (S. 928) for the relief of John E. Folsom; to the Committee on Pensions.

By Mr. SCHWARTZ:

A bill (S. 929) to authorize the levy of State, Territory, and District of Columbia taxes upon sales of tangible personal property sold in United States national parks, military and other reservations when not sold for exclusive use of the United States, and providing for reports showing amount of such property sold; to the Committee on Finance.

A bill (S. 930) directing the Secretary of the Interior to issue to Albert W. Gabbey a patent to certain lands in the State of Wyoming; to the Committee on Public Lands and Surveys.

By Mr. REYNOLDS:

A bill (S. 931) for the relief of the widow of the late William J. Cocke; to the Committee on Claims.

A bill (S. 932) to promote safety in the District of Columbia; to the Committee on the District of Columbia.

By Mr. KING:

A bill (S. 933) to amend an act of Congress, approved March 4, 1915, entitled "An act to regulate the use of public school buildings and grounds in the District of Columbia";

A bill (S. 934) to amend section 11 of an act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia; and for other purposes", approved March 3, 1921;

A bill (S. 935) to amend section 1 of the act of Congress entitled "An act to fix the salaries of officers and members of the Metropolitan Police force, the United States Park Police force, and the Fire Department of the District of Columbia", approved May 27, 1924, and for other purposes; and

A bill (S. 936) to regulate the sales of goods in the District of Columbia; to the Committee on the District of Columbia.

By Mr. LEWIS:

A bill (S. 937) for the relief of Harry W. Dubiske; to the Committee on Claims.

By Mr. LONERGAN:

A bill (S. 938) to provide for the acquisition of additional land at New London, Conn.; to the Committee on Military Affairs.

By Mr. NEELY:

A bill (S. 939) for the relief of Webb B. Alley; and

A bill (S. 940) for the relief of the heirs of James H. Hardesty; to the Committee on Claims.

A bill (S. 941) for the relief of Wilhelm Schaffer; to the Committee on Military Affairs.

A bill (S. 942) granting a pension to Tom B. Jimmerfield; to the Committee on Pensions.

A bill (S. 943) for the relief of Joseph C. Holley; to the Committee on Post Offices and Post Roads.

By Mr. BONE:

A bill (S. 944) for the relief of the Community Investment Co., Inc.;

A bill (S. 945) for the relief of the Community Investment Co., Inc.; and

A bill (S. 946) for the relief of the estate of Rees Morgan; to the Committee on Claims.

A bill (S. 947) to provide national flags for the burials of honorably discharged former service men and women; and

A bill (S. 948) to provide for a national cemetery in every State; to the Committee on Military Affairs.

A bill (S. 949) for the relief of William David Hayes; to the Committee on Naval Affairs.

By Mr. COPELAND:

A bill (S. 950) for the relief of J. Henry Miller, Inc.;

A bill (S. 951) for the relief of Robbins-Ripley Co., Inc.; and

A bill (S. 952) for the relief of the Sound Construction & Engineering Co., Inc.; to the Committee on Claims.

By Mr. SCHWELLENBACH:

A bill (S. 953) for the relief of Bert A. Northrop; to the Committee on Claims.

A bill (S. 954) providing for the advancement on the retired list of the Army of Whitfield H. Cox;

A bill (S. 955) for the relief of Frank I. Otis; to the Committee on Military Affairs.

By Mr. WALSH:

A bill (S. 956) to protect American and Philippine labor and to preserve an essential industry, and for other purposes; to the Committee on Finance.

A bill (S. 957) granting a pension to Elizabeth Rose Clark;

A bill (S. 958) granting a pension to Clara B. Cutter;

A bill (S. 959) granting a pension to Mary C. Daly;

A bill (S. 960) granting a pension to Beatrice E. Duke;

A bill (S. 961) granting a pension to Susie Fiedler;

A bill (S. 962) granting a pension to Joseph H. Furlong;

A bill (S. 963) granting an increase of pension to Cynthia J. A. Grant;

A bill (S. 964) granting a pension to Mary D. Rice;

A bill (S. 965) granting a pension to Mary Roode;

A bill (S. 966) granting an increase of pension to Lucy J. Whipple; and

A bill (S. 967) granting a pension to Mary J. Winslow; to the Committee on Pensions.

A bill (S. 968) giving superintendents at classified post-office stations credit for substitutes serving under them; to the Committee on Post Offices and Post Roads.

By Mr. AUSTIN:

A bill (S. 969) granting an increase of pension to May S. King; to the Committee on Pensions.

By Mrs. CARAWAY:

A bill (S. 970) to amend the Air Commerce Act to provide for the safety of passengers in aircraft; to the Committee on Commerce.

By Mr. BORAH:

A bill (S. 971) to amend the Farm Credit Act of 1935, to provide lower interest rates on Federal land-bank loans, and for other purposes; to the Committee on Banking and Currency.

By Mr. TYDINGS:

A bill (S. 972) for the relief of Ethel Smith McDaniel; to the Committee on Claims.

A bill (S. 973) for the relief of the city of Baltimore; to the Committee on the Judiciary.

By Mr. THOMAS of Utah:

A joint resolution (S. J. Res. 47) to insure the neutrality of the United States in the event of war between foreign countries, and for other purposes; to the Committee on Foreign Relations.

By Mr. LONERGAN:

A joint resolution (S. J. Res. 48) directing the President of the United States of America to proclaim October 11, 1937, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. CLARK:

A joint resolution (S. J. Res. 49) to prohibit the exportation of arms, ammunition, and implements of war from the United States in certain cases; to the Committee on Foreign Relations.

By Mr. McNARY:

A joint resolution (S. J. Res. 50) authorizing the erection of a memorial building to commemorate the winning of the Oregon country for the United States; to the Committee on the Library.

CHANGE OF REFERENCE

On motion by Mr. ASHURST, the Committee on the Judiciary was discharged from the further consideration of the bill (S. 475) to establish a Court of Patent Appeals, and it was referred to the Committee on Patents.

HEARINGS BEFORE COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

Mr. LEWIS submitted the following resolution (S. Res. 63), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Expenditures in the Executive Departments, or any subcommittee thereof, is hereby authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and employ a stenographer at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE THE COMMITTEE ON AGRICULTURE AND FORESTRY

Mr. SMITH submitted the following resolution (S. Res. 64), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Agriculture and Forestry, or any subcommittee thereof, is hereby authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid from the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during any sessions or recesses of the Senate.

UTILIZATION OF WATER RESOURCES OF THE ARID AND IRRIGABLE STATES

Mr. BANKHEAD submitted the following resolution (S. Res. 65), which was referred to the Committee on Irrigation and Reclamation:

Resolved, That the Committee on Irrigation and Reclamation, or a duly authorized subcommittee thereof, is authorized and directed to make a complete investigation with respect to proposed legislation providing for the ultimate utilization of the water resources of the arid and irrigable States, including irrigation and reclamation, improvement of navigation, flood control, and power development. For the purposes of this resolution such committee or subcommittee is authorized to hold hearings, to sit and act at such times and places within the United States, and to employ such clerical and stenographic assistance as it deems advisable. The cost of stenographic service to report such hearings shall not be in excess of 25 cents per hundred words. The committee or subcommittee is further authorized to send for persons and papers, to administer oaths, and to take testimony, and the expense attendant upon the work of the committee or subcommittee shall be paid from the contingent fund of the Senate, but shall not exceed $5,000. Such committee or subcommittee shall make a report of the results of such investigation, with recommendations, to the Seventy-fifth Congress.

HERBERT E. GUTHRIE—WITHDRAWAL OF PAPERS

On motion by Mr. NEELY, it was

Ordered, That the papers accompanying the bill (S. 1623) for the relief of Herbert E. Guthrie (74th Cong., 1st sess.) be withdrawn from the files of the Senate, no adverse report having been made thereon.

ARGENTINE SANITARY TREATY—ADDRESS BY FRED BRENCKMAN

[Mr. BORAH asked and obtained leave to have printed in the RECORD a radio address on the Argentine sanitary treaty delivered on Jan. 16, 1937, by Fred Brenckman, Washington representative of the National Grange, which appears in the Appendix.]

ADDRESS BY SENATOR NORRIS BEFORE THE FIRST UNICAMERAL LEGISLATURE OF NEBRASKA

[Mr. BONE asked and obtained leave to have printed in the RECORD an address by Senator NORRIS at Lincoln, Nebr., on Jan. 5, 1937, before the first unicameral legislature of Nebraska, which appears in the Appendix.]

A FINER LIFE ON NEBRASKA FARMS—ADDRESS BY SENATOR NORRIS

[Mr. BONE asked and obtained leave to have printed in the RECORD an address by Senator NORRIS before the annual convention of the Nebraska Farm Bureau Federation at Lincoln, Nebr., on Jan. 4, 1937, on the subject of "A Finer Life on Nebraska Farms", which appears in the Appendix.]

THE PUBLIC RANGE—ADDRESS BY THEODORE A. WALTERS

[Mr. POPE asked and obtained leave to have printed in the RECORD an address delivered on Jan. 13, 1937, by the

Honorable Theodore A. Walters, First Assistant Secretary of the Interior, before the fortieth annual meeting of the American National Livestock Association, which appears in the Appendix.]

POWERS RELATING TO STABILIZATION FUND AND WEIGHT OF DOLLAR

Mr. GLASS. Mr. President, I move that the Senate proceed to the consideration of Senate bill 416.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 416) to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised, which had been reported from the Committee on Banking and Currency, without amendment.

Mr. GLASS. Mr. President, as stated when the bill was introduced, and reported, I am acting in substitution for the junior Senator from New York [Mr. WAGNER], who is unavoidably absent from the Senate.

The report on the bill, which I assume is on the desk of each Senator, succinctly recites what it is. It is simply an extension of the stabilization fund of $2,000,000,000 and of the authority to the President of the United States further to devalue the dollar.

That in a word states the purposes of the bill.

Mr. KING. Mr. President, will the Senator permit an inquiry?

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Utah?

Mr. GLASS. Certainly.

Mr. KING. Was there any evidence before the committee or any statement made by the Treasury Department indicating the purpose for or the necessity of devaluing the dollar?

Mr. GLASS. Mr. President, while the session of the committee was executive, I think there could be no possible objection to answering the inquiry of the Senator from Utah to the effect that the Secretary of the Treasury appeared before the committee and gave it as his judgment that it was very desirable to extend this authority to the President in order to be sure that this country would be prepared to meet any devaluation which might be initiated by any foreign country that would result in some disadvantage to our export trade.

Mr. VANDENBERG. Mr. President, has the Senator from Virginia concluded his statement?

Mr. GLASS. Yes; I have.

Mr. VANDENBERG. Mr. President, I should like to offer an amendment to the stabilization section of the pending bill. I should like to make a very brief statement respecting it before formally offering it.

From January 20, 1934, which is the time when the stabilization act was passed, to June 30, 1939, the time now proposed for its termination, is a period of 5 years and 5 months. During all of this time $2,000,000,000 of the people's money in the stabilization fund will have been solely in the hands of the Secretary of the Treasury subject only to the approval of the President. The decisions of the Secretary of the Treasury, according to the language of the original act which is here to be extended, will have been final in all aspects, and—I quote from the act itself—

> Not be subject to review by any other officer of the United States.

I venture the assertion that this is the greatest power over the largest sum of public money for the longest period of time in all history. I venture the further assertion that never was there a precedent in a democracy for such an enormous public enterprise to be locked up forever in the wisdom and discretion of just two men.

We may have the greatest confidence in those two men. Certainly their integrity is unimpeachable. But that is beside the point. This is—or is supposed to be—a government of laws and not of men. The responsibility of Congress for the public purse is primary and continuous. Two billion dollars is still a tremendous sum of money. In any other connection we would not dream of permitting such a sum, or any sum, to be spent in secret, audited in secret, and terminated in secret. It would be unthinkable. It would ravish every sensibility of representative government. We cannot wholly escape these implications in the pending problem.

I freely concede that the character of this fund necessarily is different from almost any other fund, that it necessarily serves a secret function from day to day, and that it would defeat the purposes of the act itself to billboard its contemporary operations. But I am unable to understand why, at some point in the proceeding, there should not be the same accountability to Congress as is the essential habit in respect to every other public dollar. I am unable to understand why the shroud must be perpetually impenetrable; why the people may never know what has been done in their name with their own money.

In ordinary appropriations Congress can fairly well prescribe in advance the nature and scope and even the details of public expenditure. This is our protection. Not so with this $2,000,000,000. We can only authorize the Secretary of the Treasury—

> To deal in gold and foreign exchange and such other instruments of credit and securities as he may deem necessary—

To do what? To stabilize—

> the exchange value of the dollar.

Anything may happen under that authority. It is as infinite as time and as wide as space. This afternoon we are asked summarily to extend this prodigious grant of money and power for 2½ years, knowing little or nothing of what has been done with it to date. Yet we are dealing with the main artery of the public credit. We must deal almost wholly on faith. Perhaps this infirmity is inherent in a so-called stabilization fund, whose virtue, if any, is probably in its mystery. Probably, too, it is necessary in the world of interlocking finance that we should continue to arm ourselves with this sort of a weapon with which to meet similar weapons elsewhere. But, Mr. President, I respectfully submit that the least we can do is to change the law so that we shall become finally informed. The least we can do is to make certain an ultimate accounting which will permit an ultimate accountability. Anything less is an affront to democracy.

In his recent reorganization message, the President listed five major objectives to which he gave unequivocal endorsement. The fifth objective reads in part as follows:

> Establish accountability of the Executive to the Congress by providing a genuine independent postaudit of all fiscal transactions.

Where is the "accountability" in this pending statute? Where is the "genuine, independent postaudit"? Where is there any of our checks and balances? Where is the prudent regard for our Congressional responsibilities? Why should there be complaint if, in some small degree, this omission be rectified?

The objective, defined by the President himself, is not only missing, it is literally denied by the stabilization-fund law in its present and pending form. I respectfully submit that this is our first yet probably our greatest opportunity to follow this particular Presidential recommendation. In addition, this course is urged in the present instance by every element of vigilance and by the minimum of congressional responsibility for public money.

I think I am entitled to say, in conclusion, that I have discussed the matter with the Secretary of the Treasury in person and that he does not object to the amendment.

Mr. President, I offer the amendment which I send to the desk. Personally I should prefer to go much further, and to require an audit and report today, before the powers are extended; but it seems to me it is a minimum of congressional responsibility to demand at least a final accounting when the powers herein granted are finally terminated. I should prefer a different course. I should prefer to suspend all action until, here and now, we are appropriately advised respecting the uses to which this enormous power has been put. I am amazed that Congress should be asked to act upon so vital a matter in the almost total absence of disclosure of the record. For myself, I cannot proceed in such a fashion. But surely, at the very least, the Senate will

not oppose the minimum, ultimate precautions which I now propose.

The PRESIDENT pro tempore. The amendment offered by the Senator from Michigan will be stated.

The CHIEF CLERK. On page 1, line 9, after the word "terminated" and before the period, it is proposed to insert the following proviso:

Provided, That upon the termination of the fund, the Secretary of the Treasury shall submit to Congress a complete audit and report upon its operations from the time of its establishment.

Mr. KING. Mr. President, I wish to inquire of the Senator from Michigan, or, if he does not have the information, of the Senator from Virginia, whether, in the conversation referred to—if it was not private—the Senator ascertained what losses, if any, or gains, if any, had resulted from the operation of the stabilization fund since the establishment of the fund.

Mr. VANDENBERG. Mr. President, I have no information regarding the bill itself except the report of the committee, which, of course, yields nothing by way of information. My inquiry of the Secretary related solely to the question of this ultimate accounting; and I am happy to say he did not object to the fundamental idea that there ought to be an ultimate accounting.

Mr. GLASS and Mr. BYRNES addressed the Chair.

The PRESIDENT pro tempore. The Senator from Utah has the floor. Does he yield; and if so, to whom?

Mr. KING. If the Senator from Virginia will answer the question, I shall be very glad to have him do so.

Mr. GLASS. Mr. President, the Secretary of the Treasury appeared before the committee and gave us, up to date, the net result of the operation of the stabilization fund. I may state in general terms that there has been no loss to the Government in the administration of the fund, but rather a profit. It may be by some deemed considerable and by others inconsequential. At any rate, there was no loss.

I may say further that the Secretary of the Treasury had with him the Director of the Budget and the actuaries who have charge of the bookkeeping details of the operation of this fund, and offered to the committee to submit those details if the committee desired to hear them, and stated very definitely that any Member of the Congress was at liberty to come to the Treasury and inspect the bookkeeping operations and the detailed administration of the fund.

The Senator from Michigan has stated in substance what I would state—that it is not desirable to give general publicity to the operations of the Treasury with respect to this fund; that that would very seriously interfere with, if it would not invalidate, the administration of the fund. That is just the situation; but while I am on my feet I desire to make the comment that if the Secretary of the Treasury was willing to accept the suggestion of the Senator from Michigan, he should have said so to the committee, and should not have waited until we presented a report here and had an amendment offered with the statement that the Secretary of the Treasury is in favor of the amendment. In my judgment, the Secretary should have treated the committee with more respect than that.

Mr. BARKLEY. Mr. President, if the Senator will yield, the bill as presented to the committee and as now reported was, as I understand, prepared in the Treasury Department by the Treasury officials.

Mr. GLASS. It was written by them; exactly.

Mr. BARKLEY. And in the language which they desired.

Mr. GLASS. Exactly.

So far as I am individually concerned—I cannot speak for the committee—I have no objection to the amendment, because I think what it proposes to require would essentially ensue anyhow; but the Secretary of the Treasury ought to tell the committee what he wants when they are considering an important bill like this, and not tell individual Senators what he is willing to do.

Mr. NORRIS. Mr. President, I desire to make an inquiry of the Senator from Michigan in regard to a quotation. There was some confusion in the Chamber, and I did not understand whether the quotation referred to is in this bill, or whether it is in the law that the bill undertakes to amend, in regard to any other officer of the Government having the power or right to review the action of the Secretary.

Mr. VANDENBERG. It is in section 10 of the original act.

Mr. NORRIS. Will the Senator read it again?

Mr. VANDENBERG. Yes. I am reading from page 6 of the printed text. The fund—

Shall be deposited with the Treasurer of the United States in a stabilization fund * * * under the exclusive control of the Secretary of the Treasury, with the approval of the President, whose decisions shall be final and not be subject to review by any other officer of the United States.

Mr. NORRIS. That has been in the law all the time?

Mr. VANDENBERG. That is correct.

Mr. NORRIS. In the Senator's judgment, would that preclude the Supreme Court from passing on the constitutionality of this act?

Mr. VANDENBERG. There is enough speculation in the stabilization fund without asking me to enter the realm of speculation upon the Supreme Court.

Mr. NORRIS. Was that speculation in the law when the Supreme Court acted on the law before?

Mr. VANDENBERG. If they acted upon it, it was, because it was and is in the law.

Mr. BARKLEY. Mr. President, I desire to say just a word about this amendment. I do not care how the Senate votes on it. I think this is probably what may happen:

Nobody can tell whether the condition of our foreign trade or our international situation in 1939 will or will not require further extension of the authority given to the President in this bill. When that time arrives, if it should be found necessary to pass another measure extending the provisions of the act, we should have to repeal the provision of this measure which would be incorporated in it by the amendment of the Senator from Michigan, because, if we had further to extend the act, it would not be any wiser then than it is now to reveal to the public what had happened with respect to this fund. For that reason I do not see that the amendment would do any good and it might possibly do harm.

Mr. BORAH. Mr. President, if it should be thought desirable to extend the act, we should very likely repeal this provision at the same time.

Mr. BARKLEY. It would be necessary to repeal it at the same time; so why not wait until the question is finally determined, and then provide at the time for any sort of audit that Congress may wish? Nobody desires to keep secret the transactions; but there may be objection, and serious harm may occur, if the transactions are revealed pending the life of the authority and the fund.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. VANDENBERG].

Mr. MCNARY. I call for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Minnesota [Mr. SHIPSTEAD], and in his absence I withhold my vote.

The roll call was concluded.

Mr. LEWIS. I reannounce the absences suggested in my previous statement. To that statement I add the information that the Senators from Florida [Mr. ANDREWS and Mr. PEPPER] are detained as a reception committee for the delegation from their State attending the inaugural ceremonies. If present, they would vote "nay."

I also announce that the Senator from Ohio [Mr. DONAHEY] is detained from the Senate by illness, and that the Senator from Kansas [Mr. MCGILL] is detained because of a severe cold.

The Senator from Arkansas [Mrs. CARAWAY], the senior Senator from Missouri [Mr. CLARK], the Senator from West Virginia [Mr. HOLT], the Senator from Delaware [Mr. HUGHES] the Senator from Maryland [Mr. RADCLIFFE], the junior Senator from Missouri [Mr. TRUMAN], the Senator

from Indiana [Mr. VAN NUYS], the Senator from New York [Mr. WAGNER], the Senator from Massachusetts [Mr. WALSH], and the Senator from Montana [Mr. WHEELER] are unavoidably detained.

Mr. McNARY. My colleague the junior Senator from Oregon [Mr. STEIWER] is absent on official business. The senior Senator from Delaware [Mr. TOWNSEND], who would vote "yea" if present and voting, is also absent on official business.

My colleague [Mr. STEIWER] is paired on this question with the Senator from Maryland [Mr. RADCLIFFE]. If present, my colleague would vote "yea", and I am advised that the Senator from Maryland [Mr. RADCLIFFE] would vote "nay."

The Senator from Vermont [Mr. GIBSON] is necessarily detained. He is paired with the Senator from New York [Mr. WAGNER]. If present and voting, the Senator from Vermont [Mr. GIBSON] would vote "yea", and I am advised that the Senator from New York [Mr. WAGNER] would vote "nay."

Mr. McKELLAR (after having voted in the negative). I have a general pair with the senior Senator from Delaware [Mr. TOWNSEND], which I transfer to the junior Senator from Arkansas [Mrs. CARAWAY], and allow my vote to stand.

The result was announced—yeas 32, nays 43, as follows:

YEAS—32

Adams	Capper	King	Norris
Austin	Copeland	La Follette	Nye
Bailey	Davis	Lodge	Russell
Borah	Frazier	Logan	Schwellenbach
Bridges	Gerry	Lonergan	Smith
Bulkley	Gillette	McCarran	Tydings
Burke	Hale	McNary	Vandenberg
Byrd	Hatch	Maloney	White

NAYS—43

Ashurst	Chavez	Hitchcock	O'Mahoney
Bachman	Connally	Johnson, Colo.	Overton
Bankhead	Dieterich	Lee	Pittman
Barkley	Duffy	Lewis	Pope
Bilbo	Ellender	Lundeen	Reynolds
Black	George	McAdoo	Robinson
Bone	Green	McKellar	Schwartz
Brown, Mich.	Guffey	Minton	Sheppard
Brown, N. H.	Harrison	Moore	Thomas, Okla.
Bulow	Hayden	Murray	Thomas, Utah
Byrnes	Herring	Neely	

NOT VOTING—20

Andrews	Glass	Pepper	Truman
Caraway	Holt	Radcliffe	Van Nuys
Clark	Hughes	Shipstead	Wagner
Donahey	Johnson, Calif.	Steiwer	Walsh
Gibson	McGill	Townsend	Wheeler

So Mr. VANDENBERG's amendment was rejected.

The PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COMMEMORATIVE COINS—THREE HUNDREDTH ANNIVERSARY OF NORFOLK LAND GRANT

The PRESIDENT pro tempore. The calendar under rule VIII is in order. The Chair understands there is on the calendar only one bill remaining, which will be stated.

The CHIEF CLERK. A bill (S. 4) to authorize the coinage of 50-cent pieces in commemoration of the three hundredth anniversary of the original Norfolk, Va., land grant and the two hundredth anniversary of the establishment of the city of Norfolk, Va., as a borough.

Mr. McNARY. Mr. President, I understand this bill is on the calendar.

The PRESIDENT pro tempore. It is on the calendar.

Mr. ROBINSON. There are numerous precedents for the proposed legislation.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency with an amendment, in section 1, on page 2, line 3, after the word "Treasury", to insert a comma and the words "but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage", so as to make the bill read:

Be it enacted, etc., That in commemoration of the three hundredth anniversary of the original Norfolk, Va., land grant and the two hundredth anniversary of the establishment of the city of Norfolk, Va., as a borough there shall be coined at a mint of the United States to be designated by the Director of the Mint not to exceed 20,000 silver 50-cent pieces of standard size, weight, and composition and of a special appropriate design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

SEC. 2. The coins herein authorized shall bear the date 1936, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of the Norfolk Advertising Board, Inc., affiliated with the Norfolk Association of Commerce upon payment by it of the par value of such coins, but not less than 5,000 such coins shall be issued to it at any one time and no such coins shall be issued after the expiration of 1 year after the date of enactment of this act. Such coins may be disposed of at par or at a premium by such association and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the commemoration of such event.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same; regulating and guarding the process of coinage; providing for the purchase of material and for the transportation, distribution, and redemption of coins; for the prevention of debasement or counterfeiting; for the security of the coins; or for any other purposes, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDENT pro tempore. That completes the calendar.

ORDER OF BUSINESS ON INAUGURATION DAY

Mr. ROBINSON. Mr. President, it is necessary that the Senate meet tomorrow, but it is not expected that business will be transacted. The order of procedure is that Senators shall assemble in this Chamber and proceed to the inaugural platform immediately upon assembling. In all probability there will be no suggestion of the absence of a quorum. This statement is made in order that Senators may have notice now of what may be expected.

Following the inaugural ceremonies, if the order that I am about to submit to the Senate shall be adopted, the Senate automatically will stand adjourned until Friday noon. There is no business on the calendar. Many committees will be in session. For these reasons the adjournment will be until Friday noon instead of Thursday noon.

Mr. President, with that statement I ask for the adoption of the order, which I send to the desk.

The PRESIDENT pro tempore. The order will be read.

The order was read and agreed to, as follows:

Ordered, by unanimous consent, That when the Senate concludes its business today it take a recess until 11:45 o'clock a. m. tomorrow; that upon convening at that hour the Senate proceed to the east front of the Capitol for the purpose of attending the inaugural ceremonies of the President and Vice President of the United States; and that upon the conclusion of the ceremonies the Senate stand adjourned until Friday noon.

EXECUTIVE SESSION

Mr. ROBINSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

Mr. ASHURST (for Mr. McGILL), from the Committee on the Judiciary, reported favorably the nomination of Oscar Henry Doyle, of South Carolina, to be United States attorney, western district of South Carolina, vice Charles C. Wyche, appointed United States district judge.

Mr. NEELY, from the Committee on the Judiciary, reported favorably the nomination of Claud N. Sapp, of South Carolina, to be United States attorney, eastern district of South Carolina. (Mr. Sapp is now serving under an appointment by the court.)

Mr. VAN NUYS, from the Committee on the Judiciary, reported favorably the nomination of Charles C. Wyche, of

South Carolina, to be United States district judge, western district of South Carolina, vice Henry H. Watkins, retired.

Mr. WALSH, from the Committee on Naval Affairs, reported favorably the following nominations:

Charles Edison, of New Jersey, to be Assistant Secretary of the Navy; and

Admiral William D. Leahy to be Chief of Naval Operations in the Department of the Navy, with the rank of admiral, for a term of 4 years from the 2d day of January 1937.

Mr. WALSH also, from the Committee on Naval Affairs, reported favorably the nomination of Brig. Gen. Thomas Holcomb to be the Major General Commandant of the Marine Corps for a period of 4 years from the 1st day of December 1936; Col. James J. Meads to be a brigadier general in the Marine Corps from the 1st day of December 1936; and also the nomination of sundry other officers and citizens for appointment in the Marine Corps.

He also, from the same committee, reported favorably the nominations of Capts. Wilson Brown and Walter S. Anderson to be rear admirals in the Navy from the 1st day of July 1936; and also the nominations of sundry other officers and citizens for appointment in the Navy.

The PRESIDENT pro tempore. As the Chair understands, there is no further executive business pending before the Senate.

RECESS

The Senate resumed legislative session.

Mr. ROBINSON. Pursuant to the order heretofore entered, I move that the Senate stand in recess until 11:45 o'clock a. m. tomorrow.

The motion was agreed to; and (at 12 o'clock and 51 minutes p. m.) the Senate, under the order previously entered, took a recess until tomorrow, Wednesday, January 20, 1937, at 11:45 o'clock a. m.

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 19, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Blessed is the man that feareth the Lord, that delighteth greatly in His commandments; hold us close to Thee, our Father. We acknowledge our imperfections and pray that we may be strong and falter not in the presence of temptation. May the Christ spirit be the ruling passion of our daily conduct, that the strong may help the weak, the wise the foolish, the rich the poor, the good the bad, and that peace and good will may extend and bless our people everywhere. Let Thy merciful providence, O God, attend our fellow citizens as they come hither to pay tribute to our most distinguished President and our Vice President and those institutions which are the glory of a free and a liberty-loving people. Remember the avenues of our country through which the public mind is going and direct all in authority that they may deal justly and wisely with all problems. Through Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

SELECT COMMITTEE ON GOVERNMENT ORGANIZATION

Pursuant to the provisions of House Resolution 60, Seventy-fifth Congress, the Speaker appointed as members of the Select Committee on Government Organization the following Members of the House: Mr. BUCHANAN (chairman), Mr. COCHRAN, Mr. WARREN, Mr. VINSON of Kentucky, Mr. ROBINSON of Utah, Mr. TABER, and Mr. GIFFORD.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. SNELL. Reserving the right to object, is the Speaker going to make an announcement in regard to tomorrow?

The SPEAKER. The Chair will make an announcement later. Is there objection?

There was no objection.

CALL OF THE HOUSE

Mr. RAYBURN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum present.

Mr. RAYBURN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 6]

Allen, Del.	Dingell	Kee	Romjue
Allen, La.	Dowell	Keller	Sadowski
Arnold	Duncan	Kenney	Schuetz
Biermann	Ferguson	Kniffin	Steagall
Buckley, N. Y.	Fernandez	Lambertson	Stubbs
Caldwell	Fitzpatrick	Lanzetta	Taylor, Colo.
Cannon, Wis.	Goodwin	Lord	Taylor, S. C.
Cartwright	Green	Mapes	Tinkham
Champion	Griswold	Meeks	Weaver
Chandler	Hendricks	Mills	Wood
Chapman	Higgins	Montague	Woodruff
Cravens	Honeyman	Nichols	Zimmerman
Crosser	Jarrett	Randolph	

The SPEAKER pro tempore (Mr. BOLAND). Three hundred and eighty-one Members have answered to their names—a quorum is present.

Mr. RAYBURN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

INAUGURATION CEREMONIES

The SPEAKER. The Joint Committee on Inaugural Ceremonies was appointed during the last session of Congress. I have had many inquiries by Members with reference to the proceedings tomorrow. Under unanimous consent, when we adjourn today the House will stand adjourned until Thursday next. So there will be no official session of the House tomorrow.

But in the absence of the chairman of the House Joint Committee on Inauguration, who is unavoidably absent today and for the information of all Members, I think it necessary to make a statement with reference to the formation of the procession of the Members of the House to attend the ceremonies tomorrow morning.

I have been requested to announce to the House that all Members who expect to go out on the official platform will assemble here in the Chamber of the House at 11:40 o'clock tomorrow morning. I have been requested to state that in order to get by the police, including the marines, it will be absolutely necessary for each Member to display the official ticket in order to get his seat on the platform. That is an entirely reasonable regulation. If a Member does not have his ticket it may be difficult for him to get his seat, for there will be no opportunity to join the procession after it leaves the House.

I am further requested to announce that no children will be allowed upon the platform and there will be no seats except for Members actually holding tickets for their own seats.

That, the Chair thinks, covers the announcement that he was requested to make.

LEAVE TO ADDRESS THE HOUSE

Mr. KOPPLEMANN. Mr. Speaker, I ask unanimous consent that on Thursday morning next, after the reading of the Journal and the disposition of matters on the Speaker's desk, I be permitted to address the House for half an hour.

The SPEAKER. Is there objection?

Mr. RAYBURN. Mr. Speaker, I reserve the right to object. As stated yesterday, I think it is the purpose to have under consideration on Thursday the bill extending the Reconstruction Finance Corporation. If the gentleman would, I would much prefer that he make his request for Friday.

Mr. KOPPLEMANN. Mr. Speaker, I change the request to Friday.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that on Friday next, after the reading of the Journal and the disposition of matters on the Speaker's table, he be permitted to address the House for 30 minutes. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. MAVERICK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in two particulars, one on the free-port bill and the other on the legislation of the coming session.

The SPEAKER. Is there objection?

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

STABILIZATION FUND EXTENSION

Mr. SOMERS of New York. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 2519) to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised.

Mr. THURSTON. Mr. Speaker, if the gentleman would permit, I should like to make an arrangement in respect to a division of the time in general debate.

The SPEAKER. That was arranged under the special agreement entered into under unanimous consent. Under that arrangement, the gentleman from New York, in charge of the bill, and the ranking minority member are each entitled to control one-half of the time.

The question is on the motion of the gentleman from New York that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 2519.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 2519, with Mr. HILL of Alabama in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Without objection, the first reading of the bill will be dispensed with.

There was no objection.

Mr. RAYBURN. Mr. Speaker, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HILL of Alabama, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 2519) to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised, had come to no resolution thereon.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Crockett, its Chief Clerk, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 416. An act to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised.

Mr. SOMERS of New York. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 416) to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised.

Mr. WOLCOTT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WOLCOTT. Is the Senate bill identical with the House bill which we have been considering in the Committee of the Whole?

Mr. SOMERS of New York. It is identical, I may say to the gentleman.

The SPEAKER. The Chair is informed by the Parliamentarian that the Senate bill is identical with the House bill. The gentleman from Michigan [Mr. WOLCOTT] will recall that by unanimous consent permission was given to consider the Senate bill, in the event the Senate bill came over here, under the same circumstances as the House bill. This is merely a matter of expedition in the passage of the bill.

The gentleman from New York [Mr. SOMERS] moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 416.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 416, with Mr. HILL of Alabama in the chair.

The Clerk read the title of the bill.

Mr. THURSTON. Mr. Chairman, I yield myself 5 minutes. I wish to commend the fair and clear manner in which the chairman of the committee has presented the available facts here today. He has made an exhaustive study of the subject matter and his remarks have proven his capability to handle such an important piece of legislation. The most regrettable incident in this legislation is the lack of legislative courtesy of the majority in bringing omnibus bills into this House for consideration. During the past 2, even 3 and 4 years, many measures were enacted under the pressure that an emergency existed. On several occasions five or six or seven wholly unrelated subjects were placed in one bill and passed here in this body, thus depriving the membership of the right to express their approval or disapproval of the different subjects that were incorporated in these measures. That practice in legislation is not only unfortunate, it is unsound. It says to the Members of the House on both sides of the aisle, "We do not have confidence in your judgment on a single measure, but we must bring them in here and tie you up so that you must follow the administration on all these measures, even though you might elect to vote differently on two or three separate sections in the bill." There is no reason today why these two highly important subjects should be incorporated in this one bill, and a motion will be offered to have a separate vote on these two proposals. These two acts have been in force 2 years by virtue of legislative sanction and 1 year additional through Executive proclamation. The first section, that in regard to the stabilization fund, insofar as I am informed, has brought no formidable opposition. The creation of that fund in our country was one of the defensive actions, rightly so created, because we learned that some of the major nations of the world had in secret provided tremendous sums of money to protect their exchange and their international financial operations. At this time it is reported that Great Britain has $2,000,000,000 in such a fund, France approximately $600,000,000, and it is to be assumed that the other nations have comparable sums or sums in proportion to their ability or their proportion of foreign trade.

Practically all the thought in relation to the stabilization fund has been directed to the international phase, or exchange, and I must confess that over hearings of many years in this committee it was apparent that few people in our country very clearly understood or had had much experience in exchange. So all of this thought was directed toward the international phase of the subject, or exchange, whereas we know that our internal or domestic trade amounts to 93 percent, and we should be far more concerned about the 90 or 93 percent than about the 7 or 10 percent that goes out into the world, but because of the financial coalitions abroad, necessarily we were obliged to create this fund, and the Secretary of the Treasury reported to the committee that no part of this fund was invested in foreign securities. Whether the distinction should be drawn that it was not invested in foreign exchange, I

took it that no part of this fund had been so invested; but primarily it was a domestic question, and whether or not it has been extensively used to sustain Federal securities or obligations in the past has not been commented upon here, and possibly might be somewhat distantly connected with the present consideration, but that was one of the prime objectives in the creation of this fund, and its continuance can be effected without cost to the Treasury. It is virtually a statement on the part of our Government that we do not propose to have any foreign nations or group of nations effect a coalition or pursue a course of action that will detrimentally interfere with exchange or the price that we are to receive for our exports.

Mr. SAUTHOFF. Mr. Chairman, will the gentleman yield?

Mr. THURSTON. I yield.

Mr. SAUTHOFF. I want to get some information. During the chairman's discussion of the bill two thoughts were brought out: First, that we need not pay any attention to the imports, so primarily this is for the benefit of the exporters. Secondly, that our Secretary of the Treasury was purchasing paper francs with American gold. Then the answer would be that the purpose of this fund is to aid the sale of American manufactured articles to foreign countries, with the use of money furnished by America at the expense of agriculture, because we are not selling any agricultural products abroad. Is that correct?

Mr. THURSTON. Permit me to say to the gentleman from Wisconsin that I do not have any information that any portion of this fund is being used in the manner indicated, or as it was reported on the floor of the House a few moments ago, so I cannot reply to that interrogation.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. THURSTON. I yield.

Mr. JENKINS of Ohio. Has it not been the understanding at all times that the very efficacy of this $2,000,000,000 fund must depend upon its secrecy?

Mr. THURSTON. Yes, sir.

Mr. MICHENER. Mr. Chairman, will the gentlemen yield?

Mr. THURSTON. I yield.

Mr. MICHENER. As I understand, it is the purpose of this bill to continue the power which was originally given to the President. Section 2 apparently goes further. Will the gentleman, in a short, brief way, tell us the additional power given to the President over the power granted in existing law?

Mr. THURSTON. To recur to the first section, in order to reply to the gentleman from Ohio [Mr. JENKINS] this $2,000,000,000 in this fund is earmarked from the so-called profits in the revaluation of gold in our Treasury, whereby the footings of the Treasury were increased $2,800,000,000 as a result of the passage of this act. The $2,000,000,000 is earmarked from that fund. Necessarily, if those in charge of that fund in our country were to make known to the world their operations in the past, it might bring about some unpleasant situation of an international character. I think we are all agreed that that would be a very unhappy demand to make in this respect.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield further?

Mr. THURSTON. I yield.

Mr. JENKINS of Ohio. The gentleman may not be able to answer this, but how can anybody come on this floor and tell us how this money is being used, if its very efficiency depends on secrecy?

The CHAIRMAN. The time of the gentleman from Iowa [Mr. THURSTON] has again expired.

Mr. THURSTON. Mr. Chairman, I yield myself 5 additional minutes.

As I said before, it surely would be very unwise to make an open disclosure of the operation of this fund.

Now, to reply to the gentleman from Michigan [Mr. MICHENER], those in charge of this measure say that absolutely the only change that is contemplated in the language is to extend the operation of the gold clause for a period of 2 years and 5 months, from January 30, 1937, to the end of the fiscal year, June 30, 1939. No other change whatever is contemplated, and a reading of the amendment will disclose that the option giving Presidential authority to proclaim an extension of an additional year has been omitted.

Mr. MICHENER. It seemed to me section 2 could have been drawn with much less language, if there was no purpose to give any additional power. I wanted to be sure about it.

Mr. THURSTON. I interrogated the witnesses appearing before the committee on that very precise subject. It was definitely reported that no additional powers were asked, just an extension of time.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. THURSTON. I yield.

Mr. CRAWFORD. Referring to the statement made to the effect that the Secretary of the Treasury purchased United States Government direct obligations, has he authority to engage in open-market operations similar to the Federal Reserve Board in the use of this fund, or could those activities be construed as open-market operations?

Mr. THURSTON. The limitations on those in charge of this fund are very nominal. I take it that this Board could operate either in the domestic or foreign market.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. THURSTON. I yield for a question.

Mr. RICH. When they charged off the $2,000,000,000 on account of the devaluation of the gold they deducted that from the Federal statement, did they not?

Mr. THURSTON. I do not understand the gentleman's question.

Mr. RICH. When they devalued the gold dollar there was about $2,000,000,000 made by that act?

Mr. THURSTON. Two billion eight hundred million dollars.

Mr. RICH. They took that amount from the Treasury statement?

Mr. THURSTON. It was added to the resources of the Treasury.

Mr. RICH. In other words, the deficit was $34,464,484,000 on January 14. If they had not deducted that from the Treasury statement it would have been $36,000,000,000 plus?

Mr. THURSTON. It would have been $2,800,000,000 more than the sum you first mentioned.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. THURSTON. I yield.

Mr. GIFFORD. In reply to that, I think it is worth while putting in the RECORD here the statement of the Secretary of the Treasury over the radio relating to this fund:

> We have another cash drawer in the Treasury in addition to the drawer which carries our working balance. This is called the gold drawer. We do not propose here to subtract this $2,800,000,000 from the net increase of the debt, thereby reducing it to $1,600,000,000, and the reason we do not subtract this is for the reason this $2,800,000,000 is under lock and key.
>
> Most of it by authority of Congress is segregated in the so-called stabilization fund and for the present we intend to keep it there.

I call attention to the fact, however, that ultimately this will be reported and used to pay the debt of the country, but now it is where even we can get no information about it.

[Here the gavel fell.]

Mr. THURSTON. Mr. Chairman, I yield myself 10 additional minutes.

Mr. PETTENGILL. Mr. Chairman, will the gentleman yield?

Mr. THURSTON. Yes; for a brief question.

Mr. PETTENGILL. Of the original $2,800,000,000, is it a fact that $800,000,000 has been applied to the national debt?

Mr. THURSTON. I cannot say that application has been made; I am not informed in that respect.

Mr. SOMERS of New York. Mr. Chairman, if the gentleman from Iowa will yield, the gentleman from Indiana said $2,800,000,000. He means, does he not, $2,000,000,000?

Mr. PETTENGILL. No; we are talking about two different things. I am talking about the profit made on the devaluation of the gold, which was $2,800,000,000. Of this sum,

$2,000,000,000 was put in the stabilization fund. I am asking what happened to the remaining $800,000,000?

Mr. THURSTON. I cannot say whether that money has definitely been credited against the public debt, or whether it is still being carried in the general funds of the Treasury.

Mr. PETTENGILL. Mr. Chairman, will the gentleman yield for a further question?

Mr. THURSTON. Yes.

Mr. PETTENGILL. Has only $200,000,000 of the original $2,000,000,000 set aside in the fund been used in stabilization operations?

Mr. THURSTON. That is all that has been used up to the present time.

Mr. PETTENGILL. Then the question arises: Is it necessary to have a fund so large as $2,000,000,000 when we have used only $200,000,000, or one-tenth of the amount? Is it not practicable to apply to the public debt the $1,800,000,000 which is not being used? This would enable us to stop paying interest on that amount.

Mr. THURSTON. The gentleman makes a very practical suggestion, and it might be that it would be well received by the Treasury of the United States. I shall have to allow him, however, the privilege of pursuing his suggestion.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield for a question?

Mr. THURSTON. I yield.

Mr. ROBSION of Kentucky. Was any reason assigned why the President had not exercised the power granted him of issuing $3,000,000,000 in paper money?

Mr. THURSTON. Paper did not get into the committee room, I may say to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. Was any information given to the gentleman's committee as to why the President had not exercised this power?

Mr. THURSTON. None whatever, sir.

Mr. ROBSION of Kentucky. Was any information given the gentleman's committee why it was necessary to continue this power to the President to issue $3,000,000,000 of paper money?

Mr. THURSTON. I think I can answer that in a few words by saying that it was suggested that the President thought it highly desirable.

Mr. RICH. Mr. Chairman, will the gentleman yield for one question?

Mr. THURSTON. Yes.

Mr. RICH. We have $11,306,000,000 in gold in the Treasury according to the statement of January 14.

Mr. THURSTON. Yes; half the visible gold of the world, which amounts to about $22,000,000,000.

Mr. RICH. The President still has the power to reduce the value of the dollar about 10 percent. He could make another billion dollars' profit by so doing and charge that off the public debt, could he not?

Mr. THURSTON. Yes; and that is a favorite way used by treasuries throughout the world in adding to their financial statements; revalue their gold, silver, and even their currency.

Mr. Chairman, whether this power is to be continued 2 additional years, plus 5 months, is a matter I wish to discuss quite briefly. Congress will again assemble here at the seat of Government in January of the next year; so if this subject is as important at that time as it is now, it would, of course, receive preferential consideration from the leadership of this body. Continuously in the press we read that the Congress has constantly surrendered its powers to the executive branch, so I expect to offer an amendment to strike out the figures 1939 and substitute the figures 1938, so that if this measure passes this body, this power would be extended from January 30 to June 30, 5 months, then 1 additional year, or a year and 5 months instead of 2 years and 5 months as is proposed.

May I inquire: Has there been any objection to the continuance of the policy in these acts? I call the Members' attention to resolutions adopted by the National Agricultural Conference just a year and 2 days ago when this body representing all the great farm organizations of the country met in Washington. This conference made these suggestions:

That the desire and objective of the National Agricultural Conference is that our monetary system be so revised and currency and credit so managed as to establish and maintain the dollar with a constant purchasing power, preserving the equity of contracts between debtor and creditor, and avoiding the dangers and losses that are inevitably involved in excessive and uncontrolled inflation or deflation. To accomplish this, be it further

Resolved, That there be established a "monetary authority" (by whatever name called).

That this monetary authority be, as largely as possible, nonpartisan and nonpolitical.

That their tenure of office be of such length as to protect this body from sudden change.

That the members, through pensions or otherwise, be adequately provided for throughout life.

That this "authority" be directed by definite mandate from Congress, under that section of the Constitution which directs Congress to "coin money and regulate the value thereof", to establish and maintain a unit of value (the dollar) with a constant purchasing power, a monetary currency regulated on an index of basic commodities on their world price, considering gold and silver as commodities, and dealing with them in terms of their market value.

That Congress vest in this "authority" the power to control price adjustments through monetary action by means of (a) repricing of gold, (b) regulating the value of the dollar, (c) declaring the gold content of the dollar, (d) regulating the issuance and volume of currency, (e) and such other powers over money and credit as Congress may see fit to give to it for the accomplishment of the congressional mandate, always reserving, however, to Congress at designated periods the right of review and direction of the operation under this mandate.

It was the consensus of opinion of this great clearinghouse of public thought throughout the country that such a body should be created to give specific attention to this subject rather than to leave it, as the present law does, to the Executive, which, of course, means political control. I felt, therefore, that it was my duty to call your attention to the fact that in this country, not only in agriculture but in industry and finance, there is a feeling that steps should be taken to definitely outline a sound financial policy. It will be my purpose to shorten the period suggested without at all affecting the current operation of the act for almost a year and a half in order that Congress may retain some of its powers. We may want to reconsider or again act upon this subject before the two and a half years shall have expired. I appeal to you to support the prerogatives, the rights, of the Congress and the plain mandate of the Constitution in regard to the legislative branch of the Government, and I assert that no good reason exists why we should continue both these acts two and a half years when their extension for a shorter period will not work any injustice to our Nation, and the adoption of a shorter period will be one step to reestablish Congress before the people of the United States. [Applause.]

Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. HANCOCK].

Mr. HANCOCK of New York. Mr. Chairman, there are certain collateral issues involved in this legislation which few of us have had the training to fully understand. There are many aspects of it, however, that are easily within the comprehension of all of us.

This is the first of a series of bills which will be brought in here to perpetuate temporary powers given in an emergency. When any Government agency or bureau gets temporary authority, it seeks eternal life for that authority. If it secures any new powers, it attempts to make them greater and extend them. We are going to have many such bills proposed during this session, and if we are to stop disorderly and undemocratic government and return to the kind of government the people of this country are entitled to have, the time to begin is this afternoon.

There is not much dispute among the committee members as to the desirability of a stabilization fund. There is, however, a very serious disagreement as to the manner of its administration. Those of you who were here 3 years ago will recall that there was very strong opposition to giving one man the vast power this act gives the Secretary of the Treasury by putting $2,000,000,000 entirely within his control, accountable to no one and cloaked with absolute secrecy. It was urged by prominent men on both sides of the aisle here and in the Senate, notably by one whom we

all respect, the senior Senator from Virginia, that the stabilization fund should be administered by a committee of five, the Secretary of the Treasury, the Governor of the Federal Reserve, the Comptroller of the Currency, and two men not connected with the Government but who were recognized as experts in international finance. It is obvious for many reasons that such a course should have been followed then and should be followed now.

No one can doubt that it is dangerous to allow one man to have undisputed and uncontrolled authority over such a huge sum of public funds.

He may be unwise. He may be incompetent. He may be dishonest. The man may be too timid or he may be too bold, and I refer to no particular individual. We ought to have a committee administer this fund. I think that should be plain to anyone.

Ordinary good sense requires that the stabilization fund should be used in cooperation, or at least in liaison, with the Federal Reserve. Under the present arrangement the open-market operations of the latter might easily create a situation in which the Federal Reserve was working unwittingly to checkmate the purposes of the stabilization fund.

I feel that the Congress and the public are entitled to know what this money has been used for, what it has accomplished, how much of it has been invested, and how it has been invested. If it is embarrassing to the Secretary of the Treasury to give us details, let him give us a general report. We are entitled to have that.

A few days ago the Secretary of the Treasury and some of his assistants appeared before the Committee on Coinage, Weights, and Measures and chatted informally with reference to this measure. He declined to tell us how much was invested at the present time. He did not inform us how much had ever been used at one time, nor how much capital his experience shows to be necessary. If $2,000,000,000 is more than the requirement, let us turn some of it back, reduce the national debt, and save interest.

I cannot understand the need for such unseemly haste in pressing this bill for passage. But history repeats itself. It will be recalled that 3 years ago the President sent a message to Congress asking for these powers. That was on the 15th of January. On the 18th of January the committee reported the bill to the House, and on the 20th the bill was passed. We are doing about the same thing this year. The Secretary of the Treasury appeared before the Committee on Coinage, Weights, and Measures on Friday and asked for this legislation. On Monday it was reported to the House and on Tuesday we are considering and deciding the matter. No reason has been suggested why all this haste is necessary.

The powers granted to the Secretary of the Treasury under the law, which you are now seeking to extend, do not expire until January 30. As I previously stated, we on the minority side feel it is proper that the Secretary of the Treasury be armed with a vast stabilization fund in order to protect our foreign exchange, to protect our exporters and importers, to promote foreign business, and as a defense against any attack some foreign countries might attempt upon American interests with their stabilization funds. We do criticize, however, the manner in which it is administered.

I hope that the chairman of our committee, whom we all respect, will confer with the Treasury Department and bring in some legislation which will be permanent and which will give the people of the United States certain safeguards in the administration of this fund, and as much publicity as may be safely given. There is safety in numbers and there is safety in publicity.

[Here the gavel fell.]

Mr. THURSTON. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. HANCOCK of New York. Mr. Chairman, I believe all of the minority members of the Committee on Coinage, Weights, and Measures are opposed to the second part of this bill, involving additional power to devalue the dollar, lodged in the President's hands and held over the people of this country as a constant threat. It is a disturbing influence, and no good reason has been given to us why it should be continued.

The stabilization fund itself is an adeqaute defense against any sudden attack upon our own credit by a foreign nation. No situation can arise over night which would make it necessary to devalue the dollar another 9 cents. As I look at the question, it is simply this: Shall the President have the right to coin money and regulate the value thereof in the future, or shall that constitutional function be returned to the Congress?

If the administration deems it wise to further devalue the dollar, let the President state his reasons and request the appropriate legislation. He is certain to get it from this Congress promptly. In the meantime the stabilization fund affords ample protection.

I believe the people of this country hope and expect that the American form of government will be reestablished in the Seventy-fifth Congress; that Congress will resume its function as a legislative body and discharge its constitutional responsibilities.

[Here the gavel fell.]

Mr. THURSTON. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. LUCE].

Mr. LUCE. Mr. Chairman, as a member of the committee I would address myself wholly to the second section. That section will furnish to economic history two or three sentences of a chapter that will perhaps be the most interesting the science of economics will ever have produced. I may say that I have been familiar with this topic from its early stages here. In May of 1933 I had occasion to take the floor and discuss the first of the legislation for devaluating the dollar. Let me quote words I used then:

> Your action today, if it be completed, will lessen confidence. It will postpone the return of recovery by months, if not by years.

I charge today that the action then taken has delayed the return of happiness, comfort, and prosperity to the American people by the years I predicted as possible.

I arraign the monetary policy of this administration because of the damage it has done to the welfare of the Nation, because of the suffering it has brought to millions of our people, because of the hardships it has entailed on all the country, and because it is to continue uncertainty.

The law you are amending, like sundry other of the New Deal laws based on emergency need, gave the President power to end its life when he might declare the emergency ended. The President has made no such declaration in the case of any temporary law, as far as I am informed. If he thinks the depression is over, why does he not use his power so to proclaim? In asking 2 years more for this law, can it be that he thinks we have before us 2 years more of distress?

Depressions ordinarily have run their course in 3 or 4 years. You now find yourself in the eighth year of this depression—the eighth year—and still nearly 9,000,000 American citizens, able-bodied and willing to work, are said to lack employment; 9,000,000 of our citizens are kept from making a livelihood, from putting bread into the mouths of their wives and children; and in point of recovery we stand fifteenth among the nations of the world.

For other proof that we are not even yet out of the woods, almost three-quarters of a decade after the crash in Austria started the world down hill, note the appeal of the President to our businessmen that they renew enterprise, employ more men, invest their capital in constructive enterprise. Is he whistling to keep up the wind? Does he not know that every employer in the land would hire more men could he have reasonable prospect of selling his product at a profit? Such hope is the reason why men engage in producing. They do not need appeal, they need confidence as to the immediate future.

Mr. WHITE of Idaho rose.

Mr. LUCE. I do not yield. The subject is too important for me to be diverted from my thought.

I told the House more than 3 years ago that repudiation of the Government's pledge to keep its promises would destroy confidence on the part of the people. From that day to this you have seen confidence wavering and trembling and afraid.

The reason averred in May of 1933 for giving to the President power to devalue the dollar was that it would raise prices. The theory was that if the producer received more for his products he would have more to spend, and that thus activity would return all along the line. From what followed we have learned once more that such influences as lessening the value of gold in exchange or the issuing of paper money, resulting in what we call inflation, do not always work rapidly. In fact, unless the inflation is rapid and excessive, the effect of increasing the volume of money, we have now proved by experience, is rarely felt in less than a year—usually it takes 2 years. Professor Warren was brought down here from Cornell, and Professor Rogers from Yale to work the price-raising device by paying big prices for gold. The evident fact is that the thing did not work with the desired speed and so it was abandoned—one of the most expensive and ineffective experiments in all economic history.

To be sure, prices did rise; but it was largely for other reasons, and slowly. Even now they have reached but halfway to the desired and promised point. Official figures prove that.

On the other hand, what increase has been achieved, has shown itself in disastrous increase of the cost of living, which has gone up faster than wholesale prices.

This burden you have put upon all the people, and what have you reaped from it? You have helped some of the people, but you have hurt all the rest. You have brought the loss of the necessities of life to the very poor. You have made it more difficult for the wage earner to make both ends meet. You have added to the burdens of all those to whom you did not extend special privilege.

It was said that if you gave the power to the President to devalue the dollar, wages would increase proportionately; that the income of the consumer would rise; and that so no harm would be done, while many classes of the people would profit, especially the farmers of the West and the South. Who will rise here and tell me that income has generally risen in proportion to the increase of the cost of living?

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. LUCE. I would prefer not to be interrupted, if I may.

Who will tell me that the income of the people has risen in proportion to the cost of living? Who will tell me that any beneficial thing has clearly come to the greater part of us from this?

What is our present situation and what the prospect? Did you know that there is not a nation on the face of the earth that today lacks an irredeemable paper currency? Our currency is worth nothing but the good faith of the country behind it. Ah, you say that is enough. I have heard that said again and again. My memory goes back to the days before recovery from the depression of 1873. I was a boy in the State of Maine, and I recall how a closely contested election eventually put into power a greenback candidate, a man who, in his day, was one of the thousands and millions in this country who demanded an irredeemable paper currency. There were cannon in front of the statehouse before he was seated, if indistinct memory serves me right. As a boy I hoped they would go off. I did not care whom they hit, but I wanted them to go off.

Again, I remember the Populist movement in 1892. I remember how then the demand was for irredeemable paper money; I remember the attempts that have been made in this House in recent years to that end; and now, strange to relate, the whole world has irredeemable paper money. With some relatively unimportant exceptions, you cannot exchange your paper for gold. You have sterilized gold. You have made that great hoard now being transported to Kentucky of no more importance in the money system than were it copper or brass or any other of the metals, and this is true of all the gold of the world.

Never before in the history of mankind has the peril thereof been escaped so long. Sooner or later the penalty is going to be paid. Sooner or later there will be such an experience as that of France with the assignat, as that of Germany or any other country where the Parliament or the monarch has undertaken to make gold valueless as an instrument of exchange.

I do not know whether I am doing right in calling attention to this fact. It will be only a spark sometime that will start a conflagration. I pray my words may not be the spark, and yet I cannot help telling you of my hope that wise men will remember that history repeats itself, that human nature does not change, and that the element of fear sleeps in every human heart. I pray we may yet escape repeating the old, old story of what happens when you have an irredeemable paper currency.

There is no need to extend the power of the President in this particular any further. There is no need to keep the sword of Damocles hanging over the head of business. There is no need of delaying the hope of business that it may engage in enterprise with some certainty of profit. You get no advantage out of prolonging uncertainty. You continue the danger. [Applause.]

Mr. THURSTON. Mr. Chairman, how much time is remaining?

The CHAIRMAN. The gentleman from Iowa has 21 minutes and the gentleman from New York has 19 minutes.

Mr. SOMERS of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky [Mr. MAY].

Mr. MAY. Mr. Chairman, I had not intended to attempt a discussion of this measure this afternoon. I do not know now that I am prepared intelligently to discuss it. I would, indeed, be presumptuous if I should attempt in any way to measure my feeble ability with the learning, information, and great ability of the distinguished gentleman from Massachusetts [Mr. LUCE] who has just addressed the House.

But when I hear prophecy recalled and recounted, when I hear the assertions that they have proved true in the past in the face of facts and figures to the contrary, I am not willing to keep my seat and allow the statement to go unchallenged.

At the time when the distinguished gentleman from Massachusetts made the remarks which he referred to, when he says that he predicted dire disaster upon this country by the predicted advance in the cost of supplies to the consumer, I am reminded of the simple fact that at that time the farmer's wheat was 25 cents a bushel and rotting in the field, while today by the use of the gold-stabilization fund in the hands of the President of the United States it is selling at $1.14 a bushel.

I am reminded of the fact that at the time the gentleman was making dire predictions of disaster because of the devaluation of the gold dollar that the corn in the farmer's field, in the shock, was worth 10 cents per bushel. In the States of Kansas, Nebraska, and in Iowa, the State of the distinguished minority leader on the committee, corn was being burned for fuel, while the coal mines in my district and the States of Illinois, Indiana, Ohio, and West Virginia were shut down for want of sales. More than 10,000,000 able-bodied men were without employment and their families in dire distress.

I am also reminded of the fact that at the time of the gentleman's dire prediction of disaster to this country in the devaluation of the gold dollar that 14 great Southern States with their staple crop of cotton was mortgaged to the limit; their homes were being sold by the thousands to satisfy the mortgage liens upon them; while today cotton has traveled all the way from 5 to 12 cents a pound by reason of the devaluation of the gold dollar in securing a foreign market for exportable surplus cotton.

The gentleman tells the House that it is going to be dangerous to put stabilization in the hands of a single man. Can we not visualize the difficulty that 435 Members of this House would have in trying to handle this question? We are engaged in a great international poker game for a market for our exportable surpluses; and England, the big European boss, has a trump of more than $2,000,000,000 in hand; France, $600,000,000; Switzerland, $300,000,000; and, of course, we are not going to continue in any game without a full hand. It may be we have had to use only $200,000,000 of this fund, but as trade increases we will need more of it, and, undoubtedly, the mere knowledge that this vast sum is always available has a controlling effect in our negotiation of trade agreements. It is our surplus that we can resort to as occasion may require. Many distinguished gentlemen on

the other side of the aisle have talked with much feeling about our tax measure that takes the surpluses of domestic corporations, and yet they urge that our Government should have no available surplus.

I may say that I have some objection to this bill. I have the objection that I would like to see it more maturely considered, and I have an objection to the broad and unlimited powers granted to a single man in this country; but I say this: If such powers are to be granted and extended to any man in the White House, so far as I am concerned, and without partisanship, if they are to be so handled, I would rather see them handled by a Democrat than by a Republican. [Applause.]

The swan song and loud lamentations of my distinguished and venerable friend the gentleman from Massachusetts [Mr. LUCE] about loss of confidence of the American people in this administration seems to me to be rather illogical in the face of the fact that at the last November election the President was reelected by the greatest popular vote in all our history and swept into office by the electoral votes of 46 out of 48 States. As a result of that same lack of confidence, over which the distinguished gentleman weeps so bitterly, and of that same election there remain today but 88 Republicans on the other side of the aisle as a mighty testimonial of the popular will. Compare that with the dark days of 1933 after 12 years of rule by the party of confidence, and then weigh the argument of the gentleman from Massachusetts and it will be found wanting. [Applause.]

Mr. THURSTON. Mr. Chairman, I yield 7 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Chairman, in February of last year I made rather lengthy remarks on the floor of the House on the subject of The Watering of the Currency. At that time I think I suggested, as did the gentleman from Kentucky [Mr. MAY], that because of devaluation cotton did go from something like 6 cents to 11 cents a pound, and because of devaluation and other laws it went to the consumer to a price of 22 cents. It was because the processing tax and the N. R. A. costs were added.

It was suggested today that in one of his replies the Secretary of the Treasury said that we have about $2,800,000,000 under lock and key in a separate drawer, "and we are not going to use it to reduce our debt for awhile anyway." Mr. Chairman, I presume it is still there in a separate drawer, together with possible French francs that he may have recently bought. And it is evident, is it not, that he can help rig the market on our own securities? If you, representing a corporation, should buy your securities in a day or two before you want to issue more, so as to support the market, you know what would happen to you as an officer of that corporation, do you not, under the Federal Securities Act? But our Government is supposed to be doing it, and, as three of the Justices of the Supreme Court have said, he has taken "those ill-gotten gains of $2,800,000,000 profit" and has put it into that separate drawer, and we, as Congressmen, are not supposed to know anything about it.

We have to dig if we want to find anything about our Treasury Department, and I have been doing a little digging lately. I was not surprised to read in the RECORD that they had been digging in another branch of the Government. I find that the R. F. C., for instance, had given away some $1,800,000,000, but the notes representing that gift are still carried on the books of the Treasury as assets, and the R. F. C. is still paying a slight interest upon them, and the public is told that we have $17,000,000,000 worth of assets, $12,000,000,000 of foreign debt—of doubtful value—and $5,000,000,000 of seemingly recoverable assets. When you look into it and read the President's speech before election on our recoverable assets, we may express some amazement. I invite attention to these matters. Read the speech made last Friday, which appears in the RECORD, and let us wake up to the manipulation of these funds.

I am willing to vote for this stabilization fund to be continued, but it ought to be cut in half. It ought to be limited for its proper uses. Congress should closer define those uses. We ought to be ashamed to rig the market on our own securities. As far as further deflation of the dollar is concerned, it is wrong to have that sword of Damocles still held over the head of our people for another 2 years. Cotton being about the only big exportable article was the principal big thing helped by deflation. The gentleman from Kentucky [Mr. MAY], with all the gold buried in his own State, might be expected to come in often and devalue again and again so that foreign countries could buy our dollars cheaper to pay for the cotton they purchase. The chairman says, "Never mind about the importer, let him take his medicine." However, his own Government is trying to increase imports and the importer should be considered nearly as much as the exporter.

The integrity of every life-insurance policy and every savings-bank balance hangs in the balance. Because other countries had already devalued so much, we did not get the advantages we probably hoped to get. I wrote a dozen of the money experts in the country and asked what effect devaluation had had in the 1 year, and I put it in the RECORD on that day in February. I wrote the Secretary of the Treasury and asked if he could say if there was any reflection of devaluation in the rise in prices, and whether any credit should be given to devaluation and he wrote me that it was probably very little. However, cotton is the important exportable product, and devaluation helped the price of cotton. But now that the most important nations seek stabilization and have even entered into an agreement that we will support the franc, there seems no need to go further off the gold standard.

Mr. SOMERS of New York rose.

Mr. GIFFORD. I have not much time.

Mr. SOMERS of New York. I know the gentleman has not much time and I shall grant him a minute more but I would ask him this question. When we buy French francs, are we buying gold?

Mr. GIFFORD. I cannot answer that question, but we are putting up gold to buy them, and those French francs are apparently going into that secret drawer.

You say you have private information that there have been gains on these transactions. I say $2,000,000,000 is too much. One billion ought to be enough. I think the gentleman really probably agrees with me. You have in that box, as far as we know, according to the Treasury statement, $2,800,000,000, but not carried as assets; but the notes of the Reconstruction Finance Corporation that are not worth anything are carried as such. That seems to be the Treasury's method of reporting to the people these days. Perhaps we can get information. I think we may go to the members of the committee and might learn what the Secretary of the Treasury told the members of that committee; but the public must not know. It was public policy to proclaim when the Reconstruction Finance Corporation loaned money to banks that information brought trouble enough, but you insisted that the people know all about the transactions of its own Government.

Oh, a request has come from the White House. We must act in 2 hours on a matter which you say, Mr. Chairman, is the most important matter we have before us this session.

I have studied this problem, in my own weak way. Of course, I do not know as much about it as the gentleman from New York, but I have given it much attention. I know that very important issues are involved, as the gentleman from Massachusetts [Mr. LUCE] said. The integrity of $22,000,000,000 in our life-insurance companies, $10,000,000,000 in savings banks are involved. The dollar, which may be again jeopardized if the President sees fit, and in his own good time and at his pleasure. I would predict if he did again devalue by 10 percent, the effect would be far greater than the former devaluation of 40 percent, because at that time he was largely meeting the conditions that already prevailed.

[Here the gavel fell.]

Mr. SOMERS of New York. Mr. Chairman, I yield the gentleman from Massachusetts 2 additional minutes.

Mr. GIFFORD. So when you hold that threat over the value of money, what will continue to be the situation? Big business has had to divorce itself from the banks and carry on its own financing. Investors will not know what the value of the dollar may be and will continue to hesitate in their commitments.

It is a shame to allow only 1 hour of debate on a side. It is deplorable that we cannot review conditions and consider what the effect of devaluation has been. Why did not your committee open its doors to those importers who have been stung? Why did you not open your doors and let those people who had actually suffered, men who know what they are talking about in regard to finance, come before your committee? Oh, no; the Secretary of the Treasury, who is simply, as he says, the loyal servant of his President, seems to have been the only one necessary to come before your committee to give you information. It seems not wise that the people be heard.

Mr. SOMERS of New York. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. SOMERS of New York. Is the gentleman serious when he asks me to open the committee room to importers, so that they may obtain information which would bleed the American people?

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. THURSTON. Mr. Chairman, I yield 7 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, I listened with much interest to my colleague from New York [Mr. SOMERS], who made a very fair and clear explanation of the bill this afternoon. It may be he somewhat exaggerated its importance when he told the House that the passage of this bill will affect the price of polar bear meat up in the vicinity of the North Pole or elephant tusks and ivory at the Equator. If he is correct, then we should have been allowed more ample debate in this greatest deliberative body in the world to consider such an important piece of legislation.

I imagine every Member on my side of the House is somewhat embarrassed by this omnibus bill, because you have combined entirely different propositions in one bill. Most of us realize the importance of continuing the $2,000,000,000 stabilization fund. If the fund is necessary, of course, it must be secret. It is self-evident that the House of Representatives and the Senate cannot control such a fund. We all deplore the fact that it must be secret, because by its very nature it is undemocratic and un-American, but we know that we cannot operate it ourselves. No committee of this House can operate it. As a matter of fact, it is not $2,000,000,000. It is $200,000,000 that is now in process of being used and manipulated to maintain our exchange values. We only do it because we have to play in a poker game. We have to have enough money to ante up, to play our hand, and, above all, not so much to play our hand as to call the bluff of the foreign nations, and by calling that bluff we are able to stabilize our own currency in the interest of all our people.

We do not want a stabilization fund. We are forced to have it because England started the game and others followed suit.

Although I think this stabilization fund is undemocratic, and un-American, and secretive, and all that, I believe it is necessary. We are forced to have it against our will, and as long as we must have it, I take the word of the chairman of the committee [Mr. SOMERS of New York] that it is handled honestly. As far as this is concerned, the man who is responsible for it is a constituent of mine, the Secretary of the Treasury, who lives at Hopewell Junction, N. Y., where he is a voter and a bona-fide constituent. I know he is an honest man, and no one in this country could impugn his integrity. [Applause.]

We now come to the question of delegation of power. That is an old hobby of mine. I do not believe we have any right to continue to delegate away and surrender our constitutional powers to the President of the United States. I think the time has come not to delegate more of our constitutional powers but to take them back and restore them to the Congress of the United States. [Applause.]

What does the Constitution say? The Constitution of the United States, article I, section VIII, clause 5, provides that Congress shall have the right to coin money and regulate the value thereof and of foreign coins. This is the power that is specifically granted to Congress; and it is a fact that in this bill we are surrendering and delegating away our own constitutional power to the Chief Executive. The President tells us the depression is over; if it is over where is the emergency? Why are we called on now to surrender this power for 2½ years? It would be bad enough to surrender it for a year and a half, although that would be within the life of this Congress, but to surrender it for 2½ years when there is no emergency, is not right and there is no justification for it. I think the Republicans, at least, as a body should oppose delegating more power to the President. [Applause.]

We Republicans have had a lot of fun upbraiding Democrats for not carrying out the provisions of their own party platform in the past. What does the Republican platform say about this identical bill? It reads as follows:

> We will restore to the Congress the authority lodged with it by the Constitution to coin money and regulate the value thereof by repealing the laws delegating this authority to the Executive.

Mr. THURSTON. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield.

Mr. THURSTON. The Democratic platform contains essentially the same provision.

Mr. FISH. I am not responsible for the Democratic platform. They never live up to it anyway. [Laughter.] We Republicans, however, should uphold our own platform, and I hope the Republicans will not delegate the power to regulate the value of money to the President in this bill. [Applause.]

[Here the gavel fell.]

Mr. SOMERS of New York. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin [Mr. O'MALLEY].

Mr. O'MALLEY. Mr. Chairman, about the only thing that would impel me to arise and interrupt the quiet of this Chamber today would be my sense of humor and my memory of events of the past.

Mr. Chairman, I have listened to a number of speeches, particularly those of the two gentlemen from Massachusetts and the gentleman from New York. They were so reminiscent of the Republican campaign speeches we heard over the radio that I could not contain myself; but, like my friend from Kentucky, I had to arise. During the campaign through which we just passed the Republican orators used all the words in the dictionary which denote catastrophe, chaos, disaster, and all manner of dire consequences, words just used by these three gentlemen on the Republican side. We all, of course, know the answer of the American people to the Republican campaign of fear and intimidation. Twenty-seven million votes is scarcely a sign that the American people took any of those words seriously any more than we Democrats upon this side should now take seriously the predictions of disaster we have heard this afternoon from the charter members of the Republican society of the "prophets of doom."

Speaking seriously, there is nobody in this House who objects to delegating power to another branch of the Government more than I do, but when we have to delegate power to fight a condition I am glad, as a Democrat, that we can delegate it to a competent Executive instead of an incompetent one, such as the Republican Executive who headed this Government when our country was brought into the greatest depression of history.

Objection was raised to the fact that debate on this bill was limited to an hour a side. During the last 4 years the Republican Party has had a good many hours within which to suggest, if they could, better ways to bring this country out of the depression than those followed by our President. I nor no one else heard any suggestions of a better method of

doing things, though we continue to hear the same prophecies of disaster that we heard in the campaign. We on the Democratic side, of course, are going to give to those prophecies of disaster the same reply as that given to them by the American people on the 3d of last November and pass this bill to continue a policy that works. [Applause.]

[Here the gavel fell.]

Mr. THURSTON. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. WOLCOTT].

Mr. WOLCOTT. Mr. Chairman, certain fundamental questions are involved in this legislation to which we should give more consideration than is possible in the time set aside for the discussion of this bill. I hope, however, that during this session of Congress an opportunity will present itself for a lengthy debate of the questions which are so pertinent to our economic life.

In the first place, the President is continuing to adhere to fallacious theories concerning the relationship between the dollar value of gold and the commodity price index. The dollar value of gold has no relationship whatsoever to the domestic commodity price index unless the money of the country is redeemable in gold; and the Warren-Pearson theory that the commodity price index follows the dollar price of gold has been so completely repudiated by every leading economist of the Nation that it seems somewhat ironical that we in our limited capacities on these subjects should still be adhering to the idea that devaluation has anything to do with the commodity price index. The danger lies in the fact that the Chief Executive still believes that the dollar price of gold has some relationship to our commodity price index. In this respect the index of business turnover, consumption, and production stands at about 93 with 1929 taken as 100. Bank credit is only about 50 percent normal.

The President, the Secretary of the Treasury, and the Chairman of the Board of Governors of the Federal Reserve System believe that they need these powers to stop inflation. A study of the charts, however, will reveal that any exercise of these powers will affect only 50 percent of the credit base of inflation. The other 50 percent of our credit is dependent for its stability upon the soundness of our monetary policies; it is dependent upon the policies which we as a Congress write into the law. It does not make any difference what the value of an ounce of gold is as long as it is of some stable value. I was very much interested in the remarks of the gentleman from New York wherein he said that France and Great Britain came to us asking assistance and that it was necessary to lend that assistance in order to stabilize the currencies of the world.

He said that so long as this exchange war continued there would be need for this legislation. The United States must take the offensive in this war because at the present time, as called to your attention by the gentleman from Massachusetts [Mr. LUCE], there is not a redeemable currency in the world. They have always looked to us for leadership in this particular, and our contribution to world monetary and exchange stability should be to tie our dollar to something and do it quick in order that they may be able to use our currency as a base for stabilization. They are looking to us for leadership in the movement for stability. Why did Great Britain and France come to us for assistance and enter into these monetary treaties? Merely because we had by this fallacious gold policy of ours forced France off the gold standard and the whole gold bloc over there had to follow suit. Now they are praying for the return of some of this gold in order that they may have some base upon which to build international stabilization. [Applause.]

[Here the gavel fell.]

Mr. THURSTON. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, may I call attention of the majority party to the Democratic platform of 1932:

> We advocate sound currency be preserved at all hazards and an international monetary conference called on the invitation of our Government to consider the rehabilitation of silver and related questions.

Also may I call attention to the platform of the majority party of 1936:

> We approve the objective of a permanently sound currency, so stabilized as to permit of more wide fluctuation in value—

And so forth.

The Democratic Party has stated in the platforms of 1932 and 1936 that it is in favor of a sound currency, yet they want to give to the President of the United States power to devalue the dollar 10 percent additionally and extend this power for two and a half years. Rather than delegate the powers that the Constitution gave to this Congress we should retain the power to ourselves.

May I call attention to the statement of the Federal Treasury as of January 14, which shows that we are in debt at the present time over $34,000,000,000. Why does the Secretary of the Treasury carry in the banks of this country $1,895,000,000 to use for inflationary purposes if he is not afraid of the monetary system of this country? I hold in my hand 100 German marks of the Kaiser Wilhelm day; it is worthless today. If you keep on with the juggling of our dollar, the increasing of our national debt, it will be only a few years till the dollar will be as worthless as the German mark of 1916. Let us have a sound currency and a stable Government, one in which we all have confidence. Fulfill your party platform pledge to the American people.

[Here the gavel fell.]

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

> *Be it enacted, etc.*, That subsection (c) of section 10 of the Gold Reserve Act of 1934, approved January 30, 1934, is amended to read as follows:
>
> "(c) All the powers conferred by this section shall expire June 30, 1939, unless the President shall sooner declare the existing emergency ended and the operation of the stabilization fund terminated."

Mr. SNELL. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

> Amendment offered by Mr. SNELL: Page 1, line 9, after the word "terminated", insert "*Provided*, That upon the termination of the fund the Secretary of the Treasury shall submit to Congress a complete audit and report upon its operations from the time of its establishment."

Mr. SNELL. Mr. Chairman, it does not seem to me that any Member should oppose this amendment. I am reliably informed that the Secretary of the Treasury has no opposition to an amendment of this kind. Of course, there are a great many of us who feel that we should have reports from time to time with reference to the various funds carried in these two items. But, on the other hand, the chairman of the committee told us this morning that on account of certain reasons he could not divulge to the House and to the country everything that was stated by the Secretary of the Treasury. There is one thing certain, and that is after the whole thing is over, the reason given by the chairman would not be effective, and there would be no reason why we should not have the information we think we should have now to intelligently pass on this legislation.

I also feel it is entirely in accord with the statement made by the President that all such funds be audited and a full and complete report made to the Congress and the country regarding them. I feel that the country and the Members of the House are entitled to this information, and there is no reasonable excuse for not having such an audit and report made at the termination of the authority. I believe the welfare of the Nation demands such a report and audit, and I trust there will not be any opposition to this amendment.

Mr. SOMERS of New York. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York [Mr. SNELL].

Mr. Chairman, I oppose the amendment just offered not so much on account of its merit, but because it is the intention of the committee to consider a separate bill asking for an accounting at the termination of this authority.

Mr. SNELL. Will the gentleman yield?

Mr. SOMERS of New York. I yield to my colleague from New York.

Mr. SNELL. If the gentleman is not opposed to this amendment on merit, why is it not better to insert it in the bill at this time when we have the subject matter before us for consideration?

Mr. SOMERS of New York. I am going to tell the gentleman why I do not think it is advisable at the moment. The committee will hold hearings in reference to that matter and allow all the time necessary. It has been requested of the committee that this bill be passed as quickly as possible. To amend the bill at the present time would delay the passage of the legislation, and, therefore, I am forced to call to my aid all of my Democratic friends to vote down the amendment after assuring the gentleman that his amendment will receive consideration in due time.

Mr. WADSWORTH. Will the gentleman yield?

Mr. SOMERS of New York. I yield to the gentleman from New York?

Mr. WADSWORTH. Are we to draw the inference from the gentleman's remarks that this subject is to be touched on in the President's inaugural address?

Mr. SOMERS of New York. I could not say with any exactness.

Mr. WADSWORTH. Is it imperative that this bill be passed today?

Mr. SOMERS of New York. What I might say to the gentleman in answer to that question would be only a guess, and I would not want to mislead him.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SNELL].

The question was taken; and on a division (demanded by Mr. SNELL) there were—ayes 59, noes 93.

So the amendment was rejected.

The Clerk read as follows:

SEC. 2. The second sentence added to paragraph (b) (2) of section 43, title III, of the act approved May 12, 1933, by section 12 of said Gold Reserve Act of 1934 is amended to read as follows: "The powers of the President specified in this paragraph shall be deemed to be separate, distinct, and continuing powers, and may be exercised by him, from time to time, severally or together, whenever and as the expressed objects of this section, in his judgment, may require; except that such powers shall expire June 30, 1939, unless the President shall sooner declare the existing emergency ended."

Mr. THURSTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. THURSTON: Section 2, line 10, strike out the figures "1939" and substitute therefor the figures "1938."

Mr. THURSTON. Mr. Chairman, my purpose in offering this amendment was somewhat explained in my remarks of a few moments ago. Instead of Congress delegating this authority for 2 years and 5 months, the period would be shortened by my amendment to 1 year and 5 months. We will assemble here again next January, and we will then have ample opportunity to reenact or extend or modify this legislation if the situation at that time warrants such congressional action.

None of us can foresee just what the situation may be at that time, and should not the Congress, the body that is first mentioned in the Constitution of the United States, retain this authority so it can exercise its power in this respect at a later date if the exigency should require further consideration of this subject?

Not only is this precise phase of the matter before us, but I know there is a feeling throughout the country that the Congress should reassert itself in our national life, and particularly with respect to the legislative functions that have been specifically placed upon our membership.

So I plead with the members of the majority who, of course, hold command of this situation by a 4-to-1 vote, to give careful consideration to this appeal, because no one on the floor of this House will assert that any serious injury will follow if this body for at least a short period holds this power where it belongs—in the legislative branch of our Government.

A vote for this amendment is a vote to reaffirm the power of the House of Representatives.

Mr. SOMERS of New York. Mr. Chairman, I think all will agree that an extension of 1 year is inadequate. Consequently, I am opposing this amendment. We all realize that conditions outside of the United States, over which we have no control whatever, are not going to clear to the extent that at the end of the year this legislation will not be necessary. Therefore I simply ask what is the sense of passing something temporarily when we know we will have to come back another year and pass the same thing again? We might as well do the job now, once and for all.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. SOMERS of New York. I yield.

Mr. RICH. We are passing this not for 1 year but for 2½ years, and the gentleman might not come back to change this legislation. [Laughter.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. THURSTON].

The amendment was rejected.

Mr. BURDICK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think the membership of the House ought to understand what the progressive Republican view is on this subject. The Constitution of the United States provides that the power to issue money and regulate the value thereof shall remain in the Congress of the United States. We have never repealed that provision and we have never modified it. It is still the law of the land, and yet this same Congress, in 1863, attempted to abrogate the provisions of the Constitution and passed a National Bank Act, and the national banks have been issuing money ever since, contrary to the Constitution; and we finished the job in 1913 by passing the Federal Reserve Act, which took the power further out of the hands of Congress.

Now, I am in favor of bringing this power back to the people and lodging it in the Congress of the United States, but there is no use of trying to reestablish that theory by passing any resolution in any Republican convention to the effect that they want to take this power now away from the President of the United States. This power today is lodged with the private banking interests of the country, and the only thing that protects us from the private greed of the bankers of America is this power which we have given the President of the United States, and I am in favor of continuing that power. It is not right to put every commodity on the basis of gold without any change. Gold has changed 2,000 percent in its value since the human family started out, and do we want our wheat and our cattle all measured in terms of gold without any change? No. Give the President of the United States through this Congress the power to change the relative value of gold, with respect to the rest of our products and commodities, and then you are putting the power to regulate the value of money back in the hands of the people, where it belongs. This Congress can constitutionally delegate authority to the President to carry out its direction to devalue the dollar further if necessary. The Republican convention at Cleveland went on record to take this power away from the President, but they did not say, nor did they intend to say, that they would take this power away from the private banking interests of the country. Those who vote for this bill are voting with the people to control their money; those who vote against it are voting to continue the reign of the private banking control of the value of our money. That is the issue before us now.

Mr. GRAY of Indiana. Mr. Chairman, there is a difference in the effect of this legislation which this act is to amend and continue, a difference in effect externally and abroad, and effect internally and within our own country.

There is a difference in the effect of the revaluation of gold under the basis of our money today and the revaluation of our money.

Under the revaluation of gold the dollar externally or abroad was devalued to 59 cents, while at the same time here in our own country, internally, the dollar measured by the

1926 value level has remained calling for 123 cents worth or value of labor and labor products.

The value of money is always relative to labor, labor products, and commodity values, under which the devaluation of the dollar appreciates the value of labor and the products of labor, or, in other words, raises prices—the money measure of values.

The revaluation or devaluation of money largely affects debts and contract obligations stipulated for payment in money. Revaluation of money upward lowers prices, the money value, and makes debts and money contracts call for more labor and commodities.

On the other hand, the devaluation of money raises prices, the money measure of values, and makes debts and money contracts payable with less property, commodities, and labor, or, in effect, lightens the debt burden.

Revaluation of money upward, lowering prices and money values and making lighter the debt burdens, or restoring the money basis upon which contracted, is referred to disparingly by some schools of monetary science as "inflation", while the devaluation of money, raising prices, the money value of labor and products, and piling higher the burden of debts, is styled or called "currency reform."

It must be realized and understood that the relative value of money is not fixed by the number of cents in the dollar or by the number of grains of gold or silver designated to be coined in the dollar. This is not what determines money values.

Price is the money value of labor and commodities in contrast with the economic value which always may or always remain unchanged, regardless of the law of supply and demand, like the value of wheat as food to sustain the body.

The value or relative value of money is determined under the law of supply and demand by the number of dollars in circulation, the amount of money available for the exchange of labor, services, and the products of labor.

The relative value of money is determined under the law of supply and demand the same as the relative value of wheat or the relative value of corn or labor products. If we decrease the supply of wheat, all other conditions remaining the same, the price value of wheat is reduced. Or if we decrease or limit the wheat crop and reduce the amount of the wheat supply, all other conditions remaining unchanged, the relative value of wheat is raised to a higher level.

The relative value of money is controlled by the same law of supply and demand and the value of money rises and falls and the price level falls and rises as the number of dollars in circulation, or the amount of money available for exchange is increased in amount.

The effect of the devaluation of the dollar, under the existing Gold Revaluation Act, upon debts and money contract obligations was to make foreign debts and money obligations due from foreigners and foreign governments to our citizens and our Government payable at 59 cents upon the dollar.

But the law left our domestic debtor under the 1926 price level standard to give up 123 cents on the dollar to pay his domestic debts and mortgages, as, regardless of the gold contents of the dollar, with the obligations of the Government behind it, its relative value remained unchanged.

I am not complaining of the devaluation which enabled foreigners and foreign governments to pay their debts at 59 cents on the dollar, because this was about the value which they had contracted for to pay under the values and the price level at the time contracted, as only on this basis can the foreign debt be collected.

The same reason that farmers and home owners have not been able to pay their mortgages and have suffered delinquency and foreclosure is the same reason that foreigners and foreign governments have not been able to pay their debts to us.

I am only insisting that our own farmers and our own home owners owing mortgages be given the benefit of the same devaluation of money, which means an appreciation of prices of money values, and the right to pay their debts and mortgages upon the same money basis, or money values, as foreigners and foreign governments are given, and save themselves from the embarrassment of insolvency or the humiliation of foreclosure sale of their farms and homes. [Applause.]

Mr. FISH. Mr. Chairman, I move to strike out section 2. This section carries the delegation of power to the President to continue the depreciation of the dollar to 59 cents or on down to 50 cents, as he decides. Furthermore, it includes the $3,000,000,000 Thomas proposal giving the President the power to issue $3,000,000,000 of fiat money. A number of Republicans have spoken today and given the impression that the Republican Party is united against depreciating the dollar to 59 cents. I do not know that I would have any great objection, if the Congress would take back the power from the President to regulate the value of money and then itself establish a 59.3-cent dollar. That is what Congress should do now. Of course, I know this bill is going through. The only possible protest that I can make is to move to strike out the entire section, because I am opposed to delegating that power to the President. It is bad enough to leave it at 59.3 cents, but to give him the power to depreciate it still further merely increases the loss of confidence in America and makes for more uncertainty and confusion.

In spite of what some Republican Members said, who took upon themselves to proclaim as a policy of the Republican Party opposition to a depreciation of the currency, our party platform reads as follows:

> We oppose further devaluation of the dollar.

It does not say that we want to put back the dollar to 100 cents where it was before. We do not say that we want to go back on the gold standard. We say that we are opposed to further devaluation. This section gives the President power to devalue the dollar to 50 cents. It also gives the President power to issue greenback money, and surrenders our constitutional power to regulate the value of money. If you Republicans are against further devaluation, against inflation, or if you are against delegating power to the President to regulate the value of money, then support this amendment to strike out the entire section in accordance with the express wording of our party platform.

Mr. WOLCOTT. Mr. Chairman, I move to strike out the last word. I assume that what the Republican platform means in that respect is that we favor a stabilized currency in order that the business of this Nation may know from day to day and month to month and year to year what our money is going to be worth, and for that reason the Republican Party has always taken, and I hope will continue to take, offense at these movements which create and maintain this uncertainty with respect to the value of our currency.

On the question of the delegation of authority, I call the attention of the Committee to the fact that during the last 3 years we have passed legislation appropriating money and turning this money over to the executive branch of the Government without any strings attached to it whatsoever, in the stupendous sum of $14,350,000,000. That is un-American. It is undemocratic. No Democrat who follows the principles of his party would ever submit to turning over $2,000,000,000 to the Secretary of the Treasury without at least having him report to this legislative body, the direct representatives of the people, the use to which he has put that money. No Democrat who follows the principles of Jackson or Jefferson would ever vote to give to any Executive, no matter how much confidence he might have in his ability and integrity, the stupendous sum of $14,350,000,000 in the space of 3 years. You men have taken the floor here and have tried to justify your stand in being rubber stamps, as we have been called by the people——

Mr. MAY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. WOLCOTT. Not now—and you deplore the fact that the people of this country are condemning your stand in Congress because you have delegated so much authority to

the Executive, and yet you claim that you stand for democratic principles. There is nothing democratic in turning $2,000,000,000 over to any individual and, with a wave of the hand, saying, "We do not care what you have done with it; you do not have to account to the people for something over $200,000,000 of the people's money." That is not democracy. That is a condition which may exist under Stalin in Russia, Mussolini in Italy, or Hitler in Germany, but there is no place for such a policy under the American flag. [Applause.]

Mr. MOTT. Mr. Chairman, I move to strike out the last two words. I desire to address myself only to the constitutional question involved in this bill. Outside of the constitutional question I do not profess to be very well versed on the merits of the bill, nor do I believe, for that matter, that anyone in the House is particularly well prepared to discuss the merits of the bill. The reason for that is that the committee, out of which the bill came, has never given any really serious study to its provisions and has never made any real report upon it to the House.

Now, it may be that we need a stabilization fund. I dare say we do, and I would have no objection to continuing the stabilization fund if that were all this bill provided for. Whether the amount of the stabilization fund as provided in this bill is too great I do not know, and I venture to say no one else among the general membership of the House knows, because the committee, so far as we are aware, has never given study to that point, or, if it has, it certainly has never reported its findings to us.

But regardless of the question of the propriety of continuing the stabilization fund, I think Members of the House of Representatives should pause at this point and consider what they are doing in this bill from a constitutional viewpoint. What is it we are asked to do by enactment of this bill? We are not asked merely to continue the stabilization fund. Most of us would readily agree to that if that were all the bill provided. The important and the objectionable thing we are asked to do here is to surrender to the President the right to issue money and to regulate the value thereof.

This bill provides that the President in his own discretion may determine upon and regulate the value of money without even consulting the Congress. It provides that he may reduce the gold content of the dollar down to 50 percent whenever he may so desire.

Understand, I am not objecting here to reducing the gold content of the dollar. Perhaps it ought to be reduced. But if that is so then the Congress should reduce it by law. The Congress has no right to give the President discretionary authority to reduce it by decree or proclamation. That is a direct surrender of legislative power by the Congress to the President, which the Constitution forbids.

The Constitution provides, in so many plain words, that the power to coin money and to regulate the value thereof shall be vested in the Congress of the United States and in no one else. In passing this measure we directly violate not only the spirit but the very letter of the Constitution when we provide that the President, in his discretion, shall have the power to regulate the value of money. No one can challenge that statement. No one can honestly contend otherwise. Therefore, this act is forbidden by the Constitution; and, if there were any way by which the constitutional question could be raised in court, which unfortunately there is not, the Supreme Court would necessarily be obliged to hold the act unconstitutional.

So, entirely aside from its merits, I call upon the Members of this House to pause and consider what they are doing in passing this measure. They are doing that which is forbidden by the Constitution. They are surrendering to the Executive legislative authority which the Constitution has denied him. They are abandoning legislative responsibility which the Constitution imposes upon them, and them alone. I trust the motion of the gentleman from New York to strike out this unconstitutional provision of the bill may prevail.

Mr. SOMERS of New York. Mr. Chairman, I move that all debate on this section and all amendments thereto do now close.

The motion was agreed to.

The pro-forma amendments were withdrawn.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from New York [Mr. FISH] to strike out section 2.

The question was taken; and on a division (demanded by Mr. SNELL) there were—ayes 52 and noes 107.

So the amendment was rejected.

Mr. GIFFORD. Mr. Chairman, I move to strike out the enacting clause.

The CHAIRMAN. All debate on this section and all amendments has been closed.

Mr. GIFFORD. But I moved to strike out the enacting clause.

The CHAIRMAN. Such a motion must be in writing.

Mr. SOMERS of New York. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the same do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HILL of Alabama, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (S. 416) to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised, directed him to report the same back to the House with the recommendation that the bill do pass.

Mr. SOMERS of New York. Mr. Chairman, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time and was read the third time.

Mr. FISH. Mr. Speaker, I move to recommit the bill.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. FISH moves to recommit the bill to the committee with instructions to that committee to strike out section 2, and report the same back forthwith.

Mr. SOMERS of New York. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from New York [Mr. FISH] to recommit the bill.

Mr. SNELL. Mr. Speaker, on that motion I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 74, nays 313, not voting 47, as follows:

[Roll No. 7]

YEAS—74

Allen, Ill.	Douglas	Lord	Rutherford
Andresen, Minn.	Eaton	Luce	Seger
Andrews	Engel	McLean	Shafer, Mich.
Arends	Englebright	Maas	Short
Bates	Fish	Martin, Mass.	Smith, Maine
Brewster	Focht	Mason	Snell
Carlson	Gearhart	Michener	Taber
Carter	Gifford	Millard	Taylor, Tenn.
Case, S. Dak.	Guyer	Mott	Thomas, N. J.
Casey, Mass.	Gwynne	Oliver	Thurston
Church	Halleck	Plumley	Tobey
Clason	Hancock, N. Y.	Powers	Treadway
Cluett	Hartley	Reece, Tenn.	Wadsworth
Cole, N. Y.	Hoffman	Reed, Ill.	White, Ohio
Crawford	Holmes	Reed, N. Y.	Wolcott
Crowther	Hope	Rees, Kans.	Wolfenden
Dirksen	Jenkins, Ohio	Rich	Wolverton
Ditter	Jenks, N. H.	Robsion, Ky.	
Dondero	Kinzer	Rogers, Mass.	

NAYS—313

Aleshire	Bigelow	Buck	Claypool
Allen, La.	Binderup	Buckler, Minn.	Cochran
Allen, Pa.	Bland	Bulwinkle	Coffee, Nebr.
Amlie	Bloom	Burch	Coffee, Wash.
Anderson, Mo.	Boehne	Burdick	Colden
Ashbrook	Boileau	Byrne	Cole, Md.
Atkinson	Boland, Pa.	Cannon, Mo.	Collins
Bacon	Boren	Cartwright	Colmer
Barden	Boykin	Celler	Connery
Barry	Boylan, N. Y.	Champion	Cooley
Beam	Bradley	Chandler	Cooper
Beiter	Brooks	Citron	Costello
Bell	Brown	Clark, Idaho	Cox
Bernard	Buchanan	Clark, N. C.	Creal

Crosby	Hart	McLaughlin	Sacks
Crowe	Harter	McMillan	Sanders
Culkin	Havenner	McReynolds	Sauthoff
Cullen	Healey	McSweeney	Schaefer, Ill.
Cummings	Hendricks	Magnuson	Schneider, Wis.
Curley	Hennings	Mahon, S. C.	Schuetz
Daly	Hildebrandt	Mahon, Tex.	Schulte
Deen	Hill, Ala.	Maloney	Scott
Delaney	Hill, Okla.	Martin, Colo.	Shanley
Dempsey	Hill, Wash	Massingale	Shannon
DeMuth	Hobbs	Maverick	Sheppard
DeRouen	Honeyman	May	Sirovich
Dickstein	Houston	Mead	Smith, Conn.
Dies	Hull	Merritt	Smith, Va.
Disney	Hunter	Miller	Smith, Wash.
Dixon	Imhoff	Mitchell, Ill.	Smith, W. Va.
Dockweiler	Izac	Mitchell, Tenn.	Snyder, Pa.
Dorsey	Jacobsen	Moser, Pa.	Somers, N. Y.
Doughton	Jarman	Mosier, Ohio	South
Dowell	Jenckes, Ind.	Murdock, Ariz.	Sparkman
Doxey	Johnson, Minn.	Murdock, Utah	Spence
Drew, Pa.	Johnson, Okla.	Nelson	Stack
Drewry, Va.	Johnson, Tex.	Nichols	Starnes
Driver	Johnson, W. Va.	Norton	Stefan
Duncan	Jones	O'Brien, Ill.	Sullivan
Dunn	Keller	O'Brien, Mich.	Sumners, Tex.
Eberharter	Kelly, Ill.	O'Connell, Mont.	Sutphin
Eckert	Kelly, N. Y.	O'Connell, R. I.	Sweeney
Edmiston	Kennedy, Md.	O'Connor, Mont.	Swope
Eicher	Kennedy, N. Y.	O'Day	Tarver
Ellenbogen	Keogh	O'Leary	Teigan
Evans	Kerr	O'Malley	Terry
Faddis	Kirwan	O'Neal, Ky.	Thom
Farley	Kitchens	O'Neill, N. J.	Thomas, Tex.
Ferguson	Kleberg	O'Toole	Thomason, Tex.
Fitzgerald	Kloeb	Owen	Thompson, Ill.
Fitzpatrick	Kniffin	Pace	Tolan
Flannery	Knutson	Palmisano	Towey
Fleger	Kocialkowski	Parsons	Transue
Fletcher	Kopplemann	Patman	Turner
Forand	Kramer	Patrick	Umstead
Ford, Calif.	Kvale	Patterson	Vinson, Ga.
Ford, Miss.	Lambeth	Pearson	Vinson, Ky.
Frey, Pa.	Lamneck	Peterson, Fla.	Voorhis
Fries, Ill.	Lanham	Pettengill	Wallgren
Fuller	Larrabee	Peyser	Walter
Gambrill	Lea	Pfeifer	Warren
Garrett	Leavy	Phillips	Wearin
Gasque	Lemke	Pierce	Weaver
Gavagan	Lesinski	Poage	Welch
Gehrmann	Lewis, Colo.	Polk	Wene
Gilchrist	Lewis, Md.	Quinn	West
Gildea	Long	Ramsay	Whelchel
Goldsborough	Lucas	Ramspeck	White, Idaho
Gray, Ind.	Luckey, Nebr.	Randolph	Whittington
Gray, Pa.	Luecke, Mich.	Rankin	Wilcox
Green	McAndrews	Rayburn	Williams
Greenwood	McClellan	Reilly	Withrow
Greever	McCormack	Richards	Wood
Gregory	McFarlane	Rigney	Woodrum
Griffith	McGehee	Robertson	Zimmerman
Griswold	McGranery	Robinson, Utah	The Speaker
Haines	McGrath	Rogers, Okla.	
Hancock, N. C.	McGroarty	Romjue	
Harrington	McKeough	Sabath	

NOT VOTING—47

Allen, Del.	Flannagan	Lanzetta	Ryan
Arnold	Fulmer	Ludlow	Sadowski
Biermann	Gingery	Mansfield	Scrugham
Boyer	Goodwin	Mapes	Secrest
Buckley, N. Y.	Hamilton	Meeks	Steagall
Caldwell	Harlan	Mills	Stubbs
Cannon, Wis.	Higgins	Montague	Taylor, Colo.
Chapman	Hook	Mouton	Taylor, S. C.
Cravens	Jarrett	O'Connor, N. Y.	Tinkham
Crosser	Kee	Patton	Wigglesworth
Dingell	Kenney	Peterson, Ga.	Woodruff
Fernandez	Lambertson	Rabaut	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Wigglesworth (for) with Mr. Cannon of Wisconsin (against).
Mr. Jarrett (for) with Mr. Biermann (against).
Mr. Goodwin for) with Mr. Flannagan (against).
Mr. Tinkham (for) with Mr. O'Connor of New York (against).
Mr. Mapes (for) with Mr. Mansfield (against).
Mr. Woodruff (for) with Mr. Steagall (against).

Until further notice:

Mr. Montague with Mr. Allen of Delaware.
Mr. Crosser with Mr. Mills.
Mr. Rabaut with Mr. Boyer.
Mr. Taylor of Colorado with Mr. Ryan.
Mr. Ludlow with Mr. Secrest.
Mr. Cravens with Mr. Hamilton.
Mr. Meeks with Mr. Arnold.
Mr. Patton with Mr. Mouton.
Mr. Dingell with Mr. Gingery.
Mr. Stubbs with Mr. Buckley of New York.
Mr. Fernandez with Mr. Sadowski.
Mr. Peterson of Georgia with Mr. Higgins.
Mr. Taylor of South Carolina with Mr. Caldwell.
Mr. Hook with Mr. Kee.
Mr. Fulmer with Mr. Kenney.
Mr. Harlan with Mr. Scrugham.

The SPEAKER. The Clerk will call my name.

The Clerk called the name of Mr. BANKHEAD, and he answered "nay."

Mr. HARRINGTON and Mr. ALESHIRE changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

Mr. McCORMACK. Mr. Speaker, the gentleman from Massachusetts, Mr. HIGGINS, is unavoidably absent on account of official business. If present, he would vote "nay."

Mr. DEROUEN. Mr. Speaker, the gentleman from Louisiana, Mr. MILLS, is unavoidably absent on account of sickness.

The SPEAKER. The question recurs on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. O'CONNOR of Montana. Mr. Speaker, I ask unanimous consent that on Friday next, after the disposition of business on the Speaker's table and the previous order already made for that day, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

EXTENSION OF REMARKS

Mr. LUCE, Mr. WHITE of Idaho, and Mr. VOORHIS asked and were given permission to revise and extend their remarks in the RECORD.

Mr. SOMERS of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GOLDSBOROUGH. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting in the RECORD an address of the Honorable John Dickinson, Assistant Attorney General of the United States, entitled "The Enforcement of the Antitrust Law", delivered before the Council for Federal Progress at the Federal Auditorium, Washington, D. C., on December 10, 1936.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

Mr. WADSWORTH. Mr. Speaker, I object.

LEAVE OF ABSENCE

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent that 10 days' leave of absence be granted to my colleague the gentleman from Louisiana [Mr. MILLS], who is ill in a hospital.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The SPEAKER. The Chair will again state to Members that it is not necessary to make these requests from the floor; they may be filed with the Clerk on the right of the Chair.

PERMISSION TO ADDRESS THE HOUSE

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that on Thursday next, after the reading of the Journal, the disposition of business on the Speaker's table, and orders previously entered, that the gentleman from Michigan [Mr. HOFFMAN] may address the House for 15 minutes.

Mr. RAYBURN. Mr. Speaker, reserving the right to object, and I must, because I have already objected to a similar request from our side of the aisle, I hope the gentleman will not insist on his request.

Mr. WOLCOTT. Mr. Speaker, I modify my request and ask unanimous consent that the gentleman from Michigan [Mr. HOFFMAN] may address the House on Friday for 15 minutes after the reading of the Journal and the disposition of business on the Speaker's table and previous orders.

Mr. JONES. Mr. Speaker, reserving the right to object, we are hoping to be able to call up the crop loan bill next Thursday or Friday. I hope too many of these requests will not be made. How much time has now been spoken for?

The SPEAKER. The Chair is informed by the Parliamentary Clerk that 1 hour of official orders has been provided.

Mr. JONES. I will not object under the circumstances, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

REPORT FROM COMMITTEE ON RULES

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until 12 o'clock tomorrow night to file a report.

Mr. SABATH. Mr. Speaker, reserving the right to object, will the gentleman advise us on what subject the report is to be filed?

Mr. RAYBURN. I think the Rules Committee may be called upon to report a rule making in order a bill for the extension of the Reconstruction Finance Corporation and a rule making in order, possibly on Friday, the crop loan bill.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, in view of the remark by the majority leader that this rule has to do with the extension of the Reconstruction Finance Corporation, I think it well to announce the fact that this bill also includes provision for the extension of the Commodity Credit Corporation, the Electric Farm and Home Authority, and the Export and Import Bank.

Mr. RAYBURN. Yes; the things coming under the Reconstruction Finance Corporation.

Mr. WOLCOTT. It had been generally understood, however, that the bill had nothing to do with any other agency but the Reconstruction Finance Corporation. I merely take this opportunity to correct that impression and to state that it includes four agencies.

Mr. RAYBURN. The gentleman is quite correct about that.

The SPEAKER. Is there objection to the request of the gentleman from Texas.

There was no objection.

INAUGURAL CEREMONIES

Mr. RAYBURN. Mr. Speaker, several Members have asked me to request the Speaker to make his announcement with reference to the meeting of Members in this Hall tomorrow morning. Some of the Members were not here this morning when the Speaker made his announcement.

The SPEAKER. The Chair is glad to repeat the suggestion he made this morning at the request of the Joint Committee on Inaugural and in the absence of the House chairman of that committee. Members have made a good many inquiries about the formation of the procession tomorrow on the part of the Members of the House to go out onto the inaugural platform to the ceremonies to be held there.

Under the arrangements made by the joint committee, and at the suggestion of the chairman and the Sergeants at Arms of the Senate and House, who will jointly have control over this matter, it is requested that all Members of the House who desire to attend the ceremonies meet in the Hall of the House of Representatives not later than 11:40 a. m. tomorrow morning. There will be no session of the House tomorrow, and it will be very difficult for Members who do not form in the Hall of the House to get into the procession, because very strict orders are to be given not to allow any person to pass over the ropes or between the guards.

It is also requested that no children be brought to attend on the platform, as there is available only one ticket for each Member, and considerable confusion would be created if Members attempted to bring their children.

Mr. SABATH. Mr. Speaker, in further explanation, may I say that in the past the House Members went to the Senate Chamber. That procedure will not be followed this time. There have been a great many Members ask me as to the procedure. There will be no business transacted in the Senate Chamber.

STABILIZATION FUND

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that the Speaker may sign the bill (S. 416) to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised, even though the House is not in session.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. DREW, January 21 and 22, on account of important business in his district.

To Mr. MILLS, for 5 days, on account of illness.

To Mr. MAPES, for 1 day, on account of illness.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on January 18, 1937, present to the President, for his approval, a joint resolution of the House of the following title:

H. J. Res. 106. Joint resolution to exempt from the tax on admissions amounts paid for admission tickets sold by authority of the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1937.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 53 minutes p. m.), in accordance with its previous order, the House adjourned until Thursday, January 21, 1937, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

238. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment, Architect of the Capitol, fiscal year 1938, in the sum of $1,672,000 (H. Doc. No. 133); to the Committee on Appropriations and ordered to be printed.

239. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 14, 1937, submitting a report, together with accompanying papers, on a preliminary examination of Shelton Harbor, Wash., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

240. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 14, 1937, submitting a report, together with accompanying papers, on a preliminary examination of Southampton Bay, Calif., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

241. A letter from the Secretary of the Interior, transmitting a report of leases or portions of leases extended beyond the original 20-year periods by reason of the inclusion of said leases or portions of leases in the approved unit plans listed; to the Committee on the Public Lands.

242. A letter from the Secretary of the Interior, transmitting copy of a letter from the Commissioner of the General Land Office dated January 8, 1937, transmitting report of the withdrawals and restorations contemplated by the statute; to the Committee on the Public Lands.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GILCHRIST: A bill (H. R. 3284) to transfer Crawford County, Iowa, from the southern judicial district of Iowa to the northern judicial district of Iowa; to the Committee on the Judiciary.

Also, a bill (H. R. 3285) to provide for conveying to the State of Iowa certain lands within the nonnavigable meandered lake beds within that State for use as public parks or conservation areas; to the Committee on the Public Lands.

By Mr. McCORMACK: A bill (H. R. 3286) to pension men who were engaged in or connected with the military service of the United States or State troops during the period of Indian wars and disturbances, and the widows of such men, and for other purposes; to the Committee on Pensions.

By Mr. McMILLAN: A bill (H. R. 3287) to extend the benefits of the World War Adjusted Compensation Act to provisional officers whose commissions did not become permanent and who are otherwise eligible under the act; to the Committee on Ways and Means.

By Mr. O'CONNOR of Montana: A bill (H. R. 3288) to provide suitable accommodations for the district court of the United States at Glasgow, Mont.; to the Committee on Public Buildings and Grounds.

By Mr. PALMISANO: A bill (H. R. 3289) to reduce the internal-revenue tax on malt liquors; to the Committee on Ways and Means.

By Mr. POWERS: A bill (H. R. 3290) to amend the Air Commerce Act to provide for the safety of passengers in aircraft; to the Committee on Interstate and Foreign Commerce.

By Mr. QUINN: A bill (H. R. 3291) to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. TARVER: A bill (H. R. 3292) to provide for supervision of the shipment of firearms and the ammunition therefor in interstate commerce by the Bureau of Investigation, Department of Justice; to require the procurement by any person, firm, or corporation shipping or transporting such materials either by himself or by another from one State or Territory of the United States into another of permits issued by said Bureau of Investigation for such shipment or transportation; to authorize the issuance of regulations necessary to make effective such supervision by said Bureau; to provide penalties for the violation of this act; and for other purposes; to the Committee on the Judiciary.

By Mr. TERRY: A bill (H. R. 3293) to provide for the construction of a Federal building at Russellville, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. HILL of Washington: A bill (H. R. 3294) to provide for an adjustment with the State of Washington to satisfy the grants made to said State for school and other purposes in accordance with the provision of the act approved February 22, 1889 (25 Stat. 676); to the Committee on the Public Lands.

Also, a bill (H. R. 3295) to amend the Federal Farm Loan Act and the Farm Credit Act of 1935, and for other purposes; to the Committee on Agriculture.

By Mr. STACK: A bill (H. R. 3296) to retain the basic status and salary classification of surplused motor-vehicle employees; to the Committee on the Post Office and Post Roads.

By Mr. BURDICK: A bill (H. R. 3297) to establish a labor-hour monetary system, to stabilize and standardize labor wages, to give labor assurance, to stabilize farm-crop and raw-material prices, to make interest or money illegal, to loan money at cost of service, to provide for a postal-check system, and for other purposes; to the Committee on Banking and Currency.

By Mr. BUCHANAN: A bill (H. R. 3298) to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever", approved February 28, 1929, by including Roger P. Ames among those honored by said act; to the Committee on Military Affairs.

By Mr. CURLEY: A bill (H. R. 3299) to provide for the construction of 4 vessels for the Coast Guard designed for ice-breaking and assistance work; to the Committee on Merchant Marine and Fisheries.

By Mr. DUNN: A bill (H. R. 3300) to provide for the establishment of a Nation-wide system of social insurance; to the Committee on Labor.

By Mr. GOLDSBOROUGH: A bill (H. R. 3301) to establish the Federal Monetary Authority and to control the currency of the United States; to the Committee on Banking and Currency.

By Mr. GAVAGAN: A bill (H. R. 3302) to authorize the President of the United States to appoint a board of five members to receive donations for establishing a free National Conservatory of Music for the education of pupils in music in all its branches, vocal and instrumental, and for other purposes; to the Committee on Education.

By Mr. IZAC: A bill (H. R. 3303) to authorize the acceptance of certain lands in the city of San Diego, Calif., by the United States, and the transfer by the Secretary of the Navy of certain other lands to said city of San Diego; to the Committee on Naval Affairs.

By Mr. SUMNERS of Texas: A bill (H. R. 3304) to provide for the confiscation of firearms in possession of persons convicted of felony and the disposition thereof; to the Committee on the Judiciary.

By Mr. STUBBS: A bill (H. R. 3305) to authorize a preliminary examination and survey of the Ventura River, in Ventura County, State of California, with a view to the control of its floods; to the Committee on Flood Control.

Also, a bill (H. R. 3306) to authorize a preliminary examination and survey of Santa Maria River with a view to the control of its floods; to the Committee on Flood Control.

By Mr. RANDOLPH: A bill (H. R. 3406) for the relief of the Southeastern University of the Young Men's Christian Association of the District of Columbia; to the Committee on the District of Columbia.

By Mr. MAAS: Resolution (H. Res. 75) to amend the rules of the House of Representatives; to the Committee on Rules.

By Mr. O'TOOLE: Resolution (H. Res. 76) proposing to amend clause 14, rule X, and clause 14, rule XI; to the Committee on Rules.

By Mr. SCOTT: Resolution (H. Res. 77) for an investigation of police brutality in the District of Columbia; to the Committee on Rules.

By Mrs. NORTON: Joint resolution (H. J. Res. 131) for the payment of certain employees of the United States Government in the District of Columbia and employees of the District of Columbia for January 20, 1937; to the Committee on Expenditures in the Executive Departments.

By Mr. TOLAN: Joint resolution (H. J. Res. 132) proposing an amendment to the Constitution of the United States requiring the Supreme Court to render an opinion upon the constitutionality of acts of Congress; to the Committee on the Judiciary.

By Mr. WHITE of Ohio: Joint resolution (H. J. Res. 133) authorizing the issuance of a special postage stamp in honor of Horace Mann; to the Committee on the Post Office and Post Roads.

By Mr. PALMISANO: Joint resolution (H. J. Res. 134) authorizing the War Department to permit the old guard, Maryland National Guard, the use of certain reserve ordnance stores; to the Committee on Military Affairs.

By Mr. JONES: Joint resolution (H. J. Res. 135) proposing an amendment to the Constitution of the United States to forbid the issuance of tax-exempt securities; to the Committee on the Judiciary.

By Mr. JOHNSON of Texas: Joint resolution (H. J. Res. 136) authorizing the President to invite the Pan American Republics and the Dominion of Canada to participate in the proposed Greater Texas and Pan American Exposition; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALESHIRE: A bill (H. R. 3307) granting a pension to Jessie Bell McElroy; to the Committee on Invalid Pensions.

By Mr. BACON: A bill (H. R. 3308) for the relief of the children of William Wheeler Hubbell and his wife, Elizabeth Catherine Hubbell, both deceased; to the Committee on Claims.

By Mr. CLUETT: A bill (H. R. 3309) granting a pension to James C. Riley; to the Committee on Invalid Pensions.

By Mr. DELANEY: A bill (H. R. 3310) for the relief of the Mizrach Wine Co.; to the Committee on Claims.

By Mr. DIMOND: A bill (H. R. 3311) for the relief of the Barrington Transportation Co.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 3312) for the relief of Marion Wesley Ott; to the Committee on Naval Affairs.

Also, a bill (H. R. 3313) for the relief of William A. Fleek; to the Committee on Claims.

By Mr. EICHER: A bill (H. R. 3314) granting a pension to Idora B. Stucker; to the Committee on Invalid Pensions.

By Mr. ELLENBOGEN: A bill (H. R. 3315) to correct the Army record of Charles D. Morris; to the Committee on Military Affairs.

By Mr. FARLEY: A bill (H. R. 3316) for the relief of Nelson H. Rogers; to the Committee on Military Affairs.

Also, a bill (H. R. 3317) granting a pension to Mary E. Michaud; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3318) for the relief of Frederick R. Hamilton; to the Committee on Claims.

Also, a bill (H. R. 3319) for the relief of Clyde C. Rhodenbaugh; to the Committee on Military Affairs.

Also, a bill (H. R. 3320) granting a pension to Eliza Jane Wilkinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3321) granting an increase of pension to Nancy A. Bortner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3322) granting an increase of pension to Mary A. Swander; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3323) for the relief of Ralph L. Fell; to the Committee on Claims.

Also, a bill (H. R. 3324) granting a pension to Adele Evans; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3325) granting a pension to Grace V. Lawrence; to the Committee on Invalid Pensions.

By Mr. FLEGER: A bill (H. R. 3326) to pay the Printz-Biederman Co., of Cleveland, Ohio, the sum of $741.40, money paid as duty on merchandise imported under section 308 of the tariff act; to the Committee on Claims.

By Mr. FULMER: A bill (H. R. 3327) for the relief of James William Patterson; to the Committee on Naval Affairs.

By Mr. GAVAGAN: A bill (H. R. 3328) for the relief of Joaquin Hierro Zaragoza; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 3329) for the relief of Arthur J. Williams; to the Committee on Claims.

Also, a bill (H. R. 3330) for the relief of the city of New York; to the Committee on War Claims.

Also, a bill (H. R. 3331) for the relief of Sarah Antokoletz Weintraub; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 3332) for the relief of Jona Sheftel Bloch; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 3333) for the relief of Mrs. Peter (Maria) Koutumas; to the Committee on Immigration and Naturalization.

By Mr. FITZGERALD: A bill (H. R. 3334) for the relief of Janet Hendel, nee Judith Shapiro; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 3335) for the relief of Lena Hendel, nee Lena Goldberg; to the Committee on Immigration and Naturalization.

By Mr. HOUSTON: A bill (H. R. 3336) granting an increase of pension to Ida Davey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3337) for the relief of Donald Lee Hinshaw; to the Committee on Naval Affairs.

By Mr. HOPE: A bill (H. R. 3338) granting a pension to John P. Matthews; to the Committee on Pensions.

By Mr. JENKINS of Ohio: A bill (H. R. 3339) for the relief of Allie Rankins; to the Committee on Claims.

Also, a bill (H. R. 3340) to confer jurisdiction on the Court of Claims of the United States to hear and determine the claim of Marion L. French; to the Committee on Claims.

Also, a bill (H. R. 3341) granting an increase of pension to Amelia S. Lowry; to the Committee on Invalid Pensions.

By Mr. JOHNSON of West Virginia: A bill (H. R. 3342) granting a pension to Luther R. Drum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3343) for the relief of George Yusko; to the Committee on Military Affairs.

By Mr. KRAMER: A bill (H. R. 3344) for the relief of George W. Jeffords; to the Committee on War Claims.

Also, a bill (H. R. 3345) granting a pension to Lily F. Cunningham; to the Committee on Pensions.

By Mr. LAMBERTSON: A bill (H. R. 3346) granting a pension to Sarah Ukele; to the Committee on Invalid Pensions.

By Mr. McANDREWS: A bill (H. R. 3347) for the relief of Frank May; to the Committee on Naval Affairs.

By Mr. McCORMACK: A bill (H. R. 3348) for the relief of Marcello Milani; to the Committee on Immigration and Naturalization.

By Mr. McLAUGHLIN: A bill (H. R. 3349) for the relief of Luther V. Stafford; to the Committee on Claims.

By Mr. MAHON of South Carolina: A bill (H. R. 3350) granting a pension to Victoria Turner; to the Committee on Pensions.

Also, a bill (H. R. 3351) granting a pension to Carl Max Pike; to the Committee on Pensions.

By Mr. MITCHELL of Illinois: A bill (H. R. 3352) to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. Clarence Q. Pair; to the Committee on the District of Columbia.

By Mr. O'CONNOR of Montana: A bill (H. R. 3353) for the relief of Celeste C. Anderson; to the Committee on Claims.

Also, a bill (H. R. 3354) for the relief of the Great Northern Railway Co.; to the Committee on Claims.

Also, a bill (H. R. 3355) for the relief of Maurice J. O'Leary; to the Committee on Military Affairs.

By Mr. PALMISANO: A bill (H. R. 3356) granting a pension to Annie M. Oliver; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3357) conferring jurisdiction upon the United States District Court for the Northern District of California to hear, determine, and render judgment upon the claim of Fred Owens; to the Committee on Claims.

Also, a bill (H. R. 3358) granting a pension to Sarah J. Tuttle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3359) granting a pension to Emma Wagner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3360) granting a pension to Joseph Galonska; to the Committee on Pensions.

Also, a bill (H. R. 3361) granting a pension to Sabina M. Ettlinger; to the Committee on Pensions.

Also, a bill (H. R. 3362) granting a pension to Lucy Pierce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3363) granting a pension to Katherine E. Miller; to the Committee on Pensions.

By Mr. PLUMLEY: A bill (H. R. 3364) granting a pension to Florence E. Southwick; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 3365) for the relief of Theodore Rosenberg; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 3366) granting a pension to Mary Tiger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3367) granting a pension to Rebekah E. R. Ramsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3368) granting a pension to Mary Merrill Scott; to the Committee on Pensions.

Also, a bill (H. R. 3369) granting a pension to Mary Quirk; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3370) for the relief of Agnes M. Allsop; to the Committee on Claims.

By Mr. RAYBURN: A bill (H. R. 3371) for the relief of Luther Smith; to the Committee on Military Affairs.

By Mr. REED of Illinois: A bill (H. R. 3372) for the relief of Luke Francis Brennan; to the Committee on Naval Affairs.

By Mr. ROBSION of Kentucky: A bill (H. R. 3373) for the relief of R. T. Boatright; to the Committee on Claims.

Also, a bill (H. R. 3374) granting a pension to John B. Ellis; to the Committee on Pensions.

By Mr. ROMJUE: A bill (H. R. 3375) granting a pension to Bettie Lee Lomax; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3376) granting a pension to Sarah Jane Clutter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3377) for the relief of James M. DeWitt; to the Committee on Naval Affairs.

Also, a bill (H. R. 3378) granting a pension to Mary L. Bruner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3379) granting a pension to Mary E. Brewer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3380) granting a pension to Harry E. Duffield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3381) granting a pension to Raymond Jennings Ross; to the Committee on Pensions.

By Mr. SCHULTE: A bill (H. R. 3382) for the relief of Philipina Baca Klemencic; to the Committee on Immigration and Naturalization.

By Mr. SHEPPARD: A bill (H. R. 3383) for the relief of Alvah Holmes Mitchell; to the Committee on War Claims.

Also, a bill (H. R. 3384) for the relief of Richard M. Thompson; to the Committee on Claims.

Also, a bill (H. R. 3385) for the relief of Charles A. Cobb; to the Committee on Military Affairs.

Also, a bill (H. R. 3386) granting an increase of pension to Addie Allen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3387) for the relief of Leonard A. Evans; to the Committee on Claims.

By Mr. SOMERS of New York: A bill (H. R. 3388) for the relief of Rachel (or Rose) Nussbaum Shildkraut; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 3389) for the relief of Benjamin Weisenberg; to the Committee on Claims.

Also, a bill (H. R. 3390) for the relief of Jose O. Enslew; to the Committee on Claims.

Also, a bill (H. R. 3391) for the relief of Celia Gladstone; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 3392) for the relief of Edward Cereghino (or Roberto); to the Committee on Immigration and Naturalization.

By Mr. SULLIVAN: A bill (H. R. 3393) for the relief of Herman Urist; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 3394) for the relief of Minnie Urist; to the Committee on Immigration and Naturalization.

By Mr. SUMNERS of Texas: A bill (H. R. 3395) for the relief of J. H. Knott; to the Committee on Claims.

Also, a bill (H. R. 3396) for the relief of Baylor Hospital, Dr. F. M. Gilbert, and Dr. T. C. Gilbert; to the Committee on Claims.

By Mr. TERRY: A bill (H. R. 3397) for the relief of George H. Savage; to the Committee on War Claims.

Also, a bill (H. R. 3398) for the relief of Lois Lyon; to the Committee on Claims.

By Mr. THOM: A bill (H. R. 3399) granting a pension to Susan VanPelt; to the Committee on Invalid Pensions.

By Mr. WHITE of Idaho: A bill (H. R. 3400) granting a pension to Earl J. Stark; to the Committee on Pensions.

Also, a bill (H. R. 3401) for the relief of Thomas J. Jackson; to the Committee on Military Affairs.

By Mr. WILCOX: A bill (H. R. 3402) for the relief of Juliette Russell; to the Committee on Claims.

Also, a bill (H. R. 3403) for the relief of Emma Retzer; to the Committee on War Claims.

Also, a bill (H. R. 3404) granting a pension to Leonora Holloway; to the Committee on Pensions.

By Mr. WITHROW: A bill (H. R. 3405) granting a pension to Amanda M. Evert; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

70. By Mr. BUCKLER of Minnesota: Petition of Emil Halvorson, chairman, and Andrew Dahlen, secretary, of the resolutions committee of Farmers Union, Local 128, of Detroit Lakes, Becker County, Minn., praying for the reinstatement of farmers and workers on Works Progress Administration works and, if it be necessary, to create new projects; to the Committee on Appropriations.

71. By Mr. BREWSTER: Petition of 300 citizens of Maine, favoring the provision of more nearly adequate old-age pensions through the medium of a transaction tax; to the Committee on Ways and Means.

72. Also, petition of 1,225 citizens of Maine, favoring the provision of more nearly adequate old-age pensions through the medium of a transaction tax; to the Committee on Ways and Means.

73. By Mr. BURDICK: House Concurrent Resolution A of the Twenty-fifth Legislative Assembly, State of North Dakota; to the Committee on Banking and Currency.

74. Also, Senate Concurrent Resolution A of the Twenty-fifth Legislative Assembly, State of North Dakota; to the Committee on Appropriations.

75. By Mr. COLDEN: Resolution adopted by the Metropolitan District Material Dealers' Association, Inc., of Los Angeles, Calif., urging the extension of the Federal Housing Administration Act; to the Committee on Banking and Currency.

76. By Mr. GOODWIN: Petition of Catskill Peace Group, Catskill, N. Y., urging the President and Congress to secure enactment of neutrality legislation laying mandatory embargoes on arms, munitions, and all materials essential for war purposes, and other provisions affecting neutrality; to the Committee on Foreign Affairs.

77. By Mr. KRAMER: Petition of the Board of Library Commissioners, urging Congress to appropriate a fair support for the Surgeon General's library, etc.; to the Committee on Appropriations.

78. By Mr. LUCKEY of Nebraska: Memorial of the State Legislature of Nebraska, memorializing the Congress of the United States to provide Federal funds which may be loaned to farmers on the same basis as emergency drought feed loans of 1934–35; to the Committee on Appropriations.

79. By Mr. ROMJUE: Petition of representatives of Young Men's Christian Associations in the States of Colorado, Kansas, Missouri, Nebraska, Wyoming, calling upon the Members of the United States Senate and the National House of Representatives to lend their support to those measures affecting the peace of the world which are certain to be presented during the Seventy-fifth Congress; to the Committee on Foreign Affairs.

SENATE

WEDNESDAY, JANUARY 20, 1937

(Legislative day of Tuesday, Jan. 19, 1937)

The Senate met at 11:45 o'clock a. m. on the expiration of the recess.

INAUGURATION OF THE PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

The PRESIDENT pro tempore. Today being the 20th of January, the day prescribed by the twentieth amendment to the Constitution of the United States for the inauguration of the President and Vice President, the clerk will read the order adopted by the Senate yesterday.

The legislative clerk read as follows:

Ordered, by unanimous consent, That when the Senate concludes its business today it take a recess until 11:45 o'clock a. m. tomorrow; that upon convening at that hour the Senate proceed to the east front of the Capitol for the purpose of attending the inaugural ceremonies of the President and Vice President of the United States; and that upon the conclusion of the ceremonies the Senate stand adjourned until Friday noon.

The PRESIDENT pro tempore. The Chair will state that there is nothing for the Senate to do except to carry out the

order which has just been read. The Chair is informed that the House of Representatives will first proceed to the inaugural platform, and the Senate will then follow. It is understood, therefore, that the Senate will form in the center aisle, as usual, at 11:50 a. m., and will then proceed through the corridors to the platform.

The Chair may suggest to the Senate that the seats occupied by the Senate and the House of Representatives have no cover over them, and it is advisable for Senators to take with them their overcoats and hats.

At 11 o'clock and 50 minutes a. m., the Senate, headed by the President pro tempore [KEY PITTMAN, a Senator from the State of Nevada] and the Secretary [Edwin A. Halsey] proceeded to the inaugural platform at the east front of the Capitol and took the space assigned them on the left of the place reserved for the President-elect.

The House of Representatives, headed by the Speaker [WILLIAM B. BANKHEAD], and the Clerk [South Trimble] had preceded the Senate to the platform and taken the space assigned them on the right of the place reserved for the President-elect.

The Governors of the States were escorted to the places assigned them on the right of the inaugural platform.

The Chief of Staff of the Army, the Chief of Naval Operations, the Major General Commandant of the Marine Corps, and the Commandant of the Coast Guard, and their aides, were escorted to the places assigned them on the right of the inaugural platform.

The diplomatic corps were escorted to the places assigned them on the left of the inaugural platform.

The members of the President's Cabinet were escorted to the places assigned them on the left of the inaugural platform.

The Chief Justice of the United States and the Associate Justices of the Supreme Court of the United States, headed by the Marshal [Frank Key Green] and the Clerk [Charles Elmore Cropley], were escorted to the inaugural platform and took the places assigned them, the Chief Justice being seated immediately to the right and the Associate Justices being seated on the left of the place reserved for the President-elect.

The Vice President-elect of the United States [John N. Garner, of Texas] was escorted to the inaugural platform by the Joint Committee on Arrangements, consisting of Senator MATTHEW M. NEELY, chairman, Senator JOSEPH T. ROBINSON, Senator FREDERICK HALE, Representative JOHN J. O'CONNOR, Representative ROBERT L. DOUGHTON, and Representative BERTRAND H. SNELL, the Joint Committee being headed by the Sergeant at Arms of the Senate [Chesley W. Jurney] and the Sergeant at Arms of the House of Representatives [Kenneth Romney].

The Vice President-elect was seated immediately to the left of the place reserved for the President-elect.

The President-elect of the United States [Franklin Delano Roosevelt, of New York] was escorted to the inaugural platform by the Joint Committee on Arrangements.

The Chaplain of the Senate, the Reverend ZeBarney T. Phillips, D. D., of the city of Washington, offered the following prayer:

Almighty God and heavenly Father, Ruler and Guardian of the World; sanctify to the Nation the meaning of this hour that Thy people with one heart and mind may acknowledge their fealty to Thee.

Be with the President and the Vice President, as under Thee they renew their solemn pledges of devotion to their country's weal in the high and holy offices to which again they have been called; let the blessings of Thy bounteous goodness be upon them, upon the Congress, upon the Judiciary, and upon all who bear rule in our land.

In particular we beseech Thee for our President that, casting all his care upon Thee, he may feel underneath Thine everlasting arms. Touch Thou his lips that he may speak, in words of unshorn truth and never wearying kindness, Thy message for the healing of the nations, and hasten the day when men shall rise above all lesser things to those glorious heights where love shall weave a holy bond of peace enduring till earth's shadows vanish in the Light of Light. Amen.

JOSEPH T. ROBINSON, a Senator from the State of Arkansas, administered to the Vice President-elect the oath of office prescribed by law, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely without any mental reservation or purpose of evasion, and that you will well and faithfully discharge the duties of the office on which you are about to enter: So help you God?

The VICE PRESIDENT-ELECT. I do.

The Chief Justice of the United States [Charles Evans Hughes] administered to the President-elect the oath of office prescribed by the Constitution as follows:

You, Franklin Delano Roosevelt, do solemnly swear that you will faithfully execute the office of President of the United States and will, to the best of your ability, preserve, protect, and defend the Constitution of the United States: So help you God?

The PRESIDENT-ELECT. I, Franklin Delano Roosevelt, do solemnly swear that I will faithfully execute the office of President of the United States and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States: So help me God.

Thereupon the President of the United States delivered the following inaugural address:

MY FELLOW COUNTRYMEN:

When 4 years ago we met to inaugurate a President, the Republic, single-minded in anxiety, stood in spirit here. We dedicated ourselves to the fulfillment of a vision—to speed the time when there would be for all the people that security and peace essential to the pursuit of happiness. We of the Republic pledged ourselves to drive from the temple of our ancient faith those who had profaned it; to end by action, tireless and unafraid, the stagnation and despair of that day. We did those first things first.

Our covenant with ourselves did not stop there. Instinctively we recognized a deeper need—the need to find through government the instrument of our united purpose to solve for the individual the ever-rising problems of a complex civilization. Repeated attempts at their solution without the aid of government had left us baffled and bewildered. For, without that aid, we had been unable to create those moral controls over the services of science which are necessary to make science a useful servant instead of a ruthless master of mankind. To do this we knew that we must find practical controls over blind economic forces and blindly selfish men.

We of the Republic sensed the truth that democratic government has innate capacity to protect its people against disasters once considered inevitable, to solve problems once considered unsolvable. We would not admit that we could not find a way to master economic epidemics just as, after centuries of fatalistic suffering, we had found a way to master epidemics of disease. We refused to leave the problems of our common welfare to be solved by the winds of chance and the hurricanes of disaster.

In this we Americans were discovering no wholly new truth; we were writing a new chapter in our book of self-government.

This year marks the one hundred and fiftieth anniversary of the Constitutional Convention which made us a nation. At that Convention our forefathers found the way out of the chaos which followed the Revolutionary War; they created a strong government with powers of united action sufficient then and now to solve problems utterly beyond individual or local solution. A century and a half ago they established the Federal Government in order to promote the general welfare and secure the blessings of liberty to the American people.

Today we invoke those same powers of government to achieve the same objectives.

Four years of new experience have not belied our historic instinct. They hold out the clear hope that government

within communities, government within the separate States, and government of the United States can do the things the times require, without yielding its democracy. Our tasks in the last 4 years did not force democracy to take a holiday.

Nearly all of us recognize that as intricacies of human relationships increase, so power to govern them also must increase—power to stop evil; power to do good. The essential democracy of our nation and the safety of our people depend not upon the absence of power but upon lodging it with those whom the people can change or continue at stated intervals through an honest and free system of elections. The Constitution of 1787 did not make our democracy impotent.

In fact, in these last 4 years, we have made the exercise of all power more democratic; for we have begun to bring private autocratic powers into their proper subordination to the public's government. The legend that they were invincible—above and beyond the processes of a democracy—has been shattered. They have been challenged and beaten.

Our progress out of the depression is obvious. But that is not all that you and I mean by the new order of things. Our pledge was not merely to do a patchwork job with second-hand materials. By using the new materials of social justice we have undertaken to erect on the old foundations a more enduring structure for the better use of future generations.

In that purpose we have been helped by achievements of mind and spirit. Old truths have been relearned; untruths have been unlearned. We have always known that heedless self-interest was bad morals; we know now that it is bad economics. Out of the collapse of a prosperity whose builders boasted their practicality has come the conviction that in the long run economic morality pays. We are beginning to wipe out the line that divides the practical from the ideal; and in so doing we are fashioning an instrument of unimagined power for the establishment of a morally better world.

This new understanding undermines the old admiration of worldly success as such. We are beginning to abandon our tolerance of the abuse of power by those who betray for profit the elementary decencies of life.

In this process evil things formerly accepted will not be so easily condoned. Hard-headedness will not so easily excuse hard-heartedness. We are moving toward an era of good feeling. But we realize that there can be no era of good feeling save among men of good will.

For these reasons I am justified in believing that the greatest change we have witnessed has been the change in the moral climate of America.

Among men of good-will science and democracy together offer an ever-richer life and ever-larger satisfaction to the individual. With this change in our moral climate and our rediscovered ability to improve our economic order, we have set our feet upon the road of enduring progress.

Shall we pause now and turn our back upon the road that lies ahead? Shall we call this the promised land? Or, shall we continue on our way? For "each age is a dream that is dying, or one that is coming to birth."

Many voices are heard as we face a great decision. Comfort says, "Tarry a while." Opportunism says, "This is a good spot." Timidity asks, "How difficult is the road ahead?"

True, we have come far from the days of stagnation and despair. Vitality has been preserved. Courage and confidence have been restored. Mental and moral horizons have been extended.

But our present gains were won under the pressure of more than ordinary circumstance. Advance became imperative under the goad of fear and suffering. The times were on the side of progress.

To hold to progress today, however, is more difficult. Dulled conscience, irresponsibility and ruthless self-interest already reappear. Such symptoms of prosperity may become portents of disaster! Prosperity already tests the persistence of our progressive purpose.

Let us ask again: Have we reached the goal of our vision of that fourth day of March 1933? Have we found our happy valley?

I see a great nation, upon a great continent, blessed with a great wealth of natural resources. Its hundred and thirty million people are at peace among themselves; they are making their country a good neighbor among the nations. I see a United States which can demonstrate that, under democratic methods of government, national wealth can be translated into a spreading volume of human comforts hitherto unknown, and the lowest standard of living can be raised far above the level of mere subsistence.

But here is the challenge to our democracy: In this nation I see tens of millions of its citizens—a substantial part of its whole population—who at this very moment are denied the greater part of what the very lowest standards of today call the necessities of life.

I see millions of families trying to live on incomes so meager that the pall of family disaster hangs over them day by day.

I see millions whose daily lives in city and on farm continue under conditions labelled indecent by a so-called polite society half a century ago.

I see millions denied education, recreation and the opportunity to better their lot and the lot of their children.

I see millions lacking the means to buy the products of farm and factory and by their poverty denying work and productiveness to many other millions.

I see one-third of a nation ill-housed, ill-clad, ill-nourished.

It is not in despair that I paint you that picture. I paint it for you in hope—because the nation, seeing and understanding the injustice in it, proposes to paint it out. We are determined to make every American citizen the subject of his country's interest and concern; and we will never regard any faithful law-abiding group within our borders as superfluous. The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little.

If I know aught of the spirit and purpose of our nation, we will not listen to Comfort, Opportunism, and Timidity. We will carry on.

Overwhelmingly, we of the Republic are men and women of good will; men and women who have more than warm hearts of dedication; men and women who have cool heads and willing hands of practical purpose as well. They will insist that every agency of popular government use effective instruments to carry out their will.

Government is competent when all who compose it work as trustees for the whole people. It can make constant progress when it keeps abreast of all the facts. It can obtain justified support and legitimate criticism when the people receive true information of all that government does.

If I know aught of the will of our people, they will demand that these conditions of effective government shall be created and maintained. They will demand a nation uncorrupted by cancers of injustice and, therefore, strong among the nations in its example of the will to peace.

Today we reconsecrate our country to long cherished ideals in a suddenly changed civilization. In every land there are always at work forces that drive men apart and forces that draw men together. In our personal ambitions we are individualists. But in our seeking for economic and political progress as a nation, we all go up, or else we all go down, as one people.

To maintain a democracy of effort requires a vast amount of patience in dealing with differing methods, a vast amount of humility. But out of the confusion of many voices rises an understanding of dominant public need. Then political leadership can voice common ideals, and aid in their realization.

In taking again the oath of office as President of the United States, I assume the solemn obligation of leading the American people forward along the road over which they have chosen to advance.

While this duty rests upon me I shall do my utmost to speak their purpose and to do their will, seeking Divine guidance to help us each and every one to give light to them that sit in darkness and to guide our feet into the way of peace.

Rt. Rev. Monsignor John A. Ryan, D. D., of the Catholic University, Washington, D. C., pronounced the following benediction:

Almighty God, Ruler of nations, we beseech Thee to bless the people of the United States. Keep them at peace among themselves and in concord with all other peoples. Cause justice and charity to flourish among them that they may all be enabled to live as persons created in Thine own image and likeness.

Do Thou bless abundantly our Chief Magistrate. Inspire his leadership. Grant him, O God of infinite wisdom and power, the light and the strength to carry through the great work that he has so well begun, and to pursue untiringly his magnificent vision of social peace and social justice. Through Christ, our Lord. Amen.

The President and Vice President of the United States, escorted by the Joint Committee on Arrangements, retired from the platform, followed by the Senate and House of Representatives, the Chief Justice of the United States, and the Associate Justices of the Supreme Court of the United States, and the other distinguished guests who had been invited to witness the ceremonies.

ADJOURNMENT TO FRIDAY

After the conclusion of the inaugural ceremonies (at 12 o'clock and 55 minutes, p. m.) the Senate, without returning to its Chamber, under the order entered on January 19 instant stood in adjournment until Friday, January 22, 1937, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 21, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Strong Son of God, Immortal Love, all that human nature has yearned for or thought to find is truly found in Thee; forever let our prayers go up and Thy blessings come down. May our President, Speaker, and the Congress have it deep in their breasts that the highest attainment of any nation or any man is to be one with Thee. Graciously bless them. Jealously proud of our country, may these Thy servants be quick to perceive, clear of judgment, wise in counsel, and always a friend of the friendless; with unfaltering courage may we move forward to serve and to sacrifice. Still the tumults, O Lord, of warring factions, wherever they are. Bind together all citizens of whatever race or religion, and with a common faith and zeal may they hasten the day when "man to man shall brother be" the world over. In Jesus' name. Amen.

The Journal of the proceedings of Tuesday, January 19, 1937, was read and approved.

COMMITTEE ON RULES

Mr. O'CONNOR of New York. Mr. Speaker, I ask unanimous consent that the Rules Committee may have until midnight tonight to file a report from that source.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CHILD LABOR

Mrs. ROGERS of Massachusetts. Mr. Speaker, on January 13 I introduced House Resolution 62, which is a privileged resolution. My resolution was as follows:

That the Secretary of Labor is hereby directed to transmit forthwith to the House of Representatives all such information as may be available in the Department of Labor showing (a) the number of children (1) under the age of 16, (2) between the ages of 16 and 17, and (3) between the ages of 17 and 18, who during the calendar years 1935 and 1936 were gainfully employed or received their first regular employment certificates, and (b) the average hourly and average weekly earnings, and the average daily and average weekly hours, of such children in respect of their employment during such years in each State.

On Tuesday the chairman and members of the Committee on Labor very graciously granted me a hearing and at that time showed me data from the Department of Labor which gave some of the information I desired. The Department of Labor did not have all the information that I wished. But the chairman of the Labor Committee and Mr. WELCH, the ranking minority member assured me that the chairman of the Committee, Mr. CONNERY, would later ask that all available information be inserted in the RECORD in order that it might be readily available to Members of the House.

This is satisfactory to me, and I therefore shall not call up the resolution. Instead, today I am introducing a resolution asking for a census of employed children of the ages of 18, 17, 16, and under, and the minimum wage in the different States. It seems obvious that this information will be very valuable in our effort to abolish child labor.

Mr. CONNERY. Mr. Speaker, will the gentlewoman from Massachusetts yield?

Mrs. ROGERS of Massachusetts. Very gladly.

Mr. CONNERY. As the gentlewoman knows, under instructions from our Committee on Labor, I asked the Department of Labor to send up the information which the gentlewoman from Massachusetts desired. They sent up some information with reference to a census which they had taken within the last few years and also what they had found out under the N. R. A. situation. It was not all the information that the gentlewoman from Massachusetts desired.

My committee also instructed me to ask the Secretary of Labor to give me a digest of the information already received and when this digest is received by the committee I shall ask unanimous consent to put it in the RECORD.

Mrs. ROGERS of Massachusetts. That is very satisfactory, and I think the gentleman will agree that we all want a complete census. It seems amazing that they have so little on the subject at the Department of Labor. Later I shall ask unanimous consent to insert in the RECORD information concerning the number of States that have protective child-labor laws.

Mr. WELCH. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from California.

Mr. WELCH. Mr. Speaker, as ranking minority member of the Committee on Labor I desire to commend the distinguished Representative from Massachusetts [Mrs. ROGERS] for having brought to the attention of Congress and the Committee on Labor this most important matter. It is regrettable there is not later data on this subject than 1930. I sincerely hope the Congresswoman will introduce a bill calling for a census and that the Congress will immediately pass it. It is very important at this time, due to the fact that the question of ratifying the proposed child-labor amendment is before a number of the States. I believe every Member of the House is desirous of immediate ratification of the child-labor amendment, which will serve a great humanitarian purpose.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein certain data regarding ratification by the 25 States that have ratified the child-labor amendment, as well as to certain data with respect to the States that have not ratified it, which was sent to me by the legislative reference service of the Library of Congress.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

The data follows:

CHILD-LABOR-AMENDMENT STATUS JANUARY 21, 1937

States which have ratified and date of ratification:

Arizona: Ratification by resolution approved January 29, 1925.

Arkansas: Ratification by resolution approved June 28, 1924.

California: Ratification by resolution of January 8, 1925.

Colorado: Ratification by resolution filed in office of secretary of state of Colorado on April 28, 1931.

Idaho: Ratification by resolution of February 7, 1935.

Illinois: Ratification by resolution of June 30, 1933.

Indiana: Ratification by resolution of February 8, 1935.

Iowa: Ratification by resolution of December 5, 1933.

Kentucky: Ratification on January 13, 1937.

Maine: Ratification by resolution approved December 16, 1933.

Michigan: Ratification by resolution of May 10, 1933.

Minnesota: Ratification by resolution approved December 14, 1933.

Montana: Ratification by resolution approved February 11, 1927.

New Hampshire: Ratification by resolution of May 17, 1933.
New Jersey: Ratification by resolution of June 12, 1933.
North Dakota: Ratification by resolution filed in the office of secretary of state of North Dakota on March 4, 1933.
Ohio: Ratification by resolution of March 22, 1933.
Oklahoma: Ratification by resolution of July 5, 1933.
Oregon: Ratification by resolution of January 31, 1933.
Pennsylvania: Ratification by resolution of December 21, 1933.
Utah: Ratification by resolution of February 5, 1935.
Washington: Ratification by resolution of February 3, 1933.
West Virginia: Ratification by resolution of December 12, 1933.
Wisconsin: Ratification by resolution filed in the office of secretary of state of Wisconsin February 25, 1925.
Wyoming: Ratification by resolution approved February 1, 1935.
States which have rejected amendment by one or both houses and date of last rejection:
Connecticut: By house and senate, 1935.
Delaware: By house, 1935.
Florida: By house and senate, 1935.
Georgia: By house (tabled), 1935.
Kansas: By house, 1935.
Louisiana: By house, 1936.
Maryland: By house, 1935.
Massachusetts: By house, 1936.
Mississippi: By house, 1936.
Missouri: By house and senate, 1925.
Nebraska: By house, 1935.
Nevada: By senate (ratified in house), 1935.
New Mexico: By house and senate, 1935.
New York: By house, 1935.
North Carolina: By house and senate, 1924; ratification resolution placed on unfavorable calendar in 1935.
South Carolina: By house, 1935.
South Dakota: By house (indefinitely postponed by senate), 1935.
Tennessee: By house (tabled), 1935.
Texas: By senate, 1935.
Vermont: By house, 1935.
Virginia: By senate, 1934.
States which have taken no definite action: Alabama, Rhode Island.
States in which amendment was ratified at some time by one house:
Kansas: By house, 1933.
Mississippi: By senate, 1934.
Missouri: By house, 1933.
Nebraska: By senate, 1929.
Nevada: By house, 1927, 1935.
New Mexico: By house, 1925.
Texas: By house, 1933, 1934.
Sources of information: Department of State, Press Releases, Publication No. 723, Saturday, April 20, 1935, pages 249–251; United States Children's Bureau; Washington Post, January 14, 1937, for information on Kentucky.

CHILD-LABOR AMENDMENT

Number of States which have ratified the Federal child-labor amendment	25
Number of States in which the amendment has been rejected by one or both houses	21
States which have taken no definite action (bills have been introduced in these States, but have not come to a vote in the legislature, having been killed or having died in committee)	2

Ratification by 36 of the 48 States is necessary under the Constitution before the amendment becomes a part of the Constitution.

The SPEAKER. Without objection, the Committee on Labor will be discharged from the further consideration of the resolution (H. Res. 62), and the resolution will be laid on the table.

There was no objection.

EXTENSION OF REMARKS

Mr. BOYLAN of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein an address by Commissioner George Henry Payne, of the Federal Communications Commission.

Mr. SNELL. Mr. Speaker, reserving the right to object, I am perfectly willing that occasionally an address of Mr. George Henry Payne should appear in the RECORD, but to have one in every single week seems to me to be going beyond the limit.

Mr. BOYLAN of New York. I may say to the distinguished gentleman that many weeks have elapsed since an address by this distinguished progressive Republican has appeared in the RECORD.

Mr. SNELL. I object to the name, anyway. [Laughter.]

Mr. BOYLAN of New York. In fact, I may say that none has appeared since last June. So the gentleman realizes that many weeks have elapsed.

Mr. SNELL. Is this the first one this year?

Mr. BOYLAN of New York. The first one.

Mr. SNELL. I was under the impression it was about the third one this year.

Mr. WADSWORTH. Mr. Speaker, I object.

RESETTLEMENT ADMINISTRATION FUNDS

Mr. STEFAN. Mr. Speaker, I am reliably informed this morning that the resettlement funds will be depleted on February 1 to the extent that grants to human beings in my district will cease on that day.

The SPEAKER. For what purpose does the gentleman from Nebraska rise?

Mr. STEFAN. To propound a question to the majority leader as to when we may expect a deficiency bill to take care of this problem.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to proceed for 1 minute. Is there objection?

There was no objection.

Mr. STEFAN. I am reliably informed that the resettlement fund will be depleted on February 1, and unless it is extended, human suffering in my district will ensue. I want to ask the majority leader when we can expect the deficiency bill to pass this House?

Mr. RAYBURN. In my last conversation with the chairman of the Committee on Appropriations he said he thought that he would be able to report the deficiency bill by the middle of the coming week.

Mr. STEFAN. Will that take care of an additional fund for the farmers?

Mr. RAYBURN. What the bill will contain I do not know.

Mr. STEFAN. I want to call the gentleman's attention to the fact that human suffering will ensue unless there is a further and immediate appropriation. I have received many telegrams and letters stating that that will occur on account of the crop failure. Unless we do something now in the way of passing emergency legislation continuing the grant after February 1 there will be great suffering.

Farmers in my district were taken from W. P. A. grants and relief and placed on R. A. grants. Now they are forced to cut down their livestock to units of 12 or they cannot borrow to buy feed for this livestock. We lost all our crops. There is no feed. Farmers have no money. Blizzards have been raging; subzero weather exists. Livestock is starving; human beings are suffering. R. A. now informs us that funds will be depleted on February 1. Government red tape and delays necessitate emergency action before this livestock starves and these farmers are forced from farms to towns to seek food and relief. Let us act now and bring forth this relief which has been promised by this administration to the needy people in my district.

Mr. RAYBURN. Mr. Speaker, I now ask that the special order giving the gentleman from Montana [Mr. O'CONNOR] 30 minutes tomorrow may be transferred and that he may address the House now.

The SPEAKER. Is there objection to the request of the gentleman from Texas that the time granted the gentleman from Montana [Mr. O'CONNOR] tomorrow be vacated and that he may be permitted to address the House now?

Mr. MICHENER. Reserving the right to object, I was not in the Chamber when the House assembled; what is the order of today?

Mr. RAYBURN. If this request is granted, the gentleman from Montana [Mr. O'CONNOR] will have 15 minutes. I also have the consent of the gentleman from Michigan [Mr. HOFFMAN], who had 15 minutes tomorrow, to transfer that to today, as we have no other program.

Mr. MICHENER. And it is not the purpose of the gentleman to take up the R. F. C. bill today?

Mr. RAYBURN. No.

The SPEAKER. Will the gentleman from Texas prefer his request as to the time of Mr. HOFFMAN at this time? Is there objection to the request of the gentleman from Texas with reference to the time of the gentleman from Montana [Mr. O'CONNOR]?

There was no objection.

Mr. RAYBURN. Now, Mr. Speaker, I make the same request in reference to the gentleman from Michigan [Mr. HOFFMAN].

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The gentleman from Montana is recognized for 15 minutes.

THE SUPREME COURT

Mr. O'CONNOR of Montana. Mr. Speaker and Members of the House, I am not unmindful of the forum in which I speak. Neither am I unmindful of the importance of the subjects that I am going to refer to during my remarks.

I intended to speak tomorrow, and I might have then presented more finished remarks than I will proffer at this time.

I realize, Members, that I am speaking in the Chamber in which the greatest speakers and greatest statesmen, both living and dead, have spoken. To a certain extent it overwhelms me when I realize my inadequacy to touch upon the subjects that I am going to advert to in this forum.

We listened here the other day to the distinguished gentleman from the State of Massachusetts, who delivered one of the most partisan attacks upon our Chief Executive that I ever listened to. His vicious partisanship was equaled only by the sarcasm with which he uttered the words. I am referring to the gentleman from Massachusetts [Mr. GIFFORD], when he said that Mr. Roosevelt had uttered words of hatred the like of which he had never known—or words to that effect—when the President said to certain people of the American Nation, "He was glad of their opposition; that he was not only their equal but was their master." The gentleman from Massachusetts said he did not know to whom the President referred. He asked various persons, "Did he refer to you, or did he refer to me?" I am going to take the gentleman into the secret confidence of the average American voter in the United States and tell him to whom the President referred. The President referred to the same powers, to the same men, if you please, who secured the election of the administrations which governed this country for 12 long years preceding the election of our great President Roosevelt. They are the parties to whom he referred, and who brought this country to almost a state of civil war, when court orders in such old, staid States as Iowa were being defied, when millions of people were traveling the streets without food, when the banks throughout the country were closed. The people to whom the President referred, the people who brought about that condition, were the Mellons, the Mills, the Rockefellers, the du Ponts, the international bankers. It was those people of whom he said that he was their master; and with the help of God and the cooperation of a Democratic Senate and a Democratic House, he is their master. The time has come, Members, when the people of this country are no longer going to be slaves to money, but money will be the slave of the American people. We have bended the knee and genuflected to those powers enough, and it is time that a man rose, as President Roosevelt did, above such.

Again, I refer to some arguments made here the other day by another distinguished gentleman from Massachusetts [Mr. LUCE] and I am going to be fair about the thing, because I have tried lawsuits for 30 years, and I know it is easy to put a misinterpretation upon a record. I know it is easy perhaps in the heat of debate to misquote a man, but I call your attention to his language, as stated in the CONGRESSIONAL RECORD. You will recall considerable argument about the use of the word "intelligent." You remember the construction of the Constitution was under consideration and you remember the gentleman from Massachusetts [Mr. CONNERY] got up and said:

> Mr. Speaker, did not the President in his message refer to the Supreme Court in terms substantially that he would like to see the Supreme Court give a more enlightened interpretation of the Constitution as the Constitution stands.

What was the answer of the distinguished gentleman from Massachusetts [Mr. LUCE]? It was as follows:

> The word he used was "intelligent."

And the only construction that could be placed upon that language was that the President of the United States hoped that the Supreme Court would give a more intelligent construction to the Constitution—words which the President never uttered, and that is one reason why I asked the privilege of immediately replying for 3 or 4 minutes and could not get the time. Here are the words of the President taken from his speech:

> With a better understanding of our purposes, and a more intelligent recognition of our needs as a Nation, it is not to be assumed that there will be prolonged failure to bring legislative and judicial action into closer harmony.

The President said, expressly and impliedly, that if we knew of the conditions of the country it would not be assumed that there would longer be discord between the legislative and judicial branches. Supposing you were to analyze that sentence on the board here. The phrase "with a more intelligent recognition of our needs as a Nation" simply modifies the sentence that "it is not to be assumed" that this condition will go on. There is a vast difference. The President was referring to a state of facts—a fact condition—whereas the distinguished gentleman from Massachusetts said, in effect, that he, the President, wanted a more intelligent construction of the Constitution. If those words were used as Mr. LUCE would indicate, it would mean that in the mind of the President the Supreme Court was ignorant of the purposes of our Constitution. You recall, my friends, that I said to him that public needs had to do with the decisions of the courts, and then he said:

> If I did say that, my words would be vain and idle and I should humbly apologize to the House and I should be ashamed of the Supreme Court of the United States.

Why, all he has to do is to read the language of the men who have spoken on that subject, some long since dead. A government such as ours derives its powers from the people. In other words, the power comes from the people to the government, whereas in a monarchial form of government the power goes from the government down to the people, and whatever rights the people have they must wring from the government. Whatever rights the Government has in this country it must wring from the American people, because the people are supreme. It was that thought, Members, that caused Mr. Justice Holmes, now passed to his reward, to utter as far back as 1910, in the case of Noble State Bank against Haskell, Two Hundred and Nineteenth United States Reports, page 111, these words:

> It may be said in a general way that the police power extends to all great public needs. It may be put forth in aid of what is sanctioned by usage or held by the prevailing morality or strong and preponderant opinion to be greatly and immediately necessary to public welfare.

It is just as our great President said, if you will only read the preamble to the Constitution and article I of the Constitution you will realize that the purpose of the Constitution is to protect and provide for the general welfare, and every single act passed upon by the Supreme Court and held to be unconstitutional was for the benefit of labor, for the benefit of the farmer, and of the common people of this country, and when this Congress passed those laws it was providing for the general welfare of the country.

The preamble and article I, section 1, and paragraph 1 of section 8 read as follows:

> We the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.
>
> ART. I, SEC. 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.
>
> SEC. 8. The Congress shall have the power—
>
> To lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

Under those authorities the dissenters in their opinions realized that Congress had spoken for the general welfare of the people. They realized that the first section of the Constitution gave the Congress that power; realized that it is

reiterated in section 8 of article I of the Constitution, where it provides that Congress is given the power to provide for the general welfare of this country.

What more express language could be used than is used by our own Constitution? Those are the words in the Constitution that prompted the words coming from the lips of Mr. Justice Holmes.

I continue quoting from the opinion referred to:

> Among matters of that sort probably few would doubt that both usage and preponderant opinion give their sanction to enforcing the primary conditions of successful commerce.

Again, in 1926 or 1927, in a dissenting opinion, if you please, the same Justice used these words:

> The truth seems to be that, subject to compensation when compensation is due, the legislature may forbid or restrict any business when it has a sufficient force of public opinion behind it. * * * Wine has been thought good for man from the time of the Apostles until recent years. But when public opinion changed it did not need the eighteenth amendment, notwithstanding the fourteenth, to enable a State to say that the business should end (*Tyson & Brother* v. *Banton*, 273 U. S. 418–466; Justice Holmes dissenting).

Public need, public necessity, when it is clear and unmistakable, when the welfare of the American people demand it to be enacted into law for their benefit and for the benefit of future generations, then Congress has the power, under that provision of the Constitution, to enact such laws as in the judgment of Congress will provide for the common welfare of the people of this country.

Remember this, we have these words falling from the lips of Mr. Justice Hughes. No more distinguished jurist ever sat on the bench of any civilized country than the man of whom I am speaking when he uttered these words:

> A constitution is what judges say it is.

In other words, in the final analysis, the courts are men. Men become lawyers; lawyers become judges. They take to the bench the same emotions, the same prejudices, and the same feelings that they experienced when they were just plain men. Of course, they submerge them as much as possible, but in the end, everything being equal, they unconsciously, though honestly, do their duty in accordance with the school in which they are trained.

There are judges who find their way on the bench from the offices of corporations, and whose training has been along the line of big business and corporation law. On the other hand, we find judges coming to the bench from the common people of the country, men whose clientele were the common man, injured employees of the railways, injured employees of the mining companies. We have men of that type on the bench. Each one carries with him the feelings and prejudices he received in the school in which he was trained in his practice.

Realizing this, realizing that we are still human beings upon the bench, because I have had that experience, in every appellate court in the United States we find an odd number, so that a decision is always possible. It is realized that men will dissent. We have only to go back to the first time this Congress tried to legislate upon the child-labor question in this country, to prevent poor little children being worked in the sweat shops of the United States, to find such an example. There we found the Supreme Court, by a divided Court, if you please, holding that law unconstitutional.

Mr. FORD of California. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR of Montana. I yield.

Mr. FORD of California. I would like to ask the gentleman if he can see any difference in the Supreme Court upholding the laws outlawing the sale, possession, or use of narcotics?

Wherein do these laws differ from a child-labor law?

Is it the police power of the Federal Government?

Do narcotics contribute more to moral and intellectual delinquency than child labor?

Narcotics do, it is admitted, dull the senses, deplete the physical fiber, destroy moral character, and render the victim generally unfit for the duties of civilized society. But is it not also possible to show that subjecting a child to the physical strain of intensive labor, depriving him of educational and recreational opportunities, has the identical effect?

In view of this, is it not fair and logical to assume that the Supreme Court, through the exercise of "judicial nullification", is supporting and making possible the existence of a practice in this Nation that is socially unsound, ethically reprehensible, and economically undesirable?

Mr. O'CONNOR of Montana. No difference.

Mr. FORD of California. Because child labor does the same thing.

Mr. O'CONNOR of Montana. Exactly. In that connection I want to call attention to the language used by the dissenters of the Supreme Court when that child-labor law was before it, when they uttered these words—I am speaking of the dissenters:

> It is enough that in the opinion of Congress the transportation encourages evil.

It was enough for the dissenters, those men who had been trained in a different school, who had probably rubbed shoulders with the common people of the country, to know that Congress recognized the evil in the transportation and banned it as far as they were concerned.

The SPEAKER pro tempore (Mr. DRIVER). The time of the gentleman from Montana has expired.

Mr. FADDIS. Mr. Speaker, I ask unanimous consent that the gentleman from Montana may have 10 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. O'CONNOR of Montana. Mr. Speaker, bear in mind the Constitution of the United States was never designed to be a strait jacket in which the American people, for generations to come, would have to lie like a corpse. Read the language used by Edmund Randolph in placing the first draft of the Constitution before the Convention for consideration, which was quoted by our distinguished President in his message to Congress delivered on January 6, 1937. Read the language of Randolph, where he said he did not want the first basic draft of the Constitution to be specific; he wanted it to be general, so that people hereafter could find relief in almost any event that might happen.

Now, what are the events that have happened? We have the so-called machine age, throwing out of employment thousands and millions of workers. We have overproduction by our farmers. We have all that sort of thing. What had to be met? We had to meet overproduction by curtailing production through the machinery of the A. A. A., which was set up, and which the Supreme Court, by a divided opinion, held unconstitutional. The N. R. A. was held unconstitutional. It was for the purpose of speading employment during this machine age. In other words, labor conditions had to be relieved. The farmers had to be helped. The small man, who had heretofore been forgotten, had to be helped. Every one of those laws went along that line. Those were the needs that the American people required to be met. Remember this: A government fails whenever it does not meet the needs and necessities of the people of a country.

Remember, your Constitution is not a strait jacket to be operated under. Remember, the preamble states that it is for the benefit and the welfare of the people. Remember, section 8 of article I of the Constitution reiterates the statement and states that Congress has the power to legislate for the welfare of the people; and, remember, we have the enlightened and the immortal words, if you please, of that distinguished man who has gone to his reward, Justice Holmes, heretofore quoted.

Reverting to the language used by the President when he said:

> It is not to be assumed that there will be prolonged failure to bring legislative and judicial action in closer harmony.

I call your attention to what this great man said yesterday, with bared head, defying the elements, here in front of the Capitol:

> I see millions of families trying to live on incomes so meager that the pall of family disaster hangs over them day by day.

I see millions whose daily lives in city and on farm continue under conditions labeled indecent by a so-called polite society half a century ago.

I see millions denied education, recreation, and the opportunity to better their lot and the lot of their children.

I see millions lacking the means to buy the products of farm and factory and by their poverty denying work and productiveness to many other millions.

I see one-third of a nation ill housed, ill clad, ill nourished.

Having in his mind a picture of this condition prevailing, he asked in an appealing tone that there be closer harmony, if you please, between this body and the members of the Supreme Court.

I ask you gentlemen on either side of the aisle: With this condition existing in this country, with the poor people suffering as they are, I ask you, in the name of God, is there anybody in this audience, either Member of the House or visitor in the gallery, who wants to see discord between the three coordinate branches of our Government? Are not the conditions such as to require a cohesive and unanimous move on the part of all branches of the Government to alleviate their sufferings? When the President asked for harmony, did he not ask only that which works to the benefit of the people? He asked for harmony between the coordinate branches of our Government to the end that the conditions he recited in the storm and from the Capitol steps yesterday might be alleviated.

Did he go beyond what he should have? Mr. Speaker, I would not have asked to say a word in his defense had he been fairly quoted here the other day, for this great man does not need any poor words of mine to defend him; but when he is unfairly and unjustly accused and attacked, in his absence, from no motive other than that of partisanship, if you please—when that comes—I, for one, will not sit in silence, either in this Chamber or any other place I may happen to be, and not raise my voice in protest. [Applause.]

Mr. COX. Mr. Speaker, with the consent of the gentleman from Michigan, I ask unanimous consent to proceed for 15 minutes at this time.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COX. Mr. Speaker, I take no issue with the gentleman from Montana in the remarks which he makes in defense of the President, but the gentleman and myself are as wide apart as the poles in our thinking with respect to the power of Congress. I respect, however, the opinion of the gentleman, because I am certain that he is in earnest.

Mr. Speaker, with every decision of the Court running counter to popular public demand, the Court is attacked as a reactionary body exercising powers not granted to it.

Present complaint against the Court grows out of its having voided certain New Deal legislation, N. R. A., Guffey Coal Act, and A. A. A. on the ground of these measures being unconstitutional.

While less virulent, present complaint is a renewal of the attack that raged at the beginning of the nineteenth century, during the expiring days of the Federalist Party.

The bitter contest between the Republican and Federalist Parties was the outgrowth of conflicts of theories of government, the Republican cause being skillfully manipulated and controlled by Mr. Jefferson, the most gifted and brilliant politician that the country has yet produced.

In his attack upon Federalism and the Supreme Court, Mr. Jefferson took advantage of the fact that most of the people were, and had been since the beginning of the Revolution, antagonistic to all courts and bitterly hostile to all lawyers. The Supreme Court was the last stronghold of the Federalist Party. It had been made up by appointments given by Federalist Presidents, and was admittedly antagonistic to Republican claims for political control of all the departments of Government.

Mr. Jefferson was an ambitious man, craving popularity and power, and knew how to reward his friends and punish his enemies. He distrusted executive authority, legislative power, and the judiciary when held by his political adversaries.

The conflict between the Republican and Federalist Parties revolved around the doctrines of State rights and nationalism, the one putting emphasis upon liberty and the other upon security.

The controversy ultimately turned into one between the legislative and executive departments, both dominated and controlled by Mr. Jefferson on the one hand and the judiciary on the other. Republicanism demanded a docile and weak court, while Federalism insisted upon a strong and independent court.

The question of the right of the Supreme Court to hold unconstitutional acts of Congress had been the subject matter of bitter controversy long prior to the decision of the Court in Marbury against Madison. The whole question was fully and brilliantly debated in both Senate and House in 1802 over the proposal to repeal the Federal Judiciary Act of 1801. In this debate all of the arguments used by Chief Justice Marshall in holding that the Supreme Court had the power to declare acts of Congress unconstitutional were fully set forth. The only original thought contributed by the Chief Justice to the decision was that of seizing upon the idea of holding section 13 of the judiciary law of 1789 unconstitutional. In making this ruling the Court disregarded the fact that the Court and the country had previously accepted the law as constitutional and the Court had actually acted under the authority of section 13 of the law. This act of the Chief Justice unquestionably stamped him as a bitter partisan, but at the same time proved that he was likewise a skillful politician. The Chief Justice would never have made this ruling except for the political exigencies of the case. He knew that he had been marked for political destruction. He knew that should he put the decision upon other grounds that he would be immediately impeached by Congress. Holding section 13 of the law of 1789 unconstitutional, he was avoiding raising conflict as between the Court and the Executive in the pending case, and yet he was being put in position to declare the independence of the Court and to assert its power to review acts of Congress. But irrespective of the politics in the case and of the motive that actuated contending parties, it is unquestionably true that the Court, on the main question, reached the right conclusion and saved the Government from probable disruption. Certainly this one decision established the independence of the Court, and contributed to world judicature a new principle in government; that is, the power of the courts to review acts of the legislative departments.

If the Government was divided into separate and independent departments for the purpose of the one exercising a check upon the other, then the Court must have the power to say what is the law. It is, of course, contended that this gives the Supreme Court the power of government and makes the judiciary a political oligarchy, but this is not true, for Congress holds the power of impeachment, and in this wise exercises a check upon the Court.

It is well known that Congress is actuated by different motives to those that actuate the Court and that Congress is not qualified to the same degree to judge the law as the Court. In Congress, party spirit finds play. Partisanship influences conduct. Personal likes and dislikes may influence Members, but with the Court they are supposed to know neither friend nor foe, rich nor poor, but are charged solely with the duty of finding and declaring the law.

Mr. CREAL. Will the gentleman yield?

Mr. COX. I yield to the gentleman from Kentucky.

Mr. CREAL. As partisanship does not influence it in any manner, does the gentleman think, with reference to the Tilden-Hayes contest, in which that Court divided 4 to 4 politically, that that had no part in the decision?

Mr. COX. I do not think the gentleman's inquiry entirely pertinent, and beg leave not to be diverted from the course of my remarks at this time.

I believe in majority control—that is democracy—and I believe in democracy; yet, at the same time, there should be some power somewhere to check majority excesses, for a majority of 50,000,000 people may be only a majority of 1. We

must guard against the possibility of letting our excesses debauch the thing we so much adore.

In Madison against Marbury, Marshall met the demands of a passionate and exacting majority with an affirmative opinion of constructive judicial statesmanship.

It is true that there is nothing in the Constitution giving expressed power to the Supreme Court to void laws of Congress on the ground of unconstitutionality, but is it not a necessarily implied power?

Is not an act of Congress a law; and if so, should not the Court be the judge of that law?

Is an act of Congress on a level with the Constitution? If so, the Congress can nullify and, in effect, amend the Constitution at will.

Does the power in the courts to declare an act of Congress void make them lawgivers as well as law expounders?

Where have the courts, in modern times, assumed to act as lawgivers? Did they do so in the Schechter case? Was N. R. A. unconstitutional; and if so, should it have stood?

Is it the complaint that the courts are reactionary or too conservative? What is to be said of Justice Brandeis and other so-called liberalists of the Court? Are they, in fact, reactionary? And did they exercise an undelegated power in concurring in N. R. A., and did they themselves in such action violate the Constitution?

Congress is a political body, and in its acts gives expression to public will or public opinion. Congress is amenable to public demands. Should there be a check upon Congress, and if such a check rests upon it to prevent an invasion of the Constitution, who shall impose the restraint if not the Supreme Court?

Who should decide between the Constitution and the laws if not the Court?

What protection has the minority against the intoxication of power and the fury of party rage except it be found in the courts?

In the Constitutional Convention, Madison said that "no man would be so daring as to place a veto on a law that has passed with the assent of the Legislature", but later in the debate he modified this opinion and declared that "a law violating a Constitution established by the people themselves would be considered by the judges null and void."

George Mason, in the Convention, said that the judiciary could declare an unconstitutional law void. There was, of course, a contrary opinion expressed in the Convention; but, as stated above, no direct resolution was ever offered to the effect that the judiciary should be given power to declare acts of Congress unconstitutional.

[Here the gavel fell.]

Mr. COLE of Maryland. Mr. Speaker, I ask unanimous consent that the gentleman may have 10 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. COX. Mr. Speaker, while President Jefferson led the fight against the Supreme Court, he had previously stated in the year before the National Convention was framed that the Virginia Legislature had passed unconstitutional laws. He said:

> I have not heard that in the other States they have ever infringed their constitution; * * * as the judges would consider any law as void which was contrary to the constitution.

If Congress, or any other department of Government, can ignore the limitation of the Constitution, then all distinction between government of limited and unlimited power is done away with.

If two acts of Congress conflict, which is to control and who is to say which should control, if not the courts?

If the Constitution is superior to any ordinary act of Congress, but if the courts are without power to declare acts of Congress unconstitutional, then of what value is the superiority of the Constitution, and in what cases will its authority hold?

The doctrine that Marshall announced in Madison against Marbury—that is, the supremacy of written constitution over legislative acts—have been accepted by all courts, both State and Federal, and fearlessly applied in every instance where such conflicts have arisen during the past 135 years.

To those who insist that the Supreme Court has not the competency to invalidate acts of Congress on the grounds of their unconstitutionality, let me ask what is their opinion of the practice in their own State governments, of their own State supreme courts, invalidating acts of their own State legislatures upon the ground of their unconstitutionality?

The doctrine has been so well settled and so universally accepted that it would seem a waste of time to question its soundness and binding force upon the country at this late date.

Mr. Speaker, with respect to the flexibility of the Constitution and the argument developed by the gentleman from Montana [Mr. O'CONNOR], permit me to direct attention to the language of the Supreme Court as used in the case of *South Carolina* v. *United States* (199 U. S. 437). In that case the Court said:

> The Constitution is a written instrument, and, as such, its meaning does not alter. That which is meant when adopted, it means now. Being a grant of power to a Government, its language is general, and, as changes come in social and political life, it embraces in its grasp all new conditions which are within the scope of the powers in terms conferred.

In other words, while the powers granted do not change, they apply from generation to generation to all things to which they are in their nature applicable.

Continuing, the Court said:

> This in no manner abridges the fact of its changeless nature and meaning. Those things which are within its grant of power, as those grants were understood when made, are still within them, and those things not within them remain still excluded.

Mr. Speaker, in advocating certain reforms we must look beyond the particular end sought to be achieved and see what destructive consequences must inevitably result in other directions from such change.

All great and important events in history have turned to the advantage of democracy, and we all, of course, believe in this form of government. The discovery of America itself, the invention of firearms, and all such matters have been turned to the advantage of democracy.

Mr. Speaker, are grown up, civilized people to be educated precisely as children by rewards and punishment? Can we not afford to appeal to the senses? Must everything be treated mortal and nothing immortal? Are we all stomach and no soul? Are we all for ease and none for liberty? All living in somebody else's world and none in our own?

The Federal Government operates within certain limitations and I am happy that it does. I do not want to see these barriers pushed back too far. To do so will destroy our dual system of government, and I do not want it destroyed. It will make life, liberty, and property less secure and revolution easier.

Mr. Speaker, I did not expect to address the House at this time. My remarks have not been so formed and my thoughts have not been so connected as to give you the full benefit of my thinking on this all-important subject.

I do pray, however, that the membership of this great body may be brought to the point where they will deal with such fundamental and important questions as the changing of the fundamental law of this land in the light of their informed judgment on the question and that they will not permit their passion or their prejudice to influence them in their expression of opinion on so vital and important a question and one which profoundly affects the very life of our Nation. [Applause.]

I know that when we arrive on this floor that we are all subject to the influence of popular demand—to the influence of what the people throughout the country are expecting of us. But can we not at some time bring ourselves to the point where we are willing to speak our honest convictions on public questions? [Applause.]

Let not the fear of popular ill-will establish its empire over the conscience of men and stifle the impulse for expression of honest opinion. Let men bring their politics under the approval of their informed judgment and in accord with their true character, and with this done we will have laws that are expressive of human needs and the demands of justice.

[Here the gavel fell.]

The SPEAKER pro tempore. Under a special order for today, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 15 minutes.

THE AUTOMOBILE STRIKE

Mr. HOFFMAN. Mr. Speaker, yesterday was a gloomy day. The sky was overcast. Rain fell in torrents and chilled the enthusiasm of thousands who came to witness the inauguration of our President and to listen to his message. Nature did her worst to make all uncomfortable. But her worst, or her best, was in great measure counteracted and overcome by our President's pleasing personality and charming smile. Thousands cheered his showmanship and responded enthusiastically to his courageous, if somewhat dangerous, defiance of the elements. Far rather would most of us have seen him protect himself from the inclemency of the day, from the danger of illness, seen him conserve his strength to meet the strenuous days to come.

Yesterday our attention was called to the return of prosperity, claimed to be the crowning accomplishment of this administration. On many occasions during the last session of Congress and throughout the campaign administration leaders have proudly pointed to and loudly acclaimed the return of prosperity—the end of the depression.

Yesterday, among other things, the President said:

> I see millions of families trying to live on incomes so meager that the pall of family disaster hangs over them day by day.
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> I see millions whose daily lives in city and on farms continue under conditions labeled "indecent" by a so-called polite society half a century ago.
>
> I see millions denied education, recreation, and the opportunity to better their lot. * * * Millions lacking the means to buy the products of farm and factory * * *; and I see one-third of a nation ill-housed, ill-clad, ill-nourished.

A depressing, discouraging picture, painted by one who has been in complete charge of the legislative and executive branches of our Government for the past 4 years; the words of one whose slightest wish has been sufficient to enact any legislation deemed by him to be desirable; the words of one to whom the Congress gave $4,880,000,000 to relieve the conditions to which he referred; the words of one who was given almost unlimited power to regulate and to order the daily lives of us all.

Briefly the President yesterday painted the same picture that he outlined in his campaign in 1932, throughout his administration, and during his last campaign. The central thought was and always has been that this country of ours was on the road to destruction; that without his intervention nothing would save it from disaster; that only through him could a revolution be prevented.

The people accepted his preachments in 1932. Through their representatives they gave him unlimited funds, unlimited authority; through his appointees, his N. R. A., his A. A. A., and all down the long alphabetical list of agencies, spending the taxpayers' money without let or hindrance, his remedy was applied; and yesterday, knowing, as we do, that his administration has spent $2 for every $1 it received, he still saw millions of families in distress and other millions denied an American standard of living.

We know he prescribed himself and the New Deal as the remedy for our illness of 1932. We know that he and his assistants have been in constant attendance; and yesterday, as our physician, he gave us his calm, considered judgment of our present condition. The prognosis was distinctly bad.

If the President's picture of our country be true and we are in the condition described by him, then upon whose shoulders rests the responsibility for the situation as it confronts us today? Nowhere can that responsibility be justly placed but at his door.

Conceding, as all will, that there is suffering, that there is injustice, that the wealth of our country is not distributed in equal portions to all, yet I am one of those who still believes in this land of ours, in this Government of ours.

I am one of those who, having read the history of our country from its birth down to the present moment, one of those who, having earned the food which I have eaten and the clothes which I have worn by manual labor, still believes that working conditions and wages are better, and the opportunity to acquire property, education, to have all those things which make life worth living, is greater than in any other land. Still do I believe that this is the land of opportunity, that this is the country where a greater degree of justice and fair dealing prevails than under any other government in all the world.

We have more of the right of free speech, freedom of religious worship, freedom of action, than any other people.

Oh, I remember the charges made during the campaign of 1932, during the last administration, during the campaign of 1936. I have not forgotten the appeals to passion, to prejudice, and to hatred. I have not forgotten the bitter words of criticism so often aimed at "economic royalists", "entrenched greed", and all those engaged in business and in industry.

Mr. TAYLOR of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Yes.

Mr. TAYLOR of Tennessee. Does not the gentleman also recall that during his campaign of 4 years ago he pledged that, if elected, such conditions could not continue in this country?

Mr. HOFFMAN. I recall that; and I remember he said at that time that the emergency which confronted us was "today's problem", and that we must not borrow to meet the deficits which were being piled up.

Yet we did borrow to meet those deficits and others which he created; and if his statement of yesterday be correct, our national condition is still a depressing one.

I have not forgotten the charges made against the Hearst newspapers, for which I hold no brief, nor the charges against the Du Ponts, whose greatest offense seems to have been that they switched their campaign contributions from the Democratic to the Republican Party.

And I am glad to note that this bitterness was apparently only for campaign purposes and to recall, if memory serves correctly, that son-in-law Boettiger is now in the employ of "the wicked editor Hearst" and that "a Du Pont" will soon be welcomed as a member of the White House household.

Please do not misunderstand me. So far as I know, no one on this side contends, or ever has contended for one moment, that if the assembly line in General Motors, or in any other industry, so speeds up production as to unduly affect a man's earning capacity or to impair his efficiency or to deprive him of the ability to devote a reasonable amount of time to recreation and his family, such condition should be permitted to exist.

There is no question but that, under the police power granted by the Constitution, conditions, whether of hours of labor or insufficient wages, which injuriously affect the health, the well-being, of the man who labors can be outlawed by State or Nation.

We should, however, in legislating as to hours of labor, as to a minimum wage, remember that the manufactured product must be sold. If a minimum wage and maximum hours are to be established in one industry, as, for instance, in the motor industry, we all know that the price of the product must go up and that that product cannot be sold unless there is a corresponding increase in the price of the farmer's product, unless there be furnished a consumers' market.

The whole theory, if my understanding be correct, is that the Government can, by law, so control wages, hours of labor, volume of production in both industry and agriculture as to make a balanced whole. No doubt those who believe in this theory are sincere; their motives cannot be questioned and the issue is not, and should not be, a partisan one. If it prevails, if the Government is going to fix mini-

mum wages and maximum hours of labor in the factory, what are we going to have? To me came appeals within the week from farmers in my district, an agricultural district, and they want an 8-hour day—something new. Why are they not entitled to it, if the other fellows are going to get it? We all know it is impossible. It cannot be done unless we change our whole scheme. Then what will the condition be? We will have the Government—and that seems to be the theory—fixing wages and hours and conditions of labor, not only in one industry but in every industry—production on the farm as well as production in the factory. That would be fine if it would work, and it is not for me to say that it would not work. Over on the Democratic side here is a gentleman whose judgment to me always seems good, except when he is expressing an opinion on partisan questions, and this is not a partisan question.

It was on January 14, on the floor of this House, that the distinguished gentleman from New York, the chairman of the Rules Committee [Mr. O'CONNOR], gave a complete answer to this theory when he said:

> Very few people entertain the hope that government, whether it is local, State, or Federal, will ever be as efficient as private business. It seems hopeless to get what we know as real efficiency in government. All we can do is improve it from time to time.
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> * * * * * * *
>
> The facts are that the cost of government has increased by more than all the cost of relief by at least a billion dollars.

There is the answer to the theory held by some that the Government should own and operate, or at least operate if not own, all business, and fix and order our daily lives in all their details. So in Michigan these workers in the factories—and the President says every man should have the opportunity to work, and he is right, to earn something for himself and for his family—these men were as satisfied as any group of workers ever were, the vast majority of them, but Mr. Lewis, ever since he got out of the American Federation of Labor, has been pursuing a course which, if successful, will establish him as a dictator.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. SNELL. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan may be permitted to proceed for 5 additional minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HOFFMAN. It would seem that the outlook, as it actually exists, is not as dark as painted by the President yesterday. It would seem to be equally true that the remedy for whatever trouble now confronts us is not the substitution of Government ownership and Government management in the place and stead of private, individual efforts.

The remedy is rather through deliberate, progressive legislation having for its purpose the establishment of justice to all, the protecion of the worker, and also—and without fail—the protection of the man who furnishes the opportunity to work.

The President yesterday truly said that—

> The test of American progress is not whether we add more to the abundance of those who have made much; it is whether we provide enough for those who have too little.

Measured by that test, the past administration has been a complete and a total failure, for it is conceded that "the rich have grown richer and the poor poorer", and no one disputes that the burden laid upon the taxpayers has been increased manyfold; that, as in the days of King George, he has "sent hither a multitude of officeholders to eat out our substance."

Again, the President was correct when he said that National, State, and municipal government must be so administered as to make it possible to have "a Nation uncorrupted by cancers of injustice."

And here we come to a condition which confronts us today, to a question which must be answered, which must be solved, and that correctly and now, not at some future time.

Shall we have within this country of ours a malignant, growing cancer, which is corrupting our national life, which is undermining our Government, which is stealing from the citizen his right to work, to labor, to obtain for himself and his family those things which the President says are so necessary to our national existence?

It has been said that the miners' union contributed something like a half-million dollars to the Democratic campaign fund and that the manufacturing industries contributed vast sums to the Republican campaign fund. Presumably these funds were contributed for lawful purposes and were so used.

What industry would have expected from the winning by candidates who received its support I do not know, and I care not. What the miners' union expects from the present administration, to the success of which it contributed so overwhelmingly, can only be judged by the statements of some of its spokesmen and by their actions.

To me it is unthinkable that our President would knowingly use his great power, his personal popularity, to defeat the very objects which he says he has in mind.

I call to mind that statement of his, made in September 1932:

> But remember well that attitude and method, the way we do things, is nearly always the measure of our sincerity.

Today and in the future, his action in this crisis will be judged, not by what he has said, not by what he said yesterday, today, or tomorrow, but by what he does. We shall learn, either directly or indirectly, whether he intends to support the constitutional right to own property, to work.

Millions of our citizens are waiting, watching, anxiously, prayerfully, to see what he intends to do in this present crisis, praying that he have divine guidance so that his decision may be in accord with justice.

Admitting, for the sake of argument, that in the motor industry there are workers who do not have all of this world's goods that they would like to possess or should have, the fact nevertheless remains that that industry pays a higher wage and furnishes better working conditions than any other industry of comparable size. And, if conditions are not what they should be, then there should be a determination of the facts by an impartial and disinterested board or group.

A second error never corrects the first. The right to strike, to refuse to work, is not questioned. But that right is not involved in the present controversy.

It has been said, and denied, that the vast majority of the General Motors employees desires to work. The overwhelming evidence seems to bear out that contention. Nevertheless, in the factories in Michigan, in the beginning, a small percentage of the workers, "sitting down" in those factories, threw out of employment their fellow workers.

When the strikers "sat down" in the plants at Flint, what happened? There is, there can be, no claim that they had either legal or moral right to the possession of these factories. They had jobs there. By their own voluntary acts, they gave up those jobs, as they had the right to do.

But this was not the end. They took possession and said that no one else should work in those factories and today, as a result of that policy, hundreds of thousands of people are out of work; the loss in wages is mounting by the million day after day, and the burden of supporting these idle workers, who would, if they had their way, be working, today falls upon the innocent taxpayer.

When these men "sat down" in this plant in Flint, what did the Governor of Michigan do? Did he say that the law which would remove them as trespassers should be enforced? He did not. He called out the National Guard of the State of Michigan to protect them in their illegal possession of others' property.

He called out the National Guard, the inevitable result of which was to prevent the vast majority of workers from resuming their jobs and, had it not been for the National Guard, beyond question, those who desired to work and who were greatly in the majority, would have thrown the "sit-down" strikers out of the plant.

And so we find the executive branch of the State government, the troops of the State, protecting those who hold possession of property which does not belong to them, preventing workers who desire to work from taking their rightful places in the factory—a strange, strange situation.

And what is the demand on the part of these strikers? It is this: That the C. I. O. shall be recognized as the only agency for collective bargaining. In other words, that, if a man is to have a job in a factory his contract of employment may not be made with the factory owner or manager, but it must be made through the officials of the C. I. O.

The demand of the C. I. O. is that it, and it alone, shall be the sole agency for collective bargaining and that General Motors cannot, and shall not, bargain with any other group, organized or unorganized, great or small. A more un-American, undemocratic, unfair proposition it would be difficult to state.

This is a new conception of power and authority in this country of ours, and it first came to public notice when John L. Lewis staged his fight against the American Federation of Labor. What is the battle all about? Stripped of camouflage, it is this: Shall the C. I. O., headed by Lewis, control the labor of the United States? Shall the rights of the American Federation of Labor and of unorganized labor be disregarded? All those who refuse to bend the knee to the C. I. O. be deprived of employment? That is the issue.

The President the other day called our attention to the attitude of the Supreme Court and, if I recall the words correctly, hoped that we would have a more understanding interpretation of the Constitution by that body.

The interpretation of the Constitution and of our laws is for the Supreme Court, not for the executive or the legislative branch. If evils exist which can be remedied by legislation, that is our responsibility.

The enforcement of the laws guaranteed under the Constitution is for the executive branch of the Government.

Surely our President believes that every man should have the right to labor, to support himself and his family. Certainly our President's advisers know that unless these trespassers, these few who are assuming to act for the many, who are denying that right of every American to which the President has attached so much importance, namely, the right to work, are removed from these factories, that unless these factories are permitted to reopen, distress and want will come in ever-increasing ratio to an ever-larger group throughout our country.

His advisers know that in the State of Michigan anarchy exists, that due process of the courts has been suspended, that rights guaranteed under State and Federal Constitution are being denied to honest, peaceable, law-abiding citizens; that is, the right to work.

If this condition continues it can only end in rioting and bloodshed.

The laws are upon the statute books. There is no excuse for their nonenforcement, and a fearless word from the Chief Executive of the Nation to the chief executive of the State of Michigan will restore law and order and, upon its restoration, can then begin negotiations which all hope will end, if not in permanent, at least in temporary, peace.

The President, or at least his advisers, must know, if the newspaper reports be correct—and there is no reason to doubt them—that out of the State of Ohio, from Toledo and surrounding towns, into Michigan went hundreds of workers, men who belong to the C. I. O., not the American Federation of Labor, the members of the C. I. O., all determined to close these factories in Michigan.

What did they do? A few strikers in one plant sat down and said that the plant should not run. These men from Ohio came up there, surrounded the factory, and established a picket line. Peaceful picketing! What is it? Stand on the corner and argue? No. In Michigan, pickets join arm in arm and go around the factory in a circle, and when you try to break through you cannot get through, because that cordon is tighter than any football line you ever saw.

And if an attempt is made by a worker or a group of workers who desire to continue at their jobs to break through the picket line, a fight is on. It is these fights that the Governor of Michigan has said, in substance, shall not take place, and the result, the only result, of such action on his part is to leave the striking C. I. O. members in absolute control of the situation. They may picket; they may form a solid line around the factory; they may sit in the factory unlawfully, illegally, and they are protected from those officers of the law who would serve civil or criminal process to put them out. The result is that the action of the Governor is giving direct aid to the C. I. O., increasing unemployment, adding to the cost of relief.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Yes.

Mr. DONDERO. This morning I received a letter from a worker in one of the General Motors plants in my district, and in that letter he makes this short statement regarding the opportunity to work:

> The men now working in the plant are very much opposed to the way things are going on. Most of them have lived here some time and own or are buying their homes.
>
> The largest number of them are well satisfied with conditions, especially since they received the raise that went through about 2 months ago.
>
> A few are inclined to be more radical, but their number is so small that there is nothing to worry about.

I think that coincides with what the gentleman is saying.

Mr. HOFFMAN. Is that from Flint or Pontiac?

Mr. DONDERO. Pontiac, Mich.

Mr. HOFFMAN. The same condition exists in Flint and in a dozen places in the smaller towns in Michigan. Men who want to work are deprived of the right and the opportunity to work.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield for a question?

Mr. HOFFMAN. I yield.

Mr. CRAWFORD. The gentleman has given considerable thought to this question. I would like to propound this question: What does the gentleman think would be the ultimate consequence if public opinion in the State of Michigan finally resolves back of the activities of those who are sitting down, striking, holding the plant?

Mr. HOFFMAN. What would be the effect?

Mr. CRAWFORD. What would be the ultimate effect of public opinion in Michigan throwing its strength and support back of those who are holding the plant through the sit-down strike?

Mr. HOFFMAN. In my judgment public opinion in Michigan will never sanction the illegal holding of property, the denial of the right to work. If public opinion ever does back the C. I. O. to the extent that the present conditions continue, then, of course, the C. I. O. and its sympathizers remain in possession of the factories; not a wheel can turn and industry is at a standstill unless it pays the wages and adopts the hours of labor fixed by the C. I. O.

In that event all the owner will have to do is to provide the plant, the equipment, the money to run it, and sell the finished product, and the C. I. O. will take the income. That is the inevitable result, and, of course, that result means that, in the end, the factories will close or the Government must provide the funds to operate them.

In behalf of the hundreds of thousands of innocent workers and families dependent upon the motor industry, in behalf of those workers within the ranks of that industry who desire to work, who are members of the American Federation of Labor, the President should end this intolerable situation, and there is no doubt but that, should he advise John L. Lewis that law and order must prevail, peace would be immediately restored.

The SPEAKER pro tempore. The time of the gentleman from Michigan has again expired.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent for permission to revise and extend my remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that on Tuesday next, after the reading of the Journal and disposition of business on the Speaker's table, I may be permitted to address the House for 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. WITHROW. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. BERNARD] may have permission to extend his own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE UNITED STATES SUPREME COURT

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, in order that my position and attitude in this Congress shall be known from the beginning, I propose to support all sound and sane liberal legislation in the interests of the people, whether it emanates from the White House or from the majority side of the House of Representatives, and to oppose all unsound, socialistic, and unconstitutional legislation.

I believe in popular government, in our free institutions, and in our three separate and independent branches of government. I do not quite understand the attacks that are being made upon the Supreme Court of the United States and upon its powers and membership. For a long time past, the radicals, Communists, and Socialists have been telling the American people that the Constitution is a scrap of paper, representing wealth, reaction, and Wall Street, and aiming their most virulent darts at the Supreme Court and the membership of our highest tribunal. As one who is alined with the liberal element within the Republican Party, I believe that the Constitution is the greatest charter of human liberty ever conceived by the mind of man. It is what makes for our rights and liberties as free, sovereign, and independent American citizens. It is the barrier against autocracies and dictatorships of the Old World, whether they be of the left or the right. It is the civil bible of America, according to Al Smith, and represents the rights and liberties of the minorities, racial and religious.

We have been accustomed to these attacks of the radicals, Communists, and Socialists against the Supreme Court, seeking to undermine and destroy the Constitution. The Constitution is the palladium of our liberties, and yet now we find the President of the United States joining with this chorus and virtually lecturing the membership of the United States Supreme Court and saying to them, "You must read the context of the Constitution with an enlightened point of view, not from the point of view upon which you took the office and swore to preserve, protect, and defend the Constitution, and to interpret it on the basis of its provisions, but you must look at the election returns before reaching a decision."

You might as well say to the referee of a football game, "Instead of abiding by the rules of the game, appeal the decision to those in the grandstand"; or to an umpire in a baseball game, when a player is sliding to second base and is called out, and then "change the decision and call him safe in accordance with the volume of boos and noise among the spectators."

I yield to no man in this House, whether he be Progressive, Democrat, Farmer-Labor, or what not, in my faith in popular government and in free institutions and the will of the people; but we have taken an oath of office ourselves to preserve, protect, and defend the Constitution of the United States against its enemies, from within and from without. Is it the contention of the radical element in this House, or of the Democratic Party, that the right to review acts of Congress shall be taken away from the Supreme Court? If that is the issue, let us bring it out here, as the gentleman from Georgia [Mr. COX] so well said. Let us debate this question in the open, if it takes today or all of next week. Let us understand the issue. Are the members of the Democratic Party saying that we must take this power away from the Supreme Court and let Congress legislate without review by the Supreme Court or check or balance of any kind? If we did that, we would have the right and power to change our form of government by a majority rule of the Congress. We could legislate the President out of office. We could set up fascism in this country overnight if the people's rights and liberties were not protected by the Supreme Court.

I raise this issue now because it has been thrown upon the floor of the House of Representatives, not by those who have spoken here, but by the President of the United States; not merely because of what he said in this House a few days ago—that the Supreme Court and the judges of the Supreme Court must approach these questions from a more enlightened point of view—but because of things he has said before. We might pass by his recent statement if that was the only one. However, as we must look into the record—and we in this House know what the record is—we find that the President only last year urged Representative Samuel B. Hill, of this House, to put aside his reasonable doubts as to the constitutionality of the Guffey bill and pass the bill.

We know what he said when the N. R. A. was declared unconstitutional by a unanimous vote of the Supreme Court—that we had gone back to the "horse and buggy" days; that wheat would go down to 40 cents and cotton to 6 cents. I do not wish to inject a political and partisan issue into this discussion, but we Republicans feel that the change and improvement in conditions started from the time the Supreme Court held the N. R. A. unconstitutional, which restored confidence in the land and lifted the fear and dread of government by bureaucracy and Executive orders instead of by law. From that time wheat and cotton have gone up in spite of what the President said about "horse and buggy" days, when he sneered at the unanimous decision of the Supreme Court in the N. R. A. or Schechter case.

Mr. FORD of California. Mr. Speaker, will the gentleman yield at that point?

Mr. FISH. I yield.

Mr. FORD of California. Does the gentleman mean to tell this House that the man he is criticizing is the only President of the United States who ever criticized the Supreme Court? Did Theodore Roosevelt do so? Did President Grant do so by packing the Court? Did Lincoln do so? Did not President Theodore Roosevelt suggest recall of judicial decisions?

Mr. FISH. I am very glad to answer the gentleman's question. It is perfectly true that all these Presidents—Jefferson, Jackson, Lincoln to some extent after the Dred Scott decision—although Lincoln believed the Constitution was all the law and the prophets. He did not say that he would resist that decision, but said that he thought the decision was wrong.

Mr. FORD of California rose.

Mr. FISH. Let me proceed. I am coming to Theodore Roosevelt. There was no greater believer in constitutional government than Theodore Roosevelt since the days of Daniel Webster—Theodore Roosevelt believed exactly what I believe, and that is that the people made the Constitution, that the people are the masters of the Constitution, and that they have a right to amend the Constitution in an orderly and prescribed way by a two-thirds vote of the House and of the Senate and by ratification of three-quarters of the States. He also advocated a review of judicial decisions, but that also through a constitutional amendment.

Mr. FORD of California and Mr. O'CONNOR of Montana rose.

Mr. FISH. Mr. Speaker, I decline to yield for the moment.

Mr. Speaker, we have the right to amend the Constitution. If there is need to amend it, let us amend it. Why not propose the amendments? I for one expect to go along with some of these amendments. I have no more use for the 5-to-4 decisions than any other Member of this House. I would be perfectly willing to give the Congress of the United States the right to override a 5-to-4 decision of the Supreme Court by a two-thirds vote in the same manner we override a Presidential veto. There is nothing radical about that in the case of 5-to-4 decisions; but what would you do in these other decisions, where the vote was unanimous or practically unanimous? Would you have the members of the Supreme Court so enlightened that all nine of them would reverse

their own decisions at the suggestion of their master in the White House or because of some alleged popular point of view? Would you have the entire membership of the Supreme Court reverse their decision on the N. R. A. case, the liberals and the more conservatives alike? How enlightened would you have them? I can see some excuse for this argument on a 5-to-4 decision, but these are not 5-to-4 decisions which we have been discussing, such as the N. R. A. and A. A. A. I have already expressed my views on the invalidating of the minimum-wage law in New York State, which was a 5-to-4 decision and, to me, a shocking one, and I go for reversing it but not for resisting it.

The President has raised an unfortunate and an unlawful issue when he lectured the Court in his speech to Congress on the state of the Union and urged the Court to look at the ballot box and have a more enlightened judgment because of some alleged popular opinion or temporary whim. I say as a liberal Republican that this is not only a novel doctrine, this is not only a new doctrine, but it is a revolutionary, unlawful, and a monstrous doctrine put forth by the President of the United States in which he tells the Supreme Court "not to mind the context of the Constitution but look and see what the people back home want." The only way—the prescribed way and the quickest way—to find out what the people want done is to submit a constitutional amendment to them.

What is the function of the Supreme Court? It is one of the checks and balances provided by the Constitution in order that legislation may not be passed contrary to the Constitution. The Supreme Court is the living voice of the Constitution, that maintains its integrity and supremacy and a government by law. We either believe in the Constitution or we do not believe in it. If we do not believe in it, then let us go ahead and take back all the powers for ourselves, unrestrained by the Supreme Court, and legislate in any way we want. But if we believe in the Constitution and constitutional government it is our duty to uphold the Supreme Court and call upon its members to express their views and reach their decisions in accordance with the text of the Constitution. Otherwise there is no power or authority to prevent the encroachment of the Congress upon the executive branch of the Government, or vice versa, or the invasion of States' rights or even the wiping out of those guaranties of the Constitution providing for freedom of speech, of the press, or of assembly.

Mr. O'CONNOR of Montana. Mr. Speaker, will the gentleman yield?

Mr. FISH. Not for the moment.

If the Members want to bring in an amendment giving the Congress control of maximum hours and minimum wages, bring it in and we can discuss it. I have no fear of it, because it will be a referendum to the people and the people will decide the issue.

When you criticize the Court you criticize yourselves; you criticize Congress. When a proposed amendment to the Constitution is passed by a two-thirds vote of Congress it is submitted to the people back home in the various States for their decision and, as a firm believer in popular government and the will of the people, I have no fear of the results or of a just decision. Then we shall have what the people want and not what some individual thinks they want. If anybody has been negligent, it is the Congress; but in order to protect ourselves with a good degree of hypocrisy we point the finger of scorn at the Supreme Court and try to place the blame on the Court instead of on ourselves. The Justices of the Supreme Court would become unfit guides and unworthy guardians of American liberties and the welfare of the country if they should change their opinions as easily as weather vanes or the color of their decisions like chameleons.

What happened in regard to prohibition? The people decided to do away with it, and it took them a year or so. What happened to the more recent Norris amendment? They put it through in a year and a half. The doctrine proposed by the President is an abomination of desolation. If it were followed by the members of the Court, it would destroy their usefulness and undermine the confidence and the respect of the American people for the impartiality, independence, integrity, courage, and wisdom of the Court. The record of the Supreme Court is one of the proudest and most honorable pages in American history and we must not smear or besmirch it. If the American people desire to amend the Constitution, it is our duty and function to initiate the amendment and the people can put it through within a year or two. However, let us stop saying to the Supreme Court from now on: "Never mind the Constitution. Never mind its wording or context. Make your decision on what you think the people back home want." That is a repugnant innovation. It is a degrading idea that will be rejected with disdain by the people as a dishonorable expedient.

The consequences of such a fatal doctrine would wreck the Court, as it virtually would require the Justices to violate their oaths of office. I challenge any Democrat to show one single speech the President of the United States made during the campaign in which he even mentioned the Constitution or the Supreme Court. He avoided both like poison throughout the campaign and would not express a single view. Now, what right has the President to say that the election was fought out on the ground of constitutional government and to tell the Supreme Court to listen to the election returns? [Applause.]

[Here the gavel fell.]

Mr. MURDOCK of Arizona. Mr. Speaker, I ask unanimous consent to address the House at this time for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. MURDOCK of Arizona. Mr. Speaker, it is rather presumptuous of me, as a new man, to rise so early in the session and explain in an offhand way my attitude toward the great issues which now confront us. However, I have been deeply impressed today and in past days by the discussion I have heard on both sides of this Chamber.

I fear we are entering upon a study of the great problems before us entirely in a partisan manner. I think that is the greatest danger which besets and endangers the successful work ahead of us.

This morning we have heard from Members on both sides of the aisle. The President has been upheld and the President has been criticized in regard to his attitude toward the Supreme Court.

I have given some little study to constitutional problems myself, and I have my own view as to the President's meaning when he asked for a more "enlightened view." May I say, following the gentleman from New York [Mr. FISH], who has just spoken, that the present encumbent of the White House is certainly not the first great Executive to challenge the findings of our highest Court. May I recall to you that President Lincoln certainly felt that property rights were held higher than human rights, and there was a time when our Great Emancipator President held to the view that the higher law was being disregarded by too close an interpretation of the Constitution of the United States.

May I remind the Members that the other great President by the name of Roosevelt felt, when minimum-wage laws were being nullified by court action, that property rights were being held too sacred in conflict with human rights.

I do not feel anyone here can surpass me in respect for the supreme law of the land if I understand what the supreme law of the land is. What is the Constitution of the United States? It is the will of the American people. It is not only the original document but the amendments that have been added since. It represents the will of the American people as expressed in solemn convention in 1787 and as later amended by 21 formal amendments.

Mr. Speaker, it is very, very difficult, indeed, for the supreme will of a great nation to be expressed in words. Such are the defects of human nature and intelligence and such the limitation of our language.

It has been proposed that if the Constitution of the United States, constituting the will of the Nation, be changed, that

is the way it should be done. The gentleman from New York [Mr. FISH] has suggested the offering of an amendment. I can agree with him in that respect, but, Mr. Speaker, it takes a long time, and it should take a long time, to amend the Constitution of the United States. Sometimes when we amend it we do not fully express the will of the Nation. I submit that the fourteenth amendment and the fifteenth amendment, not to mention others at this time, probably did not fully represent the will of the Nation. Since that time we have adopted other amendments. We adopted, for instance, the eighteenth amendment, and I wonder if that amendment really represented the will of the American Nation? It was formally adopted, of course, and we need not criticize the way in which it was adopted.

There is no other way to do it legally, you say. Perhaps you are right. What did the President of the United States mean recently when he stood here begging and praying for a more enlightened view of our supreme law? I think he prayed for this on his own part, on the part of the Congress, and on the part of the judiciary. I do not feel that the President was scolding the judiciary by this remark, as has been implied here.

Mr. Speaker, there are great issues before us at the present time. What road shall we take? The road of conservatism and reaction, or the road of progress?

Our President looks in the direction of progress, and he hopes that we, as lawmakers, will uphold him in the direction of that progress. He earnestly hopes, if I correctly interpret his words, that the Federal judiciary will do the same thing, not to the extent of stultifying their conscience or their intellect, but simply to bring legislative action and judicial interpretation into such agreement that the general welfare of 130,000,000 American people may be properly ministered to. That is the oath he took yesterday. That is the oath we took a few days ago. I believe it can be done if we will forget partisanship. Let us cease bantering back and forth across the aisle. Let us see to it that we do not make a mockery of the supreme law of the land. I am the last one to sanction that or suggest it, and I am sure our great leader has no intention of doing any such thing, nor do I think anyone in the House believes he has such intention.

If we are to legislate during this reconstruction period with a view of applying all that science has done to better the lot of the common man, we should not undermine the ancient safeguards of liberty. I am the last one to remove the ancient milestones. But we must legislate, and we ought to expect the Court to interpret the supreme law of the land, in the light of the twentieth century rather than in the light of the eighteenth century. That is the spirit of progress, and that, I think, Mr. Speaker, is what the President of the United States expects.

Mr. CULKIN. Will the gentleman yield?

Mr. MURDOCK of Arizona. I yield to the gentleman from New York.

Mr. CULKIN. I understand there has been no quarrel with the Supreme Court from any source with reference to its conclusions on human rights, human liberty, or the liberty of the individual. The gentleman would not change the Constitution in that respect, would he?

Mr. MURDOCK of Arizona. No; I want to safeguard our human liberties. It is with respect to property rights——

Mr. CULKIN. In other words, the most radical individual or the individual most advanced toward the left does not want the Constitution changed with respect to its authority over human liberty or the Bill of Rights. I assume the gentleman would not change that.

Mr. MURDOCK of Arizona. No; I am willing that should remain as it is. It is our great heritage.

Mr. CULKIN. And the gentleman is satisfied with the interpretation of the Supreme Court in that respect?

Mr. MURDOCK of Arizona. So far as I understand its interpretation; yes.

Mr. CULKIN. Does the gentleman know of anyone in authority or anyone who speaks advisedly who does quarrel with those interpretations?

Mr. MURDOCK of Arizona. I think the chief quarrel has been with regard to property rights and that sort of thing.

Mr. CULKIN. The economic phases involved.

Mr. MURDOCK of Arizona. Yes.

Mr. CULKIN. Why is not the solution of that problem the simple procedure suggested by my colleague from New York a moment ago—a constitutional amendment which can accomplish the purpose in a year or a year and a half? Is it a fact that the distinguished leader of the gentleman's party now in the White House is afraid of a referendum of the people on such a constitutional amendment?

Mr. MURDOCK of Arizona. No; I think not. I think he wishes to arrive at a solution of our problem without such a change if it can be done, and I feel that way about it myself.

Mr. CULKIN. The gentleman would not want the Supreme Court to stultify itself in its interpretation of the present Constitution. I beg leave to inquire, why does not the gentleman advocate the submission of a constitutional amendment to the people covering the economic or the property phases of life in the United States, and let the people pass on that question through the customary medium?

Mr. MURDOCK of Arizona. We may need to do that ultimately, but I think that is a long process. If the object can be attained without doing that, it can be done more quickly.

Mr. CULKIN. May I call the attention of the gentleman to the fact that the repeal of prohibition took about a year and the adoption of the Norris amendment about a year and a half, and by adopting this method we have the value of a referendum passed on by the people of the United States.

Mr. MURDOCK of Arizona. I agree to that.

Mr. CULKIN. Why does not the distinguished gentleman, whose speech I much admire, propose such an amendment himself?

Mr. MURDOCK of Arizona. Well, I have not come to that point. I am a new man and I am simply expressing to the Members of the House how I feel about it.

Mr. CULKIN. Why do not some of the leaders of the gentleman's party propose it?

Mr. MURDOCK of Arizona. I may say that I would not want to destroy or break down our constitutional safeguards or take away from the Supreme Court of the United States the right of judicial review. In this respect I agree quite thoroughly with the distinguished gentleman from Georgia who addressed us so learnedly, and also the distinguished gentleman from New York. I am a conservative in that respect. All I am in favor of is just what I believe the President of the United States hopes for, and that is a judicial interpretation which gives enough leeway so we may accomplish our great objectives without unconstitutional statutes and without the long delay of formal amendment.

Mr. CULKIN. May I call the gentleman's attention to the fact that the distinguished leader of the Senate, Senator ROBINSON, announced at the beginning of the session that a constitutional amendment was to be submitted to the people, and he was forthwith kicked into the cellar by the statement of our distinguished President who implored the Court to take a more modern or a more humanitarian view of the Constitution.

Mr. BOILEAU. Mr. Speaker, will the gentleman yield?

Mr. MURDOCK of Arizona. Yes.

Mr. BOILEAU. May I suggest to the gentleman from Arizona, and also to the gentleman from New York, that it is not necessary to draw up another resolution and introduce it in the Congress to accomplish the purpose suggested by the gentleman from New York, because during the last Congress many resolutions approaching that subject and many resolutions having the particular purpose in mind stated by the gentleman from New York were submitted to the Congress and, I believe, have been reintroduced at this session and are now pending; and may I also suggest that I agree with the gentleman from New York that this is probably the best way to handle the matter, and, perhaps, the gentleman from Arizona likewise feels that we should attack this

problem by offering a constitutional amendment if that is necessary.

[Here the gavel fell.]

Mr. CULKIN. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona may proceed for 2 additional minutes.

The SPEAKER pro tempore (Mr. WALLGREN). Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CULKIN. May I say that I am in favor of submitting to the people any proper amendment giving jurisdiction of these social questions, but not with regard to the Bill of Rights. I think that stands unchallenged in the minds of the American people, but on the various economic questions we can submit a proposed amendment and let the people pass on it. I wanted to make that clear to the gentleman.

Mr. MURDOCK of Arizona. And may I take the remaining time to make myself clear, if I have not already done so, in regard to a constitutional amendment? I would agree to that as a last resort, or if it cannot possibly be done the way I believe the President wants it to be done—and I may say further that if there be any Member of this House who is suggesting a constitutional amendment, not sincerely but as a matter of dilatory tactics, then I am not with that gentleman.

Mr. CULKIN. The gentleman does not mean to suggest that I am intending this to be dilatory?

Mr. MURDOCK of Arizona. No.

Mr. CULKIN. Then the gentleman does not refer to me.

Mr. MURDOCK of Arizona. Not at all, I assure the gentleman.

Mr. CULKIN. I thank the gentleman.

Mr. MURDOCK of Arizona. But I am saying that if anyone should at this moment come forward with the suggestion that we must have a constitutional amendment, and is doing this purely for the purpose of delaying the important social legislation we are now engaged upon, then, of course, I cannot agree with such sentiment; but I am not charging the gentleman from New York with taking that view. [Applause.]

[Here the gavel fell.]

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LANHAM. Mr. Speaker, I have a very jealous regard for the dignity of this House. Of approximately 1,000,000 public servants operating in various fields of the Federal Government today the Members of the two legislative bodies of the Congress are practically the only ones directly representative of the people.

In the final analysis, the President of the United States is not always selected by a majority of the voters, and it has happened in our history that a nominee for that high office has received a majority of the votes cast, but, through the machinery of the electoral college, has been defeated.

So we who serve in the two legislative bodies of the Congress are the only direct representatives of the great masses of our people in all the ramifications of their various pursuits. I think it behooves us, therefore, to have due regard for the dignity of this assembly.

During the years in which I have served as a Member of this body I have noted one thing which, in my judgment, detracts seriously and materially from its dignity, and I think it is well at the beginning of this session to call attention to it, because we can in part correct it.

Any Member of this House may drop a bill in the hopper, and the customary procedure is its reference to the appropriate committee.

When the bill reaches that committee it is sent directly to the appropriate executive or administrative department for investigation and report. In the ramifications of departmental service the bill introduced by a Member may find itself finally in the hands of some subordinate in one of the many divisions of that department or bureau, or someone working under him, and he may send to the committee in response to its inquiry an adverse report.

It is conceivable that that adverse report may be based on personal considerations, or on an unfavorable attitude which may result from his individual feeling toward the Member who introduced the bill, or an unfavorable attitude toward the general subject to which the bill relates.

It has been the practice in this House, when such an unfavorable report is received from such a subordinate, for the committee of the House of Representatives to decline further consideration of the measure introduced by the Member. And I think that with less than 550 Representatives of the people directly in our governmental service, it behooves the committees of this House to be mindful of that representation and what it means, and so to assert the authority of the legislative branch of the Government that we may not be absolutely submissive and speechless at the behest of some subordinate in some bureau of a department. [Applause.]

Perhaps at times this practice may go even further in its stifling effects. It may be that if a committee should overrule the objections of the subordinate officer and display sufficient hardihood to report the bill favorably, and then the two Houses of the Congress in the course of their deliberations should pass it, even the great Executive of the United States, whom we all admire for his humanitarian purposes, would find it necessary, in the great mass of official labors, to send that measure over to the self-same department to get the result of its reflections and conclusions concerning the bill, and that back to the same subordinate would go this measure upon which the Congress of the United States had passed; and that because of a letter of advice emanating from him and perhaps signed by the Cabinet officer at the head of his department, pro forma, the President of the United States would feel justified in vetoing the measure. It is evident that in such a course justice could miscarry.

So it seems to me, from observation through a service of some years, that from the beginning of this Congress we should realize the dignity of the important position we hold and that we should uphold this body in all its worth and integrity, that it may not lose caste either with us or with the people of the United States, and that as the Representatives of the people we may assert the rights which are theirs and ours and see that the dignity and the honor of this great assembly are properly preserved. [Applause.]

EXTENSION OF REMARKS

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. MURDOCK of Arizona. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. CURLEY, indefinitely, on account of illness.

To Mr. EBERHARTER, on account of death in family.

To Mr. MOUTON, for 3 days, on account of illness.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 10 minutes p. m.) the House adjourned until tomorrow, Friday, January 22, 1937, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE JUDICIARY

Subcommittee 1 of the Judiciary Committee will hold a hearing at 10 a. m., Wednesday, January 27, 1937, on H. R. 1611, to amend the act entitled "An act to protect trade and commerce against unlawful restraints and monopolies."

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

243. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 12, 1937, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey of Cheboygan Harbor and River, Mich., authorized by the River and Harbor Act approved August 30, 1935 (H. Doc. No. 134); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

244. A letter from the Secretary of War, transmitting a draft of a bill for the relief of Victor M. Ruiz C. and Luz Elena Robles, both of Panama City, Republic of Panama, which the War Department presents for the consideration of the Congress, with a view to its enactment into law; to the Committee on Claims.

245. A letter from the Secretary of War, transmitting the draft of a bill to amend the act of February 7, 1913, so as to remove restrictions as to the use of the Little Rock Confederate Cemetery, and for other purposes, which the War Department presents for the consideration of the Congress with a view to its enactment into law; to the Committee on Military Affairs.

246. A letter from the Secretary of War, transmitting the draft of a bill to amend the act of June 23, 1936, authorizing the Secretary of War to set apart as a national cemetery certain lands of the Fort Snelling Military Reservation, Minn., which the War Department presents for the consideration of the Congress with a view to its enactment into law; to the Committee on Military Affairs.

247. A letter from the Secretary of Navy, transmitting a draft of a proposed bill to amend the act approved February 15, 1929, entitled "An act to permit certain warrant officers to count all active service rendered under temporary appointment as warrant or commissioned officers in the Regular Navy, or as warrant or commissioned officers in the United States Naval Reserve Force, for the purpose of promotion to chief warrant rank"; to the Committee on Naval Affairs.

248. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill authorizing an appropriation for the erection of a memorial to the officers and men of the United States Navy who lost their lives as the result of a boiler explosion that totally destroyed the U. S. S. *Tulip* near St. Inigoes Bay, Md., on November 11, 1864, and for other purposes; to the Committee on Naval Affairs.

249. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to amend section 5 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", approved March 3, 1925, to authorize the payment of a per diem in connection with naval aerial surveys and flight checking of aviation charts; to the Committee on Naval Affairs.

250. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to amend section 1860 of the Revised Statutes, as amended, to permit retired officers and enlisted men of the Army, Navy, and Marine Corps to hold civil-service office in any Territory of the United States; to the Committee on Military Affairs.

251. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to provide for the reimbursement of certain enlisted men and former enlisted men of the Marine Corps for the value of personal effects lost by fire at the marine barracks, Quantico, Va., on October 5, 1930; to the Committee on Claims.

252. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to authorize the Secretary of the Interior to accept from the State of Utah title to a certain State-owned section of land and to patent other land in the State in lieu thereof, and for other purposes (this proposed legislation has been submitted to the Secretary of the Interior and he has signified his approval thereof); to the Committee on the Public Lands.

253. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to amend section 22 of the act approved March 4, 1925, entitled "An act providing for sundry matters affecting the naval service, and for other purposes"; to the Committee on Naval Affairs.

254. A letter from the Secretary of the Navy, transmitting a draft of a bill for the relief of Lt. Comdr. Chester B. Peake, Supply Corps, United States Navy; to the Committee on Claims.

255. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to authorize the acceptance of certain lands in the city of San Diego, Calif., by the United States and the transfer by the Secretary of the Navy of other lands to said city of San Diego; to the Committee on Naval Affairs.

256. A letter from the Secretary of the Navy, transmitting a draft of a bill to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects destroyed in a fire at the Naval Radio Station, Libugon, Guam, on April 5, 1932; to the Committee on Claims.

257. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects lost by fire at the Naval Radio Station, Eureka, Calif., on January 17, 1930; to the Committee on Claims.

258. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill authorizing the Secretary of the Navy to accept gifts and bequests for the benefit of the Office of Naval Records and Library, Navy Department; to the Committee on Naval Affairs.

259. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to amend the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902; to the Committee on Naval Affairs.

260. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to provide for the reimbursement of certain officers of the Navy and Marine Corps and the widow of a deceased officer of the Navy for personal property lost as a result of the earthquake which occurred at Managua, Nicaragua, on March 31, 1931; to the Committee on Claims.

261. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill for the relief of Norman Hildebrand; to the Committee on Claims.

262. A letter from the Secretary of the Navy, transmitting a draft of a bill to amend the part of the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes", approved June 4, 1920, relating to the conservation, care, custody, protection, and operation of the naval petroleum and oil-shale reserves; to the Committee on Naval Affairs.

263. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to amend section 7 of the act approved May 29, 1934, entitled "An act to regulate the distribution, promotion, retirement, and discharge of commissioned officers of the Marine Corps, and for other purposes"; to the Committee on Naval Affairs.

264. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to provide for the reimbursement of certain civilians employed at the naval operating base, Hampton Roads, Va., on May 4, 1930, for losses of tools in a fire on pier 7 at the naval operating base on that date; to the Committee on Claims.

265. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to prohibit the unauthorized wearing, manufacture, or sale of medals and badges issued by the Navy Department; to the Committee on Naval Affairs.

266. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill awarding a Navy cross to John W. Thomason; to the Committee on Naval Affairs.

267. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for

the value of personal effects lost by fire at the Naval Training Station, Hampton Roads, Va., on February 21, 1927; to the Committee on Claims.

268. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to authorize the disposition of the former naval radio station property at St. Augustine, Fla.; to the Committee on Naval Affairs.

269. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to provide for the better administration of justice in the Navy; to the Committee on Naval Affairs.

270. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects lost during a hurricane in Samoa on January 15, 1931; to the Committee on Claims.

271. A letter from the Federal Power Commission, transmitting a statement showing the names, titles, and compensation of the members and employees of the Federal Power Commission to be attached to your copy of the Fifteenth Annual Report of the Federal Power Commission; to the Committee on Interstate and Foreign Commerce.

272. A letter from the Attorney General, transmitting a proposed bill to regulate the presentation of the defense of alibi in criminal cases; to the Committee on the Judiciary.

273. A letter from the Attorney General, transmitting certain provisions of the Bankruptcy Act, suggesting certain amendments to the act; to the Committee on the Judiciary.

274. A letter from the Attorney General, transmitting a proposed bill intended to permit the court or the prosecuting attorney to comment on the failure of a defendant in a criminal case to testify in his own behalf; to the Committee on the Judiciary.

275. A letter from the Acting Secretary of the Department of Agriculture, transmitting a report on forest roads and trails for the fiscal year of 1936; to the Committee on Roads.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. O'CONNOR of New York: Committee on Rules. House Resolution 79. A resolution providing for the consideration of H. R. 2301; without amendment (Rept. No. 15). Referred to the House Calendar.

Mr. O'CONNOR of New York: Committee on Rules. House Resolution 80. A resolution providing for the consideration of H. R. 1545; without amendment (Rept. No. 16). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM: A bill (H. R. 3407) to amend the act of May 29, 1930 (46 Stat. 349), for the retirement of employees in the classified civil service and in certain positions in the legislative branch of the Government, to include all employees in the Columbia Institution for the Deaf; to the Committee on the Civil Service.

By Mr. CELLER: A bill (H. R. 3408) to amend the Civil Service Act approved January 16, 1883 (22 Stat. 403), and for other purposes; to the Committee on the Civil Service.

Also, a bill (H. R. 3409) to amend section 2 of the act approved June 30, 1879, so as to permit women to serve on juries in the courts of the United States; to the Committee on the Judiciary.

By Mr. COLLINS: A bill (H. R. 3410) authorizing an appropriation for the purchase of a site and the erection of a new main building for the Free Public Library of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. LEAVY: A bill (H. R. 3411) to amend section 112 of the Judicial Code to provide for the inclusion of Whitman County, Wash., in the northern division of the eastern district of Washington; to the Committee on the Judiciary.

By Mr. LUDLOW: A bill (H. R. 3412) to authorize the erection of additional facilities at the existing Veterans' Administration facility, Indianapolis, Ind.; to the Committee on World War Veterans' Legislation.

By Mr. LUECKE of Michigan: A bill (H. R. 3413) granting the consent of Congress to the Mackinac Straits Bridge Authority to construct, maintain, and operate a toll bridge, or series of bridges, causeways, and approaches thereto, across the Straits of Mackinac at or near a point between St. Ignace, Mich., and the Lower Peninsula of Michigan; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 3414) to provide for the establishment of a Coast Guard station at or near Manistique, Mich.; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 3415) to recognize seniority of service in promotions and assignments of clerks in first- and second-class post offices; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 3416) to provide for the establishment of a Coast Guard station at Menominee. Mich.; to the Committee on Merchant Marine and Fisheries.

By Mr. MASSINGALE: A bill (H. R. 3417) to permit claimants for damages by reason of failure of patents to lands patented by the United States on the Texas-Oklahoma boundary line to file suit in the Court of Claims, and for other purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 3418) to extend the public-land laws of the United States to certain lands, consisting of islands, situated in the Red River in Oklahoma; to the Committee on the Public Lands.

By Mr. PFEIFER: A bill (H. R. 3419) to prevent pollution of the navigable waters of the United States, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. REILLY: A bill (H. R. 3420) to amend the Home Owners' Loan Act of 1933, the National Housing Act, the Federal Home Loan Bank Act, and for other purposes; to the Committee on Banking and Currency.

By Mr. SPARKMAN: A bill (H. R. 3421) to quiet title and possession with respect to certain lands in Tuscumbia, Ala.; to the Committee on the Public Lands.

Also, a bill (H. R. 3422) to increase the lump-sum payment made under the Workmen's Compensation Act in cases of death or of permanent total or permanent partial disability suffered prior to February 12, 1927; to the Committee on the Judiciary.

By Mr. STARNES: A bill (H. R. 3423) to provide for the preferred employment of American citizens by the Government of the United States; to the Committee on Expenditures in the Executive Departments.

By Mr. SIROVICH: A bill (H. R. 3424) for the relief of certain aliens illegally in the United States; to the Committee on Immigration and Naturalization.

By Mr. DISNEY: A bill (H. R. 3464) to carry out certain obligations to certain enrolled Indians under tribal agreement; to the Committee on Indian Affairs.

By Mr. SABATH: Resolution (H. Res. 78) authorizing the Select Committee to Investigate Real Estate Bondholders' Reorganizations to continue the investigation authorized under House Resolution 412 of the Seventy-third Congress, and supplementary resolutions of the Seventy-fourth Congress; to the Committee on Rules.

By Mr. O'CONNOR of New York: Resolution (H. Res. 79) providing for the consideration of H. R. 2301, a bill to continue the functions of the Reconstruction Finance Corporation, and for other purposes; to the Committee on Rules.

Also, resolution (H. Res. 80) providing for the consideration of H. R. 1545, a bill to provide for loans to farmers for crop production and harvesting during the year 1937 and from year to year thereafter, and for other purposes; to the Committee on Rules.

By Mr. DEROUEN: Joint resolution (H. J. Res. 137) to amend a Senate joint resolution dated March 28, 1918 (40 Stat. 499); to the Committee on the Public Lands.

By Mr. DICKSTEIN: Joint resolution (H. J. Res. 138) authorizing the President of the United States of America

to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. BLOOM: Joint resolution (H. J. Res. 139) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. LUECKE of Michigan: Joint resolution (H. J. Res. 140) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DEMPSEY: A bill (H. R. 3425) providing payment to employees, Bureau of Reclamation, for mileage traveled in privately owned automobiles; to the Committee on Irrigation and Reclamation.

By Mr. BLOOM: A bill (H. R. 3426) for the relief of Rose McGirr; to the Committee on Claims.

Also, a bill (H. R. 3427) for the relief of F. A. Brady, Inc.; to the Committee on War Claims.

Also, a bill (H. R. 3428) for the relief of Pierre Pallamary; to the Committee on Military Affairs.

Also, a bill (H. R. 3429) granting an increase of pension to Martha J. Constant; to the Committee on Invalid Pensions.

By Mr. BURDICK: A bill (H. R. 3430) for the relief of Robert Fix, Clara Fix Nichols, Phillip Fix, and Gertrude Fix Dalton; to the Committee on Claims.

By Mr. COLE of New York: A bill (H. R. 3431) granting an increase of pension to Elmira M. Webb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3432) granting an increase of pension to Emma S. Dolaway; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3433) granting an increase of pension to Emma J. Campbell; to the Committee on Pensions.

Also, a bill (H. R. 3434) granting an increase of pension to C. Cordelia Strong; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3435) granting a pension to Sarah J. Clarkson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3436) granting an increase of pension to Huldah Pedrick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3437) granting an increase of pension to Mary G. Van Brunt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3438) granting an increase of pension to Mary B. Norwood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3439) granting an increase of pension to Mary A. Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3440) granting an increase of pension to Ella J. Winegar; to the Committee on Invalid Pensions.

By Mr. CLUETT: A bill (H. R. 3441) granting a pension to John Charles Inglee; to the Committee on Pensions.

By Mr. FERGUSON: A bill (H. R. 3442) granting a pension to C. R. McGill; to the Committee on Pensions.

By Mr. GAMBRILL: A bill (H. R. 3443) for the relief of the leader of the Naval Academy Band; to the Committee on Naval Affairs.

By Mr. FITZGERALD: A bill (H. R. 3444) for the relief of James J. Smith; to the Committee on Naval Affairs.

By Mr. JENKINS of Ohio: A bill (H. R. 3445) extending the benefits of the Emergency Officers' Retirement Act to Charles Stanley Mechem; to the Committee on Military Affairs.

Also, a bill (H. R. 3446) granting an increase of pension to California Farmer; to the Committee on Invalid Pensions.

By Mr. LUECKE of Michigan: A bill (H. R. 3447) granting a pension to Ruth Iola Goulette Pridham; to the Committee on Pensions.

By Mr. McLAUGHLIN: A bill (H. R. 3448) granting an increase of pension to Esther J. Carpenter; to the Committee on Pensions.

By Mr. PATTERSON: A bill (H. R. 3449) granting a pension to Mary J. Whistler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3450) granting a pension to Olive Erwin; to the Committee on Pensions.

Also, a bill (H. R. 3451) for the relief of F. M. Loeffler; to the Committee on Claims.

Also, a bill (H. R. 3452) granting a pension to Eliza P. Cupp; to the Committee on Invalid Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 3453) granting a pension to Tandy Clark; to the Committee on Pensions.

By Mrs. ROGERS of Massachusetts: A bill (H. R. 3454) authorizing the President of the United States to present in the name of Congress a medal of honor to Sara Cunningham Engert; to the Committee on Foreign Affairs.

By Mr. SPENCE: A bill (H. R. 3455) for the relief of John Joseph McCarry, Jr.; to the Committee on Naval Affairs.

By Mr. SCHAEFER of Illinois: A bill (H. R. 3456) for the relief of G. L. Tarlton; to the Committee on Claims.

By Mr. SIROVICH: A bill (H. R. 3457) for the relief of Joseph John Darbey; to the Committee on Naval Affairs.

By Mr. TAYLOR of Tennessee: A bill (H. R. 3458) granting a pension to Annie McBillingsley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3459) granting an increase of pension to Harvey E. Rogers; to the Committee on Pensions.

By Mr. THOM: A bill (H. R. 3460) granting a pension to Thomas M. Teeters; to the Committee on Invalid Pensions.

By Mr. TOLAN: A bill (H. R. 3461) for the relief of Mary G. Person; to the Committee on War Claims.

By Mr. WITHROW: A bill (H. R. 3462) to amend and correct the military record of Albert Kaman; to the Committee on Military Affairs.

Also, a bill (H. R. 3463) for the relief of Marcus Lee; to the Committee on Naval Affairs.

SENATE

FRIDAY, JANUARY 22, 1937

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, whose wondrous name is Love, we bow before Thy presence at this morning hour in the spirit of deep humility and tender penitence, for Thou dwellest with him alone who is lowly and contrite of heart.

Increase our zeal as Thou dost light the flame upon the altar of our lives; forgive, we pray, the poverty of our petitions and hearken only to the crying of our need. Shed light upon all darkened places of the earth, upon all problems of our minds; dispel the night of dark and fear, and for the eyes that wait may morning dawn.

So let us ever work with Thee in watchfulness and prayer, hearing betimes the Master's voice—

> I did make them all—
> All things and man, heaven's glories and the dust.
> Who with Me works shall quicken death itself;
> Without Me—dust is dust.

We ask it in His name. Amen.

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of the calendar days Tuesday, January 19, and Wednesday, January 20, 1937, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its reading clerks, announced that the House

had passed without amendment the bill (S. 416) to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised.

PRINTING OF THE PRESIDENT'S INAUGURAL ADDRESS (S. DOC. NO. 10)

Mr. ROBINSON. I ask for the adoption of the order which I send to the desk.

The VICE PRESIDENT. The order will be read.

The order was read, considered by unanimous consent, and agreed to, as follows:

Ordered, That the inaugural address of the President of the United States delivered on Wednesday, January 20, 1937, be printed as a Senate document.

CALL OF THE ROLL

Mr. LEWIS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Chavez	Holt	Overton
Andrews	Clark	Hughes	Pepper
Ashurst	Connally	Johnson, Colo.	Pittman
Austin	Copeland	King	Pope
Bachman	Davis	La Follette	Radcliffe
Bailey	Dieterich	Lee	Reynolds
Bankhead	Duffy	Lewis	Robinson
Barkley	Ellender	Lodge	Russell
Bilbo	Frazier	Logan	Schwartz
Black	George	Lonergan	Schwellenbach
Bone	Gerry	Lundeen	Sheppard
Borah	Gibson	McAdoo	Smith
Bridges	Gillette	McCarran	Thomas, Utah
Brown, Mich.	Glass	McGill	Truman
Brown, N. H.	Green	McNary	Tydings
Bulkley	Guffey	Minton	Vandenberg
Bulow	Hale	Moore	Van Nuys
Burke	Harrison	Murray	Walsh
Byrd	Hatch	Neely	White
Byrnes	Hayden	Norris	
Capper	Herring	Nye	
Caraway	Hitchcock	O'Mahoney	

Mr. LEWIS. I announce the absence of the Senator from Ohio [Mr. DONAHEY], caused by illness, and also the absence of the Senator from Connecticut [Mr. MALONEY], the Senator from Oklahoma [Mr. THOMAS], the Senator from New York [Mr. WAGNER], and the Senator from Montana [Mr. WHEELER], who are unavoidably detained from the Senate.

Mr. BACHMAN. I regret to announce that my colleague the senior Senator from Tennessee [Mr. MCKELLAR] is absent because of the death late last night of his brother.

Mr. McNARY. I announce that the senior Senator from Minnesota [Mr. SHIPSTEAD] and my colleague the junior Senator from Oregon [Mr. STEIWER] are absent because of illness, and that the Senator from Delaware [Mr. TOWNSEND] is necessarily detained from the Senate.

The VICE PRESIDENT. Eighty-five Senators have answered to their names. A quorum is present.

FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, as follows:

To the Congress of the United States:

I transmit herewith a report by the Secretary of State showing all receipts and disbursements on account of refunds, allowances, and annuities for the fiscal year ended June 30, 1935, in connection with the Foreign Service retirement and disability system, as required by section 26 (a) of an act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor, approved February 23, 1931.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 22, 1937.*

[Enclosure: Report concerning retirement and disability fund, Foreign Service.]

REPORT ON APPROPRIATIONS FOR FOREST ROADS AND TRAILS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of Agriculture, transmitting, pursuant to law, a report on the appropriations for forest roads and trails for the fiscal year ended June 30, 1936, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry.

EMPLOYEES OF THE FEDERAL POWER COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Federal Power Commission, transmitting, pursuant to law, a statement showing the names, titles, and compensation of members and employees of the Federal Power Commission as of June 30, 1936, which, with the accompanying paper, was referred to the Committee on Commerce.

PETITIONS AND MEMORIALS

Mr. NYE. Mr. President, I present, for reference to the Committee on Appropriations, a concurrent resolution adopted by the Legislature of the State of North Dakota having to do with the meeting of emergency conditions prevailing in the drought area, and also a concurrent resolution of the Legislature of North Dakota having to do with the extension of credit for seeds and help in the planting of crops in the drought area.

The VICE PRESIDENT. The concurrent resolutions will be received and referred, as requested by the Senator from North Dakota.

The concurrent resolutions were referred to the Committee on Appropriations, as follows:

Senate Concurrent Resolution A

Be it resolved by the Senate of the State of North Dakota (the house of representatives concurring)—

Whereas a very serious emergency exists, due to a total crop failure in more than two-thirds of the counties of the State in 1936, which left our farmers entirely without feeds, both grains and hay, to care for their livestock needs, and which made it necessary for them to dispose of all surplus livestock except a few milk cows, brood sows, poultry, and work horses; and

Whereas all the farmers in the early fall of 1936 were lead to believe that emergency feed loans would be made available to them by the Resettlement Administration or by other Federal relief agencies to provide feed for their subsistence and foundation stock; and

Whereas hundreds of farmers did make application to the Resettlement Administration for such emergency feed loans; and

Whereas due to the exhaustion of funds made available to the Resettlement Administration by the Congress of the United States for such emergency relief purposes, further grants for feed loans have not been made, which fact has created conditions among our farmers that are intolerable and unbearable in that large numbers of subsistence and foundation livestock are in dire danger of complete destruction by starvation; and

Whereas the farmers' feed supplies on hundreds of farms are now entirely exhausted; and

Whereas severe cold weather and blizzards which have raged across our prairies the last 2 weeks have seriously aggravated the situation; and

Whereas our farmers, due to a series of crop failures and depressed prices, are entirely without means to care for their livestock needs; and

Whereas due to the general depression and nonpayment of taxes, our State and local governments are unable to cope with the situation; and

Whereas there must be some form of immediate aid given these farmers to assist them to feed the remaining stock they have, and if this is not done they will lose what stock they have left, and they will not be able to carry on when spring comes and remain self-supporting, but instead will be thrown on relief to a greater extent than the immediate assistance that should be given them at this time: Now, therefore, be it

Resolved by the Senate of the State of North Dakota (the house of representatives concurring), That we call to the attention of our Representatives in Congress, the Secretary of Agriculture, the Resettlement Administration, and the Federal Relief Administration the serious emergency now existing in our State, and urge upon the President and the Congress to make immediately available funds to meet this emergency condition either by appropriation by Congress or by the issuance of such Executive order as may be necessary to obtain for our farmers the feed necessary to save their livestock and carry them through the winter months; be it further

Resolved, That the secretary of state be instructed to forward copies of this resolution to our Senators and Representatives in Congress, the Secretary of Agriculture, the Resettlement Administration, and the Federal Relief Administration, all in Washington, D. C.

House Concurrent Resolution A

Be it resolved by the House of Representatives of the State of North Dakota (the senate concurring)—

Whereas during the past years the Federal Government has made loans to the farmers of this State to aid them in the pur-

chase of seed with which to plant their crops, and has taken security for such loans in the form of notes secured by crop mortgages: and

Whereas by reason of the continued drought conditions existing in this State it has been absolutely impossible for our farmers to liquidate but a very small portion, if any, of such indebtedness; and

Whereas it will be necessary for our farmers to receive further aid from the Federal Government during the year 1937 to enable them to purchase and obtain the necessary seed to plant their crops: Now, therefore, be it

Resolved by the House of Representatives of the State of North Dakota (the senate concurring), That we respectfully urge the President of the United States of America to at once make such Executive order as may be necessary to enable the farmers of the drought areas of the United States to obtain credit for seed or seed in kind for the planting of their crops during the year 1937, and that such seed as may be held by Government agencies be made available for sale and distribution at once; be it further

Resolved, That our Senators and Representatives in Congress be urged to cooperate with the President and Government agencies in every possible way necessary to bring about the distribution of seed to distressed farmers in the drought areas in ample time for use at the commencement of the planting season; be it further

Resolved, That copies of this resolution be forwarded immediately to the President of the United States and to each Senator and Representative of the State of North Dakota in Congress.

Mr. NYE. I also present another concurrent resolution adopted by the Legislature of North Dakota, for reference to the Committee on Agriculture and Forestry, favoring a continued Federal program to combat Bang's disease.

The VICE PRESIDENT. The concurrent resolution will be received and referred, as requested by the Senator from North Dakota.

The concurrent resolution was referred to the Committee on Agriculture and Forestry, as follows:

Senate Concurrent Resolution B

Be it resolved by the Senate of the State of North Dakota (the house of representatives concurring therein)—

Whereas the Federal program designed to combat Bang's disease in cattle in North Dakota has resulted in greatly reducing the prevalence of said disease, and has proven otherwise extremely beneficial to the cattle-breeding and dairy industries in the State: Now, therefore, be it

Resolved by the senate (the house of representatives concurring), That the Congress of the United States be, and is hereby, earnestly requested to continue the Federal appropriations for the control of Bang's disease; and be it further

Resolved, That copies of this resolution be transmitted by the secretary of state to the President of the United States, the Secretary of Agriculture, the Chief of the Bureau of Animal Industry, and to each Member of Congress from North Dakota.

Mr. COPELAND presented petitions, numerously signed, of sundry citizens of East Aurora and Gloversville, in the State of New York, praying for the enactment of neutrality legislation laying mandatory embargoes on the shipment of arms and other munitions of war, which were referred to the Committee on Foreign Relations.

Mr. WALSH presented a resolution adopted by the Sodality Union, of Washington, D. C., protesting against the use of books or literature in the public schools of the District of Columbia teaching communism, and favoring the adoption by the Board of Education of the District of only such books as will expose the dangerous and destructive effects of communism on the Republic, which was referred to the Committee on the District of Columbia.

Mr. CAPPER presented a resolution adopted by the Chamber of Commerce of Kansas City, Kans., protesting against the enactment of legislation providing for a 6-hour workday for railroad employees, which was referred to the Committee on Education and Labor.

He also presented a resolution adopted by the Home Missionary Society of the Kansas Avenue Methodist Episcopal Church, of Topeka, Kans., favoring the enactment of legislation to abolish the compulsory block booking of motion-picture films, which was referred to the Committee on Interstate Commerce.

TAX ON CORPORATION SURPLUSES

Mr. DAVIS. Mr. President, I submit a letter received by me today from Mr. D. Robert Yarnall, of Chestnut Hill, Pa., which I request be printed in the RECORD and referred to the Committee on Finance. The letter is brief. It expresses, in precise language, how a tax on surpluses of a modest corporation may prove to be an obstacle in the path of expansion.

There being no objection, the letter was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

CHESTNUT HILL, PA., *January 21, 1937.*

Senator JAMES J. DAVIS,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: I am writing on behalf of our manufacturing establishment which employs, including office force and salesmen, about 125 people. We have a business which has been growing conservatively for 25 years, manufacturing special valves and steam specialties.

We have never made a large profit but have been fairly consistent in our growth. Our men have received a little more than the prevailing wage in this district, and we have seen to it that they have satisfactory working conditions. We are now horrified by the increasing taxation which is placed upon us by the State and by the Government at Washington.

It so happens that our business is subject to extreme fluctuations between prosperous times and depressed times. If we cannot lay up any reserve in dull times and cannot lay up enough reserve in good times, we are prevented from the development of our business in a sound way.

At the present time we need to add about 20 percent more floor space to our present manufacturing facilities. As our surplus cash is going into taxes we do not have money available for these necessary extensions.

This is a frank statement to you of our situation without any political bias whatsoever. We need sympathetic treatment by you of our tax situation in Washington.

Yours faithfully,

YARNALL-WARING CO.,
D. ROBERT YARNALL.

REPORT OF THE COMMITTEE ON MILITARY AFFAIRS

Mr. NYE, from the Committee on Military Affairs, to which was referred the bill (S. 368) to amend the act of May 25, 1933 (48 Stat. 73), reported it without amendment and submitted a report (No. 9) thereon.

REPORTS FROM COMMITTEE TO AUDIT AND CONTROL THE CONTINGENT EXPENSES OF THE SENATE

Mr. BYRNES. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably without amendment Senate Resolutions 59, 62, 63, and 64, and ask unanimous consent for their immediate consideration.

The VICE PRESIDENT. Is there objection?

HEARINGS BEFORE THE COMMITTEE ON TERRITORIES AND INSULAR AFFAIRS

There being no objection, the resolution (S. Res. 59), submitted by Mr. TYDINGS on the 12th instant, was read, considered, and agreed to, as follows:

Resolved, That the Committee on Territories and Insular Affairs, or any subcommittee thereof, is authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE THE COMMITTEE ON PUBLIC LANDS AND SURVEYS

The resolution (S. Res. 62), submitted by Mr. ADAMS on the 16th instant, was read, considered, and agreed to, as follows:

Resolved, That the Committee on Public Lands and Surveys, or any subcommittee thereof, be, and hereby is, authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not to exceed 25 cents per hundred words, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE THE COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

The resolution (S. Res. 63), submitted by Mr. LEWIS on the 19th instant, was read, considered, and agreed to, as follows:

Resolved, That the Committee on Expenditures in the Executive Departments, or any subcommittee thereof, is hereby authorized during the Seventy-fifth Congress to send for persons, books, and

papers, to administer oaths, and employ a stenographer at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE THE COMMITTEE ON AGRICULTURE AND FORESTRY

The resolution (S. Res. 64), submitted by Mr. SMITH on the 19th instant, was read, considered, and agreed to, as follows:

Resolved, That the Committee on Agriculture and Forestry, or any subcommittee thereof, is hereby authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid from the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during any sessions or recesses of the Senate.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ROBINSON:

A bill (S. 974) to create the Capital Auditorium Commission; to the Committee on Public Buildings and Grounds.

A bill (S. 975) to amend the act approved February 7, 1913, so as to remove restrictions as to the use of the Little Rock Confederate Cemetery, and for other purposes (with accompanying papers); to the Committee on Military Affairs.

By Mr. PITTMAN:

A bill (S. 976) relating to labor preferences in connection with certain public-works projects; to the Committee on Public Lands and Surveys.

By Mr. KING:

A bill (S. 977) to provide alternative methods of enforcement of orders, rules, and regulations of the Joint Board and of the Public Utilities Commission of the District of Columbia; and

A bill (S. 978) to extend the provisions of certain laws to the District of Columbia; to the Committee on the District of Columbia.

A bill (S. 979) to amend the Revenue Act of 1936 with respect to the surtax on undistributed profits; to the Committee on Finance.

By Mr. McGILL:

A bill (S. 980) granting a pension to Beesie Kirkman;

A bill (S. 981) granting a pension to Josephine Morton; and

A bill (S. 982) granting a pension to Sarah E. Tronjo; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 983) to create a United States Civil Service Board of Appeals; to the Committee on Civil Service.

A bill (S. 984) to amend the World War Adjusted Compensation Act; to the Committee on Finance.

A bill (S. 985) granting a pension to Minnie O. Draper;

A bill (S. 986) granting a pension to Lottie Flint; and

A bill (S. 987) granting an increase of pension to Nancy J. Walker; to the Committee on Pensions.

By Mr. COPELAND:

A bill (S. 988) to amend an act entitled "An act to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce a Foreign Commerce Service of the United States, and for other purposes", approved March 3, 1927, as amended; to the Committee on Commerce.

A bill (S. 989) to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. Clarence Quinton Pair; to the Committee on the District of Columbia.

A bill (S. 990) relating to the stay of deportation of certain aliens; to the Committee on Immigration.

A bill (S. 991) granting an increase of pension to Helen K. Snowden; to the Committee on Pensions.

(By request.) A bill (S. 992) to make electricians licensed officers after an examination; to the Committee on Commerce.

(By request.) A bill (S. 993) for the relief of Chazkiel (or Charles) Lewkowski; to the Committee on Immigration.

By Mr. HAYDEN:

A bill (S. 994) to provide for the appointment of counsel to represent indigent Indians in criminal cases before the Federal courts; to the Committee on Indian Affairs.

By Mr. HARRISON:

A bill (S. 995) for the relief of Hester Robinson; to the Committee on Claims.

By Mr. BURKE:

A bill (S. 996) to further extend the times for commencing and completing the construction of a bridge across the Missouri River between the towns of Decatur, Nebr., and Onawa, Iowa; and

A bill (S. 997) to further extend the times for commencing and completing the construction of a bridge across the Missouri River at or near the cities of South Sioux City, Nebr., and Sioux City, Iowa; to the Committee on Commerce.

By Mr. FRAZIER:

A bill (S. 998) for the relief of Robert Fix, Clara Fix Nichols, Philip Fix, and Gertrude Fix Dalton; to the Committee on Indian Affairs.

By Mr. BARKLEY:

A bill (S. 999) granting a pension to Frank House;

A bill (S. 1000) granting a pension to Viola Compton;

A bill (S. 1001) granting a pension to Fieldon Adkins;

A bill (S. 1002) granting a pension to Sarah Jane Lewis Langdon;

A bill (S. 1003) granting a pension to Lucinda Van Norsdel;

A bill (S. 1004) granting a pension to Gertrude Maurer;

A bill (S. 1005) granting a pension to John R. Sparks;

A bill (S. 1006) granting a pension to Nancy V. Shipley;

A bill (S. 1007) granting a pension to Delia England;

A bill (S. 1008) granting a pension to Mary Shelton;

A bill (S. 1009) granting a pension to Juriah Hyden;

A bill (S. 1010) granting a pension to Minnie Harrison;

A bill (S. 1011) granting a pension to George W. Gardner;

A bill (S. 1012) granting a pension to Anna Krebs;

A bill (S. 1013) granting a pension to Lucretia Woods;

A bill (S. 1014) granting a pension to Maggie Wilson;

A bill (S. 1015) granting a pension to Margaret Moore;

A bill (S. 1016) granting a pension to Mary Curry;

A bill (S. 1017) granting a pension to John C. Hounshell;

A bill (S. 1018) granting a pension to Dora Short;

A bill (S. 1019) granting a pension to Aleck Camlin;

A bill (S. 1020) granting a pension to Wiley Roberts;

A bill (S. 1021) granting a pension to John Winn;

A bill (S. 1022) granting a pension to Lydia Ann Hollingsworth;

A bill (S. 1023) granting a pension to Nancy C. Buck;

A bill (S. 1024) granting a pension to Levi Sawyer;

A bill (S. 1025) granting a pension to Gertrude Biggs;

A bill (S. 1026) granting a pension to Daniel Wilson;

A bill (S. 1027) granting a pension to Mattie Sebastian;

A bill (S. 1028) granting a pension to Sam H. Hadley;

A bill (S. 1029) granting a pension to Ellanor Green;

A bill (S. 1030) granting a pension to Ella Noe;

A bill (S. 1031) granting a pension to John C. Bishop;

A bill (S. 1032) granting a pension to Harry L. Cox;

A bill (S. 1033) granting a pension to William M. Graham;

A bill (S. 1034) granting a pension to Allen Nantz;

A bill (S. 1035) for the relief of Homer N. Horine; and

A bill (S. 1036) granting a pension to Elizabeth M. Runnels; to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 1037) for the relief of H. L. Roberts & Co.; and

A bill (S. 1038) for the relief of Victor M. Ruiz C and Luz Elena Robles (with accompanying papers); to the Committee on Claims.

A bill (S. 1039) to authorize the appointment of Sam Alexander as a warrant officer, United States Army; and

A bill (S. 1040) placing provisional officers of the World War in the same status with emergency officers of the World War and extending to them the same benefits and/or privileges as are now or may hereafter be provided by law, orders, and/or regulations for said emergency officers, and for other purposes; to the Committee on Military Affairs.

A bill (S. 1041) for the relief of Lee Grant McIntyre; to the Committee on Naval Affairs.

By Mr. HATCH and Mr. LEE:

A bill (S. 1042) for the relief of A. C. Williams; and

A bill (S. 1043) for the relief of A. C. Williams; to the Committee on Claims.

By Mr. HATCH and Mr. CHAVEZ:

A bill (S. 1044) for the relief of Thomas W. Seay; to the Committee on Claims.

By Mr. BULOW:

A bill (S. 1045) for the relief of George C. Widlon; to the Committee on Claims.

A bill (S. 1046) for the relief of Harold Dukelow; to the Committee on Military Affairs.

A bill (S. 1047) to authorize the city of Pierre, S. Dak., to construct, equip, maintain, and operate on Farm Island, S. Dak., certain amusement and recreational facilities, to charge for the use thereof, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. SCHWELLENBACH:

A bill (S. 1048) for the relief of Alexander E. Kovner; to the Committee on Claims.

A bill (S. 1049) authorizing the appointment and retirement of Frederick Buchanan Rosenbaum as a first lieutenant, United States Army; to the Committee on Military Affairs.

By Mr. WALSH:

A bill (S. 1050) for the relief of the estate of Catherine Harkins, deceased; to the Committee on Claims.

A bill (S. 1051) to expedite the dispatch of vessels from certain ports of call; to the Committee on Commerce.

By Mr. BANKHEAD:

A bill (S. 1052) to provide for the further development of cooperative agricultural extension work; to the Committee on Agriculture and Forestry.

By Mr. SMITH:

A bill (S. 1053) to provide for loans to farmers for crop production and harvesting during the year 1937, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. McNARY:

A bill (S. 1054) to facilitate the use and occupancy of national-forest lands for purpose of residence, recreation, education, industry, and commerce; and

A bill (S. 1055) to authorize an extension of exchange authority and addition of public lands to the Willamette National Forest in the State of Oregon; to the Committee on Agriculture and Forestry.

A bill (S. 1056) for the relief of Dr. R. C. Field;

A bill (S. 1057) for the relief of Joseph A. Ganong; and

A bill (S. 1058) for the relief of W. G. Wertz; to the Committee on Claims.

A bill (S. 1059) for the relief of Emil Zumbrunn;

A bill (S. 1060) to authorize loans for the construction of recreational housing accommodations in national parks and national forests; to the Committee on Finance.

A bill (S. 1061) for the relief of Herman Edward Rohwer; to the Committee on Naval Affairs.

A bill (S. 1062) to further extend the time for the payment of purchase money on homesteads; and

A bill (S. 1063) to amend section 3 of the act of July 13, 1926 (44 Stat. 915), entitled "An act for the relief of certain counties in the States of Oregon and Washington, within whose boundaries the revested Oregon & California Railroad Co. grant lands are located"; to the Committee on Public Lands and Surveys.

By Mr. BORAH:

A bill (S. 1064) granting an increase of pension to Salathiel G. Leach; and

A bill (S. 1065) granting an increase of pension to Phoebe Lee Parker; to the Committee on Pensions.

By Mr. LUNDEEN (for Mr. SHIPSTEAD):

A bill (S. 1066) granting an annuity to Theresa E. Thoreson; to the Committee on Civil Service.

A bill (S. 1067) for the relief of Asa J. Hunter; and

A bill (S. 1068) for the relief of Earl W. Thomas; to the Committee on Claims.

A bill (S. 1069) granting an increase in retired pay to Frank E. Monville; to the Committee on Military Affairs.

A bill (S. 1070) for the relief of Gilbert Donald Thomas; to the Committee on Naval Affairs.

A bill (S. 1071) granting a pension to Matilda Davison;

A bill (S. 1072) granting a pension to Mabel Kenney;

A bill (S. 1073) granting a pension to Ida S. Nolterieke; and

A bill (S. 1074) granting a pension to Josie Lewis (with accompanying papers); to the Committee on Pensions.

A bill (S. 1075) to establish the Pipestone Indian Shrine in the State of Minnesota; and

A bill (S. 1076) to provide for the payment of certain indebtedness on lands acquired by the United States; to the Committee on Public Lands and Surveys.

(Mr. BARKLEY (for Mr. WHEELER) introduced Senate bill 1077, which was referred to the Committee on Interstate Commerce, and appears under a separate heading.)

By Mr. COPELAND:

A bill (S. 1078) to amend an act entitled "An act to create a juvenile court in and for the District of Columbia", and for other purposes; to the Committee on the District of Columbia.

By Mr. KING:

A joint resolution (S. J. Res. 52) relating to a permanent memorial in the city of Washington, D. C., to the memory of Thomas Jefferson; to the Committee on the Library.

AMENDMENT OF NEUTRALITY JOINT RESOLUTIONS

Mr. PITTMAN. I introduce a joint resolution and ask to have it referred to the Foreign Relations Committee. I will state that it relates to the neutrality acts. There has been some suggestion of tentative amendments. I desire that it be submitted to the committee so that consideration of this matter may be commenced.

The VICE PRESIDENT. The joint resolution will be received and referred, as requested by the Senator from Nevada.

The joint resolution (S. J. Res. 51) to amend the joint resolution entitled "Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war", approved August 31, 1935, being Public Resolution No. 67, Seventy-fourth Congress (S. J. Res. 173), as amended by joint resolution approved February 29, 1936, entitled "Joint resolution extending and amending the joint resolution (Public Res. No. 67, 74h Cong.), approved August 31, 1935", was read twice by its title and referred to the Committee on Foreign Relations.

AMENDMENT OF FEDERAL TRADE COMMISSION ACT

Mr. BARKLEY. Mr. President, on behalf of the Senator from Montana [Mr. WHEELER], who is ill, I introduce a bill to amend the Federal Trade Commission Act. It is in identical terms with Senate bill 3744, Seventy-fourth Congress, second session, which was passed by the Senate on the 4th of May 1936. That bill went to the other House, and on it the House committee held hearings, but, on account of the lateness of the session, the House did not act upon the bill. The hearings which were held before the committees of the Senate and the House and the report filed by the Senate Committee on Interstate Commerce contain all the information with respect to the measure. I make this statement at the request of the Senator from Montana.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1077) to amend the act creating the Federal Trade Commission, to define its powers and duties, and for

other purposes, was read twice by its title and referred to the Committee on Interstate Commerce.

CHANGE OF REFERENCE

On motion by Mr. SHEPPARD, the Committee on Military Affairs was discharged from the further consideration of the bill (S. 917) for the relief of officers and soldiers of the Volunteer service of the United States mustered into service for the War with Spain and who were held in service in the Philippine Islands after the ratification of the treaty of peace, April 11, 1899, and it was referred to the Committee on Claims.

HEARINGS BEFORE THE COMMITTEE ON CIVIL SERVICE

Mr. BULOW submitted the following resolution (S. Res. 66), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Civil Service, or any subcommittee thereof, hereby is authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be held in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

STUDY OF CORRUPT PRACTICES ACTS (S. DOC. NO. 11)

Mr. NYE. Mr. President, for as many as 10 years I have been conversant with the effort being made by Prof. Harry Best, of the University of Kentucky, in connection with a study of the corrupt practices acts of the various States of the Union. His study has been kept up to date from year to year and as laws have been changed his compilation has been changed. I think the study most deserving of being printed as a public document, and I ask consent that it may be so printed.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the order is made.

AUTHORITY TO SIGN AN ENROLLED BILL

Mr. ROBINSON. Mr. President, I ask recognition for the consideration of a privileged order. I ask entry of the order which I send to the desk and invite the attention of the Senator from Oregon [Mr. MCNARY].

The VICE PRESIDENT. The order will be read.

The legislative clerk read the order, as follows:

Ordered, That the President of the Senate be, and he is hereby, authorized to sign, during the recess or adjournment of the Senate following today, the enrolled bill (S. 416) to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised.

The VICE PRESIDENT. Without objection, the order is entered.

THE LAWYER AND DEMOCRACY—ARTICLE BY CHARLTON OGBURN

[Mr. O'MAHONEY asked and obtained leave to have printed in the RECORD an article by Mr. Charlton Ogburn published in the American Law Review in 1915, entitled "The Lawyer and Democracy", which appears in the Appendix.]

THE CALENDAR

The VICE PRESIDENT. Morning business is closed. The calendar under rule VIII is in order, and the first bill on the calendar will be stated.

EXCHANGE OF USED PARTS OF EQUIPMENT

The bill (S. 462) to permit the exchange of used parts of certain types of equipment for new or reconditioned parts of the same equipment was announced as first in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was read, considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That used parts of mechanical refrigerators, hermetically sealed refrigerating units, temperature control devices, and watchmen's clocks may be exchanged in whole or in part payment for new or reconditioned parts to be used for the same purpose as those proposed to be exchanged.

CHARLES T. MILLER HOSPITAL, INC., AND OTHERS

The bill (S. 767) for the relief of the Charles T. Miller Hospital, Inc., at St. Paul, Minn.; Dr. Edgar T. Herrmann; Ruth Kehoe, nurse; and Catherine Foley, nurse, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to pay, out of the naval hospital fund, to the Charles T. Miller Hospital, Inc., at St. Paul, Minn., the sum of $135.45; to Dr. Edgar T. Herrmann the sum of $117; to Ruth Kehoe, nurse, the sum of $9; and to Catherine Foley, nurse, the sum of $4; in all, $265.45, in full settlement of all claims against the Government of the United States for services and professional treatment rendered Leonard James Graves, storekeeper, second-class, (F–1) United States Naval Reserve, while ill with diabetic acidosis during the period from August 17, 1935, to September 7, 1935: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

REIMBURSEMENT OF CERTAIN ENLISTED MEN OF THE NAVY

The Senate proceeded to consider the bill (S. 766) to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects destroyed in a fire at the radio direction-finder station, North Truro, Mass., on December 27, 1934, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $527.89, or such portion as may be necessary, to pay claims of enlisted men and former enlisted men of the United States Navy for the value of personal effects destroyed as the result of a fire at the radio direction-finder station, North Truro, Mass., on December 27, 1934: *Provided*, That the Secretary of the Navy shall determine the amount to be paid hereunder to each claimant: *And provided further*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. KING. Mr. President, will the Senator from Massachusetts [Mr. WALSH] make a very brief explanation of Senate bill 766, providing for the reimbursement of certain enlisted men of the Navy? Does the bill contemplate extending the rule beyond that which heretofore has prevailed in the Navy?

Mr. WALSH. It does not. Both of the bills, the one just passed and the one now before us, were sent to the Senate by the Secretary of the Navy and were introduced at the request of the Navy.

Under the general law if an enlisted man or an officer suffers damage by reason of a fire through a "marine disaster", the Navy Department itself can award and pay damages. There is no general law that permits the awarding of damages for loss of the clothing or effects of a naval officer or enlisted man of the Navy if the loss happens in a navy yard or in some other place than a "marine disaster." Several bills of this nature have passed previous Congresses.

The purpose of the bill is to provide an appropriation of $527.89 for the payment to five enlisted men and former enlisted men of the Navy for the loss of clothing and other effects resulting from a fire at the radio direction-finder station, North Truro, Mass., on December 27, 1934.

The facts and circumstances of this case are, substantially, as follows: At about 5:20 p. m., on December 27, 1934, a fire was discovered in the chimney casing of the crew's barracks at the radio direction-finder station, North Truro, Mass. The main chimney of the barracks, where the fire started, was of single brick construction with no insulation other than a 4-inch air space between the chimney and the pine chimney casing. The chimney was not lined. After the fire had burned the section of the roof near the top of the chimney, the upper part of the chimney collapsed. The fire completely destroyed the barracks and its contents, the garage, pump-

house, and the firehouse. One side and the roof of the powerhouse were badly scorched. The fire was fought by the station personnel under the direction of the chief radioman in charge of the station and by the combined fire departments from North Truro, Provincetown, and Wellfleet, Mass. The station chemical fire apparatus functioned properly, but the personnel fighting the fire were greatly handicapped by the lack of sufficient water supply. No personal effects, except what each man was wearing, were saved by the crew.

The board of investigation that inquired into the circumstances of the fire expressed the opinion that it resulted from a defective chimney; that no responsibility on the part of claimants exists, therefore, the defect being due to the long use of the chimney and the fact that it was so enclosed as to be impracticable to examine its condition during routine inspection. The personnel of the station, aided by outside assistance, made every possible effort to subdue the fire and save the property of the Government. The board commended them for restricting the damage to the property destroyed.

Claims were submitted by five enlisted men for losses occurring in the fire. These claims were submitted to the Navy Department Claims Board, which found the total value of the articles destroyed to be $527.89, which amount is considered to be reasonable. The committee is of the opinion that as the losses of claimants' effects occurred without fault or negligence on their part and consisted only of articles of wearing apparel and personal effects, they should be reimbursed for the losses sustained.

The claims were submitted to the Navy Department for settlement under the act of October 6, 1917 (sec. 981, title 34, U. S. C.), but could not be adjusted thereunder on account of the fact that the fire was not a "marine disaster." There is no other existing authority of law for the adjustment of these claims.

The additional cost to the Government should the bill be enacted will not exceed $527.89.

Mr. KING. I have no objection.

The VICE PRESIDENT. The question is, Shall the bill be engrossed for a third reading?

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. SCHWELLENBACH. Mr. President, I understood the Senator from Utah [Mr. KING] objected to the present consideration of the bill.

Mr. KING. No; I stated I had no objection.

The VICE PRESIDENT. The bill has been passed. Does the Senator desire a reconsideration?

Mr. SCHWELLENBACH. I should like to interpose an objection. The Committee on Claims is preparing rules in reference to bills of this kind which they desire to submit to the Senate. The feeling in the Committee on Claims is that the Government should not be an insurer in cases of this kind, but that if a loss is due to some negligence on the part of the Government then the enlisted men should be entitled to reimbursement. Otherwise, they should not be entitled to it. I ask for a reconsideration of the vote by which the bill was passed.

The VICE PRESIDENT. Is there objection?

There being no objection, the votes by which the bill was ordered to be engrossed for a third reading, read the third time, and passed were reconsidered.

The VICE PRESIDENT. The bill will remain on the calendar.

MISSOURI RIVER BRIDGE, ATCHISON, KANS.

The bill (S. 62) to extend the times for commencing and completing the construction of a free highway bridge across the Missouri River at or near Atchison, Kans., was announced as next in order.

Mr. BULKLEY. Mr. President, I ask that the bill may be recommitted to the Committee on Commerce. I understand several persons interested are desirous of appearing before the committee and making statements in reference to it.

The VICE PRESIDENT. That may be done if there is no objection. Is there objection to the request of the Senator from Ohio?

Mr. McGILL. Mr. President, this happens to be my bill. I am willing for the committee to hear the parties referred to by the Senator from Ohio, but I object to the bill being taken from the calendar and recommitted back to the committee.

Nearly 3 years ago a measure was passed granting permission to construct the bridge. Those who desire now to have a hearing have continually held up the matter by some temporary restraining order in one court or another for a full period of 3 years. Early next month the time will expire within which to begin the construction of the bridge. Therefore, action should be had on the bill at a very early date.

I should like to have the bill remain on the calendar. If the Senator from Ohio has constituents who would like to appear before the subcommittee, that is agreeable, provided they will do so at a reasonably early date.

Mr. BULKLEY. I only desire to make sure that they shall have a hearing.

The VICE PRESIDENT. The Chair understood the Senator from Kansas [Mr. McGILL] to object to recommittal of the bill to the Committee on Commerce. Apparently there is no objection to the bill going over. It will be passed over and remain on the calendar.

THE FOREIGN DEBTS

Mr. LEWIS. Mr. President, I ask the indulgence of the Senate for a brief time, which I trust will not exceed 5 minutes.

Mr. President, I bring to the attention of the Senate a press report laid on my desk this moment. This public information, as communicated to us by the press, indicates that our Nation's debtors—the foreign nations now indebted to the United States in vast billions—are indicating a desire to take the subject up anew with this Government. It is here reported that they have found it agreeable to send commissioners or envoys to take up the question with the American administration in power in such manner as may be expressed by us to our people.

I do not know, sir, that those who are assumed to be envoys are being commissioned by the governments which are indebted to the United States, or whether they have assumed to come here as voluntary emissaries of peace and financial honor. I am exceedingly interested to ascertain by what authority they come, and I am more interested as to what they bring.

I am quite aware that we frequently quote the ancient maxim of the Greeks as to those who were opposed to them, to beware of those bearing gifts. I am not conscious that those who are on their way are bringing gifts which were indicated in those days as presents. I am conscious of the fact that we are at a time when some action must be taken as to these debts.

I observe from the general press which gives this information that there is in our midst already a distinguished financier and emissary, Sir George Paish. This eminent gentleman has frequently done us the honor to be present, and has submitted his wisdom in different forms and suggestions for our guidance. In a matter of this kind we should not be without due appreciation, since the announcement is now made, among others, that he comes to instruct us, as well as England, in the matter of what is known as the Carnegie peace movement, of its importance for America's future welfare. Incidentally with this, sir, it is reported that the head of the Board of Trade of London and that of the English Government, the eminent financier, Sir Runciman, is at New York. He, in an interview on this subject, announced a very natural desire, hoping that the "whole subject may now be settled."

In the meanwhile we behold that France, through her ruling officer under the theory of her government, acting through Ambassador-elect Bonnét, who is shortly to be the representative of France here in the United States, and an officer of the institution which we speak of as the Bank of France, has stated that, while there is no cash to be paid to the United States, it is to be trusted that there will be found a "method", and that there has been, says the quotation, some consideration mutually between some of the debtors. I take it, sir, that means England and France, as it is only

as to those two that we have seen that there has been any conference between the eminent representatives of these very reputable nations. I observe, sir, that one of these announced representatives says "that the time has come when this whole dispute should now be settled." In that we wholly concur.

Mr. President, it is a noted fact that these great nations, standing upon the dignity of the pressure from their Governments, have found it agreeable, in the response to the different demands from this Government to decline to pay their debts or to state any time when any part of the debts will be paid, and even refuse to recognize the interest due as proof earnest of the honesty of the debt. It may be, sir, that they find it agreeable to execute some policy of their own not heretofore expressed, unknown to us so far as declaration is concerned, but very clearly one in process of some understanding; for the work of confusing the status seems to be so contemporaneous and, at the same time, sir, so synonymous with the same object, that one can but conclude that there has been at least the direction in detail of each to guide and protect the conduct of the other.

Mr. President, it may be, and for the purposes of this suggestion we will consider, that there is not cash to be paid, and that these eminent sources are here, as intimated, to find some "method." Among other methods is, perchance, that of another conference by this Government and the other governments interested as debtors to bring about a reduction of the debt, perchance wiping it out by some "method" of pretense of friendship and brotherhood; or, at any rate, sir, to "dispose of the subject", as one of the eminent representatives expresses himself, by cancelation of the obligation.

Mr. President, I make bold at this moment, with the indulgence of the Senate, to make a respectful suggestion to these eminent envoys and emissaries for their consideration, because of the subject matter rising to the dignity of one that now may be considered to be in need of termination.

Since it be true, sir, that these nations have no cash with which to pay us, as they state, but since it is also evidently true, sir, that they are able to build for themselves a very large increase in the armaments of war, I take the liberty of calling to their attention the fact that since the world at large seems to be threatening all mankind with some form of hostility, and this our United States of America is compelled by these conditions of warning to take preparation for its defense, and since our debtor England is enabled to build great ships at vast expense for its uses and to discharge them from her yards and send them to the seas, and as necessities now have put upon the United States the need for a larger navy and for the addition of ships, it is suggested that England contribute in part payment of the debt that she owes us some of the ships that are in excess of her immediate needs, or that she build in her yards a form of ships commensurate with the needs of this our United States of America, those ships to be sent to the United States to take the place of those which otherwise we should be compelled to build and pay for out of the Treasury of our Nation.

In this respect, this particular feature of what one of the eminent emissaries calls "mutual trade" could readily be entered upon with very serious consideration, and I suggest it as one of very natural adoption in the form of "payment of debts."

And now, sir, as to France: As it is known by record that France has been enabled now to hold first place with her submarines, and as such submarines seem to be necessary if war is to be precipitated upon this Nation by any other, then, particularly for our defense, it is suggested that a contribution of those particular craft now in excess of her immediate needs be made by France to supply some of the needs of the United States' service of defense, and that those be credited upon her debt to the amount that the United States may adopt.

But, sir, let us be frank in alluding to Italy. Italy, we will recall, did not receive territory at the Peace Conference. She did not receive vast areas of land such as were given the other debtors of whom we have made mention, which, in the long range of their geography, include more population, taken all together, than the whole population of the United States of America, and, sir, in area, if measured by the estimates given by those who received them, exceeding the land that is occupied upon the Continent of America. Since Italy has received nothing of these in the form of indemnity, we suggest that Italy be considered in the light of this lesser situation; and since she now possesses the aerial machine or flying machine so necessary to war in such quantity and evidently of such force and modern power that she was able to affright great England with her threat of aerial armament surrounding the Red Sea and the Suez Canal at the time when there was contemplation of war between Italy and England over Ethiopia, we now suggest that Italy make contribution to the United States of some of the surplus of these machines which she has been so able to construct with such magnitude of power and what appears to be great efficacy in their usefulness. And, sir, I submit that as to these three debtors this example be at once entered upon to consider that which our country has uses for, as something in the form of contributions toward this debt.

I am, sir, anxious that these eminent debtors understand that this Government is not sitting idly by, and merely because in its good manners and generosity it has declined continuously to prod its debtors that its silence does not mean that it is surrendering its right or that it is to yield the honest debt which is owed to it. I have often burdened this honorable body, I fear, in taking up subjects such as we now have before us; but I take the liberty to remark, sir, that we cannot overlook the fact that our great debtors have been enabled to add to their forces for the purposes of conflict a vast army of material which has cost vast billions of money. In the meantime, sir, no interest is paid upon this debt, which was incurred by them for their salvation and the money paid by us for what they then said was their necessary preservation. As they cried for salvation at the time, and we yielded at the expense to ourselves of great inconvenience to our people and loss to our Treasury, when a method is suggested by which they could now make a contribution of payment it is highly commendable that at least the gesture be given and that honorable faith be shown between these who are friendly nations.

These nations have done us the compliment of sending abroad these envoys, who, we hope, will be entertained in our midst while they administer to us such direction and counsel as is necessary to our welfare. Of course, no one will think I am indulging in any satire in these observations. Of course, it is seen how entirely serious I am. This is very apparent in the compliment I am having in this attentive, full-seated Senate. I therefore take the liberty in this honorable body of suggesting that these nations should consider, sir, the seriousness of this situation and give some immediate evidence of action, so that this Nation may know what is to be the course of these debtors. Do they intend to continue this course of deception, this plausibility of gesture, this expression of general friendship, while continuing an indebtedness and constantly cheating us of our rights? If they intend to do that, let them announce it, that we may know where we are, and where we are to be, and what shall be the manner of our dealing hereafter with such debtors. This is the hour when we must recall to these honorable nations the warning contained in the words of the twenty-second chapter of the Revelations—that even a nation may reach a point where it will be known before the world as one "that loveth and maketh lies." I trust, sir, that we shall not be called upon to deal with these nations upon such a basis.

I take the liberty to make suggestions such as I have made that these eminent envoys, or whatever representatives they are, shall consider such as some of the methods by which

payment may be made in a manner of which we have need, but which avoids the paying of cash, and at least gives some illustration and demonstration of an honest effort to pay these debts. They are now due again in this January of the new year—this 1937. May there come a result to be saluted with "a Happy New Year."

I thank the Senate for its indulgence.

EXECUTIVE SESSION

Mr. ROBINSON. The calendar has been disposed of. If there be no further legislative business, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States, submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

Mr. ADAMS, from the Committee on Public Lands and Surveys, reported favorably the nomination of Frank E. DeKay, of Idaho, to be register of the land office at Blackfoot, Idaho, which was ordered to be placed on the Executive Calendar.

THE POSTMASTER GENERAL

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, as follows:

THE WHITE HOUSE, *January 22, 1937.*

To the Senate of the United States:

I nominate James A. Farley, of New York, to be Postmaster General. (Reappointment.)

FRANKLIN D. ROOSEVELT.

Mr. ROBINSON. Mr. President, there have been sent to the Senate today a number of Executive nominations, among them the nomination of Mr. James A. Farley to be Postmaster General, which has just been laid before the Senate. Under the custom which has prevailed in the Senate, I ask unanimous consent for the present consideration of the nomination.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arkansas?

Mr. McNARY. Mr. President, this is an unusual request, but probably the situation is unusual. I do not wish to have consent upon my part on this occasion construed as a precedent in the future. With this remark, I have no objection to the confirmation of the nomination of Mr. Farley.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

Mr. ROBINSON. I ask unanimous consent that the President be notified.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the President will be notified.

THE JUDICIARY

The legislative clerk read the nomination of Charles C. Wyche to be United States district judge, western district of South Carolina.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Claude N. Sapp to be United States district attorney for the eastern district of South Carolina.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Oscar Henry Doyle to be United States attorney for the western district of South Carolina.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

NAVY DEPARTMENT

The legislative clerk read the nomination of Charles Edison, of New Jersey, to be Assistant Secretary of the Navy.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Admiral William D. Leahy to be Chief of Naval Operations in the Department of the Navy.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

IN THE NAVY

The legislative clerk proceeded to read sundry nominations for promotions in the Navy.

Mr. WALSH. Mr. President, all the remaining naval nominations are promotions made in the regular order, which have been approved by the Committee on Naval Affairs, and I ask that they be confirmed en bloc.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the other nominations in the Navy are confirmed en bloc.

IN THE MARINE CORPS

The legislative clerk read the nomination of Brig. Gen. Thomas Holcomb to be major general commandant of the Marine Corps.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Col. James J. Mead to be brigadier general in the Marine Corps.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk proceeded to read sundry nominations for promotions in the Marine Corps.

Mr. WALSH. Mr. President, I ask that all the other nominations in the Marine Corps, which have been made through a selection board, and which have been approved by the Committee on Naval Affairs, be confirmed en bloc.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the other nominations in the Marine Corps are confirmed en bloc. That completes the calendar.

ADJOURNMENT TO TUESDAY

The Senate resumed legislative session.

Mr. ROBINSON. Mr. President, there is no business on the calendar. I therefore move an adjournment of the Senate until Tuesday next at 12 o'clock. I hope that in the meantime the committees may have opportunity to consider proposed legislation.

The motion was agreed to; and (at 12 o'clock and 35 minutes p. m.) the Senate adjourned until Tuesday, January 26, 1937, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 22, 1937

POSTMASTER GENERAL

James A. Farley, of New York, to be Postmaster General. (Reappointment.)

UNDER SECRETARY OF THE TREASURY

Roswell Magill, of New York, to be Under Secretary of the Treasury, to fill an existing vacancy.

THE ADJUTANT AND INSPECTOR OF THE MARINE CORPS

Col. Clayton B. Vogel to be The Adjutant and Inspector of the Marine Corps, with the rank of brigadier general, for a period of 4 years from the 1st day of March 1937.

COLLECTOR OF INTERNAL REVENUE

William P. Stuart, of Prescott, Ariz., to be collector of internal revenue for the district of Arizona, to fill an existing vacancy.

UNITED STATES MARSHAL

Granville T. Norris, of Oklahoma, to be United States marshal for the eastern district of Oklahoma, vice James E. Swinney, deceased. (Mr. Norris is now serving under an appointment by the court.)

WORKS PROGRESS ADMINISTRATION

W. S. Key, of Oklahoma, to be State administrator in the Works Progress Administration for Oklahoma.

APPOINTMENTS IN THE NATIONAL GUARD OF THE UNITED STATES

GENERAL OFFICERS

Maj. Gen. Gilson Don Light, Ohio National Guard, to be major general, National Guard of the United States.

Brig. Gen. William Lloyd Marlin, Ohio National Guard, to be brigadier general, National Guard of the United States.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 22, 1937

POSTMASTER GENERAL

James A. Farley to be Postmaster General.

UNITED STATES DISTRICT JUDGE

Charles C. Wyche to be United States district judge, western district of South Carolina.

UNITED STATES DISTRICT ATTORNEYS

Claud N. Sapp to be United States district attorney, eastern district of South Carolina.

Oscar Henry Doyle to be United States district attorney, western district of South Carolina.

ASSISTANT SECRETARY OF THE NAVY

Charles Edison, to be Assistant Secretary of the Navy.

CHIEF OF NAVAL OPERATIONS

Admiral William D. Leahy to be Chief of Naval Operations in the Department of the Navy with rank of admiral.

PROMOTIONS IN THE NAVY

To be rear admirals

Wilson Brown
Walter S. Anderson
Samuel M. Robinson
Ralston S. Holmes
Charles A. Blakely

To be captains

Samuel A. Clement
Walter K. Kilpatrick
Francis W. Rockwell
Sydney M. Kraus
Charles C. Ross
Archer M. R. Allen
Howard H. Crosby
Francis Cogswell
James M. Irish
Paul E. Speicher
Arthur S. Carpender
James L. Kauffman
William D. Brereton, Jr.
William R. Munroe
Albert M. Penn
Paul H. Bastedo
Andrew D. Denney
Charles M. Yates
John F. Shafroth, Jr.
Jules James
John R. Beardall
Timothy J. Keleher
Howard B. Mecleary
Archibald H. Douglas
Willis A. Lee, Jr.
William W. Wilson
David F. Ducey
Ernest W. McKee
William H. Pashley
William R. Purnell

To be commanders

Thomas G. Peyton
Samuel P. Jenkins
Cornelius W. Flynn
William Granat
Armit C. Thomas
Homer W. Graf
Francis S. Low
Francis M. Maile, Jr.
Alexander S. Wotherspoon
Forrest B. Royal
John L. McCrea
Frederick G. Richards
Marshall B. Arnold
Roswell H. Blair
Tully Shelley
Dallas D. Dupre
Nathaniel M. Pigman
Horace D. Clarke
James E. Maher
Allan E. Smith
Leighton Wood
Harvey E. Overesch
Allen G. Quynn
George C. Kriner
Clifford G. Richardson
James M. Lewis
John J. Mahoney
Ralph W. Christie
Henry M. Mullinnix
Richard W. Bates
Burton W. Chippendale
Elmer R. Henning
Irving R. Chambers
Myron W. Hutchinson, Jr.
Ralph E. Davison
Don P. Moon
Russell S. Berkey
George F. Hussey, Jr.
Thomas J. Keliher, Jr.
Osborne B. Hardison
Clinton E. Braine, Jr.
William M. Fechteler
Charles A. Baker
Gerald F. Bogan
Leon S. Fiske
Willard A. Kitts, 3d
Bertram J. Rodgers
Frank E. Beatty
Gail Morgan
Thorvald A. Solberg
Clifford H. Roper
Edward P. Sauer
John H. Carson
Milton O. Carlson
Robert B. Carney
Arthur W. Radford
Boyd R. Alexander
Jesse L. Kenworthy, Jr.
Webster M. Thompson
Albert E. Schrader
Dennis L. Ryan
Andrew D. Mayer
Charles T. Joy
John E. Reinburg, Jr.
John A. Terhune
Charles J. Wheeler
Theodore T. Patterson
Samuel P. Ginder
Van H. Ragsdale
John Wilkes
Homer L. Grosskopf
Fred D. Kirtland
James M. Steele
Arthur D. Burhans
Thomas D. Warner
Charles P. Cecil
Calvin T. Durgin
Humbert W. Ziroli
John S. Roberts
Arthur C. Miles

To be lieutenant commanders

Benjamin N. Ward
William G. Livingstone
Charles L. Hutton
Jewett P. Moncure
Wade DeWeese
Allan D. Blackledge
Thomas H. Binford
Perley E. Pendleton
Walton W. Smith
Richard P. Glass
John V. McElduff
Khem W. Palmer
Elmer Kiehl
Hilyer F. Gearing
Joseph J. Rochefort
Herbert C. Behner
Roland E. Krause
John L. Murphy
Campbell Keene
Lester G. Bock
Nolan M. Kindell
Edward E. Dolecek
Delbert L. Conley
Nathan W. Bard
Harold J. McNulty
Stanley F. Patten
Dolph C. Allen
Robert E. Mason
Francis A. Packer
Cyril A. Rumble
Kenneth H. Noble
Marion R. Kelley
Walter E. Moore
Edward M. Thompson
Charles Wellborn, Jr.
Duncan Curry, Jr.
John G. Jones
Ransom K. Davis
Paul R. Coloney
James E. Hamilton
Clarence E. Olsen
Arnold J. Isbell
Nealy A. Chapin
Arthur DeL. Ayrault
Daniel V. Gallery, Jr.
William R. Millis
Edward E. Roth
Wendell G. Switzer
William B. Fletcher, Jr.
Burton B. Biggs
Walter F. Boone
Norman O. Schwien
George H. De Baun
Charles J. Maguire
William L. Rees
Jesse H. Carter
Bern Anderson
Charles F. Erck
Edwin G. Fullinwider
Edwin D. Graves, Jr.
Andrew P. Lawton
Joseph O. Saurette
Harold L. Meadow
Gilbert B. Myers
Lucien A. Moebus
Heber H. McLean
James R. Dudley
Joseph F. Bolger
Raymond D. Tarbuck
Rupert M. Zimmerli
William E. Sullivan
Roy C. Hudson
Oswald S. Colclough
Lyman A. Thackrey
John A. Snackenberg
Carlton R. Todd
Thomas L. Wattles
Gerard F. Galpin
Kenneth C. Caldwell
George H. Bahm
Francis J. McKenna
Gordon B. Parks
Charles R. Pratt
Stuart H. Ingersoll
Rutledge B. Tompkins
Heber B. Brumbaugh
John E. Pixton
Willis N. Rogers
Guy Chadwick
Campbell H. Minckler
Ralph B. Hunt
Clark L. Green
John W. Jamison
William A. Gorry
William B. Jackson, Jr.
John A. Waters, Jr.

Timothy J. O'Brien
Leo L. Pace
Joseph C. Van Cleve
Ralph E. Butterfield
Harry A. Guthrie
William S. G. Davis
Francis X. McInerney
Sydney S. Bunting
Grover B. H. Hall
Albert G. Cook, Jr.
Sterling T. Cloughley
William B. McHugh
Frederick D. Kime
Roscoe L. Bowman
John G. Burrow
Thomas J. Ryan, Jr.
Donald R. Tallman
Gerald D. Linke
William F. Fitzgerald, Jr.
Thomas J. Kelly
John J. Curley, Jr.
Paul E. Roswall
William W. Juvenal
Wilson D. Leggett, Jr.
William G. Lalor
John P. Womble, Jr.
Bryan C. Harper
Ralph O. Myers
Samuel W. Du Bois
Thomas F. Darden, Jr.
John H. Willis
Byron H. Hanlon
Joseph C. Hubbard
Carl H. Bushnell
Laurence A. Abercrombie
Dashiell L. Madeira
David W. Roberts
Elmer A. Tarbutton
Silas B. Moore
Irving D. Wiltsie
Elwood D. Poole
George D. Martin
Boynton L. Braun
Wyatt Craig
Paul E. Pihl
Clement F. Cotton

To be lieutenants

Cornelius M. Sullivan
George J. King
Lynn C. Petross
Francis B. McCall
Arthur R. Quinn
Roy R. Ransom
George R. Phelan
Ernest J. Davis
John H. Lewis
Lewis M. Markham, Jr.
Frank L. Durnell
William K. Rhodes
Clanton E. Austin
Frank W. Fenno, Jr.
Richard K. Gaines
Winthrop E. Terry
John C. Hammock
Julian K. Morrison, Jr.
John Sylvester
William O. Floyd
Charles H. Lyman, 3d
Bert F. Brown
John M. Taylor
James S. Russell
Jesse L. Phares
Albert G. Mumma
James M. Lane
Paul D. Stroop
Benjamin B. C. Lovett
Henry C. Bruton
George T. Mundorff
Carlton B. Hutchins
Robert B. Goldman
Dennis J. Sullivan
Sidney L. Smith
Harlan K. Perrill
Charles B. Hart
Marvin P. Evenson
James H. Ward
Howard W. Gilmore
Chester L. Clement
William S. Whiteside
Walter C. Stahl
Herald F. Stout
Jesse S. McClure
Robert B. Pirie
Alexander S. McGill
Fitzhugh Lee
Stanton B. Dunlap
Hugh P. Webster
Malcolm S. Adams
Alvord J. Greenacre
William G. Myers
Nathaniel S. Prime
Wesley A. Wright
Philip Niekum, Jr.
John L. Burnside, Jr.
Frederick A. Davisson
Charles F. Horne, Jr.
Frank O'Beirne
Walter E. Linaweaver
Edward N. Dodson, Jr.
Philip S. Morgan, Jr.
William J. Whiteside
Walter F. Rodee
John O'Shea, Jr.
Francis D. McCorkle
Robert W. Cavenagh
James A. Morrison
Elton W. Grenfell
Leonidas M. Matthews
Frederic A. Graf
John C. S. McKillip
John B. McLean
Thomas M. Wolverton
Welford C. Blinn
Charles A. Buchanan
Ralph E. Patterson
Joseph B. Stefanac
Karl J. Biederman
John F. Newman, Jr.
Vilhelm K. Busck
Charles Adair
William L. Pryor, Jr.
Willard M. Sweetser
Clarence Broussard
Herman O. Parish
Cecil L. Smith
Karl F. Poehlmann
Spencer A. Carlson
Everett H. Still
Francis L. Black
Edward L. D. Roach, 2d
Justus M. B. R. Armstrong
John F. Gallaher
Charles E. Signer
James B. Fox
James F. Byrne
Nathaniel C. Barker
John J. Crane
William G. Cooper
Douglas H. Fox
Frank B. Schaede
William L. Anderson
Etheridge Grant
Clarence W. McClusky, Jr.
Thomas F. Halloran
Wendell F. Kline
Eugene M. Waldron
Algernon S. Joyner, Jr.
Donald L. Mills
Richard M. Boaz
Samuel M. Tucker
Clifford H. Duerfeldt
Paul W. Watson
Allen R. Joyce
Royal Lovell
Louis E. French
Clarence O. Taff
John J. Greytak
William R. Shaw
Jesse L. Hull
Stanley G. Nichols
Henri de B. Claiborne
Seth A. Shepard
Upton S. Brady, Jr.
Charles N. Day
John F. Greenslade
John A. Winfrey
Theodore R. Frederick
William A. Dolan, Jr.
Theodore C. Aylward
Ramond C. Ericson
Eugene F. May
Harold A. Fravel
Henry D. Rozendal
John L. Wilfong
William Miller, Jr.
William R. Smedberg, 3d
Doir C. Johnson
Edwin S. Schanze
Heywood L. Edwards
Douglas V. Gladding
Francis L. Busey
Warren E. Gladding
John M. Duke
John P. Fitzsimmons
John H. Simpson
Claude W. Haman
Henry E. Bernstein
William R. Hollingsworth
James E. Leeper
Ford N. Taylor, Jr.
Hilan Ebert
William E. Oberholtzer, Jr.
Theodore W. Rimer
Roy A. Gano
Robert R. Johnson
Earl K. Olsen
John K. Wells
William K. Romoser
Edward L. B. Weimer
Benjamin Van M. Russell
John E. Fradd
Robert B. Ellis
Ralph S. Clarke
Valery Havard, Jr.
Charles W. Moses
Daniel J. Sweeney
Orville K. O'Daniel
Hamilton Hains
Robert S. Purvis, Jr.
Gordon Campbell
Fondville L. Tedder
Mannert L. Abele
Morton K. Fleming, Jr.
Gerald D. Zurmuehlen
Louis L. Vodila
John A. Glick
Gordon A. McLean
Robert G. Armstrong
John G. Foster, Jr.
Barron G. Lowrey
Joe B. Paschal
George W. Campbell
Theodore H. Kobey
Erasmus W. Armentrout, Jr.
Paul M. Curran
Diggs Logan
Joseph H. Willingham, Jr.
Ranson Fullinwider
John K. Reybold
John L. Woodbury
Charles Jackson
Henry T. Dietrich
Walter L. Dyer
Edward S. Hutchinson
Kenneth Craig
Oscar Pederson
Charles T. Singleton, Jr.
Lawrence H. Martin
Charles E. Crombe, Jr.
Laurence H. Frost
Paul H. Tobelman
Leonard J. Dow
Frederick C. Stelter, Jr.
Louis Shane, Jr.
John Shoemaker
Paul L. Dudley
Burnham C. McCaffree
Eugene S. Karpe
Ralph D. Smith
Jacob E. Cooper
Thomas F. Conley, Jr.
Thomas R. Langley
Ralph E. Westbrook
Orlin L. Livdahl
Malcolm A. Hufty
Luther K. Reynolds
Louis M. LeHardy
Olin P. Thomas, Jr.
Louis E. Gunther
James N. Shofner
Charles J. Whiting
Guy B. Helmick
Robert R. DeWolfe
Daniel T. Birtwell, Jr.
Harold J. Pohl
George G. Crissman
Wallace J. Miller
Samuel J. McKee
Donald A. Crandell
Henry T. Hodgskin, Jr.
Clifford T. Corbin
Lewis R. Miller
Charles R. Carroll
Joe B. Cochran
Hamilton W. Howe
Benjamin Katz
Donald McGregor
Solomon D. Willingham
Hugh D. Black
Benjamin S. Custer
Benjamin R. Crosser
Harry D. Johnston
William T. Kenny
William H. Carpenter
John D. Sweeney
Thompson P. Elliott
Andrew H. LaForce
Daniel B. Miller
John H. Brownfield
Joseph R. Haskin, Jr.
Duncan C. MacMillan

Charles H. Quinn
Anderson Offutt
DeWitt C. E. Hamberger
Raymond S. Lamb
Joseph W. Callahan
William C. Asserson, Jr.
Dwight M. Agnew
Marvin C. Parr
Gale E. Griggs
Clifton B. Maddox
William White
Eugene S. Sarsfield
Leonard Branneman
Charles L. Carpenter
Robert R. Moore
John F. Walsh
Earl S. Caldwell
Marshall B. Gurney
Henry Farrow
Carroll B. Jones
George L. Shane
Maxwell F. Leslie
Norman L. Holt
Walter H. Albach
John W. Bays
Lawrence R. Daspit
Samuel H. Crittenden, Jr.
Melvyn H. McCoy
James H. Hogg
Paul H. Ramsey
George W. Anderson, Jr.
Warren F. Graf
Albert B. Scoles
Jack S. Holtwick, Jr.
Eliot Olsen
Welton D. Rowley
Shirley S. Miller
Francis C. Manville
James E. Cohn
Richard H. Phillips
Leonard S. Mewhinney
Warner R. Edsall
Clifford S. Cooper
William P. Chilton
William M. Nation
William H. Organ
William T. McGarry
Selman S. Bowling
Earl B. Patterson
Cornelius S. Seabring
William C. Bryson
Wallace B. Mechling
Henry H. Caldwell
Ernest W. Lamons
Cecil T. Caufield
Joseph R. Hamley
Joseph N. Murphy
John C. Broach
Charles M. Heberton
David B. Overfield
Alan B. Sutherland, Jr.
Harold S. Harnly
Ralph Hickox
Arthur E. Loeser
Robert H. Rice
Harlan M. Thorpe
James F. Benson
Carl F. Stillman
Benjamin E. Moore, Jr.
Leonard C. Chamberlin
Delbert F. Williamson
James A. Haley, Jr.
Thomas J. Hamilton
Frederic A. Berry, Jr.
John B. Taylor
Loren A. Morris

Earl K. Van Swearingen
Carl J. Pfingstag
David B. Young
Roger F. Scott
Frederick Funke, Jr.
Herbert F. Eckberg
John William Murphy
William C. Specht
Frederic F. Agens
James A. Jordan
Miles H. Hubbard
George L. Heath
John C. Zahm
Harry R. Horney
Robert C. Winters
Daniel T. Eddy
Charles D. Griffin
Samuel G. Mitchell
Jack Maginnis
Edward H. Eckelmeyer, Jr.
Edward M. Condra, Jr.
Brooke Schumm
Jack H. Lewis
Richard W. Smith
George K. Fraser
Carl L. Steiner
Hilfort C. Owen
Kenton E. Price
Arthur S. Born
Allen Smith, Jr.
Thomas B. Klakring
William Loveland
Alexander M. Kowalzyk, Jr.
Timonthy F. Donohue
James M. Roberts
Alden D. Schwarz
James G. Holloway, Jr.
Rawson Bennett, 2d
Sylvius Gazze
Howard W. Taylor
Eldon C. Mayer
Harold M. Briggs
Perry K. Jeanes
Seymour A. Johnson
Carl R. Midtlyng
Wellington A. Hammond
Martin P. Hottel
Fritz Gleim
Andrew H. Bergeson
Raymond J. Moore
Robert C. Brixner
Christian H. Duborg
James R. McCormick
Lannie Conn
Paul W. Card
Otis C. Gregg
Jack F. Bowling, Jr.
William E. Ferrall
Martin J. Lawrence
Robert S. Quackenbush, Jr.
Edmund T. Napier, Jr.
Walter H. Price
Martin R. Stone
Daniel J. Weintraub
Robert L. Densford
Leland R. Lampman
Jack P. Monroe
Herbert L. Hoerner
Lee W. Parke
Harry F. Bauer
John F. Henkel
Harry E. Day
Argyll E. Buckley
Gill M. Richardson
Joseph T. Hazen
Leon J. Barbot

Charles B. Beasley
John T. Corwin
Clayton R. Dudley
Edward N. Teall, Jr.
Richard D. Zern
John L. De Tar
John A. Edwards
Leonard W. Bailey
Robert B. Alderman
Myron T. Evans
Thomas L. Greene
Charles J. Zondorak
James A. Prichard
Tyrrell D. Jacobs
James L. Shank
Emmanuel T. Goyette
John F. Hines, Jr.
Howard W. Gordon, Jr.
Paul R. Drouilhet
Eugene E. Davis
Creed C. Burlingame
Robert H. Speck
Arthur K. Ehle
Henry R. Dozier
James W. Blanchard
Arthur C. W. Baskin
John W. Schmidt
Robert M. Barnes
Harold T. Deutermann
Charles L. Melson
Edwin W. Herron
Thomas O. Oberrender, Jr.
Arnold W. McKechnie
Ross R. Kellerman
Harold M. Zemmer
Paul S. Depew
Robert I. F. Fravel
Theodore O. Dahl
Liles W. Creighton
David C. White
Gerald R. Dyson
Joe W. Boulware
Emmett J. Sullivan
Charles K. Bergin
Robert E. Dixon
George L. Hansen
Richard B. Levin
Frank Turner
Ulysses S. G. Sharp, Jr.
Eugene E. Lindsey
Philip A. Tague, Jr.
Leo W. Nilon
Robie E. Palmer
Monro M. Riker
James S. Willis
Louis P. Fairlamb
Robert A. Johnson
Robert Brodie, Jr.
Frederic S. Habecker
Robert F. Martin
Farar B. C. Martin
Randolph B. Boyer
Paul L. High
Hysell P. Cooper
Howell J. Dyson
Edward S. Addison
George G. Mead
John C. Woelfel
Willard A. Saunders
Blinn Van Mater
Loring O. Shook
George D. Dickey
William F. Royall
Thomas B. Neblett
Thomas M. Dykers

Floyd C. Camp
William H. Ashford, Jr.
Mitchell D. Matthews
Clarence E. Coffin, Jr.
Frank Bruner
Eugene B. McKinney
Thomas J. Flynn
Alfred R. Truslow, Jr.
Selden G. Hooper
Walter C. Winn
Frank T. Corbin
John B. Robertson, Jr.
John Eldridge, Jr.
Harry H. McIlhenny
Albert R. Heckey
Edwin B. Robinson
Lucius H. Chappell, Jr.
John E. Fitzgibbon
Levi J. Knight, Jr.
Joseph J. Carey
Wayne R. Loud
Louis T. Malone
John R. Waterman
Louis H. Hunte
Courtney Shands
Monroe B. Duffill
Eugene F. McDaniel
Herbert D. Riley
Jules F. Schumacher
Roland F. Pryce
Henry T. Jarrell
Eugene L. Lugibihl
Robert V. Hull
Edward J. Drew
Francis W. McCann
Julian D. Greer
Albert E. Fitzwilliam
Joseph B. Danhoff
Joe Taylor
Renwick S. Calderhead
Philip H. Ross
Chesley M. Hardison
Frank Virden
William R. D. Nickelson, Jr.
Myron W. Graybill
Emile R. Winterhaler
Robert J. Foley
Ernest Blake
Harry L. Hicks
David B. Coleman
Henry J. Armstrong, Jr.
Frank M. Hammitt
William S. Harris
Carl M. Dalton
Claren E. Duke
William H. Potts
William H. Brockman, Jr.
John G. McClaughry
Bosquet N. Wev
William R. Ignatius
Howard A. Yeager
James W. Hager
Arthur H. Taylor
William E. Kaitner
Bernard M. Gates
Leonidas W. Pancoast
Doyle G. Donaho
Alan R. Montgomery
William A. Deam
Harry J. Hardwick
Malen Durski
Joshua W. Cooper
Francis E. Cromwell
Michael P. Russillo
John Bailey

Granville A. Moore
Gus B. Lofberg, Jr.
Clinton S. Rounds
Joseph B. Maher
Robert N. Downes
Edward P. Southwick
Gordon S. Everett
John C. Atkeson
Elmer G. Cooper
James J. McRoberts
John E. Clark
Marion M. Byrd
Ray A. Mitchell
Harry D. Hale
Harry R. Hummer, Jr.
William A. Sutherland, Jr.
Thomas C. Green
John O. R. Coll
John S. Thach
Francis R. Jones
Henry M. Marshall
Robert A. Allen
Arthur F. Anders
Ethan W. Allen
Donald G. Burt
Francis C. B. McCune
Samuel M. Pickering
John S. Tracy
George B. H. Stallings
William D. Irvin
Charles W. Parker
Alex McL. Patterson
David W. Shafer
Patrick Henry, Jr.
Claude L. Weigle
Gordon L. Caswell
Robert E. Braddy, Jr.
William W. Outerbridge
Joseph A. Flynn
Milton T. Dayton
Julius F. Way
Clarence E. Boyd
James K. Averill
Albert B. Mayfield, Jr.
George A. Lange
Clarence E. Cortner
Glenn W. Legwen, Jr.
William O. Burch, Jr.
Glynn R. Donaho
Alston Ramsay
Paul D. Gross
Oscar H. Dodson
George L. Jones, Jr.
James P. Walker
Edward R. Johnson
Henry F. Gorski
Charles E. Harrison
Paul F. Johnston
Charles J. Hardesty, Jr.
William M. Gullett

John H. Cross
Richard E. Myers
Wilton S. Heald
Robert S. Ford
Calvin E. Wakeman
George W. Willcox
Joseph D. McKinney
Joseph R. Rubins
Frank D. Giambattista
Thurston B. Clark
Elmer O. Davis
William S. Maxwell
James R. Lee
Robert E. Van Meter
John Quinn
Harry E. Sears
George H. Moffett
Harlow J. Carpenter
Joseph Finnegan
William S. Pye, Jr.
Thomas A. Ahroon
John A. Bole, Jr.
William A. Schoech
William A. Cockell
John F. Mullen, Jr.
William H. Jacobsen
David L. McDonald
Cuthbert J. Bruen
Theodore F. Ascherfeld
Joseph F. Quilter
William S. Parsons
William J. Millican
Wells Thompson
Earle C. Hawk
Michael P. Bagdanovich
Milton G. Johnson
George P. Enright
Albert O. Momm
Rodney B. Lair
Norman F. Garton
William M. Searles
John R. Pierce
Evan E. Fickling
Albert C. Burrows
Robert O. Strange
Robert C. Peden
Irwin F. Beyerly
John T. Bowers, Jr.
Hugh R. Nieman, Jr.
Daniel J. Wagner
Thurmond A. Smith
Edwin B. Dexter
Michael F. D. Flaherty
Rollo N. Norgaard
Robert J. Archer
George E. King
George Fritschmann
John K. McCue
Francois C. B. Jordan
Chesford Brown

To be lieutenants (junior grade)

Raymond W. Thompson, Jr.
Harold G. Bowen, Jr.
Joseph H. Bourland
Reginald M. Raymond
Thomas H. Morton
Richard L. Mohan
Nova B. Kiergan, Jr.
Gordon Murphy
Bernard H. Meyer
Jack J. Tomamichel
Robert W. Curtis
Luther C. Heinz
Francis E. Brown
Robert M. Gibbons

George H. Laird, Jr.
Ezra G. Howard
Herbert C. Yost
Edward P. Lee, Jr.
Jay V. Chase
Vernon C. Turner
Baxter L. Russell
James R. Ogden
Ignatius J. Galantin
James F. Tucker
Charles K. Duncan
Richard L. Kibbe
Thomas F. Connolly
James V. Bewick

Waldemar F. A. Wendt
Edwin S. Miller
Louis J. Majewski
Richard Lane
Ralph L. Shifley
George Wendelburg
Kenneth Loveland
Ernest Lee Jahncke, Jr.
James B. Burrow
Frank R. Arnold
Charles E. Robertson
James G. Franklin
Enrique D. Haskins
Wallace A. Schmid
Hayden L. Leon
Theodore R. Vogeley
John S. Coye, Jr.
Michael J. Luosey
Albert L. Shepherd
Earnest G. Campbell (an additional number in grade)
James H. Fortune, Jr.
Frederick H. Wahlig
James H. Campbell
Robert A. Keating, Jr.
William C. Fortune
Louis J. Stocker
Jack C. Titus
Lester C. Conwell
Charles L. Moore, Jr.
Raymond B. Jacoby
Joseph W. Williams, Jr.
Bruce E. Wiggin
Frederick L. Ashworth
Antone R. Gallaher
James M. Elliott
John Ramee
Paul W. Burton
Ruben E. Wagstaff
Thomas H. Moorer
Harry C. Maynard
Murray Hanson
Warren B. Christie
Joseph F. Enright
Arnold F. Schade
William L. Dawson
Dale Mayberry
John S. Lehman
Lewis M. Davis, Jr.
John Shannon
Henry D. Sturr
Benjamin D. Cheatham
Burden R. Hastings
Walter S. Bobo, Jr.
Philip W. Garnett
Horace V. Bird
Irvin S. Hartman
Clarence M. Caldwell
Robert E. Fair
Edwin E. Lord, 3d
Charles B. Jackson, Jr.
Frank D. Schwartz
Charles E. Loughlin
Otto W. Spahr, Jr.
Hugh R. McKibbin

Lemuel M. Stevens, Jr.
James O. Cobb
Earle C. Schneider
James B. Grady
Robert H. McRae
Clinton J. Heath
John R. Dillon
Ralph M. Pray
Frank V. List
George O. Klinsmann
Harry M. Lindsay, Jr.
Charles T. Fritter
Millener W. Thomas
Bernard M. Strean
Frank M. Slater
Thomas A. Christopher
Arthur K. Espenas
Joseph I. Manning
George K. Hudson
Robert W. Leach
Ray Davis
Carl Tiedeman
Paul Masterton
Ludwell R. Pickett
John L. Phillips, Jr.
Laurence H. Marks
George H. Miller
Robert A. Macpherson
John T. Blackburn
Raymond L. Fulton
Joseph W. Koenig
John A. Gamon, Jr.
Selby K. Santmyers
William S. Howell
Clayton L. Miller
Richard C. Gazlay
Francis J. Smedley
Stephen Jurika, Jr.
Bertram J. Prueher
George D. Roullard
Thompson Black, Jr.
William R. Kane
William W. R. Macdonald
Archie T. Wright, Jr.
Thomas V. Peters
John B. Weeks
Carlton B. Jones
James J. Vaughan
Jay T. Palmer
John J. McCormack, Jr.
Clifford M. Campbell
James W. White
Donald E. MacIntosh
Robert S. Riddell
John M. Steinbeck
George M. Price
Edgar M. Davenport
Harold E. Ruble
Charles F. Garrison
Walter H. Newton, Jr.
William E. Shafer
Paul D. Buie
Robert I. Olsen
Edward F. Jackson
Herbert S. Fulmer, Jr.

To be ensigns

Charles K. Phillips
Allen B. Reed, Jr.

Martin Miller
William J. Lederer, Jr.

To be medical directors

Will M. Garton
Ulys R. Webb

To be medical inspectors

Edwin Peterson
Howard H. Montgomery

Joseph L. Schwartz
Oscar Davis

William P. Mull
William D. Small
Francis W. Carll
Roger A. Nolan
Norman Roberts
David O. Bowman
Edward L. McDermott
Lockhart D. Arbuckle
George P. Shields
George B. Tyler
Kenneth E. Lowman
Franklin F. Lane
Maurice A. Berge
John LeR. Shipley
Ernest A. Daus
Robert W. Wimberly
George A. Alden
Arthur S. Judy
John B. Farrior

To be surgeons

James F. Finnegan
Gilbert E. Gayler
Frank K. Soukup
Willard S. Sargent
Harry J. Scholtes
James E. Root, Jr.
William R. Manlove, Jr.
Frederick C. Greaves
Rob R. Doss
James F. Hays
John M. Brewster
Caldwell J. Stuart
Herbert L. Pugh
Bruce M. Summers.
Oliver A. Smith
Edward P. Kunkel
Peter C. Supan
Edward M. Harris, Jr.
Winfred P. Dana
Robert M. Gillett
George F. Cooper
Clifton A. Young

To be passed assistant surgeons

Emory E. Walter
George B. Ridout
Hubert J. Van Peenen
Ralph E. Fielding
Harold L. Weaver
Thomas G. Hays
William R. Whiteford
William S. Cann
Wilbur E. Kellum
Robert R. Leamer
Frederic W. Farrar
Robert Faust
William F. E. Loftin
Fred Harbert
Carey M. Smith
Guy E. Stahr
Tilden I. Moe
Lester E. McDonald
Edward E. Evans
Charles B. Stringfellow
Bishop L. Malpass
Roy F. Cantrell
Irving J. Warmolts
Otto L. Burton
Louis E. Gilje
O. Henry Alexander
Herman A. Gross
Edward S. Lowe
Robert J. Vaughn
Frank P. Gilmore
Paul Vaughan
Oscar D. Yarbrough
Carr E. Bentel
James D. Boone
Warren G. Wieand
Albert R. Behnke, Jr.
Omar J. Brown
George W. Dickinson
James J. V. Cammisa
John R. Weisser
Kenneth H. Vinnedge
Milton R. Wirthlin
Thenton D. Boaz
William L. Berkley
Warren E. Klein
Norris M. Hardisty
Cameron L. Hogan
Gerard B. Creagh
Anselm C. Hohn
Thomas Q. Harbour
James G. Neff
Craig B. Johnson
Clarence L. Blew
Herbert G. Shepler
William P. Stephens
Jack R. George
Ferrell H. Johnson
Edward C. Kenney
John D. Foley
Garland A. Gray
Benjamin N. Ahl
Rafael A. Vilar
Charles M. Parker
James R. Sayers
William C. Baty, Jr.
Wade S. Rizk
Charles L. Ferguson
Arthur W. Eaton, Jr.
Cecil H. Coggins
William M. Silliphant
Robert W. Babione
Allan S. Chrisman
Calvin B. Galloway
Orville W. Cole
Frank P. Kreuz, Jr.
Burr Dalton
James R. Reid, Jr.
Austin J. Walter
Eugene V. Jobe
Albert H. Staderman
Paul M. Crossland
Alton C. Abernethy
Earl F. Evans
Clifford D. Hamrick
Walter H. Schwartz
Armand J. Pereyra
George N. Raines
William V. Clark
Edward T. Knowles
Harold W. Lashier
James L. Holland
George F. Blodgett
Judson A. Millspaugh
Alfred W. Eyer
John T. Smith
Martin V. Brown
Frank J. Gillette
Joseph V. Land
Cecil L. Andrews
Oran W. Chenault
David C. Gaede
Robert A. Cooper
Cecil D. Riggs
Jerry T. Miser
Phillip S. McLennan
Edwin B. Coyl
Ralph K. Hoch
Freeman C. Harris
Thomas L. Allman
Raphael L. Weir
Edgar L. Neffien
Otto W. Wickstrom
Sol B. Estes
Elmer L. Caveny
Gordon H. Ekblad
John A. Workman
Ernest C. Aulls
Robert C. Boyden
Robert C. Douthat
Edward P. Madden
Clifford F. Storey
Julius C. Early, Jr.

To be assistant surgeons

John F. McMullin
James B. Shuler
John F. Foertner
Gordon M. Perisho
Jerome F. Smith
Robert S. Poos
Francis L. Phillips
John L. Hatch
Charles F. Le Comte
Gordon K. Lambert
Eric D. Pearson
Walter Welham
Herbert H. Eighmy
Richard R. Rall
James B. Shuler
Thomas Ferwerda
Stephen J. Ryan
James G. Bulgrin
Emanuel Rollins
Roy R. Powell
Murray W. Ballenger
Clark P. Jeffers
Thomas P. Connelly
Marion T. Yates
Marshall Cohen
Eugene P. Harris
Harold R. Berk

To be dental surgeons

Eugene LeR. Walter
Eric G. Hoylman
Andrew L. Burleigh
Arthur H. Yando
Joseph A. Kelly
Edward A. Hyland
Robert M. Askin
Clemens V. Rault
Frederic McK. Ingersoll
Joseph Connolly
Francis R. Hittinger
Ralph B. Putnam
Robert R. Crees
Hugh E. Mauldin
Frank A. Richison
Alfred R. Harris

To be passed assistant dental surgeons

James A. Connell
Ralph W. Taylor
Glenn W. Berry
Arthur R. Logan
Macy G. Martin
Maurice A. Bliss
Merrette M. Maxwell
Jackson F. Henningsen
Clifford E. Allen
Raymond A. Lowry
Clifford C. De Ford
Lyman R. Vaughan
Charles F. Woodard
George H. Mills
Thomas E. Crowley
Jesse B. Bancroft
Edwin A. Thomas
Charles F. Hoyt
Charles F. Lynch
Curtiss W. Schantz
Francis V. Lydon
Albert E. Howell
Mack Meradith
William D. F. Stagner

To be assistant dental surgeons

William Seidel
John H. Bailey
Morris C. Craig
John C. Allen
Edward C. Raffetto
James A. English
Frank E. Frates, Jr.
Karl V. L. Berglund
Walter W. Lippold
Wendell Naish
LeRoy B. Nagel
Jesse V. Westerman

To be pay inspectors

Tucker C. Gibbs
Robert B. Huff
Malcolm G. Slarrow
Stephen J. Brune
Benjamin S. Gantz
Morton L. Ring
Vernon H. Wheeler
Louie C. English

To be paymasters

Stephen R. Edson
John Enos Wood
Matthias A. Roggenkamp
Francis M. Waldron
Edwin A. Eddiegorde
Russell H. Sullivan
Harvey E. Wathen
Henry H. Karp
George H. Williams
Richard A. Vollbrecht
Samuel E. McCarty
Robert F. Batchelder
Arthur L. Walters
Francis D. Humphrey
James Chapman
Melbourne N. Gilbert
Philip A. Haas
Christian P. Schwarz
Joseph E. Bolt

To be passed assistant paymasters

Robert L. Grove
Clinton J. Thro
William J. Nowinski
Thomas W. Baker

Walter W. Honaker
Yates Stirling, 3d
Owen T. Rippey
Bion B. Bierer, Jr.
Fred L. Haerlin, Jr.
Norman A. Helfrich
Lysle W. Cease
William A. Gerth
Mark W. Clay
Walter E. Fratzke
Murray W. Clark
Frederic W. Hesser
John C. Bernet
Frederick L. Hetter
Charles G. DeKay
Vernon Dortch
James J. McKinstry
Joel D. Parks
Noble W. Lowrie
William L. Knickerbocker
Donald B. Hilton
Roland W. Rickertts
Theodore S. Dukeshire
Charles J. Naumilket
Preston G. Locke
George M. Brydon, Jr.
Theodore C. Fauntz

To be assistant paymasters

Jack O. Wheat
Thomas P. O'Connell
Lamar Lee, Jr.
Byron C. Gwinn
Louie L. Lindenmayer
William B. Collier, 3d
Marcus A. Peel, Jr.
Elton W. Sutherling
William M. Huey, Jr.
Norbert C. Brady
John D. Hyerle
Irwin S. Moore
Leo J. McNulty

To be chaplains

Razzie W. Truitt
Francis L. Albert
Edward B. Harp, Jr.
August F. Hohl
Herbert R. Trump
John F. Hugues
Vincent J. Gorski
Michael A. Hally
Warren F. Cuthriell

To be naval constructors

William P. Robert
Russell S. Hitchcock
Sidney E. Dudley
Grover C. Klein
Frederick E. Haeberle
Edmund E. Brady, Jr.
Andrew I. McKee
Lingurn H. Burkhead
Wilbur N. Landers
Carlton H. Moore
Harold V. B. Madsen

To be assistant naval constructors

Richard K. Anderson
John G. F. Prescott
Ernest C. Holtzworth
Albert K. Romberg
Joseph E. Flynn
Ransom A. Pierce
Edward A. Wright
Richard S. Mandelkorn
Floyd B. Schultz
Charles J. Weschler
William R. Miller
Charles J. Palmer
Paul W. Pfingstag
George W. Bailey
Robert L. Evans
Robert B. Madden
Robert A. Gallagher
Jack W. Roe
James S. Bethea
Henry P. Rumble
Charles A. Curtze
Robert E. Garrels

To be civil engineers

Greer A. Duncan
Henry G. Taylor
Ira P. Griffen
Carl H. Cotter
Kendal B. Bragg
Richard F. Armknecht
Harry A. Bolles
William L. Richards
Walter T. Eckberg
Richard P. Carlson
Wallace B. Short
Harold MacT. Sylvester
William Sihler
Claire C. Seabury
William B. Howard

To be assistant civil engineers

Henry G. Clark
George K. Brodie
Arthur I. Flaherty
Ralph N. Ernest
Norman J. Drustrup

To be chief gunners

Paul M. Heller
Harry T. Prosise

To be chief electricians

Howard S. Goshorn
George C. Broadfoot
Clavis W. Durham
Carl W. Schumacher
John R. Stacey

To be chief radio electricians

Joseph S. Campbell
Elmer H. Stelts

To be chief machinists

Rudolph A. Petsche
Lawrence W. Ott
James L. Noonan
George W. Buzby

To be chief pharmacist

Francis M. Cornett

To be lieutenants

Thomas M. Whelan
Allen M. Kemper
Otho P. Smoot
Robert de C. Baker
Benjamin F. Tompkins
Halle C. Allan, Jr.
John J. Branson
Allan G. Gaden
Walter B. Davidson
Tillett S. Daniel
Harold F. Dearth
John B. Brown
Charles F. Chillingworth, Jr.
William S. Veeder
Joseph H. Nevins, Jr.
Thomas C. Parker
Edward A. McFall
Frederick P. Williams
Phillip H. FitzGerald
Harry B. Heneberger
Andrew E. Harris
Max H. Bailey
John F. Delaney, Jr.
Hugh P. Thomson
Thomas J. Kimes
Arthur B. Thompson
Thomas J. Hickey
George P. Biggs
James V. Query, Jr.
Warren B. Sampson

MARINE CORPS

To be Major General Commandant of the Marine Corps

Brig. Gen. Thomas Holcomb

To be brigadier general

Col. James J. Meade

To be colonels

Alley D. Rorex
Leander A. Clapp
Thomas S. Clarke
Joseph C. Fegan
Alexander A. Vandegrift
Roy S. Geiger

To be lieutenant colonels

Louis R. Jones
William W. Ashurst
Francis P. Mulcahy
Robert M. Montague
Daniel E. Campbell
Maurice G. Holmes
James E. Betts
James W. Webb
Louis E. Woods
William M. Marshall
Franklin A. Hart
Adolph B. Miller
Ralph E. Davis
John L. Doxey
Clyde H. Metcalf
George A. Stowell
George C. Hamner
James F. Moriarty

To be majors

Frederick E. Stack
George W. Shearer
Claude A. Phillips
John W. Beckett
John Halla
Kenneth A. Inman
Lester N. Medaris
Frank B. Goettge
Donald G. Oglesby
Byron F. Johnson
Alfred C. Cottrell
John T. Selden
Elmer E. Hall
Henry A. Carr
Harry B. Liversedge
Merton J. Batchelder
George E. Monson
James W. Flett
William C. Hall
Arnold C. Larsen
William J. Wallace
Amor L. Sims

To be captains

LePage Cronmiller, Jr.
Ion M. Bethel
John F. Hough
Robert L. Griffin, Jr.
Archie V. Gerard
Edward L. Pugh
Lawrence Norman
Earl H. Phillips
Paul A. Putnam
Matthew C. Horner
James M. Ranck, Jr.
Presley M. Rixey
Lee N. Utz
Francis J. McQuillen
Edward W. Snedeker
Kenneth W. Benner
John S. E. Young
Kenneth H. Cornell
Arthur H. Butler
Hartnoll J. Withers
Nels H. Nelson
Russell N. Jordahl
Chester B. Graham
Benjamin F. Kaiser, Jr.
Elmer H. Salzman
Thomas A. Wornham
Thomas B. Jordan
Earle S. Davis
Roy M. Gulick
Con D. Silard
Ward E. Dickey
William D. Saunders, Jr.
David M. Shoup
Lofton R. Henderson
Walter H. Troxell
Thomas G. McFarland
John R. Lanigan
Raymond E. Hopper
Francis B. Loomis, Jr.
John H. Coffman
Robert H. McDowell
Thomas D. Marks
Wallace O. Thompson
John H. Griebel

Peter P. Schrider
James F. Shaw, Jr.
Edward T. Peters
William W. Benson
Raymond C. Scollin
Samuel S. Jack
Henry R. Paige
Robert H. Rhoads
Robert S. Viall
Ralph D. McAfee
William M. O'Brien
Frank P. Pyzick
Joseph W. Earnshaw
Walter L. J. Bayler
Marion L. Dawson, Jr.
Harold G. Newhart
Frank M. June
George H. Potter
Earl S. Piper
Robert A. Olson
Francis M. McAlister
Jack P. Juhan
Harold D. Hansen
Jesse S. Cook, Jr.
Miles S. Newton
Archie E. O'Neil
Allen C. Koonce
Alan Shapley
Jefferson G. Dreyspring
David F. O'Neill
John C. Munn
Jaime Sabater
William R. Williams
Roger T. Carleson
Frank G. Dailey
Frank H. Wirsig
John S. Letcher
Robert B. Luckey
Karl K. Louther
Paul Drake
Clinton E. Fox
Harold R. Lee
George O. VanOrden
Walter A. Reaves
Louis C. Plain
Robert L. Peterson
Kenneth H. Weir
Arthur F. Binney
Clovis C. Coffman
Perry O. Parmelee
John J. Heil
Max W. Schaeffer
Thomas G. Ennis
Ernest E. Pollock
Wilson T. Dodge
Boeker C. Batterton
Frank C. Croft
Saville T. Clark
Hewin O. Hammond
Lester S. Hamel
Joseph J. Tavern
Joe A. Smoak
Alva B. Lasswell
William I. Phipps
William F. Coleman
Homer C. Murray
Frank H. Schwable
Edward C. Dyer
Melvin G. Brown
Manly L. Curry
Samuel B. Griffith, 2d

To be first lieutenant

Donald W. Fuller

To be second lieutenants

Charles R. Nicholson
Stewart B. O'Neill, Jr.
Roy Robinton
Cliff Atkinson, Jr.
Charles L. Banks
William H. Barba
Alan M. Barclay
Arthur B. Barrows
Graham H. Benson
Spencer S. Berger
James G. Bishop, Jr.
Orin C. Bjornsrud
James S. Blais
Albert H. Bohne
George S. Bowman, Jr.
Robert W. Boyd
George F. Britt
Wade H. Britt, Jr.
Otis B. Brown
Jean H. Buckner
Joseph O. Butcher
William R. Campbell
Noel O. Castle
Robert Chambers, Jr.
Max C. Chapman
Stuart M. Charlesworth
Robert W. Clark
Francis H. Cooper
Henry H. Crockett
William L. Crouch
Howard L. Davis
Robert M. Dean, Jr.
John F. Dobbin
Malcolm O. Donhoo
Edward H. Drake
Charles F. Duchein
Edward W. DuRant, Jr.
John H. Earle, Jr.
Louis A. Ennis
Richard A. Evans
William M. Ferris
Walter N. Flournoy
Paul J. Fontana
Glenn C. Funk
Robert E. Galer
Allen B. Geiger
John H. Gill
William E. Gise
Bryghte D. Godbold
Milo G. Haines
Edwin L. Hamilton
John D. Harshberger
John B. Heles, Jr.
Daniel J. Hennessy
Howard V. Hiett
Thornton M. Hinkle
Russell E. Honsowetz
Gavin C. Humphrey
Robert J. Johnson
Edward W. Johnston
George W. Killen
Kenneth A. King
Howard G. Kirgis
Gordon H. Knott
Wood B. Kyle
Oscar K. LaRoque, Jr.
Fred H. Lemmer
Tom C. Loomis
Marion M. Magruder
Leonard M. Mason
Henry S. Massie, Jr.
Charles W. May
Arthur P. McArthur
Henry L. McConnell
Robert C. McGlashan
George A. McKusick
Sidney S. McMath
Lee C. Merrell, Jr.
Philip C. Metzger
Ronald K. Miller
James E. Mills
Harold J. Mitchener
Thomas C. Moore, Jr.
John E. Morris
James C. Murray, Jr.
Hollis U. Mustain
James L. Neefus
Gene S. Neely
Charles S. Nichols, Jr.
Frederick R. Payne, Jr.
August F. Penzold, Jr.
Lewis H. Pickup
William J. Piper, Jr.
Douglas E. Reeve
George D. Rich
Robert H. Richard
Robert W. Rickert
Noah J. Rodeheffer
Thomas G. Roe
Lindley M. Ryan
Stephen V. Sabol
Joseph P. Sayers
DeWolf Schatzel
John F. Schoettel
Maynard C. Schultz
Robert F. Scott
Charles J. Seibert, 2d
Frank Shine
Ormond R. Simpson
George T. Skinner
Everett W. Smith
John L. Smith
Levi W. Smith, Jr.
Arthur R. Stacy
John P. Stafford
Jack L. Stonebanks
David W. Stonecliffe
Robert W. Thomas
Zane Thompson, Jr.
Ellsworth G. VanOrman
Harry A. Waldorf
Lewis W. Walt
Gordon Warner
Russell B. Warye
Arthur H. Wineberger
John J. Wermuth, Jr.
Cecil W. Wight
John E. Willey
Marlowe C. Williams
Roger Willock
William T. Wingo, Jr.
Pelham B. Withers
Noah P. Wood, Jr.
Horatio C. Woodhouse, Jr.
Erma A. Wright
Donald K. Yost
Carl A. Youngdale

To be chief marine gunner

Johnnie C. Vaughan

HOUSE OF REPRESENTATIVES

FRIDAY, JANUARY 22, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, author of life and purity, help us to lay hold of things eternal. We come to Thy feet in prayer that we may receive grace that makes for righteousness in the soul. We give Thee our hearty thanks for all our manifold blessings—so rich, so free, and so abundant. Define for us the pathway of duty and impart unto us courage to walk therein. O Lord God Most High, raging storms of destruction and ruin are sweeping over large areas of land. Arise in Thy might and stay the tragic tides of disaster, devastation, and death. Heavenly Father, turn Thou to the homeless, according to Thy loving kindness, and allow not the water floods to overflow them, neither let the deep swallow them up. Make haste to deliver them; come in all Thy fullness and have compassion upon Thine own. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 4. An act to authorize the coinage of 50-cent pieces in commemoration of the three hundredth anniversary of the original Norfolk, Va., land grant and the two hundredth anniversary of the establishment of the city of Norfolk, Va., as a borough.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of

his secretaries, who also informed the House that on January 18, 1937, the President approved and signed a joint resolution of the House of the following title:

H. J. Res. 106. Joint resolution to exempt from the tax on admissions amounts paid for admission tickets sold by authority of the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1937.

SESSIONS OF COMMITTEE ON WAYS AND MEANS

Mr. COOPER. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have permission to sit during the sessions of the House during this session of Congress at such times as may be deemed necessary by the committee.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

ROBERTA SLEE

Mr. WARREN. Mr. Speaker, a few days ago the House passed House Resolution 49. The first name of the person to be benefited was incorrectly handed to me.

I ask unanimous consent that the proceedings by which House Resolution 49 was passed be vacated and that the resolution be laid on the table.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WARREN. Mr. Speaker, I now offer a privileged resolution from the Committee on Accounts and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 81

Resolved, That there shall be paid out of the contingent fund of the House to Roberta Slee, widow of Richard B. Slee, late an employee of the House, an amount equal to 6 months' compensation, and an additional amount not to exceed $250 to defray funeral expenses of the said Richard B. Slee.

The resolution was agreed to.

NEUTRALITY LEGISLATION

The SPEAKER. Under the special order of the House, the gentleman from Connecticut [Mr. KOPPLEMANN] is recognized for 30 minutes.

Mr. KOPPLEMANN. Mr. Speaker, today the problem of keeping the United States out of war is the concern of every American citizen. Few times in history has the question so occupied the minds of our citizens and the attention of our public press. This Congress is charged with the responsibility of formulating a neutrality program to replace the existing temporary legislation which expires on May 1. Immediate action is necessary. We must have adequate discussion for a full understanding of this problem and its relation to America.

If we are to prevent the United States from being forced into another foreign war, we must shut off the road which led us into the last one.

That is why we must revise our neutrality policy.

On January 5 I introduced H. R. 1491, which bill, if enacted into law, to my mind, will give the American people the neutrality they want.

No neutrality law, however it is framed, can prevent our taking part in a war if the issues are such that the people of this country wish to give their lives in support of one side or the other. A mandatory law, such as I propose, would, however, protect the rank and file of American citizens against being forced into war as a consequence of policies to protect financial and other interests.

It is possible, of course, that the United States would have entered the last war—as some claim that it did enter—for purely idealistic reasons. But it is also true that this Government, at the risk of war, followed policies for the protection of trade and finance that Congress had, in important instances, no opportunity to discuss, and the people no opportunity to reject or accept. These policies made inevitable our ultimate involvement in the war.

What were these policies? In addition to permitting loans and credits—

Under a long-standing neutrality policy, which, after the outbreak of the war, could not be altered, our Government permitted the sale of munitions theoretically to either side—actually only to that side which controlled the seas—in other words, the Allies.

Our Government permitted American ships to carry munitions and armed our merchant vessels.

Our Government permitted American citizens to travel on ships—ours and belligerents'—armed or carrying munitions.

These policies under modern conditions of warfare meant loss of American shipping and American lives. The old claim to neutral trade rights was based on the assumption that contraband goods were limited to supplies intended for the use of armies; that ships could be searched at sea to determine whether they carried contraband; and that passengers could be removed before the sinking of a ship. The vital part played by civilian populations in modern war extends the list of contraband goods to practically all supplies to belligerents, while the use of submarines and airplanes makes search of ships and removal of passengers impossible. Even British and American naval officers are agreed that belligerents are entitled "to prevent any neutral commerce that will aid the enemy in prosecuting the war."

Our policy in regard to loans and credits to belligerents was determined without congressional or public discussion by the President and Cabinet.

The steps by which administration policies, unknown to the people or not understood by them, brought about a situation in which our financial stake in allied victory was of decisive importance were revealed by the Nye committee and are set forth by Charles Beard in The Devil Theory of War.

They were as follows:

The belligerent governments found themselves unable to pay for purchases in this country with gold or with imports. The French Government sought a loan through the House of Morgan, which approached Secretary Bryan for his opinion. Bryan expressed to President Wilson the opinion that "money is the worst of all contrabands", and that if loans were made "powerful financial interests" would make it difficult to maintain neutrality. In agreement with the President, Secretary Bryan notified the Morgan interests that "loans made by American bankers to any foreign nation which is at war are inconsistent with the true spirit of neutrality."

Mr. Lansing, counselor of the State Department at this time, advised Secretary Bryan that there was no legal objection to financing such a loan. The banking interests, blocked in making loans, then sought for a way to supply credits. This time they approached Mr. Lansing, over Secretary Bryan's head, saying that they wished to stimulate the unprecedented volume of business, and, continuing, they said, "If we allow these purchases to go elsewhere, we will have neglected our foreign trade at the time of our greatest need and greatest opportunity. The business I have attempted to describe to you we deem necessary to the general good." Here was the cry for profits in preference to peace.

Mr. Lansing appealed to President Wilson. Mr. Wilson authorized Mr. Lansing, upon the express understanding that he was not speaking with the authority of the President, to give to such persons as were "entitled to hear them" the "impression" that they were free to go ahead and extend credits. In turn Mr. Lansing gave this impression to the Morgan Co.

Within a few months the Allies had stretched their short-term credits to the limit and the British pound was slipping. This meant less business for the clients of American banks. Benjamin Strong, of the New York Federal Reserve Bank, wrote Colonel House on August 14, 1915, that because of the decline in the pound there was "danger of a decrease in our export business."

The bankers again began pressing for a loan to the Allies to finance purchases in this country through Mr. Lansing, who had by that time become Secretary of State.

Mr. McADOO, as Secretary of the Treasury, wrote the President a letter on August 21, 1915, which said:

Our prosperity is dependent upon our continued and enlarged foreign trade. We must do everything we can to assist our cus-

tomers to buy. To maintain our prosperity we must finance it, otherwise we must stop and that would be disastrous.

Again we heard the cry of profits in preference to peace.

On August 25, Secretary Lansing wrote the President, saying:

> The large debts which result from purchases by belligerent governments require some method of funding these debts in this country. * * * We are face to face with what appears to be a critical economic situation, which can only be relieved apparently by the investment of American capital in foreign loans to be used in liquidating the enormous balance of trade in favor of the United States. Can we afford to let a declaration as to our conception of "the true spirit of neutrality" made in the first days of the war stand in the way of our national interests, which seem to be seriously threatened?

Now, it is no longer a mere cry for profits in preference to peace. It is a demand for them.

On August 26, the President wrote Secretary Lansing that he could convey "orally" to the bankers the opinion that the Government would take no action either for or against their making a loan to the belligerents.

Loan after loan was floated to obtain American money to pay for American goods. American financial interests now had millions at stake in the victory of the Allies. With the collapse of the Russian Government, that victory was threatened. Ambassador Page, on March 5, 1917, cabled President Wilson, describing the weak financial condition of England, and saying:

> There will be almost a cessation of trans-Atlantic trade. This will, of course, cause a panic in the United States. Perhaps our going to war is the only way in which our present prominent trade position can be maintained and a panic averted.

Here we have the inevitable result of the demand for profits in preference to peace.

The business that we did with the Allies, according to the Morgan company, prior to April 1, 1917, amounted to $7,000,000,000. The World War has cost us, up to June 30, 1935, $41,947,000,000, and the cost is still going up.

By 1935, disclosures by the Nye committee and studies by historians as to the real situation in this country at the time of our entrance into the World War, led to a demand in Congress for a revision of our neutrality policy. The demand was intensified by the threatening situation then existing in Europe. The question was: What neutrality policy would give protection against a repetition of our entanglement in the World War?

Mr. O'CONNOR of Montana. Mr. Speaker, will the gentleman yield?

Mr. KOPPLEMANN. I yield.

Mr. O'CONNOR of Montana. Is it not a fact that the Democratic platform provides, and is it not a fact that President Roosevelt in a speech delivered about a year ago committed the Democratic Party to the principle of peace above profits?

Mr. KOPPLEMANN. It is; and the purpose of my message to the Congress this morning is to make certain that that pronouncement by our President and the Democratic platform shall be kept.

In general, the President and State Department desired a discretionary neutrality law, leaving it to the President to decide whether embargoes should be applied; and if applied, whether they should be against one or both sides in a conflict. This would have made it possible to avoid the dangers encountered during the World War, but would not have provided certainty that those dangers would be avoided.

Congressional leaders demanded mandatory legislation requiring embargoes on arms, ammunitions, and implements of war against all belligerents. The law adopted merely embodied the mandatory principle. So far as real neutrality is concerned, so far as guarding us against the dangers of our World War experience is concerned, it was far from complete. All it did was to prohibit the sale of any form of munitions to belligerents. It prohibited American vessels from carrying weapons of war destined for belligerents. It gave the President power to prohibit travel by American citizens on vessels of belligerents.

The bill, for good reason, was regarded as unsatisfactory. Therefore it was provided with an expiration date on February 29, 1936.

By the time it became necessary to renew the law public opinion had vigorously expressed itself. A bill embodying the mandatory principle and extending the provisions of the neutrality law was submitted in Congress. It met opposition from those who wish embargoes to apply to aggressor States only and from those who wish to return to our old policy of "freedom of the seas." A legislative combat ensued. The result was another compromise and further temporary legislation which expires May 1 of this year.

The provisions of the first law were, however, extended in important respects. Not only munitions but loans and credits to belligerents were prohibited. The new law continued the prohibition against American vessels carrying munitions to belligerents and strengthened the provision in regard to travel by American citizens on vessels carrying munitions to belligerents. Also it strengthened the provision in regard to travel by American citizens on vessels of belligerents by calling upon the President to prohibit such travel whenever he should find it endangered the maintenance of peace. But it failed to provide any control for war materials other than munitions and did not prohibit American vessels from entering war zones. It also failed to make its provisions apply to countries engaged in civil war.

As I said, this present law expires on May 1, 1937. Now we must write a new law. If the new law is to offer protection against recognized dangers of entanglement in foreign wars it must embargo munitions and loans and credits to all belligerents; it must give the President power to embargo other war materials, with the provision that all embargoes shall be enforced against both sides; it must provide that American citizens retain no interest in shipments of goods after they leave our ports; it must prohibit American citizens from traveling on the vessels of belligerents; it must provide that American vessels or citizens entering war zones will not have the protection of this Government.

The provisions of the law must apply to all fighting forces whether engaged in international or civil war.

The application of the neutrality law to civil strife, after the necessary proclamation by the President, would be in line with the policy of nonintervention developed in this hemisphere. Further, in the present world situation civil war is potentially world war and cannot be treated otherwise.

The argument that the shipment of airplanes to Spain proved the necessity for discretionary neutrality legislation completely ignored the actual facts of the situation. Had the present law applied to civil as well as international war, the embargo against the sale of munitions would have prevented the shipment to Spain. It was this omission in the law that created the difficulty.

In addition to this weakness, the present law does not provide any control over war supplies other than munitions. Since the essential requirements of belligerents cover many other articles than munitions, it is necessary that the possibility of embargoing these materials exist. It is equally necessary that sales of any supplies to belligerents shall be so controlled that American citizens do not acquire a financial stake in the victory of either side.

In the question of mandatory versus discretionary legislation, there are two important questions involved.

(1) Which type of legislation will best protect this country against the events and policies which meant its entanglement in the World War?

(2) Which type of legislation is in closest accord with the constitutional grant of the war-making power of Congress?

If the President is given discretion to apply embargoes to one side only in any conflict, the World War situation will be duplicated, when, through control of the seas, the Allies alone were able to obtain supplies from this country. If application of embargoes to one side is made under the name of sanctions or collective security, the situation is, practically, the same, since it is clear that belligerents against

whom sanctions are applied will regard them as tantamount to war.

Discretionary neutrality would, therefore, amount to taking the war-making power away from Congress and giving it to the Executive.

Those who favor discretionary power for the President have attempted to interpret the Supreme Court's decision in regard to the Chaco embargo law, in which the wide discretionary powers of the President in foreign affairs were emphasized, as support for giving him greater discretion in a new neutrality law. This argument fails entirely to distinguish between the conduct of foreign affairs and the war-making power.

The application of embargoes to war supplies other than munitions calls for a certain discretion on the part of the President, since the importance of supplies will vary according to the countries involved. But while there should be discretion as to which other supplies are to be embargoed, it should be mandatory that whatever embargoes are enforced shall be enforced against all belligerents.

There is no question that any trade with belligerents, if we are to avoid the danger of war, must be carried on at the risk of the foreign purchasers, and with American shippers retaining no right or interest in articles exported.

The argument of opponents of strict neutrality legislation, that the people of this country would not tolerate the economic loss involved in the necessary curtailment of war trade, is contradicted by these facts: 90 percent of American business concerns, according to our President, accepted the mere advice, not supported by law, of the State Department, that in patriotic support of the peace interests of this country, munitions should not be shipped to Spain.

Moreover, at the annual convention of the National Grange, the farming interests of the country adopted a resolution calling for "stronger neutrality legislation to include embargoes on basic war materials", while the master of the Grange, Louis J. Taber, said in his opening address:

> We must make illegal for export all munitions and raw materials that are essential to war. This will mean that agriculture must make a sacrifice, because cotton, wheat, and fats are as essential to war as are gunpowder, steel, and munitions.

Opponents of mandatory neutrality also claim that such a policy means the refusal of the United States to accept its responsibility for world peace. On the contrary, only mandatory legislation will definitely throw the influence of this country against war. By serving notice on the world that the United States can no longer be used as a base of supplies for war, we will exert pressure on all governments to find some adjustment for conflicts short of war.

From the point of view of the League, powers which might desire to apply sanctions, if it is a question of a large number of powers acting against one, their great need is to be assured that the United States will not aid or abet the aggressor. Only mandatory legislation can give them that assurance.

If the application of sanctions results, as all indications are that it would result, in a division of the world into two more or less equal hostile camps, there can be no question but that the result would be just such another conflict as the World War.

It would be senseless to say that war can be prevented by the threat that the United States will apply embargoes against aggressors only. This would be assuming, contrary to history, that a government, reduced to a desperate situation, would avoid war even at the risk of its own overthrow. It would be assuming, contrary to history, that the people of a nation would prefer permanent economic insecurity to war. If the status quo is such that it breeds war, it is up to the nations which are profiting from the status quo to initiate changes which will breed peace instead.

The World War showed clearly the difficulty of adopting a policy toward belligerents after the outbreak of a conflict. Nor should an Executive be placed, or desire to be placed, in a position where various forces will attempt to exert pressure to determine national policy in their own interest. Whatever is done after war breaks out is bound to be regarded as unfair by one side or the other.

Temporary legislation, which may expire at a critical moment, is undesirable for the same reasons, and the new law should be enacted without any expiration date.

Mr. Speaker, the need for a clear-cut policy is immediate. I have submitted a bill, H. R. 1491, "to preserve the neutrality of the United States in armed conflicts occurring outside its territorial limits to which it is not a party and to define the obligations of citizens and nationals of the United States in respect to such conflicts."

This bill is now in the hands of the Foreign Affairs Committee of the House. I urge each and every Representative here to read carefully this measure, for I feel that this bill contains the essential elements so necessary in our foreign policy if we are desirous of making real neutrality legislation during this session. The way to peace for America lies in true neutrality. [Applause.]

CONTINUATION OF RECONSTRUCTION FINANCE CORPORATION

Mr. O'CONNOR of New York. Mr. Speaker, I call up House Resolution 79.

The Clerk read as follows:

House Resolution 79

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of H. R. 2301, a bill to continue the functions of the Reconstruction Finance Corporation, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and shall continue not to exceed 2½ hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

Mr. O'CONNOR of New York. Mr. Speaker, I yield 30 minutes to the gentleman from Massachusetts [Mr. MARTIN].

Mr. Speaker, this is a rule for the consideration of H. R. 2301, a bill to continue the functions of the Reconstruction Finance Corporation and four other agencies of the Government.

Mr. Speaker, in the hearing before the Rules Committee yesterday we called the attention of the four members of the Committee on Banking and Currency to the fact that there was an identical Senate bill which had passed the Senate and was on the Speaker's desk. We asked precisely whether or not the request was to report the House bill or the Senate bill, explaining that it would be more expeditious to report the Senate bill. We were informed by the representatives of the committee that they wanted the House bill reported. We could not understand why, but we were told it was the House bill they asked to have reported, and therefore we reported the House bill.

Of course, the expeditious way to advance the legislation would be to report the Senate bill. I have now been informed by the chairman of the Committee on Banking and Currency, who was not present at the meeting yesterday, that some error was made, and that the committee desires to offer the Senate bill.

I therefore ask unanimous consent that House Resolution 79 be amended by inserting, in line 4, "S. 415" in lieu of "H. R. 2301."

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, the gentleman from New York says there is no difference between the Senate bill and the House bill?

Mr. O'CONNOR of New York. We were so informed by the members of the committee yesterday. We were informed that they were identical bills. I have not made the comparison.

Mr. MARTIN of Massachusetts. Having that information yesterday and the committee not reporting out the

Senate bill, why should the gentleman now ask the House to make the Senate bill in order?

Mr. O'CONNOR of New York. Because I have just been requested by the committee to do so.

Mr. MARTIN of Massachusetts. Does the gentleman think that is sufficient need for this exceptional procedure?

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. MARTIN of Massachusetts. Further reserving the right to object, Mr. Speaker, unless I can get a better explanation than has already been given, I will be obliged to object for the moment.

Mr. O'CONNOR of New York. I have been trying to explain all I know about it. I desired to report the Senate bill yesterday, but the committee was insistent on reporting the House bill.

Mr. REILLY. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR of New York. I yield.

Mr. REILLY. I was called to appear before the committee yesterday as the ranking member who was not under the weather at that time. I knew nothing about what the gentleman from Alabama [Mr. STEAGALL] desired. I told the chairman I knew nothing about it. Then one of the clerks in the office said that the gentleman from Alabama [Mr. STEAGALL] requested the House bill. The gentleman from Alabama said that was a mistake, that he never requested the House bill. So the committee at no time yesterday expressed a desire to have the House bill. Our statement was that we did not know what the gentleman from Alabama wanted in the way of reporting the bill.

Mr. MARTIN of Massachusetts. Mr. Speaker, I do not want to be too technical about this matter, but it indicates how in trying to hurry legislation we do not take time enough to know where we are going. While I am not going to object in this instance, I serve notice now that hereafter, when a committee comes before the House, it should know exactly what it wants to do.

Mr. STEAGALL. Mr. Speaker, I was not able to attend the meeting of the Rules Committee yesterday. I have been confined to my bed all the week until yesterday. I phoned the clerk of the Committee on Banking and Currency and told him to pass the word that the rule should provide for consideration of the Senate bill, because that bill had already passed the Senate and was identical with the House bill. I am sorry about this error. It grew out of the situation which I have mentioned.

Mr. RICH. Mr. Speaker, reserving the right to object, I may make the observation that so far as I can see the majority Members have been waiting to see what the White House wanted before they acted.

Mr. WITHROW. Mr. Speaker, reserving the right to object, would consideration of the Senate bill instead of the House bill in any way restrict the Members of the House in making amendments further than they are restricted under the rule?

Mr. O'CONNOR of New York. No; not at all. The bills are identical, and this is an open rule which permits of amendment.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, of late there has been criticism because Congress has lost a good deal of its old legislative standing. There has been criticism because we have abdicated a great deal of the power originally invested in the House. There has been criticism because we have failed to give the consideration to legislation which is essential for good government. This bill and the time given for debate justifies, in large measure, much of this criticism.

We have a bill today to continue five distinct agencies of the Government. This positively is not in the interest of good government. If any one of these agencies has proved its merit during its tenure of office, that agency ought to come here alone and on its own feet and be granted a continuance. But the popularity of a good agency should not be made the vehicle for favorable consideration to a less worthy agency.

The minority requested in the consideration of this measure at least 3 hours of debate, but the best we could get was two hours and a half. Think of that—two hours and a half in which to consider the continuance of five important agencies of the Government. This means 15 minutes for each agency. There are 435 Members of Congress, yet we are given only 150 minutes to consider this most important legislation. We are particularly justified in our criticism of this lack of time when we realize that although Congress has been in session 14 days, only two measures have been considered. We have had plenty of time to talk about anything that might come to the imagination of the individual legislator, but when it comes to the consideration of important legislation we are refused adequate time thoroughly to discuss the details of the measure. An effort has also been made to stampede us into hasty action; demanding that this bill be passed immediately on the ground that it is necessary because the agency will expire on February 1. Everyone knows, however, that the law provides the Reconstruction Finance Corporation may continue 1 year to liquidate without any further legislation; and I believe that at the present time no new loans are being made, or at least very few loans are being made. This indicates there is no real need of haste, yet we are stampeded into passing the legislation before the Members can thoroughly digest it.

There has been a great deal of criticism because Congress has not drafted its own legislation. I rejoiced when I first looked at this bill, because I saw at the top of H. R. 2301 this sentence:

Mr. STEAGALL introduced the following bill, which was referred to the Committee on Banking and Currency.

I thought that was fine, for I knew Mr. STEAGALL to be a splendid legislator and an expert on banking and currency; I knew if he drafted the legislation it would appeal to the House. Then I happened to read a record of the hearings before the committee and came to a point where the chairman interrupted the witness, Mr. Alley, with the statement:

Let me ask you right there—I have not read this bill.

That is the record; the chairman of the committee had not read the bill. I must conclude, consequently, that the old order of the last 3 years is being continued; someone down in these bureaus writes out the legislation and brings it up to Congress asking us to O. K. it and pass it without changing the dotting of an "i" or the crossing of a "t." When I looked further at the bill I was gratified to know it was not the creation of the gentleman from Alabama. I do not believe if he drafted the measure he would have given the President of the United States the additional power granted in this bill. The bill provides if the President of the United States feels the Reconstruction Finance Corporation is making loans that he personally does not agree with he can, by an order, demand that they cease making these loans. Now, I do not believe he should have this coercive power over an agency supposed to be nonpartisan and devoted to the rehabilitation of the industrial life of the Nation.

Members of Congress who have been fighting for loans to small industry, Members of Congress who have advocated loans for the purpose of continuing poor schools, Members from the West who believe in irrigation and reclamation projects may well consider whether or not they want the President of the United States to have this additional power. Of course, the President has the power to suspend the whole organization at the present time, but he now asks for specific power to provide he may direct just how the organization shall make its loans. I would not think the House would want to give the additional authority. I do not believe the gentleman from Alabama [Mr. STEAGALL], if he drafted this legislation, would want to continue this Export and Import Authority on the evidence presented to his committee.

Mr. Speaker, this is an agency of some substantial size. It is interesting to read the hearings concerning it. On page

21 of the hearings the gentleman from Michigan [Mr. WOLCOTT] asked this question:

> There seems to be a lot of mystery about the Export and Import Bank. I do not think there is any mystery as far as I am concerned.

Here is the reply of Mr. Jones:

> They have been doing about as much business as you could do with your vest pocket.

That is the answer of Mr. Jones, of the Reconstruction Finance Corporation, who is identified with the Export and Import Bank.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. In just a moment.

They are doing only enough business to carry in your vest pocket, according to their own admission. Nevertheless, the Bureau has a president who draws a salary of $10,000 a year. It has an examiner who draws a salary of $6,000. It has an assistant secretary drawing a salary of $2,700 a year. While I have never been over there, I venture the opinion they have plenty of secretaries and clerks, and I would not be at all surprised if they had two or three messengers and two or three colored gentlemen who sit outside the doors to let them know when any danger is approaching.

Mr. Jones was asked why we should continue this particular agency. He admits it is not doing anything. He admits it is not going to do anything. His reply was he wanted this power because he might need it in the future.

Mr. Speaker, I ask both the Democrats and Republicans if that is fair to the taxpayers. Do you want these expenditures to continue, with this evidence? We talk about economy. We talk about efficiency. By and by you will be cutting off someone who is on relief or some poor veteran. You will be in here talking of economizing; now, right here is an agency that is not doing anything. The Chairman admits it is not doing anything. He admits it has not done anything, yet you are going to keep it in existence at great expense to hard-pressed taxpayers.

Mr. Speaker, I now yield to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. How long has it been since the Reconstruction Finance Corporation ceased making loans?

Mr. MARTIN of Massachusetts. I could not answer the question. I think they are still making some loans. If the gentleman asks me how long has it been since they made a loan to a small manufacturer or to a small industry, I will answer that they have made precious few.

All of its efforts have been directed toward the large banks, the insurance companies, and the public utilities; but as far as actually being of service to the small manufacturers of this country is concerned, it has never contributed anything. I do not want to minimize the value of the stabilizing aid rendered, but it has failed to do what it should have done for small business.

Mr. ROBSION of Kentucky. What has the Export-Import Bank done?

Mr. MARTIN of Massachusetts. All they have done is what could be put in your vest pocket. So states Mr. Jones. I do not know how much that is.

Mr. ROBSION of Kentucky To what extent, if at all, have the expenses of the Reconstruction Finance Corporation and the Export-Import Bank been reduced?

Mr. MARTIN of Massachusetts. I believe the gentleman is an optimist when he asks that question. I do not know of one single bureau in Washington during the last 3 years that has reduced its expenses one dollar.

Mr. ROBSION of Kentucky. If they admit they are not going ahead and are not likely to perform any service in the next year or two, it seems to me, and I refer to the Reconstruction Finance Corporation and the Export-Import Bank, that their expenses should be reduced for the benefit of the taxpayers of the country. A recent report of the Treasury shows that our deficit from July to the present time is more than $1,500,000,000.

Mr. MARTIN of Massachusetts. The taxpayer is only remembered around election time.

Mr. BOILEAU. Will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Wisconsin.

Mr. BOILEAU. It has been my understanding that under the Reconstruction Finance Corporation law now in effect the R. F. C. may make loans only when private capital is not available. Is that the gentleman's understanding?

Mr. MARTIN of Massachusetts. That was the theory upon which the agency was established; that is, it would not make loans except when private capital was not available. It was also expected it would not make loans to a new industry which would compete with another industry of the same kind, but we found they loaned millions to create a new concern to compete with other concerns in distress.

Mr. BOILEAU. If my understanding is correct, it seems to me the proviso in section 1 is rather ridiculous, because under the law the Board cannot make loans when private capital is available. In section 1 it states that the President could authorize the Directors to suspend the exercising of this power, but it would seem to me that language is superfluous and should not be in the bill, if my understanding of the present law is correct.

Mr. MARTIN of Massachusetts. I cannot say definitely.

Mr. BOILEAU. It is confusing and does not mean anything.

Mr. MARTIN of Massachusetts. There may still be some reason for loans in some sections of the country.

Mr. PIERCE. Will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Oregon.

Mr. PIERCE. The statement the gentleman made that they did not make loans to small industries must be an error. There have been many thousands of dollars lent in the Pacific Northwest, particularly to the lumber industry. There was a pledge within the last week in the district of the gentleman from Oregon [Mr. MOTT] involving some $650,000.

Mr. MARTIN of Massachusetts. They made these loans in September or October?

Mr. PIERCE. No; this last one was a pledge within the last week, to my knowledge.

Mr. MARTIN of Massachusetts. I congratulate the gentleman on his influence with the organization.

Mr. DIRKSEN and Mr. MICHENER rose.

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. I may say with respect to the inquiry of my friend from Wisconsin [Mr. BOILEAU] in regard to the language of the bill, the authority conferred upon the President to suspend the operations of any one of the subdivisions of the R. F. C. virtually gives him power, as a matter of practical operation, to terminate the R. F. C.

Mr. BOILEAU. If the gentleman from Massachusetts will permit, it is my understanding, although I may be in error about this, and for this reason I want some enlightenment from some member of the committee——

Mr. DIRKSEN. I am not a member of the Committee on Banking and Currency now. I was a member of that committee.

Mr. BOILEAU. I know the gentleman was a member of the committee. Under the original law, as I understand, it was not the policy at least of the R. F. C. to make loans where there was sufficient capital available for that type of loan, and it was my impression that they were not permitted under the law to make such loans. I know it is not their policy to do so, and when I was trying to assist a certain corporation to obtain a loan I was informed they could not make the loan because there was capital available for that type of loan.

Mr. DIRKSEN. It was rather in the nature of discretionary authority conferred upon the R. F. C. to be exercised in the interest of the country.

Mr. BOILEAU. I do not want to impose upon the gentleman from Massachusetts, but, if he will permit, I would like to have the matter clarified by having the chairman of the committee state what is the present law in that respect.

Mr. MARTIN of Massachusetts. I think the gentleman can explain that in his own time. I now yield to the gentleman from Michigan.

Mr. MICHENER. I simply desired to call attention to the manner in which this bill is drawn. I am not surprised when I find the chairman of the committee had never read the bill when it was before the committee. The Department drew the bill. The Department sent up instructions telling the committee how to draw the bill, what to insert and what to strike out, and the committee in its wisdom wanted to agree with what the Department said and, evidently fearing they might do something wrong if they changed it, they followed the formula and included in the bill a formula to strike out and insert, and therefore this bill, without reading the original law, is meaningless. I shall speak of this more in detail at greater length later.

Mr. MARTIN of Massachusetts. Mr. Speaker, I am going to offer an amendment to strike out the provision for the continuation of the Export-Import Bank. I admit I am not optimistic about the fate of the amendment, because I have heard it said there has been organized in the House an administration battalion of 250. I have been told this battalion is going to see the President gets everything he wants. I do not know whether this is true or not, and I find it difficult to find a good reason for its existence. Certainly it cannot be on account of the 89 Members on this side of the House. So it must be someone is afraid of some of the Democrats. I shall offer my amendment in order to give you a chance to eliminate at least one commission that is not needed, if you want to make one small, feeble gesture toward economy.

Mr. McCORMACK and Mr. MAY rose.

Mr. MARTIN of Massachusetts. I yield first to my distinguished friend from Massachusetts.

Mr. McCORMACK. Will my distinguished friend from Massachusetts advise us where he got that information?

Mr. MARTIN of Massachusetts. I may inform the gentleman I read it in the newspapers.

Mr. McCORMACK. Does the gentleman always rely on the newspapers?

Mr. MARTIN of Massachusetts. That is about the only source of information a good many of us Republicans have on such a matter.

Mr. McCORMACK. And, based on a newspaper story, the gentleman then made a definite statement?

Mr. MARTIN of Massachusetts. The gentleman did not understand what I said or he would not make that observation. I said if this report is true, then I have not much optimism as to what will be the fate of my amendment.

Mr. McCORMACK. Whether the statement is true or not, the gentleman does not know?

Mr. MARTIN of Massachusetts. Does the gentleman know whether it is true or not? Let us have it out right here.

Mr. McCORMACK. So far as the gentleman from Massachusetts who is now speaking is concerned, the first time he heard of any such thing was when the gentleman from Massachusetts [Mr. MARTIN] stated it a moment ago.

Mr. MARTIN of Massachusetts. The gentleman has been busy with the inauguration and probably has not kept up with the times. [Laughter.]

Mr. McCORMACK. I think the gentleman from Massachusetts would know something about what was going on in that respect in the House here.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. Certainly.

Mr. MAY. I would like to ask the gentleman from Massachusetts, if he is going to offer an amendment to eliminate the Import-Export Bank, why he does not extend the amendment to include all four of the additional agencies, including the Electric Home and Farm Authority; and for his information I would like to tell the gentleman, if he does not know it already, the Electric Home and Farm Authority is a corporation created by Executive order, organized under the laws of Delaware, and is engaged in the private business of peddling electric fixtures and supplies. When it gets an order from a power company it accepts the assignment of the papers without recourse on the power company, so that the power company is released and the Government holds the bag. Why does not the gentleman extend his amendment so as to eliminate all of these subsidiaries and let the R. F. C. go on as a lending institution?

Mr. MARTIN of Massachusetts. The gentleman has made a fine contribution to the debate. I stated in the beginning of my remarks I believed every one of these agencies should be brought up separately and should stand or fall on their own merits. If it is a good agency, no one ought to fear its fate in the House, which is 4 to 1 Democratic. I would certainly be willing to have this procedure, but I am not optimistic enough to think my motion would prevail.

Mr. CRAWFORD. Has the Import-Export Bank done any business at all since Mr. Peek resigned?

Mr. MARTIN of Massachusetts. I cannot say definitely about that. I am not opposed to granting this rule. It is a subject that should be considered, but I regret that we do not have ample time to debate the question thoroughly. I hope when it comes up under the 5-minute rule a spirit of patriotism will prevail in the ranks of the majority party. Let us consider each agency and the increased power to the President solely upon merit.

Mr. STEAGALL. I will suggest to the gentleman that we will be able to save a little more time if we adopt the rule now.

Mr. O'CONNOR of New York. Does the gentleman from Massachusetts want to use any more time?

Mr. MARTIN of Massachusetts. Yes; I have one other speaker.

Mr. O'CONNOR of New York. How much time, Mr. Speaker, has been used?

The SPEAKER. The gentleman from Massachusetts has 10 minutes remaining.

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield 10 minutes to the gentleman, from Pennsylvania [Mr. RICH].

Mr. RICH. Members of the House, we are asked to grant a rule to extend the time for the existence of the Reconstruction Finance Corporation and four other organizations. I want to call your attention to a letter sent the committee on January 15 by the Reconstruction Finance Corporation to the Chairman of the Banking and Currency Committee [Mr. STEAGALL] from Jesse H. Jones.

I read from the second page of the letter as follows:

> Our policy for the past year or more has been to assist and encourage applicants in getting their loans from private sources where possible rather than by making them ourselves. The fact that we are in a position to make the loans enables us to do this, in many cases.
>
> We are liquidating as rapidly as is consistent with the best interests of our borrowers, and the best interest of the country.

The Chairman of the Reconstruction Finance Corporation states that they are trying to have the people of the country borrow from the banks as they are trying to liquidate. Now, somebody from somewhere has sent in a new request that we continue the Reconstruction Finance Corporation for 2½ years, one-half year after the expiration of this Congress. Why do they want this extension of time? No reason has been given for such an extension. How many applications have they before them? Who wants to borrow, and how much do they want to borrow? Let them furnish this information.

Let me read what the investigating committee for consolidation and organization of the Government agencies in the last Senate states. This comes from that excellent committee on the other side of the Capitol. This investigation reveals this fact. I will only read one or two sentences:

> We as Members of Congress, are trustees for the taxpayers' dollars and our obligation is to make it buy the fullest value.
>
> The manifold activities of Government must be systematized and directed with maximum efficiency.
>
> No essential agency should be starved, but saving should be found in consolidation and simplification.

Now, this Senate investigating committee reveals to Members of Congress that there are 24 lending agencies in the Government.

I heard a prominent man on the Democratic side of this House of Representatives say yesterday that we have too many organizations in our Government, and that we should simplify the Government agencies. I say to you gentlemen of Congress that if you do not simplify the agencies of the Government, your responsibility is to this extent that because this Congress does not act, you are going to wreck the Government. You admit it but you will not act. I do not say that because I want to say anything detrimental to Congress, but the responsibility is upon the Congress now to simplify the agencies of government. Yet we come in here, and from some unknown source, or at least it has not been revealed by the majority, we have presented to us a request to extend the time of these various Government agencies for 2½ years. What right have we to do it? What is the actual need? I want somebody on the Democratic side of the House to explain to me why and for what reason we have requests from Government institutions or departments in this country demanding that we continue the R. F. C. for 2½ years, when the Chairman of that institution, Mr. Jesse Jones, says that they are trying to liquidate it now. If that is the case, we do not need to keep the R. F. C. and these four other agencies in operation. We can very well turn them over to some of those other agencies and let them liquidate in an orderly procedure and do away with much of our Government overhead and duplication spoken of in the Senate investigation committee.

I know that 2 or 3 years ago I went to the R. F. C. and tried to get them to loan money to a small corporation and I never worked harder in my life to get $3,500 than I did for that concern in my district. The $3,500 would have been a revolving fund to employ 60 men for a year or more. The agent of the R. F. C. said they ought to grant the loan, but when the time came to grant it the directors would not do it. I did everything but guarantee that loan or make it myself. That is what the R. F. C. does for the little fellow. They just do not grant loans to the little fellow and today the big fellow does not need the R. F. C.; he can get the loans from the banks.

Somebody said on the floor that they just loaned $600,000 to a lumber company in his State. The banks of this country have lots of money, and the fellow that can put up security enough to get a loan from the R. F. C. can get a loan from the banks. They want to loan their money, and it is not difficult for a concern that has proper security to get money at 2½ and 3 percent.

Mr. O'CONNOR of Montana. Mr. Speaker, will the gentleman yield?

Mr. RICH. I cannot yield; I have not the time. The only reason that I can find that we want a continuation of the R. F. C. is because, as I understand it, the Chairman, Mr. Jesse Jones, wants to run for President in 1940, and if he has this organization, he can build up a machine that may help him get there. Remember that Jesse Jones comes from Texas. You know when those fellows down there in Texas want to put something across, they generally do it. I heard a man from Texas say that he was 200 percent for a certain fellow, and they just took a certain place, an important post in this House, away from New York and sent it down to Texas, and I am getting to be in the position of wanting to know whether Texas is going to be a part of the United States or whether the United States is going to be a part of Texas. That is the thing that is in my mind. A few years ago we had a colleague from Texas who sat in the House of Representatives, about 1930, and he was from Texas. He said, "When the other fellow gets a ham, we will get a hog", and it pretty well looks as if that is what is going on, because they have the Vice President, and then I understand they want the President in 1940, so they can properly celebrate in 1941 the 100 years of Texas admission to the Union. They want the President and the Vice President, and Mr. Speaker, I suggest that one ought not to be too sure but what they will have the Speaker of the House of Representatives as well. Texas has the chairman of the Committee on Agriculture. Texas has the chairman of the Committee on Appropriations. Texas has the chairman of Elections No. 1 Committee. Texas had the chairman of Interstate and Foreign Commerce. Texas has the chairman of the Judiciary Committee. Texas has the chairman of Public Buildings and Grounds Committee. Texas has the chairman of the Rivers and Harbors Committee. Texas has the chairman of Special Committee of Investigation of American Retail Federation and Trade Practices. Texas has the chairman of the Select Committee to Investigate the Executive Agencies of the Government.

The great question is, Are we going to build the Capital of the United States in Texas, and if so, will New York be a county of Texas, will Pennsylvania be a county of Texas or will Texas still be a part of the United States?

I do not think one State should take all the national honors. What right had the Democratic Party to give the House majority leader to Texas, when the person in line for the honor came from New York State? Mr. Speaker, let me show you in another way what I mean. See what the New Deal campaign committee of Texas said about that State receiving $1,000,000,000 from the Federal Government through the N. E. C.; and I quote:

> When this fund of $1,000,000,000 sent to Texas is analyzed, compared, and contrasted, it presents an unusual picture. For instance, the Roosevelt-Garner administration gave to Texas 4,000 times the amount sought as a campaign contribution in this State, which is only $250,000. Expressed in another way, Texas is asked to give but one-fortieth of 1 percent of the $1,000,000,000 toward the campaign war chest. Again, it means $167 per capita, that sum going to every man, woman, and child in Texas. Another side of the picture, the Washington government gave to Texas 10 times the total annual expenditures of the State government, for, in round numbers, the State government costs $100,000,000 a year.

Now, gentlemen, is not that something for the people of Texas to gloat over?

Spoils for Texas and taxes for New York; spoils for Texas and taxes for Pennsylvania; spoils for Texas and taxes for Illinois. Well, it looks to me as if all Northern States will have taxes and some Southern States will have the spoils. I call it selfishness.

[Here the gavel fell.]

Mr. O'CONNOR of New York. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. STEAGALL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 415) to continue the functions of the Reconstruction Finance Corporation, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 415, with Mr. COOPER in the chair.

The Clerk read the bill, as follows:

> *Be it enacted, etc.*, That notwithstanding any other provision of law, until the close of business on June 30, 1939, the Reconstruction Finance Corporation is hereby authorized to continue to perform all functions which it is authorized to perform under law, and the liquidation and winding up of the Corporation's affairs as provided for by section 13 of the Reconstruction Finance Corporation Act, as amended, are hereby postponed during the period that functions of the Corporation are continued pursuant to this Act: *Provided*, That in order to facilitate the withdrawal of the credit activities of the Corporation when from time to time during such period the President finds, upon a report of the Board of Directors of the Corporation or otherwise, that credit for any class of borrowers to which the Corporation is authorized to lend is sufficiently available from private sources to meet legitimate demands upon fair terms and rates, the President may authorize the directors to suspend the exercise by the Corporation of any such lending authority for such time or times as he may deem advisable.
>
> SEC. 2. (a) Section 7 of the act approved January 31, 1935 (Public, No. 1, 74th Cong.), is hereby amended by striking from the first sentence thereof "April 1, 1937" and inserting in lieu thereof "the close of business on June 30, 1939"; section 1 of the act approved March 31, 1936 (Public, No. 484, 74th Cong.), is hereby amended by striking from the first sentence thereof "February 1, 1937" and inserting in lieu thereof "the close of business on June 30, 1939"; section 9 of the act approved January 31, 1935 (Public,

No. 1, 74th Cong.), is hereby amended by striking from the first sentence thereof "June 16, 1937" and inserting in lieu thereof "the close of business on June 30, 1939."

(b) The agencies referred to in the acts referred to in subdivision (a) of this section, and the R. F. C. Mortgage Co., shall be deemed to be established by or pursuant to law within the meaning of section 7 (a) of the First Deficiency Appropriation Act, fiscal year 1936.

Mr. STEAGALL. Mr. Chairman, I shall occupy only a brief time of the House. There is nothing in this legislation that is new. In fact, everything proposed in this measure has been passed upon by both Houses of Congress and has received the approval of the President. The only thing that is attempted is to extend until the end of the fiscal year 1939 the functions and powers now reposed in the Reconstruction Finance Corporation. In passing, I wish to say for myself, and I am sure I speak the general views of many Members of the House, that the accomplishments of this agency of the Government, established as it was to aid in meeting the problems arising out of the distress of the period of depression, have been gratifying in a most unusual degree.

It seems almost more than could have been anticipated that the services of this Corporation should have afforded the relief that has been accomplished by its operation. Certainly it is most gratifying that the Corporation should have been conducted with such success in the matter of relief afforded, and with a record that will show profits in large sums accruing to the Government as a result of the operations of the Corporation.

Mr. SNELL. Mr. Chairman, will the gentleman yield for a question?

Mr. STEAGALL. Certainly.

Mr. SNELL. Did I understand the gentleman to say that all we are doing at the present time with this legislation is to extend the present operations of the Reconstruction Finance Corporation?

Mr. STEAGALL. The present powers now reposed in the Reconstruction Finance Corporation for the period of time suggested; yes, sir.

Mr. SNELL. It seems to me that the last part of section 1 of the bill gives additional powers to the President which he did not have under the provisions of the original bill.

Mr. STEAGALL. Let me say to the gentleman, I think he will hardly find that my statement was inaccurate.

Mr. SNELL. That part of the bill seems rather important. It may be that my understanding was inaccurate.

Mr. STEAGALL. Under the present law the President of the United States is clothed with blanket authority to terminate the activities of the Corporation at any time.

Mr. SNELL. I understand that.

Mr. STEAGALL. Under the bill now before the House there is a limitation on that power of the President. So that the statement I have just made, if erroneous at all, was erroneous in the opposite sense to that which the gentleman from New York seems to have understood.

Under the present law there is blanket authority that the President, at his own will, may terminate the activities of the Corporation. Under the bill now before the House we have limited that authority. I will read the language, which is more accurate than any language I could employ in stating it:

When from time to time during such period the President finds, upon a report of the board of directors of the Corporation or otherwise, that credit for any class of borrowers to which the Corporation is authorized to lend is sufficiently available from private sources to meet legitimate demands upon fair terms and rates, the President may authorize the directors to suspend the exercise by the Corporation of any such lending authority for such time or times as he may deem advisable.

Instead of conferring unlimited, blanket authority, as under existing law, the present bill seeks to impose limitations upon the President in the exercise of that authority; limitations that require the fulfillment of the legislative purpose, in that the President may not authorize termination of the activities of the Corporation except upon ascertainment of the fact that sufficiently available credit from private sources to meet legitimate demands upon fair terms and rates is available. So that there is no enlargement of the President's power; but rather, a limitation.

Mr. SNELL. As I understand that language it gives the President additional power to suspend from time to time, and then he can put back into operation any one of these smaller activities of the Reconstruction Finance Corporation, whereas under the old law the only thing the President was given power to do was to terminate the whole matter. I think this is additional power instead of a limitation. Reading your own questions in the hearing, it says that this gives the President the power to make the lending policy of the Board.

Mr. STEAGALL. If the gentleman attempts to quote from anything I had to say, I have no recollection of a statement like that. I do not so understand the matter. However, let me say to the gentleman there has been a question in the minds of well-informed lawyers as to the validity of an enactment by Congress conferring simple blanket authority upon an Executive or any department of the Government to terminate or put an end to legislation.

Mr. SNELL. That is not quite the point I was trying to get at.

Mr. STEAGALL. This legislation attempts to meet that difficulty. It is contended by good lawyers that such difficulty does exist. This legislation attempts to meet it by requiring the ascertainment of facts contemplated by the legislative branch of the Government; so that under the bill now before the House, instead of giving to the Executive the power in his own right to say whether or not the Corporation should cease to function, the legislative branch of the Government gives specific direction to the Chief Executive to authorize termination of the functions of the Corporation only upon ascertainment of the facts which, in the legislative mind, constitute sufficient predicate for that action.

Mr. SNELL. I am not arguing with the gentleman about the constitutionality of the legislation. I simply claim that from the questions asked by members of his committee, by this legislation you are giving additional powers to the President which he did not have before. He did not have anything to do with the policy of these lending agencies. The only power he had was to terminate them. According to the questions that were asked in the gentleman's committee, he has additional power, under this act, relative to the policy of the lending agency.

Mr. STEAGALL. I do not see how it can be contended that the authority conferred upon the Executive by this act gives him any more power to direct the policies of the Corporation in the matter of loans to be made than he could have had under the blanket authority which permitted him to cut off the head of the Corporation any time he might see fit.

Mr. SNELL. Under the original act, the President had no power to suspend from time to time one of these lesser agencies, had he?

Mr. STEAGALL. He had no express power to suspend from time to time.

Mr. SNELL. Under this act he has the power to suspend activities for 1 month or 2 months, according as he may find the facts, of any one of these lesser agencies or activities.

Mr. STEAGALL. Provided he ascertains the facts to exist, upon which the legislative branch of the Government says that action should be determined.

Mr. SNELL. He did not have that power before, did he?

Mr. STEAGALL. I think the gentleman's question may very well be answered either "yes" or "no." As a matter of fact, he had all the authority that is now conferred, if not more.

Mr. SNELL. But under the act setting up the Reconstruction Finance Corporation the only authority the President had was to terminate the whole activity.

Mr. STEAGALL. That is all; he could not terminate part of it.

Mr. SNELL. Under the provisions of the pending bill he can terminate part of it. I claim this is an added power given to the President.

Mr. STEAGALL. I do not so consider it.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield.

Mr. MAY. I voted for the original Reconstruction Finance Corporation Act. I think the Reconstruction Finance Corporation has been a great organization, and I would like to vote for the continuance of this Corporation naked, as it was when we created it. I do not like to vote for it with a lot of other agencies in its coat pockets.

As I understand, these other four agencies, the Commodity Credit Corporation, the Electric Home and Farm Authority, the Reconstruction Finance Corporation Mortgage Co., and the export bank were all created separately from the Reconstruction Finance Corporation by Executive orders of the President and incorporated under the laws of Delaware or the District of Columbia, as the case may have been. The last sentence of the bill, subsection (b) of section 2, contains this language:

The agencies referred to in the acts referred to in subdivision (a) of this section, and the RFC Mortgage Co., shall be deemed to be established by or pursuant to law within the meaning of section 7 (a) of the First Deficiency Appropriation Act, fiscal year 1936.

Why does not that expression in this legislation give congressional or legislative authority to these four agencies and continue them as creatures of the Congress instead of creatures of Executive order or as private corporations?

Mr. STEAGALL. Unquestionably, the legislation carries forward the existence of these corporations and with the relationship they now bear to the Reconstruction Finance Corporation.

Mr. MAY. They are merely agencies, or loopholes, through which the R. F. C. is lending money; is that the idea?

Mr. STEAGALL. It may be expressed that way.

Mr. MAY. Why does not the R. F. C. lend the money directly on its own initiative without the use of these agencies?

Mr. REILLY. Because Congress authorized them to establish agencies.

Mr. MAY. And then they are established by Executive order rather than by act of Congress.

Mr. BOILEAU. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield.

Mr. BOILEAU. I ask the chairman of the committee for information. Is it not a fact that under existing law, if the R. F. C. Board finds that there is credit available in the community, or credit available for the type of loan sought, that this Corporation is authorized to refuse the loan? Is not the purpose of the R. F. C. to make loans only where private capital is not available?

Mr. STEAGALL. I do not think that particular language was included in the original R. F. C. Act. It was included in the provision for loans to industry. If it had not been included, of course, the same rule would have been applied in the nature of things, for that is the only common-sense way in which to handle it.

Mr. BOILEAU. At any rate, under present law, should the Board find that credit is available, they are authorized to refuse the loan, are they not?

Mr. STEAGALL. They are authorized to do that anyhow.

Mr. BOILEAU. That is the point I am trying to make. With that understanding, why is this language necessary?—

When from time to time during such period the President finds, upon a report of the board of directors of the Corporation or otherwise, that credit for any class of borrowers to which the Corporation is authorized to lend is sufficiently available from private sources to meet legitimate demands upon fair terms and rates, the President may authorize the directors to suspend the exercise by the Corporation of any such lending authority for such time or times as he may deem advisable.

In other words, it does not direct the Board to cease the granting of loans; it empowers the President under certain conditions to authorize the R. F. C. to suspend making this type of loan. In other words, he can authorize them to refuse to make the same kind of loans they are now authorized to refuse to make. I cannot see what purpose is to be served by this language in the pending bill.

Mr. STEAGALL. It is not desirable that we set up a governmental board or agency with authority to engage in certain lines of business, and clothe that board with authority or to confer upon the board the right by arbitrary judgment to terminate a function of government established by Congress.

Mr. BOILEAU. The language of the pending bill would empower the President to authorize the directors to suspend certain of its functions.

Mr. STEAGALL. I do not agree with the gentleman's viewpoint.

Mr. FORD of California. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield.

Mr. FORD of California. Perhaps I can offer a suggestion to the gentleman from Wisconsin.

Mr. BOILEAU. I should be pleased to have it.

Mr. FORD of California. Under this authorization to suspend any of the different classes of loans, the purpose back of it is probably this, that once an order to suspend is authorized, the Corporation will no longer have to engage in the long and expensive routine of examining that class of loan. When request for a loan of that character came up heretofore, the Corporation was obliged to examine the loan and in the end did not make the loan. If the Corporation is authorized to suspend loans to these various types of loan—we do not know that any will be suspended, but if they should be suspended it would greatly curtail the trouble and expense of the Board.

Mr. BOILEAU. The language does not read that they are authorized and directed; it reads merely "authorized." I am wondering if it has the same effect as the words "authorized and directed"?

Mr. STEAGALL. Undoubtedly it is going to have the same effect. It is quite possible that there has not been the most lawyerlike use of language, but the practical situation is the same. It will work out easily and with the same results. If the President authorized the Board to terminate loans to any class of borrowers the Board would do so, just as though the language read "authorized and directed."

Mr. BOILEAU. The point is that under this language the same authority will be vested in the Board which they now exercise. They now have authority under these same conditions to refuse this type of loan. We are merely giving the President the power to authorize them to do the thing we are now authorized to do. It seems to me the language is very clear.

Mr. STEAGALL. I have already stated to the gentleman that the limitation that loans were to be made only when it was found that funds through other channels were not available, has not been employed except in the instance of loans to industry. That is an answer to the suggestion of the gentleman.

Mr. BOILEAU. I know there have been loans turned down for that same purpose, because I have had them turned down in my district.

Mr. KNUTSON. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Minnesota.

Mr. KNUTSON. I have not had an opportunity to read the hearings. I am wondering whether they have been printed?

Mr. STEAGALL. Yes; they are in print.

Mr. KNUTSON. We are busy in our committee at the present time.

Mr. STEAGALL. The gentleman may read the hearings. He will find them interesting.

Mr. KNUTSON. I am sure I will and I shall. I read in a paper a while ago that the R. F. C. had advanced $4,000,000 to establish a kraft paper industry down in Arkansas when the kraft paper mills all over the country were complaining that the field was already full and that the production was more than enough to take care of the present consumption.

Has the gentleman any information in reference to that matter?

Mr. STEAGALL. Of course, my friend attempts to point out one single transaction of this Corporation out of the billions of dollars of business that has been done by the Corporation, and the gentleman predicates his question upon newspaper reports which I have not read and with reference to a detail with which I am not familiar, as the gentleman must understand.

Mr. MOTT. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Oregon.

Mr. MOTT. For my own information I would like to get a little further light on the point raised by the minority leader. May I ask the gentleman if the language of the original act giving blanket authority to the President to suspend or terminate the operations of this Corporation is repealed by any language in the pending bill?

Mr. STEAGALL. I imagine the authority perhaps would still exist. That would be a matter of legal construction. But in any event, I do not understand we have enlarged the powers of the President when we say he may exercise this power as to a certain class of borrowers without having to exercise it as to all classes of borrowers eligible for loans.

Mr. MOTT. The point of my question is, if the authority given by the original act is not repealed by this act, then that authority would still exist, notwithstanding the enactment of this bill.

Mr. STEAGALL. As I have previously stated to the gentleman from New York, one reason for the employment of language used in the present act is to meet a possible difficulty involved in a legislative attempt to confer blanket authority upon the President to terminate a Government agency at his own will.

Mr. MOTT. I think I see the gentleman's point. But if that is the case, why not repeal in this act the blanket authority given in the original act to terminate this Corporation and simply retain the authority that may be given in the pending legislation?

Mr. STEAGALL. I do not think this provision automatically repeals it. It is the opinion of good lawyers the original provision is not binding anyway.

Mr. MOTT. Does the gentleman think that blanket authority ought to be repealed or retained?

Mr. STEAGALL. I think the present language is what has always been employed because this language is designed to restrict the President to such action as carries out the will of the Congress and surely Members of Congress should not object to this method of assuring the integrity of the legislative intent.

Mr. MOTT. Why not content ourselves with the authority given in the other act?

Mr. STEAGALL. I think that is a repetition of a question already asked.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Michigan.

Mr. DONDERO. Could the directors of the R. F. C. suspend credit to any class of borrowers under the language of section 1 without an order from the President of the United States so to do?

Mr. STEAGALL. That is not the purpose of the legislation and I cannot see how it could be so construed.

Mr. DONDERO. That would practically place in his hands the power to decide the policies of the R. F. C.

Mr. STEAGALL. It might be said he has that power when the act gives the President authority to name the Board.

Mr. DONDERO. Would the gentleman be willing to agree to an amendment striking out the word "suspend" and place in lieu thereof the word "terminate"?

Mr. STEAGALL. I could not agree to any change in the bill. There are many reasons for my inability to meet that suggestion.

Mr. Chairman, I am not going to consume much more time. I desire to conclude without yielding for further questions.

Mr. Chairman, so far as the Mortgage Co. is concerned, the authority does not terminate except as the Corporation terminates. It is not in the same class in that regard as is the case with reference to the Export-Import Bank, the Electric Home and Farm Authority, the Commodity Credit Corporation, and others.

I am sure that the Members of the House, especially those who represent agricultural constituencies, appreciate the great importance of continuing the support that has been given heretofore to the Commodity Credit Corporation. I call the attention of the Members of the House to the importance of the work that has been so carefully conducted by the Commodity Credit Corporation.

This Corporation makes loans upon the security of agricultural commodities for the purpose of financing the carrying and orderly marketing of such commodities. Its policy has been to make loans only on such commodities as are designated by the President. Loans have been made on cotton, corn, tobacco, and gum rosin, and gum turpentine.

Commodity Credit Corporation was originally created as an emergency agency under the laws of the State of Delaware pursuant to Executive order of the President dated October 16, 1933. The original capital of $3,000,000 was subscribed and is held jointly by the Secretary of Agriculture and the Governor of the Farm Credit Administration for the use and benefit of the United States. By the act of January 31, 1935, its functions were extended to April 1, 1937, or such earlier date as the President might fix by Executive order. Pursuant to a joint resolution of April 10, 1936, its capital was increased to $100,000,000, the additional capital stock being purchased by the Reconstruction Finance Corporation.

An extension of its functions is deemed necessary in order to permit the orderly liquidation of the pledged commodities now held by the Corporation and to preserve an agency for the making of loans of the character mentioned above.

Commodity Credit Corporation, since its organization, has made approximately the number of loans listed below in the approximate amounts shown below:

Type of borrower	Total number of loans	Aggregate amount
Cotton growers	1,833,067	$392,105,294.86
Corn farmers	244,519	145,537,175.44
Producers of turpentine and rosin	7,500	7,123,511.21
Tobacco cooperative associations		8,251,615.10
Producers' pool		51,415,841.82
Total	2,085,086	604,433,438.43

The total amount of loans outstanding as of December 31, 1936, amounted to $212,727,596.28.

The Electric Home and Farm Authority has aided in the purchase of electrical appliances on behalf of people who were unable to pay cash. The Authority has worked in cooperation with manufacturers, dealers, and the utilities. It has rendered a great service, not alone in the matter of direct aid extended but indirectly in the matter of interest rates and in the matter of the utility rates, which have been reduced.

Eighteen thousand nine hundred and seventy loans have been made, with an average of $160, involving an aggregate amount of $3,028,666. There have been no losses, and our advice is that there is practically no delinquent paper. Over 2,000 loans, involving over $1,463,000, have been repaid.

The Electric Home and Farm Authority is an integral part of the Government's low rate, high volume power policy, and an essential part of it. It is helpful in the matter of utility charges and in interest rates charged to borrowers and has resulted in enlarged use of electrical household appliances.

The R. F. C. has not made any loans to the Electric Home and Farm Authority. I believe the record shows they have made no loans whatever. They have been ready to do so and have made committals for loans, but the fact that the R. F. C. stands back of this Authority enables the Authority to obtain credit through regular channels, and withdrawal of the sup-

port of the Reconstruction Finance Corporation would certainly cripple the Authority very seriously in its operations.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. Yes; for a question.

Mr. MAY. Does not the Electric Home and Farm Authority get its money direct from the R. F. C.?

Mr. STEAGALL. No; the Electric Home and Farm Authority was set up out of a fund that was supplied out of a $100,000,000 fund which the Congress placed at the disposal of the Executive in connection with N. R. A. activities, as I recall, and I think the amount is $8,500,000, which they have employed up to this time.

Mr. MAY. I may say for the information of the gentleman that it appeared last year in the Military Affairs Committee hearings that the R. F. C. had made an authorization to the Electric Home and Farm Authority of $10,000,000.

Mr. STEAGALL. I just stated that the R. F. C.——

Mr. MAY. Just a moment; I am not through with my statement. It was testified by the directors of the Tennessee Valley Authority, who are likewise the directors of the Electric Home and Farm Authority, that they did have this credit with the R. F. C.

Mr. STEAGALL. I thought I stated that the R. F. C. had made committals to the Electric Home and Farm Authority for loans, but the actual loans had not been made and that in large part desired results have been accomplished without the use of the funds of the corporation.

Mr. MAY. Did the gentleman ascertain, or attempt to ascertain, in the hearings before his committee, whether or not the Electric Home and Farm Authority, when they go out to sell appliances through an agency, the agency or the dealer takes a note and assigns that note to the Electric Home and Farm Authority and gets the money from it without recourse on the dealer?

Mr. STEAGALL. Just the opposite is the fact. The Electric Home and Farm Authority only protects the loan to the amount of 80 percent, and they require the endorsement of the dealer along with the purchaser, and the loan is likewise secured by chattel mortgage rights covering the property sold.

Mr. MAY. I have undertaken since early last week to get a statement from the Electric Home and Farm Authority and the R. F. C. with respect to the annual report of that concern, and I have been unable to get it. Can the gentleman tell me where I can get the information?

Mr. STEAGALL. If the gentleman will call at my office, I think I can give him a report that will contain all the information he has in mind. It has been supplied to the Banking and Currency Committee.

Mr. HILL of Alabama. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Alabama.

Mr. HILL of Alabama. I simply wish to say that the gentleman from Alabama [Mr. STEAGALL] has correctly given the facts. The Electric Home and Farm Authority has not received one dollar from the R. F. C. It is borrowing today, without any difficulty whatever, from private banks at very low rates of interest. At times it has been getting money for three-fourths of 1 percent.

Mr. STEAGALL. All of which is quite true, but might not be true if the Authority did not have the support of the R. F. C., ready to come to its aid in case of necessity.

Mr. COX. May I say to the gentleman also that the R. F. C. gave the authority or the commitment for $10,000,000, but it has not used any part of the commitment.

Mr. STEAGALL. That is true. I thought I had so stated.

Mr. COX. And may I make the further observation that there is evidently no ambition on the part of this Authority to develop into one of any very considerable size. The chief virtue of its activity is the influence it has had upon interest rates on installment transactions.

Mr. STEAGALL. Undoubtedly, that is one important advantage.

Mr. COX. And this has been most helpful.

Mr. STEAGALL. And that is true of many of the activities of the Reconstruction Finance Corporation. The Reconstruction Finance Corporation in many instances makes committals for loans which they are never required to make. As soon as it develops that the applicant can get necessary accommodations at the R. F. C. a bank comes along and takes over the loan, and the best service that the R. F. C. is rendering the country now is in being able to bring about normal accommodations on the part of lending institutions and banks, due to the fact that the Corporation stands by ready to take care of any difficulties that may arise.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Mississippi.

Mr. RANKIN. I want to correct the gentleman from Kentucky [Mr. MAY], who stated a moment ago that the Electric Home and Farm Authority goes out and sells these appliances. The Electric Home and Farm Authority only finances the dealer who sells these appliances and takes the notes which the dealer endorses with recourse.

Mr. STEAGALL. Yes.

Mr. RANKIN. And it is one of the best agencies of this Government.

Mr. STEAGALL. Now, as to the Export Bank, it has extended 90-day credits in connection with the export of agricultural products, especially cotton and tobacco, where such facilities were not available through private financial institutions; and where conditions make longer credits essential or desirable, the bank has provided them. Such short-term accommodations have usually been arranged by appointing the exporter's own bank as agent to accept and discount drafts of the foreign purchasers or banks for and on behalf of the Export-Import Bank. This procedure is in line with the general policy of supplementing rather than competing with the activities of commercial banks and has the added virtue of maintaining established trade channels.

It is believed that this particular type of business can be greatly expanded to the substantial benefit of the Nation's domestic economy.

Second, the bank has extended credit directly to American firms desiring to export industrial products, particularly heavy machinery and railway equipment. Until recently the durable-goods industries have exhibited a high percentage of unemployment, and, while there is a wide demand abroad for their products, competition from foreign sources has been very keen.

The practice of the bank has been to offer credit terms in specific cases approaching those available to foreign competitors, which usually run from 1 to 5 years; and in some cases the bank has agreed to assume a portion of the risk without recourse to the American manufacturer or exporter. These transactions have usually been accomplished through the purchase by the bank of the obligations of the foreign purchaser, representing up to 50 percent of the credit extended such purchaser by the American seller. In exceptional cases the bank has increased its participation up to 65 percent of the credit so extended.

Third. The bank has approved loans to American exporters whose working capital has been reduced because of the failure of foreign governments to provide their own nationals with sufficient exchange to permit them to meet their dollar obligations. Advances of this character are only made against the guaranty of the foreign government concerned or of a responsible foreign bank, or both. In these situations recourse for the full amount is retained against the American exporter concerned.

In addition to the foregoing, obligations arising from foreign commercial transactions held by other governmental agencies have been consolidated in the bank. Thus the bank has purchased during the past year from Reconstruction Finance Corporation and Farm Credit Administration certain promissory notes of the Republic of China arising from the sale of cotton, wheat, and flour to China prior to the organization of the bank. Likewise, certain judgments against the Republic of Cuba, held by the Bureau of Internal Revenue, have been assigned to the bank for collection.

Other transactions which do not fall within the classifications mentioned are the loans to the Republic of Cuba to finance the purchase of silver bullion and the minting thereof

into standard Cuban pesos. The two banks have financed four transactions involving the advance of approximately $20,600,000 and the minting of 50,000,000 standard Cuban pesos. The last transaction, involving 20,000,000 pesos, is now about one-half completed. Payment is made by the Republic of Cuba against the delivery of pesos in Habana.

Attached hereto, marked "Exhibit A", is a table setting forth the activities of the export-import banks since their creation through December 31, 1936. During the year 1936 there was a substantial increase in disbursements. While this is due in large part to the acquisition of the notes of the Republic of China formerly held by the Reconstruction Finance Corporation and the Farm Credit Administration, it also reflects the establishment of definite lending policies. In other words, during the years 1934 and 1935 many of the authorizations were on a more or less experimental basis, and the terms of the commitments were often such that the applicants could not utilize them. Experience and a better knowledge of the needs of the American exporter and importer have greatly improved the administration of the activities of the bank with the result that it is now in position to furnish, and is furnishing, prompt and valuable assistance in our foreign-trade field.

Loans authorized by the two export banks since their creation may be classified as of the close of business on December 31, 1936, as follows:

a. Agricultural exports:	
Authorizations	$26,723,646
Disbursements (including amounts advanced under agency agreements)	17,457,613
Repayments	1,630,597
b. Industrial exports:	
Authorizations	37,650,808
Disbursements	238,764
Repayments	65,142
c. Other credits:	
Authorizations	48,353,559
Disbursements	17,446,867
Repayments	15,874,877

The bank has approved loans to finance the shipment of American goods or products to Argentina, Austria, Canada, China, Colombia, Costa Rica, Cuba, Czechslovakia, Germany, Hungary, India, Latvia, Mexico, Nicaragua, Norway, Poland, Paraguay, Spain, Straits Settlements, Turkey, Uruguay, Venezuela, and Yugoslavia. Generally proposals to finance the exportation of industrial products concern Mexico, South America, and the Far East, while those concerning agricultural exports relate to Europe and, to a lesser extent, China.

The bank stands ready to meet the requirements arising out of development that cannot always be anticipated and provided against specifically.

The usefulness of the bank should be enlarged. Its authority should not be terminated right now, with the injury to export business of the country which we so much desire to promote.

A good deal has been said about loans to industry. Undoubtedly some gentlemen who have spoken are not familiar with the facts. They seem not to know that up to January 15, 1937, the R. F. C. approved of loans in the amount of $169,739,000. Of this amount, $53,000,000 was withdrawn and canceled because loans were obtained elsewhere. This certainly refutes statements that the Corporation has not carried out this provision of law.

Mr. FISH. Will the gentleman yield?

Mr. STEAGALL. I beg the gentleman's pardon. I have now used more time than I thought I would consume and must yield the floor in order that other Members may have time to speak.

Mr. Chairman, I reserve the balance of my time.

Mr. WOLCOTT. Mr. Chairman, I yield to myself 15 minutes.

Mr. Chairman, if this bill had been presented to us, as we had a right to assume it would be, as a simple bill to extend the activities of the R. F. C. to June 30, 1939, it would not have taken the committee more than 10 minutes to have convinced this House of the desirability of doing so.

Unfortunately this bill has taken the form that so many bills take when presented to us. It is complicated by such a diversity of subjects that it is almost impossible in the time allotted to us to discuss any of them to the extent that a Member has an intelligent understanding of what he is doing.

Section 1 of this bill not only provides for the extension of the activities of the Reconstruction Finance Corporation but, notwithstanding anything which has been said on the subject, it authorizes the President for the first time since the Reconstruction Finance Corporation was organized on January 22, 1932, to determine the loan policy of the Reconstruction Finance Corporation. At the present time, under existing law, the President is given blanket authority to terminate the Reconstruction Finance Corporation. He is not given authority to suspend or terminate any particular activity of the Reconstruction Finance Corporation. Instead of being a bill which will carry out the pure legislative purpose of the several acts which we have passed extending the authority of the Reconstruction Finance Corporation, it negatives the legislative purpose of those acts, because if this bill is passed and the President finds in any manner, not alone on the recommendation of the Board of Directors of the Reconstruction Finance Corporation but on their recommendation, or otherwise, he may authorize the Board of the Reconstruction Finance Corporation to terminate any activity of the Corporation. I know that many of you who were particularly interested in the situation in which small industries found themselves sometime ago will be interested to be informed that under this bill the President could suspend the operation of the Reconstruction Finance Corporation with respect to loans to small industries.

Many of us have taken a stand in months and years gone by that the Reconstruction Finance Corporation should be authorized to loan on the warrants or other paper of the school districts of the United States. They have never had that authority, but if this Congress in its wisdom gives them that authority, the President and the Board of the Reconstruction Finance Corporation, under the terms of this act, could turn around and absolutely nullify the pure intent of such legislation by suspending the operation of the Reconstruction Finance Corporation in that respect. Many of you will recall the fight on the floor at the time the Reconstruction Finance Corporation was authorized to make loans to drainage districts and irrigation districts. The President in his wisdom, finding from any source which might be available to him that credit is now available, could destroy the very legislative intent and purpose of those acts and suspend definitely, or for a given period of time, the Reconstruction Finance Corporation activity in that respect.

The Reconstruction Finance Corporation is to be from now on merely a stand-by organization. I wonder why it is necessary at this time to vest these most unusual powers in the President of the United States. If he had come in 2 years ago or 3 years ago and asked for this power, there might have been some substance to the argument that he was in better position to determine the policy of the Reconstruction Finance Corporation than was the Reconstruction Finance Corporation's board itself, because, perhaps, he was closer to the emergency at that time. However, the Reconstruction Finance Corporation is virtually going through a period of liquidation. It was called to your attention here by the esteemed chairman of the committee that their receipts over disbursements during last year were something like $736,000,000. Their net profit at the present time is $160,000,000.

So the Reconstruction Finance Corporation should be allowed to continue without any strings tied to the Board, to liquidate this corporation which has done more to bring back prosperity by increasing the volume of credit and giving acceleration to that credit than any other single governmental agency. Why at this late date the President would want this authority to determine the loan policy of the Reconstruction Finance Corporation I cannot understand. There is some question as to whether this gives him the authority to determine the loan policy. The man who is most interested in this is the general counsel for the Reconstruction Finance Corporation, who has to interpret this act after it is passed. He is Mr. James B.

Alley, and many of you know him—a very estimable gentleman doing a remarkable job—and I shall read excerpts from the testimony which Mr. Alley gave in that respect, quoting from page 4 of the committee print:

Mr. WOLCOTT. At the present time has the President any authority to shape the policy of the Reconstruction Finance Corporation?

Mr. ALLEY. He has power to terminate it.

Mr. WOLCOTT. He has power to terminate the Reconstruction Finance Corporation as to all classes of operation?

Mr. ALLEY. Yes, sir.

Mr. WOLCOTT. But he has no power to determine the policy of the Reconstruction Finance Corporation?

Mr. ALLEY. That is right.

Mr. WOLCOTT. This gives him the power to determine the policy?

Mr. ALLEY. Just what did you say? I did not get it. Was that a question or a statement?

Mr. WOLCOTT. That gives him the power to determine the policy of the Reconstruction Finance Corporation?

Mr. ALLEY. Yes; I think it would, sir.

Mr. WOLCOTT. That is a far-fetched proposition from the original bill as amended, is it not?

Mr. ALLEY. Yes; he has never had entire control. The control he has had heretofore has been so restricted. His power was the power of termination only.

Mr. WOLCOTT. Under the pending bill would the President determine the policy or would he have the board of directors determine that?

Mr. ALLEY. Of course, as a matter of fact, in the determination of policy the directors themselves consult with the President a great deal on the lending policy of the Corporation, but he has had no legislative authority for that.

Mr. WOLCOTT. There is nothing in the law that requires the Corporation to consult the President, is there?

Mr. ALLEY. No; there is not, except in certain types of investment of banks and mortgage associations the President must approve any investment which the Corporation makes in a commercial bank, savings bank, or mortgage company.

Now, with respect to this subject, the Reconstruction Finance Corporation was set up as a nonpartisan body in 1932, and in order that no individual or group of individuals should give a partisan complexion to the Reconstruction Finance Corporation we provided in the original act that of the seven directors no more than four would be of the same political faith.

There has not been any politics, as far as I know, in the Reconstruction Finance Corporation up to the present time. Publicly, I want to commend the chairman, Jesse Jones, and the rest of the board for doing one of the best jobs any of us have ever seen done under like conditions. We have sworn at them at times and we have blasphemed the board because they have not made loans which we asked them to make, but in the quiet of our offices and our homes we felt safe in the fact that the Board of the Reconstruction Finance Corporation had established and were maintaining safe and sound policies, and those policies have resulted now in a net profit to the Government of the United States of $160,000,000.

Every Member of Congress who has contributed to the maintenance of that board as a nonpartisan board should be proud of his activity in that respect. Every Member of Congress who today votes to destroy that nonpartisanship and set up a political dictatorship over the lending policy of the Reconstruction Finance Corporation should, in the quiet moments when he contemplates his actions, be ashamed that he has contributed to the potential destruction of one of the outstanding lending agencies of this country.

Mr. Chairman, at the proper time I am going to move to strike out that proviso.

Section 2 of the bill extends three distinct agencies—the Commodity Credit Corporation, the Electric Farm and Home Authority, and the Export-Import Bank. The chairman of the committee has gone into detail concerning those activities. I simply want to call your attention to the fact that these agencies are operated and managed by the Reconstruction Finance Corporation. As Mr. Jones told us in committee, the life of the Reconstruction Finance Corporation is not contingent in any manner upon an extension of the activities of any one of these organizations. However, the extension of the Reconstruction Finance Corporation is wholly essential to the life of any one of those three corporations. For that reason they try to justify tying these all up in the same bill.

Many of you will recall a year ago when we extended the Commodity Credit Corporation that an attempt was made to show to the country what the operation of the Commodity Credit Corporation was. Many on this floor had condemned the Farm Board, created back in the Hoover administration for the purpose of taking surplus wheat off the market, and their surprise in finding that the Commodity Credit Corporation, a Delaware corporation, had been set up by Executive order to do exactly the same thing for cotton and corn and turpentine and resin that the Farm Board had been attempting to do for wheat.

The CHAIRMAN. The gentleman from Michigan has consumed 15 minutes.

Mr. WOLCOTT. Mr. Chairman, I yield myself 2 additional minutes.

Mr. FULMER. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. FULMER. We had bills passed by Congress controlling production to a certain extent, where the price could be fixed and there would not be any losses, but under the old Farm Board there was no control over production anywhere, and no one would be able to fix or control the price.

Mr. WOLCOTT. The Commodity Credit Corporation has gone ever so much further than the Farm Board ever tried to go, because they have pegged the price of cotton at 12 cents. At the present time the market price of cotton is 11.79 cents, and the Government at the present time has 14½ cents invested in 4,800,000 bales of cotton, and some futures. Last year they had taken off the market 6,000,000 bales of cotton, or the equivalent of one-half of 1 year's crop. Their paper loss is 0.03 times the amount of cotton, in pounds, that they are holding at the present time. Although we are told they are going to try to unload some of this cotton, as was said a year ago, the same thing might be said today, that to unload 1,400,000 bales of this cotton, as might be contemplated, would wholly demoralize the cotton market, because the price of cotton at the present time is less than what the Commodity Credit Corporation has pegged it. [Applause.]

The CHAIRMAN. The gentleman from Michigan has consumed 17 minutes.

Mr. FISH. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, I ask unanimous consent to proceed out of order during the balance of my time.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Chairman, I do not know whether it was necessary to make that request or not, because I propose to talk largely on the bill, but may make reference to affiliated subjects. In order to have the right and power to do so I propounded the request.

Mr. STEAGALL. Mr. Chairman, may I understand the request of the gentleman?

Mr. FISH. It has already been granted. The request was to speak out of order on any subject I desired.

Mr. STEAGALL. We are operating under a rule which specifically provides that debate shall be confined to this bill.

Mr. FISH. The permission was granted by unanimous consent. I am not going to digress very much, I may say to the gentleman, but it is too late to raise any objection now.

Mr. Chairman, the President in his message on the state of the Union delivered to the Congress recently made the following statement:

We know now that if early in 1931 the Government had taken the steps which were taken 2 or 3 years later the depression would never have reached the depths of the beginning of 1933.

This statement, of course, was directed against the prior Republican administration. In other words, President Roosevelt said that the prior Republican administration had fallen down and had failed to propose recovery legislation of any kind or was worth anything at all. In all fairness to that administration and to former President Hoover,

and as a member of the Republican Party who was then in the Congress, I submit that President Hoover made certain sound recommendations to the Congress of the United States, then controlled by the Democrats, and that they deliberately sabotized those recommendations and threw them out of the window. If these recommendations had been accepted, there would be confidence in the country today and we would know which way we were going, and I refer particularly to the last 3 or 4 years.

The President in his message, however, claimed that nothing was proposed, but he overlooked the fact that repeatedly the Democratic Congress, for partisan reasons, sabotized the sound and constructive recommendations which were then made. One of the recommendations made by President Hoover, and therefore offered by the Republican Party, after the depression set in, was the Reconstruction Finance Corporation Act, which passed the Congress and was enacted into law in February 1932.

Mr. Chairman, that was a Republican measure and was necessary in order to try to save the banking situation and to stabilize industry. If that administration measure had not been put into effect all credit would have collapsed. It would not have been simply a question of banks failing, but it would have meant that credit would have been paralyzed and the insurance companies, the railroads, and business generally would have likewise collapsed. We would have had a far more serious financial catastrophe. The Reconstruction Finance Corporation was a Republican baby, conceived by the Republican Party, which the Democratic Party adopted. It was one of the few measures suggested by the Republican Party that the Democrats adopted, but they have taken that Republican vehicle and have used it to the extent of lending $9,000,000,000 to American industry to stabilize industry, stop the crash, and help bring America out of the depression and put people back to work.

Mr. Chairman, I submit that that Republican measure has done more to stabilize industry and bring about recovery than all the panaceas and wild experiments of the "brain trust" combined. There should not be a single Republican objection to the continuation of the R. F. C., because it was a Republican measure which we are justly proud of, and we deserve the credit for bringing it into existence. It differs vastly from the New Deal policies of squandering and wasting the people's money on such vagaries as the Resettlement Administration and the other New Deal systems of bounties, bonuses, and cash payments of all kinds. The R. F. C. loaned money on sound collateral, and most of it will be paid back or recovered. That is a sound Republican policy, in contrast to the New Deal policy of subsidizing everyone and piling debt upon debt by borrowing billions and still more billions.

Mr. Chairman, the President in his inaugural address used these words:

> I see one-third of a Nation ill-housed, ill-clad, and ill-nourished.

It seems to me that is an indictment of the New Deal. After 4 years of the New Deal the President goes before the American people and practically says: "I see 40,000,000 American people ill-housed, ill-clad, and ill-nourished in a country that is the granary of the world."

How does he reconcile the statement that there are 40,000,000 American people ill-clad and ill-nourished when he urged and jammed through Congress a program of scarcity, a program of destruction of crops, the plowing under of crops such as cotton, wheat, and foodstuffs, and the slaughtering of 6,000,000 pigs? This program of birth control of pigs and destruction of food crops and cotton has caused at least 2,000,000 breadwinners to join the army of unemployed. It has brought economic disaster to at least 6,000,000 Americans.

We on this side believe that we can have a program of abundance instead of scarcity. We believe that there are enough foodstuffs produced in America so that 40,000,000 American people shall not be ill-nourished. This is the richest farming Nation in the world, and there is no excuse for permitting 40,000,000 of our people to be undernourished.

Turning back for a moment to the R. F. C. and to one particular loan made by the R. F. C. to sell cotton to Soviet Russia. I direct the attention of gentlemen from Southern States, where cotton is king, to that loan. What did Russian propagandists say? They stated, "If you will recognize Soviet Russia, we will buy $200,000,000 worth of cotton from the Southern States." Prior to that time, or about the same time, they made the additional statement, "We propose to do a billion dollars' worth of business with you if you recognize us." This was the juicy bait held out to the international bankers and industrialists.

Then the big bankers of New York jumped on the band wagon and demanded recognition. As Lenin said, "The capitalists will commit suicide for temporary profit."

Then they made the cotton appeal to the Southern States and all the Baptists and Methodists and others jumped on the bandwagon, in spite of the fact they hated the very idea of recognition on religious grounds. They also grabbed the bait or promise to buy $200,000,000 worth of cotton from the Southern States. Now, what are the facts? The facts are that under Republican administrations Soviet Russia bought from America over $100,000,000 worth of commodities a year and since recognition they have bought approximately $20,000,000, and in 1935 they bought $3,500,000 worth of cotton—not $200,000,000 worth—and they borrowed the entire $3,500,000 from the Reconstruction Finance Corporation to put through the deal. This is what you have gotten from recognition and from the promises and pledges given by Commissar Litvinoff.

I cannot get a great deal alarmed about the contention made by the Republicans that the President should not have certain powers to limit and liquidate the R. F. C. and the different agencies. It seems to me if words mean anything this is exactly what is proposed in the bill—to expedite liquidation of the R. F. C. and, primarily, of these other loaning agencies. In business we have trustees appointed. You cannot have the whole Congress appointed, so we appoint in this bill the President as a sort of trustee to expedite liquidation where liquidation is necessary. Let us, for example, take the Export-Import Bank. It is doing no business at all. Jesse Jones said before the committee that it is not doing as much business as you would do in your vest pocket. Why should all these deserving Democrats continue to hold jobs down there at fancy salaries and not do any business? Is this Democratic efficiency? Is this New Deal honesty and economy in government? Of course, the President or somebody should have power to put an end to the Export-Import Bank. If the Congress will not do it, then let us give the power to the President to do it. I would like to see it done right now by the Congress, and if anybody offers such an amendment I shall vote for it.

It is a little different with the Commodity Credit Corporation. I tried to ask the distinguished chairman of our committee a question. I think he perhaps knew in advance what the question was going to be. I was going to ask him, coming from a Southern State, how the Commodity Credit Corporation was going to get rid of the 3,000,000 bales of cotton it had? How are they going to dump it on the market without destroying the price of cotton?

Mr. FULMER. Mr. Chairman, will the gentleman yield?

Mr. FISH. I will yield to the gentleman in a moment.

Mr. FULMER. I want to give the gentleman some information.

Mr. FISH. I do not see how we can put an end to it without ruining the cotton market, but I will say that it is a direct result of the A. A. A. program and the destruction and plowing under of cotton. We have lost half of our world market in our cotton export trade, the greatest single American export, amounting to over $100,000,000 a year. This has been thrown overboard. Of course, then we had to have a Commodity Credit Corporation to take up the surplus cotton. We have the surplus now. What are we going to do with it? In the end the Government will probably have to pay for it, but the net result is we have lost half of the world cotton market to Brazil, Egypt, China, various South American countries, and also to Soviet Russia. We have already lost this wealth and probably the rest of our world cotton market will vanish.

If I had my way, I would take this surplus cotton in the Commodity Credit Corporation and sell it on the world market in Liverpool for whatever it would bring—5 cents a pound, 6 cents a pound, or 7 cents a pound—and bring this wealth back to the United States and distribute it among the farmers.

Mr. FULMER. Mr. Chairman, will the gentleman yield for a question at this point?

Mr. FISH. For a brief question.

Mr. FULMER. May I state to the gentleman from New York that the Corporation now is being begged by the exporters and the domestic consumers of cotton to put this cotton on the market, and we can sell it today at a premium of from one-half cent to 1 cent a pound? Cotton is actually selling on the market at a price of from 12½ to 13 cents a pound.

Mr. FISH. I will say to the gentleman that if this Corporation attempted to unload that cotton, amounting to 3,000,000 bales, the entire cotton market would collapse, and the gentleman knows it.

Mr. STEAGALL. The gentleman forgets the record of last year. The Commodity Credit Corporation disposed of a large portion of its cotton without ruining the market.

Mr. FISH. You cannot keep on buying cotton at high prices and then selling it without wrecking the domestic market. You have this cotton on your hands, and the sooner we stop buying any more the better.

I have the greatest admiration and respect for the Honorable Jesse Jones, and if you Democrats decide to make him your candidate for President it would suit me. [Applause.] He was the nominee of a Republican President when he went on the R. F. C. Board. When the R. F. C. was established it was assumed it would be a nonpartisan organization. President Hoover appointed another Democrat at the head of it, Senator Atlee Pomerene.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield myself 2 more minutes.

Mr. Jesse Jones was appointed as a director by the Republicans. It was a bona-fide, nonpartisan organization, but, unfortunately, it is not so any longer.

President Roosevelt has deliberately violated the nonpartisan requirements, which call for a nonpartisan board, giving the minority party bona-fide representation. The President has put on the board not Republicans that represent the Republican Party but former Republicans, who have deserted the party and who supported the President. So today we have not any real Republicans on the board. [Applause.]

If you think it is the proper thing to violate the spirit and intent of the law by filling the board with Democrats and deserving Republicans, you have the power to do so. But it destroys the very essence of nonpartisanship, and is done in violation of law. If you can do it with this board you can do it with all boards, but I would remind you what is sauce for the goose is sauce for the gander.

The Republicans have not protested, because they have not got the votes to compel an investigation, but President Roosevelt has been ignoring the law and the rights of the minority party in an autocratic and high-handed manner, utterly violating traditional policies and violating the law by appointing on various nonpartisan boards former Republicans who have deserted their party and who do not represent the Republican Party today.

Mr. JOHNSON of Minnesota. Will the gentleman yield?

Mr. FISH. For a question.

Mr. JOHNSON of Minnesota. How about the $90,000,000 loan to General Dawes?

Mr. FISH. That was done by Jesse Jones and Senator Pomerene, both Democrats, and the gentleman better refer to them.

Mr. JOHNSON of Minnesota. It was done under Hoover.

Mr. FISH. As I have said the Reconstruction Finance Corporation was originated by the Republicans and the best thing the Democrats have done to get us out of the depression was to use this Republican vehicle providing for loans to be made on sound collateral. [Applause.]

Mr. STEAGALL. Mr. Chairman, I yield 15 minutes to the gentleman from North Carolina [Mr. HANCOCK].

Mr. HANCOCK of North Carolina. Mr. Chairman, ladies and gentlemen of the Committee, it seems to me that the question before us is a very simple one. It merely makes possible a continuation of the activities of the Reconstruction Finance Corporation and four of its affiliates or subsidiaries which are instrumentalities through which it functions and operates. The activities of the Corporation and its constructive accomplishments are so well known that I deem it unnecessary to engage in any long-drawn-out or exhaustive discussion of the resolution providing for the extension of its life to June 30, 1939. In my judgment, it has been perhaps the most effective force in the recovery program of the country during the Roosevelt administration, though I recognize that two other agencies have played major parts.

The Corporation was set up in 1932, when the Senate was controlled by the Republican Party and the House by the Democratic Party. At no time, however, has the Corporation's policy been tainted with political partisanship. It has kept true and loyal to its original purpose and in its execution has touched helpfully the business life of practically every community in our country. When first established it was more or less a negative force designed to end the panicky feeling in business circles and to halt the deflationary processes which were undermining the mechanics and structure of our business and financial institutions. With conditions growing worse in the latter part of 1932 and the early part of 1933, it became necessary to increase the powers of the Corporation and extend its lending policy in many ways which are familiar to practically every Member of the House. The results of its operations cannot be fully told or reflected by its operating statement, which shows a profit of more than $150,000,000. Independent of the allocations made by it for relief purposes, it has authorized more than eight and one-half billions of dollars in loans, approximately six and one-quarter billions of which has actually been disbursed. It is quite significant, however, that under the efficient, sound, and humane leadership of its distinguished chairman these loans were made in such a way that approximately 70 percent in amount have been collected, and today there is only approximately a billion, nine hundred million dollars in loans outstanding. It will be impossible for me to even review the various activities carried on by the Corporation; to those who desire this information, it is available in the various reports made by the Corporation to the Congress.

To those who would criticize the Corporation's failure to make certain loans, I would suggest a careful reading of the language of the original act and amendments thereto under which these loans can be made. Its original lending powers were confined to the key institutions, such as banks, railroads, insurance companies, and building and loan associations, not primarily, however, for the purpose of aiding the larger institutions but because it was recognized that through help to these institutions the greatest number of our people engaged in business pursuits could be assisted and, in many instances, saved. Notwithstanding all of the statements that have been made here today, undertaking to create the impression that the Corporation's activities have been aimed toward helping the big corporations, I know of my own knowledge that the small business concerns have been accorded the same consideration by the management as is accorded the most powerful corporation or bank in the country. Every application is considered on its merits, and there has at no time under the present management been any disposition to prefer one applicant over another.

From the argument presented by several gentlemen of the committee, there seems to be some question with respect to the effect of the proviso in the first section of the resolution. It is my opinion that nothing in this proviso is designed to change the present policy of the Corporation. The President now has the right, without finding any facts, to terminate any one of the lending agencies. That right is certainly broad enough to include the right of the President, upon ascertainment of certain facts, to suspend the operations of any phase of its lending activities. It seems to me that the new provision preserves rather than destroys the powers of the legislative branch of the Government. In other words, under the provisions of the instant bill, the President would

not have to terminate the lending activities to any class of borrowers, but could merely "suspend" the same in the interest of economy and in keeping with the policy of the administration to withdraw its lending activities as rapidly as conditions in the country warrant.

It should be called to the attention of the Committee that the Reconstruction Finance Corporation for the past year has spent most of its time trying to encourage and persuade private lending institutions to take the loans which they have been asked to take, and, in numerous instances, the mere fact that the Corporation was in position to make the loans has influenced private institutions to make them. This Corporation has been handled in such a sound, conservative, and efficient manner that its approval of a loan carries with it such weight that private institutions are ready to step in and take its place. This will continue as its present policy. There could be no better proof of this than the fact that during the past year its collections or repayments have exceeded its loans and commitments by approximately $736,000,000. Notwithstanding the irrelevant, and I am sure unintentionally misleading, statements made by the distinguished gentleman from Massachusetts [Mr. CONNERY] with respect to loans to aid small businesses, the record will show that of the $169,000,000 authorized for direct loans to industry and small business enterprises, a large number of these loans have ranged from $500 and $1,000 to $100,000. I think the average loan runs around $70,000, and by eliminating several of the larger loans, the average would be approximately $50,000. This is certainly in keeping with this section of the bill and the wishes of Congress in enacting the same. It might be interesting to the membership of the House to compare the R. F. C.'s record of direct loans to industry with the record of the Federal Reserve banks, who are not even lending their own money. Some of you will remember that there was a working agreement made between the Federal Reserve banks and the Treasury with respect to the $139,000,000 of earnings taken from them and used for the subscription of stock to the Federal Deposit Insurance Corporation. I am confident that there is no justification for any fear that the present management, or the President of the United States, would take any action with respect to the lending activities of this institution which could under any condition jeopardize the rights of small business enterprises to continue their operations. Mr. Jones has made it very clear that he feels that this agency, with its splendid machinery for aiding business when it cannot be aided otherwise, should be kept intact and serve as a "stand-by" agency for the protection of the small, worthy businessman. We should not forget, however, that Congress itself made the management of this great institution a trustee of the taxpayers' money and required that its lending policy should be predicated upon sound business principles.

The second section of this bill merely extends the life of the four subsidiary or affiliate corporations through which the Reconstruction Finance Corporation extends its effective service to beneficiaries otherwise ineligible under the act creating the parent corporation. All of them are instrumentalities through which the R. F. C. functions and operates. They are almost entirely dependent upon the backing of the R. F. C.

The Electric Home and Farm Authority was organized for the purpose of aiding the administration's low-rate and high-volume electric-power policy. It in a measure implements the Rural Electrification Administration, Tennessee Valley Authority, and the Public Works Administration programs. It is a credit institution, operated efficiently and conservatively, and has accomplished much in reducing the rate of interest on installment sales of electric appliances to people who could not pay cash for the same. It will not operate in any territory where power rates are excessive.

The Commodity Credit Corporation has been a great aid in the financing and holding off the market of agricultural products which would otherwise have been forced on the market at sacrifice prices.

The Export-Import Bank is being continued for the purpose of aiding the exportation of American products.

The R. F. C. mortgage company is doing a useful work in refinancing distressed business properties.

According to my information, each one of these affiliate organizations is operating at a profit, with the exception of the Commodity Credit Corporation. This organization, however, would show a reasonable profit but for the loss which it will incur as a result of its guaranty of 12 cents for the price of cotton. The small amount of loss, however, in connection with the operations of this Corporation will be considered negligible in the light of the benefit which it has extended to thousands of tobacco, corn, and cotton growers throughout the United States.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield?

Mr. HANCOCK of North Carolina. I yield.

Mr. WADSWORTH. I do not desire to interfere with the tenor of the gentleman's remarks by interrupting him at an inopportune moment, and I assure the gentleman the interruption is not an unfriendly one. Has the Committee on Banking and Currency received from the officials of these subsidiary corporations any report or statement showing accurately their present financial set-up and status?

Mr. HANCOCK of North Carolina. We have received the annual report for the year 1936 of the Electric Farm and Home Authority and the Export-Import Bank. I do not believe that a report of the operations of the RFC Mortgage Co. or the Commodity Credit Corporation has been filed with the committee. These may be included in the annual statement of the Reconstruction Finance Corporation. However, the information given to me by the Chairman of the Reconstruction Finance Corporation, if my memory serves me correctly, is that the Export-Import Bank shows a profit today of between four and five hundred thousand dollars. The financial statement of the Electric Home and Farm Authority shows that since it has been operated under the supervision of the Reconstruction Finance Corporation it has overcome its early loss and now reflects a profit of approximately $50,000. The financial operations of the Mortgage Co. could not be definitely determined at this time, or until its present loans have been liquidated. It is safe to assume, however, that it is operating at a profit.

Mr. WADSWORTH. If the gentleman will permit an observation—I find in the RECORD, page 254, of January 15, in a speech delivered by the Senator from Virginia, Senator BYRD, a very interesting statement of the assets and liabilities of the Reconstruction Finance Corporation. In that statement we find, of course, accurately set forth the sums of money which the R. F. C. has advanced to these subsidiary corporations in order to finance them. The statement of the Reconstruction Finance Corporation is very instructive and informative, and, incidentally, I believe, with the exception of certain items, very encouraging; but I am wondering if the Congress has anything like complete knowledge of the financial condition of the subsidiary corporations at this time. I do not mean to criticize unduly the members of the committee. I know you have been hurried in this matter; but it is rather a pity that the Committee on Banking and Currency has not been able to give us a report in the normal fashion, showing just where these corporations stand.

Mr. HANCOCK of North Carolina. Of course, I am just one member of the committee. I want to say, however, that in the consideration of this bill we have not been needlessly rushed. I think the activities of these organizations, and their financial result, are within the knowledge of all members of the committee. Hearings were conducted in the regular manner before the committee and later printed, and may be available to every Member. Of course, if the gentleman from New York desired additional information, he could secure it quite quickly by contacting officials of the Reconstruction Finance Corporation.

Mr. WADSWORTH. In other words, the Committee on Banking and Currency puts the membership of the House on notice that it must find its own information?

Mr. HANCOCK of North Carolina. Not at all. I did not mean to leave such an impression. If the information

which we have and which we are presenting to you does not, however, satisfy your purpose, then you could make your own inquiry. That is the point I intended to make.

Mr. Chairman, in conclusion, and for the benefit of the Members of the House, I desire to state that the measure before us was unanimously reported to the House by the Committee on Banking and Currency. It was also unanimously reported by the Senate Committee on Banking and Currency. The Senate passed the bill in its present language and without an amendment last week, with but one dissenting vote. I want to make this statement merely for the purpose of reflecting the almost universal approval of the work of this Corporation. I venture the assertion that notwithstanding certain criticisms which have been directed toward this measure, and particularly section 2 thereof, there is not a Member of this House, regardless of his political affiliations, who has received since coming to Congress or, for that matter, before he left home, a single letter or request from a financial institution in his district or from a single individual constituent suggesting or urging that he oppose the passage of this measure. If no exception or contradiction is made to this assertion, it will be very difficult for me to understand how any man wanting to represent his constituency could oppose its passage. Though I may be wrong, I also believe that when the roll is called he will be a lonesome man who answers "nay."

Though we know that we are on the high road to recovery and better times in this country, we can by no means afford to discard the safeguards until some of our work has been tested in terms of normal conditions. The Chairman of the Corporation has on a number of occasions made it clear that the future policy of the Corporation will be to assist and encourage applicants in getting their loans from private sources where possible rather than by making them through the R. F. C.; and the mere fact that the Corporation is in position to make the loans enables it in many instances to get private sources to do so. I therefore feel that it is not only wise and expedient but also good public policy to keep these agencies with their splendid machinery intact and geared to meet any emergency which might arise in the near future. The fact that it is here and ready to come to the assistance or rescue of any eligible borrower creates confidence in our financial institutions in their effort to extend their operations and increase their activities. In the language of the distinguished Chairman, it will serve primarily as a "stand-by" agency to insure the citizenship of our country that every legitimate and sound business enterprise, both small and large, will be protected, and that when necessary the Government will step in to prevent a hold-up by unscrupulous and selfish lending agencies. As long as this agency is in existence we may be assured that eligible, worthy enterprises will not be subjected, in their financing programs, to unreasonable rates of interest or unfair terms of borrowing.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. HANCOCK] has expired.

Mr. WOLCOTT. Mr. Chairman, I yield 15 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Chairman, as a member of the Committee on Banking and Currency, I have been trying with some difficulty to find out, if possible, the value of the securities which may now be credited to the Reconstruction Finance Corporation. I spent some little time in the matter immediately after the President's Budget message was read. I am pleased that the genial Representative from New York [Mr. WADSWORTH] was able to call your attention to a speech made last Friday by that Senator who now has a wet blanket over him without being ruled out of order.

You will recall that when I gave notice that I would like to make reference to the Senator's other speech made over the radio, I was told that I would be out of order. I am sure enough has been said to make you read the speech under discussion. I had prepared a very similar statement, several days before, after giving long attention to several recent Budget messages. I had called the Bureau of the Budget and asked an explanation of the bookkeeping as carried in the Budget statement. I have received a reply with a practical acknowledgment that the public at large are told in the financial statements of the Treasury that there are about two billion dollars worth of assets in our Treasury that are worthless; yet the public is daily furnished these statements by that Department, setting forth as assets valueless notes of the Reconstruction Finance Corporation.

Of course there can be no denying this; but what surprises me is that while the Senator suggested that the Treasury should evaluate and give a proper picture of the real value of these holdings, I was informed, as I recall it, that Congress has to authorize the Treasurer to cancel this worthless paper.

Our gross debt is about $35,000,000,000. We can read that every day. We are supposed to have $17,000,000,000 worth of assets. The daily statement says so. Twelve billion dollars' worth of foreign obligations. We place but little value on those. As to the other five billion, what are they?

The President said in his message just the other day—and I refer to the recent platitudinous inaugural message:

> Government can obtain justified support and legitimate criticism when the people receive true information of all Government doings.

Well, perhaps I cannot give legitimate criticism, when there is no true information. What a pity. "Echoes of the last campaign," says the gentleman from Wisconsin [Mr. REILLY]. He can take it thus if he wants it, but your great President, speaking at Pittsburgh last October, and duplicating a performance of 4 years ago, setting forth the finances of the Nation, told the country that Hoover's deficit in 3 years was $3,000,000,000. He acknowledged that $2,000,000,000 of it was recoverable. He acknowledged that he himself had a deficit of $13,000,000,000, but claimed $6,000,000,000 recoverable. He knew better than that. God knows, he must have known better then. For there was $2,000,000,000 that he claimed that had actually been given away by the R. F. C. under his directions. I want the gentleman from Wisconsin [Mr. REILLY] to call this a campaign echo if he desires. I am talking about assets, represented by notes of the R. F. C., that have vanished. Here is another remarkable statement. The President told the country in the same speech that over $1,500,000,000 went for the payment of the World War veterans' bonus that year, instead of in 1945; that in consequence "the payment is now out of the way and is no longer a future obligation of the Government." I will read it to you again: "That payment is now out of the way and no longer a future obligation of the Government." The obligation was not due for 10 years, but by and through insistence we borrowed money to pay it; then can I tell my constituents that this obligation is now "out of the way"? We still owe that sum, and largely in short-term notes. What a speech.

Six billion dollars recoverable when he must have known there were really less than $4,000,000,000; that the R. F. C. had actually given away about $2,000,000,000; yet they carried that $6,000,000,000 as assets!

Mr. REILLY. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. REILLY. Does the gentleman contend that we will have to pay the soldiers' bonus again?

Mr. GIFFORD. We borrowed the money. Most certainly we shall have to repay it.

Mr. REILLY. I mean the Government.

Mr. GIFFORD. That sort of absurd statement reminds me of something not a whit more silly—the story of the lady whose husband gave her a check to cash at the bank. She went to do it, and the teller said, "You must endorse it."

"What do you mean?"

"Put your name on it, so your husband will know you used it."

On the back of the check she wrote: "Dear Jimmy, I am now at the bank getting the money. Lots of kisses. Jennie." [Laughter.]

Some day I may take the time to deal more fully with that speech of the President; and I may read and comment on Hoover's reply made 2 weeks later—the answer of a man who knew what he was talking about, and who proved his case, but a man to whom the public somehow just would not listen.

No; the President of the United States is clothed with an aurora, and it remains for us of the minority to speak plainly, though we suffer the weariness of futility. I have to speak to an idolatrous country. [Laughter.] The name of Jesse Jones is synonymous with R. F. C. I believe in them both, thoroughly. But the test of our Government is here and now. When, during an emergency, we shall have brought into being certain necessary unusual powers of government, can we, when the emergency is over, have we, the courage to divorce ourselves from them and return to our former faith in our own citizens to carry on the banking and credit business of the Nation?

Ponder over the words of President Aldrich, of the Chase National Bank, which appeared in the papers this morning, "The whole subject of government lending agencies should be thoroughly reconsidered", read his warning of too low interest rates. The pending bill provides that the President, when and if he thinks there is enough of private credit available at rates that are satisfactory—get that—may discontinue these agencies. As long as this Government is in the market to borrow huge sums of money the rates have got to be fair, which may mean dangerously low ones. Why, the emergency is over so far as credit facilities go. You know it. The banks are bursting with money eager for reinvestment. What reason can we now assign for further Government credits? However, you too well know the Commodity Credit Corporation will take care of cotton and tobacco and willingly lose money doing it. It will be a permanent thing. You will probably never get rid of it. Nor will you get rid of the Export-Import Bank. We thought Russia was going to do such a flourishing business with us. That is why we established the Export-Import Bank. You will continue it because currencies are so unstable and we can let the Government agencies lose whenever private lenders will not take such chances on sales to foreign nations. Let us keep the machinery there although it is not doing anything.

Rural electrification! That is splended. The Government will lend money and at a lower rate than can private bankers, so we must continue that.

Referring again to our assets. Not only is that $2,000,000,000 gone but another $1,000,000,000 is probably gone as well, since, I think you will agree, with a contingent indebtedness of $4,700,000,000, there will be at least a 20-percent loss on those other activities that have been nursed along by the Government. Let the President not again tell his people that he has $6,000,000,000 recoverables. Rather tell them the truth so that legitimate criticism may be accepted. While the people are kept in the dark criticism may appear to be not legitimate.

Mr. JOHNSON of Minnesota. Mr. Chairman, will the gentleman yield for a question?

Mr. GIFFORD. I yield.

Mr. JOHNSON of Minnesota. It is safe to assume now that the Republicans are worried about this administration?

Mr. GIFFORD. That is a funny question.

Mr. JOHNSON of Minnesota. No; it is not funny at all. Nobody else worries about it. We thought possibly the gentleman might be worried.

Mr. GIFFORD. Evidently if the Republicans did not worry, nobody would. We have, very definitely, something to worry about. The gentleman knows there is a debt of $35,000,000,000.

Mr. JOHNSON of Minnesota. I do.

Mr. GIFFORD. Does the gentleman have any hope that at any time within the immediate future we can reduce it by even $1,000,000,000? No. We are to have the Budget balanced in 1938. But the balance is already budgeted, so there is not a dollar to reduce the debt. This ought to be your worry, the responsibility not being upon us. As I have stated before, I shall try to be happy, but for a time must stew with you in your juice.

Mr. JOHNSON of Minnesota. We are not worried about the Budget.

Mr. GIFFORD. Who is "we"?

Mr. JOHNSON of Minnesota. Just the common people; not the Republicans.

Mr. GIFFORD. I do not think the so-called common people are worrying. They do not understand the facts, and depend so largely on what their idol tells them.

Mr. JOHNSON of Minnesota. All we are worried about in Minnesota is to get enough to eat, and we have not been getting it in the last 3 years.

Mr. GIFFORD. The bill will be presented to your people just the same. Santa Claus came and left his presents and we were happy. But when he comes back to collect we are not going to like him.

Mr. Chairman, our democracy, having set up these agencies in an emergency, has not courage enough to divorce them when the emergency is over and trust private initiative to perform as it did before. Today we fail in the test.

Mr. Chairman, a committee has been appointed to reorganize the Government departments and bureaus, and this would seem to be a deliberate attempt to postpone the whole business still another 2 years. Why not extend this for 1 year? Why the necessity for 2 years? Do you desire the reorganization of our Government to go over 2 years? Certainly it would seem so by this vote today.

I would deem it a remarkable moment on the floor of the House if I could ever see any of these agencies abolished. It would seem that if this new committee should come in and recommend the abolition of any of these things, its recommendation would hardly prevail. The future does not look bright so far as doing away with any of these things is concerned.

Mr. Chairman, my time is about up. I again repeat the sad fact that he told us he had $6,000,000,000 of recoverables. We find he has only three billions.

Mr. CRAWFORD. Will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Is it true that the R. F. C. is disposing of its holdings in Federal Housing mortgages and some of its bonds and debentures?

Mr. GIFFORD. I am glad the gentleman put his finger on that. We are extending the time that the capital stock subscribed may stay within the Corporation, with all the funds they have on hand and all they may borrow. These agencies may still be used to harass private business and bankers, who now have credit facilities in abundance. I am quite willing to extend the life of the R. F. C. for 1 year, but am not willing, with the information at hand, to continue the others included in this bill.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. LUCE].

Mr. LUCE. Mr. Chairman, twice this week I have had occasion to take the floor in the temper of Mark Anthony, who came to bury Caesar, not to praise him. Today I go into reverse and come to praise Caesar, not to bury him. The Caesar I praise is Jesse Jones and his empire is the Reconstruction Finance Corporation.

It is idle to repeat what everybody knows, that this has been the most successful agency used to meet the depression. Its record is clean. Its performance has been marvelous. No other attempt to meet the crisis has matched it in importance, value, or integrity. Everything in it we should commend.

It might be well to stop there, but I find myself unable to refrain from taking a moment or two for expanding some of the things the gentleman from New York said, because of them I can say: "All of them I saw, and part of them I was."

Early in October 1931, as one of the older members of the Committee on Banking and Currency, I was summoned to the White House, together with 30 or so other men, about half from each party, including the Speaker of the House, the Presiding Officer of the Senate, the Secretary of the Treasury, the Under Secretary, the older members of two committees in the Congress, expected to take action upon what President Hoover recommended. He had succeeded in meeting one crisis with the moratorium on foreign debts. He was faced with a second. "And now it can be said." He told us that night unless we undertook to pass the legis-

lation he desired every bank in the country would close its doors within 2 weeks. Never in our time did a more fateful emergency face the people of the United States.

He asked us three things. He asked men on both sides if they would support him in these recommendations: One was the creation of the agency that became the Reconstruction Finance Corporation. Another was increasing the power of the Federal Reserve System in matter of loans. The third was relief of depositors in closed banks. We unanimously agreed to secure for him these things at the earliest possible moment. He had saved the day in the summer with the moratorium on foreign loans. The morning after our meeting the public was told what he now contemplated and another emergency was met.

When Congress came together we did take speedy action on two of those things. We laid the foundation for what later became the Reconstruction Finance Corporation, and we provided the legislation for extending the powers of the Federal Reserve System.

In his message when Congress assembled the President added two things for saving the situation. One of them was to strengthen the Federal land bank. The other was the home loan bank bill.

The House had by that time come under Democratic control. The pledge of the leading Democrats in the House and Senate had been that all three things urged by the President in October should be acted upon as quickly as possible. What happened? As I said, two of them were speedily enacted into law. The bill for relief of depositors in closed banks met a different fate. Although it was pressed for action, for months we could not get a hearing by the committee. Other months passed; a year and a half passed; and there came only slight action, to be made adequate still a year later.

Mr. Chairman, it was 2½ years before we finally secured that which Democrats and Republicans alike had pledged.

The home loan bank bill was not enacted till half a year had passed. Reform of the banking system as a whole did not come until more than 2 years after Mr. Roosevelt was inaugurated.

Yet in recent discussions on the stump throughout the country it has been said that the responsibility for the final crisis was that of President Hoover and the Republican Party. I deny it! I charge inexcusable delay after the Democrats gained control.

Let me return to happier thoughts, those aroused by the pending resolution. It means that our best agency in fighting the depression shall have further opportunity to wind up its affairs. I doubt if there is a man in the House who is going to vote against the general purpose of this resolution. Amendments may be offered and there may be differences of opinion thereon, but upon the main purpose of the resolution itself we are agreed, and I thank heaven that there is now here a Democratic House willing to act quickly.

I believe in adequate discussion. I do not think we should go at these things with undue haste. I think all aspects ought to be presented, but when questions of this sort come along there ought to be action now, just as in 1932 there ought to have been action. Imagine, if you can, the worry and the anxiety of those of us who were trying to do something for the relief of depositors in closed banks when day after day and week after week, months passed into years before there was a carrying out of the full pledge that had been made to the American people.

Mr. HOUSTON. Mr. Chairman, will the gentleman yield?

Mr. LUCE. Certainly.

Mr. HOUSTON. Was the Republican Party very much in favor of the Federal Insurance of Deposits Act, and does not the gentleman think it has been a good thing?

Mr. LUCE. I do.

Mr. HOUSTON. Then why did the Republican leadership want to repeal it during the last campaign?

Mr. LUCE. I can answer for nobody but myself.

Mr. HOUSTON. Your leader, Mr. Landon, wanted to repeal it.

Mr. LUCE. Unfortunately, I am not a leader——

Mr. HOUSTON. Landon was the leader.

Mr. LUCE. Point the finger at somebody else, but not at me.

Mr. HOUSTON. I did, and so did 27,000,000 people in this country.

Mr. LUCE. Let me inform the gentleman that not all of them were in my district. [Laughter and applause.]

Mr. HOUSTON. The gentleman is fortunate.

Mr. REILLY. Mr. Chairman, will the gentleman yield?

Mr. LUCE. I yield.

Mr. REILLY. I know that my colleague was always in favor of guaranteeing bank deposits, but is it not a fact that the Republican Party in its platform of 1932 declared against the guaranteeing of bank deposits?

Mr. LUCE. The Republican Party occasionally has a lapse from good sense. [Laughter and applause.]

Mr. WOLCOTT. Mr. Chairman, will the gentleman yield?

Mr. LUCE. I yield.

Mr. WOLCOTT. Has the gentleman been cognizant of any appearance on this floor of any member of the Banking and Currency Committee who has had the temerity to say that Mr. Roosevelt was for the Federal Insurance Deposit Corporation Act until it was forced on him on the 16th of June, 1933, by the overwhelming vote of this House?

Mr. LUCE. I will give opportunity to any Democrat here to answer that question.

Mr. GIFFORD. If the gentleman will permit, I have the facts right here showing he was forced into it, and I want to suggest right here that, to my utter amazement, my friend the gentleman from Kentucky [Mr. SPENCE] signed a postal that was sent to all of us stating how President Roosevelt favored and put over the guaranteeing of bank deposits. It was utterly ridiculous. He had to be forced into it.

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield?

Mr. LUCE. Certainly.

Mr. PHILLIPS. I believe the gentleman referred to the conditions obtaining when the banks closed under the administration of Mr. Hoover. I wonder if the gentleman will tell us what brought about the conditions leading up to the closing of the banks? [Applause.]

Mr. LUCE. It is a long story. I will give only the closing paragraph of the closing chapter. The refusal of Franklin D. Roosevelt to cooperate with President Hoover.

Mr. HOUSTON. Will the gentleman yield for just a brief question?

Mr. LUCE. Certainly.

Mr. HOUSTON. Whatever became of Mr. Hoover? [Laughter.]

Mr. LUCE. He was given an opportunity to present to the people of the United States a great deal of good advice which I wish the gentleman had had sense enough to follow. [Laughter and applause.]

[Here the gavel fell.]

Mr. REILLY. Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky [Mr. SPENCE].

Mr. SPENCE. Mr. Chairman and ladies and gentlemen of the Committee, I think we should hark back to the last administration and consider the history of the Reconstruction Finance Corporation. We will admit that its creation was originally a Republican measure. What was its original purpose?

It was to furnish assistance to the great banks, to the insurance companies, to the railroads, and there it stopped. It seems to me that has been the basic philosophy of the Republican Party, a philosophy that has brought them to their present low estate—that if the great are taken care of the benefits will drip down upon the ordinary man and woman and they can take care of themselves.

All the developments, all the extensions of the functions of the Reconstruction Finance Corporation are expansions and developments that came under the Democratic administration.

You hesitate to give the President control of the functions that were created largely through his influence and in his administration. What is the power given the President under this bill? It is as follows:

Provided, That in order to facilitate the withdrawal of the credit activities of the Corporation when from time to time during

such period the President finds, upon a report of the Board of Directors of the Corporation or otherwise, that credit for any class of borrowers to which the Corporation is authorized to lend is sufficiently available from private sources to meet legitimate demands upon fair terms and rates, the President may authorize the Director to suspend the exercise by the Corporation of any such lending authority for such time or times as he may deem advisable.

That limits rather than extends his powers. The President before action on his part must find what conditions and facts exist. Do you not believe that you can trust him to find these facts honestly when it was his influence and that of his party that made these extensions and enlargements of the powers of the Corporation?

I think there is no reason at all to give any consideration to the objections raised here because of the alleged enlargement of the power of the President.

He can at the present time by his ipse dixit, by a scratch of the pen, destroy this organization. That power is not increased by this amendment.

I believe that the Reconstruction Finance Corporation as operated under this administration has been one of the most beneficent of the agencies of the Government. Every member of our committee I am sure has respect and confidence and admiration for the Chairman, Jesse Jones. He is able, genuine, and apparently sincere in all his acts and conduct. When he does not know, he will tell you that he does not know, a thing very unusual in those connected with most of our bureaus. He always gives us the information that he has with clarity and frankness. He has operated this great organization with great ability. It has rendered a great service to the American people, and I venture to say that those who denounce it on the floor will, if it comes to a record vote, vote for it on a roll call, because all Members, whatever they may say here, are responsive to the will of their constituents, and they know that the people at home want a continuance of the functions of this great Corporation. If it does not function in the future, it can at least stand by and be helpful, because those who may need its help will know that it is there to help in time of need. In the homely language of Chairman Jones, it is a shotgun in the corner, and it will be serviceable even though it may never be used. It may be that we will not need some of the activities of this organization again, but the mere fact that it still may function will give confidence to the business, the commercial, and agricultural interests of our people. [Applause.]

Mr. WOLCOTT. Mr. Chairman, I yield 5 minutes to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Chairman, the distinguished gentleman who just preceded me referred to the extension of the loaning powers of the Reconstruction Finance Corporation for the purpose of serving the people. This is wholly in keeping with the spirit of the President's address the other day when he said:

The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little.

I rise to bring to your attention an omission in the time extension of the loaning powers of the Reconstruction Finance Corporation in behalf of "those who have too little", and to bring before you a plea that the Reconstruction Finance Corporation be permitted again to loan money to school districts for the payment of teachers' salaries.

I come from South Dakota. I am getting reports repeatedly from school boards in my district that they are unable to pay their teachers' salaries because their cash funds are depleted and there is no market for their warrants and they are salable only at exceedingly large discounts.

In various districts the school board is obliged to advertise for teachers and let the job to the lowest bidder. Then the lowest bidder takes the salary warrants and tries to find a market for them. When they are a year and a half or 2 years or 4 years behind, you can imagine what that does. Some of you also know what this does to the kind of schooling that is offered and to the attempt to raise the standards of teacher training.

In the President's address he also said:

I see millions denied education, recreation, and the opportunity to better their lot and the lot of their children.

* * * * * * *

It is not in despair that I paint you that picture. I paint it for you in hope—because the Nation, seeing and understanding the injustice in it, proposes to paint it out.

* * * * * * *

If I know aught of the spirit and purpose of our Nation, we will not listen to comfort, opportunism, and timidity. We will carry on.

I trust I may be recognized at the proper time to offer an amendment that will extend, in similar purpose, the powers of the R. F. C. to loan money to school districts for the payment of teachers' salaries.

We are loaning money to banks and railroads and shipping companies. We are extending the time to handle cotton loans and extending the power to loan money to mining corporations, all of which has justification, but may be speculative. Some of you may suspect, and I happen to know, that in spite of the best engineering report some mining projects may not pay out. And some of you may also know that loans to banks and to insurance companies may not all be paid back. In short, we are loaning to those who are in business to make money and have a chance to profit largely just because there is uncertainty in their operations.

But there is no uncertainty, no speculation in buying tax-guaranteed warrants for teachers' salaries. The R. F. C.'s marvelous record for collection of loans was most remarkable when it loaned money to school districts. The distinguished gentleman from Illinois [Mr. SABATH], the dean of the House, I understand, was successful in getting loans extended to the school districts of the city of Chicago, with the result that long-overdue salaries were paid. That borrowing was paid back within 4 months, because a market was established. Private lending agencies readily bought the salary obligations when the R. F. C. recognized them.

But the power expired and was not renewed. In fact, it was specifically provided in the last session—Public, No. 325, section 2—when you did authorize loans to school districts for construction, that none of that authorization should apply for the purposes in the previous act—Public, No. 417, Seventy-third Congress, section 16—which was the payment of salaries.

Some of you may think that buildings constitute schools. I do not think so. The thing that makes the school is the teacher, and if you are going to penalize the teachers, you will penalize the children, the people for whom the President spoke, and for whom, I am sure, every Member in this body would speak were it called to his attention.

We are authorizing the extension of borrowing to speculate in the cotton market, we are authorizing the extension of borrowing to try to develop some trade with Russia through the Export-Import Bank. If those things can be done in the name of helping the common people, why can we not provide that teachers' salary warrants may be refinanced so that these warrants can be paid? This will restore the educational opportunity the President hoped for. It will insure and reward the training and quality of instruction which a fair opportunity demands.

Much has been said here this afternoon in tribute to the able Chairman of the Reconstruction Finance Corporation Board. I wonder how many of you have read from the record that remarkable tribute from Mr. Jones to Eugene Schacher, the pilot to whom he gave credit for saving his life. If you have not, I commend it to you. It is the tribute of one man to another man. In this tribute Mr. Jones said:

When the door in the pilot room blew open and the flames were reaching into the cabin you came out and closed the door, going back into the furnace. Again the door flew open, so terrific was the speed, and again you came out, this time a human torch, closed the door and went back into the fiery pit. (Extension of remarks by Senator TOM CONNALLY, of Texas, CONGRESSIONAL RECORD Appendix, p. 13, Jan. 8, 1937.)

Then he goes on and explains how Schacher came back and warned the passengers against a rough landing and opened the door for them when his hands were burned to the bone; how he then went back and dragged Hefley from the burning cockpit.

At the conclusion Mr. Jones reverently said:

I pray God for the knowledge to understand for what purpose He saved my life by sacrificing yours.

May I, in all humility, suggest that possibly it was to give Mr. Jones and his organization the opportunity to establish a better basis for the finances of the common schools of the country and thereby to bring to other boys and girls something of the courage, devotion to duty, and spirit of sacrifice embodied in the life of Eugene Schacher.

Mr. Chairman, Schacher was the product of South Dakota schools, and so was the other pilot, Ed Hefley. Their families lived in South Dakota at the time of this tragedy. You may question the making of loans for certain purposes, but to make loans to produce schools which will train boys and give them that kind of a spirit is as worthy an object as any object for which you can loan money. [Applause.]

The CHAIRMAN. The time of the gentleman from South Dakota [Mr. CASE] has expired.

Mr. WOLCOTT. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. WITHROW].

Mr. REILLY. Mr. Chairman, I also yield 5 minutes to the gentleman from Wisconsin.

The CHAIRMAN. The gentleman from Wisconsin [Mr. WITHROW] is recognized for 10 minutes.

Mr. WITHROW. Mr. Chairman, in the Seventy-second Congress I opposed the enactment of the Reconstruction Finance Corporation legislation. I did that because the group with which I was affiliated attempted to amend the act at that time so as to set aside and make it mandatory that 20 percent of the credit in the original set-up should be extended to those borrowing not more than $50,000. The amendment was defeated. I then voted against the passage of the measure.

Today I shall vote for an extension of the Corporation's activities. I realize that great good has come to the Nation by reason of the activities of the Reconstruction Finance Corporation. I also realize that there have been a great many abuses of that authority. It is my purpose today to place a safeguard against further abuses of that authority. At the proper time I will submit an amendment on page 2, line 10, to strike out the period and insert in lieu thereof a colon and the following:

Provided further, That hereafter, except with the approval of the President in each case, the corporation shall not make any loan to any borrower if the aggregate amount of loans by the corporation to such borrower already exceeds $1,000,000, or would exceed $1,000,000 if such loan were made.

I propose this amendment for three reasons:

First. Because I have confidence in any man who has been elevated to the high position of Chief Executive of the United States.

Second. Because there is continual changing in the membership of the Board of the Reconstruction Finance Corporation, a shifting that can be likened to the shifting of the sands.

Third. Because it is the loans of $1,000,000 and over that come to the attention of the people and are scrutinized. Therefore we must keep these loans above reproach if the people are to have confidence in us and the agencies of our Government.

I have in mind several abuses. Probably the most flagrant among these abuses was the loan granted to the Central Republic Trust Co., of Chicago, Ill. That loan of $90,000,000—$50,000,000 of which it is expected will be lost to the Reconstruction Finance Corporation and to the Treasury of the United States——

Mr. WOLCOTT. Mr. Chairman, will the gentleman yield?

Mr. WITHROW. If the gentleman will please wait until I get through with my statement.

Certainly the circumstances surrounding this loan to the Central Republic Trust Co. are not above suspicion and reproach. What were the circumstances? This loan was negotiated shortly after the creation of the Reconstruction Finance Corporation.

In passing, I may say I believe even President Hoover, as callous as he was to the conditions that existed in the country at that time, and as unmindful of the suffering of the people in these United States, even he, had he been forced to assume full responsibility for the making of this loan, would not have approved it.

Mr. Dawes was Chairman of the Reconstruction Finance Corporation. He was likewise acting in a dual capacity as director of the Central Republic Trust Co.

He only acted as Chairman of the Reconstruction Finance Corporation for a period of a little over 4 months, and then resigned. Shortly after he resigned, and hardly had he gotten off the train at Chicago, Ill., when the newspapers blazed forth in headlines that the Central Republic Trust Co. of Chicago, Ill., had been granted a loan by the Reconstruction Finance Corporation of $90,000,000, a substantial portion of which was made immediately available to them.

Are there any of us here today who are so innocent as to believe that General Dawes did not have something to do with the manipulations that were going on relative to the Central Republic loan at the time he was acting in the dual capacity as Chairman of the Reconstruction Finance Corporation and as director of the Central Republic Trust Co., of Chicago, Ill.?

There is no gentleman, in my opinion, who can justify that loan. It is said that if that loan had not been granted the entire financial structure of the Northwest would have crumbled. There is no secrecy surrounding what happened to my people, the people of the Northwest. They were crucified with one bank failure after another. Today we have the unholy spactacle of the Government of the United States suing the stockholders of the Central Republic Trust Co., of Chicago, Ill., to get back a small portion of the moneys involved in this transaction.

The gentleman from Michigan very ably stated that the Reconstruction Finance Corporation had shown a profit, a net profit of $160,000,000. That is very fine, but how much more of a profit could be shown had the General Dawes debauch not been permitted. How much more credit could have been extended to my people who were in dire need of it at that time? How much could the interest rate have been reduced on loans made to my people?

General Dawes was very much of a businessman while he was Chairman of the Reconstruction Finance Corporation. Oh, yes; indeed he was. He had two yardsticks. He had a yardstick that was used on the small banks. They came to the R. F. C. for loans. What did the Reconstruction Finance Corporation require of them? They granted them loans, it is true, yes; but what did they have to do to negotiate the loans? They had to deposit adequate collateral as security and then pay 5½ percent for the privilege of using the money. Neither the R. F. C. nor the Federal Government has lost money in its dealings with the small institutions throughout the United States; in fact, they have made money, and that is why the R. F. C. can now show a substantial profit.

It is reasonable to assume that inasmuch as the Reconstruction Finance Corporation required adequate collateral as security on loans made to the small banks that the Central Republic Trust Co. would be required likewise to supply adequate collateral to secure their loan.

That, indeed, was not the case. A substantial portion of the collateral securing the Central Republic Trust Co. loan consisted of Insull securities that are today hardly worth the paper they are written upon. [Applause.]

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, in view of what the gentleman from Wisconsin has said, I think it is interesting to note what Mr. Jones had to say about this so-called Dawes loan. We all admire Mr. Jones; we admire him because he is intellectually honest.

Before the Committee on Banking and Currency last year Mr. Jones said that he disclaimed no responsibility for the Dawes loan, so-called. Although he was not chairman of the board when the loan was made, he was a member of the board. He voted for the loan. He thought it was a good loan then; he still thought it was a good loan.

Instead of the losses being $50,000,000, he said that they know definitely the losses will be less than $10,000,000. He

said further that if we were to have lost the whole $90,000,000, it would have been an almighty good investment on the part of the Federal Government, because it saved the depositors in the Seventh Federal Reserve District millions of dollars. [Applause.]

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I yield the balance of my time to the gentleman from Wisconsin [Mr. BOILEAU].

Mr. BOILEAU. Mr. Chairman, during the course of the debate it has been charged by Republican Members of the House and by Members of the Committee that the proviso in the first section of this bill gives the President additional powers and it gives him power to suspend types of loans to be made by the Reconstruction Finance Corporation. This charge is made by Republicans, and from what I have been able to gather from the debate the Democratic Members of the Committee on Banking and Currency agree that this proviso on the first section does give the President the power to suspend or to terminate various types of loans made by the Reconstruction Finance Corporation.

Possibly I am unable to read the English language understandingly, but I cannot agree with the statements made either by the Republican or the Democratic Members of the committee; because, as I read this proviso it does not substantially change existing law. I do not believe there is a member of this committee or a lawyer of the Reconstruction Finance Corporation, or anyone else who will claim that this proviso gives the President any more power than he has now; and I am at a loss to understand why the Republican and Democratic members of the Committee on Banking and Currency seem to agree that this language does give the President this additional power. I think the very distinguished gentleman from North Carolina [Mr. HANCOCK], made a statement with which we will all agree, that it has been the policy the Reconstruction Finance Corporation not to make loans where private capital was available; and I believe we will all agree that even though the law did not specifically require the Reconstruction Finance Corporation to desist from making loans under those circumstances, it has, nevertheless, been their policy to deny loans to applicants when money was available from private sources. If that were their policy, certainly they must have been authorized to deny that type of loan, certainly they must have had the power; and from the very nature of things we must assume they had the power to deny that type of loan.

Can any Member point out how this language gives additional power to the President to deal with this type of loan? The proviso reads substantially that when the President finds that credit for any class of borrowers to which the Corporation is authorized to lend is sufficiently available from private sources to meet legitimate demands upon fair terms and rates, the President may authorize the directors to suspend the exercise by the Corporation of any such lending authority.

The language of the pending bill merely states that the President can, if he finds there is sufficient private capital available, authorize the directors—not direct, but authorize the directors—to suspend the making of this type of loan. They already have the power and have been exercising it. Since the creation of the R. F. C. the board of directors have been exercising the power granted to them to deny loans when funds are available from private sources.

All this proviso of the pending bill does is to say that the President can authorize them to do a thing they have been doing for years. I cannot see the sense or necessity for this language, and I respectfully request some member of the committee to explain to the House the necessity for placing it in the bill. It seems to me to be entirely surplusage and that it should not be in the bill.

[Here the gavel fell.]

Mr. STEAGALL. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. CONNERY].

Mr. CONNERY. Mr. Chairman, Jesse Jones, of the R. F. C., has been highly praised by Members on both sides of the aisle today as a wonderful executive, a perfect gentleman, and a wonderful man. I agree with all this praise, because I like Mr. Jones; but I ask if any Member of this House having a small business in his district has received a loan from the R. F. C. to help keep labor working? I know I tried to secure loans from the R. F. C., especially for two manufacturing concerns in my district, one the H. B. Southwick leather factory, of Peabody, Mass., and the other the Sjostrom Lawrence Dye Works Co., but without success. Both of these industries had gone along for years, paid good wages, and kept people, among others, over the age of 50 at work, but they could not get a nickel out of the R. F. C. Mr. Sjostrom's concern had every prospect of business success, big orders and sound management for this coming year and presented a fine case to the R. F. C. Nevertheless, while other concerns less sound and with dubious prospects for success were taken care of in Massachusetts by the R. F. C., the Sjostrom and Southwick factories were left by the wayside, and as a result their employees will be thrown out of work.

Mr. Dawes got his $90,000,000. The railroads got their millions of dollars. Praise has been given the R. F. C. for its wonderful work in giving the Missouri Pacific millions of dollars to pay over to J. Pierpont Morgan. We want to know when the R. F. C. is going to begin to follow out the law that we enacted last year and take care of the small-business men of the United States who employ labor who need the work. [Applause.]

Mr. RANKIN. Will the gentleman yield?

Mr. CONNERY. I yield to the gentleman from Mississippi.

Mr. RANKIN. I want to say to the gentleman from Massachusetts that last spring when we had flood and cyclone disasters certain loans were made to the people in these areas, and these loans not only saved the homes of laborers but furnished work to thousands and perhaps hundreds of thousands of laboring men.

Mr. CONNERY. That might be true of Mississippi, but it is not true in Massachusetts. W. P. A. took care of that; Mr. Hopkins, not Mr. Jones. We got very little out of Mr. Jones' R. F. C. organization.

Mr. KOPPLEMANN. Will the gentleman yield?

Mr. CONNERY. I yield to the gentleman from Connecticut.

Mr. KOPPLEMANN. Does the gentleman know that in his district the local committee as well as the agency of the R. F. C. reported favorably upon applications, but when they came to Washington they were turned down?

Mr. CONNERY. Yes. I am not talking about Mr. Joseph Carney's office at Boston. Mr. Carney's office understood the conditions and recommended favorably for these concerns. I am talking about Jesse Jones and the R. F. C. in Washington. R. F. C. headquarters at Washington seem to turn down anything that might help the little fellow. I would like to see them wake up and take care of the poor people of the United States. Never mind the Union Pacific, the Pennsylvania Railroad, and other big corporations. They are always well taken care of. Why not put into effect the intentions of Congress and protect the small-business man for a change?

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. CONNERY. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Only 3 days ago I received a letter from a small industry thanking the R. F. C. and me for a loan that had been made. In that case the industry did employ labor, and I may say to the gentleman a number of the operatives were enabled to keep their homes as a result.

Mr. CONNERY. I am glad to hear that. It only proves what I have contended from the beginning—that, as far as loans to small industry are concerned, Mr. Jesse Jones is a fine Republican and the Members on the Republican side of the House can get somewhere with him, but we Democrats cannot get a thing. [Laughter and applause.]

[Here the gavel fell.]

Mr. GIFFORD. Mr. Chairman, in the printed hearings of the testimony taken before the committee I have been

given credit for a number of questions that were in fact asked by the gentleman from Connecticut [Mr. KOPPLEMANN]. I ask unanimous consent that the printed hearings be corrected accordingly.

The CHAIRMAN. The gentleman's request is not in order in the Committee of the Whole.

All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That notwithstanding any other provision of law, until the close of business on June 30, 1939, the Reconstruction Finance Corporation is hereby authorized to continue to perform all functions which it is authorized to perform under law, and the liquidation and winding up of the Corporation's affairs as provided for by section 13 of the Reconstruction Finance Corporation Act, as amended, are hereby postponed during the period that functions of the Corporation are continued pursuant to this act: *Provided*, That in order to facilitate the withdrawal of the credit activities of the Corporation when from time to time during such period the President finds, upon a report of the Board of Directors of the Corporation or otherwise, that credit for any class of borrowers to which the Corporation is authorized to lend is sufficiently available from private sources to meet legitimate demands upon fair terms and rates, the President may authorize the directors to suspend the exercise by the Corporation of any such lending authority for such time or times as he may deem advisable.

Mr. WOLCOTT. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. WOLCOTT: On page 1, line 11, after the word "Act", strike out the remainder of line 11 and all of lines 1 to 10 on page 2.

Mr. WOLCOTT. Mr. Chairman, we have seen fit this afternoon to try to interpret this proviso of section 1 to mean we are limiting the power of the President over policies of the Reconstruction Finance Corporation. However, a careful reading of this proviso reveals it does not repeal the existing law which gives the President authority to terminate the Reconstruction Finance Corporation, but, on the contrary, in addition to the power he now has to terminate the Reconstruction Finance Corporation, he is clothed with power, according to the interpretation placed upon this proviso by Mr. Alley, general counsel of the Reconstruction Finance Corporation, to direct the Reconstruction Finance Corporation to suspend any particular activity.

In this connection, may I read from the testimony of Mr. Alley, who has the responsibility of interpreting this act as it applies to the Board which he represents? The following appears on page 3 of the hearings:

Mr. HANCOCK. Doesn't the President have that power?

Mr. ALLEY. He has the power to terminate entirely, but no power to suspend. The power to terminate is a definite one. But if terminated, there will be no power to start the wheels of lending again. And, as I understand, one of the purposes of the Reconstruction Finance Corporation, if it is extended, is to make it a stand-by agency in case of need, and the President of the United States, if he finds that the lenders engaged in the mortgage-loan field, that is, the mortgage companies are taking care of amply of needful loans, he can direct the Board to discontinue lending in the mortgage field or any commodity field, for instance.

That is the interpretation which the man who will have to interpret it for the board he represents places upon this provision. Who are we to say otherwise? After all, it is his interpretation which counts and not our interpretation, because the President can with a stroke of the pen negative the legislative intent which we spoke about today. Regardless of our action here today, he can with a stroke of the pen nullify our action.

May I ask you gentlemen who fought so valiantly for an authorization to loan money to small industry, my friends who so valiantly fought for loans to irrigation and drainage districts, to mining companies, what are you going to do? Are you going to allow the President of the United States to nullify these activities and your express legislative purpose in granting to the Reconstruction Finance Corporation these authorities? If left within the bill, you are doing exactly that thing. What are you gentlemen who favored helping the school districts of the West, the Midwest, and the East going to do? Are you going to put yourselves in the paradoxical position of saying to the Reconstruction Finance Corporation, "You are authorized to make the loans", and then turn right around and tell the President he may nullify your action by telling the Reconstruction Finance Corporation that the loans shall not be made? It does seem to me, Mr. Chairman, the Members on that side are looking around for an opportunity to show the President that they want to give him every possible power that is at their command to give him.

You have picked out a delightful bill to do this, I am sure. This Corporation is in the midst of liquidation and still you come in here at this late hour and grant the President authority to formulate the loan policy of the Reconstruction Finance Corporation. Why did you not do this when it was needed, if it was ever needed, 4 years ago? Are you looking for opportunities to delegate your authority? You are not that lazy-minded. You are men of ability. You are men with some strength of character and some intellectual honesty. I do not believe you want to delegate this authority or this power to negative your acts to any individual, no matter how much faith you may have in his ability or integrity.

The adoption of my amendment will continue the Reconstruction Finance Corporation, in statu quo, just as I think the majority of this House want it continued.

[Here the gavel fell.]

Mr. STEAGALL. Mr. Chairman, the position of the gentleman from Michigan comes more or less as a surprise in view of the history of this legislation. It will be recalled that the original Reconstruction Finance Corporation Act, submitted to the Congress by the Hoover administration, sought to afford aid to banks, insurance companies, and railroads, the great financial institutions of the country. There were certain liberalizing amendments incorporated in the bill at that time which were proposed by the Banking and Currency Committee of the House and adopted by the House. These liberalizing amendments to the bill were adopted by a Democratic House of Representatives. One provision which was incorporated by the subcommittee that drafted the bill and by the Committee on Banking and Currency, which was also adopted by a Democratic House and finally became a part of the law, was to make closed banks eligible for loans at the R. F. C. for the benefit of depositors in such institutions. I wrote this amendment with my own hands, if I may say so, and I fought for it all the way to its passage. The administration at that time opposed the passage of that provision of the act and fought it all the way into the conference between the two Houses, and so it was as to every liberalizing amendment that was adopted at that time. Everything that has been done for the benefit of the people, about whom my good friend the gentleman from Michigan is so solicitous, has been put in this legislation under a Democratic administration and under the leadership of the present occupant of the White House, upon whom we are conferring in this bill the power which the gentleman from Michigan deplores.

This is all there is in the situation. If we want to continue the activities of the Corporation until the end of the fiscal year 1939, we have only to adopt this amendment and leave the law as it is; but, certainly, it is desirable—and I employ the language of the bill—that as soon as the President ascertains that sufficient funds from private sources are available to meet legitimate demands at fair rates the activities of the Corporation may be terminated. Surely it is the desire of every Member of the House, as well as the people of the country, that the Corporation shall not be given useless or unnecessary power to operate over an arbitrary period of time, during which the Corporation would be besieged with applications for loans which it would not be desirable to employ the necessary personnel to handle. I think everybody agrees that as soon as funds are available for legitimate credit demands from normal sources the Corporation should cease its activities; and we are conferring this power upon the President, and the record justifies the statement that the President will not arbitrarily terminate any of these powers because we are under obligation to him for many of the liberalizing provisions of existing law.

Mr. Chairman, I move that all debate on the pending amendment do now close.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The question was taken; and on a division (demanded by Mr. WOLCOTT) there were—ayes 41, noes 123.

So the amendment was rejected.

Mr. COCHRAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COCHRAN: Page 2, after line 10, insert the following:

"The Reconstruction Finance Corporation Act, as amended, is hereby amended by inserting after section 5e thereof the following new section:

"'SEC. 5f. The Reconstruction Finance Corporation is authorized and empowered to make loans to any public or private hospital organized under the laws of any State upon the same terms and conditions and subject to the same limitations as are applicable in the case of loans to financial institutions specified in section 5 of this act, as amended.'"

Mr. COCHRAN. Mr. Chairman, for a number of years I have tried to get an amendment to the Reconstruction Finance Corporation Act providing that hospitals shall receive the same recognition that others are receiving. The hospitals of this country have been in need of as much assistance during this depression as any other business in the United States.

When a man or a woman is taken to a hospital, an emergency case, they are not stopped and asked if they have money to pay the bill. They are taken in. But in the end it develops many have not had money to pay. That means it is put on the books. Millions of dollars are owed to the hospitals in your district and in my district. I cannot conceive of a better loan.

I know there is not a Member of this House who served in the two preceding Congresses who did not receive an appeal from the hospitals of their district to give them the same privileges in the Reconstruction Finance Corporation as other corporations receive. They should get it. Have you ever stopped to think what would happen if the hospitals could not carry on and closed? The sick would have no place to go in an emergency. The purpose of the amendment is to permit the hospitals to refinance, reduce the interest rates on their obligations, so they can carry on and continue their charity work.

This amendment clearly states that it is subject to the same limitations as other borrowers are subject to now. In other words, they must post sufficient collateral to secure recognition. No one is asking to get a loan that cannot comply with the rules and regulations of the Corporation. If you continue to close the door to the hospitals they might be required to close their doors to the sick and disabled. There is merit to this proposal.

I hope the Committee will pass this amendment and give the hospitals of the country an opportunity to refinance their obligations and reduce the interest rate; that is what they want to do, and it can be done through the Reconstruction Finance Corporation if you agree to the amendment. [Applause.]

Mr. STEAGALL. Mr. Chairman, this amendment has been rejected repeatedly during past sessions of Congress. I think it undesirable at this late hour, when liquidation of the Corporation is so much desired, and in fact in progress, that we should embark on the policy provided for in this amendment.

Another reason why it would be undesirable to adopt this amendment at this time is that this legislation must be passed expeditiously if we accomplish the purpose that is desired. If this amendment is adopted, it will throw the bill into conference and delay its passage.

Mr. Chairman, I move that all debate on this amendment now close.

Mr. COCHRAN. If the gentleman will yield? The gentleman has made the same argument against this amendment to the Reconstruction Finance Corporation Act heretofore. This legislation does not have to be passed until next week and the amendment can go to the Senate. There is no reason for hurry. It will only hold up loans a day or two if the bill does not get there in time. It does not mean that the Reconstruction Finance Corporation is going out of business entirely if the bill is not passed today. I repeat every time I have offered this amendment the gentleman has made the same objection. I would like the gentleman to tell the House why the hospitals cannot offer security as good as the railroads or other corporations of this country.

Mr. STEAGALL. Mr. Chairman, I decline to yield further and I renew my motion that all debate on this amendment be now closed.

The question was taken, and the motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. COCHRAN].

The question was taken; and on a division (demanded by Mr. COCHRAN) there were 71 ayes and 88 noes.

Mr. CONNERY. Mr. Chairman, I demand tellers.

The CHAIRMAN. The gentleman from Massachusetts demands tellers. Those in favor of ordering tellers will rise and stand until counted. [After counting.] Nine Members have risen, not a sufficient number, and tellers are refused.

So the amendment was rejected.

Mr. CASE of South Dakota. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: Page 2, after line 11, insert the following:

"Section 16 of the act approved June 19, 1934, Public, No. 417, Seventy-third Congress, is hereby amended by striking out 'January 31, 1935' and inserting in lieu thereof 'June 30, 1939', and by striking out 'June 1, 1934' and inserting in lieu thereof 'June 30, 1938.'"

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota. Debate has been closed on this section and all amendments thereto.

Mr. WOLCOTT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WOLCOTT. Do I understand that all debate has been closed?

The CHAIRMAN. Debate has been closed on this section and all amendments thereto by a vote of the Committee.

Mr. MICHENER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MICHENER. I do not think the motion provided "all amendments thereto." The motion made by the Chairman was that all debate on this section be closed.

The CHAIRMAN. The Chair has a very distinct recollection of stating the question as to whether or not debate should close on this section and all amendments thereto, and so put the question, and the motion was adopted.

Mr. MICHENER. I referred to what the motion stated.

Mr. WOLCOTT. Mr. Chairman, I ask unanimous consent that the gentleman from South Dakota be allowed to proceed for 5 minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the gentleman from South Dakota may proceed for 5 minutes. Is there objection?

Mr. RAYBURN. Mr. Chairman, I reserve the right to object. This is just like going up the hill and coming down again.

Mr. WOLCOTT. There was a misunderstanding on our part, because the gentleman from South Dakota intended to offer this amendment and debate it.

Mr. RAYBURN. I was in the Chamber when the gentleman discussed the amendment and I feel constrained to object.

Mr. CASE of South Dakota. Mr. Chairman, I offer a preferential motion, which I send to the desk.

The CHAIRMAN. The Chair would inquire of the gentleman from Michigan if this is his motion?

Mr. WOLCOTT. Mr. Chairman, the gentleman from South Dakota makes a written motion to strike out the enacting clause.

The CHAIRMAN. The gentleman from South Dakota offers a motion, which the Clerk will report.

The Clerk read as follows:

Mr. CASE of South Dakota moves to strike out the enacting clause.

The CHAIRMAN. The motion submitted is not in proper form.

Mr. WITHROW. Mr. Chairman, I offer a preferential motion, which I send to the desk.

Mr. RAYBURN. Mr. Chairman, did the gentleman from South Dakota withdraw his first amendment?

The CHAIRMAN. That amendment is still pending.

Mr. CASE of South Dakota. Mr. Chairman, I ask unanimous consent to withdraw that amendment so as to offer it at the close of another section.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. WITHROW moves that the Committee do now rise and report the bill to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. WITHROW. Mr. Chairman, I moved to strike out the enacting clause for the purpose of addressing the House relative to an amendment that I have on the Clerk's desk. I think it is very unfair that debate upon this important question was shut off so quickly. My amendment would provide that all loans of over $1,000,000 would have to have the approval of the President of the United States.

I want to address my remarks for a moment to the statement of the gentleman from Michigan, who read a letter from Mr. Jesse Jones, now Chairman of the Reconstruction Finance Corporation, who was a member of the Reconstruction Finance Corporation, under Chairman Charles Dawes, when the loan to the Central Republic Trust Co. was approved. The letter states that instead of the Central Republic transaction being a $50,000,000 "racket" it was only a $10,000,000 "steal." My colleagues, the original loan of $90,000,000 had been reduced by a transfer of assets to the R. F. C. by the bank to approximately $55,000,000 at the time the case went to trial, January 23, 1936. Mr. Chairman, if Jesse Jones, as Chairman of the Reconstruction Finance Corporation, is able to wheedle out of the assets of the Central Republic Trust Co., of Chicago, Ill., enough cash so that he can cut down the loss to $10,000,000, then I say to you that he is in reality performing a feat of magic. He is pulling the rabbit out of the hat. I sincerely hope this amendment will be adopted, so as to put an end to this type of "racketeering within the law."

Mr. CONNERY. Mr. Chairman, will the gentleman yield?

Mr. WITHROW. Yes, indeed.

Mr. CONNERY. As I understand the purpose of the gentleman's amendment, it is that the President himself must approve all loans over $1,000,000, so that the R. F. C. can look after the little fellow for a change and forget the forty-million-dollar boy.

Mr. WITHROW. That would be the result. I thank the gentleman.

Mr. THOMAS of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. WITHROW. I am pleased to yield.

Mr. THOMAS of New Jersey. The gentleman from Wisconsin really refers to this loan to the Central Republic Bank in terms which would make us believe it was the only bad loan ever made by the Reconstruction Finance Corporation. I would like to know whether the gentleman knows of any bad loans that were made in the State of Wisconsin.

Mr. WITHROW. Maybe there have been bad loans made in Wisconsin. I will say this to the gentleman, that the loan in question here represents the most flagrant violation of the authority and confidence placed in an agency by the Congress that I know of.

Mr. STEAGALL. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state the point of order.

Mr. STEAGALL. This debate is not directed to the amendment before the committee.

The CHAIRMAN. Of course, the motion to strike out the enacting clause naturally brings into scope the entire bill under consideration.

The time of the gentleman from Wisconsin has expired.

Does the gentleman from Alabama seek recognition in opposition to the motion?

Mr. STEAGALL. I do not.

Mr. DIRKSEN. Mr. Chairman, I rise in opposition to the motion.

Mr. Chairman, this has been a rather singular debate this afternoon, for in the time I have been in the Chamber I have heard the Reconstruction Finance Corporation reproached for being so niggardly in the matter of industrial loans, and then I observe the gentleman from Wisconsin indicating they were too generous in the matter of making loans and that some restriction ought to be placed upon their authority.

I am wondering what the temper of the House is between those two extremes.

Permit me a word in defense of the Reconstruction Finance Corporation. I sat on the Committee on Banking and Currency with the gentleman from Alabama [Mr. STEAGALL] and a great many others when we were seeking to fashion language under which the Reconstruction Finance Corporation could operate in connection with so-called industrial loans. We talked about the need for supplying adequate collateral before an industrial loan would be granted. We talked about such language as "reasonable security." Members of the committee will bear out the time spent in seeking to fashion the right kind of language that would operate for the guidance of the Reconstruction Finance Corporation, and you can readily believe that it is difficult to find language to cover all cases coming before the R. F. C.

Nobody had more cause for being aggrieved about their industrial loan procedure than I, for I prevailed upon some of the industries in my district to spend $2,000 for an audit, and then went to the regional office of the Reconstruction Finance Corporation, only to find that the loan could not be made. But we learned exactly what the gentleman from Massachusetts has doubtless found before, and that is that too often the money was to be used to pay taxes; too often it was to be used to liquidate old debts; too often it was to be used to retire some delinquency that showed up in the report of the corporation; and too often the money was not to be used for the purpose of stimulating employment. Very properly, therefore, under the language of the law, the Reconstruction Finance Corporation turned them down.

They have done a pretty fair job here, I should say. I fancy if you will examine most of these applications for industrial loans you will find there was probably good reason for turning them down. I will say to the membership of this House if you want to dip into the Federal Treasury and you want to broadcast the taxpayers' money into all corners of the 48 sovereign States, then there is only one thing you have to do, and it is within your power. Strike out the word "loan" in all Reconstruction Finance Corporation authorizations and supply the word "give", and then you have done it. That is all that is necessary.

We were trying somehow to define the line between "loan" and "gift", make them generous and at the same time have proper regard for the Nation's purse. I say to you that it cannot be done, but if you want to spend this money like drunken sailors, then you use the word "give" instead of "loan", and the job is done.

It is no easy matter to administer a corporation of 2,600 people, making mining loans, fishing loans, catastrophe loans, closed-bank loans, and a half a hundred other kinds of loans. To the huge task of the Reconstruction Finance Corporation must be brought a rare degree of discernment in order to discharge the responsibilities that go with that Corporation.

When Mr. Jones comes before the committee and says he turned into the Federal Treasury $190,000,000 in interest, and made $225,000 in profits out of the bonds that he took from the Chicago school district, when he shows a splendid record of earnings, and a proper regard for the administration of public funds, I doubt whether we are on good ground when we seek to reproach the operations and administration of the Reconstruction Finance Corporation. But if you want them to be generous, if you want them to throw the money everywhere, if you want them to disregard the taxpayers of the country, all you have to do is to substitute the word "give" for the word "loan", and you have done the job. That, however, is our responsibility and not his. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the motion of the gentleman from Wisconsin [Mr. WITHROW] to strike out the enacting clause.

The motion was rejected.

Mr. ENGEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ENGEL: On page 2, line 10, after the word "advisable", strike out the period and insert the following: "*Provided further*, That no loan shall be made to any individual or corporation for the purpose of engaging in any business not heretofore engaged in".

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. ENGEL].

The amendment was rejected.

Mr. WITHROW. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. WITHROW: On page 2, line 10, strike out the period, insert in lieu thereof a colon and the following: "*Provided further*, That hereafter, except with the approval of the President in each case, the corporation shall not make any loan to any borrower if the aggregate amount of the loans by the corporation to such borrower already exceeds $1,000,000 or would exceed $1,000,000 if such loan were made."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The amendment was rejected.

The Clerk read as follows:

SEC. 2. (a) Section 7 of the act approved January 31, 1935 (Public, No. 1, 74th Cong.), is hereby amended by striking from the first sentence thereof "April 1, 1937" and inserting in lieu thereof "the close of business on June 30, 1939"; section 1 of the act approved March 31, 1936 (Public, No. 484, 74th Cong.), is hereby amended by striking from the first sentence thereof "February 1, 1937" and inserting in lieu thereof "the close of business on June 30, 1939"; section 9 of the act approved January 31, 1935 (Public, No. 1, 74th Cong.), is hereby amended by striking from the first sentence thereof "June 16, 1937" and inserting in lieu thereof "the close of business on June 30, 1939".

(b) The agencies referred to in the acts referred to in subdivision (a) of this section, and the Reconstruction Finance Construction Mortgage Co., shall be deemed to be established by or pursuant to law within the meaning of section 7 (a) of the First Deficiency Appropriation Act, fiscal year 1936.

Mr. BURDICK. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from North Dakota is recognized.

Mr. BURDICK. Mr. Chairman, the people of the Northwest are very much concerned about putting some supervision over the Reconstruction Finance Corporation. You will recall that in 1932, when this Corporation was organized to serve the Northwest, there was established at Minneapolis, Minn., a branch bank of that institution.

Mr. Chairman, on March 19, 1935, I gave the whole history of this Government finance set-up in the Northwest in the following statement:

Mr. BURDICK. Mr. Speaker, the Reconstruction Finance Corporation was organized February 2, 1932. Capital stock, $500,000,000 paid by the Treasurer of the United States. Limit of indebtedness, $3,750,000,000 plus the following:

A. One hundred and twenty-five million dollars available for stock in Home Owners' Loan Corporation.

B. Such amounts necessary for:

(a) To purchase preferred stock in banks or to make loans on such stock.

(b) To make loans to Secretary of Agriculture on cotton.

(c) To provide funds for Federal housing.

C. Amount not to exceed $50,000,000 to purchase preferred stock and notes of insurance companies.

D. The sum of $500,000,000 to enable the Federal Relief Administration to make grants to States and Territories for relief work.

E. For $300,000,000 to be allocated to the Federal Land Bank Commissioner for loans to joint-stock land banks and to farmers.

F. Not to exceed $200,000,000 to allocate funds to Secretary of the Treasury to make payments for subscriptions to capital stock of the Home Owners' Loan Corporation.

G. Not exceeding $250,000,000 to purchase at par value of debentures and other obligations of the Federal Deposit Insurance Corporation.

H. Not exceeding $250,000,000 to purchase marketable securities acquired by the Federal Emergency Administration of Public Works.

It will thus be seen that the purposes and provisions of this act were far-reaching and extended into every phase of relief, and therefore should have always remained nonpartisan and in the hands of the people. No one could possibly conceive that this great institution was to be prostituted to the private banking and business interests of the Northwest to be used and operated by their agents and representatives for their own interests and not for the people. No one dreamed that the two bank organizations of the Twin Cities, namely, the Northwest Bancorporation and its twin sister, the First Bank Stock Corporation, were soon to fasten their tentacles around the throat of this great public enterprise. Yet in the Northwest such was the fate of this Government corporation.

When the office was set up in the city of Minneapolis we find in control, and with minor changes they still control the destinies of this great public benefactor in the Northwest:

Joseph Chapman, of the Northwest National Bank of Minneapolis and the Northwest Bank Corporation. Was the first manager and served to September 30, 1934. Republican.

Ben Maynard, acting manager. Formerly with the First National Bank of Minneapolis, the originator of the bogus holding company known as the First Bank Stock Corporation. Republican.

T. F. Wallace, advisory committee; director, First National Bank of Minneapolis, and member, First Bank Stock Corporation. Republican.

Elmer E. Adams, president, First National Bank of Fergus Falls, member of First Bank Stock Corporation. Republican.

E. S. Bice, banker, Michigan. Republican.

E. W. Decker, president of the Northwest Bank Corporation. Republican.

C. T. Jaffray, advisory committee, former chairman, board of directors of First National Bank, Minneapolis; president of Soo Line Railroad Co.; one of the organizers of the First Bank Stock Corporation. President of the Minneapolis Trust Joint Stock Land Bank. Republican.

John Oace, vice president of the First National of St. Paul; director of the First Bank Stock Corporation. Republican.

Here we have the direct proof of the fact that representatives of these two bank-holding companies gained and still have control of the Government's Finance Corporation.

Through the control of this organization they could serve the following institutions:

First. Buy bank stock and obligations.

Second. Direct grants for relief.

Third. Grant loans to Land Bank Commissioner.

Fourth. Allocate funds for purchase of stock in Home Owners' Loan banks.

Fifth. Allocate fund for Federal Deposit Insurance.

Sixth. Purchase securities acquired by the Public Works Administration.

No greater power over the people could have ever been usurped by this designing band of financial racketeers.

While these chief officials of the Reconstruction Finance Corporation in Minneapolis were acting as officers of this institution, they were, at the same time, organizing a chain-bank monopoly in the Northwest through the instrumentality of the Northwest Bancorporation and the First Bank Stock Corporation. They traded stock of these two corporations to bank stockholders in the Northwest for control of these banks; and while they disposed of their stock for 60 and 90 cents on the dollar, that stock has been practically worthless for the last 4 years. Being in a position to extend financial relief to the Northwest through their connection with the Reconstruction Finance Corporation, they practically forced 90 percent of the best banks of the Northwest to submit to their manipulated control.

These men gained their position through appointments during the Hoover administration, and nearly every one of them was a reactionary, hard-boiled, and stand-pat Republican, and it has been a difficult job to dislodge them. Many of them are still in control.

Are the people of the Northwest willing to let institutions of this character determine the loaning policy of the Government? Do you not think we should exercise some control of these institutions and give and delegate to the Presi-

dent the power to determine from the facts when the terms and rates of loans are just?

It would be a most dangerous thing for this Congress to take the position that an appointive board, such as the Reconstruction Finance Corporation, should determine the policy of that Government agency. This Congress can constitutionally give this Corporation directions and authorize it to carry out the purposes of the act, but to say that this appointive board shall have power 3 months from now or 9 months from now to determine absolutely the policy of the administration of the act would not only be wrong in principle but it would also, I believe, be unconstitutional.

This Congress does not always sit—it adjourns—and hence it is necessary to have the supervisory power of these corporations always active. This power can be exercised by the executive department of the Government, which, under the Constitution, is charged with the duty of carrying out the laws passed by Congress. The President is that Executive officer. Under the Constitution he is responsible for the execution of the laws. He is responsible to the people of the whole country. He is the people's agent as well as the agent of Congress, and the only agent authorized by the Constitution to carry out the laws passed by the people.

In this bill we are giving the President the power to examine the facts for us and determine when a condition has arisen when the private interests of the country are able and willing to advance credit that shall be just in terms and rates. The Reconstruction Finance Corporation, under this authority given the President, will proceed to loan when the conditions require it and will suspend when private loans are available under just conditions. It is a power over private credit that should have long ago been exercised by this Government.

This act extends the life of the Reconstruction Finance Corporation until June 30, 1939. The provisions of the act may or may not be exercised during this period, depending on the ability and willingness of private business to extend credit on terms that are just as to time and rates. If private business can perform the service, then it may be free to do so; if it fails, this Government agency will step in to perform that service. I do not see how a single Member of Congress can find any possible excuse for not supporting this feature of the act.

I am, therefore, in favor of the act and trust that the protests offered by the disciples of the private banking oligarchy of the country will not prevail.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD and to include what I said upon this subject a year ago.

The CHAIRMAN. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. CASE of South Dakota. Mr. Chairman, I rise in opposition to the motion.

Mr. Chairman, I shall not need the 5 minutes allowed me under the rules, for I only want to read the original section about loans for school districts and the payment of teachers' salaries in the earlier set-up for the Reconstruction Finance Corporation, and to explain how the amendment which I shall then offer without debate will restore it to life.

Section 16 of the act, Public, No. 417, that was passed by the Seventy-third Congress, provided as follows:

> The Reconstruction Finance Corporation is hereby authorized and empowered to make loans at any time prior to January 31, 1935, out of the funds of the Corporation upon full and adequate security, to public school districts or other similar public school authorities organized pursuant to law, for the purpose of the payment of teachers' salaries due prior to June 1, 1934: *Provided*, That the aggregate amount of such loans at any time outstanding shall not exceed $75,000,000.

That was the law passed by the Seventy-third Congress. In the Seventy-fourth Congress an act was passed to authorize loans up to $10,000,000 to school districts, but that was restricted to construction, operation, and maintenance. Maintenance might seem to provide for the payment of teachers' salaries, but a special section was added at the end of Public Act No. 325, of the Seventy-fourth Congress. Under the provisions of this section:

> No loan shall be made by the Corporation under this act where any part of the proceeds of such loan are to be used for purposes authorized by section 16 of the act approved June 19, 1934, Public, No. 417, of the Seventy-third Congress.

In other words, the last section put a particular construction on the act. The money could be used to pay the salaries of janitors or for construction, but its use for the payment of teachers' salaries was denied.

The purpose of my amendment is to restore the original authorization for the R. F. C. to lend money to pay teachers' salaries. It does this simply by putting in new dates, the same way these other powers are extended. I do not think anyone in this Chamber will want to debate it. The only opposition I have heard is that perhaps it might delay the bill and throw it into conference. The answer to that, however, is found in the President's inaugural address when, after speaking of the denial of opportunities for education, after having painted that picture, he said:

> If I know aught of the spirit and purpose of our Nation, we will not listen to comfort, opportunism, and timidity. We will carry on.

I submit, Mr. Chairman, that I for one am unwilling that this Congress shall go on record as saying, "We will continue loans for speculating in cotton, we will continue loans to reorganize banks, to reorganize insurance companies that are on the verge of insolvency, but we will deny aid to the school districts of the country."

At the proper time I shall offer my amendment without debate, and I hope it will be supported.

Mr. MARTIN of Massachusetts. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

> Amendment offered by Mr. MARTIN of Massachusetts: On page 2, line 19, strike out "Section 9" and all of lines 20, 21, 22, 23, and 24.

Mr. MARTIN of Massachusetts. Mr. Chairman, the amendment I have offered is very simple and would deny the extension at this time of any powers to the Export and Import Bank. I offer this amendment solely upon information which was given to the committee by Mr. Jesse Jones, who has been proclaimed here today as an expert on Government matters.

Mr. Jones said all this agency had ever done could be put in your vest pocket. He further stated it was not being used at the present time and he did not know of any use it might be put to in the immediate future. He wanted the continuance so he might have the power if he desired to use it.

Mr. Chairman, in the meantime we have three high-salaried officials, a good many clerks, and other help who are drawing pay.

I can see there can be no expectancy of any abolition of commissions and bureaus if this one is continued under the evidence presented. If we are going to have any economies, let us begin with an agency Mr. Jones says is not doing anything. Let us make a start.

Mr. Chairman, I hope my amendment will be adopted.

Mr. FISH. Will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from New York.

Mr. FISH. Is it not a fact that the President states the depression is over and there is no need for these emergency powers? Is it not time we recall these emergency powers, particularly when they are not being used?

Mr. MARTIN of Massachusetts. I find the emergency is over when you are making a speech, but when you want legislation it still exists. I have noticed that frequently of late.

Mr. FORD of California. Will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from California.

Mr. FORD of California. Does the gentleman recall that Jesse Jones said he was going to use this as a shotgun in the corner?

Mr. MARTIN of Massachusetts. I do not know anything about the California-Texas language in this respect.

[Here the gavel fell.]

Mr. STEAGALL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman from Massachusetts has quoted Mr. Jones, but he does not properly present Mr. Jones' attitude in reference to this matter. Therefore I want to call to the attention of the Members of the House certain statements made by Mr. Jones in the hearings. The volume of business conducted by the Export-Import Bank, as compared to the enormous volume of business done by the Reconstruction Finance Corporation, is trivial; but Mr. Jones urged the continuance of the Export-Import Bank and pledged the support of the Reconstruction Finance Corporation to the Export-Import Bank as an important part of this machinery to promote recovery to the business interests of the country.

Mr. FORD of California. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from California.

Mr. FORD of California. Did not Mr. Pearson, president of the bank, state in your presence this morning that in the last 8 months its profits were $399,000?

Mr. STEAGALL. Oh, yes; it has operated at a profit, and the business is increasing. I simply wanted to correct the impression in reference to Mr. Jones.

Mr. SPENCE. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Kentucky.

Mr. SPENCE. Mr. Jones stated in answer to a question by the gentleman from Michigan [Mr. WOLCOTT]:

> It is a good piece of machinery to have if we ever get to where we can move some of our commodities over there.

Mr. STEAGALL. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The amendment was rejected.

Mr. CRAWFORD. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I offer this pro-forma amendment for the purpose of asking the chairman of the Banking and Currency Committee a question. There is some concern among certain banks of the country as to the preferred stock held by the R. F. C. and with reference to what disposition the R. F. C. will probably make of those stocks. Can the chairman give us any information with reference to that matter? I refer to preferred stock held by the R. F. C. in State banks, the cost of which is being amortized, but which may be disposed of by the R. F. C. along with the mortgages, bonds, and debentures that are being sold. Is there any information on that subject which the chairman could furnish us?

Mr. STEAGALL. I think I am justified in assuring the gentleman it is the policy of the R. F. C. now, and it has obtained up to the present time, to have those loans worked out constructively and in cooperation with the banks as far as possible, with the State banking authorities in the case of State banks, and along with the Federal Deposit Insurance Corporation. I think we are justified in saying the services of the Corporation in this connection have been of great value to the country, and we certainly have no reason to believe that its policies will not be as wise and as helpful in the future.

Mr. CRAWFORD. Does the chairman feel there is any chance whatsoever of the R. F. C. disposing of these stocks to parties who may attempt to dominate in an adverse manner the State banks involved?

Mr. STEAGALL. I think I can assure the gentleman that no such policy is in contemplation.

The pro-forma amendment was withdrawn.

Mr. CASE of South Dakota. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

> Amendment offered by Mr. CASE of South Dakota: On page 2, line 24, strike out the period and insert in lieu thereof a semicolon and the following: "section 16 of the act approved June 19, 1934 (Public, No. 417, 73d Cong.), is hereby amended by striking out 'January 31, 1935' and inserting in lieu thereof 'June 30, 1939', by striking out 'June 1, 1934' and inserting in lieu thereof 'June 30, 1938'."

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota [Mr. CASE].

The question was taken; and on a division (demanded by Mr. CASE of South Dakota) there were—ayes 39, noes 92.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that the Committee, having had under consideration the bill (S. 415) to continue the functions of the Reconstruction Finance Corporation, and for other purposes, pursuant to House Resolution 79, he reported the same back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The bill was ordered to be read a third time, and was read the third time.

Mr. COCHRAN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman from Missouri opposed to the bill?

Mr. COCHRAN. Yes, Mr. Speaker; in its present form.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. COCHRAN moves to recommit the bill to the Committee on Banking and Currency with instructions to that committee to report the same back forthwith with the following amendment: On page 2, line 10, insert the following:
>
> "SEC. 2. The Reconstruction Finance Corporation Act, as amended, is hereby amended by inserting, after section 5 (e) thereof, the following new section:
>
> " 'SEC. 5 (f). The Reconstruction Finance Corporation is authorized and empowered to make loans to any public or private hospital organized under the laws of any State upon the same terms and conditions and subject to the same limitations as are applicable in the case of loans to financial institutions specified in section 5 of this act, as amended.' "

On motion of Mr. STEAGALL, the previous question was ordered on the motion to recommit.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. COCHRAN) there were—ayes 9, noes 176.

Mr. COCHRAN. Mr. Speaker, I object to the vote on the ground there is not a quorum present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and forty-one Members present, a quorum.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. STEAGALL, a motion to reconsider the vote by which the bill was passed was laid on the table.

EXTENSION OF REMARKS

Mr. HANCOCK of North Carolina, Mr. SPENCE, Mr. CONNERY, Mr. ENGEL, Mr. MARTIN of Massachusetts, Mr. DONDERO, Mr. COCHRAN, Mr. FISH, Mr. CASE of South Dakota, and Mr. WITHROW asked and were given permission to revise and extend their remarks in the RECORD.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a resolution adopted by a group of Congressmen this morning on the subject of public power.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM (H. DOC. NO. 135)

The SPEAKER laid before the House the following communication from the President of the United States, which was read and referred to the Committee on Foreign Affairs and ordered printed:

To the Congress of the United States:

I transmit herewith a report by the Secretary of State showing all receipts and disbursements on account of refunds, allowances, and annuities for the fiscal year ended

June 30, 1935, in connection with the Foreign Service retirement and disability system as required by section 26 (a) of an act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor, approved February 23, 1931.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 22, 1937.*

Mr. SNELL. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SNELL. Mr. Speaker, on yesterday when my friend and colleague from New York [Mr. BOYLAN] asked for permission to extend his remarks in the RECORD and print a speech of George Henry Payne, a member of the Radio Commission, I asked him if it was not a fact that we had a speech a few days ago printed in the RECORD, and he said that was the first time this session. I thought I was right then, but, of course, I might have been wrong. I find that I was right. The gentleman from New York [Mr. MEAD] a week ago asked unanimous consent to extend his remarks in the RECORD by printing a speech of Mr. Payne's.

I simply wanted to show that I was right when I reserved the objection to the request of the gentleman from New York [Mr. BOYLAN].

S. 415

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that the Speaker may be authorized to sign the bill S. 415, notwithstanding the House is not in session.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. ROBERTSON, for today (at the request of Mr. BLAND).

To Mr. HIGGINS, indefinitely, on account of illness.

To Mr. ELLENBOGEN, for 1 day, on account of business.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 4. An act to authorize the coinage of 50-cent pieces in commemoration of the three hundredth anniversary of the original Norfolk, Va., land grant and the two hundredth anniversary of the establishment of the city of Norfolk, Va., as a borough; to the Committee on Coinage, Weights, and Measures.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 416. An act to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 50 minutes p. m.) the House, under its previous order, adjourned until Monday, January 25, 1937, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., January 28, 1937. Business to be considered: Open hearing on H. R. 1668, long-and-short-haul bill. In view of the exhaustive hearing held in the previous Congress, the committee desires to make this hearing as brief as possible.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

276. A letter from the Secretary of War, transmitting a draft of a bill to place accountability for disbursement of public moneys or disposal of public property upon commanding officers directing such disbursement or disposal, which the War Department presents for the consideration of the Congress with a view to its enactment into law; to the Committee on Expenditures in the Executive Departments.

277. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 18, 1937, submitting a report, together with accompanying papers, on a preliminary examination of channel between Travers Island and Glen Island, N. Y., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

278. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 18, 1937, submitting a report, together with accompanying papers, on a preliminary examination of Wicomico River, Md., from Chaptico Wharf to Budd's Landing, authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

279. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 18, 1937, submitting a report, together with accompanying papers, on a preliminary examination and survey of Stonington Harbor, Maine, authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

280. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 18, 1937, submitting a report, together with accompanying papers, on a preliminary examination of waterway to connect the Tombigbee and Alabama Rivers with the Perdido River, Ala. and Fla., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

281. A letter from the Attorney General, transmitting a draft of a bill to provide for the taking of depositions by the prosecution in criminal cases; to the Committee on the Judiciary.

282. A letter from the Attorney General, transmitting a draft of a bill to permit a person charged with a criminal offense to waive indictment and to consent to prosecution by information; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. KENNEDY of Maryland: Committee on the District of Columbia. H. R. 148. A bill to repeal a proviso relating to teaching or advocating communism in the public schools of the District of Columbia, and appearing in the District of Columbia Appropriation Act for the fiscal year ending June 30, 1936; without amendment (Rept. No. 17). Referred to the Committee of the Whole House on the state of the Union.

Mrs. NORTON: Committee on the District of Columbia. H. R. 2898. A bill to amend section 1 of the act of Congress entitled "An act to fix the salaries of officers and members of the Metropolitan Police force, the United States Park Police force, and the Fire Department of the District of Columbia", approved May 27, 1924, and for other purposes; without amendment (Rept. No. 18). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on World War Veterans' Legislation was discharged from the consideration

of the bill (H. R. 2231) for the relief of Charles E. Black, and the same was referred to the Committee on Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Missouri: A bill (H. R. 3465) to authorize the War Department to construct a military bridge across the Mississippi River between Jefferson Barracks, Mo., and Scott Field, Ill. to the Committee on Military Affairs.

By Mr. BLOOM: A bill (H. R. 3466) to give certain civil-service employees of the War Department credit, under the Retirement Act of May 22, 1920, and such act as amended, for service rendered as telephone operators between March 1, 1918, and August 15, 1925, inclusive; to the Committee on the Civil Service.

By Mr. BURCH: A bill (H. R. 3467) to adjust the salaries of rural letter carriers, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. COLE of New York: A bill (H. R. 3468) to amend section 148 (d) of the Revenue Act of 1934; to the Committee on Ways and Means.

By Mr. FERNANDEZ: A bill (H. R. 3469) to authorize the erection of a United States Veterans' Administration Hospital and Home of Domiciliary Care in the parish of Orleans, State of Louisiana; to the Committee on World War Veterans' Legislation.

By Mrs. JENCKES of Indiana: A bill (H. R. 3470) to incorporate the American Indian Federation; to the Committee on the Judiciary.

By Mr. KING: A bill (H. R. 3471) to permit alien wives of American citizens who were married prior to the approval of the Immigration Act of 1924 to enter the United States; to the Committee on Immigration and Naturalization.

By Mr. KNUTSON: A bill (H. R. 3472) to extend the time for making payments on certain crop loans; to the Committee on Agriculture.

By Mr. McREYNOLDS: A bill (H. R. 3473) to authorize the Secretary of State to sell, for a price, transfer, and convey the title, rights, and interest of this Government in a lot situated at Sin Lu T'ou Jetty, Kulangsu, Amoy, China; to the Committee on Foreign Affairs.

By Mr. PALMISANO: A bill (H. R. 3474) to amend the District of Columbia Alcoholic Beverage Control Act by amending section 20; to the Committee on the District of Columbia.

By Mrs. ROGERS of Massachusetts: A bill (H. R. 3475) providing for a census to determine the extent of child labor in the United States, and for other purposes; to the Committee on the Census.

By Mr. SMITH of Connecticut: A bill (H. R. 3476) to provide for the conveyance of certain property to the city of Torrington, Conn.; to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Washington: A bill (H. R. 3477) for the purpose of authorizing the Director of the Census to collect and publish statistics of red cedar shingles; to the Committee on the Census.

By Mr. SWEENEY: A bill (H. R. 3478) to provide for the filling of vacancies in the Motor Vehicle Service; to the Committee on the Post Office and Post Roads.

By Mr. THOMPSON of Illinois: A bill (H. R. 3479) to provide for a term of court at Rock Island, Ill.; to the Committee on the Judiciary.

By Mr. TOLAN: A bill (H. R. 3480) to authorize the acquisition of lands in the city of Oakland, county of Alameda, State of California, as a site for a naval supply base and to authorize the construction and installation of facilities for a naval supply base thereon; to the Committee on Naval Affairs.

By Mr. WALLGREN: A bill (H. R. 3481) to amend section 601 of the Revenue Act of 1932, as amended, to provide for an excise tax on eggs and egg products; to the Committee on Ways and Means.

By Mr. WILLIAMS: A bill (H. R. 3482) to amend section 12B of the Federal Reserve Act; to the Committee on Banking and Currency.

By Mr. WOOD: A bill (H. R. 3483) to extend the civil-service laws to certain special-delivery messengers; to the Committee on the Civil Service.

By Mr. COSTELLO: A bill (H. R. 3484) applying the provisions of the act of August 12, 1935, to the retired pay of officers, warrant officers, members of the Nurse Corps, and enlisted men of the Army, Navy, and Marine Corps, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. McCORMACK: A bill (H. R. 3485) providing for the payment to certain charwomen of compensation at an annual in lieu of an hourly rate; to the Committee on the Civil Service.

By Mr. TINKHAM: A bill (H. R. 3486) providing for the preparation of plans and estimate of cost of erecting a Hall of Fame; to the Committee on Public Buildings and Grounds.

By Mr. HANCOCK of North Carolina: A bill (H. R. 3487) to provide financial assistance to the States and political subdivisions thereof for the elimination of unsafe and insanitary housing conditions; for the development of decent, safe, and sanitary dwellings for families of lowest income, and for the reduction of unemployment and the stimulation of business activity; to create a United States Housing Authority under the direction and control of the Secretary of the Interior; and for other purposes; to the Committee on Banking and Currency.

By Mr. RANKIN: A bill (H. R. 3488) for the development and improvement of navigation, and of electric power on the Potomac River and its tributaries, and control of floods and soil erosion; to the Committee on Rivers and Harbors.

By Mrs. HONEYMAN: A bill (H. R. 3489) to authorize the coinage of 50-cent pieces in commemoration of the completion of Bonneville Dam; to the Committee on Coinage, Weights, and Measures.

By Mr. POWERS: A bill (H. R. 3490) to provide for the establishment of one infantry battalion of Negro troops as a part of the National Guard of the State of New Jersey; to the Committee on Military Affairs.

By Mr. COLLINS: A bill (H. R. 3491) to provide for adequate dental service for the individuals of the Military Establishment of the United States; to the Committee on Military Affairs.

By Mr. CROWTHER: A bill (H. R. 3492) to exempt capital gains from income taxation and to deny deductions for capital losses if the capital asset has been held for 2 years or less; to the Committee on Ways and Means.

By Mr. CALDWELL: A bill (H. R. 3493) to amend section 76 of the Judicial Code, as amended, with respect to the terms of the Federal district court held at Tallahassee, Fla.; to the Committee on the Judiciary.

Also, a bill (H. R. 3494) to authorize the improvement of St. Marks River, Fla.; to the Committee on Rivers and Harbors.

By Mr. McGROARTY: A bill (H. R. 3495) to amend Public Law No. 383, Seventy-third Congress (48 Stat. L. 984), relating to Indians, by exempting from the provisions of such act any Indians of California in the State of California; to the Committee on Indian Affairs.

By Mr. TINKHAM: A bill (H. R. 3496) to provide for the construction of an interocean ship canal of lock design connecting the waters of the Atlantic and Pacific Oceans; to the Committee on Merchant Marine and Fisheries.

By Mr. KING: Joint resolution (H. J. Res. 141) to authorize the issuance to Sekizo Takahashi of a permit to reenter the United States; to the Committee on Immigration and Naturalization.

By Mr. FISH: Joint resolution (H. J. Res. 142) authorizing the erection of an equestrian statue of Gen. Robert E. Lee in the Arlington National Cemetery; to the Committee on the Library.

By Mr. SIROVICH: Joint resolution (H. J. Res. 143) to repeal section 3 of Public Law No. 808, Seventy-fourth Congress; to the Committee on Merchant Marine and Fisheries.

By Mr. CROWTHER: Joint resolution (H. J. Res. 144) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. TINKHAM: Joint resolution (H. J. Res. 145) to create a commission to study and report on the feasibility of constructing the Mexican Canal; to the Committee on Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY: A bill (H. R. 3497) for the relief of Stanislo Hronchich; to the Committee on Immigration and Naturalization.

By Mr. BOILEAU: A bill (H. R. 3498) to provide for the refund of the claim for loss incurred in the burglary of the post office at Vesper, Wis.; to the Committee on Claims.

By Mr. CARLSON: A bill (H. R. 3499) granting an increase of pension to Clara Fowler; to the Committee on Invalid Pensions.

By Mr. CLAYPOOL: A bill (H. R. 3500) for the relief of Esther M. Frey; to the Committee on Claims.

Also, a bill (H. R. 3501) granting a pension to Willard Fulk; to the Committee on Pensions.

Also, a bill (H. R. 3502) granting a pension to Stella Littlejohn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3503) for the relief of George O. Claypool; to the Committee on Claims.

Also, a bill (H. R. 3504) granting a pension to Emma Blosser; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3505) granting a pension to Edith Pyle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3506) granting a pension to Amanda Hart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3507) granting a pension to Mary Emma Bussard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3508) granting a pension to Debbie Klingler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3509) granting a pension to Norma Roush; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3510) granting an increase of pension to Eliza Cook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3511) granting an increase of pension to Ellen J. Vince; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3512) granting an increase of pension to Mary E. Shelton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3513) granting an increase of pension to Jeanette Wallace; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3514) granting an increase of pension to Mary E. Baker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3515) granting an increase of pension to Martha Buckingham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3516) granting an increase of pension to Eliza Noble; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3517) granting an increase of pension to Elizabeth Foughty; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3518) granting an increase of pension to Elizabeth B. Orndurf; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3519) granting an increase of pension to Sarah A. Swick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3520) granting an increase of pension to Bertie L. Santee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3521) granting an increase of pension to Flora Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3522) granting an increase of pension to Alwilda Ray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3523) granting an increase of pension to Emma Turner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3524) granting an increase of pension to Clara Collins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3525) granting an increase of pension to Delilah Coffman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3526) granting an increase of pension to Martha McGraw; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3527) granting an increase of pension to Mary M. Devol; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3528) granting an increase of pension to Julia A. Hull; to the Committee on Invalid Pensions.

By Mr. COFFEE of Nebraska: A bill (H. R. 3529) for the relief of James Colton; to the Committee on Claims.

By Mr. COLLINS: A bill (H. R. 3530) to provide compensation for Brig. Gen. George E. Leach for the risk and hazard involved in aerial flights performed in the execution of his duties; to the Committee on Military Affairs.

By Mr. CROWTHER: A bill (H. R. 3531) for the purpose of having the war service of Maybelle Helen LeBrun (Mirhige) credited as active naval service under her rating of yeoman, first class, United States Naval Reserve Forces, and for other purposes; to the Committee on Naval Affairs.

By Mr. CULKIN: A bill (H. R. 3532) granting an increase of pension to Maria Graver; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3533) granting an increase of pension to Harriet E. Schram; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3534) granting an increase of pension to Elizabeth M. Scott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3535) granting an increase of pension to Minnie Mayhew; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3536) granting an increase of pension to Catherine Lockwood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3537) granting an increase of pension to Cornelia F. Percy; to the Committee on Invalid Pensions.

By Mr. DIXON: A bill (H. R. 3538) granting a pension to Suzanne L. Ryder; to the Committee on Pensions.

Also, a bill (H. R. 3539) for the relief of Victor C. McKenzie; to the Committee on Claims.

By Mr. DOCKWEILER: A bill (H. R. 3540) for the relief of Jessie P. Bleakley; to the Committee on Claims.

Also, a bill (H. R. 3541) for the relief of Paul L. Fruhling; to the Committee on Military Affairs.

Also, a bill (H. R. 3542) for the relief of John S. Barnes; to the Committee on Military Affairs.

Also, a bill (H. R. 3543) for the relief of William S. McClure; to the Committee on Military Affairs.

Also, a bill (H. R. 3544) for the relief of J. H. Bowling; to the Committee on Claims.

Also, a bill (H. R. 3545) for the relief of Anna Volker; to the Committee on Claims.

Also, a bill (H. R. 3546) granting a pension to Julia C. Messmore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3547) for the relief of Grover C. Van Nest; to the Committee on Military Affairs.

By Mr. DUNCAN: A bill (H. R. 3548) granting an increase of pension to Mary E. Appleby; to the Committee on Invalid Pensions.

By Mr. FERGUSON: A bill (H. R. 3549) granting a pension to Harley D. Peck; to the Committee on Pensions.

By Mr. FITZGERALD: A bill (H. R. 3550) granting an increase of pension to Mary E. Cahoone; to the Committee on Invalid Pensions.

By Mr. GEHRMANN: A bill (H. R. 3551) for the relief of Hans Everson; to the Committee on Claims.

By Mr. HEALEY: A bill (H. R. 3552) for the relief of William O'Connell; to the Committee on Claims.

Also, a bill (H. R. 3553) for the relief of Irving Kilburn Bills; to the Committee on Military Affairs.

Also, a bill (H. R. 3554) for the relief of Fred D. Dickerson; to the Committee on Naval Affairs.

By Mr. HILL of Alabama: A bill (H. R. 3555) for the relief of H. L. Jones; to the Committee on Claims.

By Mrs. HONEYMAN: A bill (H. R. 3556) granting a pension to Ella Ann Alexander; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3557) for the relief of the Coast Fir & Cedar Products Co., Inc.; to the Committee on Claims.

Also, a bill (H. R. 3558) for the relief of J. S. Mattes; to the Committee on Claims.

By Mrs. JENCKES of Indiana: A bill (H. R. 3559) granting a pension to John Claud McCoy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3560) granting a pension to John R. Rogers; to the Committee on Pensions.

Also, a bill (H. R. 3561) granting a pension to Elmer G. Runyan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3562) granting a pension to Charles Hovermale; to the Committee on Invalid Pensions.

By Mr. KEOGH: A bill (H. R. 3563) for the relief of Robert Gabriel; to the Committee on Naval Affairs.

By Mr. KNIFFIN: A bill (H. R. 3564) for the relief of Edward Gibbs; to the Committee on Military Affairs.

Also, a bill (H. R. 3565) for the relief of the Northwestern Ohio Mutual Rodded Fire Insurance Co.; to the Committee on Claims.

By Mr. KNUTSON: A bill (H. R. 3566) granting a pension to Hilder Smith; to the Committee on Pensions.

Also, a bill (H. R. 3567) granting an increase of pension to Ellen Jackson; to the Committee on Invalid Pensions.

By Mr. McCORMACK: A bill (H. R. 3568) for the relief of Elizabeth B. Dayton; to the Committee on Claims.

By Mr. McGROARTY: A bill (H. R. 3569) granting a pension to Mary A. McCullough; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3570) granting a pension to Emma A. Probasco; to the Committee on Pensions.

By Mr. McKEOUGH: A bill (H. R. 3571) for the relief of Frank Smith; to the Committee on Military Affairs.

By Mr. MONTAGUE: A bill (H. R. 3572) for the relief of Ellen Taylor; to the Committee on Claims.

Also, a bill (H. R. 3573) for the relief of D. B. Carter; to the Committee on Claims.

By Mr. O'TOOLE: A bill (H. R. 3574) for the relief of Barnett Klass; to the Committee on Military Affairs.

Also, a bill (H. R. 3575) conferring jurisdiction upon the United States District Court for the Eastern District of New York to hear, determine, and render judgment upon the claims of Achille Ratallato and Albert Ratallato; to the Committee on Claims.

By Mr. PARSONS: A bill (H. R. 3576) granting a pension to Stella M. Webster; to the Committee on Invalid Pensions.

By Mr. RUTHERFORD: A bill (H. R. 3577) granting an increase of pension to Ella Parsons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3578) granting an increase of pension to Mary Saxton; to the Committee on Invalid Pensions.

By Mr. SMITH of Connecticut: A bill (H. R. 3579) for the relief of Manuel Joaquim Ferreira; to the Committee on Immigration and Naturalization.

By Mr. SOMERS of New York: A bill (H. R. 3580) granting an increase of pension to Georgian Furey; to the Committee on Invalid Pensions.

By Mr. STUBBS: A bill (H. R. 3581) granting a pension to Frank Milner; to the Committee on Pensions.

By Mr. VOORHIS: A bill (H. R. 3582) granting a pension to Oda Lawrence; to the Committee on Pensions.

By Mr. WELCH: A bill (H. R. 3583) for the relief of Martin J. Blazevich; to the Committee on Claims.

By Mr. WHITE of Ohio: A bill (H. R. 3584) granting a pension to Fannie Stults; to the Committee on Invalid Pensions.

By Mr. WOLFENDEN: A bill (H. R. 3585) for the relief of Cora G. Schrader; to the Committee on Claims.

Also, a bill (H. R. 3586) for the relief of Domenick Piano (Pappano); to the Committee on Military Affairs.

By Mr. PETERSON of Florida: Joint resolution (H. J. Res. 146) granting insurance payments to Hugh H. Newell; to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

80. By the SPEAKER: Petition of the Goldsmith Fruit Co., of Fort Pierce, Fla.; to the Committee on Agriculture.

81. By Mr. CROWTHER: Petition of residents of Gloversville, N. Y., favoring enactment of neutrality legislation; to the Committee on Foreign Affairs.

82. By Mr. POLK: Petition of Prof. Walter G. Rhoten and 10 other teachers in the Whiteoak rural schools, of Morristown, Ohio, urging the appropriation of funds to assist the States and Territories in providing more effective programs for public education, etc.; to the Committee on Education.

83. By Mr. MOTT: Petition signed by Frances W. McMillen and 42 citizens of Douglas County, Oreg., urging early consideration and enactment of the bill embodying the provisions of the Townsend national recovery plan; to the Committee on Ways and Means.

84. Also, petition signed by Willard Smith and 31 citizens of Douglas County, Oreg., urging early consideration and enactment of the bill embodying the provisions of the Townsend national recovery plan; to the Committee on Ways and Means.

85. Also, petition signed by Lillie M. Stewart and 29 citizens of Lafayette, Oreg., urging early consideration and enactment of the bill embodying the provisions of the Townsend national recovery plan; to the Committee on Ways and Means.

86. By Mr. COFFEE of Washington: Petition of Farmers Union, Local No. 258, Puyallup, Wash.; to the Committee on Agriculture.

87. Also, petition of Benston, Wash., Grange No. 892; to the Committee on Agriculture.

88. By Mr. CASE of South Dakota: Petition of James Hawkins, chairman, and other members of the seed committee of Spink County, S. Dak., praying for action now so that seed can be shipped in and on hand for planting before seeding time, March 1, 1937; to the Committee on Agriculture.

89. Also, petition of K. E. Brown, president, G. Prunty, secretary, and other businessmen and farmers of Hanson County, S. Dak., meeting at Alexandria, praying for immediate action to make seed loans available and also that the loans be repayable on a commodity basis, bushel for bushel, and other provisions for forage-crop planting and harvest; to the Committee on Agriculture.

90. Also, petitions of O. H. Bergeleen, of Alpena, and Ray Eagle and Ernest P. Holcomb, of Wessington Springs, S. Dak., all referring to the need of 80 percent of the farmers in Jerauld County for seed loans and praying for immediate action; to the Committee on Agriculture.

91. Also, petition of S. S. Judy, of Woonsocket, S. Dak., and other members of the seed committee of Sanborn County, reciting that delay in previous years caused severe crop loss and praying for action to make seed grain available by February 1, 1937; to the Committee on Agriculture.

92. Also, petition of D. F. Baughman, of White Lake, S. Dak., and other members of the Aurora County seed committee, stating that action is needed now to provide seed loans so that a normal crop can be had to place that area on a self-supporting basis again; to the Committee on Agriculture.

93. Also, petition of Walter Pascoe, Fred Ferris, and K. R. Ferris, of Spearfish, being the Lawrence County soil-conservation committee, stating that 90 percent of the 300 farmers surveyed need seed loans and praying for early action; to the Committee on Agriculture.

94. Also, petition of E. F. Gronert, A. B. Levy, F. C. Morgan, and others, being the Pennington County seed committee, asking immediate action that seed loans be made available for early seeding, which spells the difference between crops and crop failure; to the Committee on Agriculture.

95. Also, petition of C. J. Larson, of Eagle Butte, S. Dak., asking speedy action to provide seed loans and giving the results of a seed survey in Ziebach County; to the Committee on Agriculture.

96. By Mr. BUCKLER of Minnesota: Petition of Bernice Henry, chairman, and Clarence Daubenspeck, secretary, of the Workers' Alliance unit at Frazee, Becker County, Minn., praying for an amendment to the social-security law that will give the unfortunate the proper medical, dental, and the

optical care that they are rightfully entitled to; to the Committee on Ways and Means.

97. By Mr. COLDEN: Resolution submitted by I. Tovar, secretary, urging the appropriation of $1,250,000,000 for the continuance of the activities of the Works Progress Administration; to the Committee on Appropriations.

98. By Mr. STEFAN: Resolution of West Point (Nebr.), National Farm Loan Association, urging Congress to pass a law making 3-percent interest the permanent rate charged borrowers of Federal land banks and reducing principal payments to not to exceed 1½ percent a year; to the Committee on Agriculture.

99. By Mr. PLUMLEY: Petition of some 10 residents of Brandon, Vt., requesting favorable action on the McGroarty Pension bill (H. R. 10); to the Committee on Ways and Means.

100. Also, petition of citizens of Brandon, Vt., requesting favorable action on the McGroarty bill (H. R. 10); to the Committee on Ways and Means.

101. By Mr. HILDEBRANDT: Petition of Ziebach County seed committee, requesting legislation so that the farmers receive their seed in ample time for planting; to the Committee on Agriculture.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 25, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Bow down Thine ear, O Lord, for we are poor and needy. Thou art a God full of compassion, gracious, long-suffering, plenteous in mercy and truth. Almighty God, we are feeble, sore broken, and our strength faileth. Make haste to rescue, succor, and help the homeless, the suffering and the struggling countless thousands of our flood-stricken area. O Lord God, suffer not their hearts to languish, nor let them be dismayed. Bring a speedy release from the deathly clutches of the storm and the waves. God bless the American Red Cross with its deeds of heroism and glory. May its spirit surge through every heart. Again, Heavenly Father, we are in the shadow of death. Another Member has left us; a fine type of citizenship, a statesman of ability, a cultured Christian gentleman has gone to his eternal home. At the last may we pass on in the breath of God, through Christ. Amen.

The Journal of the proceedings of Friday, January 22, 1937, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Crockett, its Chief Clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 462. An act to permit the exchange of used parts of certain types of equipment for new or reconditioned parts of the same equipment; and

S. 767. An act for the relief of the Charles T. Miller Hospital, Inc., at St. Paul, Minn.; Dr. Edgar T. Herrmann; Ruth Kehoe, nurse; and Catherine Foley, nurse.

SWEARING IN OF A MEMBER

Mr. LANZETTA appeared at the bar of the House and took the oath of office.

FIRST DEFICIENCY APPROPRIATION BILL—1937

Mr. BUCHANAN, from the Committee on Appropriations, reported the bill (H. R. 3587, Rept. No. 19) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes, which was read a first and second time, and, together with the accompanying report, referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that all points of order on the bill be waived.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. TABER. I reserve the right to object, to ask the chairman of the committee to tell us why he wants all points of order waived.

Mr. BUCHANAN. Mr. Speaker, all money for relief and for the C. C. C. camps carried in the bill is subject to a point of order. The money for relief will be exhausted on February 1, and it is essential that this bill be passed or all of those on relief in the crowded cities, as well as in the country, will not have any relief, and gentlemen can well imagine the result. We have only until the 1st of February for the Senate and House to pass this bill and to have it signed by the President.

Mr. TABER. Mr. Speaker, the only point I can see that would be served by an objection to this request would be that it would require the Committee on Rules to bring in a rule making the bill in order. In view of the fact that we might better spend our time in finding out what there is in the bill when it comes on the floor in the time within which we have to discuss it than in considering a rule making it in order, I do not believe it would serve any good purpose to object. I do not object.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. SNELL. Mr. Speaker, I ask unanimous consent that on Friday, February 12, 1937, after the disposition of matters on the Speaker's table and the reading of the Journal, the gentleman from Kentucky [Mr. ROBSION] may have 30 minutes in which to address the House on the life and character of Abraham Lincoln.

The SPEAKER. Is there objection?

There was no objection.

Mr. MAVERICK. Mr. Speaker, I ask unanimous consent that on Thursday next, January 28, 1937, I be permitted to address the House for 30 minutes on the subject of the Constitution, following the reading of the Journal and the disposition of business on the Speaker's table.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GRAY of Indiana. Mr. Speaker, I ask unanimous consent that, after the reading of the Journal tomorrow and the disposition of business on the Speaker's table, I be permitted to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. RAYBURN. Mr. Speaker, I trust my friend from Indiana will not insist on that request. Tomorrow we expect to take up this appropriation bill for relief, and if we were to yield to the gentleman for 5 minutes, someone else would want 10 minutes, and it might be embarrassing.

Mr. GRAY of Indiana. I do not want to embarrass the gentleman any more than he would want to embarrass me. Is there any order for the next day?

Mr. RAYBURN. On Wednesday the calendar may be called. I am sure the gentleman can get 5 minutes tomorrow under general debate on the appropriation bill.

The SPEAKER. The Chair calls attention to the fact that already there is a special order for tomorrow.

Mr. GRAY of Indiana. Mr. Speaker, I withdraw the request.

EXTENSION OF REMARKS

Mr. FULMER. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting therein an address made by my colleague [Mr. JONES] over the radio recently.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. MITCHELL of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by

inserting in the RECORD a short letter from the Federal Farm Bureau of Bedford County, Tenn.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. WADSWORTH. Mr. Speaker, I reserve the right to object. To whom is the letter addressed?

Mr. MITCHELL of Tennessee. It is addressed to me.

The SPEAKER. Is there objection?

There was no objection.

LOANS TO FARMERS FOR CROP PRODUCTION, 1937

Mr. GREENWOOD. Mr. Speaker, I call up House Resolution 80.

The Clerk read as follows:

House Resolution 80

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 1545, a bill to provide for loans to farmers for crop production and harvesting during the year 1937 and from year to year thereafter, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

Mr. GREENWOOD. Mr. Speaker, I yield 30 minutes to the gentleman from Massachusetts [Mr. MARTIN].

Mr. Speaker, House Resolution 80 is an open rule permitting debate and amendments on the bill H. R. 1545, coming from the Committee on Agriculture, for the purpose of providing loans to farmers for crop production and harvesting for the year 1937 and succeeding years. These loans are to be used for the purchase of feed, seed, and supplies in putting out crops. The bill carries an authorization of $50,000,000. No loan is to exceed $400, and any delinquency in the payment of previous loans shall be considered in the $400 limitation. It is to be administered by the Governor of the Farm Credit Administration.

The Rules Committee felt that this was an emergency measure. It will not be a great while until the cropping season will begin in the Southern States, and the advantages to be obtained by farmers who need this source of credit will be available.

This credit is furnished to a class of farmers not able to obtain credit along other lines. Many of them are tenant farmers who have no land or specific resources whereby their credit is sufficient for them to borrow. This will carry them over both in the drought area and now in this flood district, where many of them will have their property and their seed and livestock and feed swept away by the floods. They will need the advantages of this particular credit. Those people without resources always have to pay a higher rate of interest and oftentimes a bonus in order to get a small loan for the purpose of putting in a crop. In order to help the class of farmer who is most in need, the provisions of this bill provide for these loans up to $400 and will appropriate $50,000,000 for this purpose.

Mr. SNELL. Mr. Speaker, will the gentleman yield for a question?

Mr. GREENWOOD. Yes; I yield.

Mr. SNELL. Did I understand the gentleman to say that persons who made loans previously and had not paid them would not be eligible for another loan?

Mr. GREENWOOD. The amount they owe will be carried over and considered in the limitation of the $400.

Mr. SNELL. Suppose I borrowed $400 last year and had not repaid that loan, I could not borrow again?

Mr. GREENWOOD. I do not understand you could have a second loan. I may be in error about that, but I do not think so.

Mr. SNELL. I noticed in the report filed by the committee that practically 66 percent of the loans have been repaid to the Federal Government.

Mr. GREENWOOD. That is true.

Mr. SNELL. Has the gentleman any break-down of those figures or any information for the committee to show what parts of the country have not paid those loans and what States have repaid them?

Mr. GREENWOOD. The general information that came before the Rules Committee just gave us the lump-sum figures which the gentleman gave. I presume the Committee on Agriculture, when they handle the bill, can give more definite information about that. Most of it was in the drought area and places where payment could not be made.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. GREENWOOD. I yield.

Mr. DONDERO. I notice the interest rate is 5½ percent. Does that compare favorably with loans to other classes of people?

Mr. JONES. Mr. Speaker, will my colleague yield on that point?

Mr. GREENWOOD. That compares very favorably when you take into consideration the rates these people have to pay to these loan sharks and loan companies. Five and a half is a wonderful rate for this kind of security.

Mr. JONES. Mr. Speaker, will the gentleman yield?

Mr. GREENWOOD. I yield.

Mr. JONES. The committee this morning agreed to make that interest rate 4 percent instead of 5½. The Senate committee has taken the same action.

Mr. GREENWOOD. We have information from the chairman of the committee that the interest rate will be reduced to 4 percent.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. GREENWOOD. I yield.

Mr. COX. I want to say by way of reply to the question asked by the gentleman from New York [Mr. SNELL] that it has only been in the flood and drought areas where the percentage of repayment has been so small. In the other areas of the country the loans, as a rule, have been paid in full. The Government has suffered no loss whatever on that account.

Mr. BOILEAU. Mr. Speaker, will the gentleman yield?

Mr. GREENWOOD. I yield.

Mr. BOILEAU. If I understood the gentleman correctly, I believe he was in error in his reply to the question propounded by the gentleman from New York [Mr. SNELL]. This $400 limitation applies to only one calendar year. A person who was in default a previous calendar year would not be precluded from getting another loan. He cannot get more than $400 in any one calendar year.

Mr. GREENWOOD. That was my understanding. If there is a delinquency hanging over from last year, that is merged in the $400 loan, as I understand it.

Mr. BOILEAU. No. As I understand, that does not affect any delinquency left over from a previous year.

Mr. GREENWOOD. I may be in error. The gentleman is a member of the Committee on Agriculture.

Mr. PIERCE. Mr. Speaker, will the gentleman yield?

Mr. GREENWOOD. Yes; I yield.

Mr. PIERCE. Failure to pay a loan made in a previous year can be used and is used by the agents in rejecting loans. That is one of the reasons why, under the regulation, the agents reject loans, if they do not pay in the previous year. The gentleman from Wisconsin [Mr. BOILEAU] is correct in regard to the legal situation.

Mr. MARTIN of Colorado. Mr. Speaker, will the gentleman yield?

Mr. GREENWOOD. I yield.

Mr. MARTIN of Colorado. May I call the gentleman's attention to the exact language of the act?

Mr. GREENWOOD. Yes. It says not more than $400 in any one calendar year.

Mr. MARTIN of Colorado. It says:

Nor shall a loan be so made in any calendar year which, together with the unpaid principal of prior loans so made to such borrower in that year, shall exceed $400 in amount.

Not a prior year but the year in which he gets the $400 loan.

Mr. JONES. The gentleman is correct in that.

Mr. GREENWOOD. I stand corrected on that.

Mr. EATON. Mr. Speaker, will the gentleman yield?

Mr. GREENWOOD. I yield.

Mr. EATON. Can the gentleman give us any information as to what becomes of these delinquent loans? Are they written off as a total loss, or does the Government take action to collect?

Mr. GREENWOOD. I do not understand that they are written off. I understand that they will continue to attempt to collect them in future years. How much will have to be written off eventually, I do not suppose anyone can tell.

Mr. EATON. Are they reported to Congress as one of the assets of the administration?

Mr. GREENWOOD. That is a facetious question, as is usual from the gentleman from New Jersey. He can think about that himself.

Mr. Speaker, I reserve the balance of my time.

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee [Mr. TAYLOR].

Mr. TAYLOR of Tennessee. Mr. Speaker, in view of the fact that there is little or no controversy so far as the merit of this legislation is concerned, I probably shall not tax your patience by using all the time that has been allotted to me.

Mr. Speaker, this is not a new agency of the Government; neither is it a New Deal agency. The giving of aid to the small farmers of the United States was initiated in 1921 and has been in practice ever since. It has grown a great deal since the depression. From 1921 to 1930, including the latter year, 121,350 small farmers participated in the administration of this fund in a total amount of $15,193,788; and of this sum 72.8 percent has been repaid to the Government.

I know of no agency of the Government that possesses more merit than this seed-loan agency. It is as popular as the Reconstruction Finance Corporation. You will recall that on last Friday everybody was loud in his acclaim of the virtues of the Reconstruction Finance Corporation; and, by the way, that is not a new activity and neither is it a New Deal agency. Both these agencies, crop loan and Reconstruction Finance Corporation, were created during Republican administrations. However, the present administration has adopted both of them, has enlarged each of them, and has worked them overtime. About the only criticism we heard of the Reconstruction Finance Corporation a few days ago was the charge that they gave preference to large industry. Such a charge cannot be successfully made against the seed-loan agency, because it is confined to the sharecroppers, the renters, the tenants, and the small farmers of the country. It has performed a remarkable function, because it affords aid to these small farmers, these tenants, and sharecroppers who could not obtain credit elsewhere. A great many of them would have been forced onto the relief rolls of the Government during this period of depression had it not been for this agency.

The pending bill provides—and, by the way, it has the unanimous support of the Committee on Agriculture and, as I said at the outset, I do not believe any measure was ever presented to Congress that had less opposition than this—this bill provides for a maximum loan of $400. Year before last, 1935, the average loan to farmers was $88. Last year the average loan was $135. While the maximum prescribed in this bill is $400, yet under certain conditions, by Executive action, this amount may be increased; and I have an idea it will be, due to the terrible calamity that has recently befallen the country—I refer to the unprecedented floods that are raging at this time.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. TAYLOR of Tennessee. I yield.

Mr. COX. I thoroughly agree with the gentleman's statement regarding the good this activity has done to the class of our farmers throughout the country who had absolutely no other source of credit; but does not the gentleman agree with me that it is probably unfortunate that the rate of interest provided in this bill has been cut from 5½ percent to 4 percent?

Mr. TAYLOR of Tennessee. I do not understand that it has been reduced to 4 percent; it is still 5½ percent.

Mr. COX. I may say to the gentleman from Tennessee that it was intended that this agency should make its own way; in other words, that the Government should sustain no loss as a result of this particular activity. Because of the relationship that has been built up between this agency of the Government and borrowers throughout the country, this particular class of borrowers have developed a very keen sense of their contractual responsibility and take pride in living up to the contracts they make with the Government. Five and one-half percent is as cheaply as one could be expected to make small loans. Cutting the interest rate from 5½ percent to 4 percent necessarily insures, or makes certain at least, that the Government will sustain a loss as a result of this particular kind of loan; and this ought not to be, because it would soon bring the activity to an end.

Mr. TAYLOR of Tennessee. The gentleman understands that this bill provides for an interest rate of 5½ percent?

Mr. COX. I understand, however, that the Senate has reduced the rate to 4 or 4½ percent, and that possibly it is the intention of the chairman of the House committee to concur therein by moving to amend the House bill. In other words, possibly accepting the Senate bill as it has been reported back.

Mr. TAYLOR of Tennessee. This is the first information I have had on that subject. However, the chairman of the committee has indicated to me just now that is what he has in mind.

Mr. COX. Will the gentleman permit me to make a further observation. I can think of nothing more unfortunate, speaking from the standpoint of these people who have been dealing with the Government in this particular manner, than to have them brought to the notion they are getting something for nothing. In other words, their interest and their good demands that they have the sense and feeling that they are paying for the money they use, and that there is no obligation on the part of the Government to furnish them with credit without a charge to them and with a certain loss to the Government. We want to maintain this source of credit for those of our farmers who have no source of private credit on fair terms.

Mr. TAYLOR of Tennessee. I think the gentleman's position is quite sound.

[Here the gavel fell.]

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. TAYLOR of Tennessee. Mr. Speaker, as I said, I think the position of the gentleman from Georgia is quite sound, indeed. As a matter of fact, these loans would not be at all attractive to the banks throughout the country and it is only because of the fact that the Government has provided this aid that these people are allowed to get along at all.

Mr. DONDERO. Will the gentleman yield?

Mr. TAYLOR of Tennessee. I yield to the gentleman from Michigan.

Mr. DONDERO. May I ask the chairman whether or not the interest rate reduced to 4 percent will be retroactive to previous loans made or will apply only to the bill before the House?

Mr. JONES. It is intended to apply to the provisions of this bill.

Mr. TAYLOR of Tennessee. Mr. Speaker, I do not know of any other activity of the Government that has been carried on any more economically than this particular facility. I notice from the hearings that during the period from 1921 to 1930 the cost of the administration of this act was only about 5 percent, which is indeed very remarkable.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. TAYLOR of Tennessee. I yield to the gentleman from Texas.

Mr. JOHNSON of Texas. May I ask the gentleman with reference to the percentage of repayment. Does the gentleman have these statistics by States or just in gross?

Mr. TAYLOR of Tennessee. There will be found in the hearings held before the Agricultural Committee in reference

to crop loans for 1934, H. R. 7521, a tabulation of the States and the loans which have been made to the farmers of each State, as well as the amount that has been recovered.

[Here the gavel fell.]

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Speaker, just a word from a member of the Committee on Expenditures of the Government. I may say I am heartily in sympathy with the purposes of this bill. I want the farmers to have the seed loans, but I think the true picture ought to be presented clearly.

I find this morning upon inquiry that it costs 10 percent—not 5 percent, according to the last speaker—to administer this act. I find also that the Solicitor General in trying to collect the money should also be charged with some little expense. The fact that I wish to bring out very clearly, as suggested by the questions of the gentleman from New Jersey [Mr. EATON], is that we should keep the report of our assets and liabilities constantly before us. Last year these overdue loans were carried in the Treasury in the amount of about $140,000,000 as assets. This morning, if you will read the report of the committee, you will find it is $160,000,000, which is some little increase during the last year.

These loans date back to 1921. A greater proportion of them are, of course, absolutely worthless. How can the Farm Credit Administration like to have the people told every year that they are supposed to have assets of $140,000,000 to $160,000,000? Why can we not have the true picture of the assets of our Government?

Mr. Speaker, I began this sort of talk the other day and shall expect to continue it. No more fireside chats to the people of the Nation telling about recoverables that we know do not exist. The R. F. C. recoverables were spoken of the other day. It will be necessary to call attention to the so-called recoverables in the Treasury reports and have them corrected if we are to believe these statements any more.

My recommendation in the few remarks I shall make this morning—and I am sure the Farm Credit people ought to wish it done—is to revalue these securities, these notes of the farmers, and have the Treasury reports show as nearly as possible their true value. If it needs legislation of the Congress to tell the Treasury that they should revalue these notes and give us the true picture, let us have the legislation presented. It may be said that this will be difficult. It is suggested that very recently a loan of $180 made in 1921 was repaid. This is, of course, an isolated case, very much isolated. It is no argument that an effort should not be made to revalue these securities. But let us not say its administrative costs are only 5 percent. It is 10 percent. That is the correct information. Very many cases have been referred to the Solicitor General, and I have been told that many employees and much time has been spent in that office trying to at least by letters from the legal department to impress upon the farmers that they are supposed to repay these loans. It would be interesting to know the expense, actual suits entered upon, and amount of such enforced collections.

Mr. Speaker, I am bringing out these particular points so that we may be a little better informed regarding this appropriation. I want the farmers to have these seed loans. It is far better for them to have this money than to spend money on so many other things of so much less merit.

Mr. TAYLOR of Tennessee. Will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Tennessee.

Mr. TAYLOR of Tennessee. I said from 1921 to 1930 the cost of administration was 5 percent. Of course, that included interest that was collected. Since 1930, under the New Deal, I do not know just what the cost has been, but I have an idea it has been rather extravagant.

Mr. GIFFORD. In this report there is no mention made of cost. This gives you only the number of loans and how much has been repaid. If we include the legal expense, we might as well say that since 1921 it has cost the $40,000,000 extra, and it probably has. I insist on the true picture being given, although I do not oppose the appropriation.

[Here the gavel fell.]

Mr. GREENWOOD. Mr. Speaker, I yield the gentleman from Colorado [Mr. MARTIN] 2 minutes.

Mr. MARTIN of Colorado. Mr. Speaker, I simply want to take a moment to express a thought that came to my mind while the gentleman from Tennessee [Mr. TAYLOR] had the floor. The gentleman pointed out that the seed and crop loan law is not a New Deal measure, that it had been established in 1921 and had been continued ever since. I remarked to my colleague the gentleman from Oregon [Mr. PIERCE], who was sitting beside me, that it was a "devil of a note" that the Federal Government had to establish a permanent policy of furnishing the food producers of this Nation with the seed and feed to put out their crops. We all recall that in 1929, when the crash came, agriculture was already bankrupt. The panic of 1929 did not hurt agriculture because it did not have anything left then to lose. The fact remains that during the period 1922 to 1929, which we all agree to have been the greatest period of prosperity in the history of this or any other nation, the farmers of the country went bankrupt. Pretty much the same picture is to be seen with respect to the workers in industry. It is a well known and indisputable fact that during this period of time, when industrial prosperity reached its all-time peak in this country, permanent unemployment, technological unemployment was on the increase, until it got so that in 1928 and 1929, and before the panic, a man could not get a job in the most prosperous country in the world.

These two phenomena, in my judgment, are simply two different phases of identically the same thing, and they raise identically the same question to be answered by the people of this country. It may be that the seed for the cure of these things is in the program of this administration. It remains for history to answer this question. Until this question is answered certainly, we are confronted with the fact that neither agriculture nor industry—the men who produce the foodstuffs of this country and the men who manufacture all the things in this country—can make a living out of agriculture and industry. [Applause.]

[Here the gavel fell.]

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, I should like to direct a question to the chairman of the Committee on Agriculture.

I assume that the language in section 5, paragraph (a), beginning at the bottom of page 3, is general language which makes it unnecessary for the Farm Credit Administration to have regard for the civil service or the Classification Act.

Mr. JONES. Not the Classification Act. They can disregard the civil service. There has been, from year to year, this annual provision. When it was started it was thought it would not be made permanent. They have an organization now and I may state to the gentleman that they use practically the same people. They are required to comply with the Classification Act; that is, their salaries are limited.

Mr. DIRKSEN. Let me say to the gentleman from Texas that I would not be so alarmed about that language if it applied to any agency where civil service does not exist at the present time, but here you pick out the Farm Credit Administration, which is one of the 13 new agencies of the Government that is under civil service.

Mr. JONES. If the gentleman will permit, the Farm Credit Administration is under civil service. It has four divisions—land banks, cooperative banks, production credit, and intermediate credit. The seed loans for years were handled by the Department of Agriculture, but, inasmuch as this was a credit agency, it was decided to let the Farm Credit Administration administer it because they would use in its administration many of the officials and facilities of that administration. It is simply administered by the Farm Credit Administration and is not an integral part of the Farm Credit Administration.

Mr. DIRKSEN. Is there any particular reason why, with respect to the clerical, administrative, and fiscal grades, this agency or this part of the agency should not be amenable to the civil-service law?

Mr. JONES. The difficulty is that this work has been continued from year to year and there are men in the organization who have been there for years and who are thoroughly equipped and trained and yet do not have a civil-service status. I have never heard any complaint about the administration of this particular agency. It has been one of the most efficient agencies of the Government. One field man, may I state to the gentleman, handles on an average about 1,500 loans. I know of no other agency of the Government that does just that fine a job.

Mr. DIRKSEN. I would say to the gentleman that, in view of the major emphasis that was directed to the Congress in connection with the President's message on reorganization and the interest that has been manifested in civil service and in the recommendation that it be extended outward, upward, and downward, this would be a good place to begin.

Mr. JONES. I think this should be made a permanent activity; and if it should ever be made so, I am thoroughly agreeable to making the provision which the gentleman suggests. However, they now have an agency that is well trained, and I think it would be most unfortunate to insert a provision into a law that is only going to be operative for 1 year requiring the discharge of a number of efficient men in order to apply the civil-service requirements to an agency that is only authorized to operate for a year.

Mr. DIRKSEN. Of course, it has been operated over a period of years.

Mr. JONES. I will state to the gentleman from Illinois that I am a thorough believer in the civil service or the merit method, and I wish to take this opportunity to state that in applying the civil service or merit system to the other agencies of the Government, which I favor, there should be a provision that would require that examinations be held and selections made from the States and regions where people reside and not have them transferred from one section of the country to another. When the merit system is applied I certainly think this should be done. There should be provision for regional and district examinations, with opportunity for qualified men who live in and who understand the habits and character and nature of the problems of the people of each locality to administer the projects and activities of those localities.

Mr. DIRKSEN. Let me ask the gentleman another question with reference to the language at the bottom of page 6, dealing with expenditures for printing and binding which can be made without regard to the provisions of section 3709 of the Revised Statutes. I see no reason why this should be classed as an emergency or as a requirement necessary on account of haste so that it should be taken out from under the provisions of section 3709. The reason I say this is because one of the greatest abuses in the departments that are not amenable to the Appropriations Committee of this House with respect to printing and binding is that they will run up expenditures amounting to almost a million dollars for propaganda and printing and binding and we have nothing to say about it.

The Federal Housing Administration to expend $500,000 in printing and binding. The Resettlement Administration has expended $800,000. This constitutes a grave abuse, and yet we can do nothing about it, except those agencies have to parade before the Appropriations Committee and its specific jurisdictions with respect to printing and binding. Similar language will get into other bills that come along later and there will be other abuses, and it is wholly unjustifiable.

Mr. JONES. I think the Farm Credit Administration is one of the least advertised and most efficient of all the agencies of the Government. They have had a very small expenditure for administration, and they have made loans of millions.

Mr. DIRKSEN. They have spent $130,000 for printing and binding.

Mr. JONES. Most of that was for the regular organization, which is handled in the usual way. May I say to the gentleman that there is very great need for them to secure early action in this matter. In the southern section there is great need for these loans. The pending bill for the Farm Loan Administration is very small. All these requirements will delay the actual making of this amount available.

This provision will enable them to facilitate the small loans that average only about $100 to the individual farmer.

Mr. DIRKSEN. If we do not stop them now we cannot stop them later, and abuses will creep in.

[Here the gavel fell.]

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield 5 minutes to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Speaker, I have received several letters and resolutions urging the passage of this seed-loan bill. I am glad that the House is considering it. We need immediate action. Not only does the farmer need to know what he can count on but there must be time to ship the seed in.

I have received House Concurrent Resolution No. 3 just passed in the twenty-fifth session of the South Dakota Legislature on this subject, which I wish to place in the RECORD. I wish to read and emphasize one paragraph of that resolution:

> Therefore, be it
>
> *Resolved by the house of representatives of the twenty-fifth session (the senate concurring)*, That we respectfully urge the Congress of the United States to enact such legislation as may be necessary so that the seed grain so furnished shall be paid for by a return bushel for bushel for the seed so furnished, and that your action be speeded so that seed may be had for early seeding.

In the interests of speedy action, I shall not press the bushel-for-bushel plan of repayment at this time, but call it to your attention and earnest consideration. It should be considered in connection with any long-time plan that includes a normal granary. But right now we need immediate action to insure getting seed for planting time. Early seeding is the difference, many times, between a fair crop and possibly no crop.

I offer the full resolution for the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CASE of South Dakota. This is the resolution in full:

> STATE OF SOUTH DAKOTA.
>
> House Concurrent Resolution 3
>
> Concurrent resolution memorializing Congress for the passage of legislation relating to the furnishing of seed grain to farmers in the drought-stricken areas
>
> *Be it resolved by the house of representatives (the senate concurring)*, That—
>
> Whereas the agricultural territory in South Dakota has suffered severe drought for the last many years, and it will be necessary for the farmers of this State to secure aid in the purchase of seed grain for seeding purposes in the year 1937; and
>
> Whereas, the financial condition of the said agricultural district is such that the farmers are unable to pay cash for this seed grain, and there will be need for some settlement otherwise than by cash payment: Therefore be it
>
> *Resolved by the house of representatives of the twenty-fifth session (the senate concurring)*, That we respectfully urge the Congress of the United States to enact such legislation as may be necessary so that the seed grain so furnished shall be paid for by a return bushel for bushel for the seed so furnished, and that your action be speeded so that seed may be had for early seeding; be it further
>
> *Resolved*, That the chief clerk of the house be instructed to send a copy of this resolution to the South Dakota delegation in Congress.

Mr. GREENWOOD. Mr. Speaker, I yield 2 minutes to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR of Montana. Mr. Speaker, I represent a territory in eastern Montana which is in almost a destitute condition. We are suffering the seventh consecutive drought year in my territory. The farmers there have absolutely nothing with which to buy feed for their livestock, what little is left. They have absolutely nothing with which to buy any seed grain. I can take you into counties in eastern Montana in which they have not even raised a vegetable. There is scarcely any animal life left in the territory. Personally, I would like to see the amount provided in this bill increased to $600, as I know the people of my State are in need of it, and I hope the Members of this House will pass this

measure immediately and give the farmers a chance to produce another crop. After all is said and done, if the farmer did not produce, there would be no work for the railroad man who transports the products of the farm to market, as well as livestock. Neither would there be any sale for the manufactured article. As my friend the distinguished gentleman from Colorado [Mr. MARTIN] said a few moments ago, the depression beginning in 1929 did not break the farmer—he was already broke.

The SPEAKER. The time of the gentleman from Montana has expired.

Mr. GREENWOOD. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the passage of the resolution.

The resolution was agreed to.

LEAVE OF ABSENCE

Mr. WOODRUFF. Mr. Speaker, I ask unanimous consent that indefinite leave of absence be extended to the gentleman from Michigan [Mr. WOLCOTT] on account of illness.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent that on Friday next, McKinley's birthday, I be permitted to address the House for 30 minutes, after the reading of the Journal and the disposition of business on the Speaker's table.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. ELLENBOGEN. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein a speech on social security which I delivered in Philadelphia last Thursday.

The SPEAKER. Is there objection?

There was no objection.

LOANS TO FARMERS FOR CROP PRODUCTION, 1937

Mr. JONES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their own remarks on the bill H. R. 1545, under discussion.

The SPEAKER. Is there objection?

There was no objection.

Mr. JONES. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 1545) to provide for loans to farmers for crop production and harvesting during the year 1937 and from year to year thereafter, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 1545, with Mr. Cox in the chair.

The Clerk read the title of the bill.

Without objection, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the resolution 1 hour's time is set apart for general debate, to be divided equally between the chairman of the committee [Mr. JONES] and the ranking minority member of that committee. The Chair recognizes the gentleman from Texas for 30 minutes.

Mr. JONES. Mr. Chairman, I shall take very little time to explain this measure briefly. I believe that this particular activity of the Government does about as much good as any of its other many activities. That fact is almost universally recognized. I happen to have my name on the bill, but I think there is as much interest by different Members of the House in this measure as in any measure that I have ever handled, and I am simply the instrument of the Members of the House on both sides. All of the members of the committee have been helpful in working out the provisions of the bill. Practically every Member of the House feels the same way about the measure, and many outside of the committee have introduced measures along similar lines, as, for instance, the gentleman from North Carolina [Mr. WARREN], who has a similar bill and who has always taken a great interest and has been very helpful. The gentleman from South Carolina [Mr. FULMER], the ranking member of the committee, and others have also materially assisted. A great many have spoken to me about the need for early provision of this character.

The bill provides the type of credit that for many years has been very greatly needed. For a long period of time this type of small loans for the individual farmer was furnished at a very high rate of interest. The facilities of banks were suited to commercial needs. Instead of making a loan for a year they would make it for 60 or 90 days, charge 10 percent and a bonus for making out the papers, compound the interest every 60 or 90 days and figure interest as only a good banker can. This made it a burden upon the particular type of farmers who are served by this character of loans. I think a remarkable showing has been made in the way of collection in the history of these transactions. Over a period of years about 70 percent have been collected. Loans in the first few years were limited to those areas that were visited by drought or by flood, or by some pestilence. Consequently the collection of loans in those areas was smaller. Then, too, practically every year the loans have operated there have been certain areas where such conditions prevail, and this situation has brought down the amount of collection. The program has been very efficiently administered. One field man handles from 1,200 to 1,600 and sometimes 1,700 loans. They work overtime in many instances. Collections are looked after just the same, and I think that is proper.

Here is an interesting sidelight: We have been told repeatedly by these field men that where loans have been made in the drought areas the farmers will come in voluntarily, after a good crop year, and pay back the loan, because they want to pay their obligations. I do not think there is any type of loan that is more needed or more appreciated.

We have hastened the matter in every possible way because of the need of this provision in certain areas for early crop planting.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. MAY. I have been sitting here trying to think something about the possible inconsistencies of our administration in trying to help the farmers with this bill and probably trying to curtail production in other directions, but when we consider that with the entire expenditure of a little over $300,000,000 all told there have been more than 3,000,000 loans made, according to this report, it establishes the fact that these are small loans which go mostly to tenants. Seventy-five percent of them do not own any land at all. Therefore they are more beneficial than any other kind of loan that could possibly be made, and more deserving. Has the gentleman any information as to the amount of loans, on the average, taking all loans, which are something more than 3,000,000?

Mr. JONES. The average amount loaned last year was $88. The average for the year before was about $135. That is crop and feed loans together. The drought loans averaged a little more. I do not have the exact figures on that, but they were not a great deal more. The officials have cooperated with the other departments and they have in practically all instances required that the applicant go along with whatever program is fashioned for the farm group. I will say to the gentleman that no matter how much desire a man may have to go along with any orderly or reasonable program, if he does not have the funds with which to finance himself he cannot go along.

Mr. MAY. As I understand it, these are loans made through the county agricultural agents of the different States?

Mr. JONES. Yes; and through field representatives and local committees.

Mr. DOWELL. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. DOWELL. The gentleman has said that a great deal of trouble has occurred in the past because these farmers have been unable to secure loans at a reasonable interest rate. I am heartily in accord with this legislation. I think the sooner it is passed the sooner these farmers may have an opportunity to secure their seed. It is necessary for them to secure their seed in order to raise their crops, but is not the interest rate, shown on page 3 of this bill, higher than it should be on the loans?

Mr. JONES. I may say to the gentleman that the committee has agreed to offer an amendment making the rate 4 percent instead of 5½ percent. I will say to the gentleman, however, that the interest rate is not of as much importance in this particular instance as it is in many instances because of the small amount of the loan and the limited time which it runs. For instance, sometimes it only runs a few months. At any rate the committee of the House and of the Senate also decided to offer the 4-percent provision.

Mr. DOWELL. But, Mr. Chairman, I want to suggest to the gentleman that a dollar to the small borrower, who is under the necessity of securing money to buy his seed, is just as important as many dollars would be to a heavy borrower.

Mr. JONES. I agree with the gentleman entirely.

Mr. DOWELL. The Government, as I understand it, is borrowing money at much less rate than 4 percent. The Government is getting all the money it wants at a much lower rate, if I am not mistaken. Why should the Government want more interest than it must pay?

Mr. JONES. I will state to the gentleman that the Government does not make any profit on this. The gentleman realizes that the cost of administering small loans is heavy. For that reason the local banks charged these high interest rates which I mentioned awhile ago. The Government does not get back the cost of administering the loans with this small interest payment, even if there were no losses of principal.

Mr. DOWELL. That may be. It is in the cost of administering, however.

Mr. JONES. I just wanted to correct the impression that the Government is making any profit on this.

Mr. DOWELL. But the Government is securing greater interest than it pays, and while the cost of Government administration is one item, the interest rate is higher than the Government pays.

Mr. JONES. But the Government is paying a part of the cost of administering, and also any losses. They are making loans that the applicant cannot secure elsewhere. I do not think it is a matter that involves any great discussion. I think the arrangement to cut the interest rate to 4 percent should be satisfactory to the gentleman.

Mr. DOWELL. I understand, of course, there will be some loans that will not be repaid and there will be some loss in administering, but here is a case of necessity, and the Government is undertaking to provide the means by which a farmer may raise his crop and feed his family.

Mr. JONES. I will state to the gentleman that we have never had any particular complaints from the farmers themselves.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. TARVER. As far as the question of profit, which the gentleman has been discussing, is concerned, may I ask the chairman if it is not true that some of the States have repaid as little of the principal as 2.9 percent, and if, under the percentages of repayment had from all States, there is any possibility of the Government even regaining the money loaned, much less making a profit?

Mr. JONES. That is correct. However, I do not think any of them have run as low as 2.9. There are some in the drought areas that have reached as low as 15 or 20 percent. In the gentleman's own State it runs nearly 90 percent. In the particular showing the gentleman has been looking at there is one that runs as low as 2.9 percent; but a lot of these loans are wheat loans not yet due, and they will not be due until the harvesting season.

Mr. TARVER. May I request the chairman of the Committee on Agriculture, in connection with his remarks, to place in the RECORD at this point the statistics showing the number of loans, the amount of the loans, and the collections thereof by States? The chairman has them in his possession.

Mr. JONES. I shall be pleased to do so.

Mr. Chairman, I ask unanimous consent, in connection with my remarks, to place these statistics in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TARVER. Mr. Chairman, will the gentleman allow me to pursue my questioning for one additional moment?

Mr. JONES. Yes; but I promised to yield to others.

Mr. TARVER. Directing the gentleman's attention to section 4 (a), relating to recording fees and limiting the amount of recording fees to 75 cents——

Mr. JONES. Will not the gentleman kindly withhold his questions about that until we reach that section? I shall be pleased to answer him under the 5-minute rule. I promised to yield to the gentleman from Minnesota [Mr. ANDRESEN].

Mr. ANDRESEN of Minnesota. So that there may be no misunderstanding, will the gentleman kindly explain subparagraph (c) of section 2 on page 2 with reference to prior liens and the availability of liens under this act, should there be prior liens during past years?

Mr. JONES. This particular provision has reference to areas in which there may be two loans in the same year. This limitation applies only to the year in which the loan is made; in other words, the present calendar year.

Mr. ANDRESEN of Minnesota. Then, should there be a lien of $400 from 1934, 1935, or 1936, funds would be still available to such a man up to $400?

Mr. JONES. Insofar as the law is concerned, there would be; and I expect those things may be taken into consideration in determining the amount of the loan. There is no limitation, however, so far as the law is concerned, and the loan could be made regardless of loans in prior years.

Mr. ANDRESEN of Minnesota. It is also stated in the proviso of the same paragraph that where there is an emergency situation, such as drought or crop pestilence, that these limitations may be waived and any amount may be loaned.

Mr. JONES. Yes.

Mr. HANCOCK of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. HANCOCK of North Carolina. The distinguished chairman of the Committee on Agriculture has very properly referred to the efficient and splendid way in which this agency has been conducted and I heartily concur in his words of commendation. Is it not also a fact that the average employee of the seed-loan office receives about the lowest salary of any employee of any Government agency?

Mr. JONES. I think when one considers the character and responsibility of his work he is probably the lowest paid of any.

Mr. HANCOCK of North Carolina. Does not my friend the distinguished chairman feel that there should be some encouragement to these men in recognizing their efficient services by way of some reasonable increase in salary to meet the increase in the cost of living? I understand that the average salary of a supervisor or field agent is less than $150 a month; and many of the incumbents have been serving 4 or 5 years with no promotion and increase in salary.

Mr. JONES. I should not want to speak for the Farm Credit Administration.

Mr. HANCOCK of North Carolina. Surely no Member of the House is better qualified to speak for them than the distinguished gentleman from Texas.

Mr. JONES. Inasmuch as this is simply a temporary provision for the year, I would rather not go into that subject at this time. When a permanent credit provision is made under the new set-up, if we have one, I think provision should be made to pay these men on the same basis as other Government employees.

Mr. MARTIN of Colorado. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. MARTIN of Colorado. Section 2 (b) provides that the borrower shall give a first lien or an agreement to give a first lien. Everybody knows what a first lien is and how it operates, but what about this agreement to give a first lien? Will the gentleman from Texas tell us how that will work?

Mr. JONES. That language was incorporated for the reason that in certain States the State constitution forbids or the law forbids the giving of a crop mortgage before the crop is in the ground or before it is grown. In order to extend this aid in those States, the agency simply takes an agreement from the beneficiary to give a lien, and the agency takes the lien after the conditions have been met which enables the beneficiary to give a legal lien.

Mr. MARTIN of Colorado. Would it not be practicable to shift this work of certifying emergency areas from the President to somebody else? It seems like too small a matter to worry the President about.

Mr. JONES. I assume that in matters of this kind the President usually takes the recommendations of the administrative authority.

Mr. MAHON of Texas. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. MAHON of Texas. I note that the bill provides for a maximum loan of $400 to any one borrower. Is there anything in the bill that would prohibit several tenants of one landlord from borrowing?

Mr. JONES. No; there is not. It has been the custom in the past to place a limit because a good many large insurance companies and mortgage companies have got hold of some of the land and they like to use this method of finance. In order to keep from financing them it has been thought wise in the administration of the act to make such a limitation. I have always been a little doubtful as to the wisdom of that limitation, but it was considered desirable because we have nearly always had a limited fund and it was thought the money ought to be spread out.

Mr. MAHON of Texas. This further question, if the gentleman will permit—the gentleman may have discussed it, but I did not hear it—in this case will the landlord be required to waive his lien as in previous years?

Mr. JONES. That is a matter we have discussed from year to year.

If the landlord were not required to give a waiver, especially in certain areas where the average unit is small, the Farm Credit officials claim it would be difficult to collect from the tenant. The landlord gets the benefit of the production just the same.

Mr. PETERSON of Florida. Will the gentleman yield?

Mr. JONES. I yield to the gentleman from Florida.

Mr. PETERSON of Florida. In connection with the fall crop loans of several years ago, the title, referring to a particular year, could be construed as a limitation. In view of the amendment proposed to the title, providing for crop production loans and harvesting during the year 1937, I understand that it is not intended to limit it so that the Government cannot make fall crop loans.

Mr. JONES. No; this is intended to cover fall crop loans as well.

Mr. PETERSON of Florida. It is intended that crops planted in the fall, even though the harvest may go into another calendar year, are covered by this act and loans may be made?

Mr. JONES. The gentleman is correct.

Mr. PETERSON of Florida. And this title does not limit the agency in that respect?

Mr. JONES. No.

Mr. WARREN. Will the gentleman yield?

Mr. JONES. I yield to the gentleman from North Carolina.

Mr. WARREN. May I ask the gentleman if this is the same as a bill that was vetoed last year?

Mr. JONES. It has been broadened from a seed loan to a crop-production loan bill, and has been further safeguarded.

Mr. WARREN. Does not the gentleman think he has met in this bill the objections that were made in criticism last year?

Mr. JONES. I hope so. I may say to the gentleman I feel confident if the bill is passed in its present form it will probably be allowed to stand. Of course, I do not know.

Mr. Chairman, I reserve the balance of my time.

Mr. KINZER. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. ANDRESEN].

Mr. ANDRESEN of Minnesota. Mr. Chairman, this bill is emergency legislation for two reasons. In the first place, it is necessary to secure the funds authorized in the bill so as to include the amount in the first deficiency appropriation bill if the farmers of the country are to have the benefit of the legislation and procure their seed loans and seed in sufficient time for spring planting.

In the second place, it is emergency legislation, particularly in the drought areas up in the Northwest, where there was a complete crop failure last year. Thousands of families on the farms are on relief, and unless they get a loan through this means they will not be able to secure seed to plant crops and take their families off relief. At the present time the thousands of families who are on the relief rolls receive from $30 to $70 a month from the Federal relief agencies for themselves and their livestock.

Those of us who are interested in this legislation feel it is a most worthwhile measure to provide funds so that these people may rehabilitate themselves, produce their own crops, and again become self-sustaining.

Mr. MASSINGALE. Will the gentleman yield?

Mr. ANDRESEN of Minnesota. I yield to the gentleman from Oklahoma.

Mr. MASSINGALE. The gentleman mentioned the fact the main importance of this act is to make funds available to tenant farmers and the like so that they may begin to plant their seed. I think he is right. I want to call attention to this, however: I believe there is nothing in the pending bill which facilitates the making of these loans. It just simply gives authority to the various offices to make the loans. Now, we are confronted with this kind of a condition in Oklahoma.

Mr. ANDRESEN of Minnesota. Will the gentleman ask his question, because I only have 5 minutes?

Mr. MASSINGALE. Would the gentleman support an amendment, or will the committee offer an amendment, providing that these agencies shall immediately make the loans—for instance, for such purposes as planting oats, which must be planted in our part of the world immediately?

Mr. ANDRESEN of Minnesota. I surely would, if it were necessary, but the loans to be made under this bill cover all kinds of seed and general crop production as well, so that the seed may be put in the ground, whether it be wheat, oats, barley, or other crops that are planted in the spring.

Up in the Northwest section, where there was virtually a complete crop failure last year in the spring-wheat areas, it is necessary to secure from three and a half million to four million bushels of seed wheat. Good spring wheat is not available in this country. The only place our farmers can secure this seed will be up in Canada. They will have to go over on the Canadian side in order to secure the necessary seed with which to plant crops in our section this year. This is also true in the States of Montana, North and South Dakota, as well as Minnesota. The funds should therefore be made available just as quickly as possible and not, as in the past, compel us to wait until the latter part of March or April before the money was sent to the farmers.

We have the assurance if the funds are provided this month, within a few days after the appropriation is made the agency will begin to function and lend the farmers the money so that they may buy their seed.

Mr. MASSINGALE. I think the gentleman and I are in accord. There are certain regions of the country where oats will have to be planted right away or not planted at all.

[Here the gavel fell.]

Mr. KINZER. I yield the gentleman 2 additional minutes.

Mr. MASSINGALE. If oats are not planted now, they cannot be planted at all. That is the condition for which I am trying to make provision in this bill. That is why I made the suggestion that this should operate right now.

Mr. ANDRESEN of Minnesota. I may say to the gentleman that they have promised that they will operate immediately, and as soon as the appropriation is available. That is why we are interested in getting this authorization in the first deficiency bill, which will be considered this week and undoubtedly be passed by both Houses, becoming law within the next 2 weeks. I do not suppose down in the gentleman's country they start planting before the middle of February, and if they do not begin before then, I feel satisfied the department in charge of the administration of this act will see that they get the money.

Mr. MASSINGALE. Will the gentleman support an amendment to that effect?

Mr. ANDRESEN of Minnesota. Yes; I will support an amendment.

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. ANDRESEN of Minnesota. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I agree with the gentleman in his remarks concerning the urgency for this legislation. However, he stated that the farmers in the Northwest were receiving from $30 to $70 per family. In my State they do not receive that much. They receive from $12 to $28 per family.

Mr. ANDRESEN of Minnesota. What State?

Mr. CASE of South Dakota. South Dakota. These are subsistence grants, and there is no margin allowed for the purchase of seed.

Mr. ANDRESEN of Minnesota. The gentleman is correct, but it is my understanding that prior to November 3 they received considerably more in South Dakota.

Mr. CASE of South Dakota. Yes, before November 3, some did.

Mr. ANDRESEN of Minnesota. Mr. Chairman, I yield back the balance of my time.

Mr. KINZER. Mr. Chairman, I yield 5 minutes to the gentleman from North Dakota [Mr. BURDICK].

Mr. BURDICK. Mr. Chairman, it is very seldom I raise any objection to legislation that is progressive. I am pleased to see the majority of this House further progressive legislation. I think the intent of this bill is to further a progressive act of Congress, but I want to point out some of the dangers in the bill that we will face soon after it is passed and put into operation.

One mistake we have made is found on page 2, line 1, beginning "upon such terms and conditions, and subject to such regulations, as the Governor may prescribe." We have had experience with this Governor before, and when we delegate to him the power to make regulations and prescribe such conditions as he may see fit, our experience in the past has been that the farmers cannot comply with such regulations.

I think the Congress should be definite and give the Governor of the Farm Credit Administration instructions as to what he shall do. We could well take time enough to outline a set of rules and regulations that would permit these farmers to actually get the grain and plant it in time.

Then there is the provision on the same page, in lines 18 and 19, with respect to the purchase or production of feed for livestock providing for a first lien upon the livestock to be fed.

This is the reason we are losing thousands of head of cattle in North Dakota at this very moment. Yesterday it was 38 below zero out there. They have not had any grass for 7 years and cannot comply with these regulations, and we know the result will be the loss of thousands and thousands of head of cattle. They cannot get this relief, because those who hold the first or second mortgage will not release, and it does not make any difference whether it is a Government agency or not. The Agricultural Production Credit Corporation will not release, and some of the other organizations, financed by the Government, will not release. The result is the farmer goes home unable to secure these releases and his stock dies.

I have not any fault to find with the interest rates, although the Government itself is borrowing money all the way from 2 percent to 2⅞ percent, and it seems to me if we charged the farmer 3 percent we would be charging enough. However, the point I wish to make to the membership of this House is that we are going to pass this legislation tied up with rules and regulations which will be promulgated by the Governor of the Farm Credit Administration, and it will be impossible for these farmers to actually get the seed.

It seems to me it is not just to have all the stir we hear every year in this Congress about always giving aid to the farmers. Last year under the seed regulations we only furnished the farmers with $16,621,000. It costs $51,000,000 to build one battleship, and with all the seed money we gave the farmers of America last year we could not build the tail end of a battleship; and the security of this country does not lie in battleships. The security of this country lies in the food granaries of this country—the food supply of the country. If we do not give them seed, if we do not strip this legislation of the rules and regulations which will prevent them from getting aid, you can just add some more millions to those who will have to have Government aid upon which to live.

While I wish to compliment the committee for bringing out a bill providing for $50,000,000, I think it will take at least that amount, and probably more, and I want you to understand it comes with a little bit of delicacy on our part to say much about this bill, because for 7 years we have had to come back to this Congress and ask for aid, although this period is the first time we have had to do such a thing in half a century. Aid us when we need aid, and make the rules fair and just. Let us cut out red tape and get down to business.

[Here the gavel fell.]

Mr. JONES. Mr. Chairman, I yield 5 minutes to the gentleman from South Carolina [Mr. FULMER].

Mr. FULMER. Mr. Chairman, I am sure those of you who represent agricultural districts appreciate the promptness of the Committee on Agriculture in reporting this very meritorious bill and in securing prompt action thereon.

There has been something said about the losses in connection with the administration of a loan of this type. In some instances this has been brought about because of the delay in making the loans. I know in my own State of South Carolina, unless they can get this money in time to buy fertilizer and get started, it is impossible to make a fair cotton crop.

The making of this type of loan has been going on ever since 1921, but it may be of interest to some of the newer Members to know that the first time a seed loan was passed in the interest of the South was in 1929. In speaking for my bill at that time I stated that in making this type of loan to cotton farmers of the South it would prove to be the best type of loan made by the Government to any class of people, as far as repayments were concerned. I am pleased to state to you that the record since that time, including 1936, has proven that my statement was correct. In other words, the farmers of the South have paid anywhere from 85 percent to 100 percent.

For instance, the record for 1936 will show that the four States, North Carolina, South Carolina, Georgia, and Florida, doing business through the Columbia, S. C., seed-loan office, have paid up to December 31, 1936, 90 percent of the total amount borrowed in the spring of 1936, and there will be some additional payments on the balance due.

In other words, some of these States will pay 100 percent of the amount borrowed.

I realize that in a great many States, including the State that the gentleman who just preceded me represents,

perhaps they have not paid as a whole over 30 percent, but this is largely true, as I understand, because of droughts, floods, and so forth.

We have in the South three types of borrowers. A class of farmers well able to make their own crops without borrowing or who can go to the banks and get all the money they need. Then we have a second class of borrowers, who are unable to borrow from the banks, but who have a sufficient amount of security to qualify for loans from the Production Credit Corporation. Then there is that large class of people living in poverty, through no fault of theirs, but because they are living under a program we have permitted to go on during all of these years, whereby they have not had any say-so whatsoever as to what they may get out of their crops in the way of prices, and therefore are forced to get a seed loan or to go to the relief agency or Rehabilitation Administration.

I may say here that unless you provide for this type of loan they will go to the Rehabilitation Administration or relief agency, where it will prove very unsatisfactory to that class of people, as well as proving to be very costly to the Government.

Now, the only opposition to this legislation is a class of farmers well able to take care of themselves. Naturally, because of their selfish interest, in that they will be permitted to increase their production of cotton if loans are not made to this class of farmers who, because of not receiving loans, would be unable to produce more cotton, which is certainly purely a selfish interest and does not deal with the real merits of the loan.

We have people on this side of the House perfectly willing to make loans to relieve corporations and railroads to the extent of millions of dollars, but unwilling to take care of the little farmers who are not able of taking care of themselves.

I say to you that unless Congress works out a program whereby this great class of people will be able to make a sufficient income with which to pay their taxes and their obligations, as well as to be able to market their products so that they will have a profit, then it will be useless to try, and stop making this type of loan for many years to come.

Mr. MITCHELL of Tennessee. Will the gentleman yield?

Mr. FULMER. I yield.

Mr. MITCHELL of Tennessee. From my association with the gentleman on the Agricultural Committee, I know of his interest in farmers and agriculture. He made the statement about in the future there being some prospect to do away with these seed loans. What measure does my colleague have in mind that is more effective in a small way?

Mr. FULMER. When we passed the Triple A and the control bill it was done for the purpose of helping farmers solve their farm problems. This legislation went a long way in doing this. The only thing that was wrong was that the Bankhead bill was administered very unfairly as far as Tennessee cotton farmers were concerned. However, the United States Supreme Court canceled the Triple A, claiming that this legislation was unconstitutional, and the Bankhead bill was repealed.

Until you bring about the passage of legislation whereby we can have a reasonable control over production in line with supply and demand, with a reasonable surplus always on hand to be fed into the market during short-crop years and at times when speculators would attempt to fix prices, as stated, you will have to continue to make this type of loan, as well as carry on under the Rehabilitation Administration, and, in a great many instances, spend lots of money under the relief program. [Applause.]

Mr. KINZER. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GILCHRIST].

Mr. GILCHRIST. Mr. Chairman, much has been said here to the effect that we are always helping the farmer. On the authority of an ex-Member of Congress, I want to present these facts.

For every 34 cents income made by the 32,000,000 people on the farms this past year, everybody else—including those on relief, on the average—had an income of $1. How long would your business last if every other person in the country got a full dollar every time you got 34 cents?

From 1921 to 1936 the farmer's whole property dropped twenty-nine billions while all other property increased forty-seven billions in value. Where would you be if this happened to the business you are in?

At the present time in many parts of this country farmers are in great distress.

In some parts of my district the thermometer is down to 20° below zero. In 1934 we had a drought in certain parts of Iowa which was unprecedented. In 1935 the grasshoppers destroyed the crops in the same section of the country, and in 1936 in these same places the drought was worse than ever before. I have a bushel basket of telegrams from the folks out there, from chambers of commerce, boards of supervisors, farm agents, and others, who say that there is positive distress and that the relief so far extended has been slow and inadequate. I read the morning papers and see that the flood areas are to be helped and I am glad of it. I shall vote for aid wherever distress exists. I am glad to know that the Army and the President are to give relief to those flood areas; but in these farm areas of which I speak we must also have adequate help and have it at once. W. P. A. has quit functioning out there and Resettlement has been slow and inadequate. If your cattle have no feed, and if the snow is 15 inches deep and the thermometer stands at 20° below zero, they might as well be drowned in a flood. What are you going to do with your cattle if you have no feed to give them? We must pass some kind of adequate relief and get this money for these distressed people at once. Interest charges should not be above 4 percent. Low interest is all that the farmer can pay. I have in my hand a study as to the amount of interest that the Government is paying. There are 57 different varieties of interest and all but one of them under 4 percent, most of them at 2 and at 1 percent, and some under 1 percent. So that when the committee proposes in this bill to charge 4 percent, it is then making a rate which is perhaps more than it ought to be. My friend from North Dakota speaks about regulations. At one time there were regulations which provided that certain governmental authorities would take chattel mortgages, and at that time I called attention to the fact that those chattel mortgages required the poor devil—and I use that word as an expression of endearment—to mortgage everything he had, even the Bible on his center table. The mortgages were so written. I have been furnished with copies of mortgages which are used in the present case, and I find no criticism of them. The crop loan is to be a simple loan on the crop to be raised. That seems to me to be fair and equitable. I think some features of the bill are not going to work, but it is much better than nothing. So I am going to vote for it.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. KINZER. Mr. Chairman, I yield 5 minutes additional to the gentleman from Iowa.

Mr. ANDRESEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. GILCHRIST. Yes.

Mr. ANDRESEN of Minnesota. The gentleman is aware, no doubt, of the fact that unless this bill is put through and a liberal construction placed upon the loaning of this money the applicants will have no other source from which to make loans. If they did have it, they would go to their financial institutions and get the loans, without the Government red tape generally insisted upon.

Mr. GILCHRIST. That statement is quite true. Speaking about what has happened in some of these areas that are suffering, I report that a meeting was recently held in one of the counties in my district. It was in the nature of a sit-down strike. The people gathered in the courthouse and demanded that there should be some further relief. The sheriff of that county, I think inadvisedly, dispersed that crowd with tear gas. On the next day they met again, and a little low-voiced sweet woman got up and

proposed to the same crowd a method of administering the law, and by a soft word, which always turneth away wrath, she was able to make a compromise with the relief committee of that county and to provide a means of administering the law so that it would be satisfactory to those in deep distress—and that occurred only last week. But they have no money and they cannot get the money. They need food for the people, the children, and the families. Just now they need fuel for their families. These things are to come before us tomorrow. Now we are talking about feed for the horses, the milk cows, and perhaps a few chickens. Feed they do not now have, and they must get it in order to preserve life on these farms.

Mr. BOILEAU. Mr. Chairman, will the gentleman yield?

Mr. GILCHRIST. Yes.

Mr. BOILEAU. The experience of the past has been that very, very few loans have been made for feed for livestock. Does the gentleman believe there is any likelihood of the policy being different in the future? Does the gentleman hope that there will be any loans under this bill for livestock? Personally I do not.

Mr. GILCHRIST. Personally I do hope there will be. Last week the Resettlement Administration extended its regulation in that respect in my country.

Mr. BOILEAU. They must all give a first lien under the provisions of this bill on their livestock, and I submit in my area there is not a single farmer who would want this help who has not already got a first mortgage on his cattle, and to get the mortgagee to waive his first lien is impossible.

Mr. GILCHRIST. The gentleman knows that we discussed that in the committee and came to the conclusion that perhaps the gentleman was right about that, but that the seed now reserved can be replaced under this bill and be used for feed.

Mr. BOILEAU. Yes; but a representative of the Department also admitted that very few loans have been or are likely to be made for feed for livestock.

Mr. GILCHRIST. The proposition this afternoon is simply that distress must be met. Iowa has not been a drought State, but during the last 3 years certain parts of Iowa have suffered because of what I spoke of a while ago—the drought and the grasshopper. There are perhaps only two counties in my own district that are in this condition.

In an adjoining district many of the counties are in that situation. It is only a humanitarian thing we are doing here today. We must go forward with it, and although I know the better treatment under the bill will go to the States farther west, we are not jealous of them. We want them to be relieved from the distress and suffering they are now under. Give feed, give seed, give fuel, and give food to worthy farmers.

Mr. MURDOCK of Arizona. Mr. Chairman, will the gentleman yield?

Mr. GILCHRIST. I yield.

Mr. MURDOCK of Arizona. The observation of the gentleman concerning the interest rate is interesting to me. Does not the gentleman look upon these loans to the small farmers at a low interest rate as a species of crop insurance? There has been some discussion as to whether 5½ percent or 4 percent is preferable.

Mr. GILCHRIST. The farmer, of course, must have seed before he can have a crop, and in that sense it insures crops.

The CHAIRMAN. The time of the gentleman from Iowa has again expired.

Mr. KINZER. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina [Mr. KERR].

Mr. KERR. Mr. Chairman, I hope this House will unanimously pass this resolution. Representing as I do one of the great agricultural sections of the South, I know how the farmers feel about these Government direct crop loans. I unhesitatingly state there is no legislation that has been passed in this Congress in a great number of years that has so directly benefited the farmers as have these seed and crop loans. Our people are enthusiastic for the continuation of this loan. They feel as though they are under obligation to no one when they know the Government will make a small loan to them which will enable them to make their crop; it makes them feel independent. There is nothing that assures a man more than independence. Confirm him in the belief that this Government has confidence in him and that he is a part of it and you contribute worthwhile material to the cornerstone of this Republic. I know of nothing that has contributed more to the independence of the agricultural interests than the assurance that the Government itself is willing to loan them money when years of experience has demonstrated that it is hard to get money from other sources—and even getting credit and accommodation from other sources has been most oppressive for the average small farmer.

These loans not only help the farmer but they help business in every community. They help the fertilizer man. They help the small merchant; when these businessmen know the Government is going to put into the hands of the farmers checks to make their crops and buy their supplies, they do not have to pay large sums of interest at borrowing places in order to accommodate the farmers. These items which the farmer must have can be purchased at cash prices, which subserves both the farmer's as well as the merchant's interest. It has been a wonderful and outstanding piece of legislation, and I am much gratified to feel that this Congress will pass this without any opposition.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. JONES. Mr. Chairman, I yield to the gentleman from Georgia [Mr. BROWN] such time as he may desire.

Mr. BROWN. Mr. Chairman, this bill authorizes an appropriation of $50,000,000 for crop production, harvesting, and feed for livestock for the year 1937, to that class of energetic and helpless farmers who are unable to secure credit from banks or elsewhere. These farmers are not responsible for the plight in which they find themselves. In 1933 corn was selling for approximately 15 cents per bushel, wheat was selling for 30 cents per bushel, and cotton 5 and 6 cents per pound. This class of farmers remained on the farm at these prices and year after year became deeper in debt. With better prices for their commodities during the last 3 years they have paid their past-due taxes and liquidated much of their indebtedness, however only a small percent can furnish security required by bankers for a loan. In many rural sections there are no banks or lending institutions. Thousands of banks closed all over the country, and in one day prior to the banking holiday 68 banks were closed in Georgia. Necessarily, the banks and lending institutions require more adequate security than they did prior to 1933.

It is true that the Production Credit Associations are supplying credit to a large number of farmers and rendering a splendid service, but the object of this bill is to continue to serve that class of farmers in every section of the country who are not in position to avail themselves of the lending facilities of these associations. Farmers as a general rule are in much better financial condition than prior to 1933, but there still exists a need for continuance of the policy of loaning direct to farmers who are unable to receive benefits from the Production Credit Associations or from private lending agencies.

I regard the feed and seed loan to farmers who are unable to obtain credit elsewhere the most helpful service this Government has rendered to a particular class of farmers, and this class of borrowers in my district and State have paid back from 97 to 100 percent annually on these loans. Without this act, thousands of our farmers would have been unemployed and forced to abandon farm life, many of whom have no experience in any other line of work.

Under this act the borrower cannot obtain more than $400 and the loan must be secured by a first lien on the crop. To be eligible, the applicant must establish that he is unable to procure a loan elsewhere adequate to meet his needs. Preference is given to applications of small cash requirements.

Continuance of the feed and seed loan, together with continuance of the activities of the Reconstruction Finance Corporation and the Commodity Credit Corporation which was reported unanimously from our committee and passed almost unanimously by both branches of Congress last week,

is most helpful to all classes of our people. Loans by the Commodity Credit Corporation have been quite beneficial in stabilizing the price of cotton and other commodities. It is true that the Reconstruction Finance Corporation and the Commodity Credit Corporation did not make extensive loans last year, but encouraged banks and private sources to make loans. I think it is a wise and good policy to keep these agencies with machinery intact as "stand-by" agencies to meet emergencies which may arise in the future.

I hope we can get this bill through immediately and have loans made available to farmers before planting season.

Mr. KINZER. Mr. Chairman, I yield 3 minutes to the gentleman from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. Chairman, I asked for this time in order to propound a question or two to the chairman of the Committee on Agriculture.

I would like to ask if it is to be the policy this year to make all seed and feed loans through the Farm Credit Administration?

Mr. JONES. It is the intention of this legislation to place that again in the Farm Credit Administration.

Mr. CARLSON. The gentleman well knows that last year we had considerable difficulty in securing seed loans because there was a question as to whether the loan should be made by the Farm Credit Administration or the Resettlement Administration. This delay caused much anxiety and also loss, as the farmers were unable to secure seeds when needed.

Mr. JONES. The gentleman will recall that those provisions were made by Executive order, and the legislation did not become effective last year.

Mr. CARLSON. The Resettlement Administration last year did make seed and feed loans. Will they be in position to make them this year to farmers who are in need of them?

Mr. JONES. Of a certain type, I understand; but they do not cover this particular field.

Mr. CARLSON. I want to compliment the chairman and the members of the Committee on Agriculture for bringing in this bill at this time and trust that it will be hastily passed by the Senate and signed by the President in order to furnish seed and feed needed by farmers for spring planting. In the last session of Congress I contended that a $200 loan limit was not sufficient for farmers in my section and am happy to note that this bill carries a $400 maximum.

Mr. JONES. I thank the gentleman.

[Here the gavel fell.]

Mr. KINZER. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman is recognized for 2½ minutes.

Mr. KINZER. Mr. Chairman, I know of no legislation that has come before Congress that seems to meet with such general approval as this measure. It puts the little man without banking credit in a position to borrow from the Farm Credit Administration small amounts of money necessary to purchase seed for his crops and feed for his cattle, or for the general employment of help on his place. I know of nothing that contributes so well, and it is infinitely better than money expended for relief, because it helps the farmer to help himself. While the amounts are small as compared to many large bank loans, yet to the individual to whom credit is extended it means his very business. As such, I think when we help that farmer we are helping to find employment. We are helping to produce and we are helping agriculture itself.

I yield back the balance of my time.

Mr. JONES. Mr. Chairman, I yield the balance of my time to the gentleman from Oregon [Mr. PIERCE].

Mr. PIERCE. Mr. Chairman, the answer to the criticism of the gentleman from Massachusetts, wherein the farmers who had not paid their loans were criticized, and to the question raised by the gentleman from Colorado is to be found in the statement that we have not solved the farm problem. This is just a shot in the arm, but we must take it. We can do nothing at this time except to pass this bill, and I hope it passes without a dissenting vote. Let us remember, however, that this will not solve the problem. The facts of the case are the farmer has not been getting enough for his produce for years. I have for years refused to go along with the group that believed in fixed prices for basic farm commodities, but I see no permanent solution except by fixing prices on basic farm commodities, and this can be done only through control of production. We find our hands tied in this direction, however, by decisions of the Supreme Court. I am, therefore, earnestly in favor of a constitutional amendment giving this Congress the power to legislate in an effective way to keep the farm group of America from drifting into peasantry. If we are to have an agriculture that receives the cost of production plus a fair profit, I can see no solution except along these lines.

This bill has been carefully drawn. I believe the interest rate provided should be even lower. I think interest has been one of our troubles. It must be still lower. Looking through a long series of years, the farmer has not made his ends meet; he has not received enough for his produce to balance the cost of production and leave him any profit. As long as the farmer could raise the price of his land and sell it to his neighbor or somebody else who came along he managed fairly well, but when there was no further rise in the price of land or no buyer for the land, then came the collapse. This bill should be passed. Even though we lose a quarter of the money, it will prove to be money well invested.

Mr. MEAD. Mr. Chairman, will the gentleman yield?

Mr. PIERCE. I yield.

Mr. MEAD. In addition to the solution of the farm problem as presented by the gentleman from Oregon, another problem, a related problem, must be solved, the problem of unemployment, so that the people who work in our cities may be reemployed. But here again we run up against the same obstacle mentioned by the gentleman, the opinion of the court. To solve the farm problem and the unemployment problem we must have further Federal authority.

Mr. PIERCE. The only way to provide that Federal authority is through a constitutional amendment, and this should be the pressing problem of this Congress.

Mr. NICHOLS. Mr. Chairman, will the gentleman from Oregon yield to permit me to ask the chairman of the committee a question?

Mr. PIERCE. I yield.

Mr. NICHOLS. I call the attention of the chairman of the Committee on Agriculture to the latter part of subsection (b) of section 2, relating to money borrowed for the purchase or production of feed for livestock, and the requirement that a mortgage on the livestock must be given.

The CHAIRMAN. The gentleman's time has expired. All time has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the Governor of the Farm Credit Administration, hereinafter in this act referred to as the Governor, is hereby authorized to make loans to farmers in the United States (including Hawaii and Puerto Rico), for fallowing, for planting, for cultivation, for production of crops, for harvesting of crops, for supplies incident and necessary to such production or harvesting, and for feed for livestock, or for any of such purposes. Such loans shall be made and collected through such agencies, upon such terms and conditions, and subject to such regulations, as the Governor may prescribe.

Mr. JOHNSON of Texas. Mr. Chairman, I move to strike out the last word.

I did not consume any time in the general debate on this bill. I rise at this time, however, to express my deep interest in this legislation .

Mr. Chairman, in my judgment, no relief granted by the Government through its various relief agencies has accomplished more real good where benefit was needed than these loans to the small farmers of America. I know from experience that many of those who have received loans of this character have been kept off relief rolls because the loan has enabled the farmer to raise his crop and to make a living for himself and his family.

The question of repayment of these loans was mentioned in debate; while in some sections of the country, due to drought and other conditions, there may have been small repayment of the loans, yet in many other sections of the country the loans have in large measure been repaid. In the congressional district which I represent, while I do not have the figures as to repayment in 1936, as I recall, in 1935 practically 90 percent of the loans in my district have been repaid. I doubt if there is another lending agency of the Government which has experienced a higher percentage of collections than the Farm Credit Administration on these small loans.

This bill authorizes an appropriation of $50,000,000 for the making of these crop loans. Under the terms of the bill, loans may be made to farmers for fallowing, for planting, for cultivation, for production of crops, for harvesting of crops, for supplies incident and necessary to such production or harvesting, and for feed for livestock, or for any of such purposes.

To be eligible for such a loan the bill provides that an applicant must first establish to the satisfaction of the representative of the Farm Credit Administration that the applicant is unable to procure from other sources a loan in an amount reasonably adequate to meet his needs for the purpose for which loans are authorized under the act, and preference is given to the application of farmers whose cash requirements are small, the maximum loan to any one farmer being $400. The interest rate prescribed is 5½ percent per annum.

I congratulate the Committee on Agriculture for presenting this bill for early consideration, as crop conditions in Texas and other Southern States will require that these loans be made available at once.

The chairman of the Committee on Agriculture, my colleague from Texas [Mr. JONES], is to be commended for the valuable work which he has done, not only in this instance but in previous years, in securing the enactment of legislation of this character.

The small farmers of America were the first to feel the effects of the depression, and I fear they will be the last to be relieved therefrom. For many of them there will always be more or less a depression, and the Government in helping the unfortunate who need help cannot find a class that is more needy and more deserving of help than those tenant farmers who farm on a small scale and who without these loans during the past few years would have been wholly unable to earn a livelihood. The need still exists, and this bill should be immediately enacted into law.

Mr. RANKIN. Mr. Chairman, I move to strike out the paragraph.

I ask the chairman of the Committee on Agriculture whether my understanding is correct that the Senate has reduced the interest rate to 4 percent?

Mr. JONES. The Senate committee reported out an amendment to that effect, and our committee is going to offer a similar amendment.

Mr. RANKIN. So the Committee on Agriculture wants the interest rate reduced to 4 percent?

Mr. JONES. Yes.

Mr. RANKIN. What about increasing the amount of the loan? I understand the other body has increased the limit to $600. Is this correct?

Mr. JONES. The gentleman is correct.

Mr. RANKIN. Will the limit be raised?

Mr. JONES. We had hoped to keep the present limit inasmuch as the fund is limited. We want it as widely available and as widely spread as possible. If a great emergency arises the President may increase it.

Mr. RANKIN. I agree with the gentleman from Texas [Mr. JOHNSON], that no money appropriated by this Government does more good than these small loans. I am very glad to see the interest reduced to 4 percent, and as far as I am concerned I am willing to reduce it still further.

There is another matter to which I call the gentleman's attention, however, and that is that I doubt whether this amount will be sufficient for the actual needs of some of these farmers. I am wondering if the committee would consider raising that to $800 or $1,000?

Mr. JONES. I may say to the gentleman we would rather not. I think there are certain apparent reasons for not agreeing to the gentleman's suggestion.

Mr. RANKIN. The committee will go along with us up to the amount set forth in the Senate bill, $600, will they not?

Mr. JONES. I would rather not make a commitment.

Mr. RANKIN. Mr. Chairman, I hope the provision of the Senate bill will be agreed to, and when I say that I am not quarreling with the chairman of the Committee on Agriculture nor with any other member of the Committee on Agriculture. However, I am of the opinion that we should raise this amount to $600.

Mr. O'CONNOR of Montana. Will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Montana.

Mr. O'CONNOR of Montana. I may say I propose to offer an amendment increasing the sum from $400 to $600, which is in accordance with the proviso in the Senate bill.

Mr. RANKIN. I may say to the gentleman from Montana [Mr. O'CONNOR] that I shall be glad to support his amendment.

[Here the gavel fell.]

Mr. NICHOLS. Mr. Chairman, I rise in opposition to the pro-forma amendment.

Mr. Chairman, I endeavored to propound a question of the chairman of the committee a few minutes ago with reference to subdivision (b) of the act, which provides that any money which may be borrowed under this act for the purpose of buying feed for stock or for the purpose of feeding stock shall be lent only upon a mortgage being given on the stock that the feed is to be fed to. This is in order to secure the repayment of the loan.

In the eastern part of Oklahoma, and I think this is true throughout a great portion of the Southwest, I doubt if today, after 2 years of drought in addition to the other effects of the depression, there is a farmer in that section who has a cow, mule, or horse that at this moment has not a mortgage on it. With that predicate, may I ask the chairman of the committee if it is contemplated in this legislation to make it possible for that farmer who already has his stock mortgaged to be able to get the benefits under the feed provisions of this act.

Mr. JONES. I may say to the gentleman this bill requires a first mortgage on the livestock. There are many instances similar to the one to which he refers that have been handled under the Resettlement Administration by allocation from the Public Works or relief bills. If we open up that particular field it will take most of the other loans probably that may go to crops. I understand provision will probably be made for continuation of loans of that character in emergency areas through the resettlement or through some administrative agency similar to that.

Mr. NICHOLS. The committee was not attempting then by this legislation to reach the farmer who was really in the most dire need at this time? In other words, it is contemplated that the Resettlement Administration will probably carry on in some way with their feed and seed loans as they have in the past year?

Mr. JONES. I understand it is contemplated some provision will be made. Of course, I do not know how much; but some provision will be made along those lines.

Mr. NICHOLS. Unless the gentleman's assurance is pretty good, I would support an amendment making it possible for these fellows who have been forced on account of the depression to mortgage everything they have, to secure benefits under this bill.

Mr. JONES. I cannot give the gentleman direct assurance, because I do not have control of that matter, but I understand it is proposed to make such provision.

[Here the gavel fell.]

The pro-forma amendment was withdrawn.

Mr. McSWEENEY. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I ask unanimous consent to proceed out of order at this time.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McSWEENEY. Mr. Chairman, while we are discussing the distress in the western part of the United States, may I humbly call your attention to a great catastrophe that is striking the Ohio River Valley at this time. We of Ohio and neighboring States would like to impress upon the Members of the House, if we can, that this great flood is a disaster not only to our vicinity but to the whole of the United States. In the past we have found when the flood waters receded enthusiasm and sympathy receded with the flood waters. Mr. Chairman and my colleagues, I am going to ask you not to become tired of me in my humble effort to try to have continued a program for the lessening of the possibilities of these great catastrophes in the future. The doctors of our country have attacked some of the great diseases that were heretofore thought incurable and have found cures. We have found in the district around Dayton, Ohio, that these floods can be stopped, which at one time we thought we could not stop. May I ask you, my colleagues, to cooperate in supporting any reasonable appropriation which may be brought in here for the alleviation of flood sufferers or for a program which will make impossible the recurrence of such catastrophes.

We have ample legislation at this time. We have the Weeks law, which, with some slight amendments, could be made applicable to a situation of this kind. We could also help through our navigation laws. We can help through our soil-conservation measures and through our flood-control measures. I had the privilege of playing a very humble part in the last war and I also had the sad experience of being a young civil engineer with the Pennsylvania Railroad during the great flood of 1913. May I say, Mr. Chairman, that I feel this flood catastrophe leaves in my mind as horrible memories probably as does the war. I trust that those Members who have not had to live in a flood section will cooperate with us, as we are glad to cooperate with the farmers of the West and as we were glad to cooperate with those of New England who were recently stricken by flood, and help us.

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. McSWEENEY. I yield to my colleague from Ohio.

Mr. JENKINS of Ohio. Will the gentleman state, if it is a fact, that the flood now visiting the Ohio Valley is by far the most destructive of any flood in our previous history?

Mr. McSWEENEY. It is 7 feet above any previous high. The gentlemen from Cincinnati and other Members know what a terrible plight those people are in down there. As I lay comfortably in bed last night I realized that darkness was over Louisville, Cincinnati, and many of the neighboring communities. I realized that families were separated, mothers and children not knowing where they were being washed or swept. I say it is a catastrophe, Mr. Chairman, and I hope you will not get tired of me during this session of the Congress in my continued efforts to have suitable appropriation made so that a recurrence of this terrible catastrophe is impossible. I know I will have the cooperation of the gentlemen from Ohio and the Members from Kentucky, Pennsylvania, West Virginia, Illinois, and the neighboring States. I am grateful for the opportunity to make this statement, and I thank the gentleman from Texas [Mr. JONES] for his courtesy.

Mr. SNYDER of Pennsylvania. Mr. Chairman, I rise in opposition to the pro-forma amendment and ask unanimous consent to proceed out of order.

Mr. JONES. Mr. Chairman, I shall not object to the request to speak out of order in this instance, but in view of the necessity for haste I hope that other Members will not make a similar request.

Mr. SNYDER of Pennsylvania. I spoke to the gentleman from Texas about my request.

Mr. JONES. Yes; the gentleman from Pennsylvania and the gentleman from Ohio [Mr. McSWEENEY] both spoke to me, and I agreed in both instances, but I hope that any others who may desire to speak out of order will refrain from making a similar request.

Mr. SNYDER of Pennsylvania. Mr. Chairman, it is most appropriate that my remarks should follow those just made by the gentleman from Ohio [Mr. McSWEENEY].

The remark of the gentleman from Ohio that made the most vivid impression upon me was the statement that we get excited over a great flood like this today and next week or next month we allow our excitement to die.

Last March 16, 17, and 18, throughout the Eastern States and in western Pennsylvania, we had a disastrous flood. Most of us older Members remember the disaster to the city of Johnstown in 1889, when thousands were drowned and the property loss amounted to something like $20,000,000. Last year this section was inundated and the estimated property damage was $50,000,000. We were very much excited about it. We held hearings in the Flood Control Committees of the Senate and House and the President made a visit to this section during the past summer. But today there is no authorization for any money to take care of the flood-control situation in the Johnstown district.

The water that floods the Johnstown area originates in my congressional district, and this is the reason I am now addressing you. I was born and reared in this district, and I know what these floods mean.

May I say further, Mr. Chairman, when I was a boy the hillsides in this section of our country were covered with millions and millions and even billions of feet of timber, and under these trees were leaves 3 and 4 inches deep, and the roots of these trees penetrated the hillsides, and excess water was largely absorbed. The records will show we had as much rain back in 1889, 1908, and 1916 as we had last year, but we had these forests which absorbed a certain portion of the rain. These hillsides are now bare, and great gullies have formed which destroy a lot of the farm land that is without any protection whatever.

Like the gentleman from Ohio who has just preceded me, may I ask that we make flood control one of the major issues during the Seventy-fifth Congress, so we may get the necessary appropriations and begin this important work and not talk so much about what we are going to do. We must do something, and we should do it now. [Applause.]

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield for a question?

Mr. SNYDER of Pennsylvania. I yield.

Mr. JENKINS of Ohio. Is it not true that the Army engineers have already made a very exhaustive survey, and that if we would support this survey of the Army engineers at a total expense of about $280,000,000 we could prevent about 90 percent of the trouble from floods that we are having continually?

Mr. SNYDER of Pennsylvania. May I state in addition that we have about 50 Army engineers who have made this survey, and by spending about one-fourth of what the destruction was in the Johnstown district last March we could prevent floods for all time in the Johnstown district. [Applause.]

The Clerk read as follows:

SEC. 2. (a) No loan shall be made under this act to any applicant who shall not have first established to the satisfaction of the proper officer or employee of the Farm Credit Administration, under such regulations as the Governor may prescribe, that such applicant is unable to procure from other sources a loan in an amount reasonably adequate to meet his needs for the purposes for which loans may be made under this act; and preference shall be given to the applications of farmers whose cash requirements are small.

(b) There shall be required as security for any such loan a first lien, or an agreement to give a first lien, upon all crops of which the production of harvesting, or both, is to be financed, in whole or in part, with the proceeds of such loan; or, in case of any loan, for the purchase or production of feed for livestock, a first lien upon the livestock to be fed.

(c) No loan made under the provisions of this act to any borrower shall exceed $400, nor shall a loan be so made in any calendar year which, together with the unpaid principal of prior loans so made to such borrower in that year, shall exceed $400 in amount: *Provided, however,* That in any area certified by the President of the United States to the Governor as a distressed emergency area, the Governor may make loans without regard to the foregoing limitations as to amount, under such regulations, with such maturities, and in such amounts as he may prescribe.

(d) Each loan shall bear interest at the rate of 5½ percent per annum.

Mr. JONES. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. JONES: Page 3, line 6, after the word "of", strike out "5½" and insert in lieu thereof "4."

The amendment was agreed to.

Mr. O'CONNOR of Montana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'CONNOR of Montana: Page 2, line 15, after the letter "a", strike out the word "first"; page 2, line 15, after the letter "a" where it occurs the second time, strike out the word "first"; page 2, line 19, after the letter "a", strike out the word "first."

Mr. O'CONNOR of Montana. Mr. Chairman, the reason for my proposed amendment is that this bill has been referred to repeatedly as a seed-loan bill. It has a dual purpose. It is a feed-loan bill as well as a seed-loan bill.

In my territory we farm or raise cattle or sheep on a pretty large scale or we do not do it at all. A few hundred dollars, such as $200 or $300, is scarcely enough to furnish even seed and much less to furnish feed for livestock. If we are going to do the people in the western section of the country who raise cattle and raise grain any good they have got to have a substantial amount of help. They farm over a sparsely settled territory, where it takes the fastest train of the Northern Pacific Railroad all day to cross, with a population of only about 600,000, and to carry on their operations to any extent whatever they have got to have substantial aid by way of money with which to purchase seed and also purchase feed for livestock.

Mr. FULMER. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR of Montana. I yield.

Mr. FULMER. Is it not a fact that the Resettlement Administration is making additional loans and even grants to that type of farmer?

Mr. O'CONNOR of Montana. To a certain extent that is true, but it is not meeting the situation. My office has been flooded with telegrams during the last 3 or 4 days calling upon us here to use our influence to secure money from the United States Government to enable these people to feed what few cattle there are left, and I ask you to bear this fact in mind: There is not a cowman or a sheepman in the State of Montana or in any of the Northwestern States who has been through this drought period that has anything today that is unmortgaged. If you are going to make it obligatory upon the part of the Government to secure first liens upon this livestock, you might just as well not include feed in the bill, because it will not mean anything.

I ask you, in the exercise of your duties here, to strike out the word "first" and leave it up to the Government to make this type of loan to a man even though he may have a small mortgage upon a team of horses or upon a few cows or a few cattle which the banks will not release. It has been my experience with banks that they never release anything.

So you may have, if you please, a few horses and some livestock, mortgaged for a small amount, but under the strict letter of this law he cannot get any loan because he cannot secure a release of the other existing encumbrances.

I am informed that what is true in my territory is true throughout the West. There are farmers and livestock men that have these encumbrances because they have produced no crops, and what they did produce they did not get anything for.

So I beg you gentlemen to support this amendment striking out the word "first" and leaving it to the maker of the loan to use his discretion.

The moral risk is something I have had to do with in banks, and good moral rick is almost as safe as any security.

Mr. JONES. Mr. Chairman, the adoption of the gentleman's amendment would demoralize the whole situation and we would not have any bill at all. This whole program from 1921 has been based on the philosophy that there are a certain number of good farmers who cannot secure a loan and provision should be made for that type with a first lien.

If you do away with that provision, it would take a good deal more money than we can get for them. As a matter of fact, there are plenty of farmers, not only in the area represented by the gentleman from Montana but others, who can meet the test and absorb all of this loan. There was a serious problem occasioned by drought, and $72,000,000 was loaned in 1934 and 1935 that carried just such a provision as the gentleman suggests. If he will look at the record, he will see what the situation was; $1,672,000 was loaned in the State of Minnesota where they could not qualify and could not meet the test.

I know the gentleman has offered his amendment in good faith, but I know that if he had read the record he would not have offered it.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. JONES. Yes.

Mr. BARDEN. I do not know that my question bears especially upon this particular amendment, but in applying for a loan, would it be possible for a borrower to pay off a balance due on a first mortgage that might already exist on his property?

Mr. JONES. That might be done in some instances. If he is able to do it, he could do it.

Mr. BARDEN. I notice here that the bill provides for the buying of livestock.

Mr. JONES. Oh, no; there is no provision for buying livestock. There is a provision for the purchase and production of feed for livestock. There is no provision for buying livestock; that has been handled heretofore under Resettlement.

Mr. HULL. Mr. Chairman, will the gentleman yield?

Mr. JONES. Yes.

Mr. HULL. In section 1 of the bill it is provided that loans shall be made and collected through agencies on such terms and conditions and under such regulations as the Governor of the Board may prescribe. If the Governor of the Board is to be allowed so much latitude in regulating amounts and number of these loans, why is it necessary to restrict him by putting in this word "first"? If we can trust him that far, why can we not go further and allow the Governor to lay down regulations and even permit him to make them simply first lien on crops?

Mr. JONES. I am afraid that he would have such a drive that he would not have time to make the loans.

Mr. HULL. Let us try it out.

Mr. JONES. I do not want to wreck a system that every Member of the House agrees has rendered wonderful service by experimenting in a field already covered by an agency of the Government.

Mr. HULL. I do not want to wreck any system, but we have a pretty sadly wrecked farming system in the Northwest, and I would like to see this measure made broad enough to alleviate that situation to some extent.

Mr. JONES. I agree there are some difficulties, but this bill does not cover the entire field and undertake to cure all the ills of agriculture.

Mr. HULL. Let us make it broad enough to cover it.

Mr. JONES. I would rather not at this time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Montana.

The question was taken; and on a division (demanded by Mr. HULL and Mr. O'CONNOR of Montana) there were—ayes 13, noes 120.

So the amendment was rejected.

Mr. BURDICK. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BURDICK: On page 2, line 22, strike out "$400" and insert in lieu thereof "$600"; on page 2, line 25, strike out "$400" and insert in lieu thereof "$600."

Mr. BURDICK. Mr. Chairman, I have already spoken on this subject under general debate. In the judgment of our people, we think that the limit should be extended to $600, because circumstances will arise in the development of this subject where the Resettlement does not function. If this

Resettlement referred to every few moments is doing the job, why are we receiving telegrams right now, since this debate started, telling us our livestock is starving and that the farmers have gone to town and are going to get something to eat somewhere? I say to you that the Resettlement cannot be depended upon. They are not doing the job. If we want to give these farmers seed, let us make an arrangement so that we can do it.

Mr. GILCHRIST. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. Yes.

Mr. GILCHRIST. The gentleman has spoken about a telegram. I just got one since I spoke reading as follows:

Fifty percent Crawford farmers out of feed. Deep snow; extreme cold. Some livestock starving. Seed grain fed up. Credit exhausted; farmers desperate; many quitting farm to town for relief. Aid needed now. Sixty percent will need feed and seed loans for spring. Grain and hay prices high.

Mr. BURDICK. That is a fair sample of the numerous telegrams that I have received today and that many of my colleagues from Montana and North Dakota are receiving.

Mr. GILCHRIST. This is from a county agent.

Mr. BURDICK. Any time a county agent will report a situation of that kind you can figure that it is true.

If we extend the maximum to $600, that does not mean that in every case $600 will be loaned, but this limit will enable many farmers to pay off some prior indebtedness that may prevent them from getting any credit at all under this limit of $400.

At best I will predict that the farmers will have a difficult time to arrange for their feed. We are leaving the Governor of the Farm Credit Administration free to make any rule or regulation he sees fit, and, besides this, the act will be administered in North Dakota through the Farm Credit Administration set-up in the Twin Cities. This institution has been, and no doubt still is, manned by bankers of the reactionary type, who cannot see the element of help and service to humanity, but who can only see the cold-blooded business side of the transaction. If the loan does not look like a good business loan, they will reject it under their rules and regulations. I insist that any loan is a good business loan which will put a farmer on his feet and take him and his family off the relief dole of the country. These bankers see it otherwise. There are instances where they have foreclosed on everything the farmer had and turned the family over to relief. I ask you how such an asinine policy can be expected to work? What is the use of making more relief clients just because some manager of a Government finance set-up wishes to make a record for himself? Our policy should be to forget the business rules for a while and apply common sense, justice, and humanitarian principles. Let us try the plan of rendering service and forget profits. Let us give the farmers a chance to help themselves instead of reducing them to a condition where they will become public charges.

Mr. JONES. Mr. Chairman, I hope the House will not adopt this amendment. There is a $400 limit, and in the distressed areas the limit may be waived in case of extreme distress. The average loan over a period of years has ranged around $100. If you put the limit up they will absorb a great deal of this fund. In North Dakota they loaned nearly $1,000,000 out of these funds, and they made a loan of several million dollars in 1934 and 1935, about nine or ten million dollars, for feed. The extreme conditions depicted in the telegram referred to are in the relief-need classification and provision has been made for them. I hope gentlemen will not jeopardize the measure by adopting any such amendment.

Mr. HILL of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. JONES. Yes.

Mr. HILL of Oklahoma. In order to clarify the situation and save argument, why not read a little further from the bill?—

Provided, however, That in any area certified by the President of the United States to the Governor as a distressed amergency area, the Governor may make loans without regard to the foregoing limitations as to amount.

That takes up the situation being discussed here.

Mr. JONES. I think the gentleman from Oklahoma is right, and I thank him for his suggestion.

Mr. BOILEAU. Is it not a fact that during last year just a little over $16,000,000 was loaned?

Mr. JONES. Oh, no. It was only that amount loaned by this particular agency, but the gentleman remembers that this bill was vetoed last year. It was not quite the same terms as this bill, but it was vetoed, and an allocation was made and loans were made through another agency. Last year this agency only made one-hundred-and-sixty-thousand-odd loans. The year before they made 600,000.

Mr. BOILEAU. Is it not a fact that if we had a limitation of $600 rather than $400, considering the policy that has been pursued in the past, it is likely the $50,000,000 would be ample, even with that provision, to make all the loans that they would otherwise make?

Mr. JONES. I do not think so. I think this entire amount will be absorbed under the terms of this bill.

Mr. BOILEAU. It has not been the experience of the last 3 or 4 years.

Mr. JONES. Oh, yes; all except last year, when we did not have any provision.

Mr. BOILEAU. I am sure if the gentleman will check into the year previous, he will find there was a substantial balance then.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. DONDERO. What has been the policy as to the amount of the loans in the past?

Mr. JONES. Under the Executive order it was $200 last year, but heretofore it has been from $300 to $500, varying in the bill.

The CHAIRMAN. The time of the gentleman from Texas [Mr. JONES] has expired.

The question is on the amendment offered by the gentleman from North Dakota [Mr. BURDICK].

The amendment was rejected.

Mr. O'CONNOR of Montana. Mr. Chairman, I have the same amendment to the bill as that offered by the gentleman from North Dakota [Mr. BURDICK].

The CHAIRMAN. In view of the action taken by the Committee on the amendment offered by the gentleman from North Dakota, does the gentleman from Montana insist upon his amendment?

Mr. JONES. May the gentleman's position be registered? It would be subject to a point of order now.

The CHAIRMAN. In view of the gentleman's statement to the effect that the amendment he offers is identical with the amendment which the Committee has just rejected, the Chair holds that the amendment is not in order.

Mr. GASQUE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GASQUE: After the word "loan" on line 18, page 2, strike out all of lines 18, 19, and 20.

Mr. GASQUE. Mr. Chairman, no legislation has ever been passed by this Congress during my 14 years of experience that has meant more to rehabilitate the small farmers of this country, especially in the South.

This provision, the chairman will bear me out, is a new provision. In my section of the country it will cut out about 50 percent of those who are now benefiting under these loans. A large number of the small farmers who would get about $200 a year are farming with somebody else's stock—either rented stock or the landlord's stock—or stock that is already mortgaged. In other words, I would say that 50 percent of those who would be eligible for loans, if they had to give a mortgage over the livestock to which the feed was fed, could not get a loan.

I want to say, further, the crop-production loan organization has that same provision in it, and a man who could do that could go to the crop-production loan organization and get his money without having to go to the seed loan.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. GASQUE. I yield.

Mr. JONES. I would suggest to the gentleman that this does not cover livestock. It simply covers feed for livestock.

Mr. GASQUE. That is what I am talking about, but you cannot feed it to the livestock without mortgaging the livestock. That would absolutely kill the effect of the loan.

Mr. JONES. Oh, that is a separate provision from the crop-loan provision. The crop-loan provision is taken care of in the first part of the paragraph. That is, he has to give a first lien on the livestock in the event he is buying feed for that livestock.

Mr. GASQUE. But has not the loan heretofore provided that that was one of the provisions—it was to buy feed for the livestock?

Mr. JONES. In those loans it is a first lien on the crops to be grown.

Mr. GASQUE. But I do not think that is clear. That would be very misleading.

Mr. NICHOLS. Mr. Chairman, will the gentleman yield?

Mr. GASQUE. I yield.

Mr. NICHOLS. It provides "or in case of any loan for the purchase or production of feed for livestock, a first lien upon the livestock to be fed." That is either if you are buying it or producing it.

Mr. GASQUE. The gentleman is correct, and that provision is preceded by the conjunction "or", which makes it coordinate with all of the preceding. This makes it a separate and distinct provision, and provides that any money, as I understand it, used to buy feed for livestock with which to produce feed or crops, he would have to give a mortgage over the livestock.

Mr. JONES. I think if the gentleman will read carefully, he will see those are divided; that he only has to have a first lien on all crops which the production, or harvesting, or both, is to be financed. This refers purely to where a man is growing feed for livestock primarily. However, in order to obviate any doubt, unless there is some objection by some of the other members of the committee, I am willing to strike out the words "or production" in lines 18 and 19, and say it is for the purchase of feed for livestock.

Mr. GASQUE. How about the feed for livestock which he is using to make his crop with?

Mr. JONES. That would simply be the purchase of feed, not production. The other would cover the production end.

Mr. GASQUE. Does the gentleman not think that is very misleading?

Mr. JONES. I will state that a similar provision has been in the bill for 3 or 4 years, and it has always been construed that this refers to a man who is in the business of growing feed or purchasing feed. In order to obviate any question, if the gentleman will modify the amendment so as to strike out the words "or production", I will agree to that.

Mr. GASQUE. If the gentleman can assure me that this bill would not require a mortgage over the livestock with which he produces his crop, I will agree to the suggestion.

Mr. JONES. I can give the gentleman that assurance.

Mr. GASQUE. Mr. Chairman, I accept the assurance of the chairman of the committee. Mr. Chairman, I ask unanimous consent to withdraw my amendment and offer a substitute.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. GASQUE. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. GASQUE: On page 2, line 18, after the word "purchase", strike out "or production."

Mr. HULL. Mr. Chairman, I move to strike out the last word for the purpose of calling the attention of the gentleman from Texas to the fact that the amendment may be broader than he realizes. Some of these loans may be made for the purpose of seeding land to clover or alfalfa to produce feed for livestock. If "production for feed" is stricken out the dairy farmers of this country will be barred from getting any money to seed clover and alfalfa.

Mr. JONES. I was only agreeing to something that seemed much in demand. The only thing I had in mind was not to jeopardize the other loans. They never have been jeopardized. What the gentleman from Wisconsin refers to is not done in my part of the country. He would be more familiar with it than I am. If it is being used for that purpose, loans could be made in the gentleman's district.

Mr. HULL. The principal crops in Wisconsin are raised to provide feed for livestock.

Mr. JONES. I think, inasmuch as it has always been construed the other way, that we should leave the language in the bill as it appeared originally. If the gentleman wants to insist on his first amendment let him reoffer it; but as I suggested a while ago it has always been so construed, and I give the gentleman the assurance that it is the intention of the committee that where simply a crop-production loan is made that the applicant should not also give a first lien on his livestock even though some is used for the feeding of livestock.

Mr. GASQUE. That is all I want to be assured of, Mr. Chairman.

Mr. Chairman, I withdraw my amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

Mr. ROMJUE. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question.

I am heartily in favor of this legislation. The purpose of the legislation is to help the small farmer. I am wondering, however, if the bill is not likely to create some conflict between the man who holds a mortgage or a deed of trust on a small farm and the Government itself. Let us suppose a farmer owns an 80-acre tract on which there is a deed of trust or mortgage for the approximate value of the land. Under the laws of Missouri, and I think of many of the other States, the man who holds the mortgage against the farm has the right under his security to the emblements or the crops growing upon it until the crop is ripened or matured. Let us assume there is a corn crop on this small farm not yet ready for gathering, and about the 1st of October, long before the crop is ready to harvest, the man who holds the deed of trust decides to exercise the right he holds under the mortgage and forecloses. Suppose the Government has lent the farmer $400. The man who owns the land has given a contract, given a right to be foreclosed. The holder of this prior lien steps in and exercises his right of foreclosure and thereby becomes entitled to and does lay his hand upon possibly $400 of the Government's money.

I think the bill ought to be clarified somewhat and be made certain. Otherwise there will be conflict between the private lender on this farm and the Government. The sole purpose of this legislation is to help the man who has borrowed and not to help the lender make his debt more secure.

Mr. JONES. If the gentleman will glance at section 3, he will see that in order to keep such a situation from arising we have provided that—

The proceeds of each loan made by the Government under the provisions of this act shall be impressed with a trust for the purposes for which loans may be made under this act, and may be used only for the purposes stated in the application therefor.

We provide also that wherever such a loan is granted the Government is given a first lien. I think we protect it in these two provisions insofar as it is practicable to meet the situation referred to by the gentleman.

Mr. ROMJUE. I am not speaking of the landlord, Mr. Chairman.

Mr. JONES. The gentleman is speaking of the mortgagee. We think we have met the situation so far as it is possible to be met.

Mr. ROMJUE. In many cases the money lent on a mortgage is lent by a banker and not by the landlord. The banker is not the landlord, he is simply the man who holds the lien. His contract gives him a right to foreclose under certain conditions. I think we ought to find some way, if possible, to keep the hands of the banker off this money.

Mr. JONES. I think if it were apparent that there was to be a foreclosure the administrative authorities would probably try to have some sort of an agreement; but to try

so to amend the bill as to meet all these situations would probably encumber it a little too much.

I have just been handed a document called Waiver and Agreement, which contains the following language:

The undersigned (whether one or more hereinafter referred to as the undersigned) does hereby:

(1) Subordinate to the lien(s) held or to be held by the Governor, all or any rights, liens, claims, shares, title, and/or interest which the undersigned now has or may hereafter have, under whatever claim of right, in or to the crops or livestock mentioned in the foregoing instrument, or the proceeds from the sale thereof, to the extent of the claim(s) thereto of the Governor;

(2) Consent and agree that the enforcement of his rights, liens, claims, and/or interest in the said crops or livestock—

I do not believe this section covers it completely, but by requiring the waiver it certainly would accomplish the purpose.

Mr. ROMJUE. Of course, the waiver would be all right, but in case the man who has lent the money on the farm is not willing to sign away his rights or execute the waiver, some difficulty might arise.

Mr. JONES. The Government probably would not make a loan in a case of that kind.

[Here the gavel fell.]

Mr. JONES. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. O'CONNOR of Montana. Mr. Chairman, I object.

Mr. JONES. Will not the gentleman permit us to proceed to the next section?

Mr. O'CONNOR of Montana. I withdraw my objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MASSINGALE. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MASSINGALE: Amend paragraph C of section 2, page 3, by striking out the period after the word "prescribe", on line 5 of said paragraph, inserting a comma, and adding the following: "and loans for seed oats shall be immediately available in localities where it is customary that sowing or planting shall be done in the late winter or early spring months."

Mr. JONES. Mr. Chairman, I reserve a point of order against the amendment just offered.

Mr. MASSINGALE. Mr. Chairman, this amendment is offered with the hope that, if adopted, the agencies of the Government will make these loans to the borrowers in time to do them some good. Last year down where I live there were applications made for seed wheat, but the money with which to buy this seed was not made available in time and the checks were returned. I believe this was the Resettlement Administration. At any rate, it did not do the farmers any good, because it was past our planting time.

Mr. Chairman, down in our State, pasturage is a very important matter to the people. Last year they did not get the seed wheat in time to make fall pasturage. I cannot feel any assurance, so far as I am personally concerned, that this bill will cover the matter unless the attention of the lending authorities is directed particularly to this important matter for our people. Otherwise I do not believe we will get any assistance out of the pending act.

Mr. Chairman, it does no good to authorize someone to lend money unless you tell them to go down there and proceed in such a way that our people can get the money with which to plant oats before it is too late to plant them. Otherwise we will not have an oat crop, and when we do not have an oat crop down there it materially affects the entire farming section of Oklahoma.

Mr. GREEN. Will the gentleman yield?

Mr. MASSINGALE. I yield to the gentleman from Florida.

Mr. GREEN. In that connection the gentleman's suggestion would allow the vegetable growers in the warmer climates to plant their fall, early winter, and spring vegetables also?

Mr. MASSINGALE. The gentleman is correct. The point I want to make is that we should call attention of the lending authorities to the fact that they have to get busy in order to do any good. Maybe if we do that they will go down there and put the money into the hands of those people so that they may sow their oats in February. We have to sow our oats in February down there if we are to get an oat crop. Probably up North they do not have to look after it immediately, but I am sure in north Texas and in west Oklahoma, if this money is not made available right away, you might just as well not make any loans or attempt to make any.

Mr. JONES. Will the gentleman yield?

Mr. MASSINGALE. I yield to the gentleman from Texas.

Mr. JONES. May I say to the gentleman that one reason we have pressed for action on this bill is we cannot make the appropriation. We can only pass the authorization.

Mr. MASSINGALE. I know that.

Mr. JONES. I am hoping we may get this measure through the House and Senate in time to make provision for these funds immediately available in the deficiency appropriation. I do not know whether we are going to succeed or not, but we are going to make every effort. The administering authorities are very anxious that this money be made available as soon as possible.

Mr. MASSINGALE. I believe in the sincerity of purpose of the chairman of the committee, but we had the experience last year which I just mentioned, and intentions do not do us any good. We did not get the seed wheat.

Mr. JONES. May I say to the gentleman that last year the bill was passed early, but the gentleman will remember the experience we had at that time. The matter was delayed by a veto and the funds were not made available. The best step we can take at this time is to pass this measure as soon as possible and get provision made immediately. If we do that I do not think there will be unnecessary delay, and I assure the gentleman I shall be glad to help him in every possible way in urging that the funds be made available both by appropriation and by the administering authorities.

Mr. MASSINGALE. May I suggest to the gentleman from Texas how he can help me?

Mr. JONES. I would be glad to have the gentleman do that.

Mr. MASSINGALE. By agreeing to this amendment.

[Here the gavel fell.]

Mr. JONES. Mr. Chairman, I am sorry to have to disagree with the gentleman from Oklahoma [Mr. MASSINGALE].

Mr. Chairman, I make the point of order that the gentleman's amendment would amount to inserting an appropriation in a legislative bill. I also make the point of order it is not germane, because it singles out a specific commodity under a general provision of the act. Therefore it is not germane to the paragraph. The gentleman's amendment reads:

And loans for seed oats shall be immediately available in localities where it is customary that sowing or planting shall be done in the late winter or spring months.

I think it would be unfortunate to single out one particular commodity or crop in connection with a general provision of a legislative act.

The CHAIRMAN. The Chair overrules the gentleman's point of order insofar as the point of order is based on the ground that the amendment involves an appropriation.

The Chair does, however, rule that the amendment is not germane to this section. It might have been germane to section 1 of the bill, which the committee has passed. Therefore the Chair sustains the point of order made by the gentleman from Texas [Mr. JONES].

The Clerk read as follows:

SEC. 3. The proceeds of each loan made by the Governor under the provisions of this act shall be impressed with a trust for the purposes for which loans may be made under this act, and may be used only for the purposes stated in the application therefor, and such trust shall continue, and the proceeds shall be free from garnishment, attachment, or the levy of an execution, until such proceeds have been used by the borrower for such purposes.

Mr. MARTIN of Colorado. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MARTIN of Colorado: On page 3, line 9, after the word "act", insert "and crops financed hereunder";

page 3, line 13, after the word "proceeds", insert "and crops"; page 3, line 14, after the word "execution", insert "for private debts"; page 3, line 14, after the word " proceeds", insert "and crops."

Mr. JONES. Mr. Chairman, I reserve a point of order on the amendment.

Mr. MARTIN of Colorado. Mr. Chairman, this amendment is not as involved or as formidable as it may sound when read from the Clerk's desk.

This bill provides that the proceeds of the loan shall be exempt from garnishment, attachment, or levy of an execution. I take it that the word "proceeds" in the bill means money advanced by the Government on the loan. There is language in the bill, outside of my construction of the word "proceeds", which clearly distinguishes between proceeds of the loan and crops raised on the land.

My amendment touches a matter concerning which I understood the gentleman from Missouri [Mr. ROMJUE] raised some question a moment ago, but it takes in a little more territory. My amendment, in effect, simply exempts the crops raised by the proceeds of the loan from levy of execution or garnishment or attachment. By insertion in line 4 of the words "for private debts", after the word "execution", I leave the Government loan untouched and I only exclude private creditors.

The section as amended would read:

SEC. 3. The proceeds of each loan made by the Governor under the provisions of this act, and crops financed hereunder, shall be impressed with a trust for the purposes for which loans may be made under this act, and may be used only for the purposes stated in the application therefor, and such trust shall continue, and the proceeds and crops shall be free from garnishment, attachment, or the levy of an execution, for private debts, until such proceeds and crops have been used by the borrower for such purposes.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Colorado. Yes.

Mr. JONES. Does not the gentleman feel we would not have the right to exempt crops from execution under State authority, the State controlling the actual production?

Mr. MARTIN of Colorado. I get the gentleman's question, and, as my time is limited, I may say that my amendment introduces no new element whatever into the law of exemptions. It is a well-settled rule of law that, as to any exempt fund or money, pensions, insurance, or what not, property in which such money is invested is entitled to such exemption as long as the fund can be followed or identified or as long as its identity is not extinguished. You cannot garnishee a Government employee, no matter what may be his wages. You cannot garnishee any of the 2,000,000 people who are getting salaries and pensions or anything else from the Government. Most private insurance and all pensions and other similar funds are exempt from levy under execution or garnishment, and also the property in which they are invested. Then why should we furnish a farmer with a little drib to raise a crop under a law under the provisions of which, after the Government has got its part, his creditors can come in and take the rest. Someone asked a while ago how much of a farm would $400 seed, and the other man said, "Not much of a farm."

Under the W. P. A., for instance, I have had merchants and others put it up to me time and again and holler pretty loud because they could not collect their debts out of W. P. A. wages. I would say to them, "This is relief money and where would we get if the Government would allow the creditors of these W. P. A. workers to come in and take their wages away from them. The Government would still have them on its hands to feed them in some way." It would be an endless chain.

This involves the same proposition. This is simply an application of existing principles involved in the philosophy of exemption from execution, to crops raised by these needy farmers with a seed loan from the Government. If the creditor wants the farmer to pay him, let him finance the farmer and furnish him the seed and the feed. If the creditor will not do it and the taxpayers of the United States have to do it, why should we finance farmers simply to put them in a position to let their creditors take it all away from them in the collection of old debts, leaving them just where they were before and still on the hands of the Government.

There is nothing revolutionary, there is nothing novel about this. It is a plain, common-sense proposition of justice, to my mind. The language of the amendment may be a little inartificial, as it has been hastily drawn, but it would not require any other change in the bill than perhaps some little clarification which could be made by the committee if the amendment is adopted.

Mr. JONES. Mr. Chairman, I desire to make the point of order——

Mr. NICHOLS. Will the gentleman withhold his point of order? I would like to support the amendment. I have a similar amendment that I shall not insist upon if I can be heard at this time.

Mr. JONES. Does the gentleman want to speak on the merit of the amendment or on the point of order?

Mr. NICHOLS. I want to speak on the merit of the amendment, and I am asking the gentleman to withhold his point of order.

Mr. JONES. I reserve the point of order, Mr. Chairman, to let the gentleman from Oklahoma be heard.

Mr. NICHOLS. Mr. Chairman, I hope the chairman of the committee will not seriously insist on his point of order, and I hope he will not seriously oppose the adoption of this amendment. I have on the desk now an amendment almost identical with the pending amendment.

The way I reason this out is that if there is any excuse for the Government to throw a cloak of protection around money that the Government lends to a farmer until the money is invested in seed, then there is certainly just as strong reason for the Government to continue to protect that money when it has been transferred from coin or currency to feed to feed cattle or stock that are starving.

In the first place, unless you do this and protect the money until the feed is growing, then a debtor may come along and, by execution or some other means, take the feed away, and the very purpose for which this bill is passed has been defeated and you have not helped one single bit the farmer who borrowed the money in order to raise a crop to feed his stock.

In answer to the chairman's question as to whether or not this would be constitutional or whether or not we would have authority to impose this restriction, I would reply in this way: Certainly it would not, and there is plenty of precedent for this. The Government today buys Indian lands for restricted Indians, takes the land from the tax rolls, and impresses with a restricted character everything produced from the land. In Oklahoma we have unlimited quantities of oil, just as you do in Texas, produced from restricted lands, and the Government says that you cannot tax the land or the produce therefrom, and the courts of this country have ruled on this question time and time again.

Unless you go ahead and protect the crop that is grown from the investment of this money, if you leave it open to execution by private lenders, you might just as well not pass this portion of the bill at all, because there is no use protecting the money until it gets into the farmer's pocket and then as soon as he buys the seed, turn it loose. Unless this amendment is adopted an unscrupulous creditor who would levy on the crop will destroy the labor put on this bill by the Congress of the United States.

Gentlemen of the Committee, I sincerely trust that you will support this type of amendment, and I sincerely hope that the chairman of the committee, whose heart I know is in this measure, will see the light, and know that unless we do this the very purpose of the act which we pass will be defeated.

Mr. DONDERO. Will the gentleman yield?

Mr. NICHOLS. I yield.

Mr. DONDERO. How does the gentleman reconcile his position with the language in section 2, which gives the lien on the crop and stock?

Mr. NICHOLS. There is no analogy between the two propositions.

[Here the gavel fell.]

Mr. JONES. Mr. Chairman, I make the point of order that the amendment is not germane to the language in the provisions here, that it covers a subject not only not covered by the bill but over which the Government has no jurisdiction.

I am not sure about the meaning of the language as this is written, but insofar as the effect the gentleman desires to obtain, such a provision is out of the realm not only of the limit of this bill but the jurisdiction of the Government.

The Government simply makes a trust fund of this Federal money. As to the matter of crops and land, that is within the jurisdiction of the State. That has been determined by the Supreme Court. The only control the Government has over the crops is the mortgage being given by the owner of the crops. The State has control of the crops. As far as the producer of the crop is concerned, when he executes the mortgage, of course, he is waiving this right. The Government might be able to make any condition to the granting of a loan, but it cannot affirmatively cancel the rights of other citizens who are not parties to the contract. This bill deals with the conditions of the granting of a loan. It does not touch the question of canceling the affirmative rights of citizens.

When you get beyond that you invade the province of State government and the locality. I wish it were possible to protect the crops that were grown, but the National Government has its interest here, and this only makes a trust fund out of funds furnished by the Government. When a man mortgages his crop to secure that, he does not surrender title to his crop. He cannot surrender State jurisdiction or the jurisdiction of other citizens that have an interest in that crop; and, however desirable it might be, it certainly would undertake to add the word "crops" to a provision that provides only for a trust on the funds which the Government lends to go into crops.

Mr. MARTIN of Colorado. The gentleman admits that the fund is invested with a trust.

Mr. JONES. Yes.

Mr. MARTIN of Colorado. And he will admit my amendment does not impair the Government's lien.

Mr. JONES. Yes.

Mr. MARTIN of Colorado. It will only prevent a private creditor taking what is left, if anything.

Mr. JONES. Does not the gentleman recognize the distinction; that that is a matter for the jurisdiction of the State? We cannot cancel liens or judgments of other citizens who are not parties in any way to the contract.

Mr. MARTIN of Colorado. The Government protects everybody that works for it from garnishment and execution. I get a salary of $10,000 a year, and a man cannot attach $10 of it for a grocery bill.

Mr. JONES. The Supreme Court has decided specifically that the matter of production of crops is a local matter. I mention this merely to show that this amendment undertakes to go into a wide field not touched by the bill.

The CHAIRMAN. The Chair is ready to rule.

Mr. NICHOLS. Mr. Chairman, I rise to be heard in opposition to the point of order.

The CHAIRMAN. The Chair recognizes the gentleman.

Mr. NICHOLS. Mr. Chairman, insofar as whether or not this amendment goes outside of the scope of the meaning of this paragraph and injects any new matter, let us see. The language of the section as it is now reads:

> Shall be impressed with a trust for the purposes for which loans may be made under this act, and may be used only for the purposes stated in the application therefor, and such trust shall continue—

And so forth. The act then places a limitation on how far the trust shall continue. They say it shall continue only to the money. All this amendment does is to say that it shall continue to the crops, and I submit to the Chairman, in all fairness, that that is not a matter that is strange to the paragraph.

Answering the gentleman's argument about whether or not this is an intrusion of State rights, and whether it comes within the ruling of the A. A. A. decision, I say to the gentleman there is more precedent for doing this very thing than all of the language contained in the A. A. A. At this minute the Government can under precedents galore loan money for the purchase of any kind of property, real or personal, and impress that property with a protection by the Government which says it is not subject to execution.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. Yes.

Mr. JONES. Does the gentleman insist that the Government can make a loan, say, of $4,000 on a $10,000 farm and then say that that farm cannot be subject to execution so long as that loan is made on the farm?

Mr. NICHOLS. No; I do not.

Mr. JONES. It is the same proposition.

Mr. NICHOLS. No; it is not.

Mr. JONES. That is exactly what this tries to do. It provides that so long as this Government has a lien on his crop, thereafter the crop shall not be subject to execution.

Mr. NICHOLS. Certainly.

Mr. JONES. It goes further and provides that not only shall it not be subject to execution but it shall not be subject to execution even after the loan is paid.

Mr. NICHOLS. And I say that the Government could let a man have the money and take a mortgage on something foreign to the crop and leave the crop absolutely clear; and because the Government money had been furnished to raise the crop, the Government could then say that the crop is not subject to execution.

Mr. JONES. That would be a voluntary waiver.

Mr. NICHOLS. Not a voluntary waiver at all.

Mr. JONES. That is a matter of contract.

Mr. NICHOLS. It is simply something that the Government does itself in order to protect the Government money.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. Yes.

Mr. SUMNERS of Texas. Does the gentleman contend that the Government can go further than to collect its debt? In other words, can the Government, by reason of having established a relationship of debtor and creditor between itself and an individual, prevent another individual from pursuing this property and collecting his debt when he could not impair the Government security?

Mr. NICHOLS. My answer is that the Government in Oklahoma and all the Indian territories does it every day, and has been doing it for a long number of years.

The CHAIRMAN (Mr. Cox). The Chair is ready to rule on the point of order raised by the gentleman from Texas [Mr. JONES].

The gentleman from Texas, in presenting his views on the point of order, developed his views on the legal bearing of the amendment which has been offered. The Chair thinks that the position which the gentleman from Texas takes on the constitutionality of the amendment is entirely correct, although that is a matter upon which the Chair does not rule. The amendment may be unconstitutional and still be germane. It is simply an elaboration or enlargement of the language used, and that is all, as the Chair interprets the amendment. For that reason the Chair overrules the point of order.

Mr. JONES. Mr. Chairman, may I ask a question? Does the Chair then hold that the legal effect of this would be not to prevent execution?

The CHAIRMAN. The Chair is not undertaking to pass on the legal effect of the amendment but solely on its germaneness.

Mr. JONES. May I ask this question of the Chair? I am doing this for the purpose of clarification and not for argument. Does the Chair mean to hold that it would be germane to undertake to exempt the crop itself from execution through local citizens by a State or subdivision thereof?

The CHAIRMAN. The Chair holds that the amendment is germane to this section. As to the legal effect of the amendment, the Chair does not wish to make a ruling. The Chair will state, however, that he is unable to see, in the language used in the amendment, that it in any wise enlarges the privileges of borrowers under the original language of the bill; but the Chair does not pass upon the legal effect of the amendment.

Mr. SUMNERS of Texas. May I make one suggestion to the Chair, with all deference?

The CHAIRMAN. Certainly.

Mr. SUMNERS of Texas. As I understood the amendment, it only undertakes to protect the Government and insure the collection of the Government's debt, and in that connection property against execution, but goes further than the scope of this bill and seeks to protect the property of the individual against execution of a private citizen.

The CHAIRMAN. The gentleman may be entirely right.

Mr. SUMNERS of Texas. My point is, would it be germane in this legislation to undertake to protect the property of a private citizen against execution by another private citizen?

The CHAIRMAN. Such an amendment would be germane, but the Committee of the Whole will pass upon the merits of the question.

The Chair overrules the point of order made by the gentleman from Texas.

CROP-PRODUCTION LOANS

Mr. PATMAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the agent for the feed and seed loan will make an arrangement with a farmer whereby the Government will let him have a certain amount of money, usually a small amount. The average last year was about $80. In order to make this arrangement, in order to protect the Government's interest, this farmer who owes other people, many of whom have a mortgage on his crop, on his team, or such tools as he has, persuades these people who are his creditors to subordinate their rights and claims in order that he may get the Government agent to make the loan. They are willing to waive their rights so the Government can get its money back, but they are not willing to waive their lien forever. They are willing to make their claims second to the Government, but they are not willing for their claims to be canceled.

According to the amendment offered by the gentleman, if a loan is made to this farmer who owes the Government $100, and then he makes a crop from which he nets $300, $100 goes to the Government to pay the debt and then he has $200. According to the gentleman's amendment, the Government would protect that $200 and not allow any creditors to either garnishee it or attach it or get possession of it in any way on back debts or any other debts. It occurs to me it would be unfair to those who have accommodated that man and who also have accommodated the Government. The Government has never spent money for a better purpose than this. From 95 to 100 percent of the loans in my district have been paid back. No law is administered better than this one.

Mr. MARTIN of Colorado. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. MARTIN of Colorado. The gentleman is correct in his interpretation of my amendment, that if this poor cuss happens to have $200 left, it is his as long as it lasts, instead of taking it away from him and putting him back on relief.

Mr. PATMAN. What if he owes honest debts? Are we in this bill to try to protect him against his creditors? Is it for us to say which debts he should pay and which debts he should not pay, or that he should not be permitted to pay any debt except what is owed to the Government?

Mr. MARTIN of Colorado. Your bonus bill provided——

Mr. PATMAN. We are not talking about a bonus bill now.

Mr. MARTIN of Colorado. Well, the bonus bill made it a crime for a creditor to come in and claim anything on the bonus, no matter how honest the debt was. It was absolutely protected in the hands of the veteran, and the proceeds of it were protected in the hands of the veteran.

Mr. PATMAN. This is a case where a farmer owes a just and honest debt, and where those people will only waive payment of that debt during that year because they believe he can possibly make enough to not only pay the Government but pay them, too. If they do not have that assurance, they will not waive. It is not a case of protecting the earnings of one who rendered war service, earnings that should have been paid 19 years ago.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. BARDEN. I will ask the gentleman if this amendment is adopted, will it not drive from the field everyone else who might desire to assist that farmer who had borrowed?

Mr. PATMAN. Worthy people could not get help because those who had prior liens would not waive those liens. There would be no inducement in the world to waive those liens. Furthermore, if the Government did not furnish enough money, an individual could not assist him in finishing his crop, since he would have no protection on a second lien.

Mr. NICHOLS. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. NICHOLS. I want to ask the gentleman from Texas if, after sober thought, just exactly the reverse would not be true? If this amendment were adopted and if a man did not waive any mortgage he had, the Government would not make the loan, would it, because it could not be protected?

Mr. JONES. No.

Mr. MARTIN of Colorado. If this amendment is adopted, the Government could make the loan to the man despite his prior debts.

Mr. PATMAN. Oh, no; at least not unless the Government wanted to run the risk of losing the money. The farmers want to pay their debts. They are not asking for the gentleman's amendment.

Mr. MARTIN of Colorado. Am I not correct in stating that if the Government exempted this money from execution and the crop from execution they could lend the man the money regardless of the amount of his prior debts?

Mr. PATMAN. We cannot afford to put the Government in the position of trying to aid and abet people in avoiding their just debts, and the people who borrow this money are not requesting such an exemption.

Mr. MARTIN of Colorado. This is not a matter of aiding and abetting, for the man is in distress before he gets the loan.

Mr. PATMAN. I hope the gentleman from Colorado understands that I do not mean this as any reflection whatever upon him—he is one of our best and ablest Members—but should the amendment of the gentleman be adopted it may help such a borrower avoid the payment of his just and honest debts; and I do not think we should do it. If we want to help the farmers by granting them these loans that is one thing. If we want to grant the farmers a moratorium on their old debts, that is a different thing.

Mr. BOILEAU. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. BOILEAU. The pending bill carries a limitation of $400. Assuming a farmer needed $800 to plant his crop; that he borrowed $400 from the Government and $400 from private sources. Should the gentleman's amendment be adopted, would not the result be that not only would the Government be protected in the matter of its $400 but the borrower would be protected in a refusal to pay the other $400?

Mr. PATMAN. Certainly, if it will protect him against one debt it will protect him against all debts. I believe in all sincerity that the principle is wrong.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. SUMNERS of Texas. Would not one effect be to prevent his getting the necessary credit to make the crop?

Mr. PATMAN. The creditors would not agree and he could not get the money. The ones, therefore, who are the most worthy and deserving would be denied assistance. I hope the amendment is defeated and the bill is passed with the least possible delay. In order for this aid to be the most helpful it must be made available the earliest possible date. Therefore let us rush this bill through and get it approved by the President just as soon as we can.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment of the gentleman from Colorado.

The question was taken; and on a division (demanded by Mr. MARTIN of Colorado) there were—ayes 9, noes 147.

So the amendment was rejected.

Mr. O'CONNOR of Montana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'CONNOR of Montana: On page 3, line 14, after the word "execution" insert "or injunction, or bankruptcy proceedings."

Mr. JONES. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 6 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. O'CONNOR of Montana. Mr. Chairman, it seems to me that the Committee on Agriculture should agree to this amendment quite readily. I should win at least once out of three times this afternoon.

Mr. Chairman, I am desirous, if I can make my purpose understood, of safeguarding these funds lent by the Government under any and all circumstances. The only safeguard we have to date is against garnishment, attachment, or levy on execution. Let us suppose an action were brought against the debtor in which he was charged with insolvency and that the action asked the court for a restraining order to prevent the debtor from disposing of any of his funds or property. The language of the pending bill would not be sufficient to cover such a proceeding. Likewise, if the debtor owed an indebtedness of $1,000 to three or more creditors and he were thrown into involuntary bankruptcy, the proceeds of the Government's loan would not be protected.

I want to make sure that the farmer who gets the small amount provided in this bill—$400—to feed his livestock and to seed his ground is protected. I want to see this $400 protected until the man has a chance to use it for the purpose for which the Government is lending it to him. I want to protect it against injunction proceedings and I likewise want to protect it against bankruptcy proceedings. It seems to me the chairman of the committee should join me in this purpose.

Mr. JONES. Mr. Chairman, the gentleman's amendment makes a trust fund out of it. I fully appreciate the gentleman's purpose, but the same purpose is already served by the language of the bill; and it is a trust fund that is not subject to any other use.

The CHAIRMAN. The question is on the amendment of the gentleman from Montana.

The amendment was rejected.

The Clerk read as follows:

SEC. 4. (a) Fees for recording, filing, registration, and examination of records (including certificates) shall not exceed 75 cents per loan, and may be paid from the proceeds of the loan.

(b) No fees for releasing liens given to secure loans made pursuant to this act, nor any other fee not specified herein, shall be paid from the funds herein authorized to be appropriated.

SEC. 5. (a) The Governor shall have power, without regard to the provisions of other laws applicable to the employment and compensation of officers and employees of the United States, to employ and fix the compensation and duties of such agents, officers, and employees as may be necessary to carry out the purposes of this act; but the compensation of such officers and employees shall correspond, so far as the Governor deems practicable, to the rates established by the Classification Act of 1923, as amended.

(b) Such agents, officers, and employees, or any of them, and the agents, officers, employees, and facilities of the Farm Credit Administration available for use in connection with loans made under the provisions of this act or of prior crop production, seed, and feed loan acts of the same general character, may be used by the Governor to perform services for any institution operating under the supervision of the Farm Credit Administration upon such terms and conditions as the Governor may determine; and such institutions are hereby expressly empowered to enter into agreements with the Governor for such purpose.

(c) For the purpose of carrying out the provisions of this act, and for collecting loans made under other acts of the same general character, including loans made by the Governor with funds appropriated by the Emergency Appropriation Act, fiscal year 1935, or the Emergency Relief Appropriation Act of 1935, the Governor is authorized also to use the facilities and services of any agency or corporation operating under the supervision of the Farm Credit Administration, and of any officer or employee of any such agency or institution, or of the Farm Credit Administration, and may pay for such services and the use of such facilities from the funds made available for the payment of necessary administrative expenses; and such agencies and institutions are hereby expressly empowered to enter into agreements with the Governor for the accomplishment of such purposes and to perform the services provided for therein.

SEC. 6. (a) Except with the written permission of the Governor or his duly authorized representative, it shall be unlawful for any borrower to willfully use the proceeds of any loan:

(1) For any purpose other than those specified in the application therefor; or

(2) For the purpose of fallowing, or for the planting, production, or harvesting of any crops on, any land other than that described in his application for such loan.

(b) It shall be unlawful for any person to make any material false representation for the purpose of obtaining or assisting another to obtain a loan under the provisions of this act; or willfully to dispose of, or assist in disposing of, except for the account of the Governor, any crops or other property upon which there exists a lien securing a loan made under the provisions of this act.

(c) It shall be unlawful for any person to charge or accept a fee for preparing or assisting in the preparation of any papers of an applicant for a loan under the provisions of this act.

(d) Any person violating any provision of this section of this act shall, upon conviction thereof, be punished by a fine of not more than $1,000 or by imprisonment for not more than 6 months, or both.

SEC. 7. (a) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $50,000,000 for the purpose of enabling the Governor to carry out the provisions of this act.

(b) The moneys appropriated in pursuance of subsection (a) of this section, any amounts collected for services rendered under section 5 (b), and all collections of principal and interest of loans made under this act shall be deposited in a revolving fund and may be used by the Governor for making loans under this act and for all necessary administrative expenses incurred in connection with the making and collection of such loans.

(c) Expenditures for printing and binding necessary in carrying out the provisions of this act may be made without regard to the provisions of section 3709 of the Revised Statutes.

With the following committee amendment:

Page 6, lines 18 and 19, strike out "shall be deposited in a revolving fund and."

Mr. McCLELLAN. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the Committee on Agriculture a question. What is the reason for not making it a revolving fund?

Mr. JONES. Personally I would like to have seen this a revolving fund, but the Committee on Appropriations objected; and I did not want to fight on that basis, because we have got to go through that channel.

Mr. McCLELLAN. They thought it better to take it up annually?

Mr. JONES. Yes.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Cox, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 1545) to provide for loans to farmers for crop production and harvesting during the year 1937 and from year to year thereafter, and for other purposes, pursuant to House Resolution 80, he reported the bill back to the House with sundry amendments adopted by the Committee.

The SPEAKER. Under the rule the previous question is ordered. Is a separate vote demanded upon any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. JONES, a motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended to read as follows: "A bill to provide for loans to farmers for crop production and harvesting during the year 1937, and for other purposes."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. RICH (at the request of Mr. KINZER), for 2 days, on account of important business.

To Mr. ROBERTSON (at the request of Mr. BLAND), for an indefinite period, on account of illness.

To Mr. CANNON of Wisconsin (at the request of Mr. BOILEAU), for 1 week, on account of death of a relative.

To Mr. DREWRY of Virginia, for 3 days, on account of illness.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 462. An act to permit the exchange of used parts of certain types of equipment for new or reconditioned parts of the same equipment; to the Committee on Military Affairs.

S. 767. An act for the relief of the Charles T. Miller Hospital, Inc., at St. Paul, Minn.; Dr. Edgar T. Herrmann; Ruth Kehoe, nurse; and Catherine Foley, nurse; to the Committee on Claims.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 415. An act to continue the functions of the Reconstruction Finance Corporation, and for other purposes.

THE LATE HONORABLE ANDREW J. MONTAGUE

Mr. BLAND. Mr. Speaker, it becomes my sad duty to announce to the House the death yesterday of Representative ANDREW J. MONTAGUE, of Virginia. I shall not undertake now to express my personal sorrow or to appraise the loss which his district or the State of Virginia or the Nation has sustained.

No man in public life was more beloved than Representative MONTAGUE. His district has lost an untiring, zealous, and able Representative; Virginia a devoted son; and the Nation a patriotic public servant who sought always his Nation's good. In public service he added new luster to Virginia's record, and he was also true to the finest traditions of her illustrious past.

His funeral will be held tomorrow, Tuesday, at his residence, Urbanna, Va., at 3 p. m., and interment will be at Christ's Church, about 2 miles from Urbanna.

Governor MONTAGUE requested that no special committee should be appointed to attend his funeral, and expressed the wish that such of his colleagues as desired to attend and could attend should do so. Any persons desiring to go should confer as to directions with Mr. Frank Mahoney in the office of the Sergeant at Arms.

Mr. Speaker, I offer a resolution, which I send to the Clerk's desk and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 82

Resolved, That the House has heard with profound sorrow of the death of Hon. ANDREW J. MONTAGUE, a Representative from the State of Virginia.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the arrangements for the funeral, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

ADJOURNMENT

The SPEAKER. The Clerk will report the balance of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect this House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 36 minutes p. m.) the House adjourned until tomorrow, Tuesday, January 26, 1937, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE JUDICIARY

Subcommittee 1 of the Judiciary Committee will hold a hearing at 10 a. m., Wednesday, January 27, 1937, on H. R. 1611, to amend the act entitled "An act to protect trade and commerce against unlawful restraints and monopolies."

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will meet in room 445, old House Office Building, at 10:30 a. m. on Thursday, January 28, 1937, for hearings on H. R. 29, H. R. 1541, and H. R. 2002.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

283. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to an existing appropriation for the Treasury Department (H. Doc. No. 137); to the Committee on Appropriations and ordered to be printed.

284. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to existing appropriations for the Bureau of the Budget (H. Doc. No. 136); to the Committee on Appropriations and ordered to be printed.

285. A letter from the Secretary of War, transmitting a draft of a bill to authorize an appropriation for the improvement of ammunition storage facilities at Camp Stanley, Tex., and Savanna Ordnance Depot, Savanna, Ill., which the War Department presents for the consideration of the Congress with a view to its enactment into law; to the Committee on Military Affairs.

286. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to amend an act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1910, and for other purposes", approved March 3, 1909, to extend commissary privileges to widows of officers and enlisted men of the Navy and Marine Corps, and also to officers of the Foreign Service of the United States at foreign stations; to the Committee on Naval Affairs.

287. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill for the relief of Mrs. Cesaria Del Pilar; to the Committee on Claims.

288. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 21, 1937, submitting a report, together with accompanying papers, on a preliminary examination of Tanana River and Chena Slough, Alaska, authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

289. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 21, 1937, submitting a report, together with accompanying papers, on a preliminary examination and survey of Fond du Lac Harbor and vicinity, Lake Winnebago, Wis., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

290. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 21, 1937, submitting a report, together with accompanying papers, on a preliminary examination and survey of Wilson Harbor, N. Y., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

291. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 21, 1937, submitting a report, together with accompanying papers, on a preliminary examination of Bethel Harbor, Alaska, authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

292. A letter from the Rural Electrification Administrator, transmitting the Annual Report of the Rural Electrification Administration. This report covers its activities from May 11, 1935, to December 1936; to the Committee on Interstate and Foreign Commerce.

293. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill for the relief of Capt. J. H. Merriam,

Supply Corps, United States Navy; to the Committee on Claims.

294. A letter from the Secretary of War, transmitting a draft of a bill to amend that provision of the act approved March 3, 1879 (20 Stat. L. p. 712), relating to issue of arms and ammunition for the protection of public money and property; to the Committee on Military Affairs.

295. A letter from the Attorney General, transmitting a draft of a bill to confer jurisdiction upon certain United States commissioners to try petty offenses committed on Federal reservations; to the Committee on the Judiciary.

296. A letter from the Attorney General, transmitting a draft of a bill to amend the so-called extortion statutes; to the Committee on the Post Office and Post Roads.

297. A letter from the Attorney General, transmitting a draft of a proposed bill to penalize procuring of or attempts to procure the escape of any prisoner in the custody of an officer of the United States; to the Committee on the Judiciary.

298. A letter from the Secretary of the Treasury, transmitting the Annual Report of the Federal Bureau of Narcotics for the calendar year ended December 31, 1935; to the Committee on Ways and Means.

299. A letter from the Chairman of the Federal Home Loan Bank Board, transmitting the Fourth Annual Report of the Federal Home Loan Bank Board for the period July 1, 1935, to June 30, 1936 (H. Doc. No. 152); to the Committee on Banking and Currency, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. BUCHANAN: Committee on Appropriations. H. R. 3587. A bill making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes; without amendment (Rept. No. 19). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. McGEHEE: Committee on Claims. H. R. 327. A bill for the relief of Henry H. Carr; Robert E. Wise, Stanley Wise Ellis, and Peyton L. Ellis; and Hilory Wise and Flora A. Wise; with amendment (Rept. No. 20). Referred to the Committee of the Whole House.

Mr. SEGER: Committee on Claims. H. R. 357. A bill for the relief of Albert W. Wright; with amendment (Rept. No. 21). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 419. A bill for the relief of Edward L. Gockeler; without amendment (Rept. No. 22). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 447. A bill for the relief of Alpha Vint; with amendment (Rept. No. 23). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 448. A bill for the relief of C. C. Young; with amendment (Rept. No. 24). Referred to the Committee of the Whole House.

Mr. SMITH of Washington: Committee on Claims. H. R. 449. A bill for the relief of Earl Hill; with amendment (Rept. No. 25). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 456. A bill for the relief of Ernest and Lottie Dunford; without amendment (Rept. No. 26). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 520. A bill for the relief of Nick Gruyich; without amendment (Rept. No. 27). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 545. A bill for the relief of Dean Scott; without amendment (Rept. No. 28). Referred to the Committee of the Whole House.

Mr. CARLSON: Committee on Claims. H. R. 548. A bill for the relief of Catherine Ward; without amendment (Rept. No. 29). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 568. A bill for the relief of James A. Henderson; with amendment (Rept. No. 30). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 588. A bill for the relief of J. P. Harris; with amendment (Rept. No. 31). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 600. A bill for the relief of A. S. Koyer; with amendment (Rept. No. 32). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 601. A bill for the relief of Edna M. Callahan and Anna Scott; with amendment (Rept. No. 33). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 635. A bill for the relief of Mary Daley; without amendment (Rept. No. 34). Referred to the Committee of the Whole House.

Mr. RYAN: Committee on Claims. H. R. 703. A bill for the relief of Elbert Arnold Jarrell; with amendment (Rept. No. 35). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 730. A bill for the relief of Joseph M. Clagett, Jr.; without amendment (Rept. No. 36). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 734. A bill for the relief of Joseph Pethersky, of Port Deposit, Md.; with amendment (Rept. No. 37). Referred to the Committee of the Whole House.

Mr. RYAN: Committee on Claims. H. R. 824. A bill for the relief of James Luker, Sr.; with amendment (Rept. No. 38). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 854. A bill for the relief of Robert Coates; without amendment (Rept. No. 39). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 855. A bill for the relief of Roland P. Winstead; with amendment (Rept. No. 40). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 856. A bill for the relief of First Lt. R. G. Cuno; with amendment (Rept. No. 41). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 906. A bill for the relief of John McShain, Inc.; with amendment (Rept. No. 42). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 911. A bill for the relief of Lewis Clark and Freda Mason; with amendment (Rept. No. 43). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 941. A bill for the relief of Floyd Gatton; with amendment (Rept. No. 44). Referred to the Committee of the Whole House.

Mr. SMITH of Washington: Committee on Claims. H. R. 1065. A bill for the relief of Mrs. Louis Abner; without amendment (Rept. No. 45). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1086. A bill for the relief of Weymouth Kirkland and Robert N. Golding; without amendment (Rept. No. 46). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1087. A bill for the relief of Lucretia Norris; without amendment (Rept. No. 47). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1088. A bill for the relief of the Baker-Whiteley Coal Co.; without amendment (Rept. No. 48). Referred to the Committee of the Whole House.

Mr. SEGER: Committee on Claims. H. R. 1089. A bill for the relief of Charles M. Perkins; without amendment (Rept. No. 49). Referred to the Committee of the Whole House.

Mr. SEGER: Committee on Claims. H. R. 1090. A bill for the relief of certain disbursing officers and former disbursing officers of the United States Veterans' Administration; without amendment (Rept. No. 50). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1091. A bill for the relief of Capt. J. H. Merriam, Supply Corps, United States Navy; without amendment (Rept. No. 51). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1092. A bill for the relief of May Howard Bloedorn; without amendment (Rept. No. 52). Referred to the Committee of the Whole House.

Mr. RYAN: Committee on Claims. H. R. 1093. A bill for the relief of Cleveland L. Short; without amendment (Rept. No. 53). Referred to the Committee of the Whole House.

Mr. SEGER: Committee on Claims. H. R. 1094. A bill for the relief of Clark F. Potts and Charles H. Barker; without amendment (Rept. No. 54). Referred to the Committee of the Whole House.

Mr. SEGER: Committee on Claims. H. R. 1095. A bill for the relief of Dexter P. Cooper; without amendment (Rept. No. 55). Referred to the Committee of the Whole House.

Mr. SMITH of Washington: Committee on Claims. H. R. 1096. A bill for the relief of Michael E. Sullivan; without amendment (Rept. No. 56). Referred to the Committee of the Whole House.

Mr. RYAN: Committee on Claims. H. R. 1098. A bill for the relief of William L. Jenkins; without amendment (Rept. No. 57). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 3433) granting an increase of pension to Emma J. Campbell, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BUCHANAN: A bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes; to the Committee on Appropriations.

By Mr. CELLER: A bill (H. R. 3588) to incorporate the American National Institute (Prix de Paris) at Paris, France; to the Committee on the Judiciary.

By Mr. COLMER: A bill (H. R. 3589) extending the benefits for veterans of the Spanish-American War, including the Philippine Insurrection and the China Relief Expedition, to contract veterinarians; to the Committee on Pensions.

By Mr. JOHNSON of Texas: A bill (H. R. 3590) to create the Farm Tenant Home Purchase Corporation, to promote the purchase of farms and farm homes by farm tenants, and for other purposes; to the Committee on Agriculture.

By Mr. JOHNSON of West Virginia: A bill (H. R. 3591) to complete the Point Pleasant Battle Monument, Point Pleasant, W. Va.; to the Committee on Military Affairs.

By Mr. MILLER: A bill (H. R. 3592) to improve the navigability of the Arkansas River and the White River in Arkansas and Missouri, to provide for flood control of the Mississippi River and the Arkansas and White Rivers, to provide for reforestation and for the use of marginal lands; for the agricultural and industrial development; for the irrigation of lands; for the restoration and preservation of the water level, and for the development of electrical power in the Arkansas and White River Valleys, and for other purposes; to the Committee on Flood Control.

By Mr. RANKIN: A bill (H. R. 3593) providing for appeals from orders of Federal courts prohibiting compliance with Federal laws; to the Committee on the Judiciary.

Also, a bill (H. R. 3594) to define the legal status of corporations; to the Committee on the Judiciary.

By Mr. SCOTT: A bill (H. R. 3595) to provide for motorization of mail transport in certain cases, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. THOMAS of New Jersey: A bill (H. R. 3596) making it unlawful for sellers of goods to ship goods in interstate commerce unless plainly marked to show the amount of taxes involved in the manufacture thereof, and for other purposes; to the Committee on Ways and Means.

By Mr. VINSON of Georgia: A bill (H. R. 3597) authorizing an appropriation for the erection of a memorial to the officers and men of the United States Navy who lost their lives as the result of a boiler explosion that totally destroyed the U. S. S. *Tulip* near St. Inigoes Bay, Md., on November 11, 1864, and for other purposes; to the Committee on Naval Affairs.

Also, a bill (H. R. 3598) authorizing the Secretary of the Navy to accept gifts and bequests for the benefit of the office of naval records and library, Navy Department; to the Committee on Naval Affairs.

Also, a bill (H. R. 3599) to provide for the better administration of justice in the Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 3600) to amend section 7 of the act approved May 29, 1934, entitled "An act to regulate the distribution, promotion, retirement, and discharge of commissioned officers of the Marine Corps, and for other purposes"; to the Committee on Naval Affairs.

Also, a bill (H. R. 3601) to prohibit the unauthorized wearing, manufacture, or sale of medals and badges issued by the Navy Department; to the Committee on Naval Affairs.

Also, a bill (H. R. 3602) to amend the act approved February 15, 1929, entitled "An act to permit certain warrant officers to count all active service rendered under temporary appointments as warrant or commissioned officers in the regular Navy, or as warrant or commissioned officers in the United States Naval Reserve Force, for purpose of promotion to chief warrant rank"; to the Committee on Naval Affairs.

Also, a bill (H. R. 3603) to amend the part of the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes", approved June 4, 1920, relating to the conservation, care, custody, protection, and operation of the naval petroleum and oil-shale reserves; to the Committee on Naval Affairs.

Also, a bill (H. R. 3604) to amend section 5 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", approved March 3, 1925, to authorize the payment of a per diem in connection with naval aerial surveys and flight checking of aviation charts; to the Committee on Naval Affairs.

Also, a bill (H. R. 3605) to amend the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902; to the Committee on Naval Affairs.

Also, a bill (H. R. 3606) to amend section 22 of the act approved March 4, 1925, entitled "An act providing for sundry matters affecting the naval service, and for other purposes"; to the Committee on Naval Affairs.

Also, a bill (H. R. 3607) to authorize the acceptance of certain lands in the city of San Diego, Calif., by the United States and the transfer by the Secretary of the Navy of certain other lands to said city of San Diego; to the Committee on Naval Affairs.

Also, a bill (H. R. 3608) to authorize the disposition of the former naval radio station property at St. Augustine, Fla.; to the Committee on Naval Affairs.

By Mr. BURCH: A bill (H. R. 3609) to protect the salaries of rural letter carriers who transfer from one rural route to another; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 3610) to adjust the salaries of rural letter carriers; to the Committee on the Post Office and Post Roads.

By Mr. DISNEY: A bill (H. R. 3611) authorizing an appropriation for payment to the Osage Tribe of Indians on account of their lands sold by the United States; to the Committee on Indian Affairs.

By Mr. HILL of Alabama (by request): A bill (H. R. 3612) to amend an act approved February 7, 1913, so as to remove restrictions as to the use of the Little Rock Confederate Cemetery, and for other purposes; to the Committee on Military Affairs.

By Mr. MURDOCK of Utah: A bill (H. R. 3613) to provide for the construction, extension, and improvement of public-school buildings in Uintah County, Utah; to the Committee on Indian Affairs.

By Mr. VOORHIS: A bill (H. R. 3614) to extend the provisions of the Tennessee Valley Authority Act of 1933 to the Ohio River Basin for the purpose of preventing floods, devoloping waterway transportation, conserving soil resources, and providing an abundance of cheap electric power to the people of that region; to the Committee on Military Affairs.

By Mr. RAMSPECK: A bill (H. R. 3615) to amend the Interstate Commerce Act, as amended, by providing for the regulation of the transportation of passengers and property by water carriers operating in interstate and foreign commerce, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HILL of Alabama (by request): A bill (H. R. 3616) to amend section 1860 of the Revised Statutes, as amended, to permit retired officers and enlisted men of the Army, Navy, and Marine Corps to hold civil office in any territory of the United States; to the Committee on Military Affairs.

Also (by request), a bill (H. R. 3617) to amend the act of June 23, 1936, authorizing the Secretary of War to set apart as a national cemetery certain lands of the Fort Snelling Military Reservation, Minn.; to the Committee on Military Affairs.

Also (by request), a bill (H. R. 3618) to reestablish the longevity pay of warrant officers; to the Committee on Military Affairs.

By Mr. MANSFIELD: A bill (H. R. 3619) authorizing a preliminary examination and survey of Lavaca River, Tex., with a view to the control of its floods; to the Committee on Flood Control.

Also, a bill (H. R. 3620) authorizing a preliminary examination and survey of Mill Creek, a tributary of the Brazos River in Austin County, Tex., with a view to the control of its floods; to the Committee on Flood Control.

Also, a bill (H. R. 3621) authorizing a preliminary examination and survey of Navidad River, Tex., with a view to the control of its floods; to the Committee on Flood Control.

By Mr. PIERCE: A bill (H. R. 3622) to amend section 401 of the act entitled "An act to amend the Migratory Bird Hunting Stamp Act of March 16, 1934, and certain other acts relating to game and other wildlife, administered by the Department of Agriculture, and for other purposes", approved June 15, 1935; to the Committee on Agriculture.

By Mr. JARMAN: A bill (H. R. 3623) to amend Public Law No. 484, Seventy-third Congress, to increase pensions payable to widows and orphans of deceased service-connected disabled veterans; to the Committee on World War Veterans' Legislation.

By Mr. QUINN: A bill (H. R. 3624) to prohibit raising funds to aid in the prosecution of war in which the United States is not engaged; to the Committee on Foreign Affairs.

By Mr. RANDOLPH (by request): A bill (H. R. 3625) to amend subdivisions (e), (f), and (g) of section 33 of an act entitled "An act to provide compensation for disability or death resulting from injury to employees in certain maritime employments, and for other purposes", approved March 4, 1927, and to add a new subdivision (i) thereto; to the Committee on the Judiciary.

By Mr. JARMAN: A bill (H. R. 3626) to amend existing law to provide that ratings of World War service-connected disability, on a permanent basis for 5 years, shall not be reduced; to the Committee on World War Veterans' Legislation.

By Mr. KING: A bill (H. R. 3627) for the relief of persons traveling between the continental United States and the Territory of Hawaii during the existing maritime strike, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MARTIN of Massachusetts: A bill (H. R. 3628) for the improvement of Westport River, Mass.; to the Committee on Rivers and Harbors.

By Mr. GREEN: A bill (H. R. 3629) to provide for establishing engineering experiment stations at the land-grant colleges; to the Committee on Agriculture.

By Mr. FISH: Resolution (H. Res. 83) to create a committee to be known as the Committee on Social Etiquette; to the Committee on Rules.

By Mr. McREYNOLDS: Joint resolution (H. J. Res. 147) to maintain the neutrality of the United States in the event of war or threat of war between or among foreign nations; to the Committee on Foreign Affairs.

By Mr. MAPES: Joint resolution (H. J. Res. 148) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. HANCOCK of North Carolina: Joint resolution (H. J. Res. 149) to extend for a period of 2 years the guaranty by the United States of debentures issued by the Federal Housing Administration on construction loans, thus increasing employment; to the Committee on Banking and Currency.

By Mr. CLARK of Idaho: Joint resolution (H. J. Res. 150) to permit a compact or agreement between the States of Idaho and Wyoming respecting the disposition and apportionment of the waters of the Snake River and its tributaries, and for other purposes; to the Committee on Irrigation and Reclamation.

Also, joint resolution (H. J. Res. 151) making funds available for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers and Mormon crickets; to the Committee on Agriculture.

By Mr. JENKINS of Ohio: Joint resolution (H. J. Res. 152) to provide emergency relief for certain flood victims and the restoration and reconstruction of certain flood areas; to the Committee on Appropriations.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the General Assembly of the Commonwealth of Kentucky, ratifying the proposed amendment to the Constitution of the United States to authorize Congress to limit, regulate, and prohibit the labor of persons under 18 years of age; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN of Louisiana: A bill (H. R. 3630) for the relief of E. C. Willis, father of the late Charles R. Willis, a minor; to the Committee on Claims.

By Mr. BACON: A bill (H. R. 3631) for the relief of Harry Cosby Vaughan; to the Committee on Naval Affairs.

Also, a bill (H. R. 3632) for the relief of George Dewey Lyon; to the Committee on Naval Affairs.

By Mr. BEITER: A bill (H. R. 3633) to correct the naval record of Henry Strier; to the Committee on Naval Affairs.

By Mr. CALDWELL: A bill (H. R. 3634) for the relief of Noah Spooner; to the Committee on Claims.

By Mr. CLUETT: A bill (H. R. 3635) granting an increase of pension to Mary B. Kaiser; to the Committee on Invalid Pensions.

By Mr. COLMER: A bill (H. R. 3636) for the relief of Margaret Scott Bayley; to the Committee on Claims.

By Mr. DELANEY: A bill (H. R. 3637) for the relief of Eugene V. McClatchey; to the Committee on Naval Affairs.

By Mr. DORSEY: A bill (H. R. 3638) for the relief of Michael Charles; to the Committee on Military Affairs.

By Mr. DUNCAN: A bill (H. R. 3639) granting an increase of pension to Frederica Louise Gross; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3640) for the relief of Joy Sturgis; to the Committee on War Claims.

By Mr. FITZGERALD: A bill (H. R. 3641) for the relief of Percy H. Loomis; to the Committee on Military Affairs.

By Mr. FORAND: A bill (H. R. 3642) for the relief of Edward Burk; to the Committee on Claims.

By Mr. FULMER: A bill (H. R. 3643) for the relief of John H. LaFitte; to the Committee on Military Affairs.

By Mr. GREEVER: A bill (H. R. 3644) directing the Secretary of the Interior to issue to Albert W. Gabbey a patent to certain lands in the State of Wyoming; to the Committee on the Public Lands.

Also, a bill (H. R. 3645) for the relief of Francesco Kovach, alias Frank Kovach, alias Joe Kalister; to the Committee on Immigration and Naturalization.

By Mr. HANCOCK of New York: A bill (H. R. 3646) for the relief of Benjamin Solari, alias Benjamin Lauri; to the Committee on Military Affairs.

By Mr. HAVENNER: A bill (H. R. 3647) for the relief of Elizabeth Manning; to the Committee on Claims.

Also, a bill (H. R. 3648) for the relief of the K. E. Parker Co.; to the Committee on Claims.

Also, a bill (H. R. 3649) to extend the benefits of the Employees' Compensation Act of September 7, 1916, to Thomas P. McGinn, a former employee of the United States Mint at San Francisco, Calif.; to the Committee on Claims.

By Mrs. HONEYMAN: A bill (H. R. 3650) for the relief of William Wannebo; to the Committee on Military Affairs.

By Mr. JOHNSON of West Virginia: A bill (H. R. 3651) granting back pay to Auguste C. Loiseau; to the Committee on Claims.

Also, a bill (H. R. 3652) for the relief of Robert C. Chaney; to the Committee on Naval Affairs.

By Mr. KEOGH: A bill (H. R. 3653) granting a pension to Mary Hutcheson; to the Committee on Pensions.

By Mr. MAAS: A bill (H. R. 3654) for the relief of Mrs. Lawrence Chlebeck; to the Committee on Claims.

By Mr. RAMSPECK: A bill (H. R. 3655) for the relief of Clarence D. Schiffman; to the Committee on Claims.

By Mr. REED of Illinois: A bill (H. R. 3656) granting a pension to Josephine (Jessie) Campbell; to the Committee on Invalid Pensions.

By Mrs. ROGERS of Massachusetts: A bill (H. R. 3657) for the relief of Albert Pina Afonso; to the Committee on Claims.

By Mr. ROMJUE: A bill (H. R. 3658) granting a pension to Raymond Jennings Ross; to the Committee on Pensions.

By Mr. RUTHERFORD: A bill (H. R. 3659) granting a pension to Matie Patrey; to the Committee on Invalid Pensions.

By Mr. THOM: A bill (H. R. 3660) for the relief of Paul Custer Wiand; to the Committee on Naval Affairs.

By Mr. VINSON of Georgia: A bill (H. R. 3661) awarding a Navy cross to John W. Thomason; to the Committee on Naval Affairs.

By Mr. WEAVER: A bill (H. R. 3662) granting a pension to Jacob Schneider, Jr.; to the Committee on Pensions.

By Mr. WITHROW: A bill (H. R. 3663) granting a pension to Emma A. Henning; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3664) granting a pension to Irene L. Davidson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3665) to confer citizenship on Agatha Kwiatkowski; to the Committee on Immigration and Naturalization.

By Mr. DONDERO: Joint resolution (H. J. Res. 153) for the relief of Kam N. Kathju, to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

102. By Mr. BUCKLER of Minnesota: Petition of Robert Thomas, president of the Workers' Alliance unit at Detroit Lakes, Becker County, Minn., praying for the pushing of an amendment to the social-security law that will give the unfortunate the proper medical, dental, and optical care that they are rightfully entitled to; to the Committee on Ways and Means.

103. Also, petition of Robert Thomas, president of Workers' Alliance unit of Detroit Lakes, Becker County, Minn., praying that all present and eligible persons for the Works Progress Administration program be given work with a 20-percent increase in salary, all workers who cannot do manual labor, due to physical handicap or old age, on Works Progress Administration projects be given outright grants equal to Works Progress Administration standard, and that farmers and laborers be given representation on all administration commissions to help carry out this program, and, as well, asks that a thorough investigation be made at once on the situation of our drought-stricken farmers and the unemployed laborers in our community; to the Committee on Banking and Currency.

104. Also, petition of Ed. C. Baumann, secretary of the Workers' Alliance of America, Clearwater County Branch, Minn., protesting against lay-offs on Works Progress Administration and plans to demobilize the Works Program and also supports the Workers' Alliance of America demand for deficiency appropriation of $1,250,000,000 to continue and expand Works Progress Administration and pay decent wages; to the Committee on Ways and Means.

105. By Mr. BIERMANN: Memorial of Anton Bernatz Post, No. 163, of the American Legion of Decorah, Iowa; to the Committee on Banking and Currency.

106. Also, petition of various citizens of Elgin, Iowa, urging Congress to keep our country out of war and to limit expenditures on armaments; to the Committee on Appropriations.

107. Also, petition of the Eastern Iowa District Council of the United Spanish War Veterans; to the Committee on World War Veterans' Legislation.

108. By Mr. COLDEN: Resolution adopted by the Wilmington Epic Club, Wilmington, Calif., urging the withholding of Government subsidies from steamship companies opposing maritime unions, and the adoption of a program designed to bring about negotiations of such operators with maritime unions for the purpose of terminating the present maritime strike on the Pacific coast; to the Committee on Ways and Means.

109. By Mr. SADOWSKI: Petition of the Detroit Federation of Post Office Clerks, endorsing change in House bill 7688; to the Committee on the Post Office and Post Roads.

110. By the SPEAKER: Petition of the town of Stamford, Conn., to build, own, and operate a toll express motorway between New York City and Boston, Mass.; to the Committee on Roads.

111. By Mr. PFEIFER: Petition of the Medical Society of the County of Kings and Academy of Medicine of Brooklyn, N. Y., favoring annual appropriation of Congress to the Army Medical Library; also appropriation to purchase back publications lost during recent years, known as the Index Catalogue; to the Committee on Appropriations.

112. By Mr. LAMBERTSON: House Concurrent Resolution No. 3 of the Kansas House of Representatives, memorializing the Congress of the United States and the Secretary of Agriculture of the United States to include in any soil-erosion or conservation measure or program, provisions

for the payment of benefits for the eradication of field bindweed; to the Committee on Agriculture.

113. By Mr. SADOWSKI: Petition of the West Hancock Study Club, of Detroit, Mich., endorsing the appropriation of $500,000 to the Senate Committee on Violations of Civil Rights and Collective Bargaining; to the Committee on Ways and Means.

114. Also, petition of Central Supply Association of Detroit, Mich., asking the extension of title 1 of the National Housing Act; to the Committee on Banking and Currency.

115. Also, petition of the Detroit Federation of Post Office Clerks, favoring the enactment of legislation placing postmasters of the first, second, and third class in the classified civil service; to the Committee on the Post Office and Post Roads.

116. Also, petition of the International Brotherhood of Electrical Workers, Local Union No. 58, Detroit, Mich., endorsing the additional appropriation for the investigation of violations of civil rights and collective bargaining; to the Committee on Ways and Means.

SENATE

TUESDAY, JANUARY 26, 1937

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O God, merciful and compassionate, who art ever ready to hear the prayers of those who put their trust in Thee graciously hearken to Thy children who in this time of trouble flee unto Thee for help. Deliver them, we beseech Thee, from the perils of waters, from the perils of fire, pestilence, and death. Give strength, skill, and a sense of divine pity to all who minister unto their need, that the manifest humanity of man to man may be transfigured by the alchemy of Thy grace.

Rebuke the troubled waters and mercifully restore tranquillity to our land, O loving Father, and in this hour of utmost need grant that we may look not merely for the manifestation of Thy outward power, but especially for Thy heart, which cares; Thy face, which answereth to our own. In Jesus Christ our Lord. Amen.

The Chief Clerk proceeded to read the Journal of the proceedings of Friday, January 22, 1937, when, on request of Mr. ROBINSON, and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

SIGNING OF AN ENROLLED BILL

The VICE PRESIDENT. The Chair announces that, under authority of the order of the Senate of the 22d instant, he signed on Saturday, January 23, 1937, the enrolled bill (S. 416) to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Brown, N. H.	Frazier	Hughes
Andrews	Bulkley	George	Johnson, Colo.
Ashurst	Bulow	Gerry	King
Austin	Burke	Gibson	La Follette
Bachman	Byrnes	Gillette	Lee
Bailey	Capper	Glass	Lodge
Bankhead	Caraway	Green	Logan
Barkley	Chavez	Guffey	Lonergan
Bilbo	Connally	Hale	Lundeen
Black	Copeland	Harrison	McAdoo
Bone	Davis	Hayden	McCarran
Borah	Dieterich	Herring	McGill
Bridges	Duffy	Hitchcock	McKellar
Brown, Mich.	Ellender	Holt	McNary
Minton	Overton	Schwartz	Wagner
Moore	Pittman	Schwellenbach	Walsh
Murray	Pope	Smith	Wheeler
Neely	Radcliffe	Truman	White
Norris	Reynolds	Tydings	
Nye	Robinson	Vandenberg	
O'Mahoney	Russell	Van Nuys	

Mr. MINTON. I announce that the Senator from Ohio [Mr. DONAHEY], the Senator from New Mexico [Mr. HATCH], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Florida [Mr. PEPPER] are absent, due to illness.

I further announce that the Senator from Virginia [Mr. BYRD], the Senator from Missouri [Mr. CLARK], the Senator from Connecticut [Mr. MALONEY], the Senator from Texas [Mr. SHEPPARD], the Senator from Utah [Mr. THOMAS], and the Senator from Illinois [Mr. LEWIS] are necessarily detained from the Senate.

Mr. McNARY. I announce that the senior Senator from Minnesota [Mr. SHIPSTEAD] and my colleague the junior Senator from Oregon [Mr. STEIWER] are absent because of illness, and that the Senator from Delaware [Mr. TOWNSEND] is necessarily detained from the Senate.

The VICE PRESIDENT. Eighty-one Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. ANDREW J. MONTAGUE, late a Representative from the State of Virginia, and transmitted the resolutions of the House thereon.

The message announced that the House had passed without amendment the bill (S. 415) to continue the functions of the Reconstruction Finance Corporation, and for other purposes.

The message also announced that the House had passed a bill (H. R. 1545) to provide for loans to farmers for crop production and harvesting during the year 1937, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (S. 415) to continue the functions of the Reconstruction Finance Corporation, and for other purposes, and it was signed by the Vice President.

REPORT OF RURAL ELECTRIFICATION ADMINISTRATION

The VICE PRESIDENT laid before the Senate a letter from the Administrator of the Rural Electrification Administration, transmitting, pursuant to law, the report of the Administration for the period from May 11, 1935, to December 31, 1936, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry.

REPORT ON COTTON TEXTILE INDUSTRY

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Federal Trade Commission, transmitting copy of a report submitted by the Commission to the President of the United States, entitled "The Textile Industries in the First Half of 1936, Part I: The Cotton Textile Industry (Including Thread, Cordage, and Twine)", which, with the accompanying document, was referred to the Committee on Education and Labor.

REPORT OF NATIONAL ACADEMY OF SCIENCES

The VICE PRESIDENT laid before the Senate a letter from the president of the National Academy of Sciences, transmitting, pursuant to law, the annual report of the academy for the fiscal year ended June 30, 1936, which, with the accompanying report, was referred to the Committee on the Library.

REPORT OF BELLEAU WOOD MEMORIAL ASSOCIATION

The VICE PRESIDENT laid before the Senate three letters from the president of the Belleau Wood Memorial Association, transmitting, pursuant to law, reports of the association, which, with the accompanying papers, were referred to the Committee on Military Affairs, as follows:

A report for the calendar year ended December 31, 1936;

A report for the period from January 1 to January 18, 1937; and

A final report of the association dated January 18, 1937.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the Legislature of the State of South Dakota, which was referred to the Committee on Agriculture and Forestry:

Senate Concurrent Resolution 1

Concurrent resolution petitioning the President to extend additional sustenance to provide feed for livestock and seed for spring planting

Be it resolved by the Senate of the State of South Dakota (the house of representatives concurring):

Whereas due to a total crop failure in more than three-fourths of the counties of the State in 1936, which left our farmers entirely without feeds, both grains and hay, to care for their livestock needs, and which made it necessary for them to dispose of all surplus livestock except a few milk cows, brood sows, poultry, and work horses. Due to the general depression and nonpayment of taxes our State and local governments are unable to cope with the situation; and

Whereas the present available sustenance grants are entirely inadequate to care for the needs of our people during the severe winter season, and in order to prevent suffering and want it is necessary that the Federal Government extend increased aid: Therefore be it

Resolved by the senate of the twenty-fifth session (the house of representatives concurring), That we respectfully urge the President of the United States extend to us increased sustenance grants or other form of relief, as well as suitable provisions for livestock feed, and that the necessary governmental machinery be put in operation immediately to guarantee seed for early spring planting; be it further

Resolved, That copies of this resolution be forwarded by the Governor to the President of the United States, to the Secretary of Agriculture of the United States, to the Presiding Officer of the United States Senate, to the Speaker of the House of Representatives of the United States, and to the Federal Relief Administrator.

The VICE PRESIDENT also laid before the Senate the following concurrent resolution of the Legislature of the State of Kansas, which was referred to the Committee on Agriculture and Forestry:

House Concurrent Resolution 3

Concurrent resolution memorializing the Congress of the United States and the Secretary of Agriculture of the United States to include in any soil erosion or conservation measure or program provisions for the payment of benefits for the eradication of field bindweed

Whereas field bindweed is by far the most dangerous and destructive weed found in Kansas; and

Whereas it is causing alarm not only in the State of Kansas but over a large part of the United States, particularly in the West; and

Whereas it now occurs in every county in the State of Kansas and is spreading at an alarming rate; and

Whereas some farms are so completely overrun with field bindweed that crops can be produced only by the expenditure of much additional labor, without which greatly reduced yields are obtained; and

Whereas such farms are regarded by many as nearly worthless in their present condition and would not sell for one-half the normal price if put on the market; and

Whereas loan companies many times refuse to accept mortgages on farms known to be infested with field bindweed; and

Whereas crop production on heavily infested land is rarely profitable: Now, therefore, be it

Resolved by the House of Representatives of the State of Kansas (the senate concurring therein), That we request and urge the Congress of the United States and the Secretary of Agriculture of the United States to include, in any soil erosion or conservation measure or program, provisions for the payment of benefits for the eradication of field bindweed; and be it further

Resolved, That sufficient copies of this resolution shall be printed and the secretary of state is hereby directed to transmit a copy of the same to the President of the United States, Secretary of Agriculture of the United States, the President of the Senate of the United States, and a copy to the Speaker of the House of Representatives of the United States, and to each of the Kansas Senators and Congressmen.

The VICE PRESIDENT also laid before the Senate the following resolution of the Legislature of the State of Nebraska, which was referred to the Committee on Military Affairs:

Resolution memorializing the Congress of the United States to enact into law the Sheppard-Hill bill, commonly called the Universal Service Act, in the interest of world peace

Whereas the existing international situation is threatening the peace of the world to such an extent that every American citizen should be interested in any plan which has as its purpose the keeping of America at peace; and

Whereas veterans of the World War who now form the membership of the American Legion have from their knowledge of the problems and conduct of war evolved a plan known as the Universal Service Act, which plan is approved by all other veterans' organizations, and which provides for the draft of capital, industry, manpower, and all other resources of the country, as well as men to fight, in the event of a national emergency, with equal service for all and special privilege and profit for none, thereby removing one of the greatest incentives for war, the profit motive; and

Whereas it is our belief that in the event of a future war a dollar should not be held of greater value than human lives or human suffering; and

Whereas it will not cost the United States one cent to place the universal service law on the statute books, and if fortune should bless us and there be no more wars, its enactment will not affect the life of the Nation; but should war come, this law would enable us to meet it promptly and efficiently as a united Nation in arms: Now, therefore, be it

Resolved by the Legislature of the State of Nebraska in fifty-second regular legislative session assembled:

1. That it is the sense of the members of this legislature that it will militate for the best interests of the United States of America if the Congress shall enact into law without delay S. 25 and H. R. 1954, the Sheppard-Hill bill, commonly known as the Universal Service Act, for the sake of the promotion of world peace.

2. That the clerk of the legislature be directed forthwith to forward copies of this resolution, properly authenticated and suitably engrossed, to the President of the United States, to the Vice President of the United States as presiding officer of the United States Senate, to the Speaker of the House of Representatives of the United States, and to the United States Senators and Congressmen representing the State of Nebraska in the Congress to the end that our representatives in Washington may be speedily advised as to the sentiment of this legislature with respect to the immediate passage of the Universal Service Act.

The VICE PRESIDENT also laid before the Senate the following joint resolution of the General Assembly of the State of Kentucky, which was ordered to lie on the table:

Joint resolution ratifying the proposed amendment to the Constitution of the United States to authorize Congress to limit, regulate, and prohibit the labor of persons under 18 years of age

Whereas both Houses of the Congress of the United States of America by a constitutional majority of two-thirds thereof made the following proposition to amend the Constitution of the United States of America, in the following words, to wit:

"Joint resolution, proposing to amend the Constitution relating to the limiting, regulation, and prohibition of the labor of persons under 18 years of age:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution, when ratified by the legislature of three-fourths of the several States:

"SECTION 1. That Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age.

"SEC. 2. The power of the several States is unimpaired by this article, except that the operation of the State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress."

Therefore be it

Resolved by the General Assembly of the Commonwealth of Kentucky:

SECTION 1. That the foregoing and above-recited amendment to the Constitution of the United States of America be and the same is hereby ratified by the General Assembly of the Commonwealth (State) of Kentucky as an amendment to the Constitution of the United States.

SEC. 2. That the Governor of the Commonwealth of Kentucky forthwith forward to the Secretary of State of the United States an authenticated copy of the foregoing joint resolution.

The VICE PRESIDENT also laid before the Senate a resolution adopted by the council of the city of Cleveland, Ohio, favoring the making of continued appropriations for the Works Progress Administration, which was referred to the Committee on Appropriations.

He also laid before the Senate the memorial of the Municipal Utilities League, of Bay City, Mich., remonstrating against the confirmation of Louis M. Nims as State administrator of the Works Progress Administration for Michigan, which was referred to the Committee on Appropriations.

He also laid before the Senate a resolution adopted by the board of supervisors of the city and county of Honolulu, Hawaii, favoring Federal action to alleviate the conditions brought about by maritime strikes, which was referred to the Committee on Education and Labor.

He also laid before the Senate a resolution adopted by the North Harlem Community Council, New York City, N. Y., favoring amendment of the Social Security Act so as to include as beneficiaries thereunder farm workers and domestic workers in private homes, which was referred to the Committee on Finance.

He also laid before the Senate a resolution adopted by Moultrie County Council of the American Legion, at Bethany, Ill., endorsing the President's peace pact with the nations of South America, and favoring a policy of neutrality with all nations by the United States, which was referred to the Committee on Foreign Relations.

He also laid before the Senate the memorial of Headquarters Lodge of the American Society, Shreveport, La., remonstrating against amendment of the Constitution, especially the provision relating to the coinage of money and regulation of the value thereof, etc., which was referred to the Committee on the Judiciary.

NEUTRALITY—MILITARY AVIATION

Mr. OVERTON. Mr. President, I send to the desk for appropriate reference a resolution adopted at a regular meeting of Johnson-Brown Post, No. 1736, Veterans of Foreign Wars of the United States, at Alexandria, La. It is a short resolution, and I ask unanimous consent to have it printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

JOHNSON-BROWN POST, No. 1736,
VETERANS OF FOREIGN WARS,
Alexandria, La., January 15, 1937.

At a regular meeting of Johnson-Brown Post, Veterans of Foreign Wars of the United States, of Alexandria, La., the following resolutions were unanimously adopted:

"(1) That the Congress of the United States now in session be memorialized to pass the necessary legislations granting unto the President the right, in his discretion, to place an embargo on any and all material that might be used in war to any country at war, whether with another country or a civil war.

"(2) That the Congress of the United States now in session be memorialized to pass the necessary legislations to place the military aviation of the United States under a separate department or branch from the Army or Navy so as to operate as a unit and independently of any other branch or department.

"(3) That the Congress of the United States now in session be memorialized to appropriate the money necessary to build a sufficient number of military airplanes to place the United States on an equal in that respect with any other country."

LOUIS F. FISH, *Commander.*

Attest:

G. L. JEANSOME, *Adjutant.*

AMERICAN CITIZENSHIP, ISLAND OF GUAM

Mr. McADOO. Mr. President, recently I had the privilege of visiting the island of Guam. At a mass meeting of citizens, arranged with the approval of our very excellent Governor, Mr. McCandlish, in the public square at Agana, the capital of the island, a petition from the people of the island praying for the granting of American citizenship was presented to me by the chairmen of the House of Council and House of Assembly of the Fourth Guam Congress. I ask that a resolution adopted by the council and assembly relating to the matter to which I have just alluded may, together with the letter of transmittal, be printed in the RECORD and appropriately referred.

There being no objection, the resolution and letter were referred to the Committee on Territories and Insular Affairs and ordered to be printed in the RECORD, as follows:

FOURTH CONGRESS OF THE ISLAND OF GUAM,
COUNCIL AND ASSEMBLY,
Agana, Guam, October 19, 1936.

Hon. W. G. McADOO:

In line with the move the people of Guam have taken to attain United States citizenship through congressional legislation, we take pleasure in sending you a copy of the resolution passed by the Guam Congress in joint session, trusting that you will be kind enough to lend support to our sincerest aspiration, should the same meet with your kind consideration.

Very sincerely yours,

E. T. CALVO,
Chairman, House of Assembly.
B. J. BORDALLO,
Chairman, House of Council.

Whereas the United States of America as a result of the war of 1898, acquired from the sovereign of Spain, among other territories, the island of Guam, said acquisition having been officially recognized under the terms of the Treaty of Paris dated December 10, 1898; and

Whereas the provision of article IX, paragraph 2 of the Treaty of Paris specifies that "the civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress"; and

Whereas all the native inhabitants of the territories ceded to the United States under the terms of the said Treaty of Paris, with the exception of the inhabitants of the Island of Guam, have been afforded and granted political rights and privileges which are the heritage of free American Government; and

Whereas during the 38 years that have elapsed since the signing of the Treaty of Paris, the inhabitants of the island of Guam have firmly and consistently remained loyal and lawabiding toward their mother country and have expressed their desire and aspiration of becoming citizens of the United States as evinced by their pledges and petitions and manifested in deeds by their full-hearted cooperation and active support given their mother country in the last World War; and

Whereas President McKinley in his instructions when he placed the island under the control of the Navy Department in 1898 inferred that legislation by the United States would be provided; and the inhabitants of Guam, after 38 years of faithful allegiance to the American flag, are patiently waiting for the only reward they desire—to be accepted to citizenship of their mother country, and to be at least on the same status as the inhabitants of the Virgin Islands; and

Whereas petitions in the past seeking to gain the desired aim for which the people of Guam have striven for 38 years, as submitted to the President of the United States and his several cabinet officers, have proved futile; and

Whereas the petition signed by 1,965 native inhabitants of Guam on December 19, 1933, presented by the Honorable ERNEST W. GIBSON of Vermont, before the Congress of the United States on February 28, 1934, was referred to the Committee on Immigration where it is still pending; and

Whereas it is the consensus of opinion among the people of Guam and their duly elected representatives in the Guam Congress that the cause of the people of Guam, be presented by a delegation or appropriate representation to the Congress of the United States: Now, therefore, be it

Resolved, That the people of Guam through their official representatives, the Fourth Guam Congress, petition the Governor of Guam, the official representative in Guam of our mother country, to effect the early consummation of the desire and aspiration of the people of Guam, by the appointment of one delegate elected from each house of Guam Congress to proceed to Washington, D. C., for the sole purpose of representing the interests of Guam and her people; be it further

Resolved, That the chairman of each house of Guam Congress be directed to forward a copy of this resolution to: The Governor of Guam; the President of the United States of America; Committee on Immigration, United States Congress; Committee on Insular Affairs, United States Congress; Committee on Claims, United States Congress; the various Congressmen of the United States; and others interested in the welfare of Guam.

Signed: Antonio P. Carbullido, José C. Torre, B. P. Carbullido, V. P. Herrero, José C. Mateo, J. Torres, Ramon P. Cruz, Ramon S. Borja, Juan Q. Quinata, Leonardo C. Tenorio, Cleto C. Paulino, Vicente I. Franquez, Antonio D. Perez, Pedro M. Mendiola, Sebastian B. Castro, L. L. San Nicolas, Matias L. G. Perez, Tomas R. Santos, Jesus C. Artero, Vicente Tydingco, Vicente B. Benavente, P. A. Rojas, Felix Carbullido, F. B. Leon Guerrero, Luis P. Untalan, José G. Eustaquio, Felix Pangelinan, V. S. Borja, J. D. L. Guerrero, J. C. Duenas, Gaily R. Kamminga, José C. Villagomez, Ignacio P. Quitugua, Felix M. Camacho, Enrique S. San Nicolas, Enrique P. Tenorio, José D. Torres, Manuel F. Ulloa, Juan C. Castro, José P. Castro, Francisco Q. Sanchez.

Approved:

E. T. CALVO,
Chairman, House of Assembly, Fourth Guam Congress.
B. J. BORDALLO,
Chairman, House of Council, Fourth Guam Congress.

REPORTS OF COMMITTEES

Mr. MINTON, from the Committee on Military Affairs, to which was referred the bill (S. 110) for the relief of Fred M. Munn, reported it without amendment and submitted a report (No. 10) thereon.

Mr. LOGAN, from the Committee on Military Affairs, to which was referred the bill (S. 113) for the relief of Daniel Yates, reported it without amendment and submitted a report (No. 12) thereon.

Mr. SMITH, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 1053) to provide for loans to farmers for crop production and harvesting during the year 1937, and for other purposes, reported it without amendment and submitted a report (No. 11) thereon.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BORAH:

A bill (S. 1079) granting a pension to Frank E. Hunter; to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 1080) for the relief of John W. Beck; to the Committee on Military Affairs.

By Mr. BULOW:

A bill (S. 1081) for the relief of H. G. Carriere, Charles E. Livingston, and John Latham; and

A bill (S. 1082) for the relief of Emons Wolfer; to the Committee on Claims.

A bill (S. 1083) to amend the act relating to residence requirements of applicants for examination before the Civil Service Commission; to the Committee on Civil Service.

A bill (S. 1084) granting a pension to Dennis Moran; to the Committee on Pensions.

By Mr. BACHMAN:

A bill (S. 1085) for the relief of Thomas J. Jackson; to the Committee on Military Affairs.

A bill (S. 1086) granting a pension to William T. Carroll; to the Committee on Pensions.

By Mr. NEELY:

A bill (S. 1087) for the relief of Auguste C. Loiseau;

A bill (S. 1088) to restore to the Neill Grocery Co., of Wheeling, W. Va., the sum of $900, the amount of counsel fee paid by said Neill Grocery Co. in an action brought against them August 10, 1917; and

A bill (S. 1089) for the relief of the United Pocahontas Coal Co., Crumpler, W. Va.; to the Committee on Claims.

A bill (S. 1090) for the relief of William Lester Taylor; and

A bill (S. 1091) for the relief of Robert R. Trosper; to the Committee on Naval Affairs.

A bill (S. 1092) granting an increase of pension to Hanna D. Boydston;

A bill (S. 1093) granting a pension to Luther R. Drum; and

A bill (S. 1094) granting a pension to Emma Parsons; to the Committee on Pensions.

By Mr. TYDINGS:

A bill (S. 1095) to provide a government for American Samoa; and

A bill (S. 1096) to amend section 863, title 48, of the Code of Laws of the United States of America relating to the District Court of the United States for Puerto Rico; to the Committee on Territories and Insular Affairs.

By Mr. GILLETTE:

A bill (S. 1097) to amend the Federal Farm Loan Act and the Farm Credit Act of 1935, as amended, to provide reduction in interest on loans secured by Federal land-bank mortgages, including commissioner loans, and providing for an extension of principal payment dates, and for other purposes; to the Committee on Banking and Currency.

A bill (S. 1098) providing the number of Justices of the Supreme Court who shall concur in holding an act of Congress unconstitutional, and for other purposes; to the Committee on the Judiciary.

A bill (S. 1099) granting a pension to Mary S. Tuffree; to the Committee on Pensions.

By Mr. REYNOLDS:

A bill (S. 1100) to extend the period for filing claims on insurance contracts under the World War Veterans' Act, 1924, as amended; to the Committee on Finance.

By Mr. DAVIS:

A bill (S. 1101) to correct the military record of Ralph Smythe; to the Committee on Military Affairs.

A bill (S. 1102) granting a pension to Mary M. Diehl; to the Committee on Pensions.

By Mr. BROWN of Michigan:

A bill (S. 1103) to provide for the establishment of a Coast Guard station at Menominee, Mich.; and

A bill (S. 1104) granting the consent of Congress to the Mackinac Straits Bridge Authority to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto across the Straits of Mackinac at or near a point between St. Ignace, Mich., and the Lower Peninsula of Michigan; to the Committee on Commerce.

A bill (S. 1105) to extend the tax on the importation of copper for 2 years; to the Committee on Finance.

By Mr. CAPPER:

A bill (S. 1106) granting a pension to Carrie Taylor Chouteau; and

A bill (S. 1107) granting an increase of pension to Mary E. Cramer; to the Committee on Pensions.

By Mr. BROWN of New Hampshire:

A bill (S. 1108) to limit the car length of trains which may be operated upon railroads by common carriers engaged in interstate and foreign commerce; to the Committee on Interstate Commerce.

By Mr. COPELAND:

A bill (S. 1109) to amend the act of May 29, 1930 (46 Stat. 349), for the retirement of employees in the classified civil service and in certain positions in the legislative branch of the Government, to include all employees in the Columbia Institution for the Deaf; to the Committee on the Civil Service.

A bill (S. 1110) for the improvement of the retirement system of the Foreign Service of the United States of America; to the Committee on Foreign Relations.

By Mr. RUSSELL:

A bill (S. 1111) authorizing an appropriation of $25,000 for the erection of a suitable memorial at Rome, Ga., in honor of Pvt. Charles W. Graves, known soldier of the World War, and for other purposes; to the Committee on Military Affairs.

By Mr. WALSH:

A bill (S. 1112) awarding a Navy Cross to John W. Thomason;

A bill (S. 1113) to provide for the better administration of justice in the Navy;

A bill (S. 1114) to prohibit the unauthorized wearing, manufacture, or sale of medals and badges issued by the Navy Department;

A bill (S. 1115) to amend section 22 of the act approved March 4, 1925, entitled "An act providing for sundry matters affecting the naval service, and for other purposes";

A bill (S. 1116) to amend section 1860 of the Revised Statutes, as amended, to permit retired officers and enlisted men of the Army, Navy, and Marine Corps to hold civil office in any Territory of the United States;

A bill (S. 1117) to amend the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902;

A bill (S. 1118) to amend section 7 of the act approved May 29, 1934, entitled "An act to regulate the distribution, promotion, retirement, and discharge of commissioned officers of the Marine Corps, and for other purposes";

A bill (S. 1119) to amend section 5 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", approved March 3, 1925, to authorize the payment of a per diem in connection with naval aerial surveys and flight checking of aviation charts; and

A bill (S. 1120) authorizing an appropriation for the erection of a memorial to the officers and men of the United States Navy who lost their lives as the result of a boiler explosion that totally destroyed the U. S. S. *Tulip* near St. Inigoes Bay, Md., on November 11, 1864, and for other purposes; to the Committee on Naval Affairs.

By Mr. McKELLAR:

A bill (S. 1121) to extend the benefits of the Employees' Compensation Act of September 7, 1916, to Robert Judson McGarry; to the Committee on Claims.

By Mr. BULKLEY:

A joint resolution (S. J. Res. 53) providing for a continuance of the participation of the United States in the Great Lakes Exposition in the State of Ohio in 1937, and for other purposes; to the Committee on the Library.

By Mr. TYDINGS:

A joint resolution (S. J. Res. 54) to authorize the Public Printer to print and supply stationery and other printing to the Charles Carroll of Carrollton Bicentenary Commission; to the Committee on Printing.

By Mr. WHEELER:

A joint resolution (S. J. Res. 55) to amend the act of July 3, 1926, entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in claims which the Crow Tribe of Indians may have against the United States, and for other purposes" (44 Stat. L. 807); to the Committee on Indian Affairs.

LOANS TO FARMERS FOR CROP PRODUCTION AND HARVESTING

The bill (H. R. 1545) to provide for loans to farmers for crop production and harvesting during the year 1937, and for other purposes, was read twice by its title and ordered to lie on the table.

AMENDMENT TO FIRST DEFICIENCY APPROPRIATION BILL

Mr. TYDINGS submitted an amendment intended to be proposed by him to House bill 3587, the first deficiency appropriation bill, 1937, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

At the proper place in the bill insert the following:
"For the purpose of carrying into effect the provisions of the joint resolution making provision for a national celebration of the bicentenary of the birth of Charles Carroll of Carrollton, approved June 15, 1936, including travel expenses, and subsistence at not to exceed $5 per day, $12,500, or such part thereof as may be necessary."

ALLEGATIONS AGAINST MEMBERS OF THE SUPREME COURT

Mr. GUFFEY. Mr. President, I am about to send to the desk a resolution which I will ask to have read and referred to the Committee on the Judiciary. Before doing so, however, I should like to make a few remarks concerning it.

The VICE PRESIDENT. Without objection, the Senator from Pennsylvania will proceed.

Mr. GUFFEY. The President of the United States, with his characteristic frankness and courage, has opened for debate the most troublesome problem which we must solve if we are to continue a democracy.

That problem is, whether the Supreme Court will permit Congress, the legislative branch of our Government, which was equally trusted with the Supreme Court by the framers of the Constitution, to perform its duties in making democracy workable and effective.

No Senator would be frank if he did not admit that he has been greatly troubled by decisions of the Supreme Court in the last few years. Every Senator understands the general feeling of the people of the country that the attitude of the Supreme Court toward congressional legislation is the most serious problem ahead of Congress if it is to carry out the mandate given the administration by the people at the recent election.

I have therefore considered it my duty, as a Senator of the United States, to inform myself as fully as possible about the Supreme Court.

I have considered that my duty required me to inform myself about the individual Justices of that Court. Every realist knows that no human institution is abler or fairer than the men who constitute it. Many public institutions, admirable in conception, have failed the public's trust in them time and time again because, through bad judgment or otherwise, the particular individuals who constituted the institution at such times were not worthy of the traditions of the institution itself.

Any real study of the Supreme Court is a study of the nine men who are the Court and who are our constitutional law.

As Chief Justice Hughes once well said:

We are under a Constitution, but the Constitution is what the Judges say it is.

I have therefore been trying to learn what I could of the men who are the present Supreme Court; how they got there, what kind of men they are, and what their attitude is toward the problems of the Congress. In the course of that study I have come across this book which I hold in my hand [exhibiting]—The Nine Old Men.

This book cannot be dismissed as irresponsible or unimportant. The Nine Old Men is published by the largest and one of the most responsible publishing houses in the United States—Doubleday, Doran & Co. The vice president of that publishing house is a prominent member of the Republican Party, Col. Theodore Roosevelt, Jr. The book is rated by the New York Times reports as a nonfiction best seller, which has already run into thousands of copies.

The American Bar Association Journal for December devotes its principal editorial to a wrathful excoriation of The Nine Old Men.

If it is uttering falsehoods, The Nine Old Men thoroughly deserves that excoriation. It is the most disturbing—I would say shocking—book on public officials I have ever read. Its purported disclosures are sensational.

Unfortunately, The Nine Old Men leaves the reader, however resentful, with an uneasy feeling that there may be plenty of fire beneath so much smoke. No matter how much they may be criticized, the authors of this book have a reputation for accuracy uncommon in a mere gossip column, and they have here set forth an amazing wealth of circumstantial detail which illuminates isolated facts with which many of us are more or less familiar.

There is no use blinking the fact that today the Supreme Court is itself on trial before the whole Nation. Just as in the days after the Dred Scott decision, there is not a man or woman in the street who has not some opinion as to what should or should not be done to the Court. The less the Court can maintain its superhuman position of being above criticism, the more it needs to satisfy the very human requirement that it be at least above suspicion.

The air today is full of talk of constitution amendment—of shearing the Court completely of its power to challenge the legality of an act of Congress. The people—or even Members of Congress—cannot be expected to judge wisely on the problem of the relationship between the Court as an institution and Congress as an institution unless they feel that individual members of the Court are themselves personally above suspicion either as to competence or as to motives.

In 1898 Mr. Justice Brewer, of the United States Supreme Court, said:

It is a mistake to suppose that the Supreme Court is either honored or helped by being spoken of as beyond criticism. On the contrary, the life and character of its Justices should be the objects of constant watchfulness by all and its judgments subject to the freest criticism. The time is past in the history of the world when any living man or body of men could be set on a pedestal and decorated with a halo. True, many criticisms may be, like their authors, devoid of good taste. But better all sorts of criticism than no criticism at all. The moving waters are full of life and health; only in the still waters is stagnation and death.

The Nine Old Men makes sensational charges not only regarding the motives behind the votes of certain Justices on certain cases but regarding their character and how they got on the Court as well. If these statements in The Nine Old Men go unchallenged there will creep across this country an ever-widening suspicion of the motives of members of the Court which will embitter and muddle every attempt at cool judgment on great constitutional issues.

The country needs and has a right to know the truth about this book and its charges and to have the assurance that only an adequate investigation by the Senate Judiciary Committee can give. I am therefore now offering a resolution to ask the Judiciary Committee to inquire into The Nine Old Men and its charges and tell this Congress and the country what they mean.

I ask that the resolution may be read and referred to the Committee on the Judiciary.

The VICE PRESIDENT. The resolution will be referred to the Committee on the Judiciary.

Mr. DAVIS. Mr. President, I understood it to be the desire of my colleague to have the resolution read.

The VICE PRESIDENT. Does the junior Senator from Pennsylvania desire the resolution read?

Mr. GUFFEY. I do.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 67) was read and referred to the Committee on the Judiciary, as follows:

Whereas the great constitutional issue of the proper powers of the Supreme Court of the United States should not be obscured by scandalous rumors as to the abuse of the Court's power by individual Justices thereof;

Whereas a book entitled "The Nine Old Men" has been published by the publishing house of Doubleday, Doran & Co. and has attained a large circulation;

Whereas such book makes sensational charges about the abuse of the powers of the Supreme Court of the United States by individual Justices of that Court; and

Whereas such charges, if untrue, are not only scandalous but are conducive to an unhealthy disrespect for the Court by the people of this country: Now, therefore, be it

Resolved, That the Committee on the Judiciary shall study the charges made in such book, The Nine Old Men, impugning the motives and character of Justices of the Supreme Court of the United States, and make a report to the Senate as to the truth or falsity of such charges.

NEUTRALITY ACT OF 1935 AND PROPOSED AMENDMENTS

Mr. PITTMAN. Mr. President, August 31, 1935, Congress enacted the so-called Neutrality Act. February 29, 1936, certain amendments were adopted to that act. Those amendments do not clearly disclose how the original act would read including the amendments.

Last Friday I introduced a joint resolution (S. J. Res. 51) proposing certain additional amendments to the neutrality act, as amended. It is rather difficult to understand how the act would read if those amendments should be adopted. Therefore I have had prepared a draft showing how the act would read with the amendments adopted in 1936, and also how it would read if the amendments should be adopted which I offered last Friday. I ask that the draft showing how the original act would read with the amendments adopted in 1936 and the amendments which I now propose may be printed in the RECORD. I ask further that the amendments proposed by me be printed in italics.

There being no objection, the act, amendments, and proposed amendments (in italics) were ordered to be printed in the RECORD, as follows:

[Amendments adopted in 1936 are included in the draft of the joint resolution. Amendments proposed by Mr. PITTMAN and referred to the Committee on Foreign Relations are indicated in italics]

Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the President shall find that there exists a state of war between or among two or more foreign states the President shall proclaim such fact, and it shall thereafter be unlawful to export arms, ammunition, or implements of war from any place in the United States, or possessions of the United States, to any port of such belligerent states, or to any neutral port for transshipment to, or for the use of, a belligerent country.

The President, by proclamation, shall definitely enumerate the arms, ammunition, or implements of war, the export of which is prohibited by this act.

The President shall, from time to time, by proclamation, extend such embargo upon the export of arms, ammunition, or implements of war to other states as and when they may become involved in such war.

Whenever the President shall find that a state of civil war exists in a foreign state and that such armed conflict is of a magnitude or is being conducted under conditions that the export of arms, ammunition, and implements of war from the United States to said foreign state would threaten and endanger the peace of the United States, the President shall proclaim such fact, and it shall thereafter be unlawful to export arms, ammunition, or implements of war from any place in the United States, or possessions of the United States, to any port of such state or to any neutral port for transshipment to, or for use in, said state.

Whoever, in violation of any of the provisions of this section, shall export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from the United States, or any of its possessions, shall be fined not more than $10,000 or imprisoned not more than 5 years, or both, and the property, vessel, or vehicle containing the same shall be subject to the provisions of sections 1 to 8, inclusive, title 6, chapter 30, of the act approved June 15, 1917 (40 Stat. 223–225; U. S. C., title 22, secs. 238–245).

Sec. 1–B. (a) *Whenever the President shall have issued a proclamation or proclamations as provided in section 1 of this act and he shall thereafter find that the placing of restrictions on the shipment of certain articles or materials in addition to arms, ammunition, and implements of war from the United States to said belligerent described in the proclamation issued under said section 1, or to a country wherein civil war has been proclaimed to exist, is deemed necessary to promote the security and preserve the peace or neutrality of the United States or to protect the lives and commerce of nationals of the United States, he shall so proclaim and it shall thereafter be unlawful for any American vessel to carry such articles or materials to any belligerent country or any country wherein civil war exists, named in said proclamation or proclamations issued under section 1 of this act, or to any neutral country for transshipment to, or for the use of, such belligerent countries or within such country where civil war exists.*

(b) *The President shall by proclamation from time to time definitely enumerate said articles and materials which it shall be unlawful for American vessels to transport.*

(c) *The President shall from time to time by proclamation extend such restrictions as are imposed under this section to other countries as and when they may be declared to become belligerents under proclamations issued under section 1 of this act.*

(d) *The President may from time to time change, modify, or revoke in whole or in part any proclamations issued by him under this section.*

In the case of the forfeiture of any arms, ammunition, or implements of war by reason of a violation of this act, no public or private sale shall be required, but such arms, ammunition, or implements of war shall be delivered to the Secretary of War for such use or disposal thereof as shall be approved by the President of the United States.

When, in the judgment of the President, the conditions which have caused him to issue his proclamation have ceased to exist he shall revoke the same and the provisions hereof shall thereupon cease to apply.

Except with respect to prosecutions committed or forfeitures incurred prior to *the revocation of the proclamation or proclamations issued thereunder, said proclamations shall become ineffective after revocation.*

SEC. 1a. Whenever the President shall have issued his proclamation as provided for in section 1 of this act, it shall thereafter during the period of the war be unlawful for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any belligerent country, or of any political subdivision thereof, or of any person acting for or on behalf of such government, issued after the date of such proclamation, or to make any loan or extend any credit to any such government or person: *Provided*, That if the President shall find that such action will serve to protect the commercial or other interests of the United States or its nationals, he may, in his discretion, and to such extent and under such regulation as he may prescribe, except from the operation of this section ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in normal peacetime commercial transactions.

The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of the President's proclamation.

Whoever shall violate the provisions of this section or of any regulations issued hereunder shall, upon conviction thereof, be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a corporation, organization, or association, each officer or agent thereof participating in the violation may be liable to the penalty herein prescribed.

When the President shall have revoked his proclamation as provided for in section 1 of this act, the provisions of this section and of any regulations issued by the President hereunder shall thereupon cease to apply.

SEC. 1b. This act shall not apply to an American republic or republics engaged in war against a non-American state or states, provided the American republic is not cooperating with a non-American state or states in such war.

SEC. 3. Section 9 of said joint resolution is amended to read as follows:

"There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this act."

SEC. 2. That for the purposes of this act—

(a) The term "Board" means the National Munitions Control Board which is hereby established to carry out the provisions of this act. The Board shall consist of the Secretary of State, who shall be chairman and executive officer of the Board; the Secretary of the Treasury; the Secretary of War; the Secretary of the Navy; and the Secretary of Commerce. Except as otherwise provided in this act, or by other law, the administration of this act is vested in the Department of State;

(b) The term "United States", when used in a geographical sense, includes the several States and Territories, the insular possessions of the United States (including the Philippine Islands), the Canal Zone, and the District of Columbia;

(c) The term "person" includes a partnership, company, association, or corporation, as well as a natural person.

Within 90 days after the effective date of this act, or upon first engaging in business, every person who engages in the business of manufacturing, exporting, or importing any of the arms, ammunition, and implements of war referred to in this act, whether as an exporter, importer, manufacturer, or dealer, shall register with the Secretary of State his name, or business name, principal place of business, and places of business in the United States, and a list of the arms, ammunition, and implements of war which he manufactures, imports, or exports.

Every person required to register under this section shall notify the Secretary of State of any change in the arms, ammunition, and implements of war which he exports, imports, or manufactures; and upon such notification the Secretary of State shall issue to such person an amended certificate of registration, free of charge, which shall remain valid until the date of expiration of the original certificate. Every person required to register under the provisions of this section shall pay a registration fee of $500, and upon receipt of such fee the Secretary of State shall issue a registration certificate valid for 5 years, which shall be renewable for further periods of 5 years upon the payment of each renewal of a fee of $500.

It shall be unlawful for any person to export, or attempt to export, from the United States any of the arms, ammunition, or implements of war referred to in this act to any other country or to import, or attempt to import, to the United States from any other country any of the arms, ammunition, or implements of war referred to in this act without first having obtained a license therefor.

All persons required to register under this section shall maintain, subject to the inspection of the Board, such permanent records of manufacture for export, importation, and exportation of arms, ammunition, and implements of war as the Board shall prescribe.

Licenses shall be issued to persons who have registered as provided for, except in cases of export or import licenses where exportation of arms, ammunition, or implements of war would be in violation of this act or any other law of the United States, or of a treaty to which the United States is a party, in which cases such licenses shall not be issued.

Whenever a proclamation or proclamations are issued, as provided in section 1 of this act, all licenses theretofore issued under the act, shall ipso facto, and immediately upon the issuance of such proclamation or proclamations, cease to grant authority to export arms, ammunition, or implements of war from any place in the United States, or possessions of the United States, to any port in said belligerent states or to such state wherein civil war has been declared by Presidential proclamation to exist or to any neutral port for transshipment to, or for use in, any belligerent country or for use in any country where civil war is proclaimed to exist; and said license or licenses, insofar as the grant of authority to export to such countries named in such proclamation or proclamations of the President, shall be null and void.

The Board shall be called by the chairman and shall hold at least one meeting a year.

No purchase of arms, ammunition, and implements of war shall be made on behalf of the United States by any officer, executive department, or independent establishment of the Government from any person who shall have failed to register under the provisions of this act.

The Board shall make an annual report to Congress, copies of which shall be distributed as are other reports transmitted to Congress. Such report shall contain such information and data collected by the Board as may be considered of value in the determination of questions connected with the control of trade in arms, ammunition, and implements of war. It shall include a list of all persons required to register under the provisions of this act, and full information concerning the licenses issued hereunder.

The Secretary of State shall promulgate such rules and regulations with regard to the enforcement of this section as he may deem necessary to carry out its provisions.

The President is hereby authorized to proclaim upon recommendation of the Board from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section.

This section shall take effect on the ninetieth day after the date of its enactment.

SEC. 3. *Whenever the President shall issue the proclamation provided for in section 1 of this act, thereafter it shall be unlawful for any American vessel to carry any arms, ammunition, or implements of war to any port of the belligerent countries named in such proclamation as being at war, or to the state where civil war is proclaimed to exist, or to any neutral port for transshipment to, or for the use of, a belligerent country, or within the state where civil war is proclaimed to exist.*

Whoever, in violation of the provisions of this section, shall take, attempt to take, or shall authorize, hire, or solicit another to take, any such vessel carrying such cargo out of port or from the jurisdiction of the United States shall be fined not more than $10,000 or imprisoned not more than 5 years, or both; and, in addition, such vessel, her tackle, apparel, furniture, equipment, and the arms, ammunition, and implements of war on board shall be forfeited to the United States.

When the President finds the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation, and the provisions of this section shall thereupon cease to apply.

SEC. 4. Whenever, during any war in which the United States is neutral, the President, or any person thereunto authorized by him, shall have cause to believe that any vessel, domestic or foreign, whether requiring clearance or not, is about to carry out of a port of the United States, or its possession, men or fuel, arms, ammunition, implements of war, or other supplies to any warship, tender, or supply ship of a foreign belligerent nation, but the evidence is not deemed sufficient to justify forbidding the departure of the vessel as provided for by section 1, title V, chapter 30, of the act approved June 15, 1917 (40 Stat. 1; U. S. C., title 18, sec. 31), and if, in the President's judgment, such action will serve to maintain peace between the United States and foreign nations, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, he shall have the power and it shall be his duty to require the owner, master, or person in command thereof, before departing from a port of the United States, or any of its possessions, for a foreign port, to give a bond to the United States, with sufficient sureties, in such amount as he shall deem proper, conditioned that the vessel will not deliver the men, or the cargo, or any part thereof, to any warship, tender, or supply ship of a belligerent nation; and, if the President, or any person thereunto authorized by him, shall find that a vessel, domestic or foreign, in a port of the United States, or one of its possessions, has previously cleared from such port during such war and delivered its cargo or any part thereof to a warship, tender, or supply ship of a belligerent nation, he may prohibit the departure of such vessel during the duration of the war.

SEC. 5. Whenever, during any war in which the United States is neutral, the President shall find that special restrictions placed on the use of the ports and territorial waters of the United States, or of its possessions, by the submarines of a foreign nation will serve to maintain peace between the United States and foreign nations, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, and shall make proclamation thereof, it shall thereafter be unlawful for any such submarine to enter a port or the territorial waters of the United States or any of its possessions, or to depart therefrom, except under such conditions and subject to such limitations as the President may prescribe. When, in his judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply.

SEC. 6. Whenever, during any war in which the United States is neutral, the President shall find that the maintenance of peace between the United States and foreign nations, or the protection of the lives of citizens of the United States, or the protection of the commercial interests of the United States and its citizens, or the security of the United States requires that the American citizens should refrain from traveling as passengers on the vessels of any belligerent nation, he shall so proclaim, *and thereafter it shall be unlawful for any citizen of the United States to travel on any vessel of any nation declared in the proclamation provided for in section 1 of this act to be a belligerent or to be a state wherein civil war exists: Provided, however,* That the provisions of this section shall not apply to a citizen traveling on the vessel of a belligerent whose voyage was begun in advance of the date of the President's proclamation, and who had no opportunity to discontinue his voyage after that date: *And provided further,* That they shall not apply under 90 days after the date of the President's proclamation to a citizen returning from a foreign country to the United States or to any of its possessions. When, in the President's judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply.

SEC. 6–A. *Whenever the President shall have issued a proclamation or proclamations as provided in section 1, it shall thereafter be unlawful for any American vessel other than vessels of war engaged in commerce with a belligerent country to be armed or to carry any armament, arms, ammunition, or implements of war except small arms and ammunitions therefor and other weapons as the President may publicly designate to be in possession of the officers of such vessels deemed by the President necessary for the preservation of discipline aboard such vessels and until said proclamation or proclamations are revoked.*

SEC. 7. In every case of the violation of any of the provisions of this act where a specific penalty is not herein provided, such violator or violators, upon conviction, shall be fined not more than $10,000 or imprisoned not more than 5 years, or both.

SEC. 8. If any of the provisions of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act and the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 9. The sum of $25,000 is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, to be expended by the Secretary of State in administering this act.

FLOOD CONTROL

[Mr. BILBO asked and obtained leave to have printed in the RECORD an editorial from the Washington Post of Jan. 25, 1937, relative to flood control, which appears in the Appendix.]

SALE OF FOREIGN BONDS IN THE UNITED STATES

Mr. ELLENDER. Mr. President, I ask the indulgence of the Senate at this time to make a few remarks with reference to a proposed sale of foreign bonds to the people of this country. Last Friday, when the senior Senator from Illinois [Mr. LEWIS] was speaking with reference to the

debts owed our country by foreign governments, he referred, I believe, to several articles which appeared in some of the newspapers published in Washington. When he read quotations from those newspapers, it occurred to me that he might well have referred to an advertisement which no doubt appeared in the very journals from which he was quoting. This advertisement had to do with the sale in this country of bonds of the Government of the Dominion of Canada, a possession and a political subdivision of the British Empire. These bonds are being purchased by several banking institutions domiciled and doing business in the United States and are being offered for sale to the people of the United States.

Because of the cordial relationship that has existed between our country and Canada for over a century, I hesitate to call the attention of the Senate to this sale of bonds. I fear, however, that if the transaction should go unchallenged it might set a precedent, and other of our debtor nations might offer, as exhibit 1, the instant case in their endeavor to sell some of their securities to our people.

I say to you, Mr. President, that, in my opinion, the sale of these bonds in this country is in direct violation of a law which was enacted by the Seventy-third Congress and approved on April 13, 1934, and is commonly referred to as the Johnson Act. This statute was fathered, I believe, by the senior Senator from California [Mr. JOHNSON].

Mr. President, these bonds which are being bought and offered for sale in this country are bonds issued by the Dominion of Canada, a possession of the British Empire, one of our debtor nations. That is strictly prohibited by this statute. There is, however, an exception in the statute, viz:

Except a renewal or adjustment of existing indebtedness—

But I do not believe that the sale of these bonds comes within the purview of the exception contained in the statute. In order to refresh the memories of Senators who were here when this act was passed, and that others may become acquainted with the wording thereof, I will read excerpts from it.

The purpose of the act, as stated in the enacting clause, is—

To prohibit financial transactions with any foreign government in default on its obligations to the United States.

The act provides:

That hereafter it shall be unlawful within the United States or any place subject to the jurisdiction of the United States for any person to purchase or sell the bonds, securities, or other obligations of any foreign government or political subdivision thereof, or any organization or association acting for or on behalf of a foreign government or political subdivision thereof, issued after the passage of this act, or to make any loan to such foreign government, political subdivision, organization, or association, except a renewal or adjustment of existing indebtedness while such government, political subdivision, organization, or association is in default in the payment of its obligations, or any part thereof, to the Government of the United States. Any person violating the provisions of this act shall upon conviction thereof be fined not more than $10,000 or imprisoned for not more than 5 years, or both.

There is no question about Great Britain owing this country a large amount of money, nor is there any doubt about its being in default. The Dominion of Canada is a British possession and owes allegiance to the mother country. There is nothing to indicate that the issue of these bonds of the Dominion of Canada is to renew or adjust existing bonds owned by the people of this country prior to the approval of the Johnson Act, but on the contrary, everything points to the fact that almost the entire issue is being purchased by banking institutions of this country, and those bonds are being offered for sale to our people.

The advertisement refers to a prospectus. I got hold of a copy of the prospectus, in which it is set out that—

By an agreement dated January 18, 1937, and upon the terms and subject to the conditions therein set forth, the underwriters named above have severally agreed to purchase, and the Government has agreed to sell to them severally, the several principal amounts of bonds set forth above.

The names and addresses of the several underwriters of the $85,000,000 principal amount of these bonds and the several amounts of each maturity underwritten by them respectively are as follows—

And in reading over the names of these underwriters we find but one banking institution located outside of the United States that is fostering the sale of these bonds, and that institution has subscribed for the amount of $2,000,000 out of an $85,000,000 issue.

Mr. President, it cannot be maintained that the sale of these bonds comes within the plain meaning of this statute. If it does, then the statute defeats its purpose, because any possession of one of our foreign debtors could sell bonds in our country and any bonds of our foreign debtor nations issued prior to April 13, 1934, may be sold in this country. If this course is pursued—if our Nation permits Canada, England, or any other debtor nation to sell bonds in this country because of the exception noted in the statute; that is—

Except a renewal or adjustment of existing indebtedness—

I contend that England, France, Italy—in fact, any of our debtor nations—could refinance in this country every bond issued by them prior to April 13, 1934, in spite of the Johnson Act.

No doubt it was the intention of Congress to permit the renewal or adjustment of such foreign bonds as were purchased and owned by the American people when the Johnson Act became effective. To go any further, I say, is a violation of the statute.

When the Senate adjourns today, it is my purpose to secure from the proper authority a ruling on the statute to which I have referred; and if the statute is not interpreted as I have herein indicated, I propose to offer an amendment to the statute prohibiting the refinancing or renewal or refunding in this country of any of the bonds of our debtor nations other than those which were owned and in the possession of the American people prior to April 13, 1934.

Mr. President, I ask permission at this time to have printed, in connection with my remarks, the advertisement appearing in the daily press to which I have referred, as well as a few short excerpts from the prospectus.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

This appears as a matter of record only and is under no circumstances to be construed as an offering of these bonds for sale, or as an offer to buy, or as a solicitation of an offer to buy, any of such bonds. The offer is made only by means of the prospectus.

$85,000,000 Government of the Dominion of Canada bonds; $30,000,000 7-year 2¼-percent bonds, dated January 15, 1937, due January 15, 1944; $55,000,000 30-year 3-percent bonds, dated January 15, 1937, due January 15, 1967.

Prices: 7-year 2¼-percent bonds, 99½ percent and accrued interest; 30-year 3-percent bonds, 98 percent and accrued interest.

Copies of the prospectus are obtainable from the undersigned or from any other underwriter of this issue.

Morgan Stanley & Co., Inc.; The First Boston Corporation; Edward B. Smith & Co.; Brown Harriman & Co., Inc.; Wood, Gundy & Co., Inc.; Dominion Securities Corporation; A. E. Ames & Co., Inc.; McLeod, Young, Weir & Co., Ltd.; Royal Securities Corporation.

Dated January 21, 1937.

UNDERWRITERS

The names and addresses of the several underwriters of the $85,000,000 principal amount of these bonds and the several amounts of each maturity underwritten by them, respectively, are as follows:

Name and address	Principal amount underwritten	
	7-year 2¼-percent bonds, due 1944	30-year 3-percent bonds, due 1967
Morgan Stanley & Co., Inc., 2 Wall St., New York, N. Y.	$4,237,000	$7,763,000
The First Boston Corporation, 100 Broadway, New York, N. Y.	3,141,000	5,759,000
Edward B. Smith & Co., 31 Nassau St., New York, N. Y.	2,295,000	4,205,000
Brown Harriman & Co., Inc., 63 Wall St., New York, N. Y.	2,295,000	4,205,000
A. E. Ames & Co., Inc., 120 Broadway, New York, N. Y.	1,059,000	1,941,000
The Dominion Securities Corporation, 40 Exchange Pl., New York, N. Y.	1,059,000	1,941,000
Wood, Gundy & Co., Inc., 14 Wall St., New York, N. Y.	1,059,000	1,941,000

Name and address	Principal amount underwritten	
	7-year 2¼-percent bonds, due 1944	30-year 3-percent bonds, due 1967
Blyth & Co., Inc., 14 Wall St., New York, N. Y.	$882,000	$1,618,000
Bonbright & Co., Inc., 25 Nassau St., New York, N. Y.	706,000	1,294,000
Kidder, Peabody & Co., 17 Wall St., New York, N. Y.	706,000	1,294,000
Lazard Frères & Co., Inc., 15 Nassau St., New York, N. Y.	706,000	1,294,000
Lee Higginson Corporation, 37 Broad St., New York, N. Y.	706,000	1,294,000
McLeod, Young, Weir & Co., Ltd., Metropolitan Bldg., Toronto, Canada	706,000	1,294,000
Mellon Securities Corporation, 525 William Penn Pl., Pittsburgh, Pa.	706,000	1,294,000
White, Weld & Co., 40 Wall St., New York, N. Y.	618,000	1,132,000
Bancamerica-Blair Corporation, 44 Wall St., New York, N. Y.	529,000	971,000
Clark, Dodge & Co., 61 Wall St., New York, N. Y.	529,000	971,000
Dominick & Dominick, 115 Broadway, New York, N. Y.	529,000	971,000
Glore, Forgan & Co., 38 Wall St., New York, N. Y.	529,000	971,000
Goldman, Sachs & Co., 30 Pine St., New York, N. Y.	529,000	971,000
Cassatt & Co., Inc., 40 Wall St., New York, N. Y.	441,000	809,000
Royal Securities Corporation, 30 Broad St., New York, N. Y.	424,000	776,000
Hayden, Stone & Co., 25 Broad St., New York, N. Y.	353,000	647,000
Hornblower & Weeks, 40 Wall St., New York, N. Y.	353,000	647,000
W. E. Hutton & Co., 14 Wall St., New York, N. Y.	353,000	647,000
Lehman Bros., 1 William St., New York, N. Y.	353,000	647,000
F. S. Moseley & Co., 14 Wall St., New York, N. Y.	353,000	647,000
J. & W. Seligman & Co., 54 Wall St., New York, N. Y.	353,000	647,000
R. L. Day & Co., 45 Milk St., Boston, Mass.	247,000	453,000
Estabrook & Co., 40 Wall St., New York, N. Y.	247,000	453,000
Stone & Webster and Blodget, Inc., 90 Broad St., New York, N. Y.	247,000	453,000
Harris, Hall & Co., Inc., 111 West Monroe St., Chicago, Ill.	176,000	324,000
Paine, Webber & Co., 25 Broad St., New York, N. Y.	176,000	324,000
R. W. Pressprich & Co., 68 William St., New York, N. Y.	176,000	324,000
The Securities Co. of Milwaukee, Inc., 110 East Wisconsin Ave., Milwaukee, Wis.	176,000	324,000
Dean Witter & Co., 45 Montgomery St., San Francisco, Calif.	176,000	324,000
Whiting, Weeks & Knowles, Inc., 36 Federal St., Boston, Mass.	176,000	324,000
First of Michigan Corporation, Buhl Bldg., Detroit, Mich.	141,000	259,000
Jackson & Curtis, 10 Post Office Sq., Boston, Mass.	141,000	259,000
Dillon, Read & Co., 28 Nassau St., New York, N. Y.	1,412,000	2,588,000
Total	30,000,000	55,000,000

No underwriter named above is controlled by the Government.

By an agreement dated January 18, 1937, and upon the terms and subject to the conditions therein set forth, the underwriters named above have severally agreed to purchase, and the Government has agreed to sell to them severally, the several principal amounts of bonds set forth above. A copy of said agreement is filed as an exhibit to the registration statement. The total amounts to be received by the Government from the underwriters, as provided in said agreement, are the amounts set forth in the table on page 1 of this prospectus under the heading "Proceeds to Government", plus accrued interest on the $85,000,000 principal amount of the bonds from January 15, 1937, to the date of payment therefor.

The underwriting agreement provides that if any underwriter, because of financial inability, shall fail or refuse to purchase the principal amount of bonds which it is required to purchase under the agreement, Morgan, Stanley & Co., Inc., will purchase for its own account or find purchasers for such bonds as set forth in the agreement.

CENTENNIAL OF MICHIGAN'S STATEHOOD

Mr. VANDENBERG. Mr. President, I wish to note for the RECORD—and I do it with great pride—that this day marks the centennial of Michigan's admission as a State.

One hundred years ago this afternoon, culminating the long and dramatic campaign which preceded final action, Congress concluded the process which brought great Michigan into the Union. It has been an amazing century—the swiftest and most colorful in all time—and the development of Michigan is a typical cross section of this area.

We have come from a scattered frontier population of 90,000 to a great, throbbing family of 5,000,000 souls. Twenty-sixth in age among the States, twenty-second in area, seventh in population—we are first in numerous contributions to the life and history of the United States.

It is a glorious Commonwealth, Mr. President, whether estimated in its teeming industry, its fertile acres, its rich forests, its mines, its lakes, or its streams. Probably no other State is so amazingly self-contained. It is a glorious Commonwealth in its incomparable resources, whether assessed in terms of Nature's prodigal bounty, or in the amazing prowess of its commerce, or in the character and quality of its citizenship. It is a glorious Commonwealth in its rugged history under four flags—French, British, Spanish, American—with its traditions and antiquities rooted in times as ancient as those of Plymouth Rock. It is a glorious Commonwealth in its brave aspirations for tomorrow. The motto upon its great seal is justified: "If you would see a beautiful peninsula, look about you."

In common with countless other sons and daughters who love her, I salute Michigan upon the centennial of her statehood.

Mr. President, the senior Senator from New York [Mr. COPELAND] is of our Michigan soil and ever loyal to it. He delivered an illuminating historical address in Ypsilanti on January 8, 1937. As a further mark of recognition for this day, I ask that his address be incorporated in the body of the RECORD following my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The address is as follows:

MICHIGAN, YESTERDAY AND TOMORROW

For one traveling the deep reaches of human history, a century is hardly more than a single day. But the century ending tonight means more to this audience than almost any other similar period of recorded time. Its story is the epic of a pioneer people, struggling against the mud, miasm, and misery of colonial and Territorial days to attain that security in life and property which is guaranteed by one of the truly great States of the Union.

Every citizen, every native of the Wolverine State, has a right to be proud of this century. But it is not in a spirit of shameless boastfulness that we speak tonight. We know the hardships our forefathers suffered and the courage they displayed. With real humility we acknowledge that what we now enjoy they bequeathed to us. We did not earn these blessings; the victories of our ancestors brought us the rewards. They died that we might live.

But because they would wish it, we use what they gave. We reap what they sowed. Of course, those predecessors of ours deserve our respect, our affection, our deepest gratitude. They have all these, but we can be forgiven, I am sure, if tonight we recite and glorify their deeds. Naturally, those achievements mean a little more because our veins carry their blood. Our faces are cast in the mold of theirs. We are their heirs and clasp to our breasts what they handed on to us. Perhaps in reciting what they did that now benefits us, our eyes may be opened to see whether we deserve the fruits of their many sacrifices.

Let us consider the exploits of those men who carved Michigan out of the wilderness and fought for the acknowledgment of statehood. But let us do it in the spirit of introspection, attempting to determine if we are worthy sons and daughters of those noble ancestors of ours. Idle, thoughtless boasting will surely bring rebuke from those who think they see how shallow we really are, and how undeserving, perhaps, of our inherited blessings.

It may well be that no monuments will be built for those of this generation. But, as I see it, there is for each of us something to do that, in the last analysis, is of greater value than to achieve a marble shaft or a bronze memorial. We can carry on, even inconspicuously and in some measure make up for what they gave, by transmitting to our children the wholesomeness and integrity of our pioneer forefathers.

* * * * * * *

To the French goes the credit for the discovery of this part of the world. Adventurers first, and then missionaries, brought the taste of civilization to the Great Lakes region. As early as 1618 Pope Paul IV directed the formation of missions in Canada. Almost immediately missionaries reached the Indian tribes on the eastern banks of Lake Huron, and doubtless were the first white men to see across the water what was later to be the Wolverine State. Before the Pilgrims looked upon Plymouth Rock Frenchmen were in sight of Michigan's shores.

In 1634, Jean Nicollet discovered the Great Lakes instead of the Sea of China, which Champlain had sent him to find. It is probable his feet were the first to tread the soil of this peninsula.

All early settlements were on the shores of navigable waters. The lakes and rivers afforded easy means of transportation. There was practically no travel away from the water. Father Marquette, for example, was probably the first white man to visit what is now Chicago. He had gone from St. Ignace, across the lakes and down the rivers, till he reached the Illinois. Up that river he traveled and by water and land reached Lake Michigan. Taken ill here he was paddled by friendly Indians to what is now Ludington, and there he died.

No one of these early explorers penetrated the interior of Michigan. It remained for La Salle, in December 1679, to make the first passage across the Lower Peninsula. Having lost contact with his sailing vessel, which had been sent east with furs, he set out on foot into the wilds beyond the St. Joseph River. The party struggled through the swamps and forests till the shores of the Huron River were reached. Here they built a canoe and, according to the record, "floated down the stream until their progress was barred by sunken logs and prostrate trunks of trees."

One who lived more than half his life on the Huron knows that in December the ice is likely to choke the stream. Also in

that early day there were no student swimmers and canoeists at Ypsilanti and Ann Arbor eager to clear the channel in summertime. So I can well fancy that La Salle was glad to leave the Huron and strike out overland to the Detroit River. Who knows but he disembarked right here at Ypsilanti? But after the lapse of two and a half centuries we can never know.

On the 11th of the previous August, La Salle and Hennepin had sailed into the Detroit River from Lake Erie. The latter recorded that the prospect was every way pleasing. To quote his words: "Those who will one day have the happiness to possess this fertile and pleasant strait will be very much obliged to those who have shown them the way."

It was left to Antoine de la Motte Cadillac to forestall the English, already looking with greedy eyes upon the Detroit region. After several years as commandant at Michelimackinac, Cadillac had observed the many acres of available lands, the opportunities for trade in furs, and the strategic value of the shores of the Detroit River. He convinced the King and Count Pontchartrain, Minister for the Colonies, that he should be sent here, and he was duly commissioned. The King granted Cadillac a tract of land 15 arpents (acres) square, "wherever on the Detroit the new fort should be located." The expedition set forth, landing at the present site of Detroit July 24, 1701.

This date was the beginning of significant movements, the first of which was the settlement of Detroit. That community became the center of all the events that led up to statehood for Michigan, the historical fact we celebrate tonight.

The various Indian wars, the Revolution, and the War of 1812—all these left their mark on Detroit and its hinterlands. Three flags had their ups and downs over the fort. I need not speak in detail of this familiar history, nor of the ordinance of 1787, which provided for the organization of the Northwest Territory. This was under the governorship of Gen. Arthur St. Clair, when, in 1805, the Territory of Michigan was established, with General Hull as the first governor. There are few pleasant things to say of this chief executive, but I assume he did what he thought was wise in surrendering Detroit to the British.

It is urged that Hull dreaded what would happen if he retreated, as he might have done if his responsibility had been exclusively that of a military commander. But he was the civil governor of Michigan as well, and in that capacity had a duty to the entire populace to consider. One writer has said: "We think there can be no doubt that the presence of a large force of savages, supposed to number at least a thousand, who in case of an unsuccessful defense would have turned loose upon the defenseless inhabitants without distinction of age or sex, not only of Detroit but all Michigan, was the real factor that actuated General Hull." It is impossible to know the whole truth, of course, but we need not attempt to settle that argument. Let the dead past bury its dead.

After General Harrison's victory on the Thames, he appointed his aide, General Cass, military Governor of Michigan. In October 1813 President Madison made him civil Governor of Michigan. He was reappointed by President Monroe, who appeared to think highly of Cass. Anyhow, the President made a personal visit to Michigan and to the Governor in 1817.

General Cass continued as Governor until 1831, when he became Secretary of War in President Jackson's Cabinet. His life is really the history of Michigan Territory. Until Governor Mason arrived, after the retirement of Cass, the latter was the mainstay of the struggling Territory. This great character was a product of New England, born in Exeter, N. H.

As a matter of fact, New England and New York contributed most of Michigan's pioneers. While a good many French came with the original settlers and the Army sent others to Detroit, there was no immigration of consequence until the opening of the Erie Canal. This New York project, known as "Clinton's Ditch", contributed greatly to Michigan's population. Eight direct ancestors of my own came from New England and "York State" via the Erie.

The progress of the Territory was seriously interfered with by a perfectly absurd report made by the Land Office. The story begins with an act of Congress, passed in May 1812, to provide bounty lands for the benefit of soldiers who should enlist in the war about to begin.

Millions of modern veterans would have been happy had such a law been passed before the World War. They had to wait nearly 20 years after the war for action.

The surveys for the war bounties were to be of "lands fit for cultivation." Two millions of acres were to be located in the Territory of Michigan. Strange as it may seem, the Congress of 1816 repealed that portion of the original act so far as it applied to Michigan. And why was this done?

In November 1815 a Commissioner of the General Land Office reported to Washington that the country from the border and 50 miles to the north "is low, wet land, with a very thick growth of underbrush, intermixed with very bad marshes. It is with the utmost difficulty that a place can be found over which horses can be conveyed. Taking the country altogether, it is so bad there would not be more than 1 acre out of 1,000 that would in any case admit of cultivation."

Think of the fine farms in Washtenaw and all through the southern tiers of counties. But the ridiculous and utterly false report was official, and the Congress had nothing else to do than to repeal the Bounty Act so far as it applied to Michigan.

But worse than that—the story of the "great dismal swamp" of Michigan diverted from this area we love so much, thousands of settlers who went to Ohio and elsewhere instead. It was a terrible yarn, but it made the Surveyor General, Edward Tiffin, famous, and he became the first Governor of Ohio. It took years to live down the bad name given Michigan's natural resources.

With the opening of the Erie Canal there came a rush of immigrants. The first steamboat arrived in Detroit from Buffalo August 27, 1818. This was the *Walk-in-the-Water*. She didn't last long, but was succeeded by the *Superior* and other boats of considerable size. In the last months of the territorial period a thousand passengers a day were landing in Detroit.

All these factors helped to swell the population. This was fortunate for the ambitious Michiganders, because before statehood could be applied for it was provided there must be a population of 60,000. As a matter of fact, the territorial census of 1834 showed 87,273. By the Federal census of 1840 it was found that the new State had a population of 212,267, indicating a gain in 6 years of nearly 125,000.

In gathering material for this address I have found many interesting things about the early days before statehood. Detroit had a very active social life. This was particularly true during the period of Mason's Governorship. He was very young, not yet of age, when he first served under the territorial system.

Likewise Miss Harriet Martineau, in her three-volume account of Society in America, devoted pages to life in Michigan. That writer landed in Detroit at 7 a. m., June 13, 1836, and went immediately to the American Hotel, reaching there just in time for breakfast. "I had the pleasure of seeing," she said, "the healthiest set of faces that I had beheld since I left England. The breakfast was excellent, and we were served with much consideration; but the place was so full, and the accommodations of Detroit are so insufficient for the influx of people who are betaking themselves thither, that strangers must patiently put up with much delay and inconveniences till new houses of entertainment are opened. We had to wait till near 1 o'clock before any of us could have a room in which to dress."

Being something of a psychologist, as well as a doctor, I am convinced the "excellent breakfast" mentioned helped a lot. I think this because 4 or 5 days after the entry just read was made, Miss Martineau's diary shows this: "At Ypsilanti I picked up an Ann Arbor newspaper. It was badly printed; but its contents were pretty good; and it could happen nowhere out of America, that so raw a settlement as that at Ann Arbor, where there is difficulty in procuring decent accommodations, should have a newspaper."

It surely was the breakfast, because Miss Martineau had the same difficulty about accommodations in Detroit, yet did not complain. As a former mayor of Ann Arbor and long-time resident of that charming community, I resent this reflection on the county seat of Washtenaw!

Anyhow, I fear that Miss Martineau was a bit of a snob. Listen! "The society of Detroit is very choice; and as it had continued so since the old colonial days, through the territorial days, there is every reason to think that it will become, under the new dignities, a more and more desirable place of residence." Then Miss Martineau spoils it all; speaking still of Detroit, she continued: "Some of its inferior society is still very youthful." Detroit debs please register displeasure!

The battle for statehood was on, and really it was more than a battle—it was a war. Indeed, the story of the "Toledo war" is embalmed in history.

You recall the circumstances: In the ordinance of establishment there were certain ambiguities, or alleged ambiguities, in the description of the boundaries of the States which were to be carved out of the vast land area of the Northwest Territory. Toledo had suddenly decided to grow to the Maumee, which river had always been regarded as the dividing line between Ohio and Michigan. The terminus of a proposed canal, real-estate speculation, and the inevitable politics offered all the necessary reasons for a conflict.

Governor Lucas, of Ohio, and Governor Mason, of Michigan, felt they had much at stake. Consequently, when the dispute grew hot both officials ordered their militia to Toledo. New enlistments and new commissions added many soldiers and titles to Michigan's possessions.

When I was a boy there was a man in our town who was called "colonel." Inquiring about the title, I learned he had been a colonel in the Toledo war. Gold braid and brass buttons made their appeal then, as now.

The troops from both States marched for the Maumee, and real trouble seemed imminent. At that point President Jackson intervened and insisted that a Federal survey should be made to determine the exact line of boundary. The Ohio Governor agreed, but our Governor Mason rattled his saber and said he would die first. "Michigan is in peaceful possession of this territory now, and I will never agree to anything that will compromise her rights, or surrender jurisdiction here." It was a thrilling moment.

The Ohio Governor disbanded his army, and, with the disappearance of the foe, Mason withdrew his soldiers. They returned in triumph, boasting that the Ohio troops "slunk to their homes like curs, lacking courage, afraid to face the gallant men of Michigan."

President Jackson, quick tempered always, was offended by Mason's attitude and removed him from the Territorial governorship. But that didn't matter, because almost immediately the people of Michigan elected Mason Governor under the newly adopted constitution.

In this connection it will not be amiss to mention an earlier and different feeling toward President Jackson. The members of the territorial council originally had to be approved by the President, but at the beginning of the Jackson administration a new

plan went into effect. The electors of Michigan Territory were authorized to choose all members of the council, who should be seated without Presidential approval. In appreciation the legislature immediately organized a group of new counties and named them after the President, Vice President, and the members of the President's Cabinet—Jackson, Calhoun, Ingham, Eaton, Barry, Branch, Van Buren, Cass, and Berrien.

November 3, 1835, Stevens T. Mason was inaugurated as first Governor of the State of Michigan. On the 10th the legislature elected two United States Senators—Lucius Lyon, of Bronson, and John Newell, of Detroit. These officials were chosen in harmony with the action of the constitutional convention which met in Detroit May 11, 1835. The people ratified and adopted the proposed constitution at an election held in October. The vote was 6,299 for and 1,359 against. The action of a remarkably able body of men was approved by a vote of better than four to one.

Once more there was trouble. I can imagine the discussions in the Senate. When the bone of the Constitution is thrown to that body the Senators will gnaw on it for weeks. But in this case there were grave questions involved and they had to be answered.

Some of the questions were these:

"Could a new State be organized without the authority of an enabling act by the Congress?"

"Could the language of the Ordinance of 1787, which had been approved by the Congress, be considered the equivalent of an enabling act? And, in view of the early action, could a State be admitted as a matter of right?"

"Who could determine, except the Congress, whether the new State was so organized as to guarantee a 'republican form of government', as required by the Constitution of the United States?"

The newly elected Michigan Senators and Representative knocked at the doors of Congress. Senator Benton, of Missouri, moved that the courtesy of the Senate be extended to them by assigning seats to the new Senators. Senator Ewing, of Ohio, immediately objected and his motion to lay that of Senator Benton on the table was carried. On the 15th of December Benton called up his motion, but Senators Henry Clay and Clayton, of Delaware, succeeded in blocking action.

On the twenty-first Senator Ewing introduced "A bill to define and settle the northern boundary of Ohio." This move made it very clear that Michigan statehood and the Ohio boundary were linked together. This was recognized to be the situation, and the next day it was determined that a special committee should be selected to deal with the "Michigan matter." This consisted of Benton, chairman; Wright, of New York; Clayton, of Delaware; Crittenden, of Kentucky; and Preston, of South Carolina.

After the special committee was appointed Senator Benton renewed his motion about seating the Michigan Senators as "spectators"—"observers" we would call them these days. Ewing moved to strike out the words "on the floor of the Senate." All the bigwigs participated in the debate, including Hendricks, Benton, and Buchanan. Finally the Michigan men were extended the same privileges as Delegates of Territories have in the House. Enemies of statehood kept them from the floor, and the Senate itself dodged the words "State of Michigan."

We come now to the year 1836. On January 26 the memorial of Michigan's Legislature was presented, praying for admission into the Union. After debate this matter, too, was referred to the special committee. In the House, the elected Representative, Mr. Isaac E. Crary, was admitted as a spectator, on motion of Mr. Beardsley, of New York.

By this time it was apparent to everybody that Michigan couldn't have its cake and eat it, too. It could not summon enough votes to ride into statehood without making material concessions about the boundary.

Likewise, there were new obstacles: Michigan lost the support of the Indiana Members of Congress by challenging the northern boundary of that State. That particular boundary had existed for 20 years. Naturally, Senator Tipton, of Indiana, who had spoken for Michigan and urged her claims, now turned against her and gave his voice and vote to Senator Ewing. Another Presidential election was on the way; Senator Benton was the administration leader and felt obliged to find an acceptable compromise, one that would satisfy the three Democratic States of Illinois, Indiana, and Ohio, all involved in the Michigan issue.

In view of the political situation it is not astonishing that Benton's committee reported in favor of Michigan's admission to the Union, with a proviso. Whenever there is half-hearted support of legislation there is always a proviso. The act provided that Michigan should elect a convention of delegates for the express purpose of giving their assent to the boundary proposed. This boundary was to be that contended for by Ohio, and the northern boundaries of Illinois and Indiana were to be undisturbed. As compensation for the loss of what is always called the Toledo strip, Michigan was to be given what is now known as the Upper Peninsula.

What we call in the Senate dilatory motions were now made, the opponents of statehood taking advantage of every opportunity to postpone action. Michigan had good friends, among whom, I am glad to say, was one of my predecessors, Silas Wright, of New York. He wanted the admission to take place automatically when the convention in Michigan should assent to the conditions imposed. Motions to amend, motions to adjourn, motions to postpone, with debate of every sort—all these parliamentary moves were made. The slavery issue was injected into the debate. The claims of Arkansas, a proposed slavery State, were urged as a reason to postpone action on free Michigan's petition. The southern Senators were against admission.

The Senate battle ended on April 2 when the friends of Michigan voted down every opposing motion. The bill was placed on its final passage and carried without a record vote. Its senatorial enemies were forced to abandon the contest.

The concluding act in the drama began on June 9, 1836, when another determined effort was made to defeat admission by further dispute over the boundary between Michigan and Ohio. John Quincy Adams, then 70 years of age, arose as the champion of the original bill, which, as we know, was so framed as to admit the State of Michigan to the Union apart from all questions of boundary.

Mr. Adams said he believed the people of Michigan had a right to admission and wanted the question of the disputed boundary left for future adjustment. The fiery old gentleman successfully fought off several amendments. There was a week-end adjournment, and on Monday, June 13, Mr. Adams succeeded in forcing a vote in Committee of the Whole, and defeated the boundary amendment by a vote of 81 yeas to 126 nays.

Mr. Adams then made one of the most famous speeches of his career. For 3 hours he contended that the bill before the House worked an injury upon Michigan and was in violation of the original compact. There were many parliamentary interchanges, but on roll call the motion to amend as introduced by Mr. Adams was agreed to—yeas 109, nays 43. The vote call on admission was then begun and proceeded with for some time, when on motion of Mr. Huntsman, the call was dispensed with. The bill was then moved to third reading and passed—yeas 153, nays 45.

But now the people of Michigan must act. A "convention of assent", authorized by the legislature, met in Ann Arbor on September 26, 1836. But the entire State was indignant over the treatment accorded by the Congress and felt it was being robbed of its possessions. The delegates voted overwhelmingly against assent.

After a few weeks, however, there came a change of feeling. I suspect that the National Democratic Committee, if there was one, exerted its influence. Anyhow, on October 29 the Democrats of Wayne County met in convention and voted in favor of another "convention of assent." Washtenaw followed suit. Then a conference of Democrats selected what they called a "committee of the people" to call a second convention.

This was done, and meeting in Ann Arbor on December 14 and 15 the assent was voted. There was plenty of ill feeling over the matter, and in derision that assemblage was called the "frost-bitten convention." Mayor John R. Williams, of Detroit, presided, and he appears to have carried out the will of his party. Governor Mason, too, was a power behind the movement.

On December 27 the President sent a message to the Senate stating that Michigan had complied with the act of Congress. The matter was debated that day, as well as on January 2, 3, and 4. On the 5th of January 1837 it passed by a vote of 23 to 10.

Then the bill went to the House. After a short debate it passed. So, on January 26, 1837, the State of Michigan was admitted to the Union. The event we celebrate tonight became an accomplished fact. As Senator Tipton had said in the days when he was strongly advocating Michigan's claim for statehood, "We might as well undertake to stay the hand of time as to prevent the growth and power of the freemen who will inhabit the valley west of the Allegheny Mountains between the Great Lakes and the Gulf of Mexico." His prophecy has been abundantly fulfilled, not alone in the words of our motto, "If you seek a beautiful peninsula look about you", but more conspicuously in the achievements of a God-fearing and noble citizenry.

Who were the people who lived here when Michigan became a State? You know all about your ancestors, as I do about mine, who came to Washtenaw County in 1825. But what do the historians have to say in general about the original population?

In one standard history of Michigan, writing of the inhabitants found here on January 26, 1837, about 150,000 in number, I found the following:

"And this population was of the best. At that time the great influx of foreign elements had not begun. The people were largely from New England and New York, either directly or by way of Ohio. There were almost none from the slave-holding States. The ordinance of 1787 kept them away. These settlers brought with them the ideals of their old homes—a love of liberty, law, and order, attachment to church and school. It can be truthfully said that no Western State was settled by a better class of people than Michigan in the Territorial period."

Over the platform of the old University Hall at Ann Arbor was a quotation from the ordinance of 1787. I read those words every time when as a student I sat in that dear old place; they have been the text for countless sermons through a century and a half. This is the familiar language:

"Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged."

There could be no more appropriate place than the campus of one of the oldest and best normal colleges in America to ask a pertinent question: Are the present inhabitants of the old Northwest Territory and, for that matter, of all the rest of America, committed to the truth of the golden words just quoted?

You will forgive me if I press this thought. The early history of Michigan, from its founding, certainly till statehood was achieved, was intimately associated with religion. The Catholic Church came first with the teachings of the Jesuit fathers. Father Gabriel Richard, not only built the Church of St. Ann, from which he directed the affairs of his Detroit parish, but also he had a large part in the civic life of the Territory.

May I say in passing that Father Richard sat in the House of Representatives in Washington, representing the territory of Michigan as its delegate in the Eighteenth Congress, 1823 to 1825. He was the only Catholic priest ever to serve in the Congress, apparently as active and energetic as a legislator, as he always was in his church work. During his term an act was passed for the building of the first of the Territorial roads. This was from the Maumee Rapids to Detroit. The act provided that the road should be opened and made under direction of the President, who might employ the troops of the United States in its construction.

Here we have the origin of the C. C. C. As one of those who wrote the present law, I was utterly ignorant that there was ample precedent for our bill by reason of an act relating to my native land. By providing this original method of constructing public works, Father Richard builded better than he dreamed.

In the absence in all of Michigan of any Protestant minister Father Richard was invited by the Governor to preach in the council house, which he did every Sunday noon. The Father was French to the core and had hard times with his English, but was listened to with great respect. Pretty soon the members of various Protestant denominations organized a church, of which the Reverend John Montieth, a Presbyterian, was the pastor. The Methodists incorporated in 1822 and the Episcopalians a couple of years later. It was not long before Washtenaw and other outlying counties had an abundance of churches. Long before statehood was achieved religion was taught and practiced throughout the Territory.

A writer on crime calls attention to the relationship between nonchurch attendance and criminal practices. He says, wisely and truly, "When the churches are full the jails are empty." He points to 1850 as the high-water mark of religion in America. In that year in all the jails and prisons in the United States there were but 7,000 inmates. Michigan in that year, as in 1837, too, was one best of the States.

Our Michigan ancestors gave us a wonderful example of the practical value of religion, morality, and knowledge. By their acceptance of the teachings of the ordinance of 1787 they bettered their own lives and passed on to us a precious heritage, but one we have wasted, I fear.

How can it happen in a country where billions of dollars have been spent for education, and where millions are spent annually for religious interests and social service, that the jails and prisons are filled with young people? The average age of all our prisoners is 23 years. The largest age group is 19 and the next largest 18, just misguided boys and girls. In the death house of my State tonight are 27 boys, a half dozen of them under 20, awaiting execution.

More than 30,000 juvenile delinquents are found in public institutions of the United States, and almost that number is admitted every year. I refer to children under 18 years of age. The population of prisons and reformatories for persons of all ages is close to 150,000.

Since 1850 the population of the United States has multiplied by five. During the same period the population of the penal institutions has been multiplied by more than 20. What are we to do about this?

The fathers told us. Those wise men who formulated the Ordinance of 1787 possessed the secret: "Schools and the means of education shall forever be encouraged." Education, not only in the formal facts of knowledge but, particularly, education for character development—was it not this thought the authors of the Ordinance had in mind?

It is significant that the early educators in Michigan were preachers. The Reverend John Davis Pierce, a graduate of Brown University, who became the first superintendent of public instruction, heads the list as the founder of the public-school system. The Reverend Joseph Estabrook came to Ypsilanti from Clinton and gave fame to the Union Seminary here. Mr. Pierce, called, in affection, "Father Pierce", was, in reality, the father of the State Normal School, founded in 1849, and had been a prime mover for the establishment of the university. Those of us who love that great institution recall the traditions attached to the careers of Tappan and Haven, early presidents of the university, both of them ministers of the Gospel.

It is apparent that those who organized and established this section of the United States took seriously the admonition of the Ordinance—that religion, morality, education, and good government are one and inseparable. Should they not be as closely linked together today?

As I see it, the school, being society's least common denominator, should be entrusted with the character-building program of the community. This is the logical thing to do, unless each individual church shall establish its parochial school, as the Catholics do, and carry on its own program of character and behavior education. The church must assume the whole burden of guidance if it is unwilling to trust it elsewhere.

If the schools were given this social responsibility, the Sunday and Bible schools would not lose their prominent place in the scheme of things. Attractively presented, the stories of the Bible and, for older children, the more advanced Bible-class work, will go on more swimmingly if there is less necessity for the direct appeal for goodness and godliness. The Bible lessons will serve their highest purpose when they parallel the teachings of the day school.

The church need not fear loss of authority in religious matters. It can have its eye on the quality of service rendered by the teachers. Helpful cooperation by the religious leaders will help the schools to do a fine job. Indeed, this forward-looking cooperation with the schools should make for community righteousness and, when universally practiced, for national betterment.

In any event no thoughtful person can escape the conviction that something is wrong with the youth of our country. While in most respects we are infinitely better off than our ancestors were a century ago, in this particular we are four times as bad off as they were. Is this not because we have forgotten the full meaning of those golden words of the Ordinance of 1787, as well as the teachings and practices of our forefathers?

Michigan now begins the second century of its statehood. It stands in the front rank of the States. It has grown rich through the output of automobiles, lumber, minerals, furniture, and other products. In every field of endeavor its citizens have won fame. Through the graduates of its great schools and colleges of learning, it has contributed to the happiness and welfare of other States and of foreign countries. In short, Michigan has a sure place in the affections and respect of all the world.

Has not the State been making such rapid progress that it should now pause to take its bearings? Why not ponder those ideals that made possible the success it has achieved? How can it do better?

We hear much about "yardsticks"; about establishing standards for this and that. I should be proud indeed if dear old Michigan might decide to enter upon a State-wide campaign for good government, crime prevention, law observance, social uplift, better housing, better health, straighter thinking, and clean living. Why not make the "Michigan way" the yardstick for the Nation?

This is a day of subversive teachings, strange doctrines, submergence of self-reliance, and individual initiative. There will be a struggle if America is to be restored to its original position of individual independence. We must not blind ourselves to this problem.

To celebrate the past is fruitless unless the celebration is associated with plans for the future. The chief value of this occasion is the hope that it may inspire us to higher deeds. Our ancestors displayed qualities of heart and mind that are exactly the qualities of heart and mind we need in this generation. May we have strength of character to make their goodness our goodness and their lives our lives.

Let us keep in mind at least the last stanza of the song we have heard tonight—a song familiar to every loyal son and daughter of this fair State:

"Thou rich in wealth that makes a State, Michigan, my Michigan;
Thou great in things that make us great, Michigan, my Michigan;
Our loyal voices sound thy claim upon the golden roll of fame;
Our loyal hands shall write the name of Michigan, my Michigan."

THE CALENDAR

The PRESIDENT pro tempore. The morning business is closed. The calendar under rule VIII is in order.

The bill (S. 766) to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects destroyed in a fire at the Radio Direction Finder Station, North Truro, Mass., on December 27, 1934, was announced as first in order.

Mr. SCHWELLENBACH. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 62) to extend the times for commencing and completing the construction of a free highway bridge across the Missouri River at or near Atchison, Kans., was announced as next in order.

Mr. BULKLEY. I ask that the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

DEGREES TO GRADUATES OF NAVAL AND OTHER ACADEMIES

The bill (S. 368) to amend the act of May 25, 1933 (48 Stat. 73), was announced as next in order.

Mr. ROBINSON. Mr. President, I inquire what are the provisions of this bill and what are its purposes? It is a Senate bill to amend the act of May 25, 1933, reported from the Committee on Military Affairs by the Senator from North Dakota [Mr. NYE]. There is absolutely no statement on the record to indicate the nature of the bill or its object; and prior to its consideration I suggest that the Senator in charge of the bill discuss it.

Mr. NYE. Mr. President, the bill was handed to me, and a report from the committee, prepared by the clerk of the committee, was filed the other day. A similar measure passed the Senate last year. It is merely a provision to give graduates of the Naval, Military, and Coast Guard Academies recognition on a par with that accorded in some fields by reason of degrees granted by universities.

Mr. ROBINSON. I have no objection to the present consideration of the bill.

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act approved May 25, 1933 (48 Stat. 73), be amended by changing the period at the end of the act to a colon and by adding the following words: "*Provided*, That on and after the date of the accrediting of said academies by the Association of American Universities the superintendents of the respective academies may, under such rules and regulations as the respective secretaries may make, confer the degree of bachelor of science upon all living graduates of the said academies."

FEDERAL RESPONSIBILITY FOR FLOOD CONTROL

Mr. DAVIS. Mr. President, now that the attention of the entire Nation is once again fastened on the tragic plight of the citizens of the Ohio River Valley because of devastating floods, some positive and constructive action should be taken immediately to provide against the recurrence of these annual flood disasters, and also financial provision should be made to furnish relief, which at the present time cannot adequately be afforded through private contributions.

During the years the American Red Cross has won a place in the affections of suffering humanity throughout the entire world. Great honor is due to the Red Cross leaders and to the voluntary workers who have given so generously and worked so valiantly to overcome the ravages of earthquake, tornado, drought, fire, and flood. They have done a noble work. The private-welfare policy which is represented by the Red Cross must be kept alive in our daily living, if the wellsprings of our human sympathy are to be conserved. We cannot afford to deliver over to any agency of the Government the entire responsibility for meeting acute human needs, because the principle of private concern over sorrow and loss must be maintained within us. On the other hand, the catastrophe wrought by fire and flood and epidemic in Louisville, Cincinnati, Pittsburgh, and adjoining areas is so vast as to preclude any genuinely and completely satisfactory solution through the unaided strength of voluntary contributions, necessary as they are.

Two major flood disasters such as we have now had in less than 12 months have completely wiped out many business firms, to say nothing of the destruction of the homes of tens of thousands. The flood of St. Patrick's Day last year imperiled the life of many firms which were forced to mortgage their future in order to survive. This second flood has swept away their stake in the future and will result in the loss of employment for many workers. All of us, through reading the newspapers and listening in at the radio, have been deeply touched by the present misery of homeless men, women, and little children. We realize that this trouble has come upon these, our fellow citizens, not because of anything which they have done, but rather—be it said to our shame—because of what we have left undone.

The action of the President in placing the present need on the basis of wartime emergency is in keeping with the thought and sentiment of the Nation. Nothing less than governmental intervention is now sufficiently adequate to meet these desperate needs. According to this program a large appropriation proportionate to the need will doubtless be made at once by the Federal Government to assist and follow through the temporary relief which has been extended so nobly by the American Red Cross, W. P. A. workers, C. C. C. boys, and others. Such a Federal appropriation should not in any sense be construed as a substitution for voluntary efforts, but simply as supplementary thereto.

Mr. President, I ask unanimous consent to have printed in the RECORD an address which I delivered on Federal Responsibility for Flood Control at the convention of the American Society of Civil Engineers held at Pittsburgh October 13, 1936. What I then said relative to Pennsylvania applies quite generally to New England, New York, and to the entire valley of the Ohio River, now the scene of such unspeakably tragic events, occasioned by the failure of all of us to put first in our proceedings the proper protection of the Nation from our uncontrolled and swollen rivers. The erection of 14 reservoirs on the headwaters of the Ohio, delayed because appropriations were withheld, would have been a step toward the prevention of this major catastrophe. What we delayed doing should now be accomplished with all possible speed and skill.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Pennsylvania?

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Pennsylvania is divided hydrographically into six drainage basins: 1. Delaware basin; 2. Susquehanna basin; 3. Potomac basin; 4. Genesee basin; 5. Erie basin; 6. Ohio basin.

The State has three important river systems: The Delaware in the east, the Susquehanna in the middle, and the Ohio in the west; while smaller areas drain into the Potomac River in the middle south, into Lake Erie in the northwest, and into Lake Ontario through the Genesee River in the middle north section.

Precipitation in Pennsylvania finds its way into the Atlantic Ocean by the Delaware, Susquehanna, and Potomac Rivers through Delaware and Chesapeake Bays; by the Allegheny and Monongahela into the Ohio, and thence into the Mississippi River and Gulf of Mexico; other streams discharge into Lake Erie and Lake Ontario and flow through the St. Lawrence River and Gulf of St. Lawrence into the Atlantic Ocean.

The Susquehanna River drains 46 percent of the State, the Ohio 34.5, and the Delaware 14 percent.

The average annual precipitation for the 46-year period, 1888 to 1933, inclusive, was 42.29 inches. Within this period the maximum recorded yearly rainfall for the State as a whole was 52.67 inches, in 1889, and the minimum 28.82, in 1930.

There are in Pennsylvania about 870 storage reservoirs, either built or building, each with a capacity of 1,000,000 gallons or more. The aggregate drainage area about these reservoirs is 10,900 square miles, or an average drainage area for each reservoir of about 12.5 square miles. The total storage is 238,000,000,000 gallons, or an average of about 275,000,000 gallons for each reservoir.

Two reservoirs, Lake Wallenpaupack, in Pike and Wayne Counties, and the Pymatuning Reservoir, in Crawford County, have a combined capacity of 133,000,000,000 gallons, or 56 percent of the total. Lake Wallenpaupack has the greatest capacity, 70,000,000,000 gallons, although its water surface area of 5,560 acres is but slightly more than one-third of that of the Pymatuning Reservoir, which has an area of 16,400 acres and a capacity of 63,000,000,000 gallons. The drainage area about Lake Wallenpaupack is 227 square miles, while that above Pymatuning is 160 square miles. Disregarding these two reservoirs, which have capacities far exceeding those of any others in the State, the average storage per reservoir is about 120,000,000.

The importance of storage for conserving water and regulating stream flow is usually not fully appreciated nor understood. Without such regulation the dependable amount of water which may be obtained from a stream for water-supply purposes is limited to the minimum flow prevailing during the driest months. Low flows during the warm summer season likewise govern the design of works for the treatment of sewage and trade wastes and determine the sanitary quality of a stream. Water-power developments require dams to create working head and to equalize the stream flow, although the combination of steam and hydroelectric plants materially increases the average rate of stream discharge which may be put to useful work.

In the case of the typical unregulated stream probably less than 5 percent of the total yearly run-off can be said to be useful and dependable for water-supply purposes. It is possible, with storage reservoirs, to increase a stream's usefulness all the way through the range of minimum flow to practically 100 percent of the yearly yield, depending upon the availability of storage reservoir sites and upon the extent to which such sites may be economically developed.

An illustration of the effectiveness of storage may be found in the Pymatuning Reservoir in regulating the flow of the Shenango River at Sharon. During the summer of 1930 the average flow at Sharon before the reservoir was in operation was 8,725,000 gallons per 24 hours. With the reservoir in operation the summer flow is now maintained at not less than 259,000,000 gallons per 24 hours, almost 30 times the low monthly flow of 1930.

It is estimated that the industrial consumption of water in Pennsylvania is 2,500,000,000 gallons daily. Many steel, iron, coal companies, and other industrial plants use large quantities of water and pump directly from the large rivers if conveniently located. At Johnstown the Bethlehem Steel Co. secures its principal supply from large storage reservoirs on tributaries on the Conemaugh River. One, on Hinckstown Run, in Johnstown, has a capacity of 1,124,000,000 gallons; the other, on Quemahoning Creek, the largest water-supply reservoir in the State, holds 12,000,000,000 gallons. Water is also diverted from the Little Conemaugh River, several miles east of the city.

The Philadelphia & Reading Coal & Iron Co. and the Lehigh Coal & Navigation Co. have extensive water-supply systems covering the territory in which they operate. The last-named firm is now using clean water for cleaning its coal from a large storage reservoir which is being built by its subsidiary, the Panther Valley Water Co. on Still Creek, Schuylkill County, with a capacity of 2,500,000,000 gallons.

Railroads are also large users of water. The Pennsylvania Railroad supplies its main line principally through controlled incorporated water companies. Included in this system, mainly in the western and central parts of the State, are 17 reservoirs, with a combined storage capacity of 2,600,000,000 gallons. Cement mills,

glass plants, tanneries, paper mills, and dye works likewise use considerable quantities of water, and a large number have their own supply system.

Floods are caused by heavy concentrated precipitation, by prolonged and moderate winter and spring rains over large areas, cloudbursts or rains of great intensity and short duration confined to small areas, and by ice gorges. Other important factors are the shape, topography, and geology of the watersheds, the direction or path followed by the storms, the moisture content of the ground, snow, channel encroachments, and the temperature.

About 30 major floods have been recorded in the Delaware in the past 150 years, 35 in the Susquehanna River, and about 50 in the Ohio. Numerous floods localized on the smaller tributaries of these streams are frequently experienced and cause serious flood damage.

The June 1, 1889, flood is the greatest on record in the Susquehanna Basin. Although the storm was concentrated over the watersheds of the Juniata and the West Branch of the Susquehanna River, the central and eastern section of the State suffered unparalleled losses. At Johnstown, Cambria County, 2,142 lives were lost and a large part of the city destroyed.

The Pittsburgh Flood Commission estimated flood toll to the city of Pittsburgh alone, from 1898 to 1908, at $12,000,000, of which $6,500,000 was caused by three floods of 1907 and 1908. The total financial loss along the Allegheny River resulting from the 1913 flood amounted to $720,000. The Shenango and Beaver Valleys damage from this same flood was $2,100,000. In August 1915, in the city of Erie, 34 people were drowned and damage amounting to $2,000,000 resulted from a flood in Mill Creek. In July 1931 Norristown suffered a loss of $1,000,000 as the result of floods in two small creeks traversing the borough. York lost $260,000 in 1884 and $4,360,000 from floods in Codorous Creek in 1933. The cost of floods throughout the East last spring are variously estimated, ranging all the way from $250,000,000 to $500,000,000.

Floods can be controlled by retarding or storage basins, diversion channels, stream-channel improvements, and by the construction of levees and embankments. The logical and proper method of control is to limit the quantity of water reaching the channel to the discharge capacity of the channel by means of retarding or storage basins. Protection generally may best be secured not by any one single method but by a combination of several methods applicable to each other in a limited way.

The construction of 17 storage basins and certain channel improvements has been recommended for flood protection for the city of Pittsburgh. A combination of channel improvement and levee or dike construction has been suggested along the North Branch of the Susquehanna River to protect the Wyoming Valley. A combination of retarding basin, diversion, and channel improvement has been in successful operation for years at Harrisburg.

Flood control by storage-basin retardation has been effected by the completion of the State Pymatuning Reservoir project in western Pennsylvania. While the primary reason for the construction of this reservoir was to provide sufficient water during the dry season for domestic and industrial use in the Shenango and Beaver Valleys, the capacity of the Pymatuning Lake is sufficient to absorb and hold back the flood flow entering it until the waters from the watershed below have passed downstream and the river receded to below flood level. This is shown conclusively by the protection afforded Sharon this last spring, when it is estimated that the reservoir paid for itself by the protection which it gave.

A carefully determined public policy for control and supervision of the streams of the Commonwealth was adopted and put into effect when the 1933 legislature enacted the Dam and Encroachment Act, which made it unlawful for anyone to construct any "water obstruction" without a State permit. Stream channels with adequate areas to discharge maximum expected floods have been conserved and protected. Streams that have been encroached upon and the channels restricted so as to make them inadequate to pass floods without backwater and overflow have not been allowed to become worse, and where possible, serious water obstructions have been modified or removed and the channel improved for flood discharge.

In communities subject to flood damage the State has made a number of surveys and hydraulic studies. Channel lines limited all new construction along both sides of stream channels, and to which existing encroachments are removed from time to time, have been established in Johnstown, York, Manayunk, Sharon, New Castle, Butler, Reading, Norristown, Scranton, and Erie.

The major flood-control problem in Pennsylvania—flood protection for Pittsburgh and the upper Ohio River—was studied under the direction of the Pittsburgh Flood Commission from 1908 to 1912. The Pittsburgh Flood Commission recommended construction of 17 retarding or flood storage reservoirs distributed over the drainage areas of the Allegheny and Monongahela Rivers and supplemented by a river wall at Pittsburgh. The cost was estimated to be about one-half the direct loss that would otherwise be caused by flood damage to the city within a 20-year period. Between 1924 and 1929 United States Army Engineers studied the problem and developed much additional valuable data. In 1933 the commission submitted a new plan, based upon all the essential data developed to date, providing for the construction of 10 storage reservoirs, 7 in the Allegheny watershed and 3 in the Monongahela watershed, at an estimated cost of $57,500,000.

Legislation approved in 1931 authorized the Water and Power Resources Board to study and develop a plan of flood control. Under the act the Board is empowered to proceed on its own authority, or at the request of some outside person or agency, to improve stream channels, build levees and diversion channels, and to construct retarding storage basins for flood control. The Board and its agencies are further empowered to "enter upon, take, appropriate, or injure any land or lands", and damages sustained thereby are to be paid by the Department of Forests and Waters.

It is natural now to ask, if this project be so meritorious, why the country has not heard more about it. The answer is plain. The Allegheny River has portions of its watershed in two States, New York and Pennsylvania. The Monongahela River has its watershed in three States, Maryland, West Virginia, and Pennsylvania. Reservoir sites have been proposed in several States and affect the flow of the stream in each. It is not possible, therefore, for any city, county, or even the State of Pennsylvania to carry out the project in its entirety, or in the comprehensive way necessary, without assuming more responsibility than it rightly should. National control and action are necessary. Heretofore the consideration of the Federal Government has related to the use of large streams for navigation only. The question has been how much would the destruction of the forest, the building of a bridge, encroachment on a stream, or the building of a reservoir affect navigation. Recently, however, we have been building a new consciousness. We now see that flood control is a problem of major national significance and deserves consideration in its own name on its own merit.

This is a national question, because that which is done in one part of the country vitally affects the lives and property of people in other parts. The Ohio River is an important tributary of the Mississippi, and it frequently contributes disasters to the lower river. It also has problems of its own, some of which are of local character and have already been solved, notably at Dayton and Columbus, where one can see the works of construction resulting from thorough study.

The headwaters of the Ohio River are at Pittsburgh, where the Allegheny and Monongahela Rivers unite. At this place there still remains unsolved the most important flood problem in the United States in which a single city is the chief interest concerned and in which the chief reliance for protection so far proposed is an extensive reservoir system.

The first aid from the Federal Government relating to flood control pertained to the Mississippi and came in two acts in 1849 and 1850, the first one applying only to Louisiana and the other to several States. By these acts Congress granted to the several States the swamp and overflowed lands within their borders unfit for cultivation and provided that the proceeds from the sale of the lands must be spent for drainage and for flood protection. Although flood control was the chief actuating cause for the donation of the swamp lands to the States, drainage and reclamation were also important considerations. Although the Swamp and Overflowed Land Acts of 1849 and 1850 could not be considered strictly as flood-control legislation, they did represent the actual beginning of Federal aid for flood control.

Congress passed another act in 1850 that must be given an important place in any consideration of the proolems of the lower Mississippi Valley. This act "directed a topographical and hydrographical survey of the delta of the Mississippi River, with such investigation as might lead to determine the most practical plan for securing it from inundation." The report of Charles Ellet, a civil engineer working for the United States Army Engineers, was the result of this first official study of flood control by the Federal Government. The Ellet report came in 1852 and concluded that the control of the floods on the Mississippi was the Nation's duty and that it was a question that "must be decided by the justice and humanity of the Nation." That statement showed a definite trend in official thinking.

The Civil War halted the movement for flood control, although there were serious floods in 1858, 1859, 1862, 1865, 1867, 1874, and 1882. In 1878, however, the rivers and harbors bill provided $1,000,000 for aiding navigation of the Mississippi. The money was spent by the board on the improvement of the Mississippi River, under the supervision of the United States Army Engineers. The membership of that board was composed of Army Engineers, who favored levees for improving navigation. Thus the Army Engineers came to support those who wanted levees to control floods. The combining of the groups desiring flood control and the groups interested in navigation was very plainly evidenced in the formation and in the debate on the bill creating the Mississippi River Commission in 1879, which put the United States definitely into flood-control work, and which probably stands as the most important piece of flood-control legislation in all of our history.

One of the strongest arguments generally advanced for flood control by the Federal Government is that the United States owns the rivers and has paramount jurisdiction over them. The conclusion that the United States should not permit its property to damage the citizens of any section is the natural outgrowth of ownership. The interstate nature of the flood-control problem has furnished another reason for Federal responsibility.

The gigantic size of the drainage area of the Mississippi River and the small territory drained by the lower valley, a region suffering most from floods, stand out strikingly. This area contains 1,250,000 square miles of territory, which is 41 percent of the area of the United States. The river system spreads across the borders of 31 States, whose combined area equals about two-thirds of that of the whole Nation. This colossal system has 15,000 miles of navigable streams and many thousands of miles of nonnavigable ones. The States that contribute waters to the Mississippi contain half of the people of the entire Nation. The contention that the interstate nature of the problem makes it a national one grows much stronger when it is understood that the areas that suffer

most from floods contribute little or none of the water that causes them in the Mississippi Delta.

The suggestion has frequently been made that the cost of flood control should be borne by the various States in proportion to their responsibility for the floods. The difficulties of apportioning costs on such a basis appear insurmountable. The State of North Dakota and the State of Pennsylvania have contributed water, but it would hardly be possible to say how much that water contributed to the floods. The problem becomes very complex when we consider the natural causes of the floods. But it becomes much more so when the acts of States and individuals in regard to drainage and flood control are considered. Works built for flood protection by citizens of one State piled up the water and throw it over the lands of the citizens of another State. The vigilant have often been inundated from the negligence of their neighbors in other States and flood-protective works in one State have inundated property of the citizens of other States, thus creating a demand for Federal control.

Most of our people believe that the Federal Government exists for the practical purposes of protecting the general welfare. In considering the general welfare as related to flood control the humanitarian and the economic phases cannot be entirely separated.

The great sacrifices, suffering, expenses, and property losses of those at the mercy of the floods are all intertwined.

A consideration of Federal responsibility for flood control calls for thought as to the cause of floods. Apparently all agree that the causes have many far-flung ramifications. They extend even to the grazing of cattle and sheep far in the interior, when overgrazing of the lands causes rapid run-off and erosion. Even the direction of a furrow in plowing may affect the amount of water that flows from the surface of the field and amount of sediment it carries. Paved streets and sewage and drainage systems have added an immense amount of water by causing both a heavy and a rapid run-off. Many cities boast of their splendid drainage systems. They do not realize that they have been hastening floods down upon their neighbors. The rapid construction of hard-surfaced and well-drained highways throughout the country has added vast volumes of water to the rapidly draining portion of the rainfall. During recent years many of the highways have been built under Federal specifications and with the aid of Federal funds. Highways, railroads, cities, and industrial and commercial enterprises have aided in piling up the flood waters by encroaching upon the natural beds of streams and making their cross sections too small to carry the large bodies of water. Bridges, embankments, piers, terminals, and even building lots have been constructed in the natural high-water beds of the streams. Such encroachments upon the navigable streams of the country have been made with the express permission of the Federal Government, which thereby became an agent in creating these encroachments, and therefore in causing destructive floods.

However, the influence of the above activities on floods must be relatively small in comparison with that of general deforestation, drainage, and development of the vast valley territory. The people of the interior have drained large areas of swamps and lowlands. They have cleared away the forests and have used their lands in such a way as to cause much erosion and rapid run-off. The hills pour torrents of turbid waters through millions of man-made gullies into the river and fill its bed with mud and overflow its banks. All of which is to understand sympathetically the song of the Negro, which says, "River, go 'way from my door."

The colossal nature of the problem has caused many to feel that its control became the duty of the Federal Government, because no other power had a chance to cope with it. James A. Garfield stated in the House in 1879 that the problem was "too vast for any State to handle; too much for any authority less than that of the Nation itself to manage." When it is realized that the Federal Government, the States, levee boards, cities, counties, railways, and individuals have been building levees, and that 10 agencies in the Departments of War, Interior, Commerce, and Agriculture, to say nothing of the P. W. A. and W. P. A., have had authority in the development and control of streams, it appears rather remarkable that the task has been performed as well as it has been. But a satisfactory public policy can never be developed under these conditions. Each engineer in charge naturally establishes his own problems and proceeds to work them out with little reference to those of his neighbors. This situation has caused a widespread demand for a unified control.

Added to these reasons for Federal responsibility in flood control are important considerations of interstate commerce, including the Postal Service, public health, and national defense. These are so obvious as to require no elucidation.

Federal control has been delayed because the construction of protective works costs large sums of money, because opponents have claimed that it constituted a reclamation project for the benefit of private property, because sectionalism has invested proposed flood-control legislation with objectionable pork-barrel features, because there has been disagreement as to the best methods of handling the problem, and because some have held that it was unconstitutional. None of these arguments have weighed as mightily as the general inertia of the public in forcing the issue. Organized representation of the flood-control cause in Washington, D. C., has not been sufficiently persistent or powerful.

Several strong points for the constitutionality of flood control by the Federal Government have been advanced, but the one that has furnished the bulwark for most of the arguments along that line has been based on the jurisdiction of the Federal Government over interstate commerce. The early participation of the United States in flood control was based entirely on the proposition of improving navigation for the facilitation of commerce on the Mississippi. Congress and the public paid particular attention to the provision in the early appropriation acts that no part of the money should be spent for levees to prevent injury to lands by overflow. This point of view has long prevailed. However, in 1917 proponents of flood control sought to establish the right to control the Mississippi under the commerce clause on a wider basis than that of merely improving navigation. They frankly stated that it was a flood-control measure. They took the position that legislation for the improvement of navigation had been "predicated upon the power of Congress to regulate commerce", for the word "navigation" did not appear in the Constitution but had been written in as a part of the interpretation of the commerce clause. They turned their attention to statements of legal authorities and to court decisions, apparently with satisfactory results.

The general welfare has naturally furnished a strong point for those who sought to prove the constitutionality of flood control by the United States. It has been suggested that the Constitution has been expanded by usage and by interpretation to include many things under the general welfare. To many the Government had as much right to make land suitable for habitation by protecting it against floods as it did to give away the public domain. Congress has been very liberal in voting money to relieve suffering among the victims of floods. Very little question as to the constitutionality of aiding victims of flood disasters has ever been raised. It has been urged, with apparent logic, that appropriations for flood protection means as much for the general welfare as appropriations for the relief of flood sufferers, and that they are, therefore, just as constitutional. Chief Justice Story maintained that if the benefit were general, whether it was located in "one State or several", Congress could appropriate money for it because it was for the general welfare.

The engineering profession deserves recognition because of the support which it has given to the program of Federal flood control. The problem must be regarded fundamentally as one of engineering, and one of the biggest in the world. Engineers have appeared time without number as witnesses before congressional committees. They have often passed resolutions in State and National conventions demanding Federal control. No other group of financially disinterested persons has more generally urged complete control of the floods of the Mississippi and its tributaries. They have given serious thought to plans and methods of control that has resulted in much worthwhile discussion and activity. In their plans and discussions the best engineers of the country have urged the immensity of the task and the necessity of Federal control.

The people of the United States have finally realized that floods will continue to increase in importance. Floods have not become more frequent but they have become more dangerous. As the levees grow higher and higher, due to the drainage of lands adjacent and the confinement of the water and as population continues to increase, floods will become more and more destructive. Property values and the density of population have already reached such a status that no one can contemplate these millions of our fellow citizens living in such jeopardy without adequate and final protection. This is now a national problem and must be considered fully as a Federal responsibility.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore, as in executive session, laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

Mr. HARRISON, from the Committee on Finance, reported favorably the following nominations:

Roswell Magill, of New York, to be Under Secretary of the Treasury, to fill an existing vacancy;

Justin Miller, of North Carolina, to be a member of the Board of Tax Appeals for the unexpired term of 12 years from June 2, 1926, to which office he was appointed during the last recess of the Senate, vice Stephen J. McMahon, resigned;

Morrison Shafroth, of Denver, Colo., to be assistant general counsel for the Bureau of Internal Revenue, to fill an existing vacancy (Mr. Shafroth is now serving under temporary commission issued during the recess of the Senate);

William P. Stuart, of Prescott, Ariz., to be collector of internal revenue for the district of Arizona, to fill an existing vacancy; and

Frederick W. Harper and Pendleton J. Slaughter, passed assistant dental surgeons, to be dental surgeons in the Public Health Service from December 1, 1936.

Mr. HARRISON also, from the Committee on Finance, reported favorably the following nominations:

Forrest Parrott, of Oklahoma, to be State director, National Emergency Council, for Oklahoma, to which office he was appointed during the last recess of the Senate;

George H. Combs, Jr., of New York, to be State director, National Emergency Council, for New York, to which office he was appointed during the last recess of the Senate, vice Charles J. Hardy; and

Mrs. Anna Dickie Olesen, of Minnesota, to be State director, National Emergency Council, for Minnesota, to which office she was appointed during the last recess of the Senate.

Mr. HARRISON also, from the Committee on Finance, reported favorably the nominations of sundry officers (who are now serving temporary commissions issued during the last recess of the Senate) for appointment in the Public Health Service.

Mr. GUFFEY, from the Committee on Finance, reported favorably the nomination of James F. Mundy, of Wilkes-Barre, Pa., to be collector of internal revenue for the twelfth district of Pennsylvania in place of Leo C. Mundy, resigned. (Mr. James F. Mundy is now serving under temporary commission issued during the last recess of the Senate.)

Mr. BROWN of Michigan, from the Committee on Finance, reported favorably the nomination of Eugene S. Leggett, of Michigan, to be acting executive director of the National Emergency Council, to which office he was appointed during the last recess of the Senate, vice Lyle T. Alverson.

The PRESIDENT pro tempore. The reports will be placed on the Executive Calendar.

DEATH OF REPRESENTATIVE MONTAGUE, OF VIRGINIA

The PRESIDENT pro tempore. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The Chief Clerk read as follows:

House Resolution 82

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
January 25, 1937.

Resolved, That the House has heard with profound sorrow of the death of Hon. ANDREW J. MONTAGUE, a Representative from the State of Virginia.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the arrangements for the funeral, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect, this House do now adjourn.

Mr. GLASS. Mr. President, I send to the desk resolutions, which I ask to have read and immediately considered.

The PRESIDENT pro tempore. The resolutions will be read.

The resolutions (S. Res. 68) were read, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. ANDREW J. MONTAGUE, late a Representative from the State of Virginia.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now adjourn.

The PRESIDENT pro tempore. The question is on agreeing to the resolutions.

The resolutions were unanimously agreed to; and (at 12 o'clock and 40 minues p. m.) the Senate, under the last resolution, adjourned until tomorrow, Wednesday, January 27, 1937, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 26, 1937

APPOINTMENTS IN THE REGULAR ARMY

MEDICAL CORPS

To be first lieutenants with rank from date of appointment

First Lt. Donald Edward Casad, Medical Corps Reserve.

First Lt. Charles Olin Bruce, Jr., Medical Corps Reserve.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

TO QUARTERMASTER CORPS

Lt. Col. Edwin Noel Hardy, Cavalry, with rank from August 1, 1935.

Maj. James Montagu Adamson, Cavalry, with rank from August 1, 1935.

Maj. Crosby Nickerson Elliott, Infantry, with rank from February 1, 1934.

TO FINANCE DEPARTMENT

Maj. Leo Lawrence Gocker, Cavalry, with rank from August 1, 1935.

PROMOTIONS IN THE REGULAR ARMY

To be lieutenant colonel

Maj. John Keliher, Field Artillery, from January 14, 1937.

To be majors

Capt. Kirk Broaddus, Cavalry, from January 14, 1937.

Capt. Newton Gale Bush, Infantry, from January 16, 1937.

MEDICAL CORPS

To be lieutenant colonels

Maj. Edgar Erskine Hume, Medical Corps, from January 14, 1937.

Maj. Walcott Denison, Medical Corps, from January 16, 1937.

Maj. James Earle Ash, Medical Corps, from January 17, 1937, subject to examination required by law.

Maj. Bascom Lee Wilson, Medical Corps, from January 19, 1937.

Maj. Henry Louis Krafft, Medical Corps, from January 25, 1937.

Maj. Paul Ramsey Hawley, Medical Corps, from January 26, 1937.

Maj. John Dibble, Medical Corps, from January 27, 1937.

Maj. George Clark Dunham, Medical Corps, from January 28, 1937.

Maj. Robert Burns Hill, Medical Corps, from January 31, 1937.

To be major

Capt. Stanley William Matthews, Medical Corps, from January 17, 1937.

CHAPLAIN

To be chaplain with the rank of lieutenant colonel

Chaplain (Maj.) Julius Joseph Babst, United States Army, from January 19, 1937.

APPOINTMENT IN THE NATIONAL GUARD OF THE UNITED STATES

GENERAL OFFICER

Brig. Gen. John Van Bokkelen Metts, Adjutant General's Department, North Carolina National Guard, to be brigadier general, Adjutant General's Department, National Guard of the United States.

POSTMASTERS

ALABAMA

Helen Perry to be postmaster at Chrichton, Ala., in place of P. B. Holland. Incumbent's commission expired March 2, 1933.

Joseph A. Russell to be postmaster at Dawson, Ala. Office became Presidential July 1, 1936.

Lucille C. Land to be postmaster at Gilbertown, Ala. Office became Presidential July 1, 1935.

Newton R. Shockley to be postmaster at Pell City, Ala., in place of J. L. Ragland. Incumbent's commission expired February 9, 1936.

Catherine A. Cox to be postmaster at Spring Hill, Ala., in place of A. J. Cox, resigned.

Emmett I. Cox to be postmaster at Springville, Ala., in place of S. J. Tucker. Incumbent's commission expired May 19, 1936.

ARKANSAS

Isaac N. Anglen, Jr., to be postmaster at Mountainburg, Ark. Office became Presidential July 1, 1936.

Gus A. McMillan to be postmaster at Sheridan, Ark., in place of G. M. Veazey, resigned.

CALIFORNIA

Bertie Poore to be postmaster at Armona, Calif., in place of Belle Hicks. Incumbent's commission expired April 27, 1936.

Ross Thurman Kemper to be postmaster at Arroyo Grande, Calif., in place of C. T. Steele. Incumbent's commission expired January 9, 1936.

Bernard Fallon to be postmaster at Downey, Calif., in place of J. G. Dennert, removed.

Charles A. Beguhl to be postmaster at Goleta, Calif., in place of M. D. Cunningham. Incumbent's commission expired February 9, 1936.

Madge M. Kearns to be postmaster at Sunland, Calif., in place of M. E. Catterall. Incumbent's commission expired January 9, 1936.

Nellie A. Britten to be postmaster at Three Rivers, Calif. Office became Presidential July 1, 1935.

Henrietta M. Voltz to be postmaster at Verdugo City, Calif., in place of Mathilda Busch. Incumbent's commission expired January 9, 1936.

Maude A. Northey to be postmaster at Williams, Calif., in place of V. D. Linebaugh, resigned.

COLORADO

Clarence A. Reynolds to be postmaster at Swink, Colo., in place of H. M. Newkirk. Incumbent's commission expired April 27, 1936.

CONNECTICUT

Isaac Harry Bartram to be postmaster at Sharon, Conn., in place of T. B. McDonald. Incumbent's commission expired January 9, 1936.

Audore O. Barnaby to be postmaster at Simsbury, Conn., in place of H. W. Walker. Incumbent's commission expired May 23, 1936.

FLORIDA

Claude Dougar Boring to be postmaster at Arcadia, Fla., in place of C. J. Carlton. Incumbent's commission expired March 28, 1936.

Mansell A. Orchard to be postmaster at Auburndale, Fla., in place of R. C. Allen. Incumbent's commission expired March 28, 1936.

Margaret Charnock Young to be postmaster at Boca Raton, Fla. Office became Presidential July 1, 1930.

Asa C. Blount to be postmaster at Chattahoochee, Fla., in place of W. C. Gholson. Incumbent's commission expired March 28, 1936.

Marie M. Stinson to be postmaster at De Funiak Springs, Fla., in place of C. C. Stinson, deceased.

Lou C. Pritchard to be postmaster at White Springs, Fla., in place of J. A. Heath, resigned.

Lola D. Gall to be postmaster at Zephyrhills, Fla., in place of M. M. Maner. Incumbent's commission expired December 21, 1930.

GEORGIA

Orian A. Moorhead to be postmaster at Greensboro, Ga., in place of C. H. Crumbley. Incumbent's commission expired January 7, 1936.

Roy B. Allen to be postmaster at Lenox, Ga., in place of E. M. Lindsey, removed.

John T. Miller to be postmaster at Maysville, Ga., in place of H. R. Hancock, transferred.

Emmett Monroe Davis to be postmaster at Vidalia, Ga., in place of N. O. Carter. Incumbent's commission expired January 12, 1936.

HAWAII

Timothy Wong to be postmaster at Waipahu, Hawaii, in place of L. P. Lino. Incumbent's commission expired January 7, 1936.

IDAHO

Harold A. Haymond to be postmaster at Genesee, Idaho, in place of E. M. Alexander. Incumbent's commission expired June 1, 1936.

ILLINOIS

James Arthur Edwards to be postmaster at Amboy, Ill., in place of P. F. Reilly, removed.

Audre A. Beggin to be postmaster at Apple River, Ill., in place of F. W. Craig. Incumbent's commission expired April 27, 1936.

Leslie B. Paddock to be postmaster at Barrington, Ill., in place of E. J. Langendorf, resigned.

William W. McIntire to be postmaster at Belvidere, Ill., in place of E. O. Andrews. Incumbent's commission expired April 27, 1936. (Removed without prejudice.)

Albert E. Born, Jr., to be postmaster at Bensenville, Ill., in place of G. H. Warnecke. Incumbent's commission expired February 14, 1935.

Kenneth Henkhaus to be postmaster at Bethalto, Ill. Office became Presidential July 1, 1936.

Kathryn Mill to be postmaster at Coal City, Ill., in place of T. F. Wharrie. Incumbent's commission expired February 9, 1936.

Sylvester J. Kiley to be postmaster at Cullom, Ill., in place of F. E. Flessner. Incumbent's commisison expired January 28, 1936.

Charles William Karcher to be postmaster at Dahlgren, Ill., in place of C. C. Porter. Incumbent's commisison expired February 9, 1936.

Maurice Rockwell to be postmaster at Danvers, Ill., in place of G. A. Kraus. Incumbent's commission expired January 28, 1936.

Daniel W. Waller to be postmaster at Durand, Ill., in place of M. B. Dolan, deceased.

Norbert C. Knapp to be postmaster at Glen Ellyn, Ill., in place of R. O. Benson. Incumbent's commission expired June 1, 1936.

Harry F. DuQuoin to be postmaster at Greenview, Ill., in place of E. A. Lundberg. Incumbent's commission expired June 1, 1936.

Lena Marie Forcht to be postmaster at Hennepin, Ill., in place of O. G. Woods. Incumbent's commission expired May 10, 1936.

Rudolph F. Maurer to be postmaster at Hopedale, Ill., in place of I. R. Stout. Incumbent's commission expired February 9, 1936.

Guy R. Knappenberger to be postmaster at Kirkland, Ill., in place of Grace McKee. Incumbent's commission expired February 9, 1936.

Emanuel J. Shafranski to be postmaster at Lemont, Ill., in place of E. F. Tedens, transferred.

George A. Boeke to be postmaster at Lena, Ill., in place of C. J. Rohde. Incumbent's commission expired May 10, 1936.

Grover H. Kinsey to be postmaster at Mackinaw, Ill., in place of F. C. Whisler. Incumbent's commission expired January 7, 1936.

Charles A. Straka to be postmaster at Milledgeville, Ill., in place of G. A. Meyers. Incumbent's commission expired April 27, 1936.

William B. Lamb to be postmaster at Oswego, Ill., in place of Frank Wooley. Incumbent's commission expired February 9, 1936.

Bessie B. Kampmeier to be postmaster at Pearl City, Ill., in place of M. S. Miller. Incumbent's commission expired April 27, 1936.

Peter L. Kelly to be postmaster at Piper City, Ill., in place of C. B. Switzer. Incumbent's commission expired February 9, 1936.

Kenneth M. Murphy to be postmaster at Pontiac, Ill., in place of L. M. Shugart. Incumbent's commission expired May 10, 1936.

Robert H. Ryan to be postmaster at Rankin, Ill., in place of J. C. Speck, resigned.

Albert Schrieber to be postmaster at Red Bud, Ill., in place of August Kalbitz. Incumbent's commission expired June 10, 1936.

Louis L. Eubanks to be postmaster at Sparland, Ill., in place of John Van Antwerp. Incumbent's commission expired May 10, 1936.

Clemens K. Goldhagen to be postmaster at Warren, Ill., in place of Arthur Justus. Incumbent's commission expired April 27, 1936.

Hugh E. Davis to be postmaster at Waterman, Ill., in place of Mark Simpson. Incumbent's commission expired April 27, 1936.

John H. Stone to be postmaster at Watseka, Ill., in place of L. M. Goodyear. Incumbent's commission expired June 1, 1936.

Hattie M. Deam to be postmaster at Winslow, Ill., in place of E. C. Thorp. Incumbent's commission expired January 28, 1936.

INDIANA

Levi B. Morehead to be postmaster at Atlanta, Ind., in place of H. E. Snyder, removed.

Robert T. Phillippe to be postmaster at Bicknell, Ind., in place of C. L. Winter. Incumbent's commission expired March 10, 1936.

Damon C. Thompson to be postmaster at Darlington, Ind., in place of K. L. Cox. Incumbent's commission expired June 10, 1936.

Frank E. Louette to be postmaster at Goodland, Ind., in place of N. V. McClellan. Incumbent's commission expired January 9, 1936.

Ben E. Wise to be postmaster at Middlebury, Ind., in place of McKinley Elliott. Incumbent's commission expired March 10, 1936.

Ralph H. Adams to be postmaster at Newport, Ind., in place of L. P. Nelson. Incumbent's commission expired February 5, 1936.

Elmer E. Stull to be postmaster at North Liberty, Ind., in place of C. L. Worster, transferred.

Thomas J. Lemasters to be postmaster at Oakland City, Ind., in place of J. H. Cockrum. Incumbent's commission expired February 5, 1936.

Mary H. Greene to be postmaster at Westfield, Ind., in place of K. R. Parker, resigned.

Lydia Rae Parker to be postmaster at Wheatfield, Ind., in place of J. A. Fendig, removed.

KANSAS

Edith Lawson to be postmaster at Alden, Kans., in place of R. A. Ward, transferred.

Earl C. Biggs to be postmaster at Lebanon, Kans., in place of F. W. Brady. Incumbent's commission expired April 12, 1936.

George W. Ryan to be postmaster at Lincoln, Kans., in place of H. R. Starbuck. Incumbent's commission expired January 8, 1936.

Vernon T. Hill to be postmaster at Logan, Kans., in place of W. M. Parham. Incumbent's commission expired March 18, 1934. (Removed without prejudice.)

Walter P. Kruse to be postmaster at Lorraine, Kans. Office became Presidential July 1, 1936.

KENTUCKY

John Hal Grimes to be postmaster at Harrodsburg, Ky., in place of Willard Gabhart. Incumbent's commission expired June 20, 1936.

Lucy B. Blaine to be postmaster at Dry Ridge, Ky., in place of S. R. Eckler. Incumbent's commission expired February 4, 1935.

Consuelo S. Bush to be postmaster at Shepherdsville, Ky., in place of W. E. Ashby. Incumbent's commission expired April 4, 1936.

Bryan K. Morris to be postmaster at Whitley City, Ky. Office became Presidential July 1, 1936.

William Thomas Webb to be postmaster at Williamstown, Ky., in place of J. S. Marksbury. Incumbent's commission expired February 17, 1936.

MAINE

Bethe M. MacDonald to be postmaster at Bridgewater, Maine, in place of D. W. Stackpole. Incumbent's commission expired January 22, 1936.

Earl L. Garland to be postmaster at Carmel, Maine, in place of M. W. McGown. Incumbent's commission expired January 7, 1936.

MARYLAND

Charlotte F. Worgan to be postmaster at Luke, Md., in place of J. P. Smith. Incumbent's commission expired February 3, 1936.

MASSACHUSETTS

Peter F. Tague to be postmaster at Boston, Mass., in place of W. E. Hurley, transferred.

James E. Bellew to be postmaster at Mansfield, Mass., in place of C. L. Bessom, removed.

Joseph Daniel Scully to be postmaster at Medfield, Mass., in place of J. W. Lynch. Appointee declined.

Priscilla Greenfield to be postmaster at Monument Beach, Mass., in place of P. H. Phinney, deceased.

Kathryn C. Broderick to be postmaster at Petersham, Mass., in place of P. J. Lord. Incumbent's commission expired February 19, 1936.

John Eugene Madigan to be postmaster at Warren, Mass., in place of W. J. Bell, deceased.

MICHIGAN

William J. Schindehette to be postmaster at Bay City, Mich., in place of H. E. Buck. Incumbent's commission expired March 10, 1936.

Henry H. Sibole to be postmaster at Breedsville, Mich. Office became Presidential July 1, 1935.

Cleo T. Aldrich to be postmaster at Clayton, Mich., in place of H. L. Bovee. Incumbent's commission expired September 18, 1933.

John D. Campbell to be postmaster at Douglas, Mich., in place of L. B. Schreiber. Appointee not commissioned.

Carl H. Renbarger to be postmaster at Galien, Mich., in place of B. D. Denison. Incumbent's commission expired February 5, 1936.

Herman Nyhoff to be postmaster at Hamilton, Mich., in place of Benjamin Rankens. Incumbent's commission expired February 5, 1936.

Stella I. Briggs to be postmaster at Harrison, Mich., in place of E. C. Clute. Incumbent's commission expired April 29, 1936.

Harold H. Mickle to be postmaster at Homer, Mich., in place of J. D. Watson. Incumbent's commission expired February 14, 1935.

Vernon E. Johnstone to be postmaster at Chesaning, Mich., in place of C. F. Goetzen. Incumbent's commission expired January 25, 1936.

Caroline G. Smith to be postmaster at Edwardsburg, Mich., in place of B. H. Davis. Incumbent's commission expired February 6, 1934.

Edward J. Weipert to be postmaster at Ida, Mich. Office became Presidential July 1, 1935.

Christopher C. Lerg to be postmaster at Lake City, Mich., in place of Orville Dennis. Incumbent's commission expired February 5, 1936.

Harrisen D. Sweet to be postmaster at Marcellus, Mich., in place of Vaughn A. Bartlett. Incumbent's commission expired January 25, 1936.

Ewart L. Gardiner to be postmaster at Midland, Mich., in place of W. C. Thompson, resigned.

Grace Stella Murray to be postmaster at North Branch, Mich., in place of W. A. Keeler. Incumbent's commission expired February 5, 1936.

Margaret Crew to be postmaster at Orchard Lake, Mich., in place of D. J. Wilson. Incumbent's commission expired February 5, 1936.

Mark B. Hawes to be postmaster at Parma, Mich., in place of James Cameron. Incumbent's commission expired June 23, 1936.

Carl S. Schmid, Jr., to be postmaster at Petersburg, Mich., in place of D. E. Hewitt. Incumbent's commission expired March 10, 1936.

Vera P. Ramsey to be postmaster at Pinconning, Mich., in place of W. P. Hartingh. Incumbent's commission expired March 10, 1936.

Fred B. Wadsworth to be postmaster at Pittsford, Mich., in place of J. W. Bowditch. Incumbent's commission expired May 23, 1936.

Gladys I. Henson to be postmaster at Richland, Mich., in place of M. D. Read. Incumbent's commission expired January 7, 1936.

Regina K. Bresnahan to be postmaster at Roscommon, Mich., in place of J. M. Green. Incumbent's commission expired April 16, 1934.

Roy A. Cutler to be postmaster at Stanton, Mich., in place of F. P. Church. Incumbent's commission expired December 18, 1934.

Homer Edwin Wassam to be postmaster at Temperance, Mich., in place of A. S. Stieg. Incumbent's commission expired March 22, 1936.

Lawrence G. C. Finefrock to be postmaster at Woodland, Mich., in place of C. B. Grozinger. Incumbent's commission expired March 10, 1936.

MINNESOTA

William Louis Taffe to be postmaster at Beardsley, Minn., in place of R. A. Smith. Incumbent's commission expired June 28, 1936.

Florence Evensen to be postmaster at Bigfork, Minn., in place of Peter Evensen, deceased.

John P. Ebert to be postmaster at Brewster, Minn., in place of P. M. Crosbie. Incumbent's commission expired February 17, 1936.

Elizabeth Wright to be postmaster at Cromwell, Minn., in place of C. A. Ilstrup. Incumbent's commission expired February 3, 1936.

Mathew T. Huss to be postmaster at Fairmont, Minn., in place of M. R. Gorman, removed.

Archie Rassmussen to be postmaster at Grand Rapids, Minn., in place of A. J. Doran, removed.

Edwin T. Silver to be postmaster at Granite Falls, Minn., in place of E. B. Whitney. Incumbent's commission expired March 17, 1936.

I. Selmer Rolland to be postmaster at Kensington, Minn., in place of O. W. Erickson, resigned.

John Henry Michaelson to be postmaster at Kettle River, Minn. Office became Presidential July 1, 1936.

Winifred E. DeVilliers to be postmaster at Lanesboro, Minn., in place of A. M. Enger. Incumbent's commission expired June 19, 1933.

Paul S. Norelius to be postmaster at Lindstrom, Minn., in place of R. J. L. Anderson. Incumbent's commission expired May 19, 1936.

Ruth E. Wittwer to be postmaster at Remer, Minn., in place of E. F. Peake. Incumbent's commission expired April 12, 1936.

MISSISSIPPI

Lottie W. Beazley to be postmaster at Raymond, Miss., in place of A. A. Cunningham, resigned.

Sam D. Hamilton to be postmaster at Tutwiler, Miss., in place of L. W. Price. Incumbent's commission expired June 1, 1936.

MISSOURI

Ralph D. Holt to be postmaster at Bragg City, Mo. Office became Presidential July 1, 1936.

Ernest P. Goggins to be postmaster at Elvins, Mo., in place of E. M. Cozean. Incumbent's commission expired April 14, 1936.

Dale S. Vencill to be postmaster at Galt, Mo., in place of O. A. Green. Incumbent's commission expired June 1, 1936.

Kenneth E. Logan to be postmaster at Hurley, Mo. Office became Presidential July 1, 1936.

Charles Welling Medley to be postmaster at Jackson, Mo., in place of H. A. Illers. Incumbent's commission expired June 1, 1936.

Earl Jesse Vinyard to be postmaster at Leadwood, Mo., in place of M. F. Eaton. Incumbent's commission expired March 29, 1936.

Edgar Todd to be postmaster at Morehouse, Mo., in place of L. B. Headlee, removed.

William Goebel Ray to be postmaster at Purdy, Mo., in place of Fred Mitchell, removed.

Ercelle W. Johnson to be postmaster at Ridgeway, Mo., in place of J. A. Linthacum. Incumbent's commission expired February 1, 1936.

Martin C. Mikkelsen to be postmaster at St. James, Mo., in place of W. A. Ruggles, deceased.

Genevieve M. Pratte to be postmaster at St. Marys, Mo., in place of J. W. Schaaf. Incumbent's commission expired April 27, 1936.

Herbert Frank Nelson to be postmaster at Sweet Springs, Mo., in place of Herbert Burfeind. Incumbent's commission expired June 10, 1936.

Willa B. Dodge to be postmaster at Union Star, Mo., in place of F. F. Tanner. Incumbent's commission expired January 9, 1936.

NEBRASKA

Raymond E. Flowers to be postmaster at Clearwater, Nebr., in place of S. E. Hemenway. Incumbent's commission expired June 1, 1936.

Mary B. Packwood to be postmaster at Cook, Nebr., in place of M. C. Wakeman. Incumbent's commission expired July 13, 1936.

Rex Shubert to be postmaster at Fairfield, Nebr., in place of G. A. Fowler, transferred.

Thomas H. Vaughan to be postmaster at Guide Rock, Nebr., in place of E. F. Fishel. Incumbent's commission expired May 23, 1936.

Anton J. Netherda to be postmaster at Niobrara, Nebr., in place of M. H. Lutt, resigned.

George D. Thomas to be postmaster at Seward, Nebr., in place of J. C. Oaks. Incumbent's commission expired April 12, 1936.

William Vondrasek to be postmaster at Table Rock, Nebr., in place of F. M. Ritchie. Incumbent's commission expired April 12, 1936.

Clyd Calder to be postmaster at Utica, Nebr., in place of R. W. Jones. Incumbent's commission expired March 29, 1936.

Morton Trueman Kilmer to be postmaster at Western, Nebr., in place of R. L. Mead. Incumbent's commission expired March 29, 1936.

NEVADA

Walter B. Collins to be postmaster at Austin, Nev., in place of P. M. Borrego. Incumbent's commission expired February 17, 1936.

NEW JERSEY

Louise H. Kelly to be postmaster at Allendale, N. J., in place of W. G. Z. Critchley. Incumbent's commission expired April 27, 1936.

Edna M. Davenport to be postmaster at Branchville, N. J., in place of H. C. Rosenkrans. Incumbent's commission expired May 10, 1936.

Sarah V. Dickerson to be postmaster at Denville, N. J., in place of J. E. Vanderhoof, resigned.

Edward J. Hannon to be postmaster at Dunellen, N. J., in place of W. S. Frederick. Incumbent's commission expired May 23, 1936.

John P. Leonard to be postmaster at Elizabeth, N. J., in place of C. E. Bishop. Incumbent's commission expired April 12, 1936.

Elizabeth Pearl Stout to be postmaster at Hopewell, N. J., in place of J. R. Fetter. Incumbent's commission expired January 16, 1934.

John W. Guire to be postmaster at Long Branch, N. J., in place of Forrest Green. Incumbent's commission expired July 15, 1936.

Helen D. Glutting to be postmaster at Mullica Hill, N. J., in place of W. T. Lyons, deceased.

Leo Francis Nash to be postmaster at New Egypt, N. J., in place of J. S. Inman. Incumbent's commission expired January 9, 1936.

H. Raleigh Wells to be postmaster at Pompton Lakes, N. J., in place of H. B. Mason. Incumbent's commission expired June 1, 1936.

Edward von Kattengell to be postmaster at Red Bank, N. J., in place of W. A. Sweeney. Incumbent's commission expired March 28, 1936.

NEW MEXICO

Enid D. McCargish to be postmaster at Reserve, N. Mex. Office became Presidential July 1, 1936.

Elam L. Head to be postmaster at Santa Rita, N. Mex., in place of H. L. Greene, resigned.

NEW YORK

H. Bertram Miller to be postmaster at Amenia, N. Y., in place of C. M. Card. Incumbent's commission expired April 29, 1936.

Joseph Keenan to be postmaster at Babylon, N. Y., in place of H. F. Kuss. Incumbent's commission expired March 23, 1936.

Samuel L. Knowles to be postmaster at Campbell, N. Y., in place of B. S. Look. Incumbent's commission expired April 12, 1936.

Martin Carey to be postmaster at Castile, N. Y., in place of E. B. Windsor. Incumbent's commission expired March 22, 1936.

James O'Doherty to be postmaster at Central Islip, N. Y., in place of M. R. Mulligan. Incumbent's commission expired February 17, 1936.

Eleanor Ann Coonan to be postmaster at Champlain, N. Y., in place of M. M. Senecal. Incumbent's commission expired April 29, 1936.

C. Leon Ryel to be postmaster at Copenhagen, N. Y., in place of S. W. Parsons. Incumbent's commission expired March 22, 1936.

Augustus W. Dymes, Jr., to be postmaster at Croton on Hudson, N. Y., in place of J. J. Finnerty. Incumbent's commission expired March 23, 1936.

Arlie W. Wilson to be postmaster at Dewittville, N. Y. Office became Presidential July 1, 1936.

Roxa A. Youker to be postmaster at Dolgeville, N. Y., in place of R. K. Pierce. Incumbent's commission expired December 20, 1934.

Edith A. Wyman to be postmaster at Dover Plains, N. Y., in place of E. C. Wyman, deceased.

Fred W. Odwell to be postmaster at Downsville, N. Y., in place of W. W. Baldwin. Incumbent's commission expired February 24, 1936.

Henry Joseph Hoogkamp to be postmaster at East Greenbush, N. Y. Office became Presidential July 1, 1936.

Andrew J. Hand to be postmaster at Endicott, N. Y., in place of L. F. Little. Incumbent's commission expired April 12, 1936. (Removed without prejudice.)

Charles A. O'Brien to be postmaster at Fayetteville, N. Y., in place of M. L. Rogers, resigned.

Harry B. Hickey to be postmaster at Fredonia, N. Y., in place of C. H. Card. Incumbent's commission expired April 29, 1936.

Van Angus to be postmaster at Gloversville, N. Y., in place of F. G. Farmer, removed.

Dorr Gardner to be postmaster at Hartwick, N. Y., in place of E. W. Pope. Incumbent's commission expired March 23, 1936.

Francis Arthur Fagan to be postmaster at Herkimer, N. Y., in place of J. F. Smith. Incumbent's commission expired March 23, 1936.

Lawrence W. Snell to be postmaster at La Fargeville, N. Y., in place of V. P. Hyde. Incumbent's commission expired June 10, 1936.

Arthur Cosgrove to be postmaster at Lindenhurst, N. Y., in place of T. J. Gibson, removed.

Mark E. Monaghan to be postmaster at Malone, N. Y., in place of G. B. Bradish. Incumbent's commission expired April 29, 1936.

Edmund V. Shortt to be postmaster at Marlboro, N. Y., in place of W. P. McConnell. Incumbent's commission expired April 12, 1936.

Robert E. Lindsey to be postmaster at Mattituck, N. Y., in place of L. M. Tuthill. Incumbent's commission expired February 17, 1936.

Isidore F. Linehan to be postmaster at Mamaroneck, N. Y., in place of F. A. Billipp. Incumbent's commission expired February 20, 1935.

George E. Callaghan to be postmaster at Medina, N. Y., in place of A. L. Waters. Incumbent's commission expired February 17, 1936.

Orville E. Velley to be postmaster at Millerton, N. Y., in place of Edward Everett, deceased.

John A. Kuchanske to be postmaster at North Syracuse, N. Y., in place of A. L. Harvey. Incumbent's commission expired June 20, 1936.

Gerald G. McQuaid to be postmaster at Norwood, N. Y., in place of E. J. Wilkins. Incumbent's commission expired March 23, 1936.

James Boylan to be postmaster at Peekskill, N. Y., in place of J. A. Haight. Incumbent's commission expired April 12, 1936.

Bert E. Holden to be postmaster at Peru, N. Y., in place of K. L. Holden. Incumbent's commission expired April 29, 1936.

Arthur C. Moyer to be postmaster at Phoenix, N. Y., in place of M. F. Mullin. Incumbent's commission expired March 23, 1936.

Margaret T. Scott to be postmaster at Piermont, N. Y., in place of R. F. Spaulding. Incumbent's commission expired April 29, 1936.

Phoebe L. Parrott to be postmaster at Plandome, N. Y., in place of B. C. Stubbs. Incumbent's commission expired March 23, 1936.

Arthur Sharron to be postmaster at Plattsburg, N. Y., in place of R. P. Dumas, deceased.

Henry C. Olney to be postmaster at Prattsburg, N. Y., in place of G. D. Clark. Incumbent's commission expired April 12, 1936.

Jules L. Friedman to be postmaster at Ronkonkoma, N. Y., in place of G. C. deGroot. Incumbent's commission expired March 22, 1936.

August J. Portanova to be postmaster at Purchase, N. Y., in place of J. S. Portanova, deceased.

William F. Delaney to be postmaster at Rosendale, N. Y., in place of A. M. Auch Moedy. Incumbent's commission expired April 28, 1934.

Charles F. Schreier to be postmaster at Sag Harbor, N. Y., in place of A. M. Butts. Incumbent's commission expired June 1, 1936.

James O. Bennett to be postmaster at Silver Creek, N. Y., in place of H. J. Crandall. Incumbent's commission expired April 12, 1936.

Lorrin Eggleston to be postmaster at Westport, N. Y., in place of S. E. Phinney. Incumbent's commision expired March 22, 1934.

Arthur D. Driscoll to be postmaster at Whitney Point, N. Y., in place of H. A. Jeffords. Incumbent's commission expired March 23, 1936.

William A. Quigley to be postmaster at Yorktown Heights, N. Y., in place of M. F. Mekeel. Incumbent's commission expired April 28, 1934.

NORTH CAROLINA

Rufus Jennings White to be postmaster at Conway, N. C., in place of C. S. DeLoatch. Incumbent's commission expired February 9, 1936.

Hazel A. Martin to be postmaster at Dobson, N. C. Office became Presidential July 1, 1936.

Claude W. Walston to be postmaster at Pinetops, N. C. Office became Presidential July 1, 1936.

Oliver L. Ammons to be postmaster at Robbinsville, N. C., in place of E. P. Tatham, removed.

Ella Kate Phillips to be postmaster at Swepsonville, N. C. Office became Presidential July 1, 1935.

NORTH DAKOTA

William C. Drake to be postmaster at Bowdon, N. Dak., in place of Arthur Shelton, deceased.

Richard T. L. Noyes to be postmaster at Cando, N. Dak., in place of James Taylor. Incumbent's commission expired January 7, 1936.

Josephine V. Senecal to be postmaster at Grenora, N. Dak., in place of B. L. Anderson. Incumbent's commission expired April 27, 1936.

George Knauss to be postmaster at Hannaford, N. Dak., in place of W. D. Sinclair. Incumbent's commission expired January 7, 1936.

Lawrence C. Lerud to be postmaster at Hoople, N. Dak., in place of N. T. Hendrickson, removed.

Otto Engel to be postmaster at Kenmare, N. Dak., in place of M. K. Retzlaff. Incumbent's commission expired February 4, 1935.

Nathan C. Myrick to be postmaster at Pembina, N. Dak., in place of P. G. Zimmerman. Incumbent's commission expired January 26, 1936.

Joseph E. DeMers to be postmaster at St. John, N. Dak., in place of R. H. Hesketh, removed.

Hulda E. Hezel to be postmaster at Zeeland, N. Dak., in place of Henry Walz. Incumbent's commission expired January 8, 1934.

OHIO

Oliver Perry McDaniel to be postmaster at Carey, Ohio, in place of John Jacoby, Sr., transferred.

John Whitman to be postmaster at Continental, Ohio, in in place of R. B. Troyer. Incumbent's commission expired April 14, 1936.

Hazel J. Brown to be postmaster at Edgerton, Ohio, in place of R. J. Hopkins. Incumbent's commission expired March 23, 1936. (Removed without prejudice.)

Meredith D. Morris to be postmaster at Flushing, Ohio, in place of E. W. Starkey. Incumbent's commission expired April 14, 1936.

Wayne W. Miller to be postmaster at Sherwood, Ohio, in place of I. L. Bloir. Incumbent's commission expired March 10, 1936.

OKLAHOMA

J. Woodrow Wright to be postmaster at Adair, Okla., in place of D. E. Skinner. Incumbent's commission expired May 10, 1936.

Wilson G. Gray to be postmaster at Anadarko, Okla., in place of H. M. Tilton. Incumbent's commission expired March 18, 1936.

Ralph E. Weir to be postmaster at Beaver, Okla., in place of H. L. Burke. Incumbent's commission expired February 1, 1936.

Belle Williams to be postmaster at Braggs, Okla. Office became Presidential July 1, 1936.

Thomas J. Hurst to be postmaster at Calumet, Okla., in place of J. A. Todd. Incumbent's commission expired June 1, 1936.

Esther L. Hatchett to be postmaster at Gracemont, Okla., in place of P. I. Beardsley. Incumbent's commission expired February 5, 1936.

Ernest F. Lyon to be postmaster at Hinton, Okla., in place of A. J. Canon, deceased.

Elmer J. Solomon to be postmaster at Kingfisher, Okla., in place of M. D. Woodworth, resigned.

Samuel M. Scholl to be postmaster at Lookeba, Okla., in place of R. J. McLane. Incumbent's commission expired April 5, 1936.

Thomas L. Wade to be postmaster at Marlow, Okla., in place of O. L. Tapp. Incumbent's commission expired February 1, 1936.

Lee Garner, Jr., to be postmaster at Red Oak, Okla. Office became Presidential July 1, 1936.

Douglas Thomas to be postmaster at Ryan, Okla., in place of O. G. Bound. Incumbent's commission expired February 5, 1936.

Floyd G. Ransbarger to be postmaster at Verden, Okla., in place of S. A. Glotfelter, resigned.

Roy C. Grable to be postmaster at Waukomis, Okla., in place of Bernice Pitman. Incumbent's commission expired April 5, 1936.

James A. Whelan to be postmaster at Yukon, Okla., in place of F. C. McKinney. Incumbent's commission expired April 5, 1936.

OREGON

Goldie V. Smith to be postmaster at Brookings, Oreg. Office became Presidential July 1, 1936.

James T. Brophy to be postmaster at Hines, Oreg. Office became Presidential July 1, 1936.

PENNSYLVANIA

Raymond A. McHale to be postmaster at Archbald, Pa., in place of J. F. Schwarztrauber. Incumbent's commission expired February 24, 1936.

Samuel M. Woods to be postmaster at Blain, Pa. Office became Presidential July 1, 1936.

Howard C. VanKirk to be postmaster at Danville, Pa., in place of J. A. Lawrence. Incumbent's commission expired February 10, 1936.

Joseph E. Burnside to be postmaster at Emporium, Pa., in place of F. L. Webster, resigned.

Hugh W. Marshall to be postmaster at Enon Valley, Pa., in place of H. C. Best. Incumbent's commission expired June 10, 1936.

Harold R. Crissey to be postmaster at Hooversville, Pa., in place of J. P. Rodger. Incumbent's commission expired May 10, 1936.

Wesley A. Galloway to be postmaster at Lincoln University, Pa., in place of R. H. Wright. Incumbent's commission expired June 20, 1936.

William L. Mitsch to be postmaster at New Brighton, Pa., in place of R. M. Galvin. Incumbent's commission expired February 5, 1936.

Charles W. Ziegenfus to be postmaster at Palmerton, Pa., in place of R. A. Kistler, removed.

John Peter Johnson to be postmaster at Pocono Pines, Pa., in place of C. A. Majer. Incumbent's commission expired February 14, 1935.

Luke Binder to be postmaster at Renovo, Pa., in place of T. G. Burke, transferred.

Galen L. Brookmyer to be postmaster at Smoketown, Pa., in place of P. L. Rohrer. Incumbent's commission expired February 10, 1936.

Carl D. Kohl to be postmaster at Stroudsburg, Pa., in place of Harry Olldorf. Incumbent's commission expired June 28, 1936.

James N. McConnell to be postmaster at Volant, Pa., in place of Maude McCracken. Incumbent's commission expired February 14, 1935.

Milton J. Porter to be postmaster at Wayne, Pa., in place of W. W. Downing, Jr. Incumbent's commission expired April 4, 1936.

Matilda E. Shumaker to be postmaster at West Bridgewater, Pa., in place of F. H. Diven. Incumbent's commission expired February 24, 1936.

May E. Reisinger to be postmaster at Wrightsville, Pa., in place of E. S. Abel, appointee deceased.

William F. Burr to be postmaster at Zelienople, Pa., in place of A. A. Campbell. Incumbent's commission expired June 1, 1936.

RHODE ISLAND

William A. Kirkpatrick to be postmaster at Apponaug, R. I., in place of E. E. Matteson. Incumbent's commission expired July 15, 1936.

Thurman F. Eldridge to be postmaster at Bradford, R. I., in place of M. V. Nichols. Incumbent's commission expired February 9, 1936.

SOUTH CAROLINA

Richard M. Smith to be postmaster at Bishopville, S. C., in place of G. W. Woodham. Incumbent's commission expired January 25, 1936.

Edward D. Sallenger to be postmaster at Florence, S. C., in place of J. A. Chase, deceased.

John C. Fowler to be postmaster at Gaffney, S. C., in place of P. D. Mazyck. Incumbent's commission expired January 25, 1936.

Robert H. Billings to be postmaster at Lancaster, S. C., in place of H. A. Horton. Incumbent's commission expired June 15, 1936.

TENNESSEE

Mattie H. Swallows to be postmaster at Algood, Tenn. Office became Presidential July 1, 1936.

Burrell G. White to be postmaster at Bell Buckle, Tenn., in place of J. M. Whiteside. Incumbent's commission expired March 28, 1936.

Albert Jackson Dale to be postmaster at Celina, Tenn., in place of W. C. Monroe, resigned.

Lyles G. Horner to be postmaster at Centerville, Tenn., in place of B. C. Lynch. Incumbent's commission expired June 28, 1936.

Hugh Neil Reeves to be postmaster at Dickson, Tenn., in place of R. N. McCaslin. Incumbent's commission expired March 28, 1936.

Elvira Boone to be postmaster at Erin, Tenn., in place of L. S. Bratschi. Incumbent's commission expired February 5, 1936.

John Edward Hale to be postmaster at Liberty, Tenn., in place of Henrietta Whaley. Incumbent's commission expired June 10, 1936.

Mumford S. Stewart to be postmaster at Mount Pleasant, Tenn., in place of E. D. Smith. Incumbent's commission expired January 25, 1936.

Ernest P. Lassiter to be postmaster at Smithville, Tenn., in place of J. T. Christian. Incumbent's commission expired June 28, 1936.

Charles B. Stone to be postmaster at Woodbury, Tenn., in place of D. F. Winnett. Incumbent's commission expired June 28, 1936.

TEXAS

Tod E. Lawson to be postmaster at Annona, Tex., in place of M. M. Pittman. Incumbent's commission expired January 8, 1936.

Thomas M. Delaney to be postmaster at Balmorhea, Tex., in place of A. S. Cummings, resigned.

Ruth V. Roome to be postmaster at Bandera, Tex., in place of F. A. Mansfield. Incumbent's commission expired January 8, 1936.

Raby Jack Epperson to be postmaster at Bronte, Tex., in place of P. G. Boynton. Incumbent's commission expired January 8, 1936.

Volney D. Phillips to be postmaster at Celina, Tex., in place of C. F. Wilson. Incumbent's commission expired January 28, 1934.

Benjamin C. Bass to be postmaster at Chandler, Tex., in place of A. A. Thomas, transferred.

Forest W. Taylor to be postmaster at Clarendon, Tex., in place of C. H. Bugbee. Incumbent's commission expired March 10, 1936.

Dennis N. Hargrave to be postmaster at Commerce, Tex., in place of D. A. Young. Incumbent's commission expired February 5, 1936.

Shelley G. Tarkington, Jr., to be postmaster at Cuero, Tex., in place of W. J. Ott. Incumbent's commission expired April 12, 1936.

James E. Heaton to be postmaster at Cushing, Tex., in place of Austin Davis. Incumbent's commission expired December 8, 1934.

Benjamin F. Weatherford to be postmaster at Elkhart, Tex., in place of W. D. Hawthorn. Incumbent's commission expired January 26, 1936.

Rudolph R. Kubena to be postmaster at Fayetteville, Tex., in place of C. H. Cmajdalka. Incumbent's commission expired January 8, 1936.

Nell M. Hall to be postmaster at Greggton, Tex., in place of R. L. Hall, deceased.

Lake W. Millen to be postmaster at Gunter, Tex., in place of W. I. Rodgers. Incumbent's commission expired January 8, 1936.

Mabel E. Jones to be postmaster at Hedley, Tex., in place of J. M. Everett. Incumbent's commission expired January 8, 1936.

David P. Slaughter to be postmaster at Howe, Tex., in place of Lillie Brinkley. Incumbent's commission expired January 8, 1936.

Willie C. Binion to be postmaster at Lufkin, Tex., in place of W. E. Hall. Incumbent's commission expired March 10, 1936.

Lee A. Wilson to be postmaster at McLean, Tex., in place of J. B. Vannoy. Incumbent's commission expired February 5, 1936.

Allen Tolbert to be postmaster at Midland, Tex., in place of J. P. Howe. Incumbent's commission expired July 13, 1936.

Benjamin E. Ramsey to be postmaster at Newton, Tex., in place of F. H. Newberry. Incumbent's commission expired January 8, 1936.

Una B. Walker to be postmaster at Pecan Gap, Tex. Office became Presidential July 1, 1936.

Frederick A. Benedict to be postmaster at Randolph Field, Tex., in place of E. A. Vordenbaum, removed.

Sallie Hamilton to be postmaster at Richards, Tex., in place of E. W. Hargett, resigned.

William C. Wallis to be postmaster at Richardson, Tex., in place of L. M. Ragsdale. Incumbent's commission expired April 12, 1936.

Jennie L. Murphy to be postmaster at Roaring Springs, Tex., in place of H. L. Goodwin. Incumbent's commission expired January 8, 1936.

Oliver D. Worthy to be postmaster at Sterling City, Tex., in place of H. M. Knight. Incumbent's commission expired April 27, 1936.

Sallie V. McAdams to be postmaster at Stratford, Tex., in place of N. L. Yates. Incumbent's commission expired January 8, 1936.

Benjamin H. Cummins to be postmaster at Taft, Tex., in place of B. L. Mullen. Incumbent's commission expired April 14, 1936.

Walter E. Smith to be postmaster at Tahoka, Tex., in place of W. C. Wells, deceased.

Joseph J. Compton to be postmaster at Timpson, Tex., in place of W. M. Willis. Incumbent's commission expired April 12, 1936.

Willis Walker to be postmaster at Turkey, Tex., in place of M. M. F. Cowart. Incumbent's commission expired April 12, 1936.

Carlyle Benton Moore to be postmaster at Van Alstyne, Tex., in place of R. K. Garver. Incumbent's commission expired January 26, 1936.

Berniece M. Horrell to be postmaster at Vega, Tex., in place of J. A. Morgan. Incumbent's commission expired May 19, 1936.

Winfield C. Powers to be postmaster at White Deer, Tex., in place of Alice Pipes. Incumbent's commission expired April 4, 1936.

VERMONT

Neal B. Smith to be postmaster at Williamstown, Vt., in place of B. H. Covell. Incumbent's commission expired February 9, 1936.

VIRGINIA

Thalia W. Williams to be postmaster at Brookneal, Va., in place of J. R. Yates. Incumbent's commission expired March 10, 1936.

Charles W. Crush to be postmaster at Christiansburg, Va., in place of G. A. Chrisman. Incumbent's commission expired June 1, 1936.

Frank H. Jones to be postmaster at Green Bay, Va. Office became Presidential July 1, 1936.

Harvey H. Russell to be postmaster at Marshall, Va., in place of R. F. Woodward, removed.

Robert L. McConnell to be postmaster at Nickelsville, Va. Office became Presidential July 1, 1936.

Annie L. Peery to be postmaster at North Tazewell, Va., in place of L. T. McGuire, deceased.

WASHINGTON

Arthur J. Kralowec to be postmaster at Auburn, Wash., in place of Walbert Tonstad. Incumbent's commission expired January 8, 1936.

Raymond V. Rosso to be postmaster at Black Diamond, Wash., in place of F. H. Tonkin. Incumbent's commission expired February 9, 1936.

Harvey Lewis to be postmaster at Kirkland, Wash., in place of C. C. Mulligan. Incumbent's commission expired February 9, 1936.

Andrew Hunter to be postmaster at Puyallup, Wash., in place of G. W. Edgerton. Incumbent's commission expired February 19, 1936.

John E. Ober to be postmaster at Vashon, Wash., in place of A. C. Dowling. Incumbent's commission expired January 8, 1936.

WEST VIRGINIA

Jacob Seitz to be postmaster at Jane Lew, W. Va., in place of Ila Lawson. Incumbent's commission expired April 15, 1934.

Virginia C. Canterbury to be postmaster at Kimberly, W. Va., in place of R. I. Hargett, appointee declined.

John R. Fortney to be postmaster at Morgantown, W. Va., in place of D. C. Garrison, resigned.

Howard Mahan to be postmaster at Oak Hill, W. Va., in place of G. O. Smith. Incumbent's commission expired June 1, 1936.

Joseph P. Hatfield to be postmaster at Williamson, W. Va., in place of W. E. Burchett, resigned.

WISCONSIN

Allen G. Wald to be postmaster at Alma, Wis., in place of John Meili. Incumbent's commission expired February 10, 1936.

Andy J. Fogerty to be postmaster at Dresser Junction, Wis., in place of A. E. Nelson. Incumbent's commission expired February 25, 1935.

Joseph D. McGaver to be postmaster at Fairchild, Wis., in place of W. H. Emanuel, deceased.

Christ Herman to be postmaster at Jackson, Wis., in place of N. A. Rheingans. Incumbent's commission expired February 10, 1936.

Richard H. Lauson to be postmaster at Kiel, Wis., in place of W. C. Curry. Incumbent's commission expired January 18, 1936.

Delia G. Guay to be postmaster at Peshtigo, Wis., in place of F. F. Delventhal. Incumbent's commission expired June 10, 1936.

John D. Costello to be postmaster at Racine, Wis., in place of G. W. Rickeman. Incumbent's commission expired February 10, 1936.

Walter J. Amend to be postmaster at Ripon, Wis., in place of E. G. Prellwitz. Incumbent's commission expired February 10, 1936.

Grover T. Pace to be postmaster at Stanley, Wis., in place of W. H. Bridgman. Incumbent's commission expired February 14, 1935.

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 26, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Merciful God, our Father, as each day brings its duties and responsibilities help us to discharge them in accordance with Thy will and purpose. We praise Thee that behind the poorest soul that trembles in poverty, sickness, or despair on the face of the earth stands the heart of our everlasting Father. We beseech Thee to raise the brotherhood of common love. Be Thou, blessed Lord, with the smitten, the cast down, and especially with those who are stripped of everything that makes life desirable through calamities they cannot understand. Hear their soul's cry, brighten their midnight of affliction, and take all weary ones unto Thine arms. Help us all to profit by the past and to live nobly for the present. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

SWEARING IN OF MEMBER

The SPEAKER laid before the House the following communication:

KINGSTON, N. Y., *January 23, 1937.*

Hon. WILLIAM B. BANKHEAD,
Speaker, House of Representatives, Washington, D. C.

SIR: In accordance with your designation of me, pursuant to House Resolution 39, Seventy-fifth Congress, adopted by the House of Representatives, to administer the oath of office to Representative-elect PHILIP ARNOLD GOODWIN, of the Twenty-seventh District of New York. I have the honor to report that on the 23d day of January 1937 at the city of Coxsackie, Greene County, State of New York, I administered the oath of office to Mr. GOODWIN, form prescribed by section 1757 of the Revised Statutes of the United States, being the form of oath administered to Members of the House of Representatives, to which Mr. GOODWIN subscribed.

I have the honor to be,

Yours respectfully,

FREDERICK G. TRAVER,
County Judge, Ulster County, N. Y.

Mr. SNELL. Mr. Speaker, I offer the following resolution and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 84

Whereas PHILIP ARNOLD GOODWIN, a Representative from the State of New York, from the Twenty-seventh District thereof, has been unable from sickness to appear in person to be sworn as a Member of this House, but has sworn to and subscribed the oath of office before Hon. Frederick G. Traver, county judge of Ulster County, N. Y., authorized by resolution of this House to administer the oath, and the said oath of office has been presented in his behalf to the House, and there being no contest or question as to his election: Therefore be it

Resolved, That the said oath be accepted and received by the House as the oath of office of the said PHILIP ARNOLD GOODWIN as a Member of this House.

The resolution was agreed to.

EXTENSION OF REMARKS

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to extend my remarks by printing in the RECORD a letter from the Secretary of Labor, together with a memorandum for use in connection with the Rogers resolution on the extent of employment of children under 18 years of age.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PHILLIPS. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes tomorrow after the reading of the Journal and the disposal of matters on the desk.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

UN-AMERICAN ACTIVITIES

The SPEAKER. Under the previous order of the House, the gentleman from New York [Mr. DICKSTEIN] is recognized for 20 minutes.

Mr. DICKSTEIN. Mr. Speaker, I want to take up with you what, to my way of thinking, are matters that ought to concern every Member of this body and every citizen of this country.

You will recall that about 2 years ago the House authorized an investigation by what was known as the Committee on Un-American Activities, of which the Honorable JOHN MCCORMACK, of Massachusetts, was chairman and I was vice chairman. All we had then was about 6 months within which to make an investigation throughout the country. We found groups and organizations that were so subversive in their character and so un-American that to our way of thinking they were a load upon the American people. We filed our report, and the committee did not get any further time and did not ask for any further time to continue its investigation, because it was practically the end of that Congress.

Since that time many things have happened. We have had the Black Legion in Detroit. The same Black Legion has been organized in about 12 States of the country. We have had black-hooded wings and white-hooded wings and brown shirts and blue shirts and dirty shirts spreading throughout this country of ours, making the American people believe they are so patriotic that in some instances they have contributed money to slaughter Americans because of these hooded wings in this country.

During the last campaign the same hooded men and women who are unpatriotic sent out a hate campaign against the President and other officials of the Government. They have appeared in their uniforms throughout the Nation slaughtering men and women who are loyal Americans. In

the last year and a half or 2 years we have had all forms of organizations which, to my way of thinking and, I am sure, to yours also, have been un-American.

When is the Congress going to put the searchlight of public opinion upon them? Can a country go on without determining who are the friends of America and who are the enemies of America? We have had all sorts of propaganda directed from within and from without the United States. Uncle Sam has been so friendly that he has allowed almost everybody to hatch any kind of plot he may want in this country. You could not do in any other country in the world what you can do here in this respect.

When 4 years ago, on January 30, Adolf Hitler became Chancellor of Germany, a chill ran through the backs of all friends of liberty and democracy; it meant the death of liberalism in a country which saw fit to associate with the progressive democracies of Europe since the armistice was signed in 1918. We had gone to war to make the world "safe for democracy", and we were definitely assured that with the passing of the Russian Czar, the Austrian Emperor, and the German Kaiser a new dawn would rise for the suppressed peoples of Europe. And for a while after this event things seemed to point to a betterment of the standard of the common man in the former European autocracies, and it looked as though the world was coming to a new era of good feeling and liberalism.

Unfortunately, this condition of affairs was not to continue. One by one the democratic countries of the world were shedding their liberal constitutions and becoming a prey to dictatorships and oppression. In Russia a liberal government was overthrown by the forces of the Bolsheviki, who established what they chose to call a dictatorship of the proletariat, denying freedom to most of its citizens, and engaging in the ruthless suppression of free speech, free press, and free public assembly. A little later in Italy, under the guise of destroying communism, which was making headway in that country, a dictatorship was established under the name of fascism, which again suppressed the freedom of the Italian people, again suppressed the freedom of speech, of the press and public assembly. For a little while a Fascist dictatorship was also established in Spain. In Turkey a sort of "benevolent" fascism was introduced, while in other smaller countries there have been rumblings of incipient dictatorships which have not fully come to fruition for some reason or other. But democracy as we understand it was definitely dispensed with. None of the European countries saw fit to continue under constitutions modeled after ours, making their people supreme, and defining the powers of government as we are accustomed to define ours. European traditions were decidedly against democracy.

Normally, of course, it would make no difference to us what form of government the European countries saw fit to adopt for themselves. After all, when we established the American Commonwealth there were very few democracies in this world. France had not yet established its first Republic, and the only constitution of a European country which was at all comparable to ours was the constitution of the Swiss Confederation. So, of course, it makes no difference to us how European countries choose to govern themselves. If they like dictatorships, if they enjoy being suppressed in their most essential human rights, why, of course, that is their privilege. We have no concern with them, and we surely will not go to war to help them to alter conditions or maintain their existing organizations.

But while we disclaim all interest in their doings, and all interest in the form of government which European countries choose for themselves, we cannot lose sight of the fact that where a European country becomes a menace to our own people it is our duty to point out the fact to our public and take such measures as will protect our own people and our own democracy. It has become more and more apparent that the present rulers of Germany are stimulating within their borders those warlike activities which invariably lead a nation to a conflict with another. If the public of a particular country is being imbued with a militaristic and aggressively offensive spirit of combat, sooner or later a spark will fly which will ignite a conflagration. And it is on this danger and menace to our people that I see fit to address you today, pointing out in no unmistakable terms how dangerous Germany's course is to the people of the world.

Germany has practically adopted a new religion. This religion contains but two dogmas: The first, hatred of religion, and the second, love of war. These two dogmas apparently go hand in hand, "and you cannot be a good German citizen today", as this term is understood by the master of Germany, unless you disclaim all religion and exalt the spirit of war.

In a sermon preached in one of the best-known Presbyterian churches in New York, the Fifth Avenue Church, the pastor, describing the present-day relation of church and state in Germany, has this to say:

> Little did we think at the beginning of the twentieth century that the relations of church and state would become one of the paramount issues of the century. This question was settled for Christians 1,900 years ago, when Jesus said: "Render, therefore, unto Caesar the things that are Caesar's, and unto God the things that are God's." These words acknowledge the fact that the state possesses certain rights over its citizens, but they also make it clear that there are bounds beyond which the state must not go in the coercion of Christian conscience. The principle enunciated by the Founder of Christianity denies the right of a totalitarian state to render the Christian church impotent by making it merely the mouthpiece of dictatorial leaders. That is the religious issue which is paramount in Germany today.
>
> It has arisen very largely because of the tremendous hostility manifested toward Jews in the 25-point program of the Nazi Party. A 3-point program is being forced today on German Christianity: First, the test of Aryan blood applied to all who would qualify for membership or office in the Christian church; secondly, an attempt to suppress completely the Old Testament and to substitute for it Nordic myths and legends; and, thirdly, an attempt to alter the Christian conception of the universal fatherhood of God to that of God as father of the Aryan race, and especially the German section of it.
>
> The Christian church can never consent to the abolition of the Old Testament. That would mean the destruction of the foundations of Christianity, for it is inseparable from the glorious religious heritage of the prophets, lawgivers, and seers of the Hebrew race. If we were to attempt to divorce Christianity from the Old Testament revelation, it would mean that we would have to tear the name of Jesus from the Bible, for He was a first-century Jew.

The fight against the churches is one of the main theses of the German creed of today, and hand in hand with it goes the exaltation of war and all that it means.

Some months ago one of the members of Hitler's Cabinet, General Goering, startled the world by announcing that Germany was going to produce more and more cannon and more and more bullets, and that the country would prefer "bullets to butter." He said, "Let the Germans tighten their belts and eat less butter", but do not let them deny themselves the privilege of manufacturing more guns and more armaments. This is the principal point in the new German religion. "By all means let us have armaments, by all means let us have the biggest military establishment in the world."

In yesterday's New York Times there is a very illuminating article showing how Germany has been able to profit economically by selling armaments to other countries. I am reading from the article:

> Germany has now entered the international armament trade in a big way. She has just extended to Greece a loan of $23,000,000 which, the Greek Government announced, is going to be used in rearmament. This means that Greece is going to buy German war materials to a considerable extent.
>
> Germany has also recently sold 36 bombers and 5 experimental planes, presumably also bombers, to Sweden at a total purchase price of 4,500,000 marks. Germany delivered to Switzerland only yesterday three experimental military planes and expects to sell her more. All this is a reversal of recent practice.
>
> Until a few months ago the European armament trade was dominated by the Schneider-Creuzot and the British Vickers-Armstrongs interests. Schneider-Creuzot is a French concern, but it also controls the great Skoda plant in Czechoslovakia. Krupp and other German armament firms have been out of the international market. The surprising speed and efficiency of German rearmament, however, seems to have again attracted the attention of military circles to German concerns. The attraction has been enhanced by the circumstance that the others, and Schneider-Creuzot especially, during their monopoly of the continental trade made a point of never delivering to their foreign customers their special and best products.
>
> Whatever the reason, German armament exports have leaped considerably. The precise extent of the increase is difficult to state in figures because such exports are not specifically set forth

in German official reports, but are usually listed as "iron goods" or "machines." There are, however, figures that bring out strikingly the increase in these categories.

Exports of explosives, munitions, and combustibles increased in value from 11,649,000 marks during the first 11 months of 1935 to 20,046,000 in the same period of last year. Exports of "machines" increased from 180,339,000 marks to 220,785,000; of motor cars and airplanes, from 71,703,000 marks to 109,207,000; of "other iron goods" from 232,857,000 to 276,910,000 marks.

Germany, therefore, apparently feels that she can improve her economic condition by becoming the world's chief dealer in armaments. And it is a well-known fact that if armaments are sold by Germany that they will necessarily call for the assistance of German experts in their operation and German officials in their management. We cannot, therefore, sit by complacently and let Germany become the dominating factor in supplying all Europe with military weapons and organizing Europe in a military way.

From the same issue of the New York Times we learn that Germany has gone into a campaign against democracies generally, and proclaiming itself the champion of the world against the so-called Communists. Germany has taken the position that all democracies are breeding places of bolshevism. I am quoting from that article:

Most democracies are accused of being breeding places of bolshevism. The press puts in this class the United States, where strikes are represented as the work of Bolshevist agents led by a man named Lewis. His name, when pronounced in the German fashion, sounds rather Jewish to German ears.

John Bull is represented as sitting in front of a spacious home complacently watching the reds set the world afire and chiding those alert watchmen who are turning in a fire alarm. Naturally the Spanish Government comes in for almost as much denunciation as the Russian Government, but there is a country closer to home that is a special target in the new campaign—Czechoslovakia.

Formerly Czechoslovakia was reproached for "oppressing" the German minority, and this complaint still is voiced occasionally by the Foreign Office organ, the Diplomatische Korrespondenz. But in the press generally this grievance has virtually disappeared and has been replaced by charges that Czechoslovakia is rapidly turning Bolshevist and has already become "an airplane carrier for the Soviet air fleet." The Czechoslovak press is accused of being too friendly to Soviet Russia, Czechoslovak airports are represented as having been built for Soviet Russia, and the Czechoslovak Army and war industry are represented as collaborating with Soviet experts.

The Czechoslovak offer to have military attachés inspect her airports to disprove the German charges was accepted by the British but rejected by the Germans on the ground that all airports looked alike, although a similar inspection offered in Spanish Morocco was hailed by Germany as a final refutation of French charges of German infiltration.

In a front-page editorial the Voelkischer Beobachter, Chancellor Adolf Hitler's own newspaper, defiantly insists that "military collaboration between Prague and Moscow represents a Bolshevist threat to Central Europe, and Czechoslovak airports remain Soviet Russian airports as well so long as the military pact providing for them exists."

The report which we rendered in February 1935 is history, and I shall not burden you at this time with the details of the disclosures contained therein. But remember that the statement that Nazi leaders have made to the effect that nazism is not for export and is purely a German product is untrue. Nazi agents are at work in all countries of the world. They are very active in Spain, where they are trying to "save" that country, as they say, from communism. They are active in other places under the guise of fighting communism. For, remember, our position as members of a democratic commonwealth is that fascism and communism are twin brothers of oppression and antidemocracy, but the position taken by Fascist leaders apparently ranks us with communism on the theory that democracies are a breeding ground for communism.

We must destroy the poison of communism just as we are destroying the poison of fascism. The two are equally obnoxious to our democratic form of government, which guarantees to the humblest citizen the right of free speech, free press, and a free assembly; and we must not permit Fascist agents to tell us how to run our democratic Commonwealth. The danger of war forces us to go into a program of military expenditures, and, much as we dislike it, we must keep our Military Establishment in top-notch condition, lest the furore of war overwhelm our democracy and destroy our institutions.

The threat of war makes it necessary for us to marshal our resources in such a way that it will protect our own country if war should break out anywhere in Europe. We must not be dependent upon Europe's products for our living, and we must not permit anything in the world to violate our traditional neutrality if Europe sees fit to unleash the terror of war.

There are at present but three democracies which are able to stem the tide of war—Great Britain, France, and the United States. A few smaller countries can be depended upon to stay in the democratic group and keep away from war. These are the Scandinavian countries, Sweden, Denmark, and Norway, little Finland, Switzerland, Belgium, Holland, and Czechoslovakia. Within these limits we must all work for the cause of peace; but whether we succeed or not, we must not permit our American neutrality to be engulfed in the sanguinary conflict which threatens to destroy our civilization.

It is my impression, and I am sure it is your impression, and, in fact, I know we are now a neutral country. We want to be at peace with the world, but the foreign spies who come here do not allow us to be neutral, and I am referring now to a most serious problem.

There is a war in Spain. Some people have gone to fight for Spain. We find amongst them some Americans and some aliens. The Americans, although they go to fight for another country when their own country is neutral, when they get in trouble on the other side, the first thing they do is to ask the State Department for help, and the second thing is to ask the Government to save an American citizen from being shot the next morning. This may not be so bad; at least, they do not do that on a big scale.

But let me call the attention of the House to something that is going on now in the United States. The German Government, the Nazi Government, is going to issue more propaganda to try to mold public opinion in the United States.

Did you know, my friends, that they have sent out 200,000, and perhaps a million, registration blanks for men of German blood in this country to join the forces of Germany in the present or for future wars?

Can you imagine a friendly government trying to induce American citizens of this country by making and sending out questionnaires as to whether they are ready to fight for the fatherland?

When these Americans refuse to subscribe to that form of treachery they are told by the consul that "some day you will be sorry for that; you may have relatives in Germany and it will not be so good for them."

At first I did not want to believe it. And I did not think any peaceful country would dare to come into this country and distribute such registration questionnaires. I refused to believe they would send out such a registration blank for service in war until evidence was brought to me which convinced me, and which will convince you, that this Congress must wake up and throw the searchlight on this activity.

I hold in my hand the registration certificate that is being distributed to every German they can lay their hands on. It contains about 20 questions, and irrespective of the fact that you are a citizen of the United States the consul will tell you that Hitler said if you have any German blood in you, irrespective of the fact of birth in the United States, you owe a debt to the fatherland. It is their belief that once a German always a German, irrespective of where you were born.

I am going to put in the record this questionnaire, which is printed in Berlin and distributed among the American Germans—Americans of German birth and to native American citizens of German ancestry.

We have almost 19,000,000 Germans in this country, and I say that every loyal and true German-American resents this activity.

The Nazi agitators come here to undermine the American Government and to disturb Americans of German ancestry.

Mr. Speaker, I ask unanimous consent to print, as a part of my remarks, this registration certificate that is being dis-

tributed, the translation having been made in the Library of Congress.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

LIBRARY OF CONGRESS,
Washington, January 15, 1937.

Hon. SAMUEL DICKSTEIN,
House Office Building.

MY DEAR MR. DICKSTEIN: Our Legislative Reference Service has made a translation of the communication which you sent to us yesterday. It is herewith, together with the original.

Very sincerely yours,

L. G. CATON,
Acting Secretary of the Library.

(Enclosures: Registration Certificate.)

THE CERTIFICATE REFERRED TO AS TRANSLATED IN THE LIBRARY OF CONGRESS

Registration certificate for entrance to the army list in preparation for official duty in the army or labor corps under the jurisdiction of the German embassy, legation, general consulate, consulate, vice consulate in ———

2. Surname.
3. Given names (underline first name).
4. Date of birth (day, month, year).
a. Birth place, town, state (if near a large city, give district and street), with, b. Name of county or similar, c. name of state of principality, unit of government.
5. Method of acquiring German citizenship: Birth, naturalization, marriage, or other legal means; previous citizenship before becoming a German citizen; citizenship in any other country beside Germany at present time (dual citizenship).
6. a. Religion. b. Race. c. Marital status: Single, married, widowed, divorced, "since * * *."
7. Occupation.
a. Learned occupation.
b. Present occupation.
8. Membership in:
a. Hitler Youth Naval Corps.
b. Storm Troop Naval Corps.
c. Special police.
d. German Air Service.
e. Red Cross.
Time of entrance and termination of membership (if any).
9. Statement of:
Participation in army sports (or navy sports): From ------ until ------ Proof ------
Performance of labor service:
Give number of weeks of work, work pass number, or other proof.
Army service: From ------ until ------ at ------ Proof ------
Foreign army service: From ------ until ------ at ------ Proof ------
Citations for service:
Holder of official sport insignia or storm troop sport medal.
Driver's award (which kind?) for motor vehicle, airplane, or glider in a club or association.
Proof of sea experience.
Time spent at sea (number of weeks, type of occupation, proof, etc.).

(Second page)

10. a. Father—given name, occupation ----------
b. Mother—given name, maiden name----------
When dead, give year of death and mark with a cross.
11. a. b. Birth dates (years only) of brothers and sisters. When dead mark a cross after the year.
12. Address of parents or nearest living relatives or guardians ----------
First and maiden name of wife and dates of birth (year) of sons and daughters. When dead mark a cross after the year.
13. Date of entrance of undersigned into the consular district where he now resides.
14. Last residence (town, district, State) of the undersigned in Germany (with data concerning time of departure, etc.).
15. Present permanent residence of the undersigned: (Street, house number, and floor, etc.). (If rooming, give name of family.)
16. Do you have a passport? If yes, give when, where, and from whom obtained and date of expiration.
17. Do you have an identification card? If yes, give when, where, and from whom obtained and date of expiration.
18. Membership in the National Socialist German Workers' Party or any of its branches? Give names.
19. Give names of German societies, clubs, etc., to which undersigned belongs.
20. Times arrested or other similar court experience for law violation.

I hereby testify that to the best of my knowledge the foregoing is a true statement.

Place ———, the ———, 19—.

(Signed) ——— ———.

(Third page)

Statement of inability to serve because of condition of health or special home, business, or professional reasons

An affidavit of an examination by a physician appointed by the Army must accompany a claim of disability.

(Fourth page)

Statement of proof that the undersigned needs assistance to pay all expenses of a trip to Germany and return

How much is needed?

Assistance is given only in exceptional cases. Exact and definite proof of need must be furnished.

Mr. DICKSTEIN. My friends, you might say that this is a lot of "hooey". Suppose I tell you that you have at least now from 10,000 to 20,000 Germans who are drilling in this country in German uniform with a German outfit, preparing men to be in readiness for any emergency that might come up in any future war between Germany and this or any other country, and she has the key position of Europe.

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. MOTT. Are those people the gentleman speaks of naturalized citizens, who are drilling in German uniforms, or are they Germans?

Mr. DICKSTEIN. They are naturalized citizens, and native-born citizens.

Mr. MOTT. Both of them?

Mr. DICKSTEIN. Yes; and some aliens.

Mr. MOTT. Does the gentleman not think that a good cure for that situation would be to shut those aliens out altogether for a period of years?

Mr. DICKSTEIN. The majority of them are native-born and naturalized citizens; you cannot shut them out.

Mr. MOTT. I understand the gentleman to say that there are naturalized citizens in this country who are drilling in German uniforms?

Mr. DICKSTEIN. That is right. You have to give them some protection. These American citizens, whether naturalized or born here, are being hounded by German spies and German consuls and German representatives in this country. I shall give you a better one than that. They get a letter to come to the German Embassy or consul. They do not know what it is all about. The first thing they know there is told a story that it looks like a little war, and the German Government wants every man who will volunteer, so-called, for service of Germany; and they go as far as to tell American citizens that even their railway and boat fare will be paid—and that is in this certificate—to Germany and back here, if they ever do come back. These people are afraid to say no, because some of them have their mothers and fathers and brothers and sisters in Germany, and they are threatened that if they do not subscribe to this application blank something might happen; and you all know what is happening in Germany. Germany has gone back thousands of years into the black ages of the history of the world.

After the man gets the questionnaire he is given a calendar which shows war material and where they may be assigned and how they will look and how they will drill. These pamphlets are coming in by the hundreds of thousands.

They have even gone as far as creating a youth army of children, who were born in this country, and there are now almost close to 6,000 of them. Here is a photograph that I was able to get of a meeting in New York with the swastika and the German uniforms, men who have practically signed this questionnaire for draft under threat and compulsion. I do not want anyone to doubt my word the slightest, because I have every piece of document and material to substantiate what I have said.

What are we doing. What is Congress doing and what is Uncle Sam doing? Why should any foreign group be permitted to wear foreign uniforms and drill in public here? Why should we not have some law that there shall be only one uniform in this America and that the uniform of the United States Army or Navy? Why should we permit foreigners, aliens, naturalized or native-born citizens, who have more sympathy for the so-called fatherland than for America, to so express their sympathy in this country? Why should not this Congress create a committee and give it the ample power and funds to look after this terrible activity that is going on at the present time?

You have your Spanish situation, you have your Mussolini, and it will be recalled that during the Ethiopian war the Italians asked for volunteers; but the German Government is more brazen. They do not want volunteers. They are practically giving you a questionnaire and saying, "Sign this." Wait until you read that questionnaire and registration certificate.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. McCORMACK. I hope that if a committee is ordered by the House that the House will be more generous to it than it was to a committee of which I was the chairman and of which my distinguished friend from New York was the vice chairman. We had to investigate all un-American activities, and they gave us the magnificent sum of $30,000. We had no place where we could go to ask for books. Every investigation that we made had to be the result of anonymous communications that we received, and the committee of which I was chairman was not acting upon anonymous communications, but we had to use them as a basis of our own independent investigation. What the gentleman from New York says about the special committee is absolutely correct. Nazi officials of Germany sent a leader to this country, and they had their own official newspaper and orders came from Berlin to German industry in this country to contribute to that newspaper, the purpose of which was to array Americans against America, in violation of the spirit of our institutions, in violation of the Constitution of the United States, and in direct violation of international law. If what the gentleman says on this occasion is true, if that questionnaire has been sent over, it is a direct violation of international law and the State Department has now been given notice, and the State Department should act immediately to investigate the information which the gentleman from New York has disclosed to the House.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. DONDERO. Will the gentleman indicate to the House, if he can, where these men are drilling in this country in German uniforms?

Mr. DICKSTEIN. They are in Illinois; mostly in New York, Pennsylvania, Michigan, and I could name other places.

Mr. O'CONNOR of Montana. Has the gentleman seen any of those?

Mr. DICKSTEIN. Yes.

Here is a photograph with a little American flag as big as a postage stamp and a dozen swastika flags all around it, and at the opening of the meeting they more or less take allegiance again to the so-called Hitler government.

Mr. MOTT. May I inquire whether or not the gentleman has a bill introduced in Congress undertaking to remedy the situation?

Mr. DICKSTEIN. I have no bill, but I will have a resolution before this House very soon.

Mr. MOTT. I understand that the investigation, at least partially, has been made.

Mr. DICKSTEIN. Partially, yes.

Mr. MOTT. The gentleman has set forth facts in his remarks which would warrant the Congress in passing a bill to take care of that situation, I believe, without any further investigation. Since the gentleman knows perhaps more about it than anyone else in the House, I think he should introduce a bill and ask for its consideration.

Mr. DICKSTEIN. In answer to my colleague [Mr. McCORMACK] all the State Department can do is to write to Ambassador Luther, who, in my own honest opinion, is not here as an ambassador of good will, but is here just to do a certain duty to his government which is diametrically opposed to our form of government, and is interfering with our peaceful rights as a sovereign nation.

Now, you cannot do that. You must throw out the congressional searchlight not only in the direction of this terrible situation, but also on 150 subversive organizations in this country which I will name for you soon; whether they be black-hooded or white-hooded, left-wings or right-wings, Communist or Fascist, or anything else.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. McCORMACK. The special committee recommended two bills as committee bills. We also investigated some, and we made some remarkable disclosures about some of the efforts being made in this country. For example, we showed the Communist Union in New York was blackjacking employers and making them pay 3 percent of their pay roll, and, also, the employees in the union maintained a strong-arm squad.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 10 additional minutes.

Mr. BUCHANAN. Mr. Speaker, reserving the right to object, this is the first time I have ever objected in my life to a Member's addressing the House; but the deficiency bill must be passed today, because the Senate will only have 6 days in which to pass it before the money for relief is entirely gone.

Mr. McCORMACK. Mr. Speaker, in view of the importance of the deficiency bill, I modify my request and will ask unanimous consent that the gentleman may proceed for 5 additional minutes.

Mr. BUCHANAN. Mr. Speaker, with the understanding that there will be no further time granted until the deficiency bill is passed, I will not object.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts that the gentleman from New York may proceed for 5 additional minutes?

There was no objection.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. McCORMACK. We made two recommendations, one making it a crime for anyone to knowingly, willfully advocate the overthrow of the Government by force and violence.

I introduced the other bill, which has been referred to the Committee on Foreign Affairs. That bill would compel the paid propagandists of foreign countries or any foreign agency to register with the Department of State, disclosing their employer and the terms of their employment. That would not only apply to those who are engaged in propaganda subversive to our country but to anybody representing a foreign government in the sale of bonds or in any transaction. The American people are entitled, in my opinion, to receive that information. In any event, those for propaganda purposes detrimental to and subversive to our institutions would not register; and if detected, they would be subject to the penalty provided in that act.

Under constitutional government and having in mind the right of freedom of speech, to which we all subscribe, in my opinion and in the opinion of the committee, that was the extent to which we could go.

I hope that answers in part the gentleman's question.

Mr. MOTT. If the gentleman will permit me, it does not.

Mr. DICKSTEIN. Mr. Speaker, I show here an exhibit that has been sent in to the so-called American young boys by a new group that has been organized, auxiliary to the so-called Nazi Party in this country. These children are taken from the schools and sent to a camp and are taught militarism right in the State of New Jersey. Those little boys with their fathers and their mothers are sent there. An oath of allegiance to the United States means nothing to them.

Now, my friends, something has to be done about it. We cannot sit here and let the Nazis or the Fascists or the Communists or advocates of any other "ism" come to our shores and create a disturbance and fear among our own people. This has to be a country of one people, one flag, one land. We cannot allow any subversive "isms", whether from the right or the left, in this country. I appeal to the Members

of this House that when the proper time comes you will support the resolution and give us the widest power possible to put the searchlight on these "isms", and to eradicate all of them that are spreading over this country. I say there are over a hundred or more organizations of that kind. Then you will be doing something for America. You will be doing something for our people. These "isms" are a menace to our flag and our Constitution. They have no place in this country.

Mr. Speaker, I say to you I have positive evidence of this continuing almost daily, and the police are helpless. There is nothing that can be done until we throw the searchlight on them and send them back where they belong and punish these so-called Nazis who claim to be 110 percent Americans and yet contribute money to the black robe or to the white robe or to the Nazi Party or any other "ism." [Applause.]

The SPEAKER. The time of the gentleman from New York has again expired.

BOARD OF VISITORS TO THE UNITED STATES NAVAL ACADEMY

The SPEAKER. Pursuant to the provisions of title 34, section 1081, United States Code, the Chair appoints as members of the Board of Visitors to the United States Naval Academy the following Members of the House of Representatives: Mr. BLAND, Mr. DOCKWEILER, Mr. MCFARLANE, Mr. EATON, and Mr. MAAS.

FIRST DEFICIENCY APPROPRIATION BILL, 1937

Mr. BUCHANAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes; and pending that, Mr. Speaker, I should like to make an agreement as to time with the gentleman from New York [Mr. TABER].

Mr. TABER. Would 2 hours, divided equally, be satisfactory to the gentleman?

Mr. BUCHANAN. That is satisfactory.

Mr. Speaker, I ask unanimous consent that for the consideration of the bill H. R. 3587 general debate be limited to 2 hours, to be confined to the bill, one-half the time to be controlled by the gentleman from New York and the other half by myself.

Mr. BOILEAU. Mr. Speaker, reserving the right to object, I ask the gentleman from Texas whether or not it is the intention of the chairman of the committee to provide for liberal debate under the 5-minute rule; and whether or not when it comes to the provision on page 3 appropriating money for relief ample time will be allowed for proper discussion and the offering of amendments and their consideration, with reference to that particular paragraph of the bill?

Mr. BUCHANAN. If today will afford ample time, then the gentleman will have ample time; but this bill must be passed today.

Mr. BOILEAU. I respect the gentleman's wishes in that regard. I would remind him, however, that there is a long evening ahead of us. We do not have to get through by 4 or 4:30. I hope the gentleman will give the Members assurance now that when that section is reached those who believe there should be an increase in that appropriation will have adequate opportunity to discuss their views and sufficient time in which to discuss the section intelligently.

Mr. BUCHANAN. We have never prevented proper deliberation on a bill when we had time to give to it, when there was not an emergency demanding the passage of the bill. It must be remembered that this bill has got to go to the Senate, that the Senate will have to refer the bill to their committee, that their committee will have to consider it and report it back to the Senate, and the Senate will have to pass it. All this must be done in 6 days.

Mr. BOILEAU. With only 2 hours allowed for general debate, it would seem we should have ample time under the 5-minute rule properly to express our views and offer amendments.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. BOILEAU. Mr. Speaker, I object, unless we have assurance that we are going to have adequate time in which to discuss it.

Mr. WOODRUM. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is demanded. The regular order is, is there objection to the request of the gentleman from Texas?

Mr. BOILEAU. Mr. Speaker, I object.

The SPEAKER. The question is on the motion of the gentleman from Texas.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes, with Mr. MCCORMACK in the chair.

The Clerk read the title of the bill.

Mr. BUCHANAN. Mr. Chairman, I ask unanimous consent that the first reading of the bill may be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BUCHANAN. Mr. Chairman, I will not take the time to discuss several deficiencies recommended in this bill for expenditure by the regular departments. When we come to the 5-minute rule, sufficient explanation can be made of them, if desired. I merely state that this bill carries approximately $900,000,000, of which $110,000,000 is for expenditures other than relief. Ninety-five million dollars of this latter amount is for the Civilian Conservation Corps. There is, therefore, only about $15,000,000 for other purposes, and these can be explained under the 5-minute rule.

I shall now address myself to the question of recovery and relief, and in doing so I will give you a bird's-eye picture of the entire situation from the beginning. In the fiscal year 1933 we expended for recovery and relief $1,285,000,000. I shall deal only in round figures. In the fiscal year 1934, during which year we made the maximum expenditure, we spent $3,993,000,000. In the fiscal year 1935 we expended $3,506,000,000, or $487,000,000 less than we expended in 1934. This is making some progress toward economy. In the fiscal year 1936 we expended $3,263,000,000, or $243,000,000 less than we expended in 1935. In 1937, if this appropriation of $790,000,000 is made, we will expend $3,184,000,000, or $77,000,000 less than we expended last year, 1936.

This makes a grand total of all expenditures up to the end of this fiscal year, June 30, 1937, of $15,232,000,000; and this is made up of loans, grants, direct relief, work relief, everything that has been occasioned by recovery and relief, including the C. C. C. Out of this grand total between $3,000,000,000 and $4,000,000,000 is recoverable. The sum of $12,000,000,000, therefore, is about what relief and recovery has cost us. From this, however, should be subtracted the permanent value of all the improvements made by the expenditure of this $12,000,000,000. I will let each Member estimate the value of these improvements for himself; improvements such as school buildings, municipal light and power plants, dams, roads, and such things.

Mr. Chairman, I ask unanimous consent to place in the RECORD at this point a table showing a break-down of these figures.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The matter referred to follows:

Expenditures for recovery and relief for the fiscal years 1933–36 and estimated expenditures for the fiscal year 1937 on the basis of the classification appearing in supporting schedule no. 2 in the 1938 Budget

	Fiscal year 1933	Fiscal year 1934	Fiscal year 1935	Fiscal year 1936	Estimated, fiscal year 1937	Total
Recovery and relief:						
Agricultural aid:						
Commodity Credit Corporation		$164,341,934.85	[1] $60,144,064.86	$129,715,022.53	[1] $125,000,000.00	$108,912,892.52
Farm Credit Administration (including Federal Farm Mortgage Corporation)	$73,804,343.13	346,333,164.13	141,390,814.96	[1] 33,223,232.37	[1] 12,598,600.00	515,706,489.85
Federal land banks	[1] 242,545.00	46,154,953.95	48,047,000.54	60,486,790.53	69,900,000.00	224,346,200.12
Relief:						
Federal Emergency Relief Administration (including Federal Surplus Commodities Corporation)	37,910,142.00	707,352,344.29	1,820,993,937.09	495,591,986.97	11,000,000.00	3,072,848,410.35
Civil Works Administration		905,122,892.29	11,327,263.67	676,195.79	540,000.00	817,666,351.75
Department of Agriculture, relief			80,561,249.99	2,882,448.90	507,300.00	83,950,998.89
Public works (including work relief):						
Boulder Canyon project		19,445,381.64	23,820,507.04	10,023,710.53	8,835,000.00	62,124,599.21
Loans and grants to States, municipalities, etc		78,596,229.75	137,707,417.46	172,116,011.89	236,000,000.00	624,419,659.10
Loans to railroads		70,739,000.00	66,230,752.95	[1] 127,881,597.33	[1] 5,000,000.00	4,088,155.62
Public highways		267,882,017.66	317,356,940.05	215,095,581.31	268,130,000.00	1,068,464,539.02
River and harbor work		72,450,381.47	147,924,751.64	152,318,737.09	105,961,500.00	478,655,370.20
Rural Electrification Administration			16,820.93	1,402,654.17	15,262,400.00	16,681,875.10
Works Progress Administration				1,263,661,490.21	1,400,000,000.00	2,663,661,490.21
All other		133,285,711.97	327,354,650.43	405,333,218.63	371,417,400.00	1,237,390,981.03
Aid to home owners:						
Home-loan system	43,970,000.00	192,230,500.00	75,686,784.08	37,385,358.26	25,449,000.00	374,721,642.34
Emergency housing		369,351.41	6,479,835.47	24,906,423.42	49,612,600.00	81,368,210.30
Federal Housing Administration			15,963,873.02	14,504,600.14	15,000,000.00	45,468,473.16
Resettlement Administration			1,761,663.06	137,907,723.28	152,940,000.00	292,609,386.34
Subsistence homesteads		2,372,312.69	3,661,937.71	108,264.37	114,500.00	6,257,014.77
Miscellaneous:						
Export-Import Banks of Washington		2,654,324.15	[1] 2,616,496.63	19,581,457.76	3,066,000.00	22,685,285.28
Administration for Industrial Recovery		6,632,491.49	12,496,730.81	5,111,371.02	20,000.00	24,260,593.32
Federal Deposit Insurance Corporation		149,502,149.65	497,850.35			150,000,000.00
Reconstruction Finance Corporation, direct loans and expenditures	1,121,353,682.60	584,623,017.05	[1] 141,926,563.90	[1] 238,722,416.78	[1] 425,000,000.00	900,327,718.97
Tennessee Valley Authority		11,036,794.57	36,148,537.34	27,814,668.09		75,000,000.00
Total	1,276,795,622.73	3,661,124,953.01	3,070,742,193.20	2,776,796,468.51	2,166,157,100.00	12,951,616,337.45
Supplemental items					650,000,000.00	650,000,000.00
Total, recovery and relief	1,276,795,622.73	3,661,124,953.01	3,070,742,193.20	2,776,796,468.51	2,816,157,100.00	13,601,616,337.45
Emergency conservation work	8,773,569.75	331,940,851.40	435,508,643.05	486,281,193.58	368,000,000.00	1,630,504,257.78
Total	1,285,569,192.48	3,993,065,804.41	3,506,250,836.25	3,263,077,662.09	3,184,157,100.00	15,232,120,595.23

[1] Excess of credits, deduct.

Mr. BUCHANAN. We come now to this appropriation. There is involved $790,000,000 for relief for 5 months, the balance of this fiscal year. This sum is to be allocated by the President, but the tentative division of it at the time of our hearings is about as follows: $655,000,000 for Works Progress, $80,000,000 for Resettlement, $35,000,000 for other departments, and $20,000,000 for the Treasury Department. This makes a total of $790,000,000.

The Resettlement Administration will spend this money, together with its unobligated balance of $78,000,000, as follows: $14,000,000 for administration, $58,000,000 for rehabilitation loans, $30,000,000 for grants, $49,000,000 for rural settlement subsistence homesteads, $437,000 for submarginal land purchases, and $5,000,000 for development on these submarginal lands.

This makes a total of $158,000,000, being the amount that will be available for obligation from December 31, 1936, to June 30, 1937.

The entire works program financed from the relief and work relief money, which includes workers under the Works Progress Administration and other departments and agencies, but excludes the C. C. C., were giving employment on December 26, 1936, as follows: W. P. A., 2,188,000 persons. and all other agencies, 437,000, a total of 2,625,000 individuals. In addition, the C. C. C., which has its own regular appropriation, had on that date a total of 376,000 on its rolls, making a grand total of 3,001,000 who were performing work on the Government pay roll under the relief program.

At this time the Works Progress Administration has on its pay roll 2,200,000 persons. It expects to keep that number on the pay roll under this appropriation throughout the winter months. That is, through February.

Mr. HEALEY. Will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from Massachusetts.

Mr. HEALEY. Does that include the nonrelief people on the rolls also, or are those all relief people?

Mr. BUCHANAN. Those are all relief people.

Mr. MAY. Will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from Kentucky.

Mr. MAY. Does that allow anything for the increase which has been brought about by reason of the terrible flood in the Ohio and Mississippi River Valleys?

Mr. BUCHANAN. No. I will speak of the flood situation later. I am speaking now of the appropriation as it came to us without contemplation of the flood situation.

As I stated, that agency will keep 2,200,000 on the pay roll throughout the winter months. In March it is expected to reduce that number 50,000, then 100,000, then 200,000 each month until we get to June 30, when it will have on the pay roll 1,600,000 men. This is on Works Progress, and only Works Progress.

Now, to this must be added 437,000 that will be on the pay roll involving relief workers under other departments. This will give us at the commencement of the next fiscal year 2,037,000 on work relief under the works program.

Add to these the C. C. C. and we have 2,400,000. Now then, the flood comes along. How many extra or additional will have to be added on account of the flood? It has been variously estimated. The last estimate I heard was 600,000, and another estimate of 700,000 by reason of the flood. What will this make? At the beginning of the next fiscal year, if we have to add 700,000, we will then have on relief employment over 3,000,000. We now have 3,001,000. We are not reducing the number and we are not increasing the number to amount to anything.

The situation is very much like last year. We reduced the load at that time. A flood came along which cost the Works Progress Administration $32,000,000 and cost other agencies a tremendous amount of money. Then a drought came along which cost $165,000,000 and placed an additional 300,000 on the relief rolls and took up all the reductions we had previously made. This year another national disaster occurs which will take up all of the reductions which we had hoped to be able to make.

Mr. O'CONNOR of Montana. Will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from Montana.

Mr. O'CONNOR of Montana. Is it not a fact that the C. C. C. has been recommended by the Chief Executive to be made a permanent institution?

Mr. BUCHANAN. Yes.

Mr. O'CONNOR of Montana. Then that agency should really be taken away from those agencies who may be designated as relief agencies?

Mr. BUCHANAN. That is true. It has been recommended by the President that we pass a law making this a permanent activity of the Government. But that does not change the fact. The fact is the C. C. C. is an emergency agency and was brought into existence by reason of the emergency; therefore, it should be charged up to the emergency until the emergency is over. That is simply honest and straight.

Let me give you a few additional facts which may be interesting. Under the old appropriation for relief, in which we adopted the security wage, the average hourly wage for the W. P. A. was 45 cents per hour. Last year we changed that and adopted the prevailing wage. Under the prevailing wage, the average is 50 cents an hour, just a difference of 5 cents between the security wage and the prevailing wage.

Under the present regulations, the maximum hours of work per day per person is 8 under the prevailing wage, a maximum of 40 hours a week and 140 hours a month; but 115 hours is the average under the Works Progress Administration per month. For the last half of November the average hourly earnings runs from 26 cents in the lowest State to 74 cents in New York City. The difference is occasioned, first, by the character of the worker, whether technical or skilled, or unskilled, and also by the prevailing rate of wages which exist in the different communities. That is as it should be, because the Government work plans under relief and unemployment programs should dovetail into the industrial and work system of each State and each community throughout the Nation.

The average cost of one person per month in the Works Progress Administration for the last 6 months was $67. That is the average cost. The average cost of one person per month under the works program, including W. P. A. and all other agencies combined, is $85 for this period.

Mr. Chairman, this concludes my discussion of the relief and work-relief item of $790,000,000. Now, as to the flood——

Mr. MAY. Mr. Chairman, before the gentleman takes up the matter of the flood, may I ask this question? Does the gentleman know whether or not there will be additional requests for relief funds, in addition to the $790,000,000, by reason of the flood or for any other cause hereafter?

Mr. BUCHANAN. Yesterday morning I read in the papers about the extent of this flood. You gentlemen do not know it, but I suspect the flood stirs me more than any man in the House. I am going to risk boring this House for 4 or 5 minutes to tell my personal experience. I used to be a farmer. I tried it for many years. I did not have sense enough to make a good farmer, but I did have sense enough to make a good Congressman. [Laughter and applause.]

While I was farming I purchased, partly on credit and partly for cash, 3,500 acres of Brazos River bottom land. I devoted all I made during the most productive years of my life to clearing this land, building houses, and improving the farm generally. I got it in splendid shape. I had 2,500 acres of land well watered, well equipped with houses, well tenanted, and well stocked. Then the floods commenced and I had three floods in succession. I fought them the best I could. During one of the floods the water was at the eaves of all my tenant houses. Two of my brothers and myself were on top of a house with the water at the eaves of the house. We had a ferry boat tied to a tree with 60 mules on the ferry boat, with the ferry boat leaking all the time. We had to take turn about bailing water to keep the boat from sinking to save the mules. This continued for 3 days and 3 nights before the river finally went down enough to get the ferry boat and the mules out. As I have said, I spent the most productive years of my life and everything I made on this farm. You know that when a man is a farmer, and a good one, although he may make a failure of it, if he has a large farm, he rides around it on horseback with a saddle with saddle pockets and a hatchet and a hammer and some nails in the saddle pockets to fix various things on the farm when they get out of whack.

So after all these floods, after all the houses had gone down the river, as well as all the mules I had and my hogs and cattle and crops, with my tenants left starving on the bank, I rode out on the bottom on this horse. In the saddle pockets were nails and a hammer. There was a creek at the edge of the bottom with a hill rising abruptly and a bridge across the creek. When I got to that creek I looked above my head and I saw the high-water mark. Some of you gentlemen may not know what a high-water mark is, but those of you who are familiar with river-bottom farms know. The high-water mark is where the river reaches its height and stands there 2 or 3 days before it starts to fall. When the water stands there for a certain length of time, it makes a ring around the trees. This mark was above my head on horseback. I got myself a plank and I got some charcoal. I nailed that plank at the high-water mark, and here is what I wrote on that plank. It expressed the way I felt then and the way I feel now:

Farewell to the Brazos bottom
I bid you a long adieu;
I may migrate to hell some day,
But I will never return to you.

[Laughter and applause.]

From that day to this I have been the relentless enemy of flood water anywhere and everywhere, and if I can contribute by my voice or by my vote or by my work to the prevention of floods throughout this Union I shall make that contribution more cheerfully than I ever made any contribution in my life.

Let me tell you something else, and I speak from actual experience. You will never prevent floods by levees. You will never prevent floods by diversion. You will never prevent floods by soil-conservation methods. You will never prevent floods by reservoirs. It will take all of these means combined to prevent these floods, and you might as well prepare to meet the situation.

Mr. MAY. Mr. Chairman, will the gentleman yield further?

Mr. BUCHANAN. I yield.

Mr. MAY. I can appreciate very clearly the gentleman's feeling when he abandoned his farm and wrote on the plank nailed to that tree, but if this morning the gentleman had his youngest son and his wife and his niece and her child and husband and his nephew and his wife and children stranded in some buildings with fire all around them and with water above the first story, I think he could appreciate the situation a little bit more.

I have the idea we are going to come to the problem of trying, ultimately, to control in a substantial way these floods——

Mr. BUCHANAN. The sooner the better.

Mr. MAY. And, so far as I am concerned, I think a reservoir system in all the upper streams, plus the prevention of soil erosion by reforestation and sowing of coverage crops, will do it, although it may take a number of years.

Mr. BUCHANAN. And perhaps low levees, too.

Yesterday morning when I read of the devastation of the floods and the areas covered by their destruction I went to see the Speaker. We had a conference, and he was as much interested in it as I was. He is very much interested. He phoned the President, and, as a result, we went to see the President yesterday morning and spent perhaps three-quarters of an hour there. I do not think the President had slept 1 hour during the entire night. He was at the telephone all night, and he is doing and has done everything within the power of this Government to alleviate and mitigate the hardships caused by this flood.

Now, it is not money you need now, and the President said so. He has all the money he can efficiently spend. It is service that he needs, and he has the service not only of

those people in the flood area but from every arm of the Government that can render service. [Applause.]

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. I should like to say that I have the honor of representing more Ohio River front than any other man here—something like 175 miles—and I shall take back the information that we have on our side the great chairman of that powerful Committee on Appropriations. I should like to say further that I have introduced a resolution providing for the appointment of a committee of three Congressmen and three Senators to go into the Ohio River area as soon as it is practicable and bring back a report as to the actual conditions that they find so that we can determine what is going to be done to rehabilitate them.

Mr. BUCHANAN. We are doing everything that is humanly possible.

I asked Mr. Hopkins and General Markham, the Chief of Engineers, if more money was needed, and they said, "No; not now." If we had $100,000,000,000 to expend for that purpose now we could not mitigate the hardships one iota.

This $790,000,000 carried in this bill is subject to be allotted by the President, and he told the Speaker and myself that if it became necessary he would allot every cent of it to alleviate the situation. [Applause.]

Mr. LANZETTA. Will the gentleman yield?

Mr. BUCHANAN. I yield.

Mr. LANZETTA. Is it not a fact that this $790,000,000 appropriated in this bill will not take care of the people for the rest of the fiscal year and that many of them will have to be dropped?

Mr. BUCHANAN. Not during the winter months. Not one will be dropped during the winter months. When spring and summer come the employment will increase and you can drop some of them.

Mr. LANZETTA. Will the gentleman yield?

Mr. BUCHANAN. I yield.

Mr. LANZETTA. We are speculating on whether that employment will come.

Mr. BUCHANAN. That has been the history of it.

Mr. LANZETTA. The appropriation does call for a reduction of W. P. A. employment.

Mr. BUCHANAN. It does contemplate that by July 1 we will have 600,000 reduction.

Mr. HEALEY. Will the gentleman yield?

Mr. BUCHANAN. I yield.

Mr. HEALEY. The gentleman states that it is contemplated that private industry will absorb 600,000 from the relief pay roll?

Mr. BUCHANAN. It is so contemplated, and we hope a lot more will be absorbed.

Mr. HEALEY. In the event that that does not transpire, what provision will be made for these men for whom it will be necessary to provide something in the event they are not employed by industry?

Mr. BUCHANAN. The gentleman must recollect that this is an appropriation bill only for the 30th of June next, to end this fiscal year. Another deficiency appropriation bill will be introduced if distress arises. There is no reason why that deficiency appropriation bill cannot be put through sooner.

Mr. LANZETTA. But there is a distressful condition now existing in the city of New York, where men and women are being dropped from the W. P. A. rolls.

Mr. BUCHANAN. That is a local condition which I know nothing about.

Mr. O'CONNOR of Montana. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. Yes.

Mr. O'CONNOR of Montana. Is it not a fact that it is to be expected, and probably was anticipated by the committee, that the farmers of the country would take up a considerable slack in the unemployment beginning, say, with the month of March and continuing on and increasing?

Mr. BUCHANAN. In reply, I may say that there were practically 272,000 farmers who were on Mr. Hopkins' Works Progress relief rolls who were transferred to the Resettlement Administration, and there are some 420,000 farmers now to be taken care of by the Resettlement Administration, some of them by grants and some by work. When summer advances some of these will go off the relief because they will have crops and landlords to finance them.

Mr. CONNERY. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. Yes.

Mr. CONNERY. In this bill there is a provision which by legislation continues the C. C. C. camps to June 30. The chairman of the Committee on Appropriations took that up with me yesterday, and I am sure I can speak for the Committee on Labor, to which that would ordinarily go, and that bill came out of that committee, and say that we are glad this bill continues the C. C. C. until June 30 next.

Mr. BUCHANAN. I appreciate the generosity of the chairman of the Labor Committee. The continuance of the C. C. C. is a matter of legislation. The gentleman from Massachusetts is the chairman of the Committee on Labor. I do not believe the Committee on Appropriations should legislate except when absolutely necessary, and then with the consent of the legislative committee that would have jurisdiction of the subject matter.

Mr. MARTIN of Colorado. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. Yes.

Mr. MARTIN of Colorado. I presume the gentleman is familiar with the very small amount allowed farmers in the drought area under these subsistence grants.

Mr. BUCHANAN. I am not familiar with the amount; but I do not think $20 per month is very small.

Mr. MARTIN of Colorado. Does not the gentleman think it is rather small to allow a family of half a dozen only $18 to $20 a month, and that is all—and I have the budgets to prove that statement?

Mr. BUCHANAN. The $20 a month is a grant, a gift, and the farmer has all his time to work and make an additional amount. It is not a rehabilitation loan. It was intended only to carry the farmer until they could make a rehabilitation loan to that farmer, which would be in larger amount.

Mr. MARTIN of Colorado. It is true that it is a grant, and it is not comparable to the grant the city worker gets under the W. P. A.

Mr. BUCHANAN. My colleague must remember that the people in the city work for theirs.

Mr. MARTIN of Colorado. But the farmer is willing to work for his, too.

Mr. BUCHANAN. If the gentleman will find a job in an agricultural area, we will give the job to the farmer, gladly.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MCCORMACK, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 3587, the first deficiency appropriation bill, and had come to no resolution thereon.

Mr. BUCHANAN. Mr. Speaker, I move that general debate upon the bill H. R. 3587, now under consideration, be confined to 2 hours, including the time consumed by me, 1 hour of which shall be controlled by the gentleman from New York [Mr. TABER] and 1 hour by myself.

The motion was agreed to.

Mr. BUCHANAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 3587, the first deficiency appropriation bill, 1937.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 3587, with Mr. MCCORMACK in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. For the information of the gentleman from Texas [Mr. BUCHANAN] and the gentleman from New York [Mr. TABER], as well as the members of the Committee,

the Chair advises them that the gentleman from Texas [Mr. BUCHANAN] has consumed 29 minutes and has 31 minutes remaining, and that the gentleman from New York, under the motion agreed to, has 1 hour. The Chair recognizes the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, I yield 15 minutes to the gentleman from Wisconsin [Mr. BOILEAU].

Mr. BOILEAU. Mr. Chairman, I take this occasion to thank the ranking minority member of the Committee on Appropriations for giving me this time to express my views on this deficiency appropriation bill, and to add that even though on many occasions his views and mine do not coincide, he has at all times treated those of us who have not agreed with him with uniform courtesy and fairness in the disposition of time on the minority side.

Mr. Chairman, I rise to voice my protest against this appropriation bill because I feel that the appropriation for relief and work relief is entirely inadequate to meet the needs of the present conditions in the country. First of all, I remind gentlemen of the fact that when the President of the United States inaugurated the Works Progress Administration he made the statement that it was the intention of the Administration, out of funds dispensed by the Works Progress Administration, to give work to all employables who were on relief.

I assume it is fair to conclude that it was his intention to make it the policy of the Federal Government, at least until such time as the depression would have been dissipated, to give jobs to employables through Federal funds in order to enable them to keep body and soul together and to provide for their families, without forcing them to go upon direct relief.

I submit to you that if the President's stand was right then, it is just as right today, and if we are to follow his speeches and follow his pronouncements of that day, we cannot accept this deficiency appropriation bill in its present form, because it is entirely inadequate to keep the Works Progress Administration going on the basis of giving jobs to those employables who are unable to find employment in private industry.

I submit to you that the trend in recent months in removing men from W. P. A. is entirely unjustified, and the prospects for the future are likewise very disturbing, because this appropriation which we are now considering anticipates that there shall be a gradual reduction in W. P. A. employees until in June the number on W. P. A. will be reduced to a figure of 1,600,000. The recovery of this Nation is not such as to justify that inhuman treatment of American citizens. We have not reached the stage of recovery that would justify in adopting a policy that would include only 1,600,000 men and women upon relief jobs after June of this year.

During the year 1936 there was a substantial increase in business activity. The Secretary of Labor recently issued a statement to the effect that in 1936 there was an increase in business activity of 25 percent over the preceding year. A 25-percent increase in business activity. But the disturbing part of it is that in the same statement it was revealed that in the same year there was only an increase of 7.9 percent in reemployment over the previous year. That is the disturbing thing.

We talk about business recovery. We see that business is moving more rapidly. Men and women who have investments in industry find their capital investment is returning greater dividends, but at the same time there are millions of men and women in this country who have not seen any of the benefits of recovery. Millions of men and women depend upon this Congress to perpetuate the W. P. A. in order for them to have any hope of having a decent living in the near future.

I submit to you that the wages presently paid in W. P. A. are, in most instances, entirely inadequate. When we stop to think that W. P. A. in some parts of this country pays as low as $21 a month, when we stop to consider that this Government pays such low wages for unfortunates who must ask for assistance, we cannot be proud of what appears to be our conclusion on the question of what it requires to maintain a family in decency.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. BOILEAU. Not now. I prefer to finish my statement first.

If you want to take the position that Americans are entitled to a decent living, there must be a gradual increase in W. P. A. wages. Some people justify their opposition to an increase in such wages by saying, "Oh, it is a gift after all. It is better than nothing." But I say to you if we permit such a condition to exist as has existed, where millions of men and women cannot live without Government aid, a condition wherein a large percentage of our people must depend on organized society, through their Government, to give them assistance, we cannot justify a wage of $21 a month for a man and his family. That is cruelty. In most of the large cities, in the North particularly, the wage rate is higher than that, but the average for W. P. A. workers is only $52 a month over the entire country. I, for one, cannot see how we can expect men, year after year, to support their families and maintain them on $52 a month, and then feel that we have done our duty to our people. We have the responsibility of bringing these wages up to a point where they will maintain a family in decency.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. BOILEAU. Not at the present. I would rather finish my statement first.

If we want to continue with this average of $52, going as low as $21 in some parts of the country, then let us not talk about the great American standard of living any more. Then let us say frankly that it is all right for a large part of our people to live in luxury while another and larger group within our country are not even receiving a decent subsistence. If we continue on year after year treating so many of our people in that way, what kind of citizenship can we expect of them?

The greatest encouragement to communism or fascism in this country results from the fact that millions of our people do not seem to be able to get very much out of this democratic system of ours. Those of us who are for a democratic government, those of us who love our country and its traditions, have a responsibility here and now to provide adequate funds out of the General Treasury of this country to provide all of our people with the opportunity of earning a decent livelihood.

I submit, therefore, that there should be a minimum of $40 a month for every man or woman who is forced, because of conditions, to accept employment in our W. P. A. program.

Since the W. P. A. was organized, there has been a tremendous increase in the cost of living. Who here will deny that there has been an increase in the cost of living since W. P. A. was organized? We all admit that. Whether it is a 10-percent or a 20-percent increase, I am not so sure. However, in my judgment, and in the judgment of those with whom I have collaborated, it seems that there has been an increase of at least 20 percent in the cost of living since W. P. A. wages were first set by this Government. If that is true, the only fair thing to do is to increase the income of these unfortunate people by 20 percent, so that they will have as much of an humble existence as we gave them when we first initiated the program.

I maintain, too, that it is wrong for us to take a person off the W. P. A., give him the so-called pink slip, until we have found a place for him in society, until our national economy finds a place for him, so that he can take care of himself. It is inhuman for us to take these men and women off work jobs and put them on direct relief when the subsistence given in most communities is inadequate long to keep body and soul together, long to maintain healthy children. There are not sufficient funds available under direct relief in most communities to enable the head of the family to give his little tots the things they need to build and maintain strong bodies and healthy minds.

I, for one, therefore, want to accept the program of the Workers' Alliance of America, a group of W. P. A. employees,

men who do not want to continue on W. P. A., but who are forced to do so. Their demands, in my judgment, are entirely reasonable. They say their allowance should be increased 20 percent, with a minimum of $40 a month, and that jobs should be provided for at least 2,800,000 men and women on W. P. A. This would take care of most of the employables who are now on direct relief, as well as continue those who are presently on W. P. A. If we are to meet these reasonable and humane demands, we will need, instead of the $655,000,000 provided in this bill, the sum of $1,040,000,000 for the remainder of the fiscal year. I appeal to you in the words of President Roosevelt, who delivered such a classic oration on the event of his second inaugural; I want to remind you in his words that today we find "one-third of our people ill-clad, ill-housed, and ill-nourished." If we admit that such a condition exists, then rather than increasing the number of unfortunates by curtailing the W. P. A. program, we should begin to take some of these people out of this most undesirable position. We, therefore—those of us with whom I have collaborated, and they make up quite a large group of the Members of this House—are supporting the proposition of increasing the appropriation for W. P. A. from $655,000,000, for the rest of the fiscal year, to $1,040,000,000, an increase of $385,000,000.

Then, too, there are in the farming areas of this country literally tens of thousands of men and women who are now on the brink of ruin and who will be completely destitute unless some assistance is given to them. I appeal for adequate appropriations for that fine agency which has made such a splendid beginning, but only a beginning—the Resettlement Administration; and bespeak for these tens of thousands of farmers who are in need of assistance adequate appropriations for a sufficient program of rural rehabilitation in this country. This bill provides for about $80,000,000 for rural rehabilitation. The chairman of the committee made a statement a little while ago to the effect that it is $158,000,000. Perhaps I misunderstood him, I do not know, I am perfectly willing to accept his statement; but my information was that the amount carried in this bill was $80,000,000. Whether it is $80,000,000 or $158,000,000 does not make any difference for the purposes of my argument, because it is the consensus of opinion of those from whom I have been able to get information that this program will require $404,000,000 instead of $80,000,000 or $158,000,000, that the work may be done right and that a real rural rehabilitation program can be launched. Bear in mind that most of this money will be lent to farmers under the rural rehabilitation program and will be returned to the Treasury.

In order to bring this program up to where it should be, at the proper time I shall offer an amendment to this bill increasing the appropriation from $790,000,000 to $1,499,000,000. The amendment will provide that out of that amount not less than $1,040,000,000 shall be allocated to Works Progress Administration for the purpose of continuing work relief, and not less than $404,000,000 for the purpose of providing rural rehabilitation grants and loans to farmers and livestock producers for the remainder of the fiscal year. A program of such magnitude will enable us to take these tens of thousands of farm families out of their present distressed condition and put them in a position where they can look to the future with some prospect of bettering their existence, where they can look to the future with hope, where they can plan for the future of themselves and their children. Then they will be able to look to the future with the prospect of once again becoming self-sufficient, independent, happy, and contented American citizens. We must make this possible for our underprivileged millions of people in order to do justice to them and to the country we all love. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from North Dakota [Mr. LEMKE].

Mr. LEMKE. Mr. Chairman, I am for this bill with amendments. I am sorry the chairman of the committee did not see fit to give us sufficient time in which to discuss these amendments, or did not assure us that we would have it so we could make this a real deficiency bill to take care of the requirements of the people of this Nation.

Congress has now been in session for 3 weeks. It opened with a great deal of enthusiasm and with an exuberant feeling that prosperity in abundance has returned for all. The outlook to accomplish something real for the people is not so bright. Congress as a whole feels there is nothing really left to be done; that all is well. It is optimistic beyond intelligence, and self-satisfied. Yet, there is apprehension and uncertainty, a sort of bewilderment. Many Members realize that there is danger ahead. These Members will be heard from before adjournment.

The President delivered a splendid message in person to Congress. He assured the people of this Nation that no one was hungry and that no one would be permitted to go hungry. Of course, you and I know that those words do not square with actual facts and with stern realities. All we have to do is to open our eyes and we will still see want, hunger, and rags in our midst.

Mr. Chairman, I believe that we are living in a fool's paradise. Many of us believe that prosperity has returned; that the depression is over. That is true; but it is over only for some, not for all, of the people. We have a sort of cash-and-carry prosperity, a prosperity where the people in business are receiving a little more cash; but we all agree that the debt structure of the people of this Nation is getting worse, not better.

The Chief Executive thinks that the depression is over, and that the suffering and misery of millions is a thing of the past, never to return. The majority of the Members of Congress are laboring under that same hallucination. They do not understand that the present so-called prosperity simply means that the rich are getting richer and the poor are getting poorer; that a few are again amassing the wealth of the Nation at the expense of the many.

Official Washington cannot and does not see the suffering and misery of the debt-burdened people of the United States. They forget that this so-called prosperity exists only on the surface. They do not realize that the debt burden has been and is getting worse and not better. They do not know that those burdened with debts are sinking rather than rising.

I can demonstrate this by giving actual figures. Take, for instance, the H. O. L. C., which I have been calling the hole in the wall; this organization foreclosed on 61,000 homes in 1936; and this is a governmental institution, absolutely under the control of the Congress of the United States. I say the time has come when foreclosure on homesteads should cease. The supposed protector of homes should not become the evictor.

Next let us take the Farm Credit Administration, another institution over which we have control.

This institution foreclosed on over 14,900 farms in 1935, and on over 11,600 in 1936, and I refer only to the first 11 months of 1936. If these institutions lead the way in robbing the people of their homes that we are supposed to protect, what will the private insurance companies and other corporations do?

Let us come now to the relief problem. May I say, first, the President assured us that the hungry would have to be taken care of. But a few days before the inaugural there were marching in the streets of Washington, D. C., 2,000 farmers and laboring people who had been taken off the W. P. A. pay roll. They appeared before the Members of this Congress and gave us quite a different picture than we can get from the various departments of the Government. There is not a Member of Congress who heard those men speak who will disagree with me when I make the statement that those men gave us the facts, and that the facts that were given us by Government officials were not correct. I am not criticizing the Government officials. I am satisfied they do not know what they say when they give us these false reports.

Mr. Chairman, these 2,000 men gave us facts and figures to show that 250,000 heads of families were receiving about

$20 a month to support a family. They gave us facts and figures to show that fuel alone cost $12 a month in some of the States from which they came. They had the decency and the modesty to ask for only $40 a month as a minimum wage; and I do not believe any Member of this House will dispute the fact you cannot live these days and bring up a family on less than $40 a month, even if you are a common laborer.

These 2,000 W. P. A. workers, including laboring people and farmers, presented facts and figures showing that at least half a million had been kicked off of the W. P. A. rolls and had no place to go. They assured us that more than mere lip service was necessary to carry out pre-election promises. They convinced us that the information we are receiving from various departments of the Government is false and that it is up to the administration and to Congress to wake up and get the facts.

They informed Members of Congress that many W. P. A. workers had been laid off in Montana when the thermometer stood at 17° below zero. They informed us that many of those who were working received only $20 a month, when their fuel bill alone amounted to $12 a month. They painted pictures of the suffering of men, women, and children which are not in keeping with the gaiety of the coming-out parties, nor with official Washington's assumption that all is well.

These W. P. A. workers and farmers informed us that farmers in the drought-stricken areas were allowed only $18 a month with which to feed their livestock, which, as every intelligent farmer knows, at the present price of feed is altogether insufficient. They further informed us and claimed that nothing was allowed these farmers for fuel, food, or clothing for themselves and their families. When these farmers were taken off of the W. P. A. projects we were assured that they would be taken care of through the Resettlement Administration. This information given by these farmers is altogether different than that given to us by the various departments of the Government and alphabetical administrations. There is a nigger somewhere in the woodpile.

Let us take the next picture. These same farmers who came here showed us that the Resettlement Administration gave them $18 a month to feed their livestock, but nothing for the destitute men and women who were there and had nothing to eat for themselves.

Just to keep the record straight, let me suggest that in 1932 those who received a net income of from $100 to $10,000 are today receiving 5 percent less and those who were receiving from $10,000 to $50,000, or more, in 1932 are today receiving 16 percent more. It is less for the little fellow and more for the big fellow.

Again, in 1932 we had 20 individuals who received a million dollars or more net income. In 1935 we had increased the 20 to 46, and in 1936 that number was greatly increased. We are again riding for a fall unless this Congress shows extraordinary intelligence and courage and meets the situation before it is too late. Gambling in stocks, bonds, and in food and the necessities of life must cease or else another 1929 collapse is at hand.

Mr. Chairman, those were the facts presented. Therefore I agree with the gentleman from Wisconsin [Mr. BOILEAU] that the $790,000,000 should be increased by at least $500,000,000. Let us meet the issues and have a deficiency bill that will take care of the deficiency until we have time to give the matter more mature consideration. May I say to the chairman of the Appropriations Committee we have been here 3 weeks, and I see no reason why this bill should be jammed through and therefore be short in deficiencies. Let us appropriate enough money to the Resettlement Administration and to the W. P. A. so they may function, and I am sure they will not use any more money than necessary.

Let me ask a question: Is this Government going to continue to hand out sandwiches and a bare subsistence, as the President calls it, and leave the men and women in the same condition they were in 3 or 4 years ago, or are we going to give them enough to make them self-supporting and the opportunity to make good?

In conclusion permit me to express my sympathy for the hundreds and thousands of families who have been driven from their homes by the floods. This is the Nation's calamity, as well as yours, and I am sure Congress will respond promptly. Permit me also to express my sympathy for the suffering and my admiration for the courage shown by the drought-stricken farmers, with whose wants this administration has been altogether too penny-wise and pound-foolish—too niggardly—in dealing. [Applause.]

[Here the gavel fell.]

Mr. BUCHANAN. Mr. Chairman, I yield 10 minutes to the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM. Mr. Chairman, I think it would be unfortunate in considering this deficiency bill, which provides emergency funds, to inject too much emotionalism in our considerations. I do not believe any Member of this House, or any citizen of America, need have any particular concern over the danger that the present leader of the White House, and the present Congress, which will support his leadership, will not adequately and justly deal with the unfortunate people of this country. [Applause.]

No administration of any country since the dawn of time has more seriously concerned itself, or more assidiously devoted its efforts, to reaching down from the high places of government and touching those unfortunate citizens who are in need, as the present administration.

We find a couple of our colleagues who think we are not doing the job right and that they, forsooth, and yielding to the importunities of the ladies and gentlemen who honored us with their presence several weeks ago in a parade, which some of us witnessed, should undertake to take the matter out of the hands of the President and Mr. Hopkins and do the job in a more liberal way.

Mr. Chairman, it is not the business of the United States Government to furnish employment for citizens. It only becomes its duty and obligation when situations and circumstances arise for which the citizens are not responsible to step in and relieve the citizens from actual suffering and want. That is the reason for these appropriations. The question of meeting the unemployment situation, may I say to the Members of the House, has been a most tragic one, because even when we get back, as we hope we are rapidly approaching, to normal times, the unemployment problem is going to be a staggering one to meet. But that is a different question. We are now dealing with the problem of trying to prevent our fellow citizens from being in actual want and actually suffering because of these unfortunate circumstances.

The gentleman from North Dakota [Mr. LEMKE] says that the Home Owners' Loan Corporation is robbing the citizens of their homes. I hope the gentleman will revise his remarks. He is a very distinguished gentleman, who honored a group of citizens by having his name placed on a national ticket, and I am surprised at his using a term of that kind.

Mr. Chairman, the Home Owners' Loan Corporation has saved the homes of millions of American citizens. [Applause.] No citizen has had his home foreclosed or advertised who has not been in arrears in payment more than 12 months, and, after all, Mr. Chairman, we did not give these funds to the citizens. It was a loan. No home has been advertised for foreclosure that was not in arrears more than 12 months, and even then if the citizen shows any possibility of being able to extricate himself from his financial difficulties he is given further opportunity.

The gentleman says that the Resettlement Administration is refusing to feed some people. Now, here is what happened. After the drought through which we have just passed descended upon some of these unfortunate people, they picked up, lock, stock, and barrel, and moved into other parts of the country. Hundreds of families moved to some places out in the Middle West, for instance, and the authorities had no way of checking them. They were not citizens of that particular county, or even that particular State. The relief organizations had a tremendous difficulty and a staggering problem. We have now in our possession a statement from Mr. Hopkins, saying that with the funds

appropriated in this bill, arrangements have been made for the Resettlement Administration to take care of these roving relief families, and they will be taken care of as adequately as possible under the relief plan.

Resettlement Administration has confirmed and we have no fear that these farm families that are migrating from one place to another, who have left their place of domicile and gone into other territory, making it very difficult, if not impossible, to check them, will be taken care of.

Mr. FORD of California. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. Yes; I yield to the gentleman from California.

Mr. FORD of California. In that connection I may say that California, and particularly southern California, has been the domicile of thousands of these families.

Mr. WOODRUM. Yes; I am sure of that.

Now, Mr. Chairman, with respect to the adequacy of the appropriation, we are given the assurance of Mr. Hopkins that no citizen is going to be allowed to go in want. This does not mean that you are going to give him everything he wants. You gentlemen know how impossible that would be, but consistent with this great effort that has been made, the program is going to move forward, yet, undoubtedly and inevitably and properly, I think, with the idea of restricting it and pulling in the program as fast as this can be done without causing actual want on the part of our citizens.

The flood injects a new problem into the situation undoubtedly and, eventually, we are going to be called upon for funds in this connection. The President told the chairman of our committee and the Speaker yesterday, and he told me yesterday on a separate occasion, he did not wish any special appropriation at this time for this purpose; that what these unfortunate people need is food and clothing and shelter, and with the C. C. C. and the Army and the Navy and the Coast Guard they are prepared to give them these things, and eventually they will probably come here for us to reimburse these regular establishments for such expenditures and such services as they may have rendered in this emergency.

The amount of money we have asked you for is sufficient to carry the program forward, and I want to ask you on behalf of the administration and the committee, as well as on behalf of the program, to back the committee with the assurance that if future circumstances show we must grant more, the Congress will be here, the committee will be here, and you will be here to take such action as the circumstances may indicate to be necessary. [Applause.]

Mr. BUCHANAN. Mr. Chairman, I yield 3 minutes to my colleague the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR of Montana. Mr. Chairman, for 4 years I have read the public utterances of our President. I heard his inaugural address the other day when he referred to the hungry people in the United States. I am confident he meant what he said; that no hungry person in this country was going to be allowed to go unfed. And I know that he means to carry out this pledge to the people of America.

In the few minutes I have I may say that I think this is a question of expediency. I feel that if President Roosevelt thought that this Congress was going to adjourn tomorrow he would be as liberal with the suffering people of this country as the distinguished gentleman from the State of Wisconsin. The President may feel that Congress will be in session for some time and that application can be made for more money if necessary. Are you going to appropriate sufficient money now to meet the demands of the people or are you going to appropriate it later? I am like my colleague from North Dakota. I am for this bill, but I am for it with amendments. I believe this bill should pass with sufficient increase to take care of the people, so that the plans of the administrators of this fund can be made in advance and carried along in a much better way than to make the appropriations piecemeal. That is why, Mr. Chairman, I am going to support the bill, but I am going to support it with liberal amendments up to the extent of taking care of the unemployed and the hungry people of the country, up to the point of taking care of the farmers of this country whose cattle and sheep are going hungry and dying on the range, up to the point of taking care of the people who live in the drought-stricken territory that have nothing to feed themselves with, and up to the point of taking care of the people living in Montana and elsewhere where the temperature is from 18° to 20° below zero right now. So it is simply a question of expediency. I know the President is with the common people of the country heart and soul, just as we all are; but apparently as he views it we should go to the Appropriations Committee now and then. Personally I feel that we should go to them now and ask for a sufficient amount so that the people may be assured of being taken care of in the future. [Applause.]

Mr. BUCHANAN. Mr. Chairman, I yield 4 minutes to my colleague the gentleman from Kentucky [Mr. VINSON].

Mr. VINSON of Kentucky. Mr. Chairman, I rise at this moment to discuss the grave problems that confront millions of American citizens in 10 great Central States. These problems grow out of the unprecedented flood conditions that have come to them. I feel that I express the appreciation of their grateful hearts for the response that has come to them from the Members of Congress and the executive branch of our Government.

When the unbridled waters of the Ohio and its tributaries began to creep toward flood stage, Representatives from the flood area were confronted with statements that there were certain limitations and restrictions in regard to governmental agencies that controlled their activities. Regulations and red tape surrounded the relief agencies. When the pall gathered over these stricken States the great heart of the Federal Government was evidenced in no uncertain terms—regulations restrictive in nature theretofore were broadened, red tape was cut, America leaped to the scene of action in an effort to relieve the sufferers of the afflicted areas.

Last Saturday there was an informal meeting of Representatives from the flooded area. I was honored by being made chairman of this group. Its purpose was to assist in every way possible to relieve the present needs of our constituents and hereafter to insist upon a real flood-prevention program. We were advised that the relief agencies would provide relief work for those in the flooded areas. The question of food and clothing was left in the hands of the great American Red Cross—the funds for which were to be secured from popular subscriptions. The meeting was adjourned until Monday morning. In the meantime the condition had grown materially worse, and at that time this group adopted a resolution through which there was to be sought $10,000,000, to be expended for food and clothing in the flooded area. It was not necessary to press such an amendment to the deficiency appropriation bill. Congressional leaders held conferences with the President of the United States—this great humanitarian, ever considerate of the needs of mankind, unhesitatingly broadened regulations, cut the red tape, and put the resources of the Nation behind the effort to relieve human suffering in this area. We were told that the entire sum carried in the present bill would be available for relief of the stricken ones if such sum were required.

Yesterday we were told by General Craig, Chief of Staff of the Army, that their entire facilities had been made available—warehouses, storehouses, and depots saw their doors open and supplies hurried to the areas affected. Facilities of the Navy and the Coast Guard, personnel, equipment, and supplies have been forwarded to this 1,300-mile front.

We heard Harry Hopkins, head of the Works Progress Administration, say that all their resources were at the disposal of the Red Cross in feeding and clothing the flood sufferers. Thousands of additional persons are employed in flood work. He did not stop there; he was clear in response to Congressman BUCHANAN's statement that it would be their

purpose to cooperate to the fullest extent with the Public Health Service in the sanitation and health problems that exist now and will come after the waters recede.

The President of the United States has placed the resources of the Nation at the command of these relief activities to care for those in need. Even now the evacuation problem is not over. The care of the flood sufferers is an imminent task. Food, clothing, and a place to sleep must be had by thousands, tens of thousands—yea; a half million or more men and women driven from their homes through no fault on their part.

I would say a word of the efforts of Dr. Thomas Parran, Surgeon General of the Public Health Service. Early in the action he had the vision; early in the action he made his preparations. Doctors, nurses, sanitary engineers, and inspectors have been thrown into this battle against disease. Boats for the specific use of these medical activities have been secured. Typhoid serum, diphtheria antitoxin, and smallpox vaccine have been shipped into this area in large quantities in an effort to avoid epidemics which follow so close in the wake of this sort of thing. Airplanes have carried considerable quantities from distant centers. He is not only alert but one of the most capable men in the national administration today.

In the joint meeting yesterday Congressman JAMES P. BUCHANAN, of Texas, the great chairman of the great Committee on Appropriations, hastened to assure Congressmen and Senators that there would be no question that the dollars necessary to pay the bill would be forthcoming. Chairman BUCHANAN is the outstanding leader in the fight for economy; he has had broad experience in life; he has had personal experience with floods that take a costly toll both in disease and life.

The State of Kentucky is most hard hit of its sister States. The district which I represent has a frontage of 130 miles on the great Ohio. Thousands of people in my district are homeless today because of this flood. My heart was made glad to hear the statements of the representatives of the executive branch and the Red Cross, the statement of Chairman BUCHANAN, and the evident desire of the membership of this House and Senate to care for these stricken folks. I know I bespeak their gratitude and the gratitude of all the stricken.

Our friend BUCHANAN gave particular attention in this meeting to the sanitation problems that present themselves and the disease-prevention work that must be carried on. "Buck" is slow to promise, but those of us who know his great heart and the pride he takes in doing the job he undertakes were assured that the flood problems, both now and those to come, will be met as patriotic American citizens have always met their natural obligations. [Applause.]

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman and members of the Committee, I listened with a great deal of interest to that very distinguished gentleman from Virginia [Mr. WOODRUM], and with whose sentiments I can thoroughly agree. I believe that the President of the United States will do his very best in this present emergency.

The administration and the chairman of the Appropriations Committee are doing their best and making a sincere effort to get the country to let loose of the tail of the live bull calf that we refer to as relief. It is a problem in which all have had a vital interest during the emergency, and an even greater interest now. It embraces the twofold duty of administering relief to everyone in need and of having due regard for the taxpayers of the Nation.

I think for the most part no one quite envisioned the result that would come when we had to let loose. That only shows the fact of how difficult it is, when once you embark upon a paternalistic enterprise, to get away from it. It is easy to give a lollipop to a child, but it is another thing to take it away without a fuss.

While this appropriation is set at $790,000,000, the very fact that there are some who want to raise it indicates full well the difficulty of getting away from that situation. As we take thought of our present problem of relief, may I direct your attention to our future problem also.

I hope every member of the Committee will take time to read the statement that begins on page 157 of the hearings and concludes at the bottom of page 172. That is the statement of Mr. Hopkins.

If you think our present problems are difficult, then envision what it will be when, as he says, in the future you will have to deal constantly with six and one-half millions of unemployed people. That is for you gentlemen on the majority side who are responsible for the affairs of this Government today to determine. This statement of what we can expect in the future, so far as the unemployed are concerned, comes from a high administrative officer of this Government, and certainly we ought to give some thought as to whether or not there is some other way of taking care of six and a half million or 7,000,000 of our people who are in the ranks of the unemployed, and who will be dependent upon the Government of the United States. In my judgment, that is one of the most shameful confessions that has ever been written into the annals of the history of any enlightened country. Think of it. Confessing here in a written statement that we are going to have to put up with a problem of six and a half million or 7,000,000 unemployed, God save the mark, in a country like America, with $51,000,000,000 of idle money in the banks of the country, with millions of idle hands, and an amazing capacity for producing things we need. Shall we here confess our inability to fashion a program that will bring those idle dollars and those idle hands together? Oh, there is a lot of inspiration if we go back and see whence we came, in thousands of years of progress. We can go way back to the days when they built the pyramids, and when human life and energy meant nothing, and the lifeblood of hundreds of thousands of people who had no political or economic or social rights were built into the mortar that hold together the blocks that make a meaningless monument to some forgotten king in the valley of the Nile. When we look back into the corridors of history and then look at the progress that we have made in this day and age, we ought to be ashamed to let that sort of things go into the RECORD.

Look at our own civilization today. The *Queen Mary* crosses the ocean in 62 hours. The Burlington Zephyr almost annihilates all distance by traveling from Chicago to Denver, a distance of 1,064 miles, in about 15 hours. We have radios and automobiles. We have surfaced highways and canned foods. We have filled our land with all the instrumentalities of enlightenment and comfort, and brought political, economic, and social betterments to the people. Are we going to confess now that we will be satisfied after we reach a high productive level, a high degree of prosperity, to have 7,000,000 unemployed? Are we going to accept that as a paternalistic governmental problem? I say that I, for one, will not be committed to a confession of that kind, because I think America can do infinitely better than that for her people. If we are to reconcile ourselves to that, what a strange paradox it is that we ladle out millions and billions in relief, as a kind of economic mustard plaster, made necessary by the emergency which existed, only to find that as expenditures grow we seem to recede farther and farther from a durable solution of this problem. How strange indeed that we provide three billions of dollars with which to save the home owners of the Nation from foreclosure and then institute foreclosure against more than 61,000 because they have no jobs and cannot earn the money with which to meet the H. O. L. C. installment. In addition, it is estimated that another hundred thousand will have to be foreclosed. Then why go to all the trouble to bail someone out of his economic agony? We are going to have it to contend with as a permanent, static problem, in the language of Mr. Hopkins, Administrator of Federal Relief. It is your responsibility, gentlemen of the majority, and may I add my suggestion as to what I think a solution might be? A country with so much money, so many people at its disposal, with so many inventive minds, with so much ingenuity, with capacity for mass production can certainly find a way out;

and what is the way out? In my judgment, the way out would be for your administration to give a little more encouragement to the business structure of the country. These distressed people were employed in business in 1929. Then why not look to industry to hire them now? There is a huge demand for goods in the country at the present time, and additional demand should be created.

We must cut down the price of goods and there must be a diffusion of prosperity in the lower brackets. Are we going to do it with synthetic and artificial means such as we are using at the present time, or can it best be done through the instrumentalities of private business when they get a little encouragement from the Government of the United States. They did not get much encouragement in the tax bill of 1936, in which the Government undertook to impair the accumulation of reserves whereby industry might expand and go forward.

Mr. JOHNSON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Briefly.

Mr. JOHNSON of Minnesota. Has the gentleman seen the salaries of the General Motors officials last year, amounting to $5,000,000 for 20 people? What more stimulation do they need?

Mr. DIRKSEN. And I reply to the profound statesman from Minnesota that if you take all of the salaries of all of the executives of the General Motors, it still would not be enough to take care of 30 days' relief in the city of Chicago alone. The problem is still there. Are you gentlemen going to commit yourselves to this problem of taking care of 7,000,000 unemployed year in and year out, even after we have reached new prosperity levels in the country that exceed the prosperity of 1929? What is your answer to it? Will you say that there has been recovery? Will you say that the emergency is at an end, when we have to look into a horizon and there see seven millions of our citizens, seven millions of our breadwinners, who still are out of employment? Certainly that is not recovery. I for one cannot bring myself to believe that millions of our citizens would be satisfied to regard themselves socially or economically as a part of the army of unemployed. They want jobs.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Yes.

Mr. GIFFORD. I want to help the gentleman if I can to answer him why there will always be 7,000,000 people. On page 152 of the hearings the secret is partly disclosed. To the complaint to Mr. Hopkins that they cannot find labor to go to work and get off the W. P. A., he comes back and says until they pay a proper standard of wages they have no right to complain. His social idea is to keep people on W. P. A. until, as he refers to the sunny South, they are willing to pay proper wages.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. DIRKSEN] has expired.

Mr. TABER. Mr. Chairman, I yield 1 additional minute to the gentleman from Illinois.

Mr. DIRKSEN. I want to say particularly to the majority party that we are just as much interested in the solution of these problems as you. We have perhaps the same objectives. We have the same human instincts as you. We are trying to find what we believe to be the basic solution of this problem. Apparently after wrestling with it since 1933, after spending billions of dollars, the Administrator of Relief comes before the committee and tells us that six and a half or seven million people will be the minimum of unemployment in this country. We have to simply accept the conclusion that the problem is still with us. What is the solution? I am just as much interested as you are, but let nobody get the idea that after we have passed a few appropriation bills we have solved it, because it will be with us for a long time to come.

The Congress can solve or nearly solve every problem that comes before it; it can provide generous funds with which to make loans to individuals, to political subdivisions, and to financial institutions; it can make loans to home owners and to farmers; it can provide palliatives galore, but until the scalpel is plunged deep into the problem of unemployment and a remedy found we will have done little durable good. The key to our distress is jobs and more jobs. [Applause.]

Mr. TABER. Mr. Chairman, I yield 12 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Chairman, this measure carries an appropriation of $790,000,000 to carry on relief to the end of this fiscal year, June 30, 1937. I have no disposition to criticize the amount called for in the bill. Some Members contend it is too much; others say it is not enough. The President and Mr. Hopkins, Relief Administrator, say that this sum is all that is needed to carry on the relief work to the end of the fiscal year, and the Appropriations Committee of the House made a unanimous report to the effect that this sum is sufficient.

I have always favored and still favor adequate relief for the needy of this country. This is the attitude of every other Republican in this House, and this is and has been the attitude at all times of the Republican Party. Since the President, Mr. Hopkins, and the Appropriations Committee say that the sum carried in this bill is sufficient, I am giving it my support.

While the Republican Party favors adequate relief for the needy, yet we Republicans have a right to question the manner in which this relief is administered and whether or not this administration has found a solution for the depression.

In June 1933 the present administration had appropriated and turned over to the President $3,300,000,000 for relief and recovery, and the hope was expressed at the time that that sum would restore prosperity and take up the unemployment in this country. With that great sum of money the administration was going to put the people back to work. Those billions were spent. January 1935 came and there was brought before the Congress and passed an appropriation for $4,880,000,000. The chairman of the Appropriations Committee, the very able and distinguished gentleman from Texas [Mr. BUCHANAN], assured us that that appeared to be the last—that large sum of money would restore prosperity and cut out unemployment. That sum of money was supposed to carry us to July 1, 1937; but the spring of 1936 came and another bill was brought before us and passed calling for an additional $1,425,000,000 for relief. That was a deficiency. We were assured that that sum would take us up to July 1, 1937, and on the floor of the House and Senate and throughout the country in 1936 we were told by the President and his spokesmen that the depression had been whipped and prosperity had returned. Now we have this bill for an additional $790,000,000 for relief to tide us over until July 1, 1937.

Other appropriations have been made, and we are told by the chairman [Mr. BUCHANAN] that the total appropriations that have been made and the total sum that will be expended by this administration up to June 30, 1937, for relief and recovery will be $15,332,000,000. Of course, this does not include the billions of increases in appropriations for other agencies of the Government that have been used for relief in one form and another.

There are about 30,000,000 families in the United States. If we divided this $15,332,000,000 by these 30,000,000 families, you will find that this represents more than $500 for relief and recovery for every family of our population of more than 120,000,000 people. The President and Mr. Hopkins estimated last year that there were approximately 5,000,000 families, or 20,000,000 people, in the United States that needed some form of public relief. If we divide these relief and recovery appropriations, amounting to $15,332,000,000, among these 5,000,000 families, it would represent more than $3,000 for each relief family and it would represent on the average more than $600 for each person needing relief, provided they got the money; but I regret to say that much of this money was wasted and large sums of it went for overhead and to give jobs to a great army of politicians. No relief family in my congressional district has received anything like $3,000, and I dare say no individual has received $600 in relief, but a great many Democratic politicians who have been favored with fat

jobs and do not need relief have received much more than these sums.

Mr. KELLER. Mr. Chairman, will the gentleman yield for a question?

Mr. ROBSION of Kentucky. I have but a short time and I am sorry that I cannot yield at this time.

MR. HOPKINS PAINTS DARK PICTURE

Mr. Hopkins, the Relief Administrator, in his testimony before the Appropriations Committee on this bill, paints a dark picture of the future. He says that this unemployment is not temporary but we more than likely in the years to come will find there will be constantly as many as 7,000,000 unemployed in this country. William Green, president of the American Federation of Labor, in a recent statement, declares there are more than 9,000,000 of the employables in this country out of work and the number of unemployed has increased about a million since October 1936. This presents a gloomy outlook indeed. There can be no greater menace to this country than to have a great army of unemployed men and women needing work and seeking work to provide for themselves and their families; and while some have been restored to a degree of prosperity, mostly the big fellows in industry, business, and agriculture, there are not only millions of unemployed but there are other millions in small industries, small businesses, and on small farms who are now in just as bad condition as they were before we spent all of this money.

In 1933 this Nation collected in revenues from the people approximately $1,800,000,000. During the third year of the present administration $5,400,000,000 was collected in taxes and revenues from the American people, and we are informed by the Secretary of the Treasury that for the fourth fiscal year of the present administration, which expires on June 30, 1937, we will have collected in revenues—taxes—from the people a sum in excess of $7,000,000,000.

Notwithstanding this tremendous increase in the amount of revenue collected, we have jumped up our national debt to approximately $35,000,000,000, an increase in the neighborhood of $15,000,000,000 under the present administration, and in addition thereto the Government has put its guaranty behind certain other obligations amounting to $5,000,000,000, and much of that will have to be paid by the Federal Government; and with this increase in taxes, we continue to spend more than we take in. Since the 1st of July 1936 the deficit is approaching $2,000,000,000, and it does not take a wise man to see that unless there is a radical change in the policy of the Government or additional taxes, there will be no balancing the Budget and our national debt will reach the stupendous sum of $40,000,000,000.

Mr. DUNN. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. I regret that I do not have the time.

I must not take my seat until I call again to your attention another matter. The welfare of these needy people is of very great importance, and so is the welfare of our country. The Republicans of this House and Nation do not find fault with the granting of relief to needy people, but it is the manner in which the present administration has administered this relief. It is honeycombed with politics, favoritism, and partiality.

Mr. WOODRUM. Mr. Chairman, would the gentleman from Kentucky care to yield for a question?

Mr. ROBSION of Kentucky. Briefly.

Mr. WOODRUM. I imagine the gentleman would approve if the present administration would turn the administration of relief over to the Republican Party. Is that his attitude?

Mr. ROBSION of Kentucky. It certainly is not my attitude and is not the attitude of the Republican Party. I have and the Republican Party has always favored taking this relief out of politics. These great sums of money and these great powers should not be used to intimidate and browbeat the needy people of this Nation. They should not be forced to exchange their priceless privilege of voting for bread and raiment for themselves and their families.

No one need tell me it has not been so used. It was used in my congressional election in 1934. It was used in the State election in 1935, and it was used on a larger scale in Kentucky in 1936. It was not only used by Democrats against Republicans but it was used by one group of Democrats against another group of Democrats. Its blighting influences have been in evidence everywhere throughout Kentucky. Last year in Kentucky two distinguished gentlemen were candidates for a great office. The man who was defeated said that the relief money and relief agencies of the Government brought about his defeat. His opponent, who won, came back and said the relief agencies of the State backed his opponent. I saw in my own congressional district the highway trucks provided by Federal relief money and State money hauling people to the polls to vote in the primary of one group of Democrats against another group of Democrats, and many relief workers were busy in that Democratic primary. I am sure some one or more of our Democratic friends in the House from Kentucky, if they desired to do so, could verify the statements I am making. In my own congressional district a multitude of Republicans on relief were forced to register as Democrats and vote in the Democratic primary in order to hold their jobs so that they might get a little meat and bread to feed their hungry families, and in the final election last year these poor needy people with relief jobs were belabored to go in and vote the Democratic ticket, and in my own county in a local-option election certain persons were using the relief money in urging people to vote on a certain side of that question.

I have on numerous occasions, on the floor of this House and elsewhere, condemned favoritism, partiality, and politics in administering relief to the needy, and I am here today again condemning it. We see on every hand those who need relief do not receive it, and then others receiving relief who do not need it.

Last year I sent out questionnaires to several thousand people in my district, to every precinct, and every nook and corner, and in this questionnaire I desired to know whether or not favoritism, partiality, and politics had any place in the administration of relief. I received over 5,000 responses, and many of these came from Democrats. All but about 10 or 12 stated that this was the situation in their community.

Many distinguished Democrats in the House and Senate, and outside the House and Senate, have called this situation to the attention of the people of the Nation. You Democrats may take some delight in winning now by means of that sort, but you must know that this is digging at the very foundations of our Government.

Mr. FULLER. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. Yes.

Mr. FULLER. Is the gentleman against the appropriation to feed the poor of this country?

Mr. ROBSION of Kentucky. I certainly am not opposed to this appropriation. I am for it and have so stated over and over during the course of my remarks. I wish my friend from Arkansas to know that the objection of myself and the Republican Party is to the favoritism, partiality, and politics used in the administration of relief. In my county and in my district, as a general rule, if a good Democrat belongs to a certain faction, he gets the white-collar jobs and high salaries. If, on the other hand, he belongs to another faction, or is a Republican, he gets no job, and literally hundreds of Republicans have told me that the statement has been made to them frankly by those administering relief that if they expected to have a relief job, even digging in the mud, they must register and vote the Democrat ticket.

Mr. FULLER. They hold a lot of offices in my county—the Republicans—that is the worst trouble we have. [Laughter.]

Mr. ROBSION of Kentucky. I will venture those Republicans down in Arkansas holding jobs are voting, or it is believed they are voting, the Democratic ticket.

Mr. FULLER. No. Those fellows the gentleman talks about in his district want increases in salary, yet most of them voted against Roosevelt.

Mr. ROBSION of Kentucky. I was standing on the street the other day at the House Office Building viewing the W. P. A. parade. They displayed many banners and made

many statements as they passed along. I observed one of their slogans was: "Who won the election in 1936?" and "We want Roosevelt to keep his promises." The implication was that the W. P. A. workers had won the election in 1936.

Mr. MERRITT. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. No; I have but a few moments of time left.

W. P. A. money has not been able to defeat me, but I have stated to the people of my district that I have heretofore and shall hereafter continue to raise my voice against partisan politics or any politics or partiality or favoritism in the administration of relief. This relief money comes from all the people and should go to the needy without regard to race, creed, or politics, and no needy person should be insulted or oppressed by anyone trying to force him to exchange his highest right, the vote, as an American citizen for food and raiment for his needy family. That is what I have stood for all the time and that is what I stand for here today. Any other course is unjust, unfair, and un-American. [Applause.]

Mr. BUCHANAN. Mr. Chairman, I yield 4 minutes to the gentleman from Ohio [Mr. BIGELOW].

Mr. BIGELOW. Mr. Chairman, with the due humility of a new Member, I would not venture to speak at this time were it not that I have been requested to do so by my troubled city, Cincinnati. I am sure we Members from the flood areas have been wanting to go back to help if possible, yet we know we would only be in the way, that local agencies and agencies of the Federal Government are doing all it is physically possible to do. Yet we have been asking ourselves, Is there not something we can do? This morning there came from Cincinnati a sort of answer to this question, and I, as a Representative from Cincinnati, am asking you to do what my city has requested.

Mr. Dykstra, our city manager, has sent to the President, I understand, a request; and the chamber of commerce has requested me and my colleague the gentleman from Ohio [Mr. DIXON] to present the request to Congress. Cincinnati, in her trouble, asks this House immediately, or as soon as it possibly can be done, to appoint a commission of a few members to go to Cincinnati and the other troubled areas, that the citizens in distress there may see us and tell us what they want.

We may ask ourselves what good we can be there, but it seems to me hardly appropriate to raise this question at this time. If Cincinnati and these flooded areas ask it we should respond.

I am going to drop into the box at the Clerk's desk after consultation with the leaders, the proper resolution; and I hope that these resolutions may be expedited in order that we may respond to this call from my city. I ask this especial attention to Cincinnati at this time because you know, as I do, the fact that at this very hour the river is rising. It is expected to reach its crest tomorrow, when it will be at least 10 feet above the highest point ever known in history. Our electric lights are out. We are rationing the little water that is left in our reservoirs. Our citizens are ordered off the streets. Business houses are closed.

Our people are making a desperate fight against the enemies of flood and flame. They are asking a committee of Congress to visit them at once to witness for ourselves the plight they are in and let them see us and tell us how they think we can help. It should be enough for us that they ask it. The least we can do is to answer their call.

I do not know what they can have to say to us. They may want us to see for ourselves that we may appreciate not only the terrors of the elements that they face but the appalling work of rehabilitation that awaits them.

As for this work, I hope that the way may be found to permit the Works Progress Administration to throw itself into the task of cleaning, renovating, repairing, and restoring the private property and homes of the people as well as to do this work for public property. There may be no precedent for this. But if not, I propose that we make a precedent.

To spend relief money liberally to put the homes of our people in as good condition as before the flood seems to me to be fully justified on this high ground that this flood is more an act of Congress than it is an act of God. I mean, Mr. Chairman, that had Congress been acting intelligently these past years, this flood might have been avoided.

Had we spent as much as will be lost in this flood to build reservoirs on the upper courses of the Ohio and its tributaries so that these waters could have been stepped down gradually, the Ohio would at this moment be flowing placidly to the sea, the friend of man and not his enemy.

For 7 long years there have been in this stricken valley a half million men who have been sitting down in enforced idleness. Their hands have been aching for work. All they have wanted was a chance to obey God's first law to man, to work, and earn their bread in the sweat of their brow.

Had we done more than feed them, had we paid them to work these 7 years making reservoirs and dams, we might by this time have insured all the people of this valley against the recurrence of floods.

I have a correspondent who has coined a name to express what he thinks of us. He calls us inertians.

This horror of flood and fire that my beloved Cincinnati faces today, and that so many other communities face over a thousand miles of waterway, this horror would be doubly horrible if it did not shock us out of our inertia and set us to work on an adequate program of flood control.

Suppose it should cost us a billion or two. The leading editorial of the New York Times said this morning:

> If we can think of spending $750,000,000 on a Nicaragua canal because it may be of some military advantage to us, surely we can think of saving the United States from being washed away into the Gulf of Mexico and from being blown away by eroding winds.

But the present emergency, and how we are to fight the filth and disease that will be left after the flood—these are uppermost in our mind now.

However we may differ as to what should be done or how far we should go in the effort to prevent future floods, what we have before us now is this request of Cincinnati that we send at once a delegation to visit her and her neighbors along the river who suffer with her. I convey this request to the Congress with my earnest appeal that it may meet with instant response. [Applause.]

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. BATES].

Mr. BATES. Mr. Chairman, I wish in the brief time allotted to me to impart to you the knowledge I believe I have of conditions in my own State, Massachusetts.

Mr. Chairman, I know that every Member of this House is very much interested in this great American relief problem; and I am speaking today, Mr. Chairman, as a man who for years has labored with the problem of the unemployed, the problem of the distressed taxpayer, and the problem of the men and women in our communities who have been in need of work. For 13 years I have been mayor of a city and am still mayor of that city, serving my fourteenth year. I know the problem of the unemployed in Massachusetts, I know the situation confronting the mayors of the Commonwealth of Massachusetts, and I know something about the administration of relief in that State; and to that end, Mr. Chairman, I am directing my efforts in the hope that some solution will be found for the conditions that exist in my State in order that we may properly administer the problem of relief.

I have in my hand a letter signed by the president of the Mayors' Club of Massachusetts which states among other things that at the annual meeting on January 9 of the Mayors' Club of Massachusetts it was voted unanimously to endorse the stand taken by Gov. Charles F. Hurley, a Democrat who in his inaugural address advocated the return of relief control from the Federal Government to the local communities on the basis of the old C. W. A. system. I say to you, Mr. Chairman, as one who has been closely affiliated with the problem of relief through the last 3 years of control by the Federal Government that in my opinion the time has come when a change must be inaugurated in the system of administering relief in order that justice may be done, that we may have proper administration, and that those most entitled to relief get first preference and consid-

eration. The mayors of Massachusetts had no complaint of the way the administration of relief under the C. W. A. and the F. E. R. A. was carried out in our State.

We were satisfied that with the amount of money available the best was being done that could be accomplished. But, Mr. Chairman, the W. P. A. has turned into a racket and this is acknowledged by those in authority in the higher brackets of administration and something ought to be done to change the present set-up of the W. P. A. and the administration of the W. P. A. in the Commonwealth of Massachusetts in order that we, the local administrators of municipal business, may have an opportunity to thoroughly cooperate and assist in every way we can to give relief to those who are in need of relief, and not to those who because of political and personal favoritism are today getting the same. [Applause.]

[Here the gavel fell.]

Mr. BUCHANAN. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma [Mr. NICHOLS].

Mr. NICHOLS. Mr. Chairman, my distinguished colleague, the gentleman from Illinois, pointed out a minute ago that prosperity had returned to the United States of America. I am happy that this condition prevails in the gentleman's State, but in my own State of Oklahoma prosperity has not returned.

We had a drought this past year which was the third successive drought to hit the Middle West. The people of Oklahoma and the Middle West are in as bad shape today as they were at the outset of the New Deal or recovery program. We will need as much money in Oklahoma to carry our drought-stricken and depression-ridden farmers through this winter as we used to carry them through last winter.

Mr. Chairman, I shall of course support the appropriation of $790,000,000 as carried in this bill. I know that the committee and those in charge of this program have labored long and hard over this matter. I personally am of the opinion it will not be adequate. I am sure when they reduce the per man per month cost for materials from $10.80 to $5, as contemplated in this bill, it will destroy most of the worthwhile projects and much of the worth-while program that has been previously carried on. [Applause.]

I am advised that under the new scheme of things there will be no works programs provided for farmers. That can mean but one thing—that the only relief which farmers will receive in the future from the Federal Government will be that relief furnished by the Resettlement Administration in the form of either loans or grants.

CANNOT TAKE LOANS NOW

It has been pointed out to me by both the officials of the Works Progress Administration and the Resettlement Administration that this program is particularly necessary during the winter months because of the fact that people living in rural communities cannot go long distances to projects to work. Now, while I agree that this might be the case for a few months out of the year, still it is my firm conviction that this should be met as an emergency situation and during that period that farmers could not work that they for that month or more be taken care of by grants from the Resettlement Administration and as soon as weather conditions would permit that they be returned to work rolls where they could earn adequate money to provide for the needs of their families.

For us to say that we will loan farmers money, insofar as Oklahoma is concerned, is absurd and ridiculous if we say as we have said in the past that before the farmer could borrow the money he must furnish adequate security for the same, because the farmers of my section of the country who have been fortunate enough to hold around them some livestock or other things of value, have been forced long before this time to mortgage those things of value to obtain money to carry on even to this point. So, in a great majority of cases, you need not think that the farmers of my country can sustain themselves by borrowing the Government's money, and, in a great majority of the cases, even though the Government loaned them the money, unless conditions improve materially over what they now are, it is doubtful that the farmer could repay the loan made to him by the Government.

PEOPLE PREFER TO WORK

And, as for taking care of them by grants, it simply means gifts of money from the Government to them. This system is, of course, better than no assistance at all, but it is impracticable for at least two reasons:

In the first place the farmers of my district and the farmers of the Southwest are not drones and are not lazy and do not want the Government to lay in their hands sums of money for which they have done nothing in return. We are proud people and while necessity, caused by drought, the depression, privation, and want have made it necessary that great numbers of us must seek aid and assistance from the Federal Government, still we much prefer to give the Federal Government a day's work in return for the money that the Government gives us. Also we should prefer that from this work there would grow in our country projects of a permanent nature that would please the eye and cause a beat of pride in the hearts of our children and would form a monument to our labors in this time of depression and justify the Government in the expenditure of these large sums of money.

The other reason that this system is not practicable is: The Resettlement Administration is already loaded with so many clients that during this month grants from the Resettlement Administration have been as low as $5 per family per month, and the average for my entire congressional district has only been $14 per family per month. I am advised that appropriations will not be asked for or made which will make it possible to increase these grants in the future, and I would ask you gentlemen how many of you today would like to look forward to the bright prospect of having to sustain your families, even on a farm, with but $14 per month?

PREFERRED STATUS NEEDED

Our people are thrifty and not afraid of work and will, of course, if they are forced to, find some way to survive with this meager assistance. But this Government is amply able to furnish them more complete assistance by permitting them to work for the money which they receive.

I therefore am hopeful that, if the executive branch of Government does not provide means whereby the rural population of this Nation can work for the money that they receive, this Congress will provide by an act of Congress ways and means which will compel the executive branch of Government to provide work projects for the rural population.

In the outset of these remarks I referred to the fact that my distinguished colleague from Illinois had said that prosperity had returned to the Nation. Well, prosperity has returned to a great portion of these United States, but there are at least a portion of 15 States throughout the middle western section who suffered again last year from the drought, to which prosperity in not even a small measure has returned. I have been advocating, and intend to continue to advocate, and insist that the relief agencies of this Government place these drought States in a preferred class and that the Government give them and their people more assistance and money in larger quantities than it gives to those people who are fortunate enough to be resident in one of the many States in the United States whose crops were above average last year and who have returned to economic stability.

In Oklahoma we suffered a devastating drought which, according to the figures of the Bureau of Agricultural Economics, left us with a crop one-half the 10-year average. Most of that half crop that we did raise was wheat, which matured before the drought set in. In the cotton-corn-small-fruit section I represent we did not raise a tenth of an average crop, and in addition the orchards and berry patches which it had taken years to build up were killed out.

CHILDREN OUT OF SCHOOL

I want to commend, in general, the Works Progress Administration and the Resettlement Administration for the relief extended to our farmers. The program of the national officials of these organizations was a good one. It

did not work out always as they planned it on paper in national headquarters, and lack of finances also hampered the field directors.

We are going to have to continue extending a helping hand to our farmers, at least until they can make a crop. They want to stay on the land. They know they belong there. They do not ask much—only enough to live on. In one county in my district 1,703 children are out of rural schools because of lack of clothes. It is too late to remedy this now.

There are 15 States wholly or partially in the emergency drought areas defined by the Department of Agriculture. In order to present the needs of these areas for preferential treatment at the hands of relief organizations, a group of Congressmen and Senators from these States have met and organized, and will attempt to work out a legislative and administrative program which we hope will be helpful both to the Congress and to the officials in charge.

I have been honored by my colleagues by being selected as chairman of this group, and the following have been named by me as committeemen to represent the various drought States: Arkansas, Representative John E. Miller; Colorado, Representative John A. Martin; Georgia, Representative Robert Ramspeck; Illinois, Representative Chester Thompson; Indiana, Representative Eugene B. Crowe; Iowa, Representative Vincent F. Harrington; Kansas, Senator Arthur Capper; Kentucky, Representative Brent Spence; Minnesota, Representative Harold Knutson; Missouri, Representative Richard M. Duncan; Montana, Representative James F. O'Connor; Nebraska, Representative Charles F. McLaughlin; New Mexico, Representative John J. Dempsey; North Carolina, Representative Zebulon Weaver; North Dakota, Senator Lynn J. Frazier; Ohio, Representative Byron B. Harlan; Oklahoma, Senator Elmer Thomas; South Carolina, Senator Ellison D. Smith; South Dakota, Representative Fred H. Hildebrandt; Tennessee, Senator Nathan L. Bachman; Texas, Representative Marvin Jones; Virginia, Representative John W. Flannagan, Jr.; West Virginia, Representative George W. Johnson; Wisconsin, Senator F. Ryan Duffy; Wyoming, Representative Paul R. Greever.

I know that the House will cooperate with us in our extremity, and pledge the membership that our organization will request nothing that is not reasonable.

Mr. BUCHANAN. Mr. Chairman, I yield 4 minutes to the gentleman from Pennsylvania [Mr. SACKS].

Mr. SACKS. Mr. Chairman, as a new Member of Congress I am reluctant to rise at this time, but because of the gravity of the situation I feel I should take a few minutes to tell the Members of the House the situation in my district. I am wholly in accord with the President's attitude, but because of the conditions now existing in my city I feel that the amount carried in this bill for the W. P. A. is not adequate and will not be sufficient to meet the demands.

May I point out that in the last week in the city of Philadelphia from seven to eight thousand new cases have gone on relief, most of them coming from the ranks of those who had worked on W. P. A. and were released because of lack of funds.

The situation in the city of Philadelphia is not being adequately taken care of by the business interests. The people are not finding regular employment, and while I bespeak their thanks, and mine, in acknowledging the graciousness of the President in helping them through an unfortunate situation, they would like to plead with the Members of this body, through me, to increase the amount carried in this deficiency bill. Because of existing conditions they feel that for the next 6 or 7 months ordinary business will not be able to take care of them. My people plead with you and with the administration to continue W. P. A. on the same basis as in the past year, and assure them work and a chance to earn a living.

Mr. Chairman, these people do not want relief. They do not want the dole. They want help. They would rather work than receive, but until such time as they are able to take their place in private enterprise they ask their Government to provide work for them. I am voicing their sentiments in asking you to increase the amount of the appropriation for W. P. A. so that they will not be thrown out on the street and forced back on relief because of lack of employment in private industry.

Therefore, with due deference to the views of the administration as expressed in this bill, my constituents have requested me to advocate a substantially larger amount. I would favor an amendment to increase the appropriation to $1,250,000,000. In my opinion, that amount is necessary to continue W. P. A. at full capacity until such time as industry is able to absorb its full share of employables now out of work.

Mr. BUCHANAN. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. DUNN].

Mr. DUNN. Mr. Chairman, it has been stated on the floor today that there are approximately 8,000,000 men and women unemployed in the United States. It is my opinion that if we would adopt the 5-day 6-hour working week it would help considerably to solve the unemployment situation.

President Roosevelt has been unjustly criticized for spending large sums of money which were used to alleviate the suffering of the people of our country. When the President took office 4 years ago, men and women in every congressional district were starving. Mr. Chairman, I believe that every Congressman will have to admit there are no people in his district starving today. This is a tribute to our President. Of course, he is not superhuman and we should not depend altogether on the President to solve this great economic problem. It is up to the Members of Congress, and we can do it if we will. All we need to have is courage.

I am for this bill, and I want to go on record and say that the amount of money specified in this measure is insufficient to take care of the large number of the unemployed. I shall vote for an amendment which will provide the money that is necessary for the continuation of the Works Progress Administration. Every person who is employed on the W. P. A. and every other project which is being undertaken by the Government should receive adequate compensation for the service they rendered, regardless of the kind of work he or she is compelled to do. The time has come in the United States when people who have attained the age of 40 or 45 years are unable to obtain employment. If the owners of industries and other business establishments will not give employment to the people because of their age, then it is the duty of our Government to provide adequately for them. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Chairman, in the 1 minute allotted to me may I remind the Members of the House that they ought to read page 152, which is a most significant page in this report. I have before attempted to defend the South, as far as Mr. Hopkins is concerned. On this page 152 is the story. He complained they did not pay in those farming communities a proper wage and tells you indirectly but, nevertheless, rather emphatically there he will keep them on the W. P. A. until you are willing to authorize the payment of a standard wage, which you cannot pay in these farming areas.

Mr. Chairman, I saw men in New Jersey loafing beside the road while tomatoes rotted on the vines because these people would not work for such wages as the farmers could offer to pay. They told me a W. P. A. project would start in a couple of weeks and they could get 40 cents an hour. There is the basic difference of opinion between Mr. Hopkins and the farm sections of the country. Why do you not on that side attempt to defend Mr. Hopkins' position sometimes? I have often tried to get the farmers' representatives to give us their views, but they seem unwilling to state this grievance publicly. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, the public debt of the United States at the present time is $34,500,000,000, or, in round figures, $35,000,-

000,000. In addition to this there is $5,000,000,000 of guaranties, much of which the Government will have to meet, making nearly $40,000,000,000 of debt for the taxpayers to pay. Since the present administration went into power there has been an expenditure of approximately $30,000,000,000, with tax revenues of less than $15,000,000,000.

We have come to the point in American history where practically 20 percent of the people are upon relief or relief employment. The cost of these operations has continually mounted. For relief in 1936 there was an expenditure, according to the Budget, of approximately $2,777,000,000. There will be an expenditure in 1937 of $2,816,000,000. People have been encouraged to be supported by the Government rather than to believe that it was the duty of the people to support the Government.

We are in a condition where, unless a tendency in the direction of lower expenditures is immediately manifest, it is going to be impossible to provide a way to balance the governmental Budget.

We are in the throes of inflation, brought about by the tremendous spending and the increase in public debt. This continued unbalanced Budget and mounting debt is characteristic not of a progressive or a liberal but of decadent reaction. It can have but one result, the destruction of the opportunity of the young man of today to make something of himself, to have that opportunity which was given to the older generation, about to pass off the scene.

Through the operations of the N. R. A., the tax program, the spending program, and governmental control of business it has been made increasingly difficult for the small man to do business. It has been made increasingly difficult for the small man to obtain credit, and the result of the whole situation is that while large corporations are showing paper profits, the small businesses are still unable to obtain credit and bring about the reemployment of our people. On the one hand we have the President demanding that industry place the people at work, and on the other hand we have the President promoting a scheme of spending the people's money in such a way that the debt and taxes are an insuperable burden to the small businessman and manufacturer in his efforts to put those back to work whom he has been accustomed to employ.

I want to see relief taken care of where it is necessary, and taken care of in a decent way, but this country can no longer undertake to carry on as it has been carrying on the last 3 years.

The President, through his Budget estimates, has attempted to cut down some of the expenditures which have been made in the past. He has not cut down far enough, in my opinion, and I am going to analyze the bill that we have before us in such a way as to demonstrate to you thoroughly that sufficient cuts have not yet been made. The Budget estimates for the regular departments of the Government, the way they are set up to us, already call for an estimated deficit of approximately $1,000,000,000. There is going to be tremendous pressure on the part of those who believe the Government should support its people to continue the mounting cost of government. The question is, Will the Executive have the courage to go down the line and stop this mounting cost of government? Unless he is prepared to show signs of real courage and real patriotism it is going to be impossible to meet our obligations and our tax liabilities.

I have given this warning. I am hopeful that it will be heeded by the administration and the party in power.

If they would show a real desire to reduce the cost of government and reduce the burdens of the people, and show that they really want to put the American workingman back to work at legitimate employment, they would have my wholehearted support in their efforts at economy. If they fail to make an honest effort for economy, I propose to call attention to it and to propose cuts in appropriations.

I am now going to discuss the merits of the bill before fore us and point out to you, insofar as I am able, the situation that confronts us immediately.

I would not for one moment suggest the cutting down of a legitimate appropriation required for relief. Anything that is actually required to take care of real needed relief that the localities are actually unable to cope with, and anything that is required to take care of the emergency situations, such as the current flood, will have my wholehearted support.

Frankly, my experience with the W. P. A., my examination of their projects and of the manner in which their work has been conducted, has made me feel that the sooner it was over with the better for the country. I have noticed total inefficiency in the manner and method of work, which completely demoralizes the worker, costs so much to complete a project, that it has become a menace to the community and to those who participate in it. On top of that, I know it was used for political purposes in my locality. I am advised that it was in other localities.

Vast quantities of propaganda were sent out by these organizations. I have a few sample exhibits here, but these are just an infinitesimal portion of the results of the 5,500 employees whose efforts were devoted to publicity.

Enormous quantities of funds are being used to carry on projects in the Agricultural, Interior, War, and Treasury Departments for which funds were not approved. Most of these projects are bad. Most of these are things for which Federal funds should not be allotted.

The following is a break-down of what it is proposed to do with the money:

The W. P. A. caring for 2,200,000 employees in February and 1,600,000 in June	$650,000,000
To provide relief through the Resettlement Administration for relief and loans to 1,425,000 farmers alleged to be drought sufferers	80,000,000
For continuation of departmental activities previously denied by Congress	40,000,000
For overhead and administrative expenses	15,000,000

In my opinion, the whole $790,000,000 could better be cut to $500,000,000, and then we would have funds enough to meet any situation.

We must get away from wasteful relief operated on the basis of further demoralizing our people.

We must balance our Federal Budget. I am prepared to help try to do that. I am prepared to go as far as any man in making sacrifices to pull my country out of the hole.

Nothing has done so much to prevent recovery as these tremendous expenditures. Today it is the major menace which prevents the small-business man from starting something.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. MAY. There is one feature of this question I have not heard presented in this debate. Today our interest-bearing debt is $35,000,000,000, and as I recall, the Budget estimate is for a further deficit of $2,500,000,000 at the end of the fiscal year. When we are approaching a $40,000,000,000 deficit, if the credit of the Government should become impaired or with war clouds hanging over the world, if we should become involved in a war, might we not reach the point where we would do infinitely greater injury to the relief people by getting ourselves in a position where we could not provide any relief for them?

Mr. TABER. We have done that already, in my opinion.

Mr. MAY. Not yet.

Mr. TABER. And the tremendous expenditure we have made is the thing that is now preventing the small-business man and the small manufacturer from getting back to the employment that they provided in the past when business was running along. [Applause.]

Mr. BUCHANAN. Mr. Chairman, the administration of the relief fund has been seriously attacked. This means an attack on Mr. Hopkins. He has been designated as the greatest spender in the world. No doubt he is, but the money has been entrusted to him and the command has been given to him to go forth and spend this money for the relief of unemployed and suffering humanity. This is exactly what he has done and he deserves no criticism for it. I have observed him. While I have not approved all the projects that he or some of his officials have adopted, I may state to the House that considering the fact he occupies the most trying, the most difficult, and the most annoying position in this Government, he has made a great administrator.

[Applause.] He has the intestinal fortitude to say "No" when he thinks he ought to say "No", and he has the courage to grant relief when some people think he should not grant relief. In other words, his conscience is his guide, and whenever you have a man in public life who follows his conscience, you have a faithful public servant. [Applause.]

The Clerk read as follows:

For payment to the widow of Marion A. Zioncheck, late a Representative from the State of Washington, $10,000.

Mr. WOODRUM. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WOODRUM: Page 2, after line 11, insert a new paragraph, as follows:

"For payment to the widow of Andrew J. Montague, late a Representative from the State of Virginia, $10,000."

The amendment was agreed to.

The Clerk read as follows:

To continue to provide relief and work relief as authorized in the Emergency Relief Appropriation Act of 1936, and subject to all the provisions thereof, $790,000,000, which amount shall be added to, and proportionately increase the specified amounts of the limitations prescribed under the appropriation made in such act: *Provided*, That no part of this appropriation or of the appropriation in the Emergency Relief Appropriation Act of 1936 shall be used hereafter to pay the compensation of any person not taken from relief rolls, detailed or loaned for service in connection with any investigation or inquiry undertaken by any committee of either House of Congress under special resolution thereof.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: Page 3, line 21, strike out "$790,000,000" and insert in lieu thereof "$500,000,000."

Mr. TABER. Mr. Chairman, I have offered this amendment with the idea that we might taper off the W. P. A. and get down to honest relief managed by our local communities for those who need it, and properly take care of them and not burden the Treasury in such a way that we will be doing a greater damage to the working man and the poor man than if we should go on with the extravagant methods of spending money that we have followed so long.

I hope the Committee will adopt this amendment and that we can begin to shut down and put the brakes on the spending program which has been going on for so long.

Mr. Chairman, there is not a great deal to be said on this subject, except that everywhere there is a failure on the part of most folks to realize that this Government of ours is piling up such a debt that we will never be able to get away from it, and it will get out of control and destroy the ability and the opportunity of the Government to take care of needed things. Let us take care of just what we need to do and not waste the people's money that is entrusted to us.

Mr. Chairman, I hope the Committee will adopt this amendment.

Mr. MEAD. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York.

Mr. Chairman, I trust this amendment offered by my distinguished colleague from New York will not prevail. I trust that such work-creating agencies that have proven successful in the past will be continued in some form or other by action of this Congress.

We must remember that we are living in a machine age. There are approximately 10,000,000 people without work in the United States, and that that number is increasing by the addition of some 500,000 who become of working age each year. W. P. A. provides work for 2,500,000 of these.

We must remember that if we saddle the debt on our local communities by an attempt to balance our Budget, that we unbalance the budgets of hundreds of our municipalities and millions of our people.

We must remember that it is becoming increasingly difficult for the youth of America to find employment, and that a man over 40 years of age is an outcast once he becomes unemployed.

Talk about balancing the Federal Budget! If you do, you are unbalancing the budget of millions of our people who cannot find work.

The public and private indebtedness of all the people of the United States is less by far than when President Roosevelt took over the administration in 1933. I say to you that the aggregate indebtedness of the country is much lower and that we are in better position to meet our obligations than we were in 1932.

I ask you to discount the expert advice which tells us that the only way out is to balance the Budget and return to the gold standard and leave relief to our local communities.

We have suffered enough from that philosophy. We had all those conditions back in 1931, 1932, and 1933. I ask you to compare conditions today with those of a few years back.

Not only have we improved by comparison with our own situation of a few years ago but we are also much better off than any other industrial country on earth. Check the capital city of every country and you will find there that which we hope never will occur here—uncertainty, civil strife, unrest, oppression, revolt, and, in one or two cases, real Red revolution and civil war. Look how they attempted to solve their economic problems. They enrolled their surplus manhood in the military of those countries, and as a result they engaged in the destructive purposes of war, while we, by placing the youth of our country in our Civilian Conservation Camps and our men and women in the W. P. A., in P. W. A., and on housing projects, enrolled our surplus manhood in the gainful and productive occupations of peace. We enjoy a prosperity in this country that lifts the standard of living of our people above and beyond that of any other country in the world. Their attempts to solve their economic difficulties, unlike the efforts we made in this country, have not been successful. Over there they have unstable or radical or violent or oppressive government, while we have maintained real representative democratic government here. Our plan is best; let us keep it. [Applause.]

Mr. BUCHANAN rose.

The CHAIRMAN. For what purpose does the gentleman from Texas rise?

Mr. BUCHANAN. Mr. Chairman, I rise to ask unanimous consent that debate upon this amendment close in 5 minutes. There will be other amendments to be discussed.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that debate upon this amendment close in 5 minutes.

Mr. MAVERICK. I shall object, because I have an amendment that I desire to offer.

The CHAIRMAN. The Chair states to the gentleman from Texas [Mr. MAVERICK] that the unanimous-consent request does not apply to the paragraph but to this particular amendment. Is there objection?

Mr. BOILEAU. Mr. Chairman, I reserve the right to object. Will this in any way prohibit debate on the substitute amendment to be offered to this amendment?

The CHAIRMAN. This request confines itself to this amendment.

Mr. BOILEAU. And we can offer substitutes to this amendment?

The CHAIRMAN. The Chair so understands and will so rule. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SIROVICH rose.

The CHAIRMAN. For what purpose does the gentleman from New York rise?

Mr. SIROVICH. I rise in opposition to the amendment of the gentleman from New York [Mr. TABER].

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SIROVICH. Mr. Chairman, for almost a decade I have listened to the distinguished, lovable Chaplain of the House of Representatives as he daily opens our proceedings with prayer. Very often I have heard him implore divine Providence to protect the American home and all that goes with it. To me the home is the symbol of our American institution. It is the foundation upon which the superstructure of our Nation must rest. On the wall of every humble as well as great home is the sentiment, "God bless our home." To protect it we are ready to sacrifice life and everything that we hold near and dear. The home is hallowed with memories that we always revere. As go the parents, so go

the children. As go the children, so goes the home. As goes the home, so goes the nation, the world, and civilization. Destroy the home and you destroy government and all that it stands for.

The object, the mission, and the purpose of the New Deal is to preserve the American home.

The distinguished gentleman from New York [Mr. TABER], who is ranking minority member of the great Committee on Appropriations, has just spoken on his amendment to reduce the appropriation of $795,000,000 for the relief of the unemployed to $500,000,000. I think this amendment is grossly unjust, unfair, and undeserving to the millions of self-respecting Americans who are the tragic victims of our economic depression, and who are looking for an opportunity to preserve and keep intact their humble homes. It is such amendments as this that have been the great contributing factor that is responsible for 46 out of 48 States of the Union in repudiating the action of the leaders of the Republican minority. [Applause.]

Mr. Chairman, $795,000,000 is not sufficient to provide for 10,000,000 men and women who are still unemployed, helpless, and hopeless, with no immediate prospects for bettering their social and economic condition. We ought to increase this appropriation to at least $1,000,000,000 so that no American workingman or self-respecting laborer should feel that his wife and children are in want or in hunger.

Mr. Chairman, an unemployed person is one who, through no fault of his own, has lost his job and is able and willing to work. This excludes the sick, the aged, the injured, the mentally defective, strikers, and those who do not want to work. Each of these cases presents a definite social problem.

In 1930, under the administration of President Hoover, 20,000,000 Americans were unemployed. Hunger, misery, starvation, and pessimism permeated the Nation. We were told by the Republican Party that the municipalities, cities, and States should provide for their helpless and tragic social and economic victims of our industrial depression. That policy was pursued by the Republican Party until the States and cities were bankrupt.

In 1933, when President Roosevelt was inaugurated, thousands of banks were closed. Twenty million were unemployed. Revolution was in the air. It was the great humanitarian activities of our beloved President Franklin D. Roosevelt that brought relief into the home, hearth, and fireside of every American citizen so that their children should not starve and the home should be preserved. That policy must continue. Every self-respecting American who is willing to work and cannot find work must be provided for by our Government until industry absorbs them. I stand unequivocally for that formula. [Applause.]

Mr. Chairman, under the economic philosophy of the Republican administrations of Harding, Coolidge, and Hoover, we found two kinds of wages prevalent throughout the industrial sections of our Nation: First, starvation wages, which were not sufficient to keep body and soul together, which was responsible for developing anemic children and undernourishment and malnutrition amongst our adult population; second, living wages, which just about kept body and soul together. If we adopt the amendment of the gentleman from New York [Mr. TABER] for $500,000,000 relief, we would again provide starvation wages for the unemployed in our Republic. I am in favor of giving to every able-bodied workingman in our country, willing to work and unable to be absorbed by modern industry, sufficient funds that will maintain his self-respect and ultimately help to provide the American standard of democratic wages that will be sufficient in times of prosperity and affluence to provide for days of adversity and misfortune.

Mr. Chairman, as a Democratic Representative of a great congressional district, I want to go on record that I am only in favor of relief as an emergency measure in times of strain and distress. The dole is obnoxious and offensive to our American citizens. The American workingman demands that the Government, through its economic philosophy, make it possible for its citizens to work in the quarry of labor so that they might become self-respecting and self-supporting Americans. To that end President Roosevelt has dedicated and consecrated his new program during the next 4 years, so that one-third of our population, as he said, that was ill-fed, ill-housed, and ill-paid must be eliminated from our midst in order that our Republic might endure. To that philosophy I subscribe. [Applause.]

Mr. Chairman, I sincerely trust that the amendment of the distinguished ranking Republican member of the Committee on Appropriations does not prevail.

Mr. VOORHIS rose.

The CHAIRMAN. For what purpose does the gentleman from California rise?

Mr. VOORHIS. Mr. Chairman, I rise to offer a substitute amendment.

The CHAIRMAN. The gentleman from California offers a substitute amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOORHIS as a substitute for the amendment offered by Mr. TABER: Page 3, line 21, after the words "subject to all the provisions thereof", strike out "$790,000,000" and insert in lieu thereof "$1,000,000,000."

Mr. VOORHIS. Mr. Chairman, you all know this is the first time I have asked to speak to this body. I am deeply impressed with the point of view of those who would like to see this Nation able to go back to the time when each individual person in this country, by his own effort, might carve out for himself a reasonable chance to get ahead. I wish that, too; but I am profoundly conscious of the fact that we have passed that time and that we cannot go back to it.

I am somewhat astonished to hear certain remarks about the fact that we have idle dollars and idle men, and we ought to be able to put them together, when those remarks come from the side of the House which was responsible for the kind of policies that led to 1929. I submit that business was left strictly alone in the years preceding 1929. If there ever was a time when it was possible to prove that if business were left alone the problems of the people could be solved, it was then. But they were not solved. It ill behooves people to criticize an effort made for the first time in American history by a great administration to try to bring back together these idle hands and idle money. What else has been the program of the administration?

I offered this amendment for the reason that I cannot possibly conceive how our people's needs can be taken care of for a dime less. I am conscious of the fact that we need much more, but I am likewise conscious of the fact that this is the very minimum we can take. I am willing to vote for a larger appropriation now, not because I am unconscious of the need to balance the Budget, because I believe in good time we must do that, but there is another way to do it than by depriving the poor people of this country of their pittance. There is a way to do it by putting the taxes where they can be borne, and balance the Budget up instead of trying to balance it down.

I am for Government economy, but not for Government economy in the bread and butter of the people. I submit that the most fundamental thing that has caused such recovery as we have had up to this time is the fact that it has been the policy of this administration to bolster the basic purchasing power of the poorest farmer, the poorest wage earner, and the unemployed people in this country. I hope that will continue. I hope we will not make the same mistake as was made at the last period of recovery, when every effort was made to cut income taxes and no effort was made to deal with that problem of unemployment which everybody confesses then existed.

Mr. BOILEAU. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS. I yield.

Mr. BOILEAU. How much of the money provided by the gentleman's amendment would go for W. P. A.?

Mr. VOORHIS. I have found no way to make this amendment provide that some of it could go to resettlement, or I would have done so.

Mr. BOILEAU. If the gentleman will withdraw his amendment, I will offer an amendment that will provide it.

Mr. VOORHIS. I just want to finish this one thought. There are hundreds of thousands of people who, due to the distresses that have overtaken this country, have been compelled to leave their homes and travel to other places. It would not do any good to say, "Why don't you go back home?" when their homes are flooded. In one calendar year in California we had 87,000 families brought to that State for these reasons, and I believe in many cases they were good reasons, and that those people are not just cheap wanderers, but people seeking new homes and new opportunity in the good old American way.

While Mr. Hopkins says he will take care of that transient problem, I know he can only do it if he has the funds with which to do it. They will have to be put in the laps of a few communities, one of which is my own, unless adequate funds are provided for that purpose. I recognize the fact that we have to go to the fundamentals of this problem, and that it would not do to just skim over the surface of it, but one of these fundamentals must necessarily be the provision of a Government program of public works for the employment of the unemployed people. We must some day discover the number of people actually unemployed, and the actual number of opportunities for them in private industry.

Mr. MURDOCK of Arizona. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS. I yield.

Mr. MURDOCK of Arizona. Does not the gentleman regard spending through the W. P. A. as a wise national investment?

Mr. VOORHIS. I do.

Mr. MURDOCK of Arizona. Is it not true that every writer on economics has said that in times of depression there should be a sane public-building program?

Mr. VOORHIS. That is true. I am not asking that this money be given to people. I am asking that it be used to employ people on the most efficient kind of work that can be organized. [Applause.]

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. FULLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. BOILEAU. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BOILEAU. I desire to offer a preferential motion.

The CHAIRMAN. The Chair refuses to recognize the point of order, but if the gentleman from Wisconsin offers a preferential motion, under the rules the Chair would have to recognize the gentleman.

Mr. BOILEAU. I thank the Chairman, and I desire to offer that preferential motion.

The Clerk read as follows:

Mr. BOILEAU moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. BOILEAU. Mr. Chairman, I dislike very much to be in a position where it is necessary to offer this motion in order to get time. However, I believe it is very important for the purpose of clarifying the question before us.

The gentleman from California [Mr. VOORHIS] is undoubtedly intending to provide sufficient funds for W. P. A., but I doubt that his amendment accomplishes the desired result.

The gentleman's amendment would increase the total from $790,000,000 up to $1,000,000,000, an increase of $210,000,000. Under the wording of this paragraph of the bill, however, this money would be apportioned among the various agencies described in the so-called Federal Emergency Relief Act of 1936; the increase of $210,000,000 would not all go to W. P. A. I submit, therefore, that although the gentleman's intentions are undoubtedly to give this additional amount to W. P. A., his amendment would not accomplish the desired result.

I submit further, Mr. Chairman, that the gentleman's amendment does not provide ample funds for rural rehabilitation. I believe, as the gentleman expressed himself on the floor, he is sympathetic to the idea of providing funds for rural rehabilitation. If he wants to increase the amount to what is necessary as I believe he views the necessity, then this fund will have to be increased way beyond $1,000,000,000. It will be necessary to state in the amendment the amount that is to be allocated for Works Progress, and especially the amount that is to be allocated for rural rehabilitation, because without a specific reference to the amount to be allocated for resettlement, not much will go to that agency to carry on the program. In view of the fact the gentleman expressed the desire, in reply to my question, to assist rural rehabilitation, I desire to state that if he wants to do this he should perfect his amendment to increase the amount from $1,000,000,000 to $1,499,000,000 and include a provision that $1,040,000,000 shall go to Works Progress and that $404,000,000 shall go for rural rehabilitation.

Several of my colleagues have asked me to request the gentleman to withdraw his amendment so this other amendment can be offered. I do not desire to make that request of him, but desire to point out that if he does feel that it is necessary to have that amount for Works Progress and for Rural Rehabilitation I shall offer an amendment which I have prepared and which, in my judgment, is germane, or I shall be very glad to have him offer it himself if he wishes to.

Mr. VOORHIS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Wisconsin yield to permit the gentleman from California to submit a parliamentary inquiry?

Mr. BOILEAU. I yield, Mr. Chairman.

Mr. VOORHIS. Mr. Chairman, would an amendment which provided a specific allocation of a certain amount to the Resettlement Administration be germane to the measure?

The CHAIRMAN. In the opinion of the Chair, the gentleman has not submitted a proper parliamentary inquiry, for the Chair would be in the position of advising the gentleman before the amendment was offered for the consideration of the Chair. If such an amendment is offered and the matter is called to the Chair's attention, the Chair will undertake to render the proper ruling.

Mr. BOILEAU. Mr. Chairman, in view of the statement expressed by the gentleman from California—and I think the Members of the House want to know the parliamentary situation—Mr. Chairman, I hope the gentleman from California will withdraw his amendment and permit me to offer my amendment. If my amendment should be ruled out of order, I am sure a way can be found to permit him to offer his amendment again.

Mr. CONNERY. Mr. Chairman, will the gentleman yield?

Mr. BOILEAU. I yield.

Mr. CONNERY. Mr. Chairman, would it be agreeable to the gentleman from California to withdraw his amendment and to offer the amendment of the gentleman from Wisconsin?

Mr. VOORHIS. I shall be very glad to do that. I am willing to withdraw my amendment temporarily, if I may do so.

Mr. BUCHANAN. Mr. Chairman, a point of order. The gentleman cannot do that.

The CHAIRMAN. The Chair is not aware that any question has been presented to the Chair. The Chair, therefore, has no question on which to rule.

The time of the gentleman from Wisconsin has expired.

Mr. BOILEAU. Mr. Chairman, I ask unanimous consent that the amendment I have at the Clerk's desk be substituted for the amendment offered by the gentleman from California.

Mr. BUCHANAN. Mr. Chairman, I object.

Mr. WOODRUM. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WOODRUM. Mr. Chairman, we have not yet voted on the motion of the gentleman from Wisconsin to discharge the Committee, rise, and do nothing about the matter under consideration.

The CHAIRMAN. The Chair understands that this motion is still before the Committee.

Mr. CONNERY. Mr. Chairman, I rise in opposition to the motion.

Mr. Chairman, I merely take this time in order to see if we cannot clarify the situation. The gentleman from Wisconsin has an amendment which he has offered. This amendment may be ruled out of order.

Mr. BOILEAU. Just a minute.

Mr. CONNERY. I mean I am afraid it may be ruled out of order. The gentleman from California has an amendment in which I am inclined to feel he seeks to do what the gentleman from Wisconsin wants done—increase funds for the W. P. A.—but which I fear, from the way it is drawn, will not accomplish the purpose. I was going to suggest to the gentleman from California that he withdraw his amendment; then I am hopeful that the Chair will recognize the gentleman from Wisconsin to offer his amendment; then, if that should be ruled out of order, the gentleman from California could reoffer his amendment. [Laughter.] I am trying to get an increase in funds for W. P. A.

Whether it can be done by the amendment suggested by the gentleman from Wisconsin or by the amendment offered by the gentleman from California, either will suit me.

Mr. BOILEAU. Will the gentleman yield?

Mr. CONNERY. I yield to the gentleman from Wisconsin.

Mr. BOILEAU. I am sure in my own mind the amendment is germane, and I am sure that the Chairman will hold that it is germane. May I ask the gentleman from California to bear in mind, permission to withdraw his amendment having been refused, if his amendment is defeated nothing can prevent him from offering another amendment calling for the sum of $1,100,000,000 or a sufficient amount for what the gentleman believes to be a proper apportionment for the W. P. A.

Mr. CONNERY. What will the gentleman's amendment do as far as increasing the amount allowed for the W. P. A.?

Mr. BOILEAU. It would increase the amount from $650,000,000 to $1,040,000,000. It would increase the amount allowed for rural rehabilitation up to $404,000,000.

Mr. CONNERY. I am in favor of the amendment. I hope that the gentleman from California will withdraw his amendment.

[Here the gavel fell.]

Mr. BOILEAU. Mr. Chairman, I ask unanimous consent, with the permission of the gentleman from California [Mr. VOORHIS] that his amendment be withdrawn.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

Mr. BUCHANAN. Mr. Chairman, I object.

The CHAIRMAN. The question before the Committee is the motion offered by the gentleman from Wisconsin [Mr. BOILEAU] that the Committee do now rise.

Mr. BOILEAU. Mr. Chairman, I ask unanimous consent to withdraw my motion.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin [Mr. BOILEAU]?

Mr. WOODRUM. Mr. Chairman, I object.

The CHAIRMAN. The question is on the motion of the gentleman from Wisconsin to strike out the enacting clause.

The question was taken; and on a division (demanded by Mr. BUCHANAN) there were—ayes 1, noes 176.

So the motion was rejected.

Mr. FULLER. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, for political purposes it may be all right to endeavor to amend this bill, but our votes and our arguments today on this matter are going back home, and the people of the Nation are going to have their eyes on us. The greatest humanitarian in the world today is President Roosevelt. He is the man who initiated this relief program. He has gone further, so far as relief is concerned, than any man in the United States, or the world. Further than anyone ever attempted to go before or ever dreamed of.

The conditions were such that he deemed it necessary to proceed as he did. We have given him the money, and the Nation its approval. You cannot legislate on the floor of this House, as the older Members know and as the younger Members will soon find out. Who knows at this time how much money we will need for relief during the next 5 months? No one in the House except members of the Appropriations Committee who have given the subject serious consideration.

Mr. Chairman, the Appropriations Committee of the House is one of the most important committees in the world. The members of that committee are unanimous in recommending only $790,000,000, and that ought to be sufficient.

Who is it that wants to change it? Who is it that made the Budget? The President of the United States made up the Budget. He said this is all the money we need, and by making that statement he means that is all the money we are going to spend between now and the 1st day of July this year unless the unexpected might occur.

This House is overwhelmingly Democratic today because many of the Democratic Members rode in on the coattail of Roosevelt. Now, some Members in the House want to show that they are bigger than our great Chief Executive, who has pulled us out of this terrible depression. With little information they want to appropriate more relief money than he deems necessary.

Mr. Chairman, if we were to vote a billion dollars, he would not stand for it, and if he did approve the bill, he would not allocate the money, except to the extent of $790,000,000. We talk about where this money is going. Under the law as it now stands the President of the United States has the authority, and he will allocate every dime of the $790,000,000, and the money will go just exactly where he wants it to go. It is up to him to make the decision.

This is the first deficiency bill to be offered in this session, and, if I am not mistaken, we will probably have two or more before we get through. If more is needed, we can then appropriate it. Why cater to a demand for higher wages? Why cater to a certain element and give more money in order to put more people on relief when our great President, in whom the people of our country have confidence, is asking the Congress to balance the Budget and get back to our old normal way of living? At the same time we are taking care of the people who cannot take care of themselves. To me it is foolishness to try to be bigger than the President and endeavor to have appropriated more money than he and his agencies, as well as our great Appropriation Committee, asks. [Applause.]

[Here the gavel fell.]

Mr. MAVERICK. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The last word of what?

Mr. MAVERICK. Of the pending amendment; in other words, the amendment the gentleman was talking on.

The CHAIRMAN. Does the gentleman refer to the Taber amendment?

Mr. MAVERICK. No; I am speaking of the amendment offered by the gentleman from California.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

NEW MEMBERS SHOULD NOT BE INTIMIDATED

Mr. MAVERICK. Mr. Chairman, I seldom rise in this Chamber to personally criticize a colleague. But I believe the gentleman from Arkansas [Mr. FULLER] has just said a very ungracious thing, about a new Member speaking. Also the gentleman from Arkansas [Mr. FULLER] again spoke, as he spoke last year, of men being elected "on the coattails of Roosevelt." I do not like that allusion. I doubt if the President likes it. I doubt if anyone likes it, except the gentleman from Arkansas [Mr. FULLER]. He spoke of his great friendship for the President of the United States, but how did he vote on the holding-company bill last year? How about the Guffey-Snyder coal bill? The gentleman says that a man should not talk, because he is a new Member of Congress. I want to state here that a new Member has as much right to talk as an old Member. [Applause.] Not only this, but a progressive Member or a radical Member or a reactionary Member has as much right to talk as the gentleman from Arkansas. This is a perennial talk, this criticism of new Members, by the gentleman from Arkansas [Mr. FULLER].

Worse, it is very tiresome talk. The gentleman rises here and says that we should not talk politics, especially a new Member. What did he talk? He talked politics just like anybody else—and that is what I am talking and that is what everybody has a right to talk, and it is all right.

I think the time has come on this floor when the older Members of this Congress do not intimidate the younger Members. [Applause.]

I have only been here one term, and I started representing my people when I first came here, and I am still doing it—a little better now.

THE COATTAILS OF "ROOSEVELT"

I may say further that this same gentleman rose on the floor here and said that I came here on the coattails of Roosevelt my first term. Well, I did not my first term—that was not true—but it was true this last time, and I am damned proud of it. [Laughter and applause.] Suppose we did come in here on the coattails of "Roosevelt." I do not have to agree with everything that the President says; nor does any honest man. "Roosevelt", as he is referred to by the gentleman from Arkansas [Mr. FULLER], is probably wrong on neutrality. He may be wrong on this particular bill, and the gentleman from California [Mr. VOORHIS] has introduced a resolution sincerely, honestly, and capably. He has brought it out, and he deserves attention from this floor, and, as far as I am concerned, I am going to vote with the gentleman from California, because he is all right, and what he said is all right, and a lot better than what the gentleman from Arkansas [Mr. FULLER] said. [Laughter and applause.]

Mr. AMLIE. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I have heard a great many times the statement made by responsible leaders of the majority party that no one will be permitted to starve.

Last spring at the conference of social workers held at Atlantic City one of the speakers made the statement that in one county in the United States 79 people during the past year had died of starvation. I tried to find out the name of the county and its location. I was unable to do so. At the suggestion, however, of a friend in the P. W. A. I got in touch with Father John Mulroy, head of the Catholic Charities in the State of Colorado. I asked him if he could enlighten me. He said he could not, but he went down to the department of vital statistics for Denver County and he sent me 10 verified death certificates of citizens of Denver County who, in the past year, had died of starvation.

In my county people have died of starvation during the last few years. I may say that there is not a Member here who has not had people die of starvation in his district. If he does not know about it, it is because he is not familiar with the conditions that affect the lives of the submerged population in his district.

I am getting rather tired of this hypocrisy of responsible people getting up here and saying that no one is going to be permitted to be left to want. If 10 verified death certificates from one county, showing that a year ago 10 people in that county died of starvation, is not proof, then I do not know what proof consists of.

Mr. HARLAN. Mr. Chairman, will the gentleman yield?

Mr. AMLIE. Yes.

Mr. HARLAN. Does the gentleman know whether those deaths resulted from a lack of Federal funds or from neglect of local relief agencies? Of course, the gentleman, I suppose, would see that it is possible for a man or a number of people to die with plenty of funds available, if the local agencies did not use them.

Mr. AMLIE. That, of course, is true. I know, of course, parents will make every effort to get relief to keep their families alive. I know that the President in this Chamber only 2 years ago made the statement that the Federal Government would provide work for the employable unemployed. I know today there are approximately 800,000 employable unemployed who have not been taken care of, who have been turned back to the local municipalities, and that this fact has served to reduce the relief allowances all over the United States from approximately $28 a month to $20 a month; that approximately 1,500,000 families have had their living standards reduced because of the failure of this administration to live up to the promises that were made 2 years ago.

Mr. PATMAN. Mr. Chairman, will the gentleman yield for a question?

Mr. AMLIE. Yes.

Mr. PATMAN. Did these people who starved apply for relief and were they refused?

Mr. AMLIE. They were all children. I am sure parents make every effort to get relief for their children.

Mr. PATMAN. Does the gentleman say that their parents applied for relief and were refused?

Mr. AMLIE. I do not know the facts, but I would be willing to say that that is the fact. I am sure that is the fact. I know that this gentleman, who is the head of Catholic charities in Colorado, is a responsible man and in fact quite a conservative man.

Mr. PATMAN. But the gentleman does not know himself and has no information himself about that?

Mr. AMLIE. No; but I may say I do know of my own knowledge of people who have starved in my own district and died as a result of starvation.

Mr. CUMMINGS. Mr. Chairman, will the gentleman yield?

Mr. AMLIE. Yes.

Mr. CUMMINGS. I happen to live in the State of Colorado and I happen to know the man the gentleman is talking about, and I wish to state to the Members of this House that there has been nobody who starved in the State of Colorado. There has never been a minute since this program was started when there were not funds in the State to take care of the poor, and they have all been taken care of, and I do not care who says they have not.

[Here the gavel fell.]

Mr. AMLIE. Mr. Chairman, I ask unanimous consent to file in the RECORD merely one verified death certificate of a person who died in Colorado of starvation this past year.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The death certificate follows:

CITY AND COUNTY OF DENVER DEPARTMENT OF HEALTH CERTIFICATE OF DEATH

Register No. 225, No. 1016

1. Place of death: City and county of Denver, Colo.
Denver General Hospital. (If death occurred in a hospital or institution, give its names instead of street and number.)
Length of residence in city or town where death occurred: ----------years, ----------months, ----------days.
How long in United States if of foreign birth? ----------years, ----------months, ----------days.
2. Full name: Paul Martinez.
(a) Residence no.: 1002 Twenty-third Street. (If nonresident, give city or town and State.)

PERSONAL AND STATISTICAL PARTICULARS

3. Sex: Male.
4. Color or race: White.
5. Single, married, widowed, divorced (write the word): Single.
5. If married, widowed or divorced, husband (or) wife of----------.
6. Date of birth (month, day, and year): January 15, 1936.
7. Age: Years, —; months, 1; days, 21.
8. Trade, profession, or particular kind of work done, as spinner, sawyer, bookkeeper, etc.
9. Industry or business in which work was done, as silk mill, saw mill, bank, etc.
10. Date deceased last worked at this occupation (month and year).
11. Total time (years) spent in this occupation.
12. Birthplace: (City or town) Denver, (State or country) Colorado.
13. Father—Name: Theodore Martinez.
14. Birthplace: City or town----------, State or country, Old Mexico.
15. Mother—Maiden name: Nellie Orosco.
16. Birthplace: City or town----------, State or country, New Mexico.
17. Informant: Hospital records, (address) Denver General Hospital.
18. Burial (cremation or removal) place: Mount Olivet; date, March 11, 1936.
19. Undertaker: Day Mortuary, (address) 2406 Federal Boulevard.
20. Filed, March 10, 1936; Elveta C. Myers, registrar.

MEDICAL CERTIFICATE OF DEATH

21. Date of death (month, day, and year): March 7, 1936.

22. I hereby certify that I attended deceased from March 7, 1936, to March 7, 1936. I last saw him alive on March 7, 1936; death is said to have occurred on the date stated above, at 7:45 a. m. The principal cause of death and related causes of importance were as follows: Starvation. Other contributory causes of importance_____. Name of operation_____. Date of operation_____. What test confirmed diagnosis? Cl. Was there an autopsy? No.

23. If death was due to external causes (violence) fill in also the following: Accident, suicide, or homicide?_____. Date of injury_____. Where did injury occur?_____(specify city or town, county, and State.) Specify whether injury occurred in industry, home, or in public place_____. Manner of injury_____. Nature of injury_____.

24. Was disease or injury in any way related to occupation of deceased? If so, specify_____.

(Signed) V. R. BOYNTON, M. D.,
(Address) *Denver General Hospital.*

State of Colorado,
City and county of Denver: ss.:

I, Elveta C. Myers, registrar of vital statistics of the city and county of Denver in the State of Colorado, do hereby certify that the above is a true, full and correct copy of the original death certificate of Paul Martinez in my custody and now on file and of record in my office.

Witness my hand and official seal at Denver, in said State, this 4th day of June, A. D. 1936.

ELVETA C. MYERS, *Registrar.*
[SEAL] (Signed) ELVETA C. MYERS.

Mr. WOODRUM. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. Under the present status all time has expired. Without objection, the pro-forma amendment will be withdrawn. The gentleman from Virginia moves to strike out the last two words. The Chair recognizes the gentleman from Virginia for 5 minutes.

Mr. WOODRUM. Mr. Chairman, I believe the debate we have had for the last 30 or 40 minutes has demonstrated very clearly how impossible it would be for the "greatest legislative body in the world" to undertake to go into minute details and legislate directly and specifically on this subject of relief and work relief.

Your committee has gone into the matter very carefully, not representing one side of the aisle but both sides of the aisle, with long days of patient hearings, a committee that is sympathetic in the desire to render assistance to needy people.

Now, gentlemen, your committee comes to you with the proposition to appropriate $790,000,000. It would not do any good if you put $2,000,000,000 in the bill. No more is going to be used than is necessary to carry out the program, and the President and the relief administrator say that that is all the fund they need.

I submit to you, is it not a useless gesture in the beginning of a session of Congress, a Congress interested in the alleviation of human suffering, and withal a Congress that owes a duty to the country and its taxpayers in trying to reasonably conserve its assets? Would it not be a useless gesture to attempt to put in a lot of money in this bill that nobody needs at the present time?

Now, the gentleman says that people have died of starvation in this land. In God's name what kind of people were there in that community? For my part I do not believe any instance of that kind happened.

Mr. LEWIS of Colorado. Will the gentleman yield? Did the gentleman mean to imply that anyone in Denver, Colo., was allowed to die of starvation if they made known their necessities to the authorities? It is not true.

Mr. WOODRUM. I am confident it is untrue—no community would allow 5 or 10 people to starve to death.

But, Mr. Chairman, going further, let me say this: It is a duty resting upon the welfare associations in the communities to make known to the Federal Administrator what their needs for relief are. The money is in Washington, Mr. Hopkins has the money, the President has the money, and if the people in that district need it they can get it if they make the proper showing. I appeal to this committee on behalf of your Appropriations Committee to vote down all of these amendments. My good friend from New York [Mr. TABER] goes down to the bottom, the extreme. Some of our other friends want $1,000,000,000, others $1,400,000,000, this, that, and the other. The people who are doing the job—and many of us think doing a reasonably good job; and it is a bad situation no matter who does the job—say that $790,000,000 is enough. I appeal to the House in overwhelming numbers to express their confidence in that and support the committee in its report.

The CHAIRMAN. The time of the gentleman from Virginia has expired. Without objection, the Clerk will again report the substitute amendment offered by the gentleman from California.

There was no objection, and the Clerk again reported the Voorhis amendment.

The CHAIRMAN. The question is on agreeing to the substitute offered by the gentleman from California.

The question was taken; and on a division (demanded by Mr. DUNN) there were—ayes 51, noes 130.

So the substitute amendment was rejected.

Mr. BOILEAU. Mr. Chairman, I offer my amendment as a substitute.

The CHAIRMAN. The Clerk will report the substitute amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Amendment offered by Mr. BOILEAU as a substitute for amendment offered by Mr. TABER: On page 3, line 21, after the comma following the word "thereof", strike out "$790,000,000", all of lines 22 and 23, and line 24 down to and including the word "act" and insert in lieu thereof the following: "$1,499,000,000, which amount shall be added to the appropriation made in such act, not less than $1,040,000,000 of which amount shall be allocated to the Works Progress Administration for the purpose of continuing work relief, and not less than $404,000,000 of which amount shall be used for rural rehabilitation, loans, and direct relief to farmers and livestock owners; the balance to be used to proportionately increase the specified limitations prescribed under the provisions of the said Emergency Relief Appropriations Act of 1936."

Mr. BOILEAU. Mr. Chairman, some gentlemen were kind enough to listen to my remarks during the general debate upon this subject, in which I explained the purposes of the amendment that I proposed to offer at the proper time. This is the amendment to which I referred in my previous remarks. This amendment, if adopted, will substitute in place of the figures "$790,000,000" the figures "$1,499,000,000", and will allocate very definitely for Works Progress Administration the amount of $1,040,000,000. One billion and forty million dollars is the amount needed to carry on the W. P. A. for the remainder of the fiscal year, if the Administration is to establish a minimum of $40 a month and a general increase of 20 percent in wages paid to W. P. A. workers, and also provide employment during that period for 2,800,000 men. Those are figures that I understand have been furnished by the W. P. A. officials.

As I understand it, and I think no gentleman from the committee will dispute it, the intent is, with the appropriation of $790,000,000, to gradually reduce the number of men working on W. P. A. until there are only 1,600,000 on the rolls in June. Mr. Chairman, we have not yet reached the point of recovery where we can say to these people that we think they should be kicked out of W. P. A. employment. This amendment will put 2,800,000 men and women of approximately 8,000,000 unemployed back to work at a slightly higher wage, which might be properly called a mere subsistence wage.

In addition, my amendment also appropriates for rural rehabilitation $404,000,000. It is estimated that that amount is needed, if you take those rural families who are now almost destitute and merely assist them a little bit in becoming rehabilitated, in the hope that they will be self-sustaining in the near future. It will be a good investment. This amendment increases the appropriation by $709,000,000, but if you want to meet the challenge of unemployment and give to these people genuine assistance, you cannot do it with a measly $790,000,000.

Mr. CONNERY. Mr. Chairman, will the gentleman yield?

Mr. BOILEAU. Yes.

Mr. CONNERY. And now with these floods in the Mississippi Valley rehabilitation will be more necessary than ever.

Mr. BOILEAU. I thank the gentleman for his contribution, because the W. P. A. and Resettlement Administration

will be called upon to go into that great area and give assistance to those people, and a large number of those people can be assisted from this appropriation and the funds will be readily available when needed.

Mr. DUNN. Mr. Chairman, do I understand that this amendment will put 2,000,000 people to work?

Mr. BOILEAU. It provides sufficient funds to put 2,800,000 men and women to work.

Mr. DUNN. And if the amount proposed in the bill, $790,000,000, goes into effect, it will reduce the force to approximately 1,000,000?

Mr. BOILEAU. One million six hundred thousand, whereas in November last year there were approximately 2,500,000 working, with an estimated number of 300,000 employables looking for work, who could not get work on the W. P. A. pay rolls, even at that time, which was before the curtailing program began.

Mr. MAVERICK. Mr. Chairman, will the gentleman yield?

Mr. BOILEAU. I yield.

Mr. MAVERICK. How much is given to agricultural rehabilitation?

Mr. BOILEAU. Four hundred and four million.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MICHENER. Mr. Chairman, I rise in opposition to the amendment. I would ask the attention of the chairman of the Committee on Appropriations. As I understand, this money is to be spent entirely in the discretion of the President, so that he may use it as he sees fit. Is that true?

Mr. BUCHANAN. It is placed in the discretion of the President, subject to certain limitations for allocation of certain percentages on relief projects, the relief projects being mentioned in the bill.

Mr. MICHENER. Would it be possible for the President to allocate this money or any part of it to strikers who are voluntarily on strike and out of employment?

Mr. BUCHANAN. If they are on the relief rolls; yes.

Mr. MICHENER. If they are on the relief roll. Take people who want to work, who are prevented from working by a strike.

Mr. BUCHANAN. If they are on the relief roll, he can give them money.

Mr. MICHENER. Those people would then have to go on the relief roll in order to get any money?

Mr. BUCHANAN. Certainly. The entire purpose of this appropriation is to give work to those on relief.

Mr. MICHENER. Was any discussion had at the hearings with reference to this question, which is a vital question to American industry and American workmen at this very moment? Was there any consideration given to that matter by the committee in the hearings?

Mr. BUCHANAN. To the strike situation?

Mr. MICHENER. Yes. And the use of relief money to maintain strikes.

Mr. BUCHANAN. No.

Mr. CONNERY. Mr. Chairman, will the gentleman yield?

Mr. MICHENER. I yield.

Mr. CONNERY. The gentleman is worried about strikers going and asking for relief. The labor unions keep their men off of W. P. A. and off of relief.

Mr. MICHENER. But I am also thinking about the man who wants to work, the man who does not belong to a labor union. I am thinking of the thousands of people in Michigan today in the automobile industry who are trying to work, who want to work, but who are prevented by the strikers, and the gentleman tells me that they must humiliate themselves by going on the relief roll or else they must starve.

Mr. CONNERY. I did not say anything about them. I am talking about the labor unions.

Mr. MICHENER. I am talking about the majority of people who want to work in Michigan right now. I am endorsing the policy of the American Federation of Labor in connection with this strike right now.

Mr. CONNERY. The American Federation of Labor men do not go on relief and they do not go on W. P. A. They do not think the wages are anywhere near decent enough to go on either of them.

Mr. MICHENER. That is possibly true. It is true if the gentleman from Massachusetts says so.

Mr. WOODRUM. Mr. Chairman, will the gentleman yield?

Mr. MICHENER. I yield.

Mr. WOODRUM. Did I understand the gentleman to say he was speaking for the American Federation of Labor?

Mr. MICHENER. No. The gentleman from Virginia misunderstood me. I said I was speaking for the policy of the American Federation of Labor as applied to the automobile strikes in Michigan today. The gentleman from Massachusetts [Mr. CONNERY] speaks for the American Federation of Labor on the floor of this body.

The situation is anomalous. All my information from Michigan indicates clearly that a vast majority of those working for the General Motors Corporation in Michigan do not want to strike. They have good jobs at good wages—wages far above most industries—are satisfied, and want the right to support their families according to the American standard.

As against this majority group, a small minority, following the lead of this new labor dictator, seeks not only to control their own destinies but has adopted a new method of strike technique in America. They have taken absolute possession of the property of the employers. They refuse to permit the owners to have physical control of their own property. The employers refuse to negotiate until they are restored to the possession of their own plants. The State militia has been called to the seat of most of this difficulty, and we are advised that it is the purpose of the militia to maintain a status quo condition. This must mean that the "sitters-down" are to be permitted to remain in the plants; that the employers are to keep the plants comfortably heated, and the troops must see to it that the friends of the strikers are permitted to come daily with their food and other necessities.

It would seem that no reasoning person can justify the unlawful taking possession of another's property, as is being done in this instance. Let me say to the House that these automobile strikes are not sponsored by the American Federation of Labor, and, in my judgment, if this type of strike is successful, the American Federation of Labor will yield its supremacy to the John Lewis type of organization. A fight against this strike is not only a fight for constitutional rights as we have always known them, but it is primarily a fight for the more conservative labor movement in America.

Of course, I believe in organized labor and collective bargaining. I think all students of present-day conditions must agree with me. We may talk about human rights as against property rights, but let us not forget that to destroy property rights means to destroy our system of government, and that under that system labor enjoys the greatest liberties, the greatest prosperity, and the greatest advantages of any people on earth. We have too much class hatred already, and it is to be hoped that this trouble will soon end; that these unlawful occupants will surrender the factories to the owners; and that the employers will give consideration to all just demands of the employees.

I have always opposed giving the President unlimited authority to spend billions of relief money as he saw fit. This is the taxpayers' money, and in making my inquiry of the chairman of the committee I wanted to be sure that this relief money could not be spent for the purpose of maintaining strikes in the automobile industry against the desires of a majority of the employees and to the detriment of the people as a whole, and where no one will benefit in the end.

Relief rolls are made up by local authorities. The chairman of the committee assures me that under the bill the President can spend this money only for the support of those on relief, therefore the money cannot be spent to maintain strikers unless the local authorities place those strikers on

relief. The time should not come when the taxpayers' money is given to any official who will use that money to promote and sustain strikes like those now being conducted by certain elements among the employees in the automobile industry.

[Here the gavel fell.]

Mr. BUCHANAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto or substitutes thereto close in 15 minutes.

Mr. MAVERICK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MAVERICK. Am I going to be permitted to offer my amendment?

Mr. BUCHANAN. This request does not affect the gentleman's amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. BUCHANAN]?

There was no objection.

Mr. JOHNSON of Minnesota. Mr. Chairman, I move to strike out the last two words.

Speaking in behalf of the amendment offered by the gentleman from Wisconsin [Mr. BOILEAU], I should like to offer a few facts on the relief situation in Minneapolis, bearing out the contention of the gentleman from Wisconsin, that the present bill is not adequate.

In Minneapolis today we have 10,400 people on W. P. A. There have been 1,094 released from W. P. A. in the past few months and put back on direct relief. There are now 12,622 on direct relief, of which 5,000 are employable.

The letter from the mayor of Minneapolis, Thomas E. Latimer, says that the W. P. A. has never absorbed fully the employables as per deal made between the States and the Federal Government a couple of years back.

That goes to the crux of the situation as far as my city is concerned. In my city we are attempting to cooperate with the Federal Government, but the point is on our contributors' share of the W. P. A. we might run into a situation of a shortage of funds because of the fact we are trying to deal honestly with the relief line in the city of Minneapolis.

The same thing is true among other cities in the country. At the Mayflower Hotel in November a national conference of mayors met and recommended the sum of $877,500,000. This was a very conservative group. They are men who live in the respective communities and have first-hand information.

The mayor of Minneapolis recommends that no sum less than $1,000,000,000 be allocated to the W. P. A. in order to care for the situation. We have had a lot of labor trouble in Minneapolis due to low-wage conditions that prevail in that city, conditions similar to those in the motor-trades industry, a situation which is going to result in an extra load being thrown on the relief activities of the Federal Government.

I do not think the amendment of the gentleman from Wisconsin today is offered in any spirit of levity, but in the common belief that if we are to fulfill the ideals of the President enunciated on that rain-swept portico on January 20 as he looked across the plaza to the $10,000,000 marble palace of the nine men in black and said that he saw one-third of the Nation ill housed, ill clad, undernourished—if we are to fulfill these ideals, it must be by the adoption of this amendment. I am sure Harry Hopkins is able to administer the set-up.

These gentlemen who talk so solicitously today about flood relief and other burdens that must be met from time to time must realize that the thing to do today is to pass a bill which will show to the country in the matter of relief that, as far as the Washington administration is concerned, we are going to meet the situation. I doubt very much if the bill that is being handled by the eminent chairman would encompass any increase in the wages paid by W. P. A. I think that in the face of the rising cost of living an increase should be part of the program of the W. P. A. In Minneapolis they have paid $60.50 a month, and even this sum does not cover the necessities of life for a family. So I hope the Members of this House today who really believe in the humanitarian policies of President Roosevelt will vote for the amendment of the gentleman from Wisconsin.

In further support of the amendment offered by the gentleman from Wisconsin, I herewith offer for insertion in the RECORD two telegrams, one received from the mayor of Minneapolis, Thomas E. Latimer, to whom I have previously referred in this speech, as follows:

MINNEAPOLIS, MINN., *January 26, 1937.*

Hon. DEWEY JOHNSON,
House Office Building, Washington, D. C.:

W. P. A. gets only 655 millions of House bill of 790 millions. This means slash of present minimum quotas of over 25 percent and cut of over 33 percent in expenditures for materials. This will create an impossible situation in Minneapolis and Minnesota. Notify the Minnesota Congressmen.

Mayor THOMAS E. LATIMER.

I herewith offer also a wire from L. R. S. Ferguson, city clerk of the city of St. Paul:

ST. PAUL, MINN., *January 26, 1937.*

Hon. DEWEY W. JOHNSON,
Member of Congress:

The council, city of St. Paul, by unanimous vote, protests any cut in W. P. A. funds for city and State. Any cut in funds at this time would create impossible situation in city and State.

L. R. S. FERGUSON, *City Clerk.*

The amendment of the gentleman from Wisconsin adequately obviates the serious situation which is pointed out in these two telegrams from the cities of Minneapolis and St. Paul. It was pointed out by the chairman of the Appropriations Committee at the beginning of this debate that there will be a reduction of 600,000 W. P. A. workers by June 30, to be apportioned as follows: 50,000 workers to be laid off in February, in the name of recovery; 150,000 workers laid off in March, in the name of recovery; 200,000 in April; and 200,000 in May. This in the face of the fact that 100 cities in the United States have met in conference in Washington within the last 60 days and presented to the Federal Government adequate facts and figures to show that if the relief load is thrown back to the States, cities, and local subdivisions of government that it will bankrupt many of these local subdivisions of government, result in curtailment of other local governmental services, and eventually mean pay cuts for local public officials and workers, such as school teachers, firemen, police, janitors, and others who furnish municipal or State services to the local citizenry. Hoping that this is not to be the result, but fearful that it is, I offer to the House an editorial from the columns of this morning's Philadelphia Record, published by J. David Stern, and distinctly friendly to the liberal policies of the Democratic administration under the leadership of Franklin Delano Roosevelt. I quote from the editorial entitled "Which Way, New Deal?"—

How many synonyms are there for the word "shocking"?

We've run out of adjectives for the administration's W. P. A. program.

What on earth is happening in Washington?

W. P. A. Administrator Hopkins' statement yesterday is utterly incomprehensible.

The country was startled last week to discover that W. P. A. had fired 851,000 workers during 1936.

That brought the rolls down to about 2,200,000.

Now Hopkins tells the House Appropriations Committee the administration intends to fire 600,000 more by June.

In the name of recovery and the New Deal, why?

As startling as the Hopkins program was the Hopkins tone.

"Under our economic system unemployment is inevitable", said Hopkins.

That is the weary, defeatist statement of a beaten man, a statement fit only to cap a failure.

Why does Hopkins use that statement to cap a success?

Why this attitude after the brilliant New Deal success in buying recovery through the spending program?

Why this reversal of the spending policy after the brilliant victory at the polls—that national thank you for the courage that inspired the spending program?

We try to understand and we cannot understand.

In previous editorials we have said that W. P. A. economy was dearly bought at the price of human insecurity and suffering.

But there isn't even going to be any economy as a result of the new program. Not for the Nation as a whole.

States and cities will simply have to take up the burden the New Deal is dropping.

Precariously balanced local budgets will be capsized because of the New Deal about-face.

The new policy unbalances the Nation to balance the Budget.

Hopkins admitted yesterday that even when production is normal there will be up to 7,500,000 jobless.

And in the same breath he proposed to fire 50,000 workers in February, 150,000 in March, 200,000 in April, and 200,000 in May. What sense does that make?

Unemployment is inevitable, says Administrator Hopkins.

But W. P. A. dismissals totaling 1,451,000 in less than a year and a half are not inevitable.

The loss of the purchasing power of those 1,451,000 is not inevitable. That is deliberate.

W. P. A.'s creation of a new labor surplus which will act as a drag on wages is not inevitable. It is deliberate.

Nothing will tend more strongly to continue unemployment than decrease in mass purchasing power, reduction of W. P. A. expenditures from $165,000,000 a month to $103,000,000, creation of a labor surplus to force wages down and still further decrease mass purchasing power, insecurity among W. P. A. workers to make them unwilling to spend their present wages.

W. P. A. is engaging in precisely those policies that will breed unemployment.

It is hardly becoming to talk about the "inevitability" of unemployment after outlining a policy that will intensify it.

Will the New Deal tell the country where it is heading? We are troubled. We would like to know.

Why does it act as if it lost the election, as if its policies had failed?

Why does it seem to strain every energy to snatch defeat from success?

In offering the report of the mayor's conference of last November, which has been accessible to the Members of this House, the telegrams from the two largest cities of Minnesota and the Philadelphia Record editorial, and knowing the botch that has been made of local relief, because of the inability of local communities to shoulder this tremendous load, and knowing further that local taxation cannot raise sums sufficient to pay the cost of relief, I can only do the sensible thing today in this House, and that is support the amendment of the gentleman from Wisconsin [Mr. BOILEAU], which amendment will appropriate sufficient money in the sum of at least $1,040,000,0000 for W. P. A., to the end that the Federal Government will employ 2,800,000 workers on W. P. A., and for the first time since the inception of W. P. A. keep the pledge that the Federal Government made with the States and the local communities when the division of unemployed was made into employables and unemployables.

I hope that the House will see the problem presented as it faces us in Minnesota and the Northwest, and will adopt this amendment so that the bill will, at least, go to conference where more than an hour of debate on either side will be used in giving serious study to the amount of money required in the deficiency appropriation bill for the fiscal year ending June 30.

[Here the gavel fell.]

Mr. O'CONNOR of Montana. Mr. Chairman, we have in Montana today, notwithstanding all the relief that has been had in that State, in the neighborhood of 12,000 employable people unemployed who are not being taken care of. This group includes both farmers and people living in the urban centers of the State.

Mr. Chairman, as I stated a while ago, in my judgment it is a question of expediency. I think the President of the United States, owing to the language he has used and the opinions he has expressed for 4 years, is anxious to take care of the needy people of this country. This subject is close to his heart. It is a question with him now of securing the money as he thinks it becomes necessary, in my judgment. However, I differ with him on that. The reason I am supporting the amendment of the gentleman from Wisconsin is that if the money is made available now it does not need to be used by the President of the United States until it is necessary. If, however, its use is necessary, it will be there, and he will not have to come before this Congress upon his knees and ask for appropriations from day to day.

In addition to that, Mr. Chairman, if this appropriation is made available, Mr. Hopkins and the others who will handle this money will be better able to make their plans. They can make their plans then in accordance with what they have in their possession. I have had to do with banks in the past. Our loans and expenditures would always depend upon what we had in our note pouch and in our deposits. If we had no money there we could not make any expenditures, we could not lend anything.

It is not necessary for this Government to expend one single dollar that is not needed even though this afternoon we appropriate $1,500,000,000, and for this reason I should like to see made available to the proper lending agencies of our Government $1,500,000,000. I want to see this done so that the hungry people of this country can be taken care of, so that the farmers of the country can reseed their fields, so that the people who own livestock will not have them starving in snowdrifts 2 or 3 feet deep, so that the unemployed will be given work at living wages.

We can lend $100,000,000, Mr. Chairman, to the Great Northern Railroad so they can run their trains; we can lend $90,000,000 of the taxpayers' money to Mr. Dawes in Chicago, but we find it most difficult, if not impossible, to appropriate $100,000,000 for the poor downtrodden farm and labor classes of this country. We who come to Congress for the first time are accused of talking politics. I want to tell you I am not talking politics; I am trying to put before this House the conditions that exist in my State. We have counties in my State, Mr. Chairman, where they have not raised a vegetable, where they have not a milk cow left, if you please, where thousands are unemployed. We have got to take care of them. Let us, in the name of God, in this country put humanity above the dollar. That is what we ought to do. Money should not be our god. It has been our deity long enough. We have served our time worshiping the golden calf; let us serve humanity. They talk about balancing the Budget, let us balance the human budget first; let us balance the right of the common people before we start balancing the money Budget. I hope the Members of this House this afternoon will vote for this amendment making this money available to the Federal Government for these purposes.

I have confidence in the President of the United States. I have confidence in Mr. Hopkins and Mr. Wallace to the extent that I do not believe one single dollar will be used except for what is necessary, if you please, for taking care of the needy people of this country.

[Here the gavel fell.]

Mr. BUCHANAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the committee went into this subject very carefully, and in addition to that we summoned the administrative officers of the various agencies before us several times to review certain matters we were not satisfied about in our hearings.

This amendment gives a large sum to the Resettlement Administration. The gentleman did not tell you it had $78,000,000 now on hand unobligated.

Mr. MAY. Will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from Kentucky.

Mr. MAY. Did it not appear in the joint conference between the House and Senate that the agencies of the Government had available funds to take care of the present needs of the flood situation?

Mr. BUCHANAN. Absolutely.

Mr. MAY. And one of the departments had a recoupment of about $2,000,000 that had come back into its hands unexpended?

Mr. BUCHANAN. Yes. The flood situation does not enter into this now. That will be brought in later on. There is no need to be uneasy about that. The money necessary will be spent for relief in the various flooded areas. When they get through they will present the bill. Of course they do not know what it is going to cost yet, and that is why it is not here now. So we may exclude the flood for the present. They do not need any extra money for that purpose now. If necessary, the President could allot certain money carried in this bill to relieve distress in the flooded areas, or such portion of it as may be necessary.

As I stated before, the Resettlement Administration has $78,000,000 unobligated. Just think of that! If the necessity was so great in the territories of the various gentlemen for rehabilitation loans, why has not this money been used? There is $78,000,000 already appropriated and unobligated.

In addition to that there is more obligated that has not been expended. They will receive money under this bill, perhaps as much as $80,000,000 more, making $158,000,000 for a period of 6 months. Is that not sufficient? The gentlemen know that is enough. Mr. Hopkins will complete his total program.

The flood may add six or seven hundred thousand to the relief roll, but that will be taken care of; and that is all that is necessary for the next 5 months. I ask the Members, therefore, to defeat these amendments.

The CHAIRMAN. Without objection, the Clerk will again report the substitute amendment offered by the gentleman from Wisconsin [Mr. BOILEAU].

There was no objection.

The Clerk read the Boileau substitute amendment.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Wisconsin.

The question was taken; and on a division (demanded by Mr. BOILEAU) there were—ayes 46, noes 151.

Mr. BOILEAU. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. WOODRUM and Mr. BOILEAU to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 50, noes 170.

So the substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. TABER]; and, without objection, the Clerk will again report the amendment.

There was no objection.

The Clerk read the Taber amendment.

The question was taken; and on a division (demanded by Mr. PATMAN) there were—ayes 21, noes 150.

So the amendment was rejected.

Mr. MAVERICK. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MAVERICK: Strike out all after the colon in line 24, page 3, and the rest of the page, and through line 5 on page 4.

Mr. BUCHANAN. Mr. Chairman, will the gentleman yield so that I may ask unanimous consent that debate on this amendment close in 10 minutes?

Mr. MAVERICK. No; I do not yield for that purpose.

SHALL WE CUT OFF OUR ADMINISTRATIVE NOSE TO SPITE OUR LEGISLATIVE FACE?

Mr. Chairman, the matter that I intend to discuss is most important because it involves the prerogatives of the House. I am talking now about the feature which prohibits people under the W. P. A., the P. W. A., or Resettlement from working for committees of investigation or inquiry in this House. It says that shall not be done. It makes cooperation impossible.

The purpose is to strangle the committees of Congress, especially those of investigation. I know this will be vigorously denied by the members of the committee. I have seen the Members of the Congress vote with their committees, and I admire the gentlemen on the Appropriations Committee, but why blindly follow chairmen of committees? Sometimes they are wrong. Mr. BUCHANAN is an able, faithful, and good worker. On this one point he may be wrong. At least it is not a sin to disagree with him.

LA FOLLETTE AND WHEELER COMMITTEES TO BE STRANGLED

This provision of the bill denying assistance of committees is going to strangle the La Follette committee; it is going to strangle the Wheeler committee.

Members of the Appropriations Committee may say, "Why do we not make the appropriation ourselves for this assistance and hire our own experts?" Ordinarily this is correct, but a man who is in the W. P. A. naturally knows something about employment and labor. A man who is with the P. W. A. naturally knows something about housing. There are many other instances; but the point is Congress should avail itself of men who can give intelligent assistance. We are cutting our own legislative throats.

TRAINED ADMINISTRATIVE EMPLOYEES WILL BE LAST

We have a strong tendency all the time to economize on our own legislative body, although the cost of legislation is absolutely nothing compared with the money we are spending on other parts of the Government.

We ought to have the assistance of these trained men if we can get them. For instance, we need information about labor spies. Men in Harry Hopkins' and other departments have knowledge of facts we should know. They and other men now have a convenient excuse not to testify or cooperate. It will create a bad situation. And they will not accept a temporary committee job when they have a permanent one.

This language should be stricken out because in my opinion it strangleholds the committees and strangleholds the legislative process. We are cutting down on our own power to learn, and hence to enact intelligent legislation.

THE ADMINISTRATION WANTS THIS AND THE PRESIDENT WANTS THAT

I have heard men come on this floor and say that the administration wants this or the President wants that. I am not authorized to speak for the administration and I am not authorized to speak for the President. Neither of them has spoken to me, but I have a hunch the administration would be mighty well pleased to have this language stricken out. I should like to see the Members of this Congress, including our brethren on the other side, vote to uphold the legislative process because we are cutting ourselves most of the time and generally surrendering to some other group or body.

INTELLIGENT LEGISLATION IMPOSSIBLE; ANOTHER BAD PRECEDENT

These investigators are employed by the W. P. A. and the different organizations, and this bill excludes them. If there comes a time when we want an investigation for 2 weeks or 1 week, we cannot have him up here working for us because he will be on another pay roll. It makes intelligent legislation almost impossible.

I want to tell you that this is a bad legislative precedent. It would be bad for the Republicans if they were in power. It would be bad for the Democrats or the Progressives. So I ask you to vote in favor of this amendment, and when you do, you are voting for proper legislative functions.

Mr. BUCHANAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 17 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CONNERY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I agree with my friend from Texas [Mr. MAVERICK] that this is a very dangerous proposition. I believe it would cripple the efforts of the Wheeler and the La Follette committees to make a thorough investigation of the industrial spy system.

The language of the proviso is:

That no part of this appropriation or of the appropriation in the Emergency Relief Appropriation Act of 1936 shall be used hereafter to pay the compensation of any person, not taken from relief rolls, detailed or loaned for service in connection with any investigation or inquiry undertaken by any committee of either House of Congress under special resolution thereof.

As I understand this proposition, if anyone was working on W. P. A. or Resettlement or any other similar agency, if a committee of Congress wanted to bring him up here in connection with its work, that man would lose whatever little stipend he might be getting in the department while he was testifying before the committee of Congress. If we are going to get information in reference, for example, to this spy system that lately they have been investigating so thoroughly in the Senate, we have to get men who know about conditions. W. P. A. workers are engaged in connection with various projects and the P. W. A. men are familiar with various building projects, and the P. W. A. men would be even more important in an investigation of this kind than the W. P. A. men, because they are in the building trades and know how the spies are put in, what they are put in for,

and how they try to break up labor unions and cause trouble in industry.

Mr. WOODRUM. Mr. Chairman, will the gentleman yield?

Mr. CONNERY. I yield.

Mr. WOODRUM. May I direct the gentleman's attention to the fact that the language to which he is objecting does not apply to W. P. A. workers, but to the administrative staff who would be taken away from their job of looking after relief and sent up here to work on a congressional investigation.

Mr. CONNERY. Even so, the members of the administrative staff, for instance, at one of the regional offices, would have a picture of the whole situation in that district.

Mr. WOODRUM. Then we should want to pay it out of the appropriation for the investigation and not camouflage it by having it appear that the money is appropriated for relief when, as a matter of fact, it is being used for a special congressional investigation.

Mr. CONNERY. As the gentleman from Texas [Mr. MAVERICK] has said, it is very difficult to get money out of this House, or out of the Senate, for that matter, for an investigation of this sort.

Mr. WOODRUM. Then let us not make out we are feeding the hungry when we are using the money we appropriate for that purpose on some senatorial investigation.

Mr. CONNERY. I will say to my friend from Virginia it is not a question of feeding the hungry on a proposition of this sort. You are feeding the hungry when you do this, just as much as you would be in paying a man for digging a ditch, because you are paying these men while they are attending a congressional investigation to tell Congress about the spy system that may be at work in the big corporations or somewhere else.

Mr. WOODRUM. As I have just stated, they can send relief workers up here. That is not what we are trying to stop at all.

Mr. CONNERY. But the same thing applies to the administrative staff.

Mr. WOODRUM. We are trying to stop this highly paid administrative staff——

Mr. CONNERY. It does not say "highly paid administrative staff" in here.

Mr. WOODRUM. That is what they are.

Mr. CONNERY. And, so far as I am concerned, there is no one highly paid in the United States Government. Do not let the gentleman deceive himself about that. The only salary that is paid by the Government that is at all comparable with salaries paid by private industry is that of the President, and even he, with his heavy burden of work and tremendous responsibility, receives far less than the president of any large corporation.

Mr. MAVERICK. And the gentleman understands that these people usually are not on relief. Some of them are trained men and it is often necessary to have men not on relief to do this work, and I do not see any disgrace about a man's getting a fairly decent salary, even if he happens to be doing something for a committee of the Congress.

Mr. CONNERY. According to my idea, under this present provision in this bill employers might block any effort of Congress to investigate a practice dangerous to the American people. I hope the amendment of the gentleman from Texas will pass.

Mr. BUCHANAN. Mr. Chairman and ladies and gentlemen of the Committee, whenever the Appropriations Committee finds a real substantial abuse in the administration of the expenditure of public money it tries to correct it. We conceive that to be among our duties.

Personally, I have no feeling in this matter. As a Representative, I feel it is an abuse that should be corrected promptly. What are the facts? The hearings disclose that 26 employees who are being paid from these relief funds, with annual salaries totaling $61,420, are loaned to congressional investigating committees. Their salaries are paid out of the money we appropriate for those in want and in need, and it should be stopped. [Applause.] If the Senate or the House wants employees for an investigating committee, whichever body is concerned should provide for them in the orderly way. That is all we want.

These people are loaned to investigating committees acting under a simple resolution of the House or a simple resolution of the Senate, and neither resolution is the law of the land. That is all.

A simple resolution might very easily pass upon the statement that it does not provide for an appropriation, if the purpose to be accomplished seems to be a desirable one. It might, however, direct some department to furnish information or provide personnel to assist. While the direction or request would not be binding on a department, not being law, the department would hesitate not to comply from fear of offending.

Not so long ago a simple resolution was passed by the Senate calling upon the Interstate Commerce Commission to use its regular force to assist in an investigation to be conducted by a Senate committee. Mind you, it is a simple resolution and is not the law of the land. The House did not pass upon it, the President did not sign it, but it calls upon the Interstate Commerce Commission to make the investigation.

How much money has been spent by the Interstate Commerce Commission on it—money expended from the regular appropriations that we make for the Interstate Commerce Commission to perform the regular functions that the Interstate Commerce Commission was created to perform? They used the money we provided for their regular work in the payment of employees and for travel expenses and performed work for the investigating committee that was not work that this personnel is required to perform in the regular course of the duties of the Interstate Commerce Commission.

To what extent? In the period from July 1935 to late in December 1936, a period of nearly 18 months, a total of $388,256.27. It took the time of some 77 employees. Of the appropriations that we made by law for the regular work of the Bureau of Accounts of the Commission, about 28 percent has been diverted to this investigational work. Of course, it was not obligatory on the Interstate Commerce Commission to do this, because this was a simple resolution of the Senate. It had no force of law but the Commission naturally did not want to offend the Senate. They should not be placed in such an embarrassing position and we are seeking, wherever we can, to stop such practices.

Mr. NICHOLS. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. Certainly.

Mr. NICHOLS. To ask the chairman of the Committee on Appropriations if the section he is now discussing does not apply wholly and exclusively to the committees. It does not attempt to say that relief labor shall not be used on any project. That is not contemplated in the meaning of it at all?

Mr. BUCHANAN. No. It applies only to committees authorized by a resolution of the House or the Senate, and if anyone here has an investigation to be made which has merit to it, come and tell us what it is and how much money is needed to make the investigation and let the House provide it, and do not compel some department to take its money and divert it from the purpose for which it was intended.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken; and on a division (demanded by Mr. MAVERICK) there were—ayes 45, noes 140.

Mr. MAVERICK. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

Mr. LANHAM. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. Ten minutes of the 17 minutes accorded for debate upon this paragraph remain. The gentleman is recognized for 5 minutes.

Mr. LANHAM. Mr. Chairman, I have offered this pro-forma amendment in order to present an inquiry relative to an amendment which I introduced to a somewhat similar bill in the last session of Congress and which amendment

was carried unanimously. That amendment provided that, with reference to work furnished under W. P. A. funds, those who had stayed off relief as long as possible or altogether, and had exhausted their resources, might have an equal opportunity with those who had been on relief rolls to be afforded work which was made available under the appropriation. That amendment was somewhat modified in the other body and was subsequently so interpreted, as I understand, as to practically nullify the effect of the proviso as originally introduced. It passed this House without a dissenting voice. My inquiry is directed to what has happened in the operation of these funds in affording an opportunity for work to those who have stayed off relief rolls as long as possible; whether or not they have been given an equality of eligibility in the allocation of this work with those whose names appeared on relief rolls. My understanding is that this provision was not carried out in such a way as to afford the relief that had been expected, and to open the avenues of employment for men who had stayed off the relief rolls until their resources had been entirely exhausted. I have offered this pro-forma amendment to make the inquiry and ascertain, if I may, to what extent this provision of law has been carried out and to what extent these men have been granted equal eligibility in the awarding of this work.

Mr. GRAY of Pennsylvania. Mr. Chairman, I have requested this recognition for the purpose of trying to give a partial answer to the question of the distinguished gentleman who has just preceded me. As I get his inquiry, it resolves itself into what in the administration of relief work has been done for that spirited part of our citizenry who have suffered rather than subject themselves to the humiliation of "going on relief"?

I do not know how that question may be answered by others, but so far as Pennsylvania is concerned we still have to contend with the vicious, un-American policy of "going on relief" in order to get work on W. P. A. projects, excepting that fractional percent—formerly 10 percent, but now 5 percent—who may be nonrelief, or as it is called, predesignated.

This policy of requiring unemployed men and women to apply for relief before they can get work on projects financed in whole or in part by Federal funds appropriated by this Congress is a policy vicious, un-American, humiliating, and more or less degrading. It should be stopped and stopped at once.

I do not want to be understood as opposed to a reasonable program of relief and relief work, one that is adequately financed in view of the exigencies of the times, emergencies of drought, flood, unemployment, financial disarrangement, and industrial dislocation. But that program should be equitably, sanely, and impartially administered.

The test for employment on publicly financed projects, whatever their character, should be unemployment, not vagrancy, not impoverishment entirely, not past waste, extravagance, nor wastefulness. Why should a man who has worked and saved for years in support of himself and family, or a woman for that matter, be kept from employment because he has acquired a little real estate or personal property—perhaps only a home—on which, because of business disaster or loss of job he probably cannot meet his taxes.

Must we continue to force men of character, stamina, and spirit to humble their pride by "going on relief", or going jobless and hungry because they will not apply for relief or are forestalled by the requirements for placement on the relief rolls?

Must we continue forever to penalize the industrious and the thrifty of our people to the extent of lavishing favors and privileges on thousands who never really worked, who never tried to save, who perhaps never will work in a real sense, and who never will save?

There are in this country thousands of such on the relief rolls, and there are at the same time thousands of those thrifty and industrious ones who have been hunted out by misfortune and who are enduring the pangs of hunger and suffering the tortures of hell rather than submit their pride to what they regard as notorious and public humiliation.

Can we not have some thought of these great stalwarts of American manhood and American womanhood? Can we not do something here to halt, once and for all, a vicious policy which discriminates against honest industry and prudence, and which punishes and penalizes a very considerable portion of our population?

And, finally, Mr. Chairman, how can the relief rolls ever be depleted if our people are to be compelled to enter their names on those rolls in a continuingly recurrent stream? How can the relief rolls ever be reduced in number if we are to pile an ever-increasing load of new names upon them by methods such as I have referred to?

The CHAIRMAN. All time has expired. The Clerk will read.

The Clerk read as follows:

Division of Public Contracts: For personal services in the District of Columbia and elsewhere, in performing the duties imposed by the act entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes", approved June 30, 1936 (49 Stat. 2036), including supplies, stationery, printing and binding, telephone service, telegrams, furniture, office equipment, traveling expenses, contract stenographic reporting services, and other necessary expenses, fiscal year 1937, $50,000.

Mr. HEALEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HEALEY: On page 9, line 14, after the figures "1937", strike out "$50,000" and insert in lieu thereof "$100,000."

Mr. HEALEY. Mr. Chairman, the purpose of this appropriation is for the administration and enforcement of the so-called Walsh-Healey public contracts bill.

For the benefit of many of the new Members who do not know just what that bill provided I will outline some of the salient points of that particular bill at this moment.

The bill provides that in Government contracts in excess of $10,000, first, the stipulations will require that the contractor is a regular dealer in or manufacturer of the supplies to be contracted for.

Second, that all persons employed by the contractor in the manufacture or furnishing of the supplies, and so forth, will be paid, without subsequent deduction or rebate of any amount, not less than the minimum wages as determined by the Secretary of Labor and pay the prevailing minimum wages for persons employed on similar work or in particular or similar industries or groups of industries currently operating in the locality in which the materials, supplies, and so forth, are to be manufactured.

In other words, the Secretary of Labor shall predetermine what the minimum prevailing wage is to be in the locality where those supplies are to be manufactured. Not graded wages but the minimum wage, below which no one shall be employed.

Third, that no person employed by the contractor in the manufacture or furnishing of the materials, and so forth, shall be permitted to work in excess of 8 hours in 1 day or 40 hours in any 1 week, and that no male person under 16 years of age and no female person under 18 years of age nor any convict labor shall be permitted to work on these various contracts.

Lastly, that the contracts shall be performed in factories and plants that measure up to the State requirements of sanitary regulations, hazards, fire laws, and so forth.

There is in this bill a provision whereby the Secretary of Labor, in the event that public necessity requires it, may make exemptions and exceptions, so that if the public interest requires it or if any undue hardship is incurred in the performance of these contracts under the prescribed conditions, then an exception or exemption may be granted.

It seems to me that these are some of the objectives for which this administration has been striving. This is a constitutional way, on the public business of the Government, whereby we may require decent, reasonable working conditions, and where we may eliminate those abuses and antisocial practices which became so prevalent everywhere after the N. R. A. decision, particularly on Government contracts for supplies, because existing law requires that Government contracts be let to the lowest bidder.

Investigation by the committee that recommended this legislation disclosed the fact that the worst fringe of industry

was obtaining these Government contracts. Particularly was that so with respect to clothing equipment for the Army, the C. C. C., and other branches of our Government. And millions of dollars' worth of this type of contract is let by the Government yearly. We found that these contracts were going to the very worst types of labor exploiters and sweatshop operators.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. HEALEY] has expired.

Mr. HEALEY. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HEALEY. Mr. Chairman, only $50,000 has been allotted by this committee, although $100,000 was recommended by the Budget, for the proper enforcement and administration of this act in the next 5 months. That is $10,000 a month. The Secretary must of necessity establish boards to establish minimum wages and inquire into labor conditions throughout the length and breadth of this country. It seems to me that that is a niggardly amount and that if we invest the other $50,000 we might be able to provide some of the jobs we have been talking about today. We might be able to put to work in private industry some of the six or seven million people who are out of employment. Let the Government set an example. Let us carry out the desires and the will of our President, who said on the opening day of Congress that the hours in private industry, since the N. R. A. was declared unconstitutional, have increased over 20 percent, and that is the reason reemployment has not gone apace with the increasing prosperity that is being enjoyed by business and industry.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. WOODRUM. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the question of the merits or demerits of the law mentioned by the gentleman from Massachusetts [Mr. HEALEY], of course, is not in issue here today. That law has been passed and is upon the statute books. It is simply a question of the adequacy of the appropriation and the amount of money needed.

The testimony before our committee was that the Labor Department, in carrying out this Walsh-Healey bill in the 3 months it has been in operation, had used $2,700 and obligated $10,000, or about $12,000 in 3 months. They had remaining the balance of $40,000, which was originally appropriated, which gives them, together with the $50,000 we provide here, about $80,000 to operate in the next 5 months, which is probably twice as much as they will need.

There is no question of trying to cripple the enforcement of this law at all, but they are abundantly provided for. The committee has gone into it carefully. Many members on the committee voted for the bill and are in sympathy with its provisions. They have nearly $30,000 of the original amount appropriated, which, plus the $50,000 included in this bill, gives them $80,000.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. HEALEY. Is it not a fact they have had to carry on this work with borrowed personnel up to the present time?

Mr. WOODRUM. They have, perhaps, had to take some people from one section of the Labor Department to use in another section, and the Committee on Appropriations wants to encourage that. We find, Mr. Chairman, in going into these appropriations, that every time you provide for a department to write another letter you have got to give them another stenographer instead of their taking one from another office which, perhaps, is not quite so busy.

There is plenty of personnel and plenty of money to finance the bill. If Congress, of course, out of bigness of heart, wants to dump some more in for good measure, there is no way in which the Committee on Appropriations can stop it; but we feel that the undertaking has been adequately financed. Should anything develop in the future to show that it is not, we will be here, I am afraid, for a few months yet to meet their needs should they arise.

Mr. CITRON. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. CITRON. What was the reason that the recommendation of the Budget for $100,000 was cut by the committee to $50,000?

Mr. WOODRUM. The Committee on Appropriations, of course, can hardly know what motivated the Budget Bureau in its recommendation of $100,000. We have no way of knowing what caused them to do that, but we went into it very carefully with the Department of Labor and their representatives; and we feel we have adequately provided for this work.

Mr. CONNERY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I dislike to take the time of the House, but it seems that this afternoon practically everything has been connected with labor, and, as the chairman of the Committee on Labor, I feel it part of my duty to take the floor; and I hope the Members will see my point of view.

The Walsh-Healey bill, as so well stated by the distinguished gentleman from New York [Mr. WADSWORTH] in opposing it in the last session of Congress affects industry. The gentleman from New York said it would affect nine-tenths of the industries of the United States. Answering him then I said that I hoped mightily it would, because it would force decent wages, decent hours, and decent conditions into the industries of the United States.

Now, my dear friend, the gentleman from Virginia, said he did not know why the Bureau of the Budget recommended $100,000, although the Appropriations Committee cut it to $50,000. I may say to my colleague that any time the Budget Director recommends an amount he considers that the minimum amount which should go to the particular activity, because the Bureau of the Budget is never very generous in asking the Appropriations Committee for money.

The gentleman from Massachusetts [Mr. HEALEY] told us they needed $100,000 to enforce this law properly. The manufacturers have attempted to chisel in on it. They have been asking exemptions on the ages of female employees in the textile industry, cutting the age limit down from 18 to 16, and they have asked for various other exemptions, against all of which I have protested vigorously. They obtained these exemptions and put girls to work at 16 years of age.

In order properly to enforce this law administrators will have to be appointed, boards will have to be formed in these next 5 months in order to police industry to see that they observe the law, that they work their employees not more than 40 hours a week, and that they keep up to the minimum wage scales as set by the Secretary of Labor. Most certainly they need $100,000, and perhaps this much will not be enough. I ask my friend the gentleman from Massachusetts [Mr. HEALEY] why he, with his great knowledge of the workings of the law, thinks we need the additional $50,000?

Mr. HEALEY. The gentleman from Massachusetts has pretty well covered it himself. We need it in order properly to enforce this law. This seems to me to be a very small amount of money for the purpose, because the enforcement will require the passing on contracts involving over $400,000,000. One hundred thousand dollars is a very small amount with which to establish a personnel to be charged with the duty of properly enforcing this law. Certainly they ought to have this amount when so much money is involved in the contracts.

Mr. CONNERY. Some of these big industries have fought this law tooth and nail and would like to see Congress give only $50,000. As a matter of fact, they would like to see the law repealed, because they want to work their employees longer than 40 hours a week and pay them less than a decent wage. That would be the result, would it not, if the law were not enforced?

Mr. HEALEY. Absolutely.

Mr. CONNERY. Mr. Chairman, I hope the amendment of my colleague [Mr. HEALEY] is adopted.

Mr. BUCHANAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. TABER. Mr. Chairman, will the gentleman yield for one question?

Mr. BUCHANAN. I yield.

Mr. TABER. The hearings disclose that this estimate contemplates 82 people. The average rate of pay of Government employees is about $2,000. At this rate the $76,000 still available would take care of these 82 people throughout the balance of the fiscal year.

Mr. BUCHANAN. That is true, and is one of the reasons that prompted our reduction of this estimate.

Mr. Chairman, there is nothing so sacred about a Budget estimate that we should not cut it. We act as a result of our own investigations. One of these gentlemen certainly knows that from the length of his service, and the other gentlemen will learn that after he has served a longer time.

There was a reason for cutting this estimate from $100,000 to $50,000. This law went into effect in September, having been passed at the last session of the Congress. There has never been an appropriation by the Congress to enforce it, so the President allotted $40,000 in September. Three months have elapsed and the Department has had $40,000. They have used only $13,000. That is, they have spent only $2,600 and have obligated $10,500. Three months have gone by and there is left 5 months to take care of this unobligated balance of $27,000, and the additional $50,000, making $77,000 in all.

Mr. HEALEY. Will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from Massachusetts.

Mr. HEALEY. The reason they have not spent that money is because they have never had any appropriation whatsoever.

Mr. BUCHANAN. They have had an allotment of $40,000.

Mr. HEALEY. They had no appropriation and, therefore, they did not care to obligate themselves until they were sure of having an appropriation which would properly give them the opportunity to establish a decent agency with which to enforce this act.

Mr. BUCHANAN. The Labor Department nor any other department of the Government has never been modest about obligating and spending. They had this $40,000 and had the right to obligate that amount. They used only $2,600 and have obligated themselves for an additional $10,500.

What is the result? Do you want these new activities to build up a big personnel organization? Shall we give them $127,000 for 5 months in order to create a big force? Or do you want them to take time to investigate and get competent men to perform these duties? May I say that these are very serious duties. They send out men to investigate manufactories, to determine whether or not they are sanitary and to investigate hours of work and other conditions. They determine what the prevailing wage is and then report back to the Labor Department. The Labor Department fixes the prevailing rate of wage, and no manufacturer who pays below that wage can bid on a Government contract.

Let me give you just one example. The Government advertised for bids on a large amount of copper which was needed for the national defense. The copper manufacturers could not bid because of the Healey-Walsh law. They said they had to work the labor and labor wanted to work, but they could not comply and they could not put in a bid; therefore the Government could not get the copper under competitive bidding and had to buy its immediate requirements in the open market.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. HEALEY].

The question was taken; and on a division (demanded by Mr. HEALEY) there were—ayes 53, noes 123.

So the amendment was rejected.

The Clerk read as follows:

Contract Air Mail Service: For an additional amount for the inland transportation of mail by aircraft, etc., including the same objects specified under this head in the Post Office Department Appropriation Acts for the following fiscal years, respectively:

For 1936, $100,000;

For 1937, $984,000.

Mr. BURDICK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I hope no one will object to my taking part in the deliberations of this Committee of the Whole House, because it is the only chance I have to serve the people of my district, and I would not say anything at this time except that the party to which I belong has been very much maligned this afternoon.

Much fault has been found with the Republican Party. I want to rise in defense of the theories of the new Republican Party, the Progressive Republican Party. We are in harmony with most of the provisions of this bill, but I want to point out to the Congress of the United States that the Progressive Republicans of this Nation recognize the unemployment problem is a national one. I notice that the gentleman from New York [Mr. TABER] and the gentleman from Virginia [Mr. WOODRUM], according to the committee reports, seem to want to bring the Federal Government's interest in unemployment to an end.

Mr. Chairman, here is what Mr. Hopkins said, and this is the philosophy to which we subscribe:

> It is my opinion that in America today we have arrived at a social point of view that never again will the Government permit large numbers of people to go without any share of the national income.

He stated further:

> In my belief, the unemployment program is a national program.
> Mr. WOODRUM. Do you not agree that ultimately we should get the Federal Government out of the picture if we can?
> Mr. HOPKINS. No, sir; not out of the unemployment program.

Today, instead of having six or seven million people out of employment, why do you not tell the truth? We have 9,000,000 people out of employment. If the manufacturing concerns and business of this country returned to the normal position they occupied in 1929, they could not absorb over 2,000,000 of the 9,000,000 people who are out of a job. The gentlemen in charge of the bill today says the President has the money. They say Mr. Hopkins has the money. Well, we are not getting it in North Dakota, and that is the reason I supported these various amendments.

The people in North Dakota are getting, during the winter months, $18 per family; and they cannot buy coal for less than $12 per month. So if you have the money, I may say to the gentlemen at the table over there, why not see that it is distributed and let us have a chance to live according to a decent standard?

I believe people in this country are starving. I read in the papers of this city that within 30-minutes ride of the Capitol, down here in Virginia, people are underfed, not properly housed, and underclothed.

May I say to the Members of the Committee, we need all the money possible to carry on this program, and to carry on the program on a national scale, because the problem will always be with us and there will always be people out of employment under our present economic program. The problem will be right back here again next year.

During President Harding's administration we were alarmed because there were 3,000,000 unemployed, while the normal for the preceding 10 years, exclusive of war years, had been only one and one-half million. President Harding appointed a special committee to study this alarming situation. Every city and town made extra efforts to supply jobs, but the condition grew worse. It was very acute when President Roosevelt came to the White House. We have appropriated billions for the purpose of supplying jobs, but here we are with the unemployed still here. In my judgment, the number will increase unless we adjust our economic structure.

We have no unsettled West or South or North which for a century absorbed our population who could not hold out under the prevailing economic system. Those who lost out in the East took the trail for the West. The emigrant was

followed by railroads and other business enterprises. The virgin soil was broken up, towns thrived, institutions grew, and the economic defeat which these pioneers had suffered in the East were forgotten in the opportunities of the golden West. Today there is no West nor South nor North where the pioneer can locate a new home. We have come to the end of the trail. We cannot go on; we must stay where we are and face the situation as it is. The situation is that our farmers are tenants, our people in the cities are renters, and 9,000,000 are out of a job and actually public charges.

Who is going to feed these people? Who is going to clothe them? Who is going to house them? The answer is that the Government of the United States is going to do it, and it is going to do it by taxing those who have in the past taken too much for the use of their capital and have not left enough for labor. The Government is going to do it because those in control of the Government now, and those who will control it in the future, admit that people have a right to live in a land of plenty under a decent standard of living.

Those reactionaries who think business as now organized can furnish employment for the millions out of work, and who want the Federal Government to withdraw from the relief field, do not understand the temper of the American people. Those holding this view are living in the past; the old Republican Party is an institution of the past. Unless it is totally revamped with new, progressive thought and philosophy it never will be returned to power. As long as the Democratic Party remains a progressive party it will not be defeated. The conclusion must be formed, however, that it will be defeated. It will cease to be progressive. Its leadership will become reactionary; its leadership will fail to lead. Then a more progressive party will step forward to become the agent of the majority of the people. For the people of the United States to turn back and follow the old Republican Party of reaction is absurd and unthinkable. The Republican Party can be made a great, progressive force in the Nation, but those who now control its destiny are too set in their views to permit this change. Those who control it are to be pitied, because they do not understand that they have been discredited, discarded, and humiliated. Those who try to resuscitate it with new life are punished with demotion in committees, the usual and old-time method of punishment. Some day in this Republican Party will appear enough men who cannot be threatened and scared to get control of the party machinery and turn it over to the people.

The chairman of the Committee on Appropriations has said in this debate that if subsequent facts warrant it, we will appropriate more for relief purposes. I accept that promise and rely upon it. I know we shall need more money, and still more money, for nothing short of a redistribution of wealth in this Nation can settle the unemployment situation. Shorter hours of labor, the elimination of children and people over the age of 60 from the work rolls, a far-reaching social security act, a monetary system controlled by the people themselves, will prevent further wealth concentration and eventually bring economic recovery. If we have the vision to do this our democracy will continue. If we shut our eyes to these obvious facts the greatest democracy in the world will be destroyed.

[Here the gavel fell.]

Mr. MARTIN of Colorado. Mr. Chairman, I rise in opposition to the pro-forma amendment.

Mr. Chairman, a statement was made in debate this afternoon in connection with this bill by one of the minority leaders that I do not think should be permitted to go uncontradicted. The statement was that the President of the United States, upon the inauguration of the W. P. A. program, proposed to take care of all the unemployed workers of this country and that an appropriation of such magnitude as this, and the continuing presence of a great army of unemployed, is proof of the failure of his program.

I recall distinctly—and I believe many other Members here will recall—that when the W. P. A. was inaugurated, I think it was under the $4,880,000,000 bill, the announced objective of the President and the W. P. A. Administrator was to take care of only three and one-half million workers, when it was well known at that time there were at least 10,000,000 unemployed workers in this country. I do not think the number of employed has ever quite approximated 3,500,000. I know the number has not exceeded that figure and they have had to include the C. C. C. camps to make up the 3,500,000 people.

This statement of the gentleman on the other side of the aisle is one of the difficulties we are up against and we have been up against it under this program all the time. I know the view is quite prevalent and very widespread that it was proposed to put every unemployed man and woman in this country, who could not get a job, to work under this program. It was not proposed to put more than one-third of them to work to help relieve unemployment to that extent and stimulate business and, perhaps, lead private industry to undertake to absorb the rest. Private industry has not undertaken to do this. I have not time to go into that proposition now and I am not going to attempt to do so. I simply wish to point out that it is most unfair, and not only unfair but untrue, to point to this appropriation bill as proof of the failure of a program that the President employ 10,000,000 men and women in this country when his announced objective was only 3,500,000 people, and as proof of the failure of his program generally.

Mr. Chairman, what this country appears to need is a national disasters department. If the President's reorganization plan is carried out, there will be 12 departments, and the national disasters department would have an appropriate and lucky number, no. 13. Ever since I have been down here this last time one-half of the country has been blowing away and the other half washing away. The famous Dust Bowl, which is in my district, has not raised a crop in 5 years, due to drought, while enough water is going to waste in the Ohio River in 10 days to irrigate the State of Colorado for 10 years.

Two years ago a Member from the wet belt proposed to me that we pool issues on a mud-dust bill to see if we could not effect a merger. Department no. 13 could handle such a program. There would be plenty of other disasters to keep it busy—earthquakes, tidal waves, cyclones, forest fires, influenza, grasshoppers, boll weevil, foot-and-mouth disease—lots of things. We really seem to be involved in a cycle of disasters growing in magnitude and number, and the country would seem to be confronted with a permanent emergency. The situation inclines me to an application of the philosophy of Mr. Flannery, the railway freight agent, in Pigs Is Pigs, that when there are two rates applicable to the same commodity the larger of the rates shall govern; which means that when there are two different sums proposed to meet the same situation I incline to the larger appropriation.

There is some basis in recent experience to justify this rule. When Congress adjourned last June the prospects were for the first normal crop in several years out in what is properly called the bread basket of the Nation, the agricultural States of the Midwest and the West. Instead there was another drought almost equaling the drought of 1934, the major drought in the history of this country, and worse than 1934 in that it still further lowered the morale and resistance of the people. When I had returned to my home State from Washington to find it, and the West generally, curling up under another great drought, my heart really sank for the administration here in Washington. I wondered how they would have the heart, in the teeth of a national campaign, to pull themselves together and meet such a situation. It just seemed too much. It seemed that disaster beyond the control of man had put its blight on the national administration. But they met the issue, and met it successfully. Why? Because the administration had available the national machinery of all the agencies of recovery and relief covering every State, every county and city, with a network of relief agencies reaching from Washington to the remotest nook and corner in the land. And I want to say now that had it not been for the relief measures set up in 1933 and 1934, set up by the Seventy-third Congress and in operation when the drought of 1934 broke, not only

the cattle but the people would have starved by the tens of thousands in the drought area. No agencies could have been devised and set in operation in time to cope with a disaster of such proportions. They could not have gotten the people out and they could not have gotten the supplies in. It was a gigantic task even with the necessary agencies already set up and in operation.

Mr. Chairman, 2 weeks ago the national skies were clear. Today the great heart of this Nation has suffered untold damage through the visitation of the major flood in American history. Everything seems to be major in the way of a disaster. We have had a depression that exceeds the sum of all other depressions combined. Droughts such as that of 1934 are usually not repeated oftener than 25 or 30 years. We have repeated in 2 years. Now in 1 year we have repeated and broken the major flood record of the United States. And on top of it all the country has the "flu."

Mr. Chairman, I am human enough to admit that I get a certain amount of satisfaction out of the calls being sent out everywhere from the flood area to the much abused W. P. A. Send us all the workers you have got, they cry. It may be true, as the papers now complain, that action has not yet been gotten under the national flood bill passed by the last session of Congress, but W. P. A. has clicked. Some observers and critics point out and dwell only on its mistakes and defects. They are like a man watching a ball game through a dime-sized knothole in a fence and all he can see is one player, who happens to be a bum player, so the whole game is rotten. I drive over vast areas in this country and I have gotten so when I drive through the smaller towns I can tell a W. P. A. project from the rest of it. It is the best looking little building in town and the streets are paved and they have sewer systems and water systems and attractive new school buildings and public buildings, and many other needed things. I have been astonished at what can be accomplished by a few billion dollars spread out on the ground among the people who need it, instead of handing it over to the big fellows to lock safely away.

The able chairman of the Appropriations Committee has given us the cost of the recovery program charged to work and relief, from the inauguration of President Roosevelt until the close of the fiscal year 1937, as approximately $15,000,000,000. Of this amount, he estimates something like $4,000,000,000 as recoverable loans, leaving an expenditure of about $11,000,000,000 recoverable only in the benefits conferred upon the people and the economic life of this country. Let us concede that these $11,000,000,000, which have been added to the public debt, must be charged off the books of the National Treasury. In the last Congress and in the recent national campaign and now in this Congress, the minority point only to this increase in the national debt. They look only at one side, the debit side, of the public ledger.

Mr. Chairman, let us look for a moment at the credit side of the ledger and see what we find. The first thing we find is that the national income for 1936 is estimated at $60,000,000,000, which is $22,000,000,000 over the national income of 1932, when it had fallen from a high of eighty billion to the low of thirty-eight billion, an increase of national income in 1 year just double the total cost of the whole work and relief program of the administration, when we exclude the recoverable assets. The cost of work and relief for the fiscal year ending June 30 next will be but a little over $3,000,000,000, or less than one-seventh of the yearly increase in national income.

But that is not all. During the period we have been spending $11,000,000,000 on work and relief, the value of the stocks and bonds of the corporations of this country have increased more than $30,000,000,000—perhaps $40,000,000,000. All of the great and sounder industrials have gone back to par and above par. Their dividends have gone back to par, their business has gone back to par. So far as big business is concerned, the depression is over and happy days are here again.

Nor is that all on the credit side of the ledger. Notwithstanding what has been said about foreclosures of homes and foreclosures of farms, which are not 10 percent of what would have been foreclosed had it not been for Government aid, farm values and real-estate values in this country have gone up billions of dollars. It has been said in debate that there are fifty-one billions of idle money in the banks of this country. Well, that is sixteen billion more than was in them on March 4, 1933; and, furthermore, that fifty-one billion is safe. I doubt if it is much of an exaggeration to say that the total of all forms of wealth in this country, while this $11,000,000,000 was being expended, has increased $80,000,000,000. So there is a big showing on the credit side of the ledger that we are not going bankrupt, and that, so far as business is concerned, the depression is over.

But it is not over for millions of workers in this country, and it never will be over. They are not needed. They will never again be absorbed into the industrial life of the Nation unless we can devise new ways and means to absorb them. That is another story. I will not go into that now. I have known for a long time that the return of prosperity would not absorb unemployment. It was not absorbed before the depression. It will be absorbed still less after the depression. The productive capacity of labor has increased 10 percent per man during the depression. The machine is progressing. We can have prosperity for 80 percent of the people and then feed the other 20 percent in enforced idleness. It will be better for them and for the country to have them earn this money in the sweat of their brows, and I am for that proposition, no matter how big the appropriation has to be.

Mr. Hopkins has been quoted as saying that after all has been done that can be done by the Government to restore employment there will still remain six to seven million unemployed workers in this country, and this statement of Mr. Hopkins is criticized as a shameful confession and an admission of failure. Well, that depends on your viewpoint, and it is my viewpoint that Mr. Hopkins is simply facing and admitting the facts which will have to be faced and admitted by the people of this country, regardless of party, if they are ever to find a solution of by far the greatest problem confronting them—the problem of permanent, large-scale unemployment in industry and of surplus production in agriculture. If Mr. Hopkins has not furnished a solution, he should at least be credited with a vision of what we are up against. I know that he feels that Public Works must be a permanent policy in this country, and I am throwing in with him on that. I shall be only too happy if private industry shows that we are wrong.

Coming to the figures carried in the pending bill, the total for both W. P. A. and Resettlement, $790,000,000, the amount is gratifying as compared with first published reports as to what the President would recommend, which was $500,000,000 for work relief for the remainder of the fiscal year ending June 30. It was also reported that the Works Progress Administrator wanted $750,000,000, and there was newspaper comment on an apparent difference between the President and the Administrator. Then came the President's recommendation of $790,000,000. In a break-down of this total $650,000,000 will be allotted to Works Progress and $80,000,000 to Resettlement and the remainder to some other purposes. Six hundred and fifty million dollars to Works Progress would mean $130,000,000 a month for the 5 months. I think, to carry the load in need of employment, after making allowance for 250,000 farm cases shifted to the Resettlement Administration in December, would require at least $150,000,000 a month, or the $750,000,000 estimated as necessary by the Works Progress Administrator. I doubt whether the President would feel greatly hurt if the bill when it came to him carried an additional $100,000,000. I feel disposed to vote for at least that additional amount. I recognize the necessity for curtailment in the expenditures for work and relief, as conditions permit, but the process ought to be gradual, case by case, as the need may be found to have disappeared, and not by arbitrary large-scale displacements. The income of this country can carry 3,000,000 public workers indefinitely if necessary and carry them with

much better results, both to the people themselves who are involved and the business of the country, than to put them on a dole or throw them out into the world.

These 250,000 farm cases have been put on a dole. It has been officially designated as a bare subsistence. It is certainly bare. It is about one-third less than they were receiving under F. E. R. A. I have sample budgets in my file to prove this. A family of a half dozen people given subsistence grants of around $20 a month. If there is to be any concerted action taken by Members of Congress representing the area in which these 250,000 farm families live, and I understand there will be, I want the question of the amount of these subsistence grants to receive equal consideration with the question of work for these farmers. They have the same right to work as the urban population, but if they are not so situated that work is practicable, then they should receive comparable relief.

Without any thought of criticism of the administration, with, indeed, a feeling of appreciation of the amount recommended, I shall feel free to vote for some reasonable increase. But if we do not get it, I shall not feel that all is lost or that the people are to be permitted to suffer. If there was any doubt on that point, it should be dispelled forever by the fact that the President, in his second inaugural, when his last race had been made and won, when he had no personal future stake in national elections, stressed above all things, the lot of the unemployed and the underprivileged and pledged himself to do everything in his power to remedy the situation. Furthermore, Congress will probably still be in session at a time when it will not be a question of dispute whether the sum appropriated is sufficient, and when further action may be taken by the Congress.

Mr. BUCHANAN. Mr. Chairman, I ask unanimous consent that all Members who have spoken on this bill may have permission to revise and extend their own remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read as follows:

Payments to Federal land banks on account of reductions in interest rate on mortgages: For an additional amount for payments to each Federal land bank of such amount as the Land Bank Commissioner certifies to the Secretary of the Treasury is equal to the amount by which interest payments on mortgages held by such bank have been reduced during the fiscal year beginning July 1, 1936, in accordance with the provisions of paragraph "Twelfth" of section 12 of the Federal Farm Loan Act, as amended, to supplement the amount made available for this purpose for the fiscal year 1937 in one fund by the "First Deficiency Appropriation Act, fiscal year 1936", $6,000,000.

Mr. GILCHRIST. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GILCHRIST: Page 11, line 9, after "1936", strike out "$6,000,000" and insert "$5,999,999."

Mr. GILCHRIST. Mr. Chairman, the amendment is a technical one to afford me a chance to say a word about the language which refers to land-bank mortgages and the interest which farmers pay upon them.

The report in connection with this paragraph says that the appropriation is proposed as a measure of relief. This is not a correct statement, because it is a matter of right and not of relief. The Government equitably owes it to the farmers to make farm land-bank mortgages bear a rate of interest not in excess of 3½ percent. Last year at the time of the adjournment I pointed out that at that time the Government itself issued farm mortgage corporation bonds. Uncle Sam himself did this and he did it at a very cheap rate of interest—1½ percent and 2 percent, and never above 3 percent. Then he takes this money and invests it in the consolidated Federal land-bank bonds, which at that time bore as high as 4 percent. By virtue of this spread in the interest which Uncle Sam paid and the interest which he received from the consolidated Federal land-bank bonds, Uncle Sam made enormous profits.

In June of last year these profits amounted to $23,393,639. This money was taken from the farmers who were paying this interest. When we who are trying to keep down farm interest rates propose in Federal land-bank mortgages that the farmers should have the money at three and a half percent, we are simply proposing a thing that is just and righteous, and not a thing that is a matter of relief at all, because the Government was exploiting the farmers and had made an enormous profit out of these transactions, amounting to the sum I have referred to, or about twenty-three and one-third million dollars. Interest rate at 3½ percent to farmers on Federal land-bank mortgages can go on, and should go on, without costing the Government one penny, because the Government is making this money out of the transactions which I have spoken of. At that time there was a bill before us which was finally passed on the last day of Congress, but it extended this 3½-percent interest to July 1, 1937, only. There is now before us another bill extending the time for another year, and I am saying to the Members here that the proposition involved is not one of relief, it is not one of gift, but it is one of right; and with these remarks I ask unanimous consent to extend my remarks and to withdraw the amendment, hoping that justice will be done when the proper time comes. I will here read a paragraph from my remarks last June, as follows:

I repeat that the Government acquires bonds of the Federal land banks which are secured by the farmer's mortgage and which are known as consolidated Federal land-bank bonds. These bonds draw interest as high as 4 percent and even more, and this high interest rate is paid to the Government. Then it turns around and, under the name of the Federal Farm Mortgage Corporation—which is really Uncle Sam—floats huge sums which bear interest at rates running from 1½ percent to 3 percent. There it is making a profit in no case less than 1 percent and in many cases more than 1 percent on these Farm Mortgage Corporation bonds, amounting in the aggregate on principal sum to more than three-quarters of a billion dollars. Now, I submit that the Government has no right to exploit the farmers in such a way and that we must remedy the faults of this unjust practice. We did something toward a remedy last year, and we are now giving some help for next year. But the basic facts remain: Uncle Sam does not treat others like this and he must not be allowed to treat farmers like this.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The amendment was withdrawn.

The Clerk read as follows:

(b) For the payment of judgments, including costs of suits, rendered against the Government of the United States by United States district courts under the provisions of an act entitled "An act authorizing suits against the United States in admiralty for damages caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (U. S. C., title 46, secs. 781–789), certified to the Seventy-fifth Congress in House Document No. 117, under the following departments, namely:

Navy Department, $6,013.83;
Treasury Department, $11,468.70;
War Department, $6,656.64;
In all, $24,139.17.

Mr. BUCHANAN. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Page 16, after line 3, insert "together with such additional sums as may be necessary to pay interest as specified in such judgments as provided by law."

The amendment was agreed to.

The Clerk read as follows:

For party expenses, Coast and Geodetic Survey, $200.

Mr. BUCHANAN. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Page 18, line 11, strike out the word "party" and insert the word "surveying."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 10. This act may be cited as the First Deficiency Appropriation Act, fiscal year 1937.

Mr. MAVERICK. Mr. Chairman, I know that everybody is in a hurry to get away. But I want to call attention to the legislation we are considering. In the first place, we waived all points of order, but this in violation of ordinary prin-

ciples of democratic legislation. We enact much legislation that we would not have enacted except that we waive all our rights in advance. I do not know what has happened to the minority; perhaps they are not in good health. I do not know what is the matter with the leader of the minority.

Mr. SNELL. Will the gentleman yield?

Mr. MAVERICK. I yield to my distinguished friend the minority leader. I trust his health is not bad?

Mr. SNELL. The gentleman had a right to object when it was asked to waive all points of order.

Mr. MAVERICK. I agree.

Mr. SNELL. Why did you not do it? Why find fault with other people? [Laughter.]

Mr. MAVERICK. The gentleman says I am finding fault. Hereafter, when it is necessary to do the duty of the minority, I will do it because I know the Republicans will not. [Laughter]. Really, it is a serious matter to vote away legislative rights.

We have other serious questions facing us; we have the subject of the Constitution and the power of the Supreme Court to consider; and what are we doing?

What would we do if all this legislation we are passing—social security, old-age pensions—after we run along here 3 or 4 or 5 months should suddenly be knocked out by the Supreme Court? All we could do would be to turn our tails and go back to the people and say, "We cannot do anything, the Supreme Court has knocked it all out." That is what we are doing. We are not facing the issue of the Supreme Court, or even talking about it, and all the gentlemen on the other side do is to sit over there and sort of smile.

Mr. SNELL. Mr. Chairman, I make the point of order that the gentleman is not talking to his amendment.

The CHAIRMAN. The point of order is sustained.

Mr. SNELL. I propose to do my duty now. [Laughter.]

The CHAIRMAN. The Chair sustains the point of order and the gentleman will proceed in order.

Mr. MAVERICK. Mr. Chairman, the last part of section 10 says "546." I must confine myself to the subject matter. The technical subject matter is "546." Now, Mr. Chairman, the Republicans have made 546 mistakes up to this time, and, to proceed, we are not facing whatever issues we have, even the issue of this very bill. We are not doing it in any way whatsoever, but we are sitting here and blindly voting, and what the Republicans say about us, that we just vote what a committee brings before us, is right.

The chairman of the Appropriations Committee, Mr. BUCHANAN, said the Budget is not sacred. A lot of other things are not sacred. What are we doing? The most that we are doing is letting an agency tell a committee what we ought to do, then we shut our eyes, vote, and then maybe the Supreme Court will knock it out.

Mr. Chairman, we are not exercising or even discussing the necessary powers of Congress. We do not seem to be very proud of what we are doing, and I would say that what we ought to do is to face problems we have to face. I am going to keep on saying it because we can stay here for several more months and then have the Supreme Court declare everything unconstitutional; then we will go home and will have accomplished nothing. Let us not build a house of cards. Let us face the issue.

Mr. MOTT. Mr. Chairman, I rise in opposition to the pro-forma amendment in order to comment briefly upon the remarks of the gentleman from Texas [Mr. MAVERICK]. So far as his observation on the Republican attitude upon this bill is concerned, the gentleman is probably right, but I want to suggest to him that in the circumstances Republican Members of Congress cannot possibly take a different attitude.

This is a deficiency appropriation bill, the principal item of which is $790,000,000 for relief for people who are without jobs and who cannot get jobs. I am going to support the bill and I venture to say that practically every Republican here will support it. Why? Simply because we know that it is necessary under the circumstances to vote this money in order to keep about two million and a half people from starving.

So much for the Republican attitude on this bill. Now, sir, the point I make is this: The fact that after 4 years of unhampered New Deal control it is still necessary at this time for the Federal Government to spend $790,000,000 to keep the unemployed from starving during the next 5 months—which is at the rate of $2,000,000,000 per year—is one of the most effective indictments that could possibly be drawn against the present administration.

Mr. McCLELLAN. Mr. Chairman, will the gentleman yield?

Mr. MOTT. I would rather finish my statement first. I think the serious attention of the Congress and the country should be called at this time to the fact that these continuing appropriations for relief have for the past 2 years been the only weapon used by the administration to attack the problem of unemployment, and that this administration has no program whatever at the present time for a permanent solution either of the unemployment problem or of any of the major problems which confront the country now or which confronted it when the majority party came into power. The only part of their original reemployment or recovery program that is even left on the statute books today is the spending part of it.

Mr. MAVERICK. Mr. Chairman, will the gentleman yield?

Mr. MOTT. I trust the gentleman will withhold until I finish my statement. We all know what the major problems were which confronted the country when the present administration came into power. They were precisely the same then as they are now.

Those major problems were, first, the problem of industrial recovery; the solution of which, by common agreement, lay in the finding of a method by which the millions of men then out of work could be restored to permanent employment in private industry; and, second, the problem of farm solvency and the future destiny of agriculture. There were other very important issues, of course, but in comparison with the two main problems I have mentioned the others were minor issues and were so regarded by the people generally. Had those two problems been solved, recovery would have been accomplished.

Now, what has the Roosevelt administration done about solving these main problems?

The Roosevelt approach to a solution to the first of these problems was the N. R. A. That, admittedly, is all of the legislation ever offered by the administration directly on the subject of unemployment in private industry. I am not concerned here with the argument whether the N. R. A. would have worked or not had it been constitutional. I simply call your attention to the fact that although that law has been invalidated by action of the Supreme Court for nearly 2 years the administration has not to this day even so much as hinted that it has, or that it intends to have, any legislation whatever to replace it, and, of course, it has none. That problem is right where it was on March 4, 1933.

The attempted New Deal solution of the other major problem, the farm problem, was the A. A. A. That law embraced its entire legislative program upon that subject. Again, without arguing here how far the Triple A may or may not have gone in the direction of helping the farm situation had it been constitutional, the fact remains that the Supreme Court has plainly said that the object and purpose of the Triple A—namely, the Federal control and curtailment of agricultural production, either by outright compulsion or monetary inducement, in order to carry out the Wallace theory of agriculture scarcity—is forbidden by the Constitution; and the Supreme Court having so declared, the Roosevelt administration quit the farm problem cold. Just as it did the unemployment problem after the N. R. A. decision. And the farmer, after 3 years of "the more abundant life", is just where he was when the New Deal came into power. Moreover, for the first time in our history, farm families have been obliged to go on relief, and thousands of them are on relief now.

From the day of his first inauguration right down to the present moment the President has had an absolutely free rein, together with all the money he has ever asked for, in

solving all of the problems of the Nation in his own way. His prepledged 3-to-1 majority in Congress has not only passed every bill he has told them to, but, with a very few exceptions, they have refused even to consider any proposal that did not come from the White House.

And what has been the result? So far as any permanent solution is concerned, the net result of it all is that after 3 years of experimentation on national problems we are right back where we started. We still have 10,000,000 people out of work in private industry. We still have other millions on relief or on Government-made work. We still have, to a frightful degree, an insolvent farm population, without buying power. According to the President's statement in his inaugural address nearly one-third of our whole population have not enough to eat, and their standard of living is below that required to maintain the common comforts and decencies of life. And further than that, after spending more than $30,000,000,000 in the last 4 years the Roosevelt administration finds itself today not only without any comprehensive existing law for the permanent solution of these problems but even without any announced plan or program for their future solution. The only permanent program that has been evolved by this administration is the program of continued Government spending.

And it is because the administration has no other program, it is because it has failed utterly to solve the unemployment problem, and it is because the administration refuses to give consideration to any legislation except that of their own making, that it is necessary for us to support this measure. We will not let people starve, and since the pending bill is the only method to prevent them from starvation that the administration majority in Congress will permit us to consider, obviously we will vote for it. I dare say upon final passage there will not be a single Republican vote against it. In the very circumstances there could not be.

And that, Mr. Chairman, explains, I think, the Republican attitude on this bill, and that also, I think, answers the inquiry upon that point made by the gentleman from Texas a few moments ago.

Mr. Chairman, I think it is high time for Congress and the country to take stock of what this administration is doing. It is high time for them to stop and ask what, if anything, is now the administration's program. I think that this administration ought now to tell the people of the country, frankly, what kind of a program it has in mind to solve the unemployment problem. It ought to tell them whether it intends to offer legislation that will help to restore them to work in private industry or whether its only idea upon this subject is to continue indefinitely, year after year, to appropriate money for relief as we are doing at the present time.

If the administration has a plan, if it has a legislative program for the solution of any of our major problems, particularly unemployment, it ought to say so, and it ought immediately to offer that program. I repeat that, with the exception of those proposals which the Supreme Court has declared to be unconstitutional, no legislative program for recovery has been offered.

The people, in my opinion, patient as they are and generous to this administration as they have been, are not inclined longer to tolerate evasion and delay. They are entitled to real action, not subterfuge, and they are entitled to it now. [Applause.]

Mr. BUCHANAN. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. McCORMACK, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 3587, the deficiency appropriation bill, directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. BUCHANAN. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

CALENDAR WEDNESDAY

Mr. RAYBURN. Mr. Speaker, I desire to propound a unanimous-consent request at this time.

My understanding is, and I think it is correct, that on the calendar we have only three bills. One, as I understand, will be considered under a special rule on Thursday. The other two are District bills which the committee desires to bring up on District day.

Therefore, I ask unanimous consent that business in order on Calendar Wednesday, tomorrow, may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. WHITE of Idaho. Reserving the right to object, Mr. Speaker, I happen to be chairman of a committee, and we have had our difficulties in getting our bills reported out of the committee, through the Rules Committee, and I am constrained to inform the leader of this House that I am not going to sit here and permit any request to suspend Calendar Wednesday during this session.

Mr. RAYBURN. Let me say to the gentleman before he objects that he may have a different view of it after he hears what I have to say. If the calendar is called tomorrow the first committee we will reach that will have a bill will be committee no. 31. The next time we call the calendar we will start at no. 32, and every committee above no. 31 will have to wait until every other committee is called. The gentleman's committee might get caught in that. I am trying to protect the committees of the House by making this request for tomorrow.

Mr. WHITE of Idaho. I wish to ask the majority leader if it is going to be the policy of the leadership to suspend Calendar Wednesday during this session.

Mr. RAYBURN. It is not.

Mr. WHITE of Idaho. If that is not to be the policy and any advantage can be obtained by suspending Calendar Wednesday this time, I will not object; but I serve notice now that I am not going to sit here and permit a unanimous-consent request to go through to suspend Calendar Wednesday, and you might as well know it.

Mr. RAYBURN. I know that.

Mr. BOILEAU. Mr. Speaker, reserving the right to object, this is such an unusual time to ask for this unanimous consent that I do not understand the purpose of it. I have on the Clerk's desk a motion to recommit the deficiency appropriation bill, and I have not as yet been recognized.

The SPEAKER. The gentleman in no way waives his right. His motion will be submitted to the House as soon as the present matter is disposed of.

Mr. BOILEAU. That will be disposed of this afternoon?

The SPEAKER. Absolutely.

Mr. SNELL. I reserve the right to object to ask the majority leader if he can tell us what will be the program for tomorrow?

Mr. RAYBURN. There is only one speech of 10 minutes, as my memory serves me.

Mr. SNELL. If that is all, why can we not arrange to adjourn over until Thursday?

Mr. RAYBURN. I forget who the gentleman was who secured permission to speak. If he were here, I would be glad to ask his permission that we might adjourn over until Thursday.

The SPEAKER. The gentleman from Connecticut [Mr. PHILLIPS] received permission to address the House on tomorrow.

Mr. RAYBURN. I may say that a rule will be reported tomorrow, so perhaps we had better meet.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN] that business in order on Calendar Wednesday may be dispensed with tomorrow?

There was no objection.

DEFICIENCY APPROPRIATION BILL, 1937

Mr. BOILEAU. Mr. Speaker, I offer a motion to recommit the bill, which is now on the Clerk's desk.

The Clerk read as follows:

Mr. BOILEAU moves to recommit the bill to the Committee on Appropriations with instructions to that committee to report the bill back to the House forthwith with the following amendment: On page 3, line 21, after the comma following the word "thereof", strike out "$790,000,000", all of lines 22 and 23 and line 24 down to and including the word "act", and insert in lieu thereof the following: "$1,499,000,000, which amount shall be added to the appropriation made in such act, not less than $1,040,000,000 of which amount shall be allocated to the Works Progress Administration for the purpose of continuing work relief, and not less than $404,000,000 of which amount shall be used for rural rehabilitation, loans, and direct relief to farmers and livestock owners; the balance to be used to proportionately increase the specified limitations prescribed under the provisions of the said Emergency Relief Appropriation Act of 1936."

The SPEAKER. Is the gentleman from Wisconsin opposed to the bill?

Mr. BOILEAU. I ask for recognition. I do not qualify in that respect, Mr. Speaker.

The SPEAKER. Is there any Member present opposed to the bill who desires to make a motion to recommit?

Mr. RAYBURN. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. BOILEAU) there were—ayes 23, noes 241.

So the motion to recommit was rejected.

Mr. BOILEAU. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were refused.

The SPEAKER. The question recurs on the passage of the bill.

The bill was passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. MAVERICK, Mr. HARRINGTON, Mr. STACK, Mr. HILL of Oklahoma, and Mr. REES of Kansas asked and were given permission to revise and extend their remarks in the RECORD.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include therein a statement made by the President today discontinuing negotiations on the power pool.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. GRAY of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GRAY of Pennsylvania. Was general consent given to Members to extend their remarks on the deficiency bill?

The SPEAKER. That permission has already been granted.

ANNOUNCEMENT

Mr. PACE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute to make an announcement.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PACE. Mr. Speaker, the meeting of the new Members that was scheduled for this afternoon will be postponed, subject to a later announcement.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. ANDERSON of Missouri (at the request of Mr. BOYKIN), indefinitely, on account of illness.

To Mrs. NORTON (at the request of Mr. KENNEY), for the balance of the week, on account of illness.

To Mr. DRIVER (at the request of Mr. MILLER), indefinitely, on account of the death of his father.

To Mr. EICHER (at the request of Mr. WEARIN), until Thursday, on account of death in family.

To Mr. LARRABEE, for 1 week, on account of illness.

To Mr. REILLY (at the request of Mr. BOILEAU), for today, on account of illness.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 36 minutes p. m.) the House adjourned until tomorrow, Wednesday, January 27, 1937, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., January 28, 1937. Business to be considered: Open hearing on H. R. 1668, long-and-short-haul bill. In view of the exhaustive hearing held in the previous Congress, the committee desires to make this hearing as brief as possible.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

300. A letter from the Secretary of the Treasury, transmitting a supplemental report disclosing the names of officers and employees of corporations subject to taxation under the provisions of title I of the Revenue Act of 1934; to the Committee on Ways and Means.

301. A letter from the Secretary of War, transmitting the draft of a bill to increase the extra pay to enlisted men for reporting which the War Department presents for the consideration of the Congress with a view to its enactment into law; to the Committee on Military Affairs.

302. A letter from the Secretary of War, transmitting the draft of a bill to repeal an act of March 3, 1933, entitled "An act to provide for the transfer of powder and other explosive materials from deteriorated and unserviceable ammunition under the control of the War Department to the Department of Agriculture for use in land clearing, drainage, road building, and other agricultural purposes", which the War Department presents for the consideration of the Congress with a view to its enactment into law; to the Committee on Military Affairs.

303. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill to change the designations of the Abraham Lincoln National Park, in the State of Kentucky, and the Fort McHenry National Park, in the State of Maryland; to the Committee on the Public Lands.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. BLOOM: Committee on Foreign Affairs. House Joint Resolution 52. Joint resolution relating to the participation by the United States in the International Exposition of Paris, 1937; without amendment (Rept. No. 58). Referred to the Committee of the Whole House on the state of the Union.

Mr. STEAGALL: Committee on Banking and Currency. House Joint Resolution 127. Joint resolution to extend for a period of 2 years the guaranty by the United States of debentures issued by the Federal Housing Administration; without amendment (Rept. No. 59). Referred to the Committee of the Whole House on the state of the Union.

Mr. RAMSPECK: Committee on the Civil Service. H. R. 1531. A bill extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes; with amendment (Rept. No. 60). Referred

to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. McREYNOLDS: Committee on Foreign Affairs. H. R. 2924. A bill for the relief of certain officers and employees of the Foreign Service of the United States who, while in the course of their respective duties, suffered losses of personal property by reason of war, catastrophes of nature, and other causes; with amendment (Rept. No. 61). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on World War Veterans' Legislation was discharged from the consideration of the bill (H. R. 3195) for the relief of C. B. Morse, and the same was referred to the Committee on Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CASEY of Massachusetts: A bill (H. R. 3666) to create a Federal Coal Trade Commission and define its powers and duties, to provide for the cooperative marketing of coal, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SUMNERS of Texas: A bill (H. R. 3667) to amend section 29 of the Bankruptcy Act; to the Committee on the Judiciary.

Also, a bill (H. R. 3668) to provide for the taking of depositions in criminal proceedings, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 3669) providing for waiver of prosecution by indictment in certain criminal proceedings; to the Committee on the Judiciary.

Also, a bill (H. R. 3670) to amend an act entitled "An act to make persons charged with crimes and offenses competent witnesses in United States and Territorial courts", approved March 16, 1878; to the Committee on the Judiciary.

By Mrs. O'DAY: A bill (H. R. 3671) to provide for recognition of valid foreign pardons for immigration law interpretations, and for other purposes; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 3672) to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the changing of the name of Sawpit to Village of Port Chester, N. Y.; to the Committee on Coinage, Weights, and Measures.

By Mr. DIMOND: A bill (H. R. 3673) authorizing a preliminary examination and survey of the Skagway River in the vicinity of Skagway, Alaska; to the Committee on Flood Control.

By Mr. CURLEY: A bill (H. R. 3674) to provide for an examination and survey of Bronx Kills and Harlem River with a view to providing an adequate channel to connect the East River with the Hudson River in the city of New York, State of New York; to the Committee on Rivers and Harbors.

By Mr. BROWN: A bill (H. R. 3675) to extend the times for commencing and completing the construction of a bridge across the Savannah River at or near Lincolnton, Ga.; to the Committee on Interstate and Foreign Commerce.

By Mr. DOWELL: A bill (H. R. 3676) to authorize the erection of additional facilities at the existing veterans' facility, Des Moines, Iowa; to the Committee on World War Veterans' Legislation.

By Mr. JOHNSON of Minnesota: A bill (H. R. 3677) to amend existing law to provide same allowance to dependents of a disappeared service-connected incompetent World War veteran as are payable to the dependents of deceased veterans who die from service-connected disabilities; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 3678) to provide pensions to the dependents of indigent hospitalized veterans; to the Committee on World War Veterans' Legislation.

By Mr. SCHULTE: A bill (H. R. 3679) to restrict habitual commuting of aliens from foreign contiguous territory to engage in skilled or unskilled labor or employment in continental United States; to the Committee on Immigration and Naturalization.

By Mr. PFEIFER: A bill (H. R. 3680) amending the Social Security Act by authorizing an appropriation of $25,000,000 for the control of venereal diseases; to the Committee on Ways and Means.

By Mr. WADSWORTH: A bill (H. R. 3681) to remove the income tax on certain capital gains and to prohibit the deduction of certain capital losses; to the Committee on Ways and Means.

By Mr. CONNERY: A bill (H. R. 3682) to amend the act of March 4, 1923, entitled "An act to provide for the classification of civilian positions within the District of Columbia and within the field services, and amendments thereto"; to the Committee on the Civil Service.

By Mr. TOLAN: A bill (H. R. 3683) authorizing and empowering the Secretary of the Treasury to sell the old post-office building at Oakland, Calif., and to convey to the city of Oakland portions of the site for street-widening purposes in accordance with the provisions of public act approved August 26, 1935 (49 Stat. 800); to the Committee on Public Buildings and Grounds.

By Mr. WOLCOTT: A bill (H. R. 3684) to provide for the extension of the classified civil service to include postmasters of the first, second, and third classes, and for other purposes; to the Committee on the Civil Service.

By Mr. ALLEN of Louisiana: A bill (H. R. 3685) providing for the payment to counties and other taxing subdivisions for the loss in tax revenues where the Government owns or acquires lands; to the Committee on the Public Lands.

By Mr. SECREST: A bill (H. R. 3686) to provide for the control of the flood waters of the Ohio River and its tributaries, for the improvement of the navigability of such rivers, for reforestation and conservation of natural resources, and for other purposes; to the Committee on Flood Control.

By Mr. JONES: A bill (H. R. 3687) to extend the period during which the purposes specified in section 7 (a) of the Soil Conservation and Domestic Allotment Act may be carried out by payments by the Secretary of Agriculture to producers; to the Committee on Agriculture.

By Mr. BIERMANN: A bill (H. R. 3688) to amend the Federal Farm Loan Act and the Farm Credit Act of 1935, as amended, to provide reduction in the interest on loans secured by Federal land-bank mortgages, including commissioner loans, and providing for an extension of principal payment dates, and for other purposes; to the Committee on Agriculture.

By Mr. DIES: A bill (H. R. 3689) declaring Turtle Bay and Turtle Bayou, Chambers County, Tex., to be nonnavigable waterways; to the Committee on Interstate and Foreign Commerce.

By Mr. JONES: A bill (H. R. 3690) to provide for the further development of cooperative agricultural extension work; to the Committee on Agriculture.

By Mr. MITCHELL of Illinois: A bill (H. R. 3691) to provide for appointments in the classified civil service of the United States of persons making the highest grade in competitive examinations and denying to appointing officers power or discretion to pass over the name of the person highest on the eligible list established as result of such competitive examinations; to the Committee on the Civil Service.

Also, a bill (H. R. 3692) to provide for the manner in which appointing officers shall designate the sex of the person about to be appointed in the classified civil service; to the Committee on the Civil Service.

By Mr. GOLDSBOROUGH: A bill (H. R. 3693) to stabilize the purchasing power of the dollar, and for other purposes; to the Committee on Banking and Currency.

By Mr. DEMPSEY: A bill (H. R. 3694) to amend section 3 of the Adjusted Compensation Payment Act, 1936; to the Committee on Ways and Means.

By Mr. ENGLEBRIGHT: A bill (H. R. 3695) to enable the Secretary of Agriculture to control emergency insect infestations on the national forests; to the Committee on Agriculture.

By Mr. JENKINS of Ohio: A bill (H. R. 3696) to reduce the rate of interest on loans secured from the Government on Government life-insurance policies; to the Committee on World War Veterans' Legislation.

By Mr. LEMKE: A bill (H. R. 3697) to provide for the purchase and sale of farm products; to the Committee on Agriculture.

By Mr. VOORHIS: A bill (H. R. 3698) to amend section 601 of the Revenue Act of 1932, as amended, to provide for an excise tax on eggs and egg products; to the Committee on Ways and Means.

By Mr. COLLINS: A bill (H. R. 3699) to create five regional national libraries and to amend section 12 of the act entitled "An act to amend and consolidate the acts respecting copyright", approved March 4, 1909, and for other purposes; to the Committee on the Library.

By Mr. SCOTT: Resolution (H. Res. 85) to amend rule X of the House of Representatives; to the Committee on Rules.

By Mr. BIGELOW: Resolution (H. Res. 86) providing for the appointment of a committee to investigate flood conditions in the Ohio River Valley, and for other purposes; to the Committee on Rules.

Also, resolution (H. Res. 87) providing expenses for conducting the investigation of the Ohio River Valley flood-stricken area authorized by House Resolution 86; to the Committee on Accounts.

By Mr. DICKSTEIN: Resolution (H. Res. 88) to authorize an investigation of un-American activities; to the Committee on Rules.

By Mr. FORAND: Joint resolution (H. J. Res. 154) for the preservation and restoration of the frigate *Constellation* as a national museum and making Newport, R. I., its home port; to the Committee on Naval Affairs.

By Mr. KING: Joint resolution (H. J. Res. 155) to permit foreign vessels to carry merchandise in coastwise trade with the Territory of Hawaii during the emergency arising from the maritime strike; to the Committee on Merchant Marine and Fisheries.

By Mr. O'LEARY: Joint resolution (H. J. Res. 156) to provide for the public observance of the inauguration of the President of the United States; to the Committee on the Judiciary.

By Mr. JENKINS of Ohio: Concurrent resolution (H. Con. Res. 1) to authorize a joint congressional committee to investigate flood damage in the Ohio River Basin; to the Committee on Rules.

Also, concurrent resolution (H. Con. Res. 2) to provide for the expenses of the joint committee authorized by House Concurrent Resolution 1; to the Committee on Accounts.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Nebraska Legislature, memorializing the Congress of the United States to enact into law the Sheppard-Hill bill, commonly called the Universal Service Act, in the interest of world peace; to the Committee on Military Affairs.

Also, memorial of the Kansas Legislature, urging Congress and the Secretary of Agriculture of the United States to include, in any soil erosion or conservation measure or program, provisions for the payment of benefits for the eradication of field bindweed; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDRESEN of Minnesota: A bill (H. R. 3700) granting an increase of retired pay to Frank E. Monville; to the Committee on Military Affairs.

By Mr. BARRY (by request): A bill (H. R. 3701) for the relief of the Sterling Bronze Co.; to the Committee on Claims.

Also, a bill (H. R. 3702) for the relief of Carl C. Petersen; to the Committee on Naval Affairs.

By Mr. BEITER: A bill (H. R. 3703) for the relief of Carl J. Scheier; to the Committee on Claims.

By Mr. CARLSON: A bill (H. R. 3704) for the relief of John C. Cadwell; to the Committee on Claims.

By Mr. CROWE: A bill (H. R. 3705) granting a pension to Cora D. McCart; to the Committee on Pensions.

Also, a bill (H. R. 3706) for the relief of Ella Goodwin; to the Committee on Claims.

Also, a bill (H. R. 3707) for the relief of Frank P. Boyd; to the Committee on Claims.

Also, a bill (H. R. 3708) for the relief of Strother B. and Mary N. Earls; to the Committee on Claims.

Also, a bill (H. R. 3709) granting a pension to Ama E. Nichols; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3710) granting an increase of pension to Charlotte Meadows; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3711) for the relief of the legal representatives of Gallus Kerchner, deceased; to the Committee on Claims.

Also, a bill (H. R. 3712) granting a pension to Sarah E. Jackson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3713) granting a pension to Cora S. Day; to the Committee on Invalid Pensions.

By Mr. CULKIN: A bill (H. R. 3714) granting an increase of pension to Frances M. Cooley; to the Committee on Invalid Pensions.

By Mr. DOUGLAS: A bill (H. R. 3715) granting an increase of pension to Mary L. Gage; to the Committee on Invalid Pensions.

By Mr. ENGLEBRIGHT: A bill (H. R. 3716) for the relief of R. S. Brown; to the Committee on Claims.

Also, a bill (H. R. 3717) to correct the military record of Granville B. Bryant; to the Committee on Military Affairs.

Also, a bill (H. R. 3718) for the relief of Randall Corning Clapp; to the Committee on Naval Affairs.

Also, a bill (H. R. 3719) for the relief of W. J. Conley; to the Committee on Claims.

Also, a bill (H. R. 3720) for the relief of Andrew M. Dunlop; to the Committee on Claims.

Also, a bill (H. R. 3721) for the relief of William Estes; to the Committee on Military Affairs.

Also, a bill (H. R. 3722) for the relief of Alfred T. Johnston; to the Committee on Claims.

Also, a bill (H. R. 3723) for the relief of Milton S. Merrill; to the Committee on Claims.

Also, a bill (H. R. 3724) for the relief of J. A. Perry; to the Committee on Claims.

Also, a bill (H. R. 3725) for the relief of Lew E. Wickes; to the Committee on Claims.

By Mr. FISH: A bill (H. R. 3726) for the relief of James Meagher; to the Committee on Military Affairs.

By Mr. FORD of California: A bill (H. R. 3727) granting a pension to Bessie Baldwin; to the Committee on Pensions.

Also, a bill (H. R. 3728) for the relief of John J. Gorman; to the Committee on Military Affairs.

Also, a bill (H. R. 3729) for the relief of George Walter Cole; to the Committee on Military Affairs.

Also, a bill (H. R. 3730) granting a pension to Susan McKay Young; to the Committee on Invalid Pensions.

By Mr. FULMER: A bill (H. R. 3731) for the relief of the trustees of St. Stephen's Church, of the Evangelical Lutheran Synod of South Carolina, of Lexington, S. C.; to the Committee on War Claims.

By Mr. GRAY of Pennsylvania: A bill (H. R. 3732) granting an increase of pension to Frank B. Ritzie; to the Committee on Pensions.

By Mr. HILL of Oklahoma: A bill (H. R. 3733) granting a pension to Julian A. Myers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3734) for the relief of Zoe A. Tilghman; to the Committee on Claims.

Also, a bill (H. R. 3735) for the relief of John Hamilton; to the Committee on Military Affairs.

By Mr. HOBBS: A bill (H. R. 3736) for the relief of Mr. and Mrs. Edward J. Pruett; to the Committee on Claims.

Also, a bill (H. R. 3737) for the relief of Mrs. Howard T. Edwards; to the Committee on Claims.

By Mr. HULL: A bill (H. R. 3738) for the relief of Clifford Y. Long; to the Committee on Claims.

By Mr. IZAC: A bill (H. R. 3739) conferring jurisdiction upon the Court of Claims to hear and determine the claim of the Mack Copper Co.; to the Committee on War Claims.

By Mr. KENNEDY of Maryland: A bill (H. R. 3740) for the relief of the city of Baltimore; to the Committee on War Claims.

By Mr. KLEBERG: A bill (H. R. 3741) for the relief of Robinson W. Fullerton; to the Committee on the Civil Service.

By Mr. KNIFFIN: A bill (H. R. 3742) granting a pension to Clarence J. Ericson; to the Committee on Invalid Pensions.

By Mr. KRAMER: A bill (H. R. 3743) granting a pension to Freda Boy; to the Committee on Pensions.

Also, a bill (H. R. 3744) granting a pension to Milka N. Robbins and minor child; to the Committee on Pensions.

By Mr. LEMKE: A bill (H. R. 3745) for the relief of W. H. Lenneville; to the Committee on Claims.

By Mr. LESINSKI: A bill (H. R. 3746) for the relief of Ettore Cordovado; to the Committee on Immigration and Naturalization.

By Mr. LEWIS of Colorado: A bill (H. R. 3747) for the relief of George O. Wills; to the Committee on Claims.

Also, a bill (H. R. 3748) granting a pension to Mary J. Edwards; to the Committee on Invalid Pensions.

By Mr. McKEOUGH: A bill (H. R. 3749) granting a pension to Johanna Mabra Gray; to the Committee on Invalid Pensions.

By Mr. McREYNOLDS: A bill (H. R. 3750) for the relief of Jack C. Allen; to the Committee on Claims.

By Mr. MURDOCK of Arizona: A bill (H. R. 3751) for the relief of Harriet King; to the Committee on Claims.

Also, a bill (H. R. 3752) granting an increase of pension to Lorenzo D. Walters; to the Committee on Pensions.

By Mrs. O'DAY: A bill (H. R. 3753) for the relief of Sol Silver; to the Committee on Immigration and Naturalization.

By Mr. PARSONS: A bill (H. R. 3754) granting an increase of pension to Leroy Dunn; to the Committee on Pensions.

By Mr. PHILLIPS: A bill (H. R. 3755) providing for the advancement on the retired list of the Navy of William F. Verleger; to the Committee on Naval Affairs.

By Mr. REECE of Tennessee: A bill (H. R. 3756) for the relief of Joseph Wardrupe; to the Committee on Claims.

Also, a bill (H. R. 3757) for the relief of Rellie Dodgen; to the Committee on Claims.

Also, a bill (H. R. 3758) granting a pension to Gideon H. Morgan; to the Committee on Pensions.

Also, a bill (H. R. 3759) granting a pension to Jackson McCoury; to the Committee on Pensions.

Also, a bill (H. R. 3760) for the relief of Prentice Mead Handlon; to the Committee on Military Affairs.

Also, a bill (H. R. 3761) for the relief of Dudley E. Essary; to the Committee on Claims.

Also, a bill (H. R. 3762) for the relief of Charles Jenkins; to the Committee on Claims.

Also, a bill (H. R. 3763) granting a pension to William W. Ingle; to the Committee on Pensions.

Also, a bill (H. R. 3764) granting a pension to Charlie Jones; to the Committee on Pensions.

By Mrs. ROGERS of Massachusetts: A bill (H. R. 3765) for the relief of Joseph Mastine Keefe; to the Committee on Naval Affairs.

By Mr. RYAN: A bill (H. R. 3766) for the relief of Capt. James W. Darr; to the Committee on Military Affairs.

By Mr. SHANLEY: A bill (H. R. 3767) for the relief of Lulu M. Peiper; to the Committee on Claims.

By Mr. SIROVICH: A bill (H. R. 3768) for the relief of John Baum and Gussie Baum; to the Committee on Claims.

By Mr. STARNES: A bill (H. R. 3769) for the relief of Julia D. Penn; to the Committee on Claims.

By Mr. TOWEY: A bill (H. R. 3770) for the relief of Carl Ullmann & Co.; to the Committee on Claims.

Also, a bill (H. R. 3771) for the relief of William H. Chambliss; to the Committee on Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 3772) for the relief of Thomas Andy Williams; to the Committee on Military Affairs.

By Mr. VINSON of Georgia: A bill (H. R. 3773) for the relief of B. B. Odom and Lilla Odom; to the Committee on Claims.

Also, a bill (H. R. 3774) for the relief of E. B. Ezell; to the Committee on Claims.

By Mr. WEST: A bill (H. R. 3775) for the relief of Mahlon Gerhard Frost; to the Committee on Military Affairs.

Also, a bill (H. R. 3776) for the relief of T. T. East and the Cassidy Southwestern Commission Co., citizens of the State of Texas; to the Committee on Claims.

By Mr. WILCOX: A bill (H. R. 3777) for the relief of certain purchasers of lots in Harding town site, Fla., and for the relief of the heirs of Lewis G. Norton; to the Committee on the Public Lands.

By Mr. WOLCOTT: A bill (H. R. 3778) granting a pension to Margaret Fonda; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3779) granting a pension to Mary A. Frederick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3780) for the relief of the estate of Elizabeth Purtill O'Brien; to the Committee on Claims.

Also, a bill (H. R. 3781) granting a pension to Gussie Gates; to the Committee on Pensions.

Also, a bill (H. R. 3782) granting a pension to Ida Carter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3783) for the relief of Joseph Barney; to the Committee on Military Affairs.

Also, a bill (H. R. 3784) granting a pension to Richard J. Huss; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

117. By Mr. ANDREWS: Petition signed by residents of Niagara Falls, N. Y., urging continuation of adult education centers in Niagara Falls; to the Committee on Foreign Affairs.

118. Also, petition of residents of Buffalo, N. Y., urging continuance of the nursery schools under Works Progress Administration; to the Committee on Appropriations.

119. Also, resolution passed January 19, 1937, by the City Council of Buffalo, N. Y., in relation to legislation providing for an 8-hour day for employees on tugboats in Buffalo Harbor; to the Committee on Labor.

120. Also, resolution adopted by the Common Council of the City of North Tonawanda, N. Y., urging appropriation of funds for the improvement of the western end of the Barge Canal from Three Rivers to Buffalo, N. Y.; to the Committee on Appropriations.

121. By the SPEAKER: Memorial of the Commonwealth of the Philippines, Province of Misamis Occidental Oroquieta, conveying condolences to the family of the late Speaker Byrns; to the Committee on Insular Affairs.

122. Also, petition of the American Society, Shreveport, La.; to the Committee on the Judiciary.

123. Also, petition of L. E. Berno, of Mansfield, Ohio; to the Committee on Appropriations.

124. Also, petition of the city and county of Honolulu, Hawaii, requesting the President and the Congress of the United States to take steps to alleviate the conditions brought about by the maritime strikes; to the Committee on Ways and Means.

125. Also, petition of the South Central Farm Loan Association, of Chariton, Iowa, urging lower interest rates for farmers; to the Committee on Agriculture.

126. By Mr. BIERMANN: Memorial of the Iowa Live Stock Marketing Corporation; to the Committee on Agriculture.

127. By Mr. BUCKLER of Minnesota: Petition of Otto Vierth, chairman, and J. C. Atkinson, county auditor, of the Clay County Board of Commissioners, Moorhead, Minn., praying and urging the Administrator of the Works Progress Administration to take immediate action in getting sufficient projects going in Clay County to provide earnings for those in need; to the Committee on Ways and Means.

128. By Mr. CASE of South Dakota: Petition of the presidents of the farm loan associations of the States of South Dakota and Wyoming, meeting in Omaha, Nebr., urging extension of the 3½-percent rate on all loans, and also the moratorium on the principal payments, attested by signatures of W. C. Hermann, president, and C. T. Bates, secretary; to the Committee on Banking and Currency.

129. Also, memorial of the Legislature of South Dakota, urging a "Peace for America" program "by taking the profit cut of war and war preparations, by Government control of munitions, by strict neutrality, no foreign entanglements, and by a more effective national defense", being Mr. Bishop's House Concurrent Resolution No. 1, and signed by the officers of house and senate; to the Committee on Foreign Affairs.

130. By Mr. FORD of California: Resolution of the City Council of the City of Los Angeles, requesting the Members of the House of Representatives from California and the Senators from California to press the urgency of obtaining an allocation of funds for the completion of facilities at the Los Angeles municipal airport in order that this airport be equipped as a transport base for the major air lines operating in and out of the Los Angeles area; to the Committee on Appropriations.

131. By Mr. FULMER: Memorial of the South Carolina Assembly, requesting the Federal authorities to carefully investigate all applications for employment and discourage the employment of farm labor where such labor can secure work in their respective communities; to the Committee on Ways and Means.

132. By Mr. HALLECK: Memorial of the pastor and congregation of the Central Presbyterian Church, of the city of Lafayette, Ind., favoring a policy for the promotion of peace and good will between this and other nations; to the Committee on Foreign Affairs.

133. By Mr. SADOWSKI: Petition of Hamtramck, Mich., Board of Education, endorsing the Harrison bill, which would give Federal aid to the States in providing and maintaining adequate systems of public instruction, etc.; to the Committee on Education.

134. Also, petition of the Conference for the Protection of Civil Rights, Detroit, Mich., endorsing the appropriation for the Senate investigation of civil liberties and collective bargaining; to the Committee on Ways and Means.

135. Also, petition of the Senate and House of Representatives, State of Michigan, endorsing amendment to Social Security Act; to the Committee on Ways and Means.

136. By Mr. JOHNSON of Texas: Petition of P. B. Garrett, of Garrett & Co., Dallas, Tex., urging the repeal of the capital gains and losses tax; to the Committee on Ways and Means.

SENATE

WEDNESDAY, JANUARY 27, 1937

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Eternal God and Father of mankind, we thank Thee for Thy gift of sweet, refreshing sleep, and for the glory and beauty of this newborn day, in which we pray for wisdom that we may learn with patience the art of ruling our own lives for their highest good, with ever due regard for the lives of others. Save us henceforth from sullen discontent and from useless striving against the circumstances of our lot, that by perfect obedience to Thy will we may win a larger, freer life and a more abiding faith. So may it be ours to comfort those who mourn, to raise the fallen, to relieve the needy, to forgive the wrongdoer, and to encourage all who love simplicity and goodness; and grant that as we give to others Thou mayest give to us, that we may daily increase in the spirit of true helpfulness both in word and deed. Through Jesus Christ our Lord. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of the proceedings of Tuesday, January 26, 1937, when, on request of Mr. ROBINSON, and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its reading clerks, announced that the House had passed a bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. ROBINSON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Chavez	Johnson, Colo.	Pepper
Andrews	Connally	King	Pittman
Ashurst	Copeland	Lee	Pope
Austin	Davis	Lodge	Reynolds
Bachman	Dieterich	Logan	Robinson
Bailey	Duffy	Lonergan	Russell
Bankhead	Ellender	Lundeen	Schwartz
Barkley	Frazier	McAdoo	Schwellenbach
Bilbo	George	McCarran	Smith
Black	Gibson	McGill	Thomas, Utah
Bone	Gillette	McKellar	Townsend
Borah	Glass	McNary	Truman
Bridges	Green	Maloney	Tydings
Brown, Mich.	Guffey	Minton	Vandenberg
Brown, N. H.	Hale	Moore	Van Nuys
Bulkley	Harrison	Murray	Wagner
Bulow	Hayden	Neely	Walsh
Burke	Herring	Norris	Wheeler
Byrnes	Hitchcock	Nye	White
Capper	Holt	O'Mahoney	
Caraway	Hughes	Overton	

Mr. DUFFY. I am advised that my colleague [Mr. LA FOLLETTE] will be absent today, due to illness. I ask that this announcement may stand for the day.

Mr. MINTON. I announce that the Senator from Ohio [Mr. DONAHEY], the Senator from New Mexico [Mr. HATCH], and the Senator from Oklahoma [Mr. THOMAS] are absent because of illness, and that the Senator from Virginia [Mr. BYRD], the Senator from Missouri [Mr. CLARK], the Senator from Maryland [Mr. RADCLIFFE], the Senator from Texas [Mr. SHEPPARD], the Senator from Rhode Island [Mr. GERRY], and the Senator from Illinois [Mr. LEWIS] are unavoidably detained from the Senate.

Mr. MCNARY. I announce that the senior Senator from Minnesota [Mr. SHIPSTEAD] and my colleague the junior Senator from Oregon [Mr. STEIWER] are absent because of illness, and that the Senator from Delaware [Mr. TOWNSEND] is necessarily detained from the Senate.

The VICE PRESIDENT. Eighty-two Senators have answered to their names. A quorum is present.

READING OF WASHINGTON'S FAREWELL ADDRESS

The VICE PRESIDENT. Under authority of the order of the Senate of January 24, 1901, the Chair designates the Senator from Massachusetts [Mr. LODGE] to read Washington's Farewell Address on February 22 next.

RELIEF OF JOHN L. SUMMERS AND OTHERS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to provide relief for and to adjust certain accounts of John L. Summers, former disbursing clerk, Treasury Department, and several former Treasurers of the United States, which, with the accompanying paper, was referred to the Committee on Claims.

DECEMBER REPORT OF THE RECONSTRUCTION FINANCE CORPORATION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Reconstruction Finance Corporation, reporting, pursuant to law, on the activities and expenditures of the Corporation for December 1936, including statement of loan and other authorizations made during that month, and showing the names, amounts, and rate of interest or dividend in each case, which, with the accompanying papers, was referred to the Committee on Banking and Currency.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate resolutions adopted by the thirty-fifth annual convention of the National Association of Supervisors of State Banks at Detroit, Mich., favoring the establishment of equal and uniform competitive conditions in the matter of taxation for State and National banking institutions, particularly in connection with the operation of the Social Security Act, which were referred to the Committee on Finance.

He also laid before the Senate resolutions adopted by the house of delegates of the American Bar Association at Columbus, Ohio, favoring furnishing to the headquarters of the American Bar Association of approximately 200 copies of any reports on the subject of proposed reorganization of the executive departments, which were referred to the Committee on Rules.

Mr. CAPPER presented a concurrent resolution of the Legislature of the State of Kansas, memorializing Congress and the Secretary of Agriculture to include in any soil erosion or conservation measure or program provisions for the payment of benefits for the eradication of field bindweed, which was referred to the Committee on Agriculture and Forestry.

(See concurrent resolution printed in full when laid before the Senate by the Vice President on the 26th instant, p. 409, CONGRESSIONAL RECORD.)

Mr. COPELAND presented a resolution adopted by the North Harlem Community Council, New York City, N. Y., favoring amendment of the Social Security Act so as to include as beneficiaries thereunder, farm workers and domestic workers in private homes, which was referred to the Committee on Finance.

He also presented a petition, numerously signed, of sundry citizens of New York City and vicinity, praying for the repeal of the joint resolution (S. J. Res. 3) to prohibit the exportation of arms, ammunition, and implements of war from the United States to Spain, and also the enactment of legislation placing an embargo on arms shipments to Germany, Italy, and Portugal, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of New York City and vicinity, praying for the enactment of legislation creating a Federal music project as a permanent establishment to be subsidized with a living wage for musicians, which was referred to the Committee on Interstate Commerce.

APPROPRIATION FOR RELIEF—BOSTON, MASS.

Mr. WALSH. Mr. President, on behalf of my colleague [Mr. LODGE] and myself I present a telegram from the mayor of Boston, which I ask may be treated in the nature of a petition, printed in the RECORD, and referred to the Committee on Appropriations.

There being no objection, the telegram was referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

BOSTON, MASS., *January 27, 1937.*

HON. DAVID I. WALSH,
United States Senate:

Advised that appropriation bill reported by House committee provides only six fifty-five millions out of seven ninety millions. This will force slash in existing minimum quotas of over 25 percent and 33-percent cut in expenditures between now and June 30. Such drastic retrenchment impossible in Boston. Urge larger sums so no cut will be necessary.

FREDERICK W. MANSFIELD,
Mayor of Boston.

HOUSING AND CULTURAL PROJECTS OF THE GOVERNMENT

Mr. WAGNER. I present and ask unanimous consent to have printed in the RECORD and appropriately referred two resolutions, one dealing with the subject of housing and the other with the development of the cultural and educational projects of the Federal Government.

There being no objection, the resolutions were ordered to be printed in the RECORD and referred to committees as indicated below:

To the Committee on Banking and Currency:

Resolution on housing, passed unanimously by the board of directors of the National Federation of Settlements

Resolved, That the National Federation of Settlements recommends to its communities the passage of the Wagner bill, the creating of local authorities, the necessity of relating rehousing to the demolition of slum areas, and, in general, insisting upon a national low-rental housing program providing for Federal subsidy, with decentralization in construction, management, and community planning.

BOARD OF DIRECTORS

Officers: Honorary presidents, Jane Addams, Mary E. McDowell, Jane E. Robbins, Graham Taylor, Lillian D. Wald; president, Helen Hall, 265 Henry Street, New York City; vice president, Wilber I. Newstetter, 7063 Broadway, Cleveland, Ohio; treasurer, Walbridge S. Taft, 14 Wall Street, New York City.

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To the Committee on Education and Labor:

Resolution on the development of Federal W. P. A. cultural and educational projects into a Federal department of cultural-educational work—Passed unanimously by the board of directors of the National Federation of Settlements

The board of directors of the National Federation of Settlements herewith registers its conviction that public unemployment relief in the form of wages for work socially useful is the outstanding contribution of the past 4 years in meeting the horrors of economic catastrophe. The use of the services of a proportion of unemployed men and women to safeguard and improve the conditions of life of those working-class families hardest hit by the depression is one of the finest aspects of work relief. The building of roads and other large-scale improvements which bring ease and pleasure to possessing groups not critically affected by the depression would have been piling injustice upon injustice. That

unemployed have been set to create public playgrounds, parks, and housing in working-class areas has been real gain.

The allocation of the service of a considerable number of unemployed professional people and artists to neighborhoods in which the unemployed live is to this board a particularly sound principle. Settlement workers know, as a result of 50 years of service spent in depressed areas in different parts of the United States, that such localities are pitiably understaffed in the fields of medicine, nursing, recreation direction, and leadership in music, art, and handicraft, dance, drama, literature, science and economics, and social meetings.

Before the depression settlements had brought into being in widely scattered localities across the country a number of significant cultural institutions; i. e., music schools, art schools and exhibition rooms, little theaters, dance studios, gymnasium and athletic centers, educational centers in which young people and adults met for study, discussion, and social recreation. Enterprises such as these ministered to considerable minorities. Their essential purpose was to serve as models for public action. They indicate what public educational-cultural institutions the public authorities could and should provide.

The lot of vast numbers of people living in tenement areas under home and work relief, supplemented by the new educational and cultural opportunities provided by Federal, State, and city cultural projects, is markedly better than it was in the boom days of the late 1920's. The splendid human results already apparent from beginnings made in the fields of slum clearance, housing, and Government support of education and recreation have demonstrated beyond any doubt that it is vitally important for the Nation to take a hand in stimulating local communities to move more rapidly in these directions.

This board believes that when the gains of the past 4 years are properly evaluated, the contribution made by the Federal cultural projects will be found to be among the most significant, lasting, and productive.

Settlements welcome every sign that the depression is passing. But they would like to see National and State departments of cultural education established to consolidate the gains made during the past 4 years. There seems little possibility that even the most competent W. P. A. artists, musicians, dancers, actors, and recreational leaders, many of whom have acquired valuable skill during their depression service, now serving in settlements and public institutions, can at this time find places in private schools or in industry. Artists and educators must be assured certainty in their employment of at least a year or two if their service is to be of good quality. The members of this board are quite aware that there are great differences in the quality of the work done in the above fields in different parts of the country. But their experience shows that, with proper administrative safeguards, a sound and advancing scheme to raise the level of the cultural life of the Nation can be devised and put into operation.

We therefore urge the Federal Government to allocate moneys to be used as grants in aid to continue to employ teachers and practitioners of the arts, education, and recreation of high competence. The work of such leaders should be administered by persons of undoubted accomplishment and standing in their fields. This staff should have the assistance of unpaid advisory boards of professional leaders, one of whose duties should be to help devise programs to improve the conditions of life in working-class areas and to discover and bring out the native powers of our children and youth. We urge especially that those practitioners and administrators of undoubted capacity developed under W. P. A. be held together and used as a nucleus for such a national department. We further suggest that relief authorities be instructed to find employment in other fields or to provide relief for those incompetent persons who have been included in artistic projects because their need demanded that relief be found for them.

This board hereby places on record its opinion that a relapse into the cultural barrenness of 1930, after what has been accomplished since 1933, would be one of the tragedies of the unemployment debacle.

REPORTS OF COMMITTEES

Mr. LOGAN, from the Committee on Military Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 293. A bill for the relief of Charles Wilson (Rept. No. 14); and

S. 295. A bill to authorize the award of a decoration for distinguished service to John C. Reynolds (Rept. No. 15).

Mr. THOMAS of Utah, from the Committee on Military Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 115. A bill to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever", approved February 28, 1929, by including therein the name of Gustaf E. Lambert (Rept. No. 16); and

S. 223. A bill for the relief of Benjamin H. Southern (Rept. No. 17).

Mr. NEELY, from the Committee on Rules, to which was referred the joint resolution (H. J. Res. 81) to create a Joint Congressional Committee on Government Organization, reported it with amendments.

SELECT COMMITTEE ON GOVERNMENT ORGANIZATION

Mr. NEELY, from the Committee on Rules, reported a resolution (S. Res. 69), as follows:

Resolved, That the Vice President be, and he is hereby, authorized to appoint a select committee of nine Members of the Senate to be known as the Select Committee on Government Organization, for the purpose of considering and reporting upon the subject matter contained in the message of the President of the United States of January 12, 1937. All bills and resolutions introduced in the Senate proposing legislation concerning reorganization, coordination, consolidation, or abolition of, or reduction of personnel in, organizations or units in the executive branch of the Government shall be referred by the Vice President to the said Select Committee on Government Organization. The said Select Committee on Government Organization is hereby authorized to report to the Senate at any time by bill or otherwise with recommendations upon any matters covered by this resolution; and any bill or resolution so reported shall be placed upon the calendar and have a privileged status.

That said committee or any subcommittee thereof is authorized to sit and act during the present Congress at such times and places within the United States whether or not the Senate is sitting, has recessed, or adjourned; to hold such hearings; to require the attendance of such witnesses and the production of such books, papers, and documents by subpena or otherwise and to take such testimony as it deems necessary. Subpenas shall be issued under the signature of the Vice President or the chairman of said committee, and shall be served by any person designated by them or either of them. The chairman of the committee or any member thereof may administer oaths to witnesses. Every person who, having been summoned as a witness by authority of said committee or any subcommittee thereof, willfully makes default, or who, having appeared, refuses to answer any questions pertinent to the matter herein authorized, shall be held to the penalties provided by sections 102, 103, and 104 of the Revised Statutes of the United States, as amended (U. S. C., title 2, secs. 192, 193, and 194).

LIMITATION OF DEBATE ON GENERAL APPROPRIATION BILLS

Mr. NEELY, from the Committee on Rules, to which was referred the resolution (S. Res. 8) limiting debate on general appropriation bills (submitted by Mr. GLASS on the 6th instant), reported it with an amendment.

PRINTING ADDITIONAL COPIES OF REVENUE ACT OF 1936

Mr. HAYDEN. Mr. President, by direction of the Committee on Printing I report a Senate concurrent resolution and ask for its immediate consideration.

The VICE PRESIDENT. Is there objection?

There being no objection, the concurrent resolution (S. Con. Res. 3) was read, considered, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 28,000 additional copies of the act (Public, 740, 74th Cong.), an act to provide revenue, equalize taxation, and for other purposes, approved June 22, 1936, of which 15,000 copies shall be for the use of the House document room, 5,000 copies shall be for the Senate document room, 2,000 copies for the Committee on Ways and Means of the House of Representatives, 1,000 for the Committee on Finance of the Senate, and 5,000 for the Joint Committee on Printing.

GREATER TEXAS AND PAN AMERICAN EXPOSITION

Mr. CONNALLY. From the Committee on Foreign Relations I report back favorably without amendment the joint resolution (S. J. Res. 20) authorizing the President to invite the Pan American Republics and the Dominion of Canada to participate in the proposed Greater Texas and Pan American Exposition. I ask unanimous consent for the present consideration of the joint resolution.

There being no objection, the joint resolution was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That the President of the United States is authorized and requested, by proclamation or in such manner as he may deem proper, to invite the Pan American Republics and the Dominion of Canada to participate in the proposed Greater Texas and Pan American Exposition, to be held in the city of Dallas in the State of Texas during the year 1937.

EXAMINATION AND SURVEY OF SNAKE RIVER

Mr. COPELAND. From the Committee on Commerce, I report back favorably and without amendment the bill (S. 206) to provide a preliminary examination and survey of the Snake River and tributaries in the States of Idaho, Washington, and Oregon, with a view to control of floodwaters, and I submit a report (No. 13) thereon. I believe the Senator

from Idaho [Mr. BORAH] desires to make some comment on the bill.

Mr. BORAH. Mr. President, this is merely a bill to provide for a survey. I know that under the rule it should go to the calendar; but if there is no objection, I should like to have it considered at this time.

Mr. COPELAND. It is merely a routine matter.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination and survey to be made of the Snake River and tributaries in the States of Idaho, Washington, and Oregon, with a view to control of its floods, in accordance with the provisions of the Flood Control Act approved June 22, 1936, the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes.

ENROLLED BILLS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that that committee presented to the President of the United States the following enrolled bills:

On January 23, 1937:

S. 416. An act to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised.

On January 27, 1937:

S. 415. An act to continue the functions of the Reconstruction Finance Corporation, and for other purposes.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HALE:

A bill (S. 1122) to carry out certain treaty obligations of the United States and for the relief of Chase, Leavitt & Co., and for other purposes; to the Committee on Claims.

By Mr. SCHWELLENBACH:

A bill (S. 1123) for the relief of Beatrice Marie Drake; to the Committee on Claims.

A bill (S. 1124) to authorize the Director of Census to collect and publish statistics of red cedar shingles; to the Committee on Commerce.

By Mr. PEPPER:

A bill (S. 1125) to amend the act entitled "An act to authorize the Secretary of Commerce to dispose of certain portions of Anastasia Island Lighthouse Reservation, Fla., and for other purposes", approved August 27, 1935, and for other purposes; to the Committee on Commerce.

A bill (S. 1126) to amend section 76 of the Judicial Code, as amended, with respect to the terms of the Federal district court held at Tallahassee, Fla.; to the Committee on the Judiciary.

By Mr. WALSH:

A bill (S. 1127) to authorize the disposition of the former naval radio station property at St. Augustine, Fla.:

A bill (S. 1128) authorizing the Secretary of the Navy to accept gifts and bequests for the benefit of the Office of Naval Records and Library, Navy Department;

A bill (S. 1129) to authorize the Secretary of the Interior to accept from the State of Utah title to a certain State-owned section of land and to patent other land to the State in lieu thereof, and for other purposes;

A bill (S. 1130) to authorize the acceptance of certain lands in the city of San Diego, Calif., by the United States, and the transfer by the Secretary of the Navy of certain other lands to said city of San Diego;

A bill (S. 1131) to amend the part of the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes", approved June 4, 1920, relating to the conservation, care, custody, protection, and operation of the naval petroleum and oil-shale reserves;

A bill (S. 1132) to amend the act approved February 15, 1929, entitled "An act to permit certain warrant officers to count all active service rendered under temporary appointments as warrant or commissioned officers in the Regular Navy, or as warrant or commissioned officers in the United States Naval Reserve Force, for purpose of promotion to chief warrant rank"; and

A bill (S. 1133) to amend an act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1910, and for other purposes", approved March 3, 1909, to extend commissary privileges to widows of officers and enlisted men of the Navy and Marine Corps, and also to officers of the Foreign Service of the United States at foreign stations; to the Committee on Naval Affairs.

By Mr. ASHURST (by request):

A bill (S. 1134) to regulate the defense of alibi in criminal cases;

A bill (S. 1135) to amend section 29 of the Bankruptcy Act;

A bill (S. 1136) providing for waiver of prosecution by indictment in certain criminal proceedings;

A bill (S. 1137) to provide for the taking of depositions in criminal proceedings, and for other purposes;

A bill (S. 1138) to amend the statutes providing punishment for transmitting threatening communications;

A bill (S. 1139) to penalize procuring of or attempts to procure the escape of any prisoner in the custody of an officer of the United States;

A bill (S. 1140) to amend an act entitled "An act to make persons charged with crimes and offenses competent witnesses in United States and Territorial courts", approved March 16, 1878; and

A bill (S. 1141) to confer jurisdiction upon certain United States commissioners to try petty offenses committed on Federal reservations; to the Committee on the Judiciary.

By Mr. REYNOLDS:

A bill (S. 1142) for the relief of Mattie D. Jacobs; to the Committee on Claims.

By Mr. CLARK:

A bill (S. 1143) for the relief of G. L. Tarlton; and

A bill (S. 1144) for the relief of the Frazier-Davis Construction Co.; to the Committee on Claims.

By Mr. BURKE:

A bill (S. 1145) for the relief of Fred F. Koslowski; to the Committee on Military Affairs.

(By request.) A bill (S. 1146) authorizing the purchase of United States Supreme Court Decisions and Digest; to the Committee on the Judiciary.

By Mr. WHEELER:

A bill (S. 1147) for the relief of Alban C. Sipe; to the Committee on Claims.

A bill (S. 1148) for the relief of Maurice J. O'Leary; to the Committee on Military Affairs.

A bill (S. 1149) for the relief of James A. Boone; to the Committee on Naval Affairs.

A bill (S. 1150) granting a pension to Frank Casey;

A bill (S. 1151) granting a pension to Waundi Duba (Red Eagle);

A bill (S. 1152) granting a pension to William W. Harvey;

A bill (S. 1153) granting an increase of pension to Catherine A. Riley;

A bill (S. 1154) granting an increase of pension to Isabell F. Smith;

A bill (S. 1155) granting an increase of pension to Ella Stout;

A bill (S. 1156) granting a pension to Clara Stuart;

A bill (S. 1157) granting a pension to Joseph E. Williams; and

A bill (S. 1158) granting an increase of pension to Dora White; to the Committee on Pensions.

By Mr. NEELY:

A bill (S. 1159) granting a pension to Poindexter Toney; to the Committee on Pensions.

By Mr. McADOO:

A bill (S. 1160) for the relief of Troup Miller and Harvey D. Higley; to the Committee on Claims.

A bill (S. 1161) relating to the retired pay of certain retired Army officers; to the Committee on Military Affairs.

A bill (S. 1162) granting a pension to Dora F. Babbitt; and

A bill (S. 1163) granting a pension to Daniel Edwin Cofield; to the Committee on Pensions.

A bill (S. 1164) to relinquish the title of the United States to certain lands in the county of Los Angeles, State of California; to the Committee on Public Lands and Surveys.

A bill (S. 1165) for the relief of Ralph C. Irwin; to the Committee on Post Offices and Post Roads.

By Mr. WAGNER and Mr. PEPPER:

A bill (S. 1166) to provide for the establishment of a corporation known as the Federal Mortgage Bank, creating a permanent discount and purchase system for mortgages on urban real estate, designed by comprehensive yet conservative action, to fill a gap in the national financial structure, to the end of stabilizing mortgage practice, easing mortgage credit, and by the establishment of an adequate agency preventing periodic frozen condition in financial institutions; to the Committee on Banking and Currency.

By Mr. BONE (by request):

A bill (S. 1167) to create and establish a national United States Educational Peace Commission to promote peace by means of education; to the Committee on Education and Labor.

By Mr. DUFFY:

A bill (S. 1168) for the relief of Joseph W. Bollenbeck; to the Committee on Military Affairs.

(Mr. THOMAS of Utah introduced Senate bill 1169, which was referred to the Committee on Immigration, and appears under a separate heading.)

(Mr. CONNALLY introduced Senate bill 1170, which was referred to the Committee on Public Buildings and Grounds, and appears under a separate heading.)

By Mr. BULKLEY:

A bill (S. 1171) providing for a monument to "The Spirit of '76"; to the Committee on the Library.

A bill (S. 1172) granting a pension to Matilda Parker; to the Committee on Pensions.

By Mr. COPELAND:

A bill (S. 1173) to amend an act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936; to the Committee on Commerce.

(Mr. MCKELLAR introduced Senate bill 1174, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

By Mr. TYDINGS:

A bill (S. 1175) for the relief of John L. Alcock; to the Committee on Claims.

By Mr. ADAMS:

A bill (S. 1176) for the relief of Charles Augustus Lathrop; and

A bill (S. 1177) for the relief of Carter R. Young; to the Committee on Claims.

By Mr. BARKLEY:

A joint resolution (S. J. Res. 56) authorizing the selection of a site and the erection of a pedestal for the Albert Gallatin statue in Washington, D. C.; to the Committee on the Library.

CLARIFICATION OF EXPATRIATION LAWS

Mr. THOMAS of Utah. Mr. President, I introduce a bill, to be referred to the Committee on Immigration. In connection with the bill I ask that there be printed in the RECORD a statement which I have prepared presenting the reasons for the bill.

The VICE PRESIDENT. Is there objection? The Chair hears none. The bill will be received and referred as requested by the Senator from Utah, and the statement will be printed in the RECORD.

The bill (S. 1169) to clarify the expatriation laws with regard to certain native-born citizens of the United States, and for other purposes, was read twice by its title and referred to the Committee on Immigration.

The statement is as follows:

STATEMENT OF SENATOR ELBERT D. THOMAS, OF UTAH, IN CONNECTION WITH THE INTRODUCTION OF HIS BILL, S. 1169, TO CLARIFY THE EXPATRIATION LAWS WITH REGARD TO CERTAIN NATIVE-BORN CITIZENS OF THE UNITED STATES

This bill, which is entitled "A bill to clarify the expatriation laws with regard to certain native-born citizens of the United States, and for other purposes", is introduced to rectify a great wrong which is now being done to many American native-born citizens who were during their minority taken to foreign lands by their parents who there became naturalized or repatriated.

Until about 1930 such action of the parent was rightly held not to affect the American-born minor children of the parents renouncing their own American citizenship. There is no question that prior to 1930 passports were issued to such children as American citizens after coming of age, and American-born minors returning to the United States were admitted as American citizens on their birth certificates. In 1930 a contention arose between the State and Labor Departments on this subject; the former contending that the American citizenship was lost in certain countries and the Labor Department contending that the children's native-born American citizenship given by the Constitution was not affected by any act of any person, including the parents.

I think that the Labor Department was right, and in accordance with the rules laid down in the Wong Kim Ark case—or as it is popularly called, *The Chinese Baby case* (169 U. S. 703), but in 1932 the Attorney General sustained the State Department in an opinion (Tobiassen) reported in 36 Op. A. G. 535, and since that time American-born children have been held to lose the citizenship conferred by the Constitution upon their parents' naturalization in foreign lands.

The question was raised in the District Court of the United States for Oregon in 1934, and the judge of that court rendered an opinion which reviewed the historical attitude of the Government in protecting the American citizenship of native-born children (*In re Reid*, 6 Federal Supplement, 800), which he held could only be lost by the voluntary expatriation of the citizen himself and not by the action of the parents, and criticized severely the Tobiassen opinion, which he said placed the convenience of the Government above the constitutional rights of citizens.

The Circuit Court of Appeals of the Ninth Circuit reversed the district court (73 F. (2d) 153), basing the opinion partly on treaty relations with Great Britain, but also on a statement in the Government's brief that the State Department had uniformly for many years construed the act of March 2, 1907 (sec. 2), as depriving American children of this class of their citizenship; but I think it can be shown that this statement was erroneous and is certainly contrary to the long-continued construction of the Labor Department. The Supreme Court of the United States refused certiorari in the Reid case on the ground that the time had expired before the petition was filed. The merits of the case were not even referred to.

Section 2 of the act of March 2, 1907, provides as follows:

"Any American citizen shall be deemed to have expatriated himself when he has been naturalized in any foreign state in conformity with its laws, or when he has taken an oath of allegiance to any foreign state.

"When any naturalized citizen shall have resided for 2 years in the foreign state from which he came, or for 5 years in any other foreign state, it shall be presumed that he has ceased to be an American citizen, and the place of his general abode shall be deemed his place of residence during said years. Such presumption may be overcome on the presentation of satisfactory evidence to a diplomatic or consular officer of the United States, under such rules and regulations as the Department of State may prescribe. Duplicates of any evidence, registration, or other acts required by this section shall be filed with the Department of State for record."

Neither the above provisions of the Expatriation Act of 1907 nor any other act can be construed under Wong Kim Ark as taking away or affecting the native-born citizenship except by the voluntary act of the citizen himself, nor can any treaty between the United States and any foreign power relating to the treatment of the naturalized citizens of one country in the land of the other affect the citizenship of any native-born American citizen, as, whatever the United States might do by treaty in regard to the citizenship of its citizens, those native-born citizens cannot be deprived of their citizenship under provisions relating exclusively to naturalized citizens, even though such naturalized citizens be their parents.

The executive departments of the Government also claim that this loss of American citizenship may be the result of a law of the foreign country, but certainly no native-born American citizen can be deprived of the citizenship given by the Constitution under any law of any foreign state, even if alleged to be based on a naturalization treaty, unless the treaty specifically refers to native-born as well as to naturalized citizens.

The changed attitude of the Government on this question is demonstrated in a case now pending to deport a young woman born in the city of New York to whom, after disclosure to the American consul in Sweden of all facts relating to the return to Sweden and prolonged stay there of her parents, who were American naturalized citizens of Swedish origin, a passport as an American citizen was issued in 1929 by the American consul in Sweden, by direction of the Secretary of State, when she was 21 years old, and on which passport she returned to the United States, where she has resided since September 1929.

The Government of the United States has instituted proceedings to deport this native-born young woman on the sole ground that when her father recovered his Swedish citizenship by remaining 2 years in Sweden, not only did he, but also his minor children residing with him, as she was at that time, lose the American citizenship conferred on them by the Constitution of the United States, so that they can now only enter the United States as aliens under the quota.

That this is a changed attitude of the executive departments of the Government is demonstrated by a letter written by one of the American vice consuls in Sweden in 1934 about this very case in

which he says that the passport was properly issued in 1929, but since that time the construction of the law has been changed.

This ought not to be.

Mr. President, to weaken in the slightest the theory of citizenship based upon the place of birth is a step backward. Facts of citizenship have become so complex, especially since the changing boundaries and conditions of the World War and the internal governments incident to the war, that this complexity has resulted in gross individual and mass injustices. The American theory of citizenship based upon place of birth, made definite and certain since the Wong Kim Ark case, is one sure foundation upon which to build. If we in America destroy this sure and certain foundation by executive action, by departmental ruling, by legal interpretation, or by treaty agreement, we shall take away a right which for more than a century, and especially since the decision in the Wong Kim Ark case, has been cherished by persons born in the United States. Likewise, we shall destroy a haven of promised justice sought for their offspring by those who could not obtain a fullness of peace and liberty themselves but who aimed to give those blessings to their children.

This bill is of vital importance, for if the tendency to break down a birthright is not checked, injustices to many persons may follow. If the tendency continues, a great constitutional principle may lose its liberty-guaranteeing significance. With the principle of citizenship based upon place of birth made less significant, America, in a period of thoughtlessness, may follow the mad rush of countries which I need not mention which wish to purify the blood of their people by purgings and drivings of all through whose veins rushes blood whose assumed nature does not satisfy the fancy or the whim of a given day's majority group.

EXTENSION AND COMPLETION OF THE CAPITOL BUILDING

Mr. CONNALLY. Mr. President, I introduce a bill to provide for the extension and completion of the Capitol Building. It will be recalled that at the last session the Senate passed a bill identical with the one I am now introducing, but the House failed to concur because of opposition raised by some antiquarians over in the Library of Congress who were against obliterating the spot where Lincoln and some others had stood.

The bill I am now introducing conforms with the original plan of the Architect of the Capitol when the two wings were added to the Capitol along about 1857 to 1860. I ask that the bill be referred to the Committee on Public Buildings and Grounds.

The VICE PRESIDENT. The bill will be received and referred, as requested by the Senator from Texas.

The bill (S. 1170) to provide for the extension and completion of the United States Capitol was read twice by its title and referred to the Committee on Public Buildings and and Grounds.

CHANGES OF REFERENCE

On motion by Mr. ROBINSON, the Committee on Military Affairs was discharged from the further consideration of the bill (S. 126) authorizing the President to present, in the name of Congress, a medal of honor to Harold R. Wood, and it was referred to the Committee on Naval Affairs.

Mr. BULKLEY. Mr. President, yesterday I introduced Senate Joint Resolution 53, providing for a continuance of the participation of the United States in the Great Lakes Exposition in the State of Ohio in 1937, and for other purposes. The joint resolution was referred to the Committee on the Library. I now ask that that committee be discharged from the further consideration of the joint resolution, and that it be referred to the Committee on Commerce, because that committee reported the original joint resolution last year providing for the participation of the Government.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the request is granted.

INVESTIGATION OF VIOLATIONS OF FREE SPEECH AND ASSEMBLY—LIMIT OF EXPENDITURES

Mr. THOMAS of Utah (for himself and Mr. LA FOLLETTE) submitted the following resolution (S. Res. 70), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the limit of expenditures under Senate Resolution 266, Seventy-fourth Congress, second session, agreed to June 6, 1936, to investigate violations of the right of free speech and assembly and interference with the right of labor to organize and bargain collectively, is hereby increased by $50,000.

HEARINGS BEFORE THE COMMITTEE ON INTERSTATE COMMERCE

Mr. WHEELER submitted the following resolution (S. Res. 71), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Interstate Commerce, or any subcommittee thereof, is authorized, during the Seventy-fifth Congress, to send for persons, books, and papers, to administer oaths and to employ a stenographer at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

FLOOD CONTROL—EDITORIAL FROM PHILADELPHIA INQUIRER

Mr. DAVIS. Mr. President, I ask unanimous consent to have inserted in the RECORD an editorial entitled "Flood Control: When?" which was published in the Philadelphia Inquirer of this morning. I also ask that the editorial may be referred to the Committee on Commerce.

There being no objection, the editorial was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

[From the Philadelphia Inquirer, Wednesday, Jan. 27, 1937]

FLOOD CONTROL: WHEN?

As conquering floods and their attendant perils and privations harass the stricken borderlands of the Ohio; as refugees, homeless and hungry, flee the menacing waters; as a shocked Nation speeds its work of rescue and relief, there presses for answer the insistent query: "How long, how long?"

How long must the rich river valleys of America, east and west, suffer the periodic visitation of the flood scourge; how long pay their tribute in human life and loss of property to the unshackled flood tides?

How many succeeding years must see ever mightier floods make mockery of feebly planned man-made barriers; how often must be repeated those scenes of horror now being enacted in the Middle West, that are themselves but magnified repetitions of other such tragedies in years preceding?

There is but one answer. Floods will wreak their havoc, now here, now there, in the river basins of our country, and lives and property will be extinguished in the surging waters until such time as scientific, comprehensive, nationally directed flood prevention and control measures are put into practical effect.

Not to casual, piecemeal, scatter-brained and scatter-money projects, be they dikes or spillways, reservoirs or soil-saving stunts, can river-front communities look for genuine permanent relief.

Flood control is a national problem; one of our greatest. It is the duty of the Federal Government, with the cooperation of affected States and communities, to embark on an adequate program to check the river floods; to safeguard the river valleys and their people.

This lesson should have been sufficiently learned last spring, when swollen rivers rampaged in the East and the Midwest, rolling up a portentous record of devastation in their backwash. That it was not learned is clearly evident today in the submerged regions of the Ohio Valley and the Mississippi.

There was a vast amount of noisy clamor for action after last year's floods, but the action finally taken has been pitifully inadequate. Congress authorized $620,000,000 of reservoir and dam projects in the Ohio and Mississippi Valleys, but the funds remain unappropriated. On a separate, disjointed scale a number of individual control projects have been constructed or initiated. Some of these are doubtless of value. Some have yet to be given an adequate test. On the lower Mississippi levees and floodways, built over a 9-year period, await the shock of the flood tides sweeping down from the Ohio and its overladen tributaries.

But all such scattered State and community projects fall dismally to approach the set-up that must be attained if we are to fight floods instead of running away from them.

The first step in winning a battle is to know the battleground. The battleground of floods in this country is not just the surging waters of the Ohio or the broad sweep of the Mississippi. It extends to almost all of our river basins, from those of the Connecticut and the Susquehanna to the Arkansas and the Red Rivers and the Columbia and the Sacramento. Floods may strike any of these regions. With such a terrain to work upon, centralized Federal action becomes a necessity.

What systems of control and prevention should be adopted is an engineering problem. It should be left to the engineers and planned on broad lines, with those methods best adapted to specific streams and borderlands put into effect. The necessity of fighting the flood tides on their home grounds, so to speak—in their headwaters—should be fully recognized.

Control of soil erosion to reduce the volume of run-off water at stream sources; storage reservoirs at headwaters for impounding purposes until after the danger of floods has passed; check dams upstream and large catch basins farther down; spillways and floodways; adequate dikes and levees; deepening of channels and removal of silt accumulations to direct the flow; canalization and drainage of surrounding territory; diversion channels; relocation of highways and bridges and possibly of some river-side settlements perennially menaced by high water—each of these has its place in combating floods. By combining them, by making use of them scientifically and as parts of a single plan, flood control in the United States might be welded into something of value beyond all present perception.

The cost of such an undertaking undoubtedly would be in the hundreds of millions, but its beneficent results could not fairly be

gaged in dollars and cents. Nation-wide, practicable flood control would mean the salvation of some of the richest lands in America. It would be a project that should give employment to vast numbers in many sections. And, considering the millions piled upon millions lost year after year because of floods—aside from the death and suffering among the victims of the floods—it would be a project that would pay for itself many times over. It would be an investment in American lives.

Too long, as the stark horror that rides the flood crest of the Ohio bears ample witness, has adequate flood control been sidestepped and ignored. Its actuality should be postponed no longer.

PROTECTION FROM AND CONTROL OF FLOODS

[Mr. BILBO asked and obtained leave to have printed in the RECORD an editorial from the New York Times of the 26th instant relative to the protection from and control of floods, and also an editorial from the Washington Herald of the 27th instant on the same subject, which appear in the Appendix.]

COURT DECISION IN GEORGIA POWER CO. INJUNCTION CASE

Mr. BLACK. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the findings of fact and the decree of the District Court of the United States for the Northern District of Georgia, Atlanta Division, in the case of Georgia Power Co., complainant, against the Tennessee Valley Authority and others.

I make this unusual request with reference to the decree of the court because of the peculiar decision which it was necessary to reach by the court. This is a decree enjoining the enforcement of an injunction issued by a court in the State of Tennessee. In other words, the court in Georgia has judicially found that a suit which was filed by the Georgia Power Co. in the State of Alabama and dismissed and later filed in the State of Tennessee, was for the purpose of vexing and harassing those whom it sought to enjoin.

The United States district court in Georgia has further found, in the words of the decision, the suit to be "harassing, vexatious, and unnecessary" on the ground that the case had already been decided in the district court of Georgia and an injunction had been denied; and the court found that "the issues and subject matters of all the suits are substantially identical."

It is further found by the United States district court in Georgia that—

The complainant has invoked equity and therefore must do equity—

And that in seeking injunctions in other courts its conduct "is not only inequitable, but is vexatious and productive of a multiplicity of suits and should be enjoined."

The court then enjoins the Georgia Power Co., its attorneys and representatives, from taking, authorizing, or permitting any action to enforce the decree of interlocutory injunction issued on December 22, 1936, by the District Court of the United States for the Eastern District of Tennessee.

So we find the disagreement between the various courts as to government by injunction having reached such a state that one court is compelled to enjoin the injunction issued by another court. Of course, if it should go still further, four or five other courts might enjoin injunctions issued by other tribunals of similar jurisdiction enjoining the enforcement of injunctions which had been issued to suspend the operation of the laws of the United States.

The VICE PRESIDENT. Without objection, the matter referred to by the Senator from Alabama will be printed in the RECORD.

The matter referred to is as follows:

In the District Court of the United States for the Northern District of Georgia, Atlanta Division

Georgia Power Co., complainant, v. Tennessee Valley Authority et al., defendants—No. 817, in equity

MOTION OF DEFENDANT FOR PRELIMINARY INJUNCTION

This case came on to be heard at this term upon the motion of the defendant, Tennessee Valley Authority, for preliminary injunction. Evidence was introduced and the case argued by counsel orally and by brief.

FINDINGS OF FACT

The complainant's original bill, removed from the State court, sought to enjoin the defendants from certain things alleged to have been imminent and harmful to complainant. Both interlocutory and permanent injunctions were prayed for.

Upon the hearing on the application for interlocutory injunction Circuit Judge Sibley, sitting as judge designate, after a full hearing upon evidence adduced and an elaborate argument of counsel, denied same by decree dated May 28, 1936, in which he held, among other things, that complainant had, in this court, "a standing to question the right of T. V. A. to operate there (in north Georgia) if T. V. A. has no lawful right"; and that the "great question which now presses for decision is whether T. V. A. is so clearly without statutory or constitutional authority to do what it is about to do in Georgia as that it should be halted in its tracks." Answering this question, Judge Sibley found as a matter of law that the decision of the Supreme Court in the case of *Ashwander v. Tennessee Valley Authority* (297 U. S. 288) settled that "electric energy generated at Wilson Dam and not needed for governmental purposes may be sold under authority of Congress, and that to effect sale transmission lines may be bought or built to a market for it, and this was held, although evidently the contemplated sale was not a transient or casual one, but a continuous operation amounting to a business." Judge Sibley further held that "the lines which T. V. A. is now building, whether for its own use or for transfer to North Georgia Membership Corporation, are within its lawful power. That for the present they will be fed by current interchanged with Tennessee Electric Power Co. is no objection. The interchange enables T. V. A. to sell its power at Wilson Dam which otherwise would go unsold. The interchange is a mode of sale." And further that "I cannot say that any limit of power has yet been transgressed by T. V. A. in this case."

Judge Sibley accordingly refused the preliminary injunction but "with leave for either party to apply further in case any future fraudulent or false statements to present or prospective customers made by the authority or connivance or encouragement of the other, or of any wrongful attempt by either party to induce customers or grantors of rights-of-way to break their contracts, or to organize any illegal boycott."

The day following this adverse judgment, and without the consent of this court, complainant, in conjunction with 18 other power companies, filed suits against T. V. A. and others in a court of the State of Alabama, which was, on the day before the date of hearing, dismissed by complainant, and in the chancery court at Knoxville, Tenn., which was subsequently removed to the United States District Court for the Eastern District of Tennessee. The petition in the latter was an elaborate printed petition of 146 pages, which had evidently been prepared some time before the hearing and before the decision of Judge Sibley. So far as complainant is concerned, the issues and prayers of this petition are substantially the same as those in the suit in this court, and the relief sought could be afforded as well here as in the Tennessee court.

Subsequently complainant in the Tennessee suit filed a motion for preliminary injunction and after hearing thereon, the court, on December 22, 1936, granted a preliminary injunction enjoining defendants in this case from engaging in undertakings which Judge Sibley had previously held they had a right to do.

Complainant voluntarily invoked the jurisdiction and affirmative aid of this court, prior to the institution of the Tennessee suit and subsequently voluntarily proceeded to a decision which it has not sought to have revoked or modified by this court or reviewed and reversed by an appellate court; and, upon receiving a judgment which was not to its liking, it proceeded, over defendant's objections, to relitigate the same controversies in another court.

The suits filed against defendant in the Alabama and Tennessee courts were harassing, vexatious, and unnecessary, and, insofar as parties in this case are concerned, the issues and subject matter of all suits are substantially identical.

This court, prior to the filing of suits in the other courts, had assumed jurisdiction over the parties and the controversies and had passed upon such controversies.

CONCLUSIONS OF LAW

It is not only the right but the duty of this court to protect its jurisdiction and to effectuate its orders and decrees.

"The use of the writ of injunction, by Federal courts first acquiring jurisdiction over the parties or the subject matter of a suit, for the purpose of protecting and preserving the jurisdiction until the object of the suit is accomplished and complete justice done between the parties is familiar and long-established practice" (*Looney v. Eastern Texas R. R. Co.*, 247 U. S. 214, 221).

To accomplish this end a court of equity "is not always limited to the restraint of the contemplated or threatened action, but may even require affirmative action where circumstances of the case demand it" (*In re Lennon*, 166 U. S. 548, 556).

Furthermore, "The jurisdiction of courts of equity to enforce and effectuate their own decrees by injunction or writs of assistance in order to avoid the relitigation of questions once settled between the same parties is well settled" (*Root v. Woolworth*, 150 U. S. 401, 411–412). (See also *Continental Bank v. Rock Island Ry.*, 294 U. S. 648, 675–676.)

The ruling of Judge Sibley set out in said decree is the law of this case and binding upon complainant until modified or set aside by proper proceedings in this court or upon appeal. Defendants acquired plain and definite rights by the decree which was invoked by the voluntary and affirmative action of complainant. These rights are substantial and must be respected and the jurisdiction and orders of this court protected and made effective.

The facts disclosed no laches nor waiver nor estoppel on the part of defendants. They had a right to assume that the jurisdiction of this court and the effectiveness of its orders would be recognized and respected when brought to the attention of another court of concurrent jurisdiction, and the pleadings presenting such facts to the district court in Tennessee and asserting the validity and binding effect of the decision of this court,

constituted no waiver of nor estoppel to claim in this court rights flowing to them by virtue of said proceedings and decree (*Kessler v. Elrod*, 206 U. S. 285, 260). For like reason, the failure of defendants to invoke the injunction process in this court before the Federal court in Tennessee passed upon such pleadings is excusable and the delay in taking such action did not constitute laches.

Complainant has invoked equity and therefore must do equity. It is not equity to seek relief in this court and then, after a full hearing and an adverse decision, to hasten to two other courts on the very next day and pray of them substantially the same relief sought and denied in this court. Such conduct is not only inequitable but is vexatious and productive of a multiplicity of suits, and should be enjoined.

This proceeding is not a collateral attack upon the judgment of any court of concurrent jurisdiction, but is one to make effectual to defendants rights which this court had decreed in this suit to be in defendants, and which complainant seeks to set at naught by the enforcement of a later decree of such other court. This court is undertaking only to preserve its own prior jurisdiction and to enforce its own decree by demanding obedience to it of a complainant party now before it and at whose instance the decree was rendered. This court is not undertaking to impinge upon the jurisdiction of any other court or to direct or influence its action in any way. That is a matter entirely within the control of such other court. But this court is undertaking to control the action of complainant and its agents to the extent, and only to the extent, necessary to compel obedience to its decree and respect for its jurisdiction.

Whereupon, it is ordered, adjudged, and decreed that the Georgia Power Co. and its solicitors of record, including Messrs. Frantz, McConnell & Seymour, Messrs. Trabue, Hume & Armistead, Messrs. Baker, Hostetler, Sidle & Patterson, and Messrs. Colquitt, MacDougald, Troutman, and Arkwright, and all of its or their officers, directors, attorneys, partners, associates, clerks, representatives, and employees, and all others acting or purporting to act on its or their behalf, or in concert with them or any of them, be, and they are hereby, enjoined and restrained as follows:

1. From taking, authorizing, or permitting any action to enforce the decree of interlocutory injunction issued on December 22, 1936, by the District Court of the United States for the Eastern District of Tennessee, in the case of the *Tennessee Electric Power Co. et al. v. Tennessee Valley Authority et al.*, now pending in said court, insofar as said decree relates to the rights of the Tennessee Valley Authority to construct transmission or rural distribution lines within the State of Georgia, to negotiate and execute contracts for the sale of power within said State, to sell power within said State, and to construct the necessary facilities therefor, or the right of the Tennessee Valley Authority to carry on its business and operations generally in the State of Georgia.

2. Unless hereafter authorized by this court, from continuing in any manner with or maintaining the proceedings in said Tennessee case, insofar as said proceedings may prevent or interfere with the exercise of the rights of the Tennessee Valley Authority under the decree of this court, to construct transmission and rural distribution lines within the State of Georgia, to negotiate and execute contracts for the sale of power within said State, to sell power within said State, and to construct the necessary facilities therefor, or to carry on its business and operations generally in the State of Georgia.

3. It is further ordered that complainant may have this case set down for final hearing, as it appears that it is now ripe for such hearing, and may apply in this case for such other and further relief as it may think that it is entitled to.

4. Leave is also granted to defendants to apply to this court in this proceeding for any further relief that they may think themselves entitled to.

This the 19th day of January 1937, at 4:05 p. m.

E. MARVIN UNDERWOOD,
United States District Judge.

Filed in clerk's office 19th day of January 1937, J. D. Steward, clerk, at 4:10 p. m.

THE UNITED STATES OF AMERICA,
Northern District of Georgia:

I, J. D. Steward, clerk of the United States District Court for the Northern District of Georgia, do hereby certify that the above and foregoing five pages is a true and complete copy of the findings of fact and conclusions of law, and order of the court, in the cause stated, as remains of file and on record in my office at Atlanta, Ga.

In testimony whereof I have hereunto subscribed my name and affixed the seal of the said district court at Atlanta, Ga., this the 20th day of January, A. D. 1936.

[COURT SEAL]

J. D. STEWARD,
Clerk, United States District Court,
Northern District of Georgia.

Mr. NORRIS. Mr. President, the request made by the Senator from Alabama is so extraordinary that I desire to occupy just a few moments of the time of the Senate to discuss the question involved.

The Georgia Power Co. went into the courts in Georgia. I think the suit was commenced in the State court and then transferred to the Federal court for the northern district of Georgia. Judge Underwood, for some reason, did not hear the case, and it was heard by Judge Sibley, of the circuit court of that circuit.

The case came on for hearing on a motion for a preliminary injunction, wherein it was asked that the same things be enjoined that were afterward enjoined by Judge Gore. Judge Sibley heard the evidence and listened to the argument of counsel on both sides, and then denied the temporary injunction. The very next day after Judge Sibley denied the injunction the Georgia Power Co., in connection with 18 other power companies, went into the northern district of Alabama in the Federal court asking and praying for the same kind of injunction. The day before that request came on for hearing the power companies went into court and dismissed the proceeding.

On the same day they commenced a suit in northern Alabama, the day after they had been defeated in their application in the Federal court of Georgia, they filed another suit of the same kind in Tennessee. This was filed by the same 19 corporations. That case was transferred to the Federal court in Tennessee, and there a hearing was had before Judge Gore and an injunction was granted tying the hands of the T. V. A., as the President said in his letter—and I shall digress a moment to comment on that letter.

In ending the further proceedings in the conference which had been held with the idea of coming to some agreement, he dismissed them all on the ground of the issuing of the injunction. He said in his letter:

> Since the conference of September 30 a sweeping preliminary injunction has been issued against the Tennessee Valley Authority upon the application of 19 utility companies, including certain companies who were parties to the conference. The securing of an injunction of this broad character, under the circumstances, precludes a joint transmission facility arrangement and makes it advisable to discontinue these conferences.

The case first commenced in the Federal court of Georgia was not dismissed. The application for preliminary injunction still remained on the docket. When Judge Gore issued the same kind of an injunction on application of the 19 companies, including the Georgia company, it was the T. V. A. which brought to the attention of Judge Underwood, judge of the northern district of Georgia, the fact that while in that court he had denied the injunction, another court had granted the injunction. This brought about the remarkable condition to which the Senator from Alabama [Mr. BLACK] has referred.

That case was entitled Georgia Power Co. against Tennessee Valley Authority and others, in equity no. 817.

Mr. McKELLAR. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Tennessee?

Mr. NORRIS. I yield.

Mr. McKELLAR. I may say to the Senator that when the case was brought in Tennessee it was filed in the eastern district of Tennessee. There the judge recused himself on the ground that his wife owned some stock in one of the power companies. He sent to middle Tennessee and secured Judge Gore to take charge of the case in eastern Tennessee, so it was really a matter of going to four judges instead of three.

Mr. NORRIS. Yes. It is a very remarkable condition. At a not distant date I intend to address the Senate on the subject of government by injunction.

This is an illustration of a case where the power companies traveled around from one court to another for purposes of their own—I presume to find a friendly court—and when they found one they stayed there, although in one case, where they were under the same rules, a court of concurrent jurisdiction had denied their application after full hearing.

Mr. BORAH. Mr. President——

Mr. NORRIS. I yield to the Senator from Idaho.

Mr. BORAH. I take it that the inference to be drawn from this state of facts is that the power interests felt there was a judge who would be more friendly to them than the judge who had passed upon the question?

Mr. NORRIS. I presume so.

Mr. BORAH. Is it the purpose of the presentation of the facts to show that condition? Is there anything in support of it that is to be submitted by the Senator?

Mr. NORRIS. I am going to offer something in support of it right now. It is the decree of the court which the Senator from Alabama [Mr. BLACK] has asked to have printed in the RECORD.

This situation was called to the attention of Judge Underwood upon motion of T. V. A. They asked that the parties in Georgia be enjoined where the injunction had already been denied, but another court in Tennessee had issued an order on application of the power companies, so they could nullify and prevent any action on the part of T. V. A. in Georgia.

Mr. ROBINSON. Mr. President, may I ask a question at that point?

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Arkansas?

Mr. NORRIS. Certainly.

Mr. ROBINSON. Does it appear from the record whether the court which finally issued the injunction that was later enjoined knew of the former presentation of the matter?

Mr. NORRIS. I cannot answer the question directly, but it appears that there was some such objection raised in the court.

Mr. ROBINSON. The Senator, of course, will see the pertinency of the question?

Mr. NORRIS. Oh, yes; I see it.

Mr. ROBINSON. If the court issued the injunction on the basis of what might be said to be the merits of the matter as presented in that court, it would be an entirely different question from that which would arise if the court was advised of the fact that another court of equal and concurrent jurisdiction had denied it.

Mr. NORRIS. Oh, yes. I am not finding fault with any court. I am not attempting to criticize any judge. What I am attempting to call to the attention of the country is the methods the power companies pursue to nullify acts of Congress. They are guilty even though they never told the court anything about it.

Mr. ROBINSON. Of course, they should have advised the court.

Mr. NORRIS. Of course they should.

I am now about to read from the statement of the court on the motion of the Tennessee Valley Authority:

MOTION OF DEFENDANT FOR PRELIMINARY INJUNCTION

This case came on to be heard at this term upon the motion of defendant, Tennessee Valley Authority, for preliminary injunction. Evidence was introduced and the case argued by counsel orally and by brief.

FINDING OF FACTS

The complainant's original bill—

This is the judge speaking. I am reading from his decree.

The complainant's original bill, removed from the State court, sought to enjoin the defendants from certain things alleged to have been imminent and harmful to complainant. Both interlocutory and permanent injunctions were prayed for.

Upon the hearing on the application for interlocutory injunction, Circuit Judge Sibley, sitting as judge designate, after a full hearing upon evidence adduced and elaborate argument of counsel, denied same by decree dated May 28, 1936, in which he held, among other things, that complainant had in this court "a standing to question the right of T. V. A. to operate there (in north Georgia) if T. V. A. has no lawful right"; and that the "great question which now presses for decision is whether T. V. A. is so clearly without statutory or constitutional authority to do what it is about to do in Georgia as that it should be halted in its tracks." Answering this question, Judge Sibley found as a matter of law that the decision of the Supreme Court in the case of *Ashwander* v. *Tennessee Valley Authority* (297 U. S. 288) settled that electric energy generated at Wilson Dam and not needed for governmental purposes may be sold under authority of Congress, and that to effect sale transmission lines may be bought or built to a market for it, and this was held, although evidently the contemplated sale was not a transient or casual one but a continuous operation amounting to a business. Judge Sibley further held that "the lines which T. V. A. is now building, whether for its own use or for transfer to North Georgia Membership Corporation, are within its lawful power. That for the present they will be fed by current interchanged with Tennessee Electric Power Co. is no objection. The interchange enables T. V. A. to sell its power at Wilson Dam which otherwise would go unsold. The interchange is a mode of sale." And further that "I cannot say that any limit of power has yet been transgressed by T. V. A. in this case."

Judge Sibley accordingly refused the preliminary injunction, but with leave for either party to apply further in case any future fraudulent or false statements to present or prospective customers made by the authority or connivance, or encouragement of the other, or of any wrongful attempt by either party to induce customers or grantors of rights-of-way to break their contracts, or to organize any illegal boycott.

The day following this adverse judgment, and without the consent of this court, complainant, in conjunction with 18 other power companies, filed suits against T. V. A. and others in a court of the State of Alabama, which was, on the day before the date of hearing, dismissed by complainant, and in the chancery court at Knoxville, Tenn., which was subsequently removed to the United States District Court for the Eastern District of Tennessee.

Listen to this, now:

The petition in the latter was an elaborate printed petition of 146 pages, which had evidently been prepared some time before the hearing and before the decision by Judge Sibley. So far as complainant is concerned, the issues and prayers of this petition are substantially the same as those in the suit in this court, and the relief sought could be afforded as well here as in the Tennessee court.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. NORRIS. I yield to the Senator from Alabama.

Mr. BLACK. The question asked by the Senator from Arkansas [Mr. ROBINSON], which was not completely answered at the time, is so important that, if the Senator from Nebraska will permit, I desire to call his attention to a fact in connection with it.

Mr. NORRIS. Would the Senator just as soon let me finish reading the decree, so that it will be more continuous, and have his interruption come in afterward?

Mr. BLACK. Certainly. I simply desire to call attention to the fact that the decree, if the Senator is going to read it all, will show that the T. V. A. presented to the judge in Tennessee the fact that the court in Georgia had denied an injunction on the identical facts on which an injunction was sought in Tennessee.

Mr. NORRIS. I continue reading from the decree:

Subsequently complainant in the Tennessee suit filed a motion for preliminary injunction, and, after hearing thereon, the court, on December 22, 1936, granted a preliminary injunction enjoining defendants in this case from engaging in undertakings which Judge Sibley had previously held they had a right to do.

Complainant voluntarily invoked the jurisdiction and affirmative aid of this court prior to the institution of the Tennessee suit and subsequently voluntarily proceeded to a decision, which it has not sought to have revoked or modified by this court or reviewed and reversed by an appellate court; and, upon receiving a judgment which was not to its liking, it proceeded, over defendant's objections, to relitigate the same controversies in another court.

The suits filed against defendant in the Alabama and Tennessee courts were harassing, vexatious, and unnecessary; and, insofar as parties in this case are concerned, the issues and subject matter of all suits are substantially identical.

This court prior to the filing of suits in the other courts had assumed jurisdiction over the parties and the controversies and had passed upon such controversies.

CONCLUSIONS OF LAW

It is not only the right but the duty of this court to protect its jurisdiction and to effectuate its orders and decrees.

"The use of the writ of injunction by Federal courts first acquiring jurisdiction over the parties or the subject matter of a suit for the purpose of protecting and preserving the jurisdiction until the object of the suit is accomplished and complete justice done between the parties is familiar and long-established practice" (*Looney* v. *Eastern Texas R. R. Co.*, 247 U. S. 214, 221).

To accomplish this end a court of equity "is not always limited to the restraint of the contemplated or threatened action, but may even require affirmative action where circumstances of the case demand it" (*In re Lennon*, 166 U. S. 548, 556).

Furthermore "The jurisdiction of courts of equity to enforce and effectuate their own decrees by injunction or writs of assistance in order to avoid the relitigation of questions once settled between the same parties is well settled" (*Root* v. *Woolworth*, 150 U. S. 401, 411–412). (See also *Continental Bank* v. *Rock Island Ry.*, 294 U. S. 648, 675–676.)

The ruling of Judge Sibley set out in said decree is the law of this case and binding upon complainant until modified or set aside by proper proceedings in this court or upon appeal. Defendants acquired plain and definite rights by the decree which was invoked by the voluntary and affirmative action of complainant. These rights are substantial and must be respected, and the jurisdiction and orders of this court protected and made effective.

The facts disclose no laches nor waiver nor estoppel on the part of defendants. They had a right to assume that the jurisdiction of this court and the effectiveness of its orders would be recognized and respected when brought to the attention of another court of concurrent jurisdiction, and the pleadings presenting such facts to the district court in Tennessee and asserting the validity and binding effect of the decision of this court constituted no waiver of nor estoppel to claim in this court rights flowing to them by virtue of said proceedings and decree (*Kessler* v. *Eirod*, 206 U. S. 285, 290). For like reason, the failure of defendants to

invoke the injunction process in this court before the Federal court in Tennessee passing upon such pleadings is excusable and the delay in taking such action did not constitute laches.

Complainant has invoked equity and therefore must do equity. It is not equity to seek relief in this court and then after a full hearing and an adverse decision to hasten to two other courts on the very next day and pray of them substantially the same relief sought and denied in this court. Such conduct is not only inequitable but is vexatious and productive of a multiplicity of suits and should be enjoined.

This proceeding is not a collateral attack upon the judgment of any court of concurrent jurisdiction, but is one to make effectual to defendants rights which this court has decreed in this suit to be in defendants and which complainant seeks to set at naught by the enforcement of a later decree of such other court. This court is undertaking only to preserve its own prior jurisdiction and to enforce its own decree by demanding obedience to it of a complainant party now before it and at whose instance the decree was rendered. This court is not undertaking to impinge upon the jurisdiction of any other court or to direct or influence its action in any way. That is a matter entirely within the control of such other court. But this court is undertaking to control the action of complainant and its agents to the extent, and only to the extent, necessary to compel obedience to its decree and respect for its jurisdiction.

Whereupon it is ordered, adjudged, and decreed that the Georgia Power Co. and its solicitors of record—

Some of these names will be familiar to Senators—

including Messrs. Frantz, McConnell & Seymour, Messrs. Trabue, Hume & Armistead, Messrs. Baker, Hostetler, Sidle & Patterson, and Messrs. Colquitt, MacDougald, Troutman & Arkwright, and all of its or their officers, directors, attorneys, partners, associates, clerks, representatives, and employees, and all others acting or purporting to act on its or their behalf or in concert with them, or any of them, be, and they are hereby, enjoined and restrained as follows:

1. From taking, authorizing, or permitting any action to enforce the decree of interlocutory injunction issued on December 22, 1936, by the District Court of the United States for the Eastern District of Tennessee, in the case of the *Tennessee Electric Power Co. et al. v. Tennessee Valley Authority et al.*, now pending in said court, insofar as said decree relates to the rights of the Tennessee Valley Authority to construct transmission or rural distribution lines within the State of Georgia, to negotiate and execute contracts for the sale of power within said State, to sell power within said State, and to construct the necessary facilities therefor, or the right of the Tennessee Valley Authority to carry on its business and operations generally in the State of Georgia.

2. Unless hereafter authorized by this court, from continuing in any manner with or maintaining the proceedings in said Tennessee case, insofar as said proceedings may prevent or interfere with the exercise of the rights of the Tennessee Valley Authority under the decree of this court, to construct transmission and rural distribution lines within the State of Georgia, to negotiate and execute contracts for the sale of power within said State, to sell power within said State and to construct the necessary facilities therefor, or to carry on its business and operations generally in the State of Georgia.

3. It is further ordered that complainant may have this case set down for final hearing, as it appears that it is now ripe for such hearing, and may apply in this case for such other and further relief as it may think that it is entitled to.

4. Leave is also granted to defendants to apply to this court in this proceeding for any further relief that they may think themselves entitled to.

This the 19th day of January 1937, at 4:05 p. m.

E. MARVIN UNDERWOOD,
United States District Judge.

Filed in clerk's office 19th day of January 1937. J. D. Steward, clerk, at 4:10 p. m.

THE UNITED STATES OF AMERICA,
Northern District of Georgia:

I, J. D. Steward, clerk of the United States District Court for the Northern District of Georgia, do hereby certify that the above and foregoing five pages is a true and complete copy of the findings of fact and conclusions of law and order of the court, in the cause stated, as remains of file and on record in my office at Atlanta, Ga.

In testimony whereof I have hereunto subscribed my name and affixed the seal of the said district court at Atlanta, Ga., this the 20th day of January, A. D. 1936.

[COURT SEAL]

J. D. STEWARD,
Clerk, United States District Court,
Northern District of Georgia.

Mr. President, at this time I have nothing more to offer than is disclosed by the decree issued by Judge Underwood. It seems to me it ought to excite the interest of every person, not only in regard to this matter but the general subject of the issuing of injunctions.

LIMITATION OF JURISDICTION IN INJUNCTION CASES

Mr. McKELLAR. Mr. President, I ask consent to introduce a bill; and, in view of the remarks of the Senator from Nebraska [Mr. NORRIS], I ask unanimous consent that the clerk may read the bill. It is very short.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred; and the clerk will read.

The bill (S. 1174) to limit the jurisdiction of district courts and circuit courts of appeals with respect to suits to enjoin the execution of acts of Congress was read the first time by its title, the second time at length, and referred to the Committee on the Judiciary, as follows:

Be it enacted, etc., That the Judicial Code, as amended, is amended by inserting after section 264 the following new section:

"SEC. 264A. No district court or circuit court of appeals shall have jurisdiction of, and no district or circuit judge shall have jurisdiction or power to issue an injunction in, any suit in which it is sought to enjoin, suspend, or restrain the enforcement, operation, or execution of any act of Congress unless and until such act shall have been held finally invalid by the Supreme Court."

Mr. McKELLAR subsequently said: Mr. President, today I introduced a bill limiting the jurisdiction of district and circuit judges in granting injunctions. I wish to give notice that at its next meeting I shall address the Senate on that subject as soon as I may be able to obtain the floor.

THE CALENDAR

The PRESIDENT pro tempore. The calendar is in order under rule VIII. The clerk will state the first bill on the calendar.

The bill (S. 766) to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects destroyed in a fire at the radio direction-finder station, North Truro, Mass., on December 27, 1934, was announced as first in order.

Mr. SCHWELLENBACH. Let that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 62) to extend the times for commencing and completing the construction of a free highway bridge across the Missouri River at or near Atchison, Kans., was announced as next in order.

Mr. BULKLEY. I ask that that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 110) for the relief of Fred M. Munn, was announced as next in order.

Mr. KING. Mr. President, I should like to have an explanation of the bill.

The PRESIDENT pro tempore. The Senator from Utah asks for an explanation of the bill.

Mr. KING. Let it go over.

The PRESIDENT pro tempore. The bill will be passed over.

CROP PRODUCTION AND HARVESTING LOANS

The bill (S. 1053) to provide for loans to farmers for crop production and harvesting during the year 1937, and for other purposes, was announced as next in order.

Mr. SMITH. Mr. President, this is a very important bill. An identical bill has been passed by the House of Representatives and is now on the table of the clerk. I move that House bill 1545, which is identical with the one on the Senate calendar, be substituted for Senate bill 1053, and be considered at this time.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 1545) to provide for loans to farmers for crop production and harvesting during the year 1937, and for other purposes, which was read, as follows:

Be it enacted, etc., That the Governor of the Farm Credit Administration, hereinafter in this act referred to as the Governor, is hereby authorized to make loans to farmers in the United States (including Hawaii and Puerto Rico), for fallowing, for planting, for cultivation, for production of crops, for harvesting of crops, for supplies incident and necessary to such production or harvesting, and for feed for livestock, or for any of such purposes. Such loans shall be made and collected through such agencies, upon such terms and conditions, and subject to such regulations, as the Governor may prescribe.

SEC. 2. (a) No loan shall be made under this act to any applicant who shall not have first established to the satisfaction of the proper officer or employee of the Farm Credit Administration, under such regulations as the Governor may prescribe, that such applicant is unable to procure from other sources a loan in an amount reasonably adequate to meet his needs for the purposes for which loans may be made under this act; and preference shall be given to the applications of farmers whose cash requirements are small.

(b) There shall be required as security for any such loan a first lien, or an agreement to give a first lien, upon all crops of which the production or harvesting, or both, is to be financed, in whole or in part, with the proceeds of such loan; or, in case of any loan, for the purchase or production of feed for livestock, a first lien upon the livestock to be fed.

(c) No loan made under the provisions of this act to any borrower shall exceed $400, nor shall a loan be so made in any calendar year which, together with the unpaid principal of prior loans so made to such borrower in that year, shall exceed $400 in amount: *Provided, however,* That in any area certified by the President of the United States to the Governor as a distressed emergency area, the Governor may make loans without regard to the foregoing limitations as to amount, under such regulations, with such maturities, and in such amounts as he may prescribe.

(d) Each loan shall bear interest at the rate of 4 percent per annum.

SEC. 3. The proceeds of each loan made by the Governor under the provisions of this act shall be impressed with a trust for the purposes for which loans may be made under this act, and may be used only for the purposes stated in the application therefor, and such trust shall continue, and the proceeds shall be free from garnishment, attachment, or the levy of an execution, until such proceeds have been used by the borrower for such purposes.

SEC. 4. (a) Fees for recording, filing, registration, and examination of records (including certificates) shall not exceed 75 cents per loan, and may be paid from the proceeds of the loan.

(b) No fees for releasing liens given to secure loans made pursuant to this act, nor any other fee not specified herein, shall be paid from the funds herein authorized to be appropriated.

SEC. 5. (a) The Governor shall have power, without regard to the provisions of other laws applicable to the employment and compensation of officers and employees of the United States, to employ and fix the compensation and duties of such agents, officers, and employees as may be necessary to carry out the purposes of this act; but the compensation of such officers and employees shall correspond, so far as the Governor deems practicable, to the rates established by the Classification Act of 1923, as amended.

(b) Such agents, officers, and employees, or any of them, and the agents, officers, employees, and facilities of the Farm Credit Administration available for use in connection with loans made under the provisions of this act or of prior crop-production, seed, and feed loan acts of the same general character, may be used by the Governor to perform services for any institution operating under the supervision of the Farm Credit Administration, upon such terms and conditions as the Governor may determine; and such institutions are hereby expressly empowered to enter into agreements with the Governor for such purpose.

(c) For the purpose of carrying out the provisions of this act, and for collecting loans made under other acts of the same general character, including loans made by the Governor with funds appropriated by the Emergency Appropriation Act, fiscal year 1935, or the Emergency Relief Appropriation Act of 1935, the Governor is authorized also to use the facilities and services of any agency or corporation operating under the supervision of the Farm Credit Administration, and of any officer or employee of any such agency or institution, or of the Farm Credit Administration, and may pay for such services and the use of such facilities from the funds made available for the payment of necessary administrative expenses, and such agencies and institutions are hereby expressly empowered to enter into agreements with the Governor for the accomplishment of such purposes and to perform the services provided for therein.

SEC. 6. (a) Except with the written permission of the Governor or his duly authorized representative, it shall be unlawful for any borrower to willfully use the proceeds of any loan:

(1) For any purpose other than those specified in the application therefor; or

(2) For the purpose of fallowing, or for the planting, production, or harvesting of any crops on, any land other than that described in his application for such loan.

(b) It shall be unlawful for any person to make any material false representation for the purpose of obtaining, or assisting another to obtain, a loan under the provisions of this act; or willfully to dispose of, or assist in disposing of, except for the account of the Governor, any crops or other property upon which there exists a lien securing a loan made under the provisions of this act.

(c) It shall be unlawful for any person to charge or accept a fee for preparing or assisting in the preparation of any papers of an applicant for a loan under the provisions of this act.

(d) Any person violating any provision of this section of this act shall, upon conviction thereof, be punished by a fine of not more than $1,000, or by imprisonment for not more than 6 months, or both.

SEC. 7. (a) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $50,000,000 for the purpose of enabling the Governor to carry out the provisions of this act.

(b) The moneys appropriated in pursuance of subsection (a) of this section, any amounts collected for services rendered under section 5 (b), and all collections of principal and interest of loans made under this act may be used by the Governor for making loans under this act, and for all necessary administrative expenses incurred in connection with the making and collection of such loans.

(c) Expenditures for printing and binding necessary in carrying out the provisions of this act may be made without regard to the provisions of section 3709 of the Revised Statutes.

The PRESIDENT pro tempore. The bill is before the Senate and open to amendment.

Mr. McNARY. Mr. President, I am sure the very able Senator from South Carolina, chairman of the Committee on Agriculture and Forestry, desires to make a statement concerning the provisions of this measure. I recall that last year when a similar bill was proposed and passed by the Congress the President vetoed it. However, I believe that from other sources than the one provided a sufficient sum to take care of the needs of the distressed farmers was obtained. I wish the Senator from South Carolina would address himself to this matter. What has been the change in the program, the plan, or the view of the President? What view does he now entertain concerning this proposed legislation?

Mr. SMITH. I frankly admit that I have not been informed, but I have reason to believe that the bill now under consideration, if passed, will not receive the fate that the former proposed legislation received. I think it is our duty to pass the bill. The enactment of the measure is unanimously desired both in the House and in the Senate. Judging from the sources from which the bill originated in the House, I believe it will receive more favorable consideration than similar proposed legislation received last year.

Mr. ROBINSON. Mr. President, I wish to ask the Senator from South Carolina a question at this point. Is there any fund, within his knowledge, from which allocations may be made for loans of the character provided for in the bill?

Mr. SMITH. Through repayments of loans and from other sources, I think funds are available for this very character of legislation. I should like to state that almost 100-percent repayment of similar loans has been made in the southern and eastern sections of the country, and outside of the region stricken by terrific drought an average of over 60 percent of the loans has been repaid.

Mr. ROBINSON. Mr. President, the Senator evidently misunderstood my question. Last year, when the so-called seed-loan bill was passed, we were advised that there existed a fund, from which allocations could be made, adequate for the purposes of the legislation; and for that reason the bill was vetoed, and no effort was made to pass it over the Executive veto so far as the Senate was concerned. Now I am asking whether it is necessary to pass this bill in order that the loans may be continued.

Mr. SMITH. It is.

Mr. ROBINSON. So there is no fund within the Senator's knowledge which may be allocated to this purpose?

Mr. SMITH. There is no specific fund. The general operation was that the funds collected were covered into the Treasury as miscellaneous receipts, but from time to time they were segregated and were reissued. However, there is no specific fund for the purpose, and it is necessary for us to pass the proposed legislation.

Mr. McNARY. Mr. President, I think the Senator from South Carolina should discuss the subject from a historical standpoint. I recall that on a great many occasions bills of this nature have been passed and there has not been a reasonable return of the money borrowed under the provisions of such bills. Last year, when this matter came up, the President used language to the effect that we were tapering off in this form of assistance.

I wish the Senator would specify what amount of money was received last year for this purpose and out of what fund. As I recall, Mr. President, after the veto message had been brought to Congress, and no action was taken, about $40,000,000 was acquired from some distinct governmental agency. What amount of that has been repaid? Is any sum of that kind available this year? Is there necessity for the appropriation of this particular amount of money? What sections of the country need it most? What sums were recovered by the Government from loans made last year?

I should like a full explanation of those matters.

Mr. SMITH. The Farm Credit Administration has issued an exhaustive detailed statement as to who received the money and how much was repaid. This year, outside of the drought-stricken region, upward of 90 percent has already been paid back.

I desire to state that this is perhaps the most popular form of Government aid. It preserves the self-respect of the borrower, who pays it back whenever he is able to pay it back; and the Government ultimately stands to lose nothing, for the reason that, for example, in my State the Government not only collected practically 100 percent of last year's loans but collected the delinquencies of previous years. As to the amount of money spent last year, advices coming to me have been that the total amount spent was upward of $50,000,000.

Mr. McKELLAR. Mr. President, I desire to supplement what the Senator from South Carolina has so well said in reference to the uses of this loan. Memphis is in the center of a loan district. The people who borrow this money are the small farmers, white and colored, who are unable to borrow money from banks, or from merchants, or from any other source.

Mr. ROBINSON. They are not eligible for so-called crop-production loans because they have no collateral.

Mr. McKELLAR. That is entirely true.

Mr. ROBINSON. These loans are made exclusively on the basis of prospective crops. If a drought comes, and no crop is made, the borrower cannot pay. It is a singular fact that in the States where these loans have been made, and where droughts have not occurred, a greater percentage of the loans has been repaid than under any other form of credit extended by the National Government. It is a tribute to the honesty of the people who secure the loans, and the loans are made in very small amounts.

Mr. McKELLAR. Mr. President, our distinguished leader is absolutely correct. What he says is entirely true, certainly in the section where I live. It is also true that those who apply for these loans are the very poorest classes of persons. They probably would be on relief if it were not for the loans. They obtain the loans, they make their crops, and they pay back their loans.

Before I left my home a short time ago, the administrator in my State told me that more than 90 percent of last year's loans have been repaid, that repayments have been made on previous years' loans, and that the borrowers not only paid back their loans but, by reason of the loans, kept themselves and their families off the relief rolls.

To my mind, to the extent that this work is done, the Government of the United States is not doing a better work anywhere in the country than it is doing through making these loans.

Mr. BYRNES. Mr. President, I am in favor of the passage of the bill. In regard to the inquiry made by the Senator from Oregon, I wish to say that when these loans were first authorized by the Congress I happened to be a Member of the other House and a member of the conference committee out of which the first appropriation was made for the State of North Dakota, if I correctly recall. What the Senator from Tennessee has said is true, as well as what has been stated by the majority leader.

So far as the State of South Carolina is concerned, I believe the record has been a most remarkable one, not less than 95 percent of the loans having been repaid in any year. That is true of Arkansas and of Tennessee and of a number of other States. I must also state that there is one district which has paid as low as 5 percent; and, if my recollection is accurate concerning this district, I doubt that it has ever repaid more than 35 or 50 percent of the loans in any year since the loans were first made. Possibly the Senator from Oregon is interested in that phase of the matter; and I suggest to my colleague that he put into the RECORD a statement of the repayments by the various States, not only for the current year, but I wish it could be done for years past, because the loans have served a wonderful purpose in many States of the Union to farmers who have no collateral and who would be unable to operate their farms were it not for the loans. I fear, however, that there are some other States where the loans have been looked upon as gifts, or else there are some States engaged in farming where there is a drought every year and the farmers cannot repay the loans.

Mr. McNARY. Mr. President, I do not desire to prolong the consideration of the proposed legislation. It is a commendable enterprise. I should like to know how much money was obtained last year for this purpose, how much has been repaid to the Government, and what figures or facts operate as the basis for the amount of money here sought; namely, $50,000,000. Someone ought to be sufficiently familiar with the proposed legislation to make some explanation of it. That is all I am seeking.

Mr. SMITH. I have here the figures in full, Mr. President. In 1935, $57,419,915 was loaned. The Senator will find the figures given by districts and by States. It so happens that Alabama is the banner State in the matter of repaying the loans. Here are the total amounts loaned, by States and by districts. I ask unanimous consent to have statement of emergency crop and feed loans, prepared by the Farm Credit Administration, printed in the RECORD in connection with my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The statement is as follows:

EMERGENCY CROP AND FEED LOANS

TABLE 1.—*Number and amount of loans made and collected through December 1936, and balances outstanding Dec. 31, 1936, by loan years*

Period	Loans made		Amount collected during period						Balance outstanding at end of period		
			Through Dec. 31, 1935		January through Dec. 31, 1936		Total through Dec. 31, 1936				
	Number	Amount	Amount	Percent of loans made	Amount	Percent of loans made	Amount	Percent of loans made	Number	Amount	Percent of loans made
1921-34	2,147,497	$232,025,599	$160,664,256	69.2	$2,645,525	1.2	$163,309,781	70.4	785,756	$68,715,818	29.6
1935	424,441	57,419,915	21,744,445	37.9	7,836,750	13.6	29,581,195	51.5	193,203	27,838,720	48.5
1936 by months:											
March	9,874	598,456									
April	115,412	8,541,394			232		232				
May	31,575	2,651,335			6,326		6,326				
June	4,419	495,775			21,339		21,339				
July	1,556	225,915			74,832		74,832				
August	3,866	621,220			681,068		681,068				
September	10,811	1,772,285			2,492,443		2,492,443				
October	9,306	1,284,780			2,981,268		2,981,268				
November	1,533	261,300			1,759,918		1,759,918				
December	1,235	168,820			668,463		668,463				
Total	189,587	16,621,280			8,685,889	52.3	8,685,889	52.3	83,974	7,935,391	47.7
Total	2,761,525	306,066,794	182,408,701	59.6	19,168,164	6.3	201,576,865	65.9	1,062,933	104,489,929	34.1
1934-35 drought-relief loans	300,614	72,008,540	6,494,957	9.0	5,116,521	7.1	11,611,478	16.1	244,130	60,397,062	83.9
Grand total	3,062,139	378,075,334	188,903,658	50.0	24,284,685	6.4	213,188,343	56.4	1,307,063	164,886,991	43.6

Farm Credit Administration, Division of Finance and Research.

1936 EMERGENCY CROP AND FEED LOANS

TABLE 2.—*Number and amount of loans made, by types, through Dec. 31, 1936*

State and office	Crop		Feed		Wheat		Total	
	Number	Amount	Number	Amount	Number	Amount	Number	Amount
Maine	694	$119,370					694	$119,370
New Hampshire	88	6,885					88	6,885
Vermont	110	10,285					110	10,285
Massachusetts	69	10,825					69	10,825
Connecticut	54	8,610					54	8,610
New York	420	54,095					420	54,095
New Jersey	144	21,135					144	21,135
Springfield total	1,579	231,205					1,579	231,205
Pennsylvania	809	82,300			26	$2,565	835	84,865
Delaware	138	12,745			10	1,100	148	13,845
Maryland	700	59,920			46	6,965	746	66,885
Virginia	7,529	506,525			257	19,085	7,786	525,610
West Virginia	332	16,995			18	685	350	17,680
Puerto Rico	3,200	486,745					3,200	486,745
Baltimore total	12,708	1,165,230			357	30,400	13,065	1,195,630
North Carolina	18,122	1,268,580	3	$215			18,125	1,268,795
South Carolina	18,563	1,633,845					18,563	1,633,845
Georgia	18,871	1,554,330					18,871	1,554,330
Florida	1,369	147,260	2	65			1,271	147,325
Columbia total	56,925	4,604,015	5	280			56,930	4,604,295
Tennessee	7,556	346,755	62	2,790			7,618	349,545
Alabama	3,580	166,955					3,580	166,955
Mississippi	11,819	527,150	1	115			11,820	527,265
Louisiana	11,653	628,655					11,653	628,655
Arkansas	13,124	800,650	660	31,080			13,784	831,730
Memphis total	47,732	2,470,165	723	33,985			48,455	2,504,150
Ohio	398	28,290	4	225	248	17,990	650	46,505
Kentucky	3,376	147,655	16	570			3,392	148,225
Indiana	155	9,360	6	380	74	4,665	235	14,405
Illinois	677	61,620	159	12,005	203	19,280	1,039	92,905
Missouri	843	61,155	314	20,965	1,573	155,875	2,730	237,995
St. Louis total	5,449	308,080	499	34,145	2,098	197,810	8,046	540,035
Michigan	1,295	93,785	9	345	37	2,310	1,341	96,440
Wisconsin	101	8,830	18	785			119	9,615
Minnesota	1,986	187,755	50	2,420	4	360	2,040	190,535
North Dakota	7,185	933,445	15	1,810	131	11,990	7,331	947,245
St. Paul total	10,567	1,223,815	92	5,360	172	14,660	10,831	1,243,865
Iowa	152	11,215	1	60	13	1,025	166	12,300
South Dakota	1,075	127,635	14	2,020	40	8,880	1,129	138,535
Nebraska	648	73,150	74	11,175	308	46,085	1,030	130,410
Wyoming	379	50,160			48	8,520	427	58,680
Omaha total	2,254	262,160	89	13,255	409	64,510	2,752	339,925
Kansas	1,902	196,085	96	9,640	7,267	1,154,195	9,265	1,359,920
Oklahoma	1,370	88,150	31	2,145	3,154	432,320	4,555	522,615
Colorado	1,288	146,385	7	975	589	92,235	1,884	239,595
New Mexico	770	98,210	26	2,690	450	81,550	1,246	182,450
Wichita total	5,330	528,830	160	15,450	11,460	1,760,300	16,950	2,304,580
Texas	16,890	1,418,280	216	22,995	8,043	1,452,495	25,149	2,893,770
Arizona	99	13,405	1	50	25	3,585	125	17,040
Utah	360	31,325	10	745	114	16,310	484	48,380
Nevada	6	400	1	200			7	600
California	485	68,880	6	1,000	107	19,105	598	88,985
Hawaii	36	5,970					36	5,970
Salt Lake City total	986	119,980	18	1,995	246	39,000	1,250	160,975
Montana	2,195	273,720	94	12,115	571	75,610	2,860	361,445
Idaho	647	82,025	10	1,125	126	22,535	783	105,685
Washington	580	89,375	10	935	4	775	594	91,085
Oregon	294	33,820	4	360	45	10,455	343	44,635
Spokane total	3,716	478,940	118	14,535	746	109,375	4,580	602,850
Grand total	164,136	12,810,700	1,920	142,000	23,531	3,668,580	189,587	16,621,280

Farm Credit Administration, Division of Finance and Research, Jan. 9, 1937.

1935 EMERGENCY CROP AND FEED LOANS

TABLE 3.—*Number and amount of loans made, by types, through Dec. 31, 1936*

State and office	Crop		Feed		Wheat		Total	
	Number	Amount	Number	Amount	Number	Amount	Number	Amount
Maine	1,504	$384,465					1,504	$384,465
New Hampshire	134	12,725					134	12,725
Vermont	180	16,165					180	16,165
Massachusetts	163	30,765					163	30,765
Connecticut	93	18,620					93	18,620
New York	799	110,880					799	110,880
New Jersey	232	41,570					232	41,570
Springfield total	3,105	615,190					3,105	615,190

1935 EMERGENCY CROP AND FEED LOANS—continued

TABLE 3.—*Number and amount of loans made, by types, through Dec. 31, 1936*—Continued

State and office	Crop		Feed		Wheat		Total	
	Number	Amount	Number	Amount	Number	Amount	Number	Amount
Pennsylvania	1,555	$161,330			20	$1,705	1,575	$163,035
Delaware	221	28,335			2	95	223	28,430
Maryland	1,011	107,825			22	3,145	1,033	110,970
Virginia	9,683	725,740			212	15,925	9,895	741,665
West Virginia	527	28,370			16	725	543	29,095
Puerto Rico	2,008	453,343					2,008	453,343
Baltimore total	15,005	1,504,943			272	21,595	15,277	1,526,538
North Carolina	25,480	2,111,235	9	$460			25,489	2,111,695
South Carolina	27,335	2,672,443	3	190			27,338	2,672,633
Georgia	28,887	2,664,155					28,887	2,664,155
Florida	2,710	318,842					2,710	318,842
Columbia total	84,412	7,766,675	12	650			84,424	7,767,325
Tennessee	11,101	633,562	1	15			11,102	633,577
Alabama	7,206	365,441					7,206	365,441
Mississippi	19,672	1,062,207	9	375			19,681	1,062,582
Louisiana	20,531	1,328,379	52	1,915			20,583	1,330,294
Arkansas	24,130	1,917,267	458	17,898			24,588	1,935,165
Memphis total	82,640	5,306,856	520	20,203			83,160	5,327,059
Ohio	1,370	119,338	7	525	244	10,735	1,621	130,598
Kentucky	3,699	190,430	39	1,610			3,738	192,040
Indiana	716	62,080	114	7,935	53	3,030	883	73,045
Illinois	2,379	259,570	1,046	73,460	91	7,670	3,516	340,700
Missouri	2,307	204,625	1,381	71,690	362	22,425	4,050	298,740
St. Louis total	10,471	836,043	2,587	155,220	750	43,860	13,808	1,035,123
Michigan	4,497	346,010	101	4,620	41	2,085	4,639	352,715
Wisconsin	6,418	442,400	7	225			6,425	442,625
Minnesota	17,317	2,584,516	16	715	12	430	17,345	2,585,661
North Dakota	40,997	11,446,338	143	10,666	1,350	76,443	42,490	11,533,447
St. Paul total	69,229	14,819,264	267	16,226	1,403	78,958	70,899	14,914,448
Iowa	1,162	130,030	112	8,925	3	225	1,277	139,180
South Dakota	31,464	7,788,016	383	28,045	196	21,130	32,043	7,837,191
Nebraska	11,458	1,867,985	395	40,055	732	82,225	12,585	1,990,265
Wyoming	1,619	278,230	17	1,195	145	28,245	1,781	307,670
Omaha total	45,703	10,064,261	907	78,220	1,076	131,825	47,686	10,274,306
Kansas	7,905	1,190,300	304	22,315	11,382	2,275,645	19,591	3,488,260
Oklahoma	5,207	453,830	117	8,070	2,666	462,330	7,990	924,230
Colorado	6,706	1,170,860	201	23,270	1,035	149,350	7,942	1,343,480
New Mexico	3,451	535,960	528	50,000	722	170,415	4,701	756,375
Wichita total	23,269	3,350,950	1,150	103,655	15,805	3,057,740	40,224	6,512,345
Texas	42,187	4,618,143	189	15,020	5,803	1,535,495	48,179	6,168,658
Arizona	325	64,340	1	195	36	8,410	362	72,945
Utah	919	74,870	57	2,580	93	13,355	1,069	90,805
Nevada	53	6,296					53	6,296
California	762	153,360	2	425	65	12,765	829	166,550
Hawaii	70	14,127					70	14,127
Salt Lake City total	2,129	312,993	60	3,200	194	34,530	2,383	350,723
Montana	9,809	2,068,350	328	25,500	714	71,430	10,851	2,165,280
Idaho	1,748	254,665	146	10,335	132	23,095	2,026	288,095
Washington	1,269	304,430	20	1,325	9	2,605	1,298	308,360
Oregon	951	136,245	19	2,295	151	27,925	1,121	166,465
Spokane total	13,777	2,763,690	513	39,455	1,006	125,055	15,296	2,928,200
Grand total	391,927	51,959,008	6,205	431,849	26,309	5,029,058	424,441	57,419,915

Farm Credit Administration, Division of Finance and Research.

1936 EMERGENCY CROP AND FEED LOANS

TABLE 4.—*Number and amount of loans made and collected through December 1936, and balances outstanding Dec. 31, 1936*

State	Loans made		Collections		Balance outstanding	
	Number	Amount	Amount	Percent of loans made	Number	Amount
Maine	694	$119,370	$90,635	75.9	256	$28,735
New Hampshire	88	6,885	5,248	76.2	35	1,637
Vermont	110	10,285	5,859	56.9	68	4,426
Massachusetts	69	10,825	7,426	68.5	36	3,399
Rhode Island						
Connecticut	54	8,610	3,814	44.3	35	4,796
New York	420	54,095	38,785	71.6	192	15,310
New Jersey	144	21,135	15,943	75.4	61	5,192
Springfield total	1,579	231,205	167,710	72.5	683	63,495

1936 EMERGENCY CROP AND FEED LOANS—continued

TABLE 4.—*Number and amount of loans made and collected through December 1936, and balances outstanding Dec. 31, 1936*—Continued

State	Loans made		Collections		Balance outstanding	
	Number	Amount	Amount	Percent of loans made	Number	Amount
Pennsylvania	835	$84,865	$32,993	38.9	649	$51,872
Delaware	148	13,845	9,640	69.6	76	4,205
Maryland	746	66,885	33,185	49.6	473	33,700
Virginia	7,786	525,610	386,015	73.4	3,247	139,595
West Virginia	350	17,680	9,182	51.9	216	8,498
Puerto Rico	3,200	486,745	7,709	15.8	3,173	479,036
Baltimore total	13,065	1,195,630	478,724	40.0	7,834	716,906
North Carolina	18,125	1,268,795	1,052,785	83.0	5,615	216,010
South Carolina	18,563	1,633,845	1,422,819	87.1	4,974	211,026
Georgia	18,871	1,554,330	1,393,099	89.6	3,900	161,231
Florida	1,371	147,325	18,215	12.4	1,149	129,110
Columbia total	56,930	4,604,295	3,886,918	84.4	15,638	717,377
Tennessee	7,618	349,545	272,577	78.0	2,157	76,968
Alabama	3,580	166,955	160,925	96.4	269	6,029
Mississippi	11,820	527,265	504,766	95.7	868	22,499
Louisiana	11,653	628,655	579,309	92.2	1,723	49,346
Arkansas	13,784	831,730	712,487	85.7	3,561	119,243
Memphis total	48,455	2,504,150	2,230,065	89.1	8,578	274,085
Ohio	650	46,505	15,749	33.9	480	30,756
Kentucky	3,392	148,225	52,075	35.1	2,369	96,150
Indiana	235	14,405	7,016	48.7	140	7,389
Illinois	1,039	92,905	44,487	47.9	613	48,418
Missouri	2,730	237,995	46,320	19.5	2,243	191,675
St. Louis total	8,046	540,035	165,647	30.7	5,845	374,388
Michigan	1,341	96,440	59,531	61.7	701	36,909
Wisconsin	119	9,615	6,217	64.7	53	3,398
Minnesota	2,040	190,565	108,314	56.8	1,113	82,251
North Dakota	7,331	947,245	74,686	7.9	6,928	872,559
St. Paul total	10,831	1,243,865	248,748	20.0	8,795	995,117
Iowa	166	12,300	5,014	40.8	104	7,286
South Dakota	1,129	138,535	4,025	2.9	1,102	134,510
Nebraska	1,030	130,410	21,010	16.1	869	109,400
Wyoming	427	58,680	17,017	29.0	323	41,663
Omaha total	2,752	339,925	47,066	13.8	2,398	292,859
Kansas	9,265	1,359,920	16,875	1.2	9,125	1,343,045
Oklahoma	4,555	522,615	27,721	5.3	4,169	494,894
Colorado	1,884	239,595	56,381	23.5	1,480	183,214
New Mexico	1,246	182,450	38,312	21.0	1,044	144,138
Wichita total	16,950	2,304,580	139,289	6.0	15,818	2,165,291
Texas	25,149	2,893,770	1,054,714	36.5	14,384	1,839,056
Arizona	125	17,040	8,068	47.4	75	8,972
Utah	484	48,380	25,925	53.6	226	22,455
Nevada	7	600	574	95.7	2	26
California	598	88,985	55,678	62.6	246	33,307
Hawaii	36	5,970	323	5.7	34	5,647
Salt Lake City total	1,250	160,975	90,568	56.3	583	70,407
Montana	2,860	361,445	17,942	5.0	2,745	343,503
Idaho	783	105,685	62,190	58.8	346	43,495
Washington	594	91,085	72,706	79.8	160	18,379
Oregon	343	44,635	23,602	52.9	167	21,033
Spokane total	4,580	602,850	176,440	29.3	3,418	426,410
Grand total	189,587	16,621,280	8,685,889	52.3	83,974	7,935,391

Farm Credit Administration, Division of Finance and Research.

1936 EMERGENCY CROP AND FEED LOANS

TABLE 5.—*Number and amount of loans made which had matured, collections, and balances outstanding Dec. 31, 1936*

State	Loans made		Collections		Balance outstanding	
	Number	Amount[1]	Amount	Percent of loans made	Number	Amount
Maine	694	$119,370	$90,635	75.9	256	$28,735
New Hampshire	88	6,885	5,248	76.2	35	1,637
Vermont	110	10,285	5,859	56.9	68	4,426
Massachusetts	69	10,825	7,426	68.5	36	3,399
Rhode Island						
Connecticut	54	8,610	3,814	44.3	35	4,796
New York	420	54,095	38,785	71.6	192	15,310
New Jersey	144	21,135	15,943	75.4	61	5,192
Springfield total	1,579	231,205	167,710	72.5	683	63,495

[1] Of the $16,621,280 loans made through Dec. 31, $12,167,510, or 73.2 percent, matured by Dec. 31, 1936.

1936 EMERGENCY CROP AND FEED LOANS—continued

TABLE 5.—*Number and amount of loans made which had matured, collections, and balances outstanding Dec. 31, 1936*—Continued

State	Loans made		Collections		Balance outstanding	
	Number	Amount	Amount	Percent of loans made	Number	Amount
Pennsylvania	809	$82,300	$32,993	40.1	623	$49,307
Delaware	138	12,745	9,640	75.6	66	3,105
Maryland	700	59,920	33,185	55.4	427	26,735
Virginia	7,529	506,525	385,792	76.2	2,992	120,733
West Virginia	332	16,995	9,183	54.0	198	7,812
Baltimore, total	9,508	678,485	470,793	69.4	4,306	207,692
North Carolina	18,125	1,268,795	1,052,785	83.0	5,615	216,010
South Carolina	18,553	1,633,845	1,422,819	87.1	4,974	211,026
Georgia	18,871	1,554,330	1,393,099	89.6	3,900	161,231
Florida	277	15,440	13,543	87.7	79	1,897
Columbia, total	55,836	4,472,410	3,882,246	86.8	14,568	590,164
Tennessee	7,555	346,755	272,406	78.6	2,098	74,349
Alabama	3,580	166,955	160,926	96.4	269	6,029
Mississippi	11,820	527,265	504,767	95.7	868	22,498
Louisiana	11,653	628,655	579,309	92.2	1,723	49,346
Arkansas	13,206	803,380	712,171	88.6	2,989	91,209
Memphis total	47,815	2,473,010	2,229,579	90.1	7,947	243,431
Ohio	401	28,495	15,394	54.0	234	13,101
Kentucky	3,391	148,200	52,075	35.1	2,368	96,125
Indiana	158	9,500	6,941	73.1	64	2,559
Illinois	802	69,480	44,372	63.9	378	25,103
Missouri	1,021	69,810	44,699	64.0	541	25,111
St. Louis total	5,773	325,485	163,481	50.2	3,585	162,004
Michigan	1,304	94,130	59,531	63.2	664	34,599
Wisconsin	119	9,615	6,217	64.7	53	3,398
Minnesota	2,030	189,785	108,314	57.1	1,103	81,471
North Dakota	7,185	933,445	74,686	8.0	6,782	858,759
St. Paul total	10,638	1,226,975	248,748	20.3	8,602	978,227
Iowa	152	11,215	5,014	44.7	90	6,201
South Dakota	1,076	127,750	4,025	3.2	1,049	123,725
Nebraska	650	73,330	20,368	27.8	490	52,962
Wyoming	379	50,160	16,799	33.5	276	33,361
Omaha total	2,257	262,455	46,206	17.6	1,905	216,249
Kansas	1,914	196,855	16,875	8.6	1,774	179,980
Oklahoma	1,390	89,365	27,721	31.0	1,004	61,644
Colorado	1,293	147,030	56,382	38.3	889	90,678
New Mexico	784	99,315	38,312	38.6	582	61,003
Wichita total	5,381	532,595	139,290	26.2	4,249	393,305
Texas	16,511	1,367,285	1,044,076	76.4	5,782	323,209
Arizona	100	13,455	8,068	60.0	50	5,387
Utah	370	32,070	25,525	77.5	112	6,545
Nevada	7	600	574	95.7	2	26
California	491	69,880	55,470	79.4	139	14,410
Salt Lake City total	968	116,005	89,637	77.3	303	26,368
Montana	2,203	274,480	16,845	6.1	2,088	257,635
Idaho	655	82,880	61,905	74.7	220	20,975
Washington	588	90,060	72,706	80.7	154	17,354
Oregon	298	34,180	23,602	69.1	122	10,578
Spokane total	3,744	481,600	175,058	36.4	2,584	306,542
Grand total	160,010	12,167,510	8,656,824	71.1	54,514	3,510,686

Farm Credit Administration, Division of Finance and Research.

1935 EMERGENCY CROP AND FEED LOANS

TABLE 6.—*Number and amount of loans made and collected through December 1936, and balances outstanding Dec. 31, 1936*

State and office	Loans made		Amount collected	Balance outstanding		
	Number	Amount		Number	Amount	
					Total	Percent of loans made
Maine	1,504	$384,465	$333,393	491	$51,072	13.3
New Hampshire	134	12,725	9,102	50	3,623	28.5
Vermont	180	16,165	12,858	61	3,307	20.5
Massachusetts	163	30,765	20,629	71	10,136	32.9
Rhode Island						
Connecticut	93	18,620	15,405	30	3,215	17.3
New York	799	110,880	88,460	245	22,420	20.2
New Jersey	232	41,570	34,721	72	6,849	16.5
Springfield total	3,105	615,190	514,568	1,020	100,622	16.4

1935 EMERGENCY CROP AND FEED LOANS—continued

TABLE 6.—*Number and amount of loans made and collected through December 1936, and balances outstanding Dec. 31, 1936*—Continued

State and office	Loans made		Amount collected	Balance outstanding		
	Number	Amount		Number	Amount	
					Total	Percent of loans made
Pennsylvania	1,875	$163,035	$88,939	942	$74,096	45.4
Delaware	223	28,430	13,845	149	14,585	51.3
Maryland	1,033	110,970	58,544	653	52,426	47.2
Virginia	9,895	741,665	653,707	2,133	87,958	11.9
West Virginia	543	29,095	19,926	208	9,169	31.5
Puerto Rico	2,008	453,343	334,845	592	118,498	26.1
Baltimore total	15,277	1,526,538	1,169,806	4,677	356,732	23.4
North Carolina	25,480	2,111,695	2,000,204	3,909	111,491	5.3
South Carolina	27,338	2,672,633	2,506,197	5,344	166,435	6.2
Georgia	28,887	2,664,155	2,544,761	4,182	119,394	4.5
Florida	2,710	318,842	168,560	1,481	150,282	47.1
Columbia total	84,424	7,767,325	7,219,722	14,916	547,603	7.1
Tennessee	11,102	633,577	582,613	2,108	50,964	8.0
Alabama	7,206	365,441	358,382	455	7,059	1.9
Mississippi	19,681	1,062,582	1,001,550	2,875	61,032	5.7
Louisiana	20,583	1,330,294	1,161,628	5,370	168,666	12.7
Arkansas	24,588	1,935,165	1,574,548	10,185	360,617	18.6
Memphis total	83,160	5,327,059	4,678,721	20,993	648,338	12.2
Ohio	1,621	130,598	105,984	433	24,614	18.8
Kentucky	3,738	192,040	168,970	864	23,070	12.0
Indiana	883	73,045	61,803	188	11,242	15.4
Illinois	3,516	340,700	269,875	1,110	70,825	20.8
Missouri	4,050	298,740	202,267	1,857	96,473	32.3
St. Louis total	13,808	1,035,123	808,899	4,452	226,224	21.9
Michigan	4,639	352,715	215,936	2,296	136,779	38.8
Wisconsin	6,425	442,625	207,503	3,997	235,122	53.1
Minnesota	17,345	2,585,661	1,310,647	11,396	1,275,014	49.3
North Dakota	42,490	11,533,447	1,465,258	39,577	10,068,189	87.3
St. Paul total	70,899	14,914,448	3,199,344	57,266	11,715,104	78.5
Iowa	1,277	139,180	110,348	371	28,832	20.7
South Dakota	32,043	7,837,191	2,049,741	26,648	5,787,450	73.8
Nebraska	12,585	1,990,265	1,020,678	6,950	969,587	48.7
Wyoming	1,781	307,670	149,259	1,139	158,411	51.5
Omaha total	47,686	10,274,306	3,330,026	35,108	6,944,280	67.6
Kansas	19,591	3,488,260	1,486,099	12,449	2,002,161	57.4
Oklahoma	7,990	924,230	366,667	4,905	557,563	60.3
Colorado	7,942	1,343,490	584,285	5,567	759,195	56.5
New Mexico	4,701	756,375	326,949	3,304	429,426	56.8
Wichita total	40,224	6,512,345	2,764,000	26,225	3,748,345	57.6
Texas	48,179	6,168,658	4,242,051	18,122	1,926,607	31.2
Arizona	362	72,945	53,478	129	19,467	26.7
Utah	1,069	90,805	62,545	436	28,260	31.1
Nevada	53	6,296	5,545	8	751	11.9
California	829	166,550	133,443	210	33,107	19.9
Hawaii	70	14,127	10,373	18	3,754	26.6
Salt Lake City total	2,383	350,723	265,384	801	85,339	24.3
Montana	10,851	2,105,280	785,523	8,267	1,379,757	63.7
Idaho	2,026	288,095	245,096	526	42,999	14.9
Washington	1,298	308,360	237,348	425	71,012	23.0
Oregon	1,121	166,465	120,707	405	45,758	27.5
Spokane total	15,296	2,928,200	1,388,674	9,623	1,539,526	52.6
Grand total	424,441	57,419,915	29,581,195	193,203	27,838,720	48.5

1921–36 EMERGENCY CROP AND FEED LOANS

TABLE 7.—*Consolidated statement of number and amount of loans made and collected through December 1936, and balances outstanding Dec. 31, 1936*

State and office	Loans made		Amount collected	Balance outstanding		
	Number	Amount		Number	Amount	
					Total	Percent of loans made
Maine	6,549	$1,646,295	$1,274,133	2,436	$372,162	22.6
New Hampshire	586	61,985	47,286	216	14,699	23.7
Vermont	828	72,238	49,643	355	22,595	31.3
Massachusetts	568	97,158	70,075	228	27,083	27.9
Rhode Island	1	160		1	160	100.0
Connecticut	285	74,270	60,418	120	13,852	18.7
New York	8,933	574,480	458,901	1,157	115,579	20.1
New Jersey	1,195	209,303	177,747	357	31,556	15.1
Springfield total	14,045	2,735,889	2,138,213	4,870	597,676	21.8

1921–36 EMERGENCY CROP AND FEED LOANS—continued

TABLE 7.—*Consolidated statement of number and amount of loans made and collected through December 1936, and balances outstanding Dec. 31, 1936*—Continued

State and office	Loans made		Amount collected	Balance outstanding		
	Number	Amount		Number	Amount	
					Total	Percent of loans made
Pennsylvania	8,522	$992,464	$585,338	4,717	$407,126	41.0
Delaware	375	115,202	64,383	532	50,819	44.1
Maryland	4,845	587,562	333,699	2,810	253,863	43.2
Virginia	81,416	7,128,868	5,315,291	30,816	1,813,577	25.4
West Virginia	10,880	845,306	442,320	6,229	402,986	47.7
Puerto Rico	5,208	940,088	342,554	3,765	597,534	63.6
Baltimore total	111,746	10,609,490	7,083,585	48,869	3,525,905	33.2
North Carolina	198,919	18,672,830	17,239,532	33,681	1,433,298	7.7
South Carolina	204,002	21,207,455	19,360,599	42,167	1,846,856	8.7
Georgia	240,727	23,763,934	21,731,405	50,728	2,032,529	8.6
Florida	25,003	2,772,411	1,506,281	11,141	1,266,130	45.7
Columbia total	668,651	66,416,630	59,837,817	137,717	6,578,813	9.9
Tennessee	99,689	7,177,273	6,182,995	27,823	994,278	13.9
Alabama	119,874	10,497,162	8,916,435	27,123	1,580,727	15.1
Mississippi	186,646	15,640,851	14,210,615	50,181	1,430,236	9.1
Louisiana	141,850	11,419,332	10,509,827	31,759	909,505	8.0
Arkansas	257,187	21,591,659	18,858,230	87,996	2,733,429	12.7
Memphis total	805,246	66,326,277	58,678,102	224,882	7,648,175	11.5
Ohio	14,822	1,553,263	1,148,294	5,126	404,969	26.1
Kentucky	74,708	4,741,969	3,407,741	31,808	1,334,228	28.1
Indiana	15,035	1,658,664	1,221,893	5,167	436,771	26.3
Illinois	10,261	1,099,114	818,794	3,751	280,320	25.5
Missouri	51,510	5,250,887	3,650,748	24,205	1,600,139	30.5
St. Louis total	166,336	14,303,897	10,247,470	70,057	4,056,427	28.4
Michigan	25,731	2,201,622	1,517,075	11,357	684,547	31.1
Wisconsin	34,196	2,354,065	1,210,295	19,748	1,147,790	48.7
Minnesota	48,082	5,479,786	2,734,987	29,947	2,744,799	50.1
North Dakota	175,851	33,419,277	6,955,273	146,730	26,463,004	79.2
St. Paul total	283,860	43,457,770	12,417,630	207,782	31,040,140	71.4
Iowa	5,361	722,878	565,374	1,730	157,504	21.8
South Dakota	102,769	20,997,525	6,827,205	78,058	14,170,320	67.5
Nebraska	31,381	4,986,558	2,693,485	17,094	2,293,073	46.0
Wyoming	9,695	1,604,118	864,728	5,573	739,390	46.1
Omaha total	149,206	28,311,079	10,950,792	102,455	17,360,287	61.3
Kansas	58,966	10,212,902	3,345,875	43,265	6,867,027	67.2
Oklahoma	64,681	5,813,051	3,459,173	31,041	2,353,888	40.5
Colorado	30,332	4,599,939	2,099,045	19,961	2,500,894	54.4
New Mexico	27,456	3,814,860	1,888,762	17,370	1,926,098	50.5
Wichita total	181,435	24,440,702	10,792,855	111,637	13,647,907	55.8
Texas	250,116	25,502,803	17,706,259	81,725	7,796,544	30.6
Arizona	2,377	424,015	318,404	852	105,611	2.5
Utah	11,096	1,158,673	904,345	3,616	254,328	21.9
Nevada	430	64,862	57,359	78	7,503	11.6
California	3,138	536,441	445,282	689	91,159	17.0
Hawaii	106	20,097	10,696	52	9,401	46.8
Salt Lake City total	17,147	2,204,088	1,736,086	5,287	468,002	21.2
Montana	79,425	14,425,602	4,545,189	57,689	9,880,413	68.5
Idaho	15,726	2,396,965	2,058,372	3,531	338,593	14.1
Washington	10,553	2,419,664	1,763,953	3,254	655,711	27.1
Oregon	7,072	950,839	677,528	2,660	273,311	28.8
Spokane total	112,776	20,193,070	9,045,042	67,134	11,148,028	55.2
Total	2,760,564	304,501,755	200,633,851	1,062,415	103,867,904	34.1
Agricultural credits	961	1,513,024	943,014	518	570,010	37.7
Miscellaneous adjustments		52,015			52,015	
Grand total	2,761,525	306,066,794	201,576,865	1,062,933	104,489,929	34.1

Farm Credit Administration, Division of Finance and Research.

1934–35 DROUGHT-RELIEF LOANS

TABLE 8.—*Number and amount of loans made and collected through December 1936, and balances outstanding Dec. 31, 1936*

State and office	Loans made		Amount collected	Balance outstanding		
	Number	Amount		Number	Amount	Percent of loans made
New York (Springfield)	339	$48,823	$36,480	173	$12,343	25.3
Pennsylvania			52	[1] 1	[1] 78	60.0
West Virginia			50	[1] 1	[1] 245	83.0
Baltimore total			102	2	323	76.0

[1] Transferred from drought area.

1934–35 DROUGHT-RELIEF LOANS—continued

TABLE 8.—*Number and amount of loans made and collected through December 1936, and balances outstanding Dec. 31, 1936*—Continued

State and office	Loans made		Amount collected	Balance outstanding		
	Number	Amount		Number	Amount	Percent of loans made
Florida (Columbia)	964	$397,701	$114,276	841	$283,425	71.3
Alabama				[1] 1	[1] 75	100.0
Louisiana	7,363	452,553	65,628	6,837	386,925	85.5
Arkansas	13,408	683,402	217,020	10,241	466,382	68.2
Memphis total	20,771	1,135,955	282,648	17,079	853,382	75.1
Ohio			120			
Indiana				[1] 1	[1] 52	100.0
Illinois	1,450	125,359	88,720	528	36,639	29.2
Missouri	20,610	2,031,368	867,421	12,529	1,163,895	57.3
St. Louis total	22,060	2,156,727	956,261	13,058	1,200,586	55.7
Michigan			350	[1] 4	[1] 1,325	79.1
Wisconsin	5,777	1,024,851	106,394	5,104	918,457	89.6
Minnesota	27,133	6,683,957	463,527	24,406	6,220,310	93.1
North Dakota	44,404	12,119,681	362,259	42,640	11,757,188	97.0
St. Paul total	77,314	19,828,489	932,530	72,154	18,897,280	95.3
Iowa	7,154	1,012,389	424,429	4,310	587,960	58.1
South Dakota	43,989	16,263,348	1,275,655	40,439	14,986,847	92.1
Nebraska	24,916	7,257,093	1,343,469	20,294	5,912,899	81.5
Wyoming	3,305	2,830,567	609,011	2,643	2,221,556	78.5
Omaha total	79,364	27,363,397	3,652,564	67,686	23,709,262	86.6
Kansas	16,412	3,382,690	725,007	12,615	2,657,608	78.6
Oklahoma	12,518	1,150,297	461,073	8,687	689,224	59.9
Colorado	7,408	2,333,062	507,347	5,883	1,825,420	78.3
New Mexico	5,482	1,813,062	584,553	4,180	1,228,509	67.8
Wichita total	41,820	8,679,111	2,277,980	31,365	6,400,761	73.7
Texas (Dallas)	42,834	6,970,224	2,053,183	30,794	4,917,041	70.5
Arizona	278	60,398	27,658	115	32,740	54.2
Utah	4,007	1,752,497	269,016	3,255	1,493,481	84.7
Nevada	102	119,618	38,496	63	81,122	67.8
California	1,251	241,049	148,341	477	92,708	38.5
Salt Lake City total	5,638	2,173,562	483,511	3,910	1,690,051	77.8
Montana	6,396	1,672,054	311,083	5,178	1,360,981	81.4
Idaho	1,678	1,051,717	245,411	1,201	806,306	76.7
Washington	1,175	387,954	235,910	555	152,044	39.2
Oregon	201	142,816	29,539	134	113,277	79.3
Spokane total	9,450	3,254,551	821,943	7,068	2,432,608	74.7
Grand total	300,614	72,008,540	11,611,478	244,130	60,397,062	83.9

[1] Transferred from drought area.

Farm Credit Administration, Division of Finance and Research.

1936 EMERGENCY CROP AND FEED LOANS

TABLE 9.—*Number and amount of loans made and collected through December 1936, and balances outstanding Dec. 31, 1936, by Farm Credit Administration districts*

District	Loans made		Collections		Balance outstanding	
	Number	Amount	Amount	Percent of loans made	Number	Amount
Springfield	1,579	$231,205	$167,710	72.5	683	$63,495
Baltimore	13,065	1,195,630	478,724	40.0	7,834	716,906
Columbia	56,930	4,604,295	3,896,918	84.4	15,638	717,377
Louisville	11,895	558,680	347,417	62.2	5,146	211,263
New Orleans	27,053	1,322,875	1,245,001	94.1	2,866	77,874
St. Louis	17,553	1,162,630	803,294	69.1	6,417	359,336
St. Paul	10,831	1,243,865	248,748	20.0	8,795	995,117
Omaha	2,752	339,925	47,066	13.8	2,398	292,859
Wichita	16,950	2,304,580	139,289	6.0	15,818	2,165,291
Houston	25,149	2,893,770	1,054,714	36.5	14,384	1,839,056
Berkeley	1,250	160,975	90,568	56.3	583	70,407
Spokane	4,580	602,850	176,440	29.3	3,418	426,410
Total	189,587	16,621,280	8,635,889	52.3	83,974	7,935,391

1935 EMERGENCY CROP AND FEED LOANS

TABLE 10.—*Number and amount of loans made and collected through December 1936, and balances outstanding Dec. 31, 1936, by Farm Credit Administration districts*

District	Loans made		Amount collected	Balance outstanding		
	Number	Amount		Number	Amount	
					Total	Percent of loans made
Springfield	3,105	$615,190	$514,568	1,020	$100,622	16.4
Baltimore	15,277	1,526,538	1,169,806	4,677	356,732	23.4
Columbia	84,424	7,767,325	7,219,722	15,916	547,603	7.1
Louisville	17,344	1,029,260	919,370	3,593	109,890	10.8
New Orleans	47,470	2,758,317	2,521,560	8,700	236,757	8.6
St. Louis	32,154	2,574,605	2,046,690	13,152	527,915	20.5
St. Paul	70,899	14,914,448	3,199,344	57,266	11,715,104	78.5
Omaha	47,686	10,274,306	3,330,026	35,108	6,944,280	67.6
Wichita	40,224	6,512,345	2,764,000	26,225	3,748,345	57.6
Houston	48,179	6,168,658	4,242,051	18,122	1,926,607	31.2
Berkeley	2,383	350,723	265,384	801	85,339	24.3
Spokane	15,296	2,928,200	1,388,674	9,623	1,539,526	52.6
Total	424,441	57,419,915	29,581,195	193,203	27,838,720	48.5

Farm Credit Administration, Division of Finance and Research.

1921–36 EMERGENCY CROP AND FEED LOANS

TABLE 11.—*Consolidated statement of number and amount of loans made and collected through December 1936, and balances outstanding Dec. 31, 1936, by Farm Credit Administration districts*

District	Loans made		Amount collected	Balance outstanding		
	Number	Amount		Number	Amount	Percent of loans made
Springfield	14,045	$2,735,889	$2,138,213	4,870	$597,676	21.8
Baltimore	111,746	10,609,490	7,083,585	48,869	3,525,905	33.2
Columbia	668,651	66,416,630	59,837,817	137,717	6,578,813	9.9
Louisville	204,254	15,131,169	11,960,923	69,924	3,170,246	21.0
New Orleans	448,370	37,557,345	33,636,877	109,063	3,920,468	10.4
St. Louis	318,958	27,941,660	23,327,772	115,952	4,613,888	16.5
St. Paul	283,860	43,457,770	12,417,630	207,782	31,040,140	71.4
Omaha	149,206	28,311,079	10,950,792	102,455	17,360,287	61.3
Wichita	181,435	24,440,762	10,792,855	111,637	13,647,907	55.8
Houston	250,116	25,502,803	17,706,259	81,725	7,796,544	30.6
Berkeley	17,147	2,204,088	1,736,086	5,287	468,002	21.2
Spokane	112,776	20,193,070	9,045,042	67,134	11,148,028	55.2
Total	2,760,564	304,501,755	200,633,851	1,062,415	103,867,904	34.1
Agricultural credits	961	1,513,024	943,014	518	570,010	37.7
Miscellaneous adjustments		52,015			52,015	
Grand total	2,761,525	306,066,794	201,576,865	1,062,933	104,489,929	34.1

1934–35 DROUGHT-RELIEF LOANS

TABLE 12.—*Number and amount of loans made and collected through December 1936, and balances outstanding Dec. 31, 1936, by Farm Credit Administration districts*

District	Loans made		Amount collected	Balance outstanding		
	Number	Amount		Number	Amount	Percent of loans made
Springfield	399	$48,823	$36,480	173	$12,343	25.3
Baltimore		102		[1] 2	[1] 323	76.0
Columbia	964	397,701	114,276	841	283,425	71.3
Louisville		120		[1] 1	[1] 52	30.2
New Orleans	7,363	452,553	65,628	6,838	387,000	85.5
St. Louis	35,468	2,840,129	1,173,161	23,298	1,666,916	58.7
St. Paul	77,314	19,828,489	932,530	72,154	18,897,280	95.3
Omaha	79,364	27,363,397	3,652,564	67,686	23,709,262	86.6
Wichita	41,820	8,679,111	2,277,980	31,365	6,400,761	73.7
Houston	42,834	6,970,224	2,053,183	30,794	4,917,041	70.5
Berkeley	5,638	2,173,562	483,511	3,910	1,690,051	77.8
Spokane	9,450	3,254,551	821,943	7,068	2,432,608	74.7
Total	300,614	72,008,540	11,611,478	244,130	60,397,062	83.9

[1] Transferred from drought areas.

Farm Credit Administration, Division of Finance and Research.

Mr. COPELAND. Mr. President, I think it is well known that I have not been in harmony with some matters in this category; but our banks are now being used as fiscal agents of the Government; 72 percent of this money is tied up in Government securities. The result of this is that local banks are not functioning as they did in olden times, and are not performing all of what I regard to be their normal operations.

There can be no doubt, however, that farmers must have working funds with which to carry on their activities. It has been the practice of farmers always to go to the local banks and to be accommodated with loans for the prepara-

tion of the soil and for the harvesting of crops; and in the fall, when the crops were sold, the loans were repaid. If there is a situation in which banks fail to function as they formerly did, I can see no other means of relief than this proposal.

Mr. ROBINSON. Mr. President, will the Senator from New York yield to me?

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Arkansas?

Mr. COPELAND. I yield.

Mr. ROBINSON. I venture to say to the Senator from New York that loans under this measure have no relation whatever to bank loans or other forms of commercial loans. There is not a bank in the United States which would make the class of loans that are authorized under this bill. If these loans are not made through a Federal agency, they will not be made at all. Therefore the question is whether the loans should be made.

Now, in respect to the statement of the Senator from New York, if he will permit me one further reference, that the funds of banks have been so absorbed in Government securities that the banks are unable to make this class of loans—that is the implication of the statement—I do not think that statement is justified. While it is entirely true that Federal securities have been taken over by banks in large amounts, the failure of the banks to make loans cannot fairly be ascribed to that fact, because every bank with which I am familiar has an abundance of funds from which loans may be made. The difficulty is that the class of applications which are presented to the banks are not of such a nature that the bank authorities feel that they are justified in making the loans. In other words, banks are very cautious about making loans; and so the failure to extend their activity cannot be attributed in large part to their inability to make loans or to a lack of funds in their possession with which to make loans, but is attributable to their policies. In any event, however, no loans of this character would be made by any other Federal Government agency, for the reason that all of them are expected to take collateral, and no bank would make a loan on the basis of a prospective crop not as yet planted. The banks never have done that; they ought not to be expected to and will not do it. This class of loans is to a group of borrowers who cannot secure credit anywhere else.

Mr. BAILEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from North Carolina?

Mr. COPELAND. I yield.

Mr. BAILEY. Just on the point, if the Senator from New York will permit me, as to the capacity of the banks to lend money, the morning newspapers of today carry the statement that the excess reserves in the banks of the country as of yesterday is $2,153,000,000.

Mr. COPELAND. Mr. President, I think the Senator from Arkansas [Mr. ROBINSON] misapprehends the purpose of my feeble remarks. I rose to support this bill and I intend to do it; but I still insist that in my section of the country it was the common practice in rather recent years for local banks to finance the farmers. That was one of the functions of the local banks. If a farmer wanted to raise a crop and did not have the wherewithal to go forward, he went to his local bank and secured a loan.

Whether it is because the banks have been called upon to utilize such a large amount of their resources in taking up Government securities or not I suppose has really nothing to do with the question. But there has come over the banks such a spirit of conservatism, for one reason or another, probably including the one I have given, that now it is not possible for the local farmer to go to his bank and be accommodated.

The point I wish to make is that if crops are to be raised, if farmers are to be encouraged to produce, they must have working capital. I like this provision of the pending bill because it preserves the self-respect of the borrower. The farmer is not receiving a gift from the Government; he is obligating himself to repay the loan. He takes the money which he receives under the operation of this measure, plants his crop, harvests it, and then in due time comes to the Government and pays his note. That to me is appealing—far more so than many other projects which are really in the nature of gifts. I say the self-respect and independence and old-time American initiative must be preserved, and if I thought that this measure was not in that direction I would vote against it. I believe, however, this bill has great merit and that it will encourage many farmers to plant and to produce, and at the same time it will preserve their self-respect, as I have said, because of the knowledge that they are expected to walk up to the captain's desk in due time and pay the note. Therefore, so far as I am concerned, I shall be glad to vote for the measure.

Mr. BYRNES. Mr. President, I merely wish to say, in response to the inquiry heretofore made by the Senator from Oregon [Mr. MCNARY], that the statistics furnished by my colleague, the senior Senator from South Carolina [Mr. SMITH], which are to be printed in the RECORD, show that the total amount of loans made in 1936 was $16,621,280, and of that amount the collections were $8,685,889, or 52.3 percent. The balance outstanding is $7,935,391, and, as the senior Senator from South Carolina has said, this year we are collecting upon loans of previous years. The figures I have cited as to repayments do not represent the total amount that will be collected upon the loans made, but I know the Senate will be interested in the figures which my colleague has placed in the RECORD, and which, in the various districts, show the amount paid in each State.

Mr. KING. Mr. President, will the Senator yield?

Mr. BYRNES. I yield.

Mr. KING. Does the Senator have any figures indicating the aggregate amount of loans from the beginning? I was interested in the statement made by the Senator that when he was a Member of the House of Representatives this policy, if not then initiated, at any rate, was then in practice.

Mr. BYRNES. The information which my colleague has placed in the RECORD will give to the Senator from Utah the information he desires.

Mr. KING. From the beginning?

Mr. BYRNES. I said 1920. I was wrong by 1 year; it was 1921; but from 1921 down to date the figures are included in the table which has been placed in the RECORD, and I know the Senate will be interested in it.

Mr. KING. Does the document to which the Senator refers indicate the amount that is in default now for all the years?

Mr. BYRNES. I will say it does not give the information which I should like to have printed in the RECORD, and which later I am going to have printed in the RECORD, showing the repayments by the various States through the years, because I think it would be of interest to know that in certain States these loans have been repaid to the extent of between 90 and 100 percent and in some other States have not been repaid in such proportion.

Mr. CONNALLY. Mr. President, if the Senator from Utah will permit me, I hope the Senator from South Carolina will have the figures as to the payments by each State put into the RECORD, because I happen to know that my State has a very high repayment record. In 1 year I know it paid 98 percent.

Mr. SMITH. Mr. President, I should like to state that this pamphlet or document gives, by States, the amount received, the number of loans, and the amount repaid.

Mr. KING. Mr. President, will the chairman of the committee permit me to make an inquiry?

Mr. SMITH. Certainly.

Mr. KING. I know in my State, and I am told the same situation exists in other States, considerable amounts, in the aggregate, have been loaned by the Resettlement Administration to farmers who are in the same category as those referred to by the Senator. I was wondering if he knew how much had been loaned to the farmers by the Resettlement organization throughout the United States without any collateral whatever?

Mr. SMITH. I do not. I have no figures or statistics on that subject. My interest is largely in this particular seed-loan proposal.

Mr. KING. Mr. President, it seems to me that there is a duplication, if the information which I have is correct, between two organizations. The Resettlement Administration has made and is making loans to farmers without any collateral whatever, upon the plea that the farmers are unable to obtain loans through any other source. I have no information as to the aggregate amount which has been loaned by that organization, but I assume, from the information which I have obtained, that it extends into the millions of dollars. I know that in my own State the amount is several million dollars, and it would seem to me that all loans to the farmers in the same class as those that are contemplated by the bill under consideration should be made by one organization, instead of having so many organizations as we have in the Federal Government for the extension of credit. It would be a very good measure for economy if we could consolidate the loaning agencies. The overlapping and duplication and the enormous expense incidental to these operations ought to compel us to change the policy which has been pursued.

Mr. GEORGE. Mr. President, I should like to ask the chairman of the committee a few questions regarding this measure.

This loan is to be administered by the Farm Credit Administration, as in previous years?

Mr. SMITH. Yes.

Mr. GEORGE. Further, I should like to ask the Senator in charge of the bill if the interest rate of 4 percent is not a reduction? My recollection is that the interest rate in 1936 was 5 or 5½ percent.

Mr. SMITH. It was 5½ percent. The House reduced it to 4 percent, and the Senate bill carries the same rate.

Mr. GEORGE. So that this particular loan will carry only 4-percent interest to the farmers?

Mr. SMITH. That is correct.

Mr. GEORGE. Is the limitation of $600 to any one borrower, except in such distressed areas as may be certified by the President to the Governor of the Farm Credit Administration, the same as last year's limitation?

Mr. SMITH. No. The House bill which we have substituted for the Senate bill provides for a limitation of $400.

Mr. GEORGE. Is that the maximum?

Mr. SMITH. Yes; except in extraordinary cases.

Mr. GEORGE. Except in areas certified as distressed areas?

Mr. SMITH. Yes.

Mr. ROBINSON. Mr. President, was not the maximum last year less than is provided in the House bill this year?

Mr. SMITH. No. The conferees agreed on $400 last year and that is the amount inserted in the bill this year.

Mr. GEORGE. May I ask an additional question of the Senator from South Carolina?

Mr. SMITH. Certainly.

Mr. GEORGE. Is the limitation of the amount which may be deducted from the loan to cover registration and recording fees the same as it was in last year's law, to wit, 75 cents?

Mr. SMITH. Yes.

Mr. GEORGE. Not exceeding 75 cents?

Mr. SMITH. Yes. It is identically what the conferees agreed on last year.

Mr. GEORGE. Mr. President, I express the hope that the bill will pass speedily, because on previous occasions we have been delayed in the enactment of similar legislation until it was too late to be of real service to the farmers in some sections of the country. That will not be true if the bill is passed today.

Mr. DUFFY. Mr. President, I do not object to the theory of the suggestion made by the Senator from Utah [Mr. KING] that it would be well to have all the loans made under one agency. In my State we are confronted with an emergency situation involving some 40 drought-stricken counties. The ensilage of the dairy farmers in our section of the country will be exhausted by about the first of February. By the middle of February there will be practically no feed left. The only alternative, unless some emergency fund shall be forthcoming, will be the cutting down of the dairy herds which it has taken years and years to build up. That would be an irreparable injury to the dairy interests of my State. I hope the bill now before the Senate, which will afford some relief to the people thus situated, may be speedily enacted into law.

Mr. VANDENBERG. Mr. President, may I ask the Senator from South Carolina [Mr. SMITH] a question?

Mr. SMITH. Certainly.

Mr. VANDENBERG. I understood the Senator's colleague [Mr. BYRNES] to say that this fund last year involved the expenditure of only $16,000,000, despite the fact that last year involved many major emergencies. If $16,000,000 was sufficient last year, why ask for $50,000,000 this year?

Mr. SMITH. Mr. President, that involves the question which was propounded by the Senator from Georgia [Mr. GEORGE]. The total amount under the act to which the Senator from Michigan refers and under the President's Executive order for relief of this nature was in excess of $50,000,000.

Mr. BYRNES. Mr. President, I may say that the report of the House committee shows that the President allocated $37,000,000 for this purpose. In certain Western States drought loans were made from relief funds appropriated which ordinarily would have come out of the fund to which the senior Senator from South Carolina [Mr. SMITH] refers. The amount allocated, according to the statement in the report, was $37,000,000, but the difference is due to the fact that other funds were made available out of the relief funds to take care of the situation.

Mr. SMITH. The total amount was $57,000,000.

Mr. BAILEY. Mr. President, I desire to invite the attention of Senators to the statistical details set forth on page 76 of the CONGRESSIONAL RECORD Appendix. The statement was made that the State of Alabama had made the best record in the repayment of loans. The statistics to which I refer show that the State of North Carolina has made the best record of all States in the Union in the matter of the repayment of loans.

Mr. SMITH. I stand corrected.

Mr. BAILEY. I think it is due my State to make that fact known. The percentage of loans made and still outstanding in North Carolina is only 7.7 percent. I question whether it would be fair to mention other States, but some have loans outstanding as high as 67 percent.

Mr. McKELLAR. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Tennessee?

Mr. BAILEY. Certainly.

Mr. McKELLAR. In those States, however, they had such droughts that there was almost an entire crop failure.

Mr. BAILEY. I am not going to enter into anything in the way of an invidious comparison. I simply desire to call attention to the primacy of the record of North Carolina, of which I am duly proud.

Mr. McKELLAR. The drought States were in the Northwest, and I think they can hardly be blamed for their inability to repay.

Mr. BAILEY. May I suggest to the Senator from Tennessee that he should not confine his statement to the Northwest? However, I am not going into that matter. The Senator can read the record for himself.

There is another matter of some importance to which I wish to refer. Inquiry was made, I believe, by the Senator from Oregon [Mr. MCNARY] as to how much of a balance of loans is outstanding. That information is contained in the table to which I have referred. There is $104,489,929 outstanding and uncollected as of December 31, 1936. That is out of a total of $306,066,794. Reduced to percentage, 34.1 percent of the loans made throughout the period of the loan policy was outstanding as of December 31, 1936.

Then, to come down to a further definite figure, the number of borrowers under this system who had not paid up on December 31, 1936, was 1,062,933.

Mr. President, I think that is a bad record. Probably it is not becoming of me to comment upon it, but I am going to make one comment. Unless the Government can lend and collect its money more efficiently than that record discloses to be the case, one of two things will happen: Either the States which are now paying will cease to pay, following the example set for them; or the losses will be so great that we will resolve this matter into a subsidy and give the money away. We cannot go on with 34 percent of the loans uncollected, while some of the States have paid their loans down to 10 percent.

Mr. OVERTON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Louisiana?

Mr. BAILEY. I yield.

Mr. OVERTON. May I inquire of the Senator whether it does not occur to him that in the event the loans had not been made, the cost to the Government in the way of relief would have exceeded by far the sum of $100,000,000, greatly in excess of the losses through the years by reason of nonpayment of a portion of the loans?

Mr. BAILEY. I would not dispute that statement. That may be true.

Mr. OVERTON. May I make the further inquiry whether the Senator thinks it is proper to suggest, if I understand his argument correctly, that the States which have made such a splendid record in the repayment of the loans, because they were in a position to do so by reason of their crop production, should be penalized because other States had suffered calamities in the form of crop failures, and therefore were unable to make the repayments which other States had been able to make?

Mr. BAILEY. I am not suggesting anything like penalizing any State. I am suggesting that the statements here made that the failure to collect these loans was due to drought will not stand the test of the disclosures made by the tables to which I have referred, but I am not going to read the details because if I did I would appear to reflect unduly upon some State. I do not intend to do any such thing as that. The delinquencies are not confined to the drought-stricken States. That is a fact which the Senate should ascertain for itself.

While I am on my feet I should like to congratulate the senior Senator from Louisiana [Mr. OVERTON]. His State has made a very fine record.

Mr. OVERTON. I thank the Senator from North Carolina.

Mr. BAILEY. Only 8 percent of the loans in his State are still outstanding. Louisiana ranks right next to North Carolina in that respect. I congratulate the Senator from Louisiana.

Mr. GLASS. Mr. President, as pertinent to this particular subject, I ask unanimous consent that the clerk read an interesting relic of real constitutional government; and I ask that he do it deliberately, so that the Senate may hear it read. It is a brief veto message by a great President, Grover Cleveland; and, incidentally, I may state that the veto message was overwhelmingly sustained by the House of Representatives.

The PRESIDENT pro tempore. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

EXECUTIVE MANSION, *February 16, 1887.*

To the House of Representatives:

I return without my approval House bill no. 10203, entitled "An act to enable the Commissioner of Agriculture to make a special distribution of seeds in the drought-stricken counties of Texas, and making an appropriation therefor."

It is represented that a long-continued and extensive drought has existed in certain portions of the State of Texas, resulting in a failure of crops and consequent distress and destitution.

Though there has been some difference in statements concerning the extent of the people's needs in the localities thus affected, there seems to be no doubt that there has existed a condition calling for relief; and I am willing to believe that, notwithstanding the aid already furnished, a donation of seed grain to the farmers located in this region, to enable them to put in new crops, would serve to avert a continuance or return of an unfortunate blight.

And yet I feel obliged to withhold my approval of the plan, as proposed by this bill, to indulge a benevolent and charitable sentiment through the appropriation of public funds for that purpose.

I can find no warrant for such an appropriation in the Constitution, and I do not believe that the power and duty of the General Government ought to be extended to the relief of individual suffering which is in no manner properly related to the public service or benefit. A prevalent tendency to disregard the limited mission of this power and duty should, I think, be steadfastly resisted to the end that the lesson should be constantly enforced that though the people support the Government the Government should not support the people.

The friendliness and charity of our countrymen can always be relied upon to relieve their fellow-citizens in misfortune. This has been repeatedly and quite lately demonstrated. Federal aid in such cases encourages the expectation of paternal care on the part of the Government and weakens the sturdiness of our national character, while it prevents the indulgence among our people of that kindly sentiment and conduct which strengthens the bonds of a common brotherhood.

It is within my personal knowledge that individual aid has to some extent already been extended to the sufferers mentioned in this bill. The failure of the proposed appropriation of $10,000 additional to meet their remaining wants will not necessarily result in continued distress if the emergency is fully made known to the people of the country.

It is here suggested that the Commissioner of Agriculture is annually directed to expend a large sum of money for the purchase, propagation, and distribution of seeds and other things of this description, two-thirds of which are upon the request of Senators, Representatives, and Delegates in Congress supplied to them for distribution among their constituents.

The appropriation of the current year for this purpose is $100,000, and it will probably be no less in the appropriation for the ensuing year. I understand that a large quantity of grain is furnished for such distribution, and it is supposed that this free apportionment among their neighbors is a privilege which may be waived by our Senators and Representatives.

If sufficient of them should request the Commissioner of Agriculture to send their shares of the grain thus allowed them to the suffering farmers of Texas they might be enabled to sow their crops, the constituents for whom in theory this grain is intended could well bear the temporary deprivation, and the donors would experience the satisfaction attending deeds of charity.

GROVER CLEVELAND.

Mr. BAILEY. Mr. President, a sufficient answer to the message from former President Cleveland is the statement that he was President in the horse-and-buggy days; and if the doctrine of his message were applied to the measures proposed in the present session, the R. F. C. authorization which we passed the other day with practical unanimity would meet with a veto, and the veto would be sustained in the Senate.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BAILEY. Certainly. I wish to finish the sentence, however.

There is a difference, Mr. President. When President Cleveland wrote that message, there was nothing to justify any statement to the contrary of his declaration that he knew of no constitutional warrant for the expenditure of public money for personal need or public aid. In 1922, however, there was a decision by the Supreme Court of the United States in the case now so widely known as Mellon against Massachusetts—the Mellon being the then Secretary of the Treasury—in which the Supreme Court did hold that neither a person nor a State could challenge the spending power of the Congress, and the appropriation for the Children's Bureau was upheld. Then last year, I think in the month of April, the Supreme Court rendered a decision in the Butler case, as we call it—the A. A. A. case—in which for the first time the welfare clause in section 8 of article 1 of the Constitution, relative to the taxing power of Congress, was discussed thoroughly and with some authority; and a reading of that discussion will, I think, justify the conclusion that the Supreme Court is prepared to hold that Congress may levy taxes for the general welfare; that is, a general public purpose, just as it does for the national defense, provided the money is not expended in such a way as to impinge upon the rights reserved to the States. So far as I know, that is the only limitation.

Grant that President Cleveland was right in saying there was no constitutional authority for such appropriations in his day. He was right. We now have two constitutional authorities, however: Mellon against Massachusetts, in which it is held that neither a State nor a taxpayer may attack the spending power of the Congress, and the Butler case, in which it is held that the Congress may tax and spend, I might say,

ad libitum—I dislike to use so broad a term—provided it does not so spend as to invade the powers reserved to the States and the appropriation is for a public purpose.

Mr. KING. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. KING. Will not the Senator agree with me when I state that a reading of the last case to which he referred, dealing with the general-welfare clause of the Constitution of the United States, shows that the Court did not definitely decide that question, but it was obiter dictum?

Mr. BAILEY. I will agree that it was obiter. The case was decided on another question, and I took pains to say that the statement of the Court would justify the conclusion stated by me. I did not say that the Court had so held as a final matter in a case adjudicated.

Mr. KING. It is to be hoped that when this question is again raised before the Supreme Court of the United States it will not follow the obiter dictum, but will resolve the question along the lines of the Madisonian interpretation of the Constitution and the interpretation placed upon the Constitution of the United States by many Presidents and by many courts.

Mr. BAILEY. That is a hope, Mr. President; but let us get to the point of that case.

Mr. ROBINSON. Mr. President, will the Senator yield for just a moment?

Mr. BAILEY. I yield.

Mr. ROBINSON. I thank the Senator. I shall be compelled to leave the Chamber in a few moments.

I repudiate the implication which has been injected into this debate that the Constitution of my country and yours renders the National Government powerless to relieve distress and suffering of the people who constitute its citizenship. If that doctrine was ever entertained by any considerable number of lawyers or others in this country, it has long ago been abandoned; and instead of indulging the hope that the United States will go back, as some here have suggested, to a theory and a practice that disarm the greatest power we possess in the face of peril, I express the hope that our National Government will go forward rather than backward.

We now have a situation in which 500,000 people in the United States have been driven by floods from their homes in terror. The doctrine of the veto message cited by the Senator from Virginia is that those people should not rely on the National Government for assistance; that the National Government should have and exercise no power to render them aid; that all power that exists, and all assistance that should be extended, must come from the neighbors of those who are in distress; and yet it is pointed out that most of the neighbors are in the same situation as those sought to be relieved by legislation of the character now pending.

There is practically no limitation on the appropriating power of the Congress except that which is imposed by conscience and a sense of duty. The National Government has the power to prevent farmers from starving or from being driven onto the relief rolls by lending them money with which to plant and to make crops. There is not the slightest likelihood that the Government will ever go back to the doctrine that the Constitution of this country renders the United States powerless in time of great peril to aid its citizens.

Of course, the Congress must exercise its very great powers in good conscience and in good faith, and of course there are dangers that grow out of the employment of such powers in any other way than that suggested. No real danger lies in using all the powers which exist, whether they be State, National, or individual, in times when the lives and the property of millions of people are imperiled. [Applause.]

Let us get the idea out of our minds that we are doing anything wrong when we use the power we have to help people who are suffering. It is a doctrine which cannot be shielded behind the Constitution or under the flag of our country. The Federal Government has the power, and has exercised that power, and it will continue to do so. I would hide my face in shame if I held that there is no power, save that possessed by those who are helpless, to face the storm and peril. [Applause.]

The Congress must be the judge when the necessity for action exists. And when it acts, no permanent harm will come to anything or anybody worth preserving and protecting.

Mr. GLASS rose.

Mr. BAILEY. Mr. President, I shall be very happy to yield to the senior Senator from Virginia, but I did desire to conclude.

Mr. GLASS. I will not interrupt the Senator. I will speak in my own time.

Mr. BAILEY. I shall be through in just a moment.

Mr. ROBINSON. Mr. President, I apologize to the Senator from North Carolina for taking so much of his time; but, as I stated in the beginning of my remarks, I shall be compelled to leave the Chamber soon.

Mr. BAILEY. I am not complaining at all. I wish to respond, however, to the statement made by the Senator from Utah [Mr. KING]. He expressed the hope that the Supreme Court would take the view of Madison. The Supreme Court said in plain language in the Butler case that the view of Madison could not be sustained and that the view of Story and of Hamilton was correct. That is obiter, but it is very powerful obiter. That was not said by the Court for nothing. It was said by six of nine Judges in the opinion, but the other three agreed to it, so it was unanimous.

What I am dealing with is the simple fact of the law, and as showing the difference between the policy under President Cleveland and the policy of this hour. I began by saying that there was a difference; that there is a difference. The Constitution has been construed.

This is the point of my remarks in one sentence. Since the responsibility for the spending power is almost exclusively vested in the Congress, we have a very solemn duty. We should not spend one dollar unnecessarily, and we should not spend one dollar to advance our own political interests or to exploit our own hopes for reputation for benevolence. We should spend the public money, which we extract from the labor of the American people by way of taxes, with a scrupulous honesty within ourselves, a scrupulous regard for the National Budget and the possibilities which confront us in this long-continued failure to balance it. We might work more ruin there than we could ever cure by the appropriation of even hundreds of millions of dollars.

The responsibility comes home to me by way of these decisions. So far as I am concerned, when we lend money I want it collected, and when we appropriate money I want it appropriated for public needs and public welfare and the interests of the Government. I should be ashamed of myself if I betrayed the high trust imposed in me and used the almost unlimited power to tax to give for political or personal purposes.

Mr. President, having said this, I am content.

Mr. GLASS. Mr. President, I distinctly stated, when asking consent to have the message of a great Democratic President read from the desk, that it was a relic of constitutional government. I had not the remotest idea that it was going to affect the question pending before the Senate. I had not the faintest notion that it would control the vote of a single, solitary Senator.

Perhaps I am a relic of constitutional government—I am rather inclined to think I am. I entertain what may be the misguided notion that the Constitution of the United States as it existed in the time of Grover Cleveland is the same Constitution that exists today, and that if Mr. Cleveland, with his clear conception and his courage, could find nothing in the Constitution then which authorized appropriations for special purposes and not for the general welfare, I could not today find anything in the Constitution warranting such action.

Incidentally, I may express the greatest astonishment that any Member of the Senate should appeal to decisions of the Supreme Court, whether actually involved or incidental, at the very time when arrangements are going forward to tear down the Supreme Court, when so many people have no con-

ception of its establishment or its uses in constitutional government.

The reference to the general-welfare clause simply provokes the statement that whenever Congress desires to appropriate money for any purpose it is at liberty to appeal, and does appeal, to the general-welfare clause. Latterly, the interpretation of the general-welfare clause by the Congress of the United States differs as widely from the interpretation of it by the man who wrote it, James Madison, as our attitude now differs from the constitutional conceptions of Grover Cleveland.

I merely desire to indicate now that I am not one of the Senators who is proud of the fact that some people in Virginia wanted to make a pawnshop of the Treasury of the United States. I am proud of the fact that they paid back the money they borrowed, but I still am of the conviction that the Treasury of the United States was not set up to be a pawnshop, and that it was not set up to enter into the lending business, whether for this, that, or the other purpose.

So far as Mr. Cleveland's message being related to the great disaster now afflicting the country is concerned, everybody knows that this is a national disaster, and not a local disaster. Everyone knows that when we deal liberally and generously with a situation of this sort we are dealing with the general welfare of the country. So the vehement and rhetorical address to which the Senate has just listened has no application to my attitude or to that so succinctly and courageously expressed by Grover Cleveland and overwhelmingly sustained by the Congress of the United States at that time. Of course we should appropriate funds to alleviate the afflictions and to abate the distresses resulting from a great national disaster which affects not merely the unfortunate people immediately involved but affects the entire Nation, and I have no patience with oratorical efforts in commendation of such appropriations. I have no respect for them either.

Nor am I hiding my face in shame at the suggestion of the Senator from North Carolina or at that of the Senator from Arkansas. I am in favor of the "horse and buggy" age, if that means respect for the Constitution of the United States and of the Supreme Court acting under the Constitution of the United States. I am not willing to tear down that Court because I may disagree with some of its decisions. I wish some of them had never been rendered, such as that which has destroyed intrastate commerce, and that which said we might swindle our own people but not foreigners in the matter of our contractual relations. However, although I, a layman, disagree with those decisions of the Court, I am not willing under my oath as a United States Senator to contribute in any degree or at any moment to the effort to tear down the Court and make it useless.

Mr. President, I had not purposed to raise a riot of oratory here in the Senate. Simply as a matter of amusement to myself and, I trust, of interest to the Senate, I wanted to indicate how far we had gotten away from some constitutional bases when we contrast them with what we now think about the Constitution and the courts.

Mr. BARKLEY. Mr. President, I have no desire to delay a vote on the pending measure, but I do wish to make one statement. I do not assume that it would have made any difference in the attitude of Grover Cleveland toward approval or veto, but my understanding is that the bill which he actually vetoed provided for an outright gift by the Congress and not for a loan. I, of course, draw no deduction as to what would have been his attitude had the bill provided for a loan; but had his attitude been analogous in the matter of loaning money to farmers who were afflicted by drought, or for other reasons, I am willing to assume that he would have vetoed a loan bill with as much alacrity as he vetoed a bill providing for a gift.

Neither do I wish to indulge in any criticism of the Supreme Court, although I think I may say that when the Supreme Court by a vote of 5 to 4 nullifies an act of Congress intended to help labor, agriculture, and business to solve their problems in a great disaster, I am not guilty of treason if I happen to agree with the four rather than the five. I know how easy it might have been for the minority opinion to have been that of the majority had someone else had the appointing power, and had someone else been appointed to the Supreme Court by that appointing power; but if I were disposed to indulge in any criticism of the Court I should be in most excellent company. Thomas Jefferson, who is the patron saint of many of us politically, to whom is given the credit for establishing not only political and religious but intellectual liberty in this country, did not hesitate to criticize the Supreme Court, and particularly to criticize its great Chief Justice, John Marshall.

Andrew Jackson, who is another one of our patron saints, did not hesitate to criticize the Supreme Court of the United States.

Abraham Lincoln, who is the political patron saint of many of our colleagues here, and who is revered, admired, and respected by all of us, did not hesitate to criticize the Supreme Court when it rendered a decision with which he did not agree; and it might pay some of us to read some of Lincoln's speeches as to the effect of certain decisions of the Supreme Court of the United States.

If I desired to indulge in any such criticism, I should likewise be in the company of Theodore Roosevelt, who not only denounced certain Court decisions, but in one of his campaigns for President actually proposed, as part of the platform on which he stood, the recall of judicial decisions by vote of the people whenever the Court rendered a decision which he thought was not for the best interest of the country.

In referring to these matters I do not myself indulge in any criticism of the Court, although I do not hesitate to say that I have disagreed and expect to continue to disagree with it, and to say so without any fear that I am to be regarded as a traitor or guilty of treason if I happen to agree with a minority of the Court rather than a majority of the Court, at the same time granting to every member of the Court what he is entitled to—my respect and my belief that he is actuated by honest and patriotic motives.

My friend the Senator from Utah adverted to the Madisonian interpretation of the Constitution. I think no man has a greater admiration or respect for James Madison than I have. I agree with the Senator from Virginia [Mr. GLASS] that Madison contributed more than anyone else to the writing of the Constitution, and not only that but he contributed almost everything we know concerning the deliberations of the body known as the Constitutional Convention. Had it not been for the Madison papers and the Madison notes taken by him during its deliberations we might never have known anything about what went on behind closed doors when the Constitution of the United States was being written.

However, while Madison was President of the United States he vetoed an act of Congress appropriating money to improve rivers and harbors in the United States of America on the ground that Congress had no constitutional power to appropriate money for that purpose. Notwithstanding that veto and that attitude of Madison, it has been the settled policy of the Government for nearly a century to appropriate money for this identical purpose; and the power of Congress to appropriate it for that purpose has never been seriously questioned.

Mr. President, had the Madisonian view been maintained from that day to the present time there would not be a lock or dam in any river in the United States, and there would not be a deepened harbor to afford accommodations for our commerce anywhere in the United States, and there would not be a reclamation project anywhere in the West, including the State of Utah, from which the distinguished Senator [Mr. KING] comes.

So when we talk about the Madisonian view of the Constitution, I think we are entitled to consider that we are living in a different economic and social age from that in which Jefferson and Madison lived. In their day they were among the most progressive statesmen of the world; and were they living now, in the midst of all the complexity of

our lives and in our efforts to solve our problems through the agency of the Government, I believe they would in all probability be two jumps ahead of all of us in trying to make the Government of the United States the agency for the solution of all the problems which face the American people.

Mr. GLASS. Mr. President, I think Mr. Cleveland's reputation and that of James Madison will survive both the condemnation and praise which we have heard here today.

Mr. KING. Mr. President, I do not intend to occupy the time of the Senate for more than a moment, and should not do so except for what I assume was the inadvertent observation just submitted by the distinguished Senator from Kentucky [Mr. BARKLEY]. He referred to reclamation projects in the West, and assumed, as I thought, that the Government appropriations were for purely private purposes. Under the Constitution of the United States, Congress has exclusive jurisdiction over the public domain and the public property of the United States. That ownership and jurisdiction constitutionally entitle the Government to make disposition of that property in such a way that the greatest rewards will flow into the Treasury of the United States.

There were millions of acres of sterile and barren land in the Western States, lands which were condemned by Senators and Representatives at an earlier period in the history of our Republic.

Even Daniel Webster, upon the floor of the Senate, called attention to the arid condition of the lands, given over to sagebrush and the homes of wolves and jackrabbits, and said that the land was valueless and would never support a population.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. BARKLEY. The Senator will not contend, will he, that irrigation projects have been limited to the public lands?

Mr. KING. Yes; I insist the development of the public domain was the purpose and the genesis of the reclamation projects.

Mr. BARKLEY. It may have been the genesis but not the exodus. [Laughter.]

Mr. KING. I am not sure that the Senator is correct. I think he will find that the reclamation projects were founded upon what is known as the Newlands bill, which was first introduced in the House of Representatives, as I recall, in 1897 and passed under the administration of Theodore Roosevelt. That bill provided that the lands of the United States susceptible of reclamation might be irrigated and that irrigation projects might be initiated and carried to completion in order that the lands within such projects might be sold for the benefit of the Government of the United States. And so the reclamation projects under that act have had in mind the settlement of the public domain, making it habitable, and, in the end, providing a return to the Government of the United States.

The PRESIDENT pro tempore. The question is on the third reading of the bill.

The bill was read the third time and passed.

Mr. BARKLEY. Mr. President, let us have the yeas and nays on this bill.

The PRESIDENT pro tempore. The decision of the Chair has been made. It is now too late to ask for a yea-and-nay vote.

Without objection, Senate bill 1053, to provide for loans to farmers for crop production and harvesting during the year 1937, and for other purposes, will be indefinitely postponed.

DANIEL YATES

The PRESIDENT pro tempore. The clerk will state the next bill in order on the calendar.

The bill (S. 113) for the relief of Daniel Yates was announced as next in order.

Mr. VANDENBERG. Mr. President, I suggest that the bill go over. The War Department clearly recommends against it.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. SMITH. Mr. President, a parliamentary inquiry. I ask if an executive session is to be held today?

The PRESIDENT pro tempore. That is a question to be decided by the Senate.

Mr. WALSH. Let me say to the Senator that I understand an executive session will be held.

FIRST DEFICIENCY APPROPRIATIONS

The PRESIDENT pro tempore laid before the Senate the bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes, which was read twice by its title and referred to the Committee on Appropriations.

Mr. BARKLEY. Mr. President, I desire to call the attention of the Senate, and especially of the Committee on Appropriations, to a provision carried in the bill just laid before the Senate by the Chair. The Senate will recall that in the last Congress the Committee on Interstate Commerce was authorized to conduct an investigation into some phases of railroad financing in the United States. The Senator from Montana [Mr. WHEELER] submitted a resolution authorizing such an investigation, and the investigation is now in progress. I think all those who have kept themselves informed as to the progress of that investigation will agree that much valuable information has been revealed concerning the methods of certain railroad manipulators of this country in financing their enterprises at the expense of the American people, and that the information would have been very valuable, not only to the Senate and the other House of the Congress but to the country, if it had been developed earlier by such an investigation. It may be that the information comes too late in order to correct some of the evils which have been brought to light by the investigation of the Wheeler committee into certain railroad financing, but, nevertheless, the information which will be obtained will be of benefit in guiding the Senate and the House of Representatives in legislation hereafter. In the resolution authorizing the investigation referred to it is recited that—

> The Committee on Interstate Commerce, or any duly authorized subcommittee thereof, is authorized and directed to obtain such facts as the Federal Coordinator of Transportation, the Interstate Commerce Commission, and other Government agencies may have, and to secure the assistance of the Federal Coordinator of Transportation, the Interstate Commerce Commission, and other Government agencies in the investigation hereby authorized. The member of the Interstate Commerce Commission heretofore designated by the President as Federal Coordinator of Transportation under the Emergency Railroad Transportation Act, 1933, is hereby authorized and directed to select the railroads to be included in the investigation.

Pursuant to that authority the Committee on Interstate Commerce called upon the Interstate Commerce Commission, called upon the Department of Commerce, and during one period, when the funds appropriated by the Senate had been exhausted and additional funds had not been made available, there was a small allotment made out of the funds which had been appropriated for relief and work in order that this investigation might go on. The sum was insignificant, but it was helpful in continuing the investigation.

I wish to say also that the Senator from Wisconsin [Mr. LA FOLLETTE] submitted a resolution, Senate Resolution 266, authorizing the Committee on Education and Labor to make an investigation of violations of the rights of free speech and assembly and undue interference with the rights of labor to organize and bargain collectively.

In the resolution it is provided—

> For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-fourth and succeeding Congresses, to employ and to call upon the executive departments for clerical and other assistants—

And so forth.

That committee is now in session carrying on the investigation which it has been authorized to conduct. I have no doubt that the committee, under the guidance of the Senator from Wisconsin [Mr. LA FOLLETTE], will provide valuable

information to the Senate and the House and the country with respect to the matters within its jurisdiction, looking toward the enactment of any legislation which may be necessary to correct such evils as may be revealed.

Now, the House of Representatives has inserted in the bill which has just been laid before the Senate by the Chair and referred to the Committee on Appropriations this language:

Provided, That no part of this appropriation or of the appropriation in the Emergency Relief Appropriation Act of 1936 shall be used hereafter to pay the compensation of any person, not taken from relief rolls, detailed or loaned for service in connection with any investigation or inquiry undertaken by any committee of either House of Congress under special resolution thereof.

I do not wish to say anything which might be regarded as a criticism of the other body of Congress; I do not wish to impute to anybody any improper motive in the inclusion of that language in the appropriation bill as passed by the House; but, whatever may have been the intention of those who wrote that language, whatever may have been anybody's design in incorporating it in the bill, the effect of it, in all probability, will be to cripple the investigations now in progress by the Committee on Interstate Commerce and the Committee on Education and Labor to which I have already referred.

I am now calling attention of the Senate and of the Committee on Appropriations to this language, in the hope that the committee will eliminate it before the bill shall be brought back to the Senate. It has no place in this bill. If either one of these committees can obtain from any agency of the Government, whether it be a regular department or any emergency agency that has been set up, information that will assist it in revealing facts that the American people ought to know and Congress ought to have, certainly they ought not to be handicapped in undertaking to obtain such information. I, therefore, hope that the committee will eliminate the provision before the bill shall be reported back to the Senate; but I wish to say—and I do not say it in any spirit of threat or coercion—that if the committee should not eliminate it and some other Senator should not move to strike it out, I intend to move on the floor of the Senate to eliminate that language from the bill.

Mr. GLASS. Mr. President, this appropriation bill was not passed by the other branch of Congress until last night. We have had no opportunity to examine the discussion which took place or determine what is meant by the insertion by an overwhelming vote of the House of the language objected to by the Senator from Kentucky. I rather think it is premature to discuss the matter here now beyond merely saying that I have heard it stated that the House was utterly opposed to taking a dollar of the relief funds for the purpose of paying the expenses of an investigation by either branch of Congress.

I should think, that being the overwhelming sentiment of the house as indicated by the vote, that the speedier and better way for the Senator from Kentucky to accomplish his purpose would be to propose an amendment to the deficiency appropriation bill providing separate funds for investigations of the committees designated by him, and not to take for other purposes an appropriation intended for the relief of suffering humanity.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. GLASS. Yes.

Mr. BARKLEY. Of course, the funds ordinarily available for investigations in both Houses are paid out of the contingent fund of the particular House authorizing the investigation.

Mr. GLASS. Yes.

Mr. BARKLEY. I brought the matter to the attention of the Senate because the Senator from Montana [Mr. WHEELER], the chairman of the Committee on Interstate Commerce, is detained from the floor of the Senate, and because the Senator from Wisconsin [Mr. LA FOLLETTE], chairman of the other committee to which I referred, is ill and unable to be here, and both of them are concerned about this provision. I did not know whether or not I would have an opportunity to appear before the Committee on Appropriations on the subject, and for that reason I wished to call it to the Senator's attention and to the attention of the Senate.

Mr. GLASS. The Senator should know that he is at liberty to appear before the Appropriations Committee or any subcommittee of the Appropriations Committee to present any view that he would like to present as to any provision of any bill before the committee.

Mr. BARKLEY. I appreciate the Senator's statement.

Mr. GLASS. My suggestion is that the better and surer way to accomplish his purpose would be to propose an amendment to the deficiency appropriation bill, and not to have us get into a quarrel with the other branch of Congress.

Mr. BARKLEY. I will say to the Senator from Virginia that nobody desires to use relief funds for the purposes of any investigation, but this language would not allow the committee to call for the loan of a single person employed by any of these agencies for as much as a week without involving the loss to such employee of his salary.

Mr. GLASS. So far as I am concerned, I am of the opinion that the committee will have to inquire into the matter to ascertain what is the purpose and what is the effect of the language in the bill as it passed the House. We cannot commit ourselves on the floor of the Senate.

Mr. BARKLEY. I am not asking the Senator to do that.

Mr. ADAMS. Mr. President, I may state for the information of the Senator from Kentucky that pending before the Appropriations Committee now is a recommendation for an appropriation of $125,000 for use by the Senate to finance the investigation to which reference has been made.

EXECUTIVE SESSION

Mr. ROBINSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

Mr. SMITH, from the Committee on Agriculture and Forestry, reported favorably the following nominations:

Milburn L. Wilson, of Montana, to be Under Secretary of Agriculture, to which office he was appointed during the last recess of the Senate, vice Rexford G. Tugwell, resigned; and

Harry L. Brown, of Georgia, to be Assistant Secretary of Agriculture, to which office he was appointed during the last recess of the Senate, vice Milburn L. Wilson.

Mr. McKELLAR, from the Committee on Appropriations, reported favorably the following nominations:

W. S. Key, of Oklahoma, to be State administrator for Oklahoma in the Works Progress Administration; and

Louis M. Nims to be State administrator for Michigan in the Works Progress Administration, vice Harry Lynn Pierson.

Mr. McKELLAR also, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

Mr. WHEELER, from the Committee on Interstate Commerce, reported favorably the nomination of William M. Leiserson, of Ohio, to be a member of the National Mediation Board for the term expiring February 1, 1940 (reappointment).

The PRESIDING OFFICER (Mr. MINTON in the chair). The reports will be placed on the Executive Calendar.

CHARLES EDISON, ASSISTANT SECRETARY OF THE NAVY

Mr. WALSH. Mr. President, last Friday the nomination of Mr. Charles Edison, of New Jersey, to be Assistant Secretary of the Navy, was confirmed. A rule of the Senate permits a Senator to move reconsideration of the confirmation at any time during two consecutive executive sessions thereafter. It has been several days since the nomination was confirmed. Mr. Edison has been serving as Assistant Secretary of the Navy, of course, without pay because the President has not been notified of the confirmation of his nomination. I now ask unanimous consent that the rule be suspended and that the President be notified of the confirmation of Mr. Edison's nomination.

Mr. McNARY. Mr. President, I have no objection.

The PRESIDING OFFICER. Without objection, the President will be notified.

REGISTER OF LAND OFFICE, IDAHO

The PRESIDING OFFICER. The calendar is in order. The first nomination in order on the calendar will be stated.

The Chief Clerk read the nomination of Frank E. DeKay, of Idaho, to be register of the land office at Blackfoot, Idaho.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNDER SECRETARY OF THE TREASURY

The Chief Clerk read the nomination of Roswell Magill, of New York, to be Under Secretary of the Treasury.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

BOARD OF TAX APPEALS

The legislative clerk read the nomination of Justin Miller, of North Carolina, to be a member of the Board of Tax Appeals for the unexpired term of 12 years from June 2, 1926.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

NATIONAL EMERGENCY COUNCIL

The legislative clerk proceeded to read sundry nominations in the National Emergency Council.

Mr. McKELLAR. Mr. President, I ask unanimous consent that nominations in the National Emergency Council may be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

BUREAU OF INTERNAL REVENUE

The legislative clerk read the nomination of Morrison Shafroth, of Denver, Colo., to be Assistant General Counsel for the Bureau of Internal Revenue.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of William P. Stuart, of Prescott, Ariz., to be collector of internal revenue for the district of Arizona.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of James F. Munday, of Wilkes-Barre, Pa., to be collector of internal revenue for the twelfth district of Pennsylvania.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the Public Health Service.

Mr. ROBINSON. I ask that the several nominations in the Public Health Service be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc. That completes the calendar.

ADJOURNMENT TO FRIDAY

Mr. ROBINSON. I move that the Senate adjourn until 12 o'clock noon on Friday next.

The motion was agreed to; and (at 2 o'clock and 17 minutes p. m.) the Senate adjourned until Friday, January 29, 1937, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 27, 1937

UNDER SECRETARY OF THE TREASURY

Roswell Magill to be Under Secretary of the Treasury.

ASSISTANT GENERAL COUNSEL, BUREAU OF INTERNAL REVENUE

Morrison Shafroth to be Assistant General Counsel for the Bureau of Internal Revenue.

COLLECTORS OF INTERNAL REVENUE

William P. Stuart to be collector of internal revenue for the district of Arizona.

James F. Mundy to be collector of internal revenue for the twelfth district of Pennsylvania.

REGISTER OF LAND OFFICE

Frank E. DeKay to be register of the land office at Blackfoot, Idaho.

BOARD OF TAX APPEALS

Justin Miller to be member of the Board of Tax Appeals.

NATIONAL EMERGENCY COUNCIL

Forrest Parrott to be State director of the National Emergency Council for Oklahoma.

George H. Combs, Jr., to be State director of the National Emergency Council for New York.

Mrs. Anna Dickie Olesen to be State director of the National Emergency Council for Minnesota.

Eugene S. Leggett to be acting executive director of the National Emergency Council.

PUBLIC HEALTH SERVICE

Fred T. Foard to be surgeon.
Winfield Kennedy Sharp, Jr., to be surgeon.
Frank E. Law to be assistant dental surgeon.
William P. Kroschel to be assistant dental surgeon.
Edwin A. Doane to be assistant surgeon.
Howard D. Fishburn to be assistant surgeon.
Harris Isbell to be assistant surgeon.
Theodore L. Perrin to be assistant surgeon.
James G. Telfer to be assistant surgeon.
David J. Zaugg to be assistant surgeon.
Warren F. Draper to be medical director.
Lewis R. Thompson to be medical director.
Ralph E. Tarbett to be senior sanitary engineer.
Leslie C. Frank to be senior sanitary engineer.
John K. Hoskins to be senior sanitary engineer.
Harold W. Streeter to be senior sanitary engineer.
Harry R. Crohurst to be senior sanitary engineer.
John D. Reichard to be senior surgeon.
Vance B. Murray to be senior surgeon.
Thomas H. D. Griffitts to be senior surgeon.
Joseph A. LePrince to be sanitary engineer director.
Francis A. Arnold, Jr., to be assistant dental surgeon.
Harold William Brown to be passed assistant surgeon.
Paul Sterling Carley to be passed assistant surgeon.
Harry Eagle to be passed assistant surgeon.
Jacob Pope Eberhardt to be passed assistant surgeon.
George Halsey Hunt to be passed assistant surgeon.
Benjamin F. Jones to be passed assistant surgeon.
Robert H. Moore to be passed assistant dental surgeon.
Walter W. Hammond, Jr., to be passed assistant surgeon.
Rollo R. Wolcott to be assistant surgeon.
Earl F. Gates to be assistant surgeon.
William W. Calhoun, Jr., to be assistant dental surgeon.
Harry B. Hommon to be senior sanitary engineer.
Michael J. Pescor to be passed assistant surgeon.
Robert H. Felix to be passed assistant surgeon.
Henry L. Peckham, Jr., to be assistant surgeon.
Clifford R. Eskey to be senior surgeon.
Ernest E. Huber to be surgeon.
Adolph S. Rumreich to be surgeon.
Frank E. Law to be passed assistant dental surgeon.
John W. Jolley to be assistant surgeon.
Charles M. McGill to be assistant surgeon.
Vernon B. Link to be assistant surgeon.
Norman H. Topping to be assistant surgeon.
Walter T. Harrison to be senior surgeon.
Charles Armstrong to be senior surgeon.
Justin K. Fuller to be senior surgeon.
Rolla E. Dyer to be senior surgeon.
Byron J. Olson to be assistant surgeon.
Howard T. White to be assistant surgeon.
Abraham W. Fuchs to be senior sanitary engineer.
Alfred J. Aselmeyer to be surgeon.
Samuel Milton Dupertuis to be passed assistant surgeon.
Harold R. Sanstead to be assistant surgeon.
James F. Lane to be assistant surgeon.
Frederick W. Harper to be dental surgeon.
Pendleton J. Slaughter to be dental surgeon.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 27, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Most gracious Father, the maker of heaven and earth, the source of every blessing, we thank Thee for this new day. Prepare us for its duties; purify us from all guile and endue us plenteously with heavenly gifts. We earnestly pray Thee that the breath of unselfish service may sweep through our land, bringing comfort to the unfortunate by sharing their heavy loads. May the sublime example of Calvary's cross be our guide and inspiration. Almighty God, be mercifully near the mourning thousands of the flood-stricken States. O save Thy people and bless Thine inheritance; feed them also and lift them up forever. Forsake them not, O Lord, our God; be not far from them. Make haste to help them, O Lord of our salvation. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 368. An act to amend the act of May 25, 1933 (48 Stat. 73).

The message also announced that the Senate had agreed to the following resolution:

Senate Resolution 68

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. ANDREW J. MONTAGUE, late a Representative from the State of Virginia.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now adjourn.

GEORGE ROGERS CLARK SESQUICENTENNIAL COMMISSION

The SPEAKER. Pursuant to the provisions of Public Resolution 51, Seventieth Congress, as amended, the Chair appoints to fill the vacancy on the George Rogers Clark Sesquicentennial Commission the gentleman from Massachusetts, Mr. LUCE.

EXTENSION OF REMARKS

Mr. JOHNSON of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include therein an address delivered by my colleague the gentleman from Texas [Mr. LANHAM] upon the conferring of honorary degrees by Baylor University upon the Vice President and Mrs. Garner.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. Under the previous order of the House, the gentleman from Connecticut [Mr. PHILLIPS] is recognized for 10 minutes.

WAR-TORN SPAIN

Mr. PHILLIPS. Mr. Speaker, I would feel presumptuous in appearing on this occasion and in speaking today as a new Member were it not for the urgency of the subject matter of my remarks and for the conviction which possesses me.

Those of us who had the opportunity to sit near our Christmas trees on Christmas Eve heard coming over the ether waves the beautiful strains of Silent Night, Holy Night, All Is Peace, All Is Bright. This came to us from New York. Presently, by a shift of the dial on the master broadcasting radio, we heard the strains of Silent Night, Holy Night, All Is Peace, All Is Bright coming to us from far-away Austria, from a little church in a little snowy town over there where the strains of that immortal melody were first borne to the world by the author who sang it and played it. Then presently, with another turn of the same dial, we heard the strains of Silent Night, Holy Night coming to us from far-away Buenos Aires from the cathedral there. A moment later we heard it from an old Spanish mission in California. Then again we heard Silent Night, Holy Night, All Is Peace, All Is Bright from New York City, and finally from Austria again.

Mr. Speaker, on that Christmas Eve we did not hear the strains of Silent Night, Holy Night, All Is Peace, All Is Bright come to us from war-torn Spain. Could we have dialed in over there, we would have heard the sound of dropping bombs raining destruction and death on helpless women and children on that holy, peaceful evening. We would have heard these bombs raining destruction and death on helpless men and women and children on many evenings after that.

We then picked up the newspapers, and what did we read? We read that individuals calling themselves American citizens were responsible for some of that destruction, death, and carnage. They call themselves citizens of our country. They were selling themselves for blood money as foul murderers of the air, who dropped destruction by means of bombs on helpless women and children on that Christmas Eve and on other evenings and on other days. They did this for gold—foul blood money.

We picked up the paper later, and what did we read? We read that some of these same people were leaving this miserable piracy of the air in which they were engaged. Why were they leaving? Because the funds had run out and they were no longer being paid this blood money for foul murder and destruction.

Mr. Speaker and ladies and gentlemen, I think your blood boiled and my blood boiled when we read of those events; when we read that those calling themselves American citizens were guilty of selling themselves to engage in the murder of helpless women and children and others anywhere in this world. I think the majority of the Members of this House, as well as the majority of the American people, agree that we should take away citizenship from those who are willing to sell themselves as murderers for any cause anywhere at any time.

Mr. Speaker, representing my constituents, who do not believe in profits in war, and who believe in doing everything we can to *keep the United States out of war*, to which I heartily subscribe, and representing, I feel, a majority of the American people, I have caused to be introduced the following bill, which, with your permission, I will read:

Be it enacted, etc., That any citizen of the United States who, after July 1, 1937, enlists, serves, or accepts a commission in any military or naval service other than that of the United States shall be deemed to have expatriated himself or herself and shall lose all rights and privileges of citizenship.

Mr. Speaker, this bill will be heard at 10:30 o'clock tomorrow, Thursday, before the Committee on Immigration and Naturalization. With due humility, Mr. Speaker, as a new Member of this House, I ask the cooperation of my colleagues in seeing that the bill is enacted into law.

Mr. SCOTT. Mr. Speaker, will the gentleman yield for a moment?

Mr. PHILLIPS. I will.

Mr. SCOTT. I am heartily in sympathy with the idea behind the remarks of the gentleman from Connecticut, but may I call his attention, just for his own consideration, to the picture that hangs at the left of the Speaker's chair.

Mr. PHILLIPS. Mr. Speaker, the gentleman has called my attention to this picture. I look at it every day with a great deal of pleasure and realize that the gentleman whose picture he points out was fighting for a principle and not as a paid murderer. [Applause.]

EXTENSION OF CLASSIFIED CIVIL SERVICE TO INCLUDE POSTMASTERS OF THE FIRST, SECOND, AND THIRD CLASSES

Mr. O'CONNOR of New York submitted the following privileged report from the Committee on Rules for printing in the RECORD under the rule:

House Resolution 89

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 1531, a bill to extend the classified civil service to include postmasters of the first, second, and third classes, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1½ hours, to

be equally divided and controlled by the chairman and ranking minority member of the Committee on Civil Service, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

EXTENSION OF REMARKS

Mr. GRISWOLD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a radio address of the gentleman from Massachusetts [Mr. CONNERY].

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein a radio speech which I recently delivered.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

SPECIAL COMMITTEE ON WILDLIFE CONSERVATION

Mr. CLARK of North Carolina submitted the following privileged report from the Committee on Rules for printing in the RECORD under the rule:

House Resolution 11

Resolved, That the special committee to investigate all matters pertaining to the replacement and conservation of wildlife is authorized to continue the investigation begun under authority of House Resolution 237 of the Seventy-third Congress, and continued under authority of House Resolution 44 of the Seventy-fourth Congress, and for such purposes said committee shall have the same power and authority as that conferred upon it by said House Resolution 237 of the Seventy-third Congress, and shall report to the House as soon as practicable, but not later than January 3, 1939, the results of its investigations, together with its recommendations, for necessary legislation. Any unexpended balance of the total amount authorized for the use of said special committee under House Resolution 263 of the Seventy-third Congress is hereby continued available until said date.

Mr. CLARK of North Carolina. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 11, which deals with the continuance of a select committee to investigate wildlife conservation and other allied subjects.

The Clerk read the resolution.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. SNELL. Mr. Speaker, I reserve the right to object to get some information. I happen to be very much interested in this resolution, and I am in favor of it, but I wonder if the minority members of the committee have been advised by anyone that the matter is to be considered at this time.

Mr. CLARK of North Carolina. They were advised that it would be taken up before the Rules Committee.

Mr. SNELL. But were they advised it was going to be brought up on the floor? I know they are for the resolution, but I am against the policy of bringing these things in here without telling us in advance that you are going to do so.

Mr. CLARK of North Carolina. I can only say to the gentleman that it was stated in the Committee on Rules that immediate consideration would be given the resolution.

Mr. SNELL. How long ago was that?

Mr. CLARK of North Carolina. About 45 minutes or so.

Mr. SNELL. I do not suppose the gentleman would think that sufficient notice. I am in favor of the resolution and I want it considered, but I think it is absolutely unfair to spring resolutions of this sort on us without notifying the minority members of the committee concerned, and specially as the majority leader said yesterday there was no business on the program for today.

Mr. CLARK of North Carolina. Of course, I assumed that the ranking minority member of the Rules Committee would do whatever was necessary.

Mr. SNELL. But the gentleman has just stated that it was only 45 minutes ago that the resolution was considered. I do not want to be obstreperous in any way, and it happens you have brought up a matter in which I am deeply interested, but I am opposed to this method of procedure, and we might as well have it understood at the beginning of the session that we are not going to stand for it. The chairman of the committee concerned is one of my closest friends in the House.

Mr. CLARK of North Carolina. I naturally assumed that the able gentleman from Massachusetts, who is the ranking minority member of the Rules Committee, would notify his colleagues.

Mr. SNELL. But the gentleman from Massachusetts just found out about it himself about 10 minutes ago and has not had time to do that. Some of our Members want to discuss the resolution. Like the rest of your Members, they want to say to the people of the country that they are for it.

Mr. CLARK of North Carolina. So far as we were able to learn, there was no opposition to the resolution.

Mr. SNELL. It is not a question of opposition. Personally I am very much in favor of the resolution, but I think you ought to notify us about these matters. I think we are entitled to that consideration.

Mr. CLARK of North Carolina. The gentleman did not permit me to finish my statement. There was no opposition and this seemed to be a very opportune time to dispose of the matter; but if the gentleman seriously objects, we will let it go over until the minority can be publicly notified.

Mr. SNELL. I presume we shall have to object for the present, not because we are opposed to the resolution but because we think we are entitled to have proper notification given us, and it is a matter of principle with me.

Mr. RAYBURN. Why object now?

Mr. SNELL. Because we want to get the Members here. If the gentleman will wait 10 or 15 minutes until we can get them here——

Mr. RAYBURN. I think the gentleman from North Carolina is willing to withdraw his request without having objection made.

Mr. SNELL. I do not want to object to the consideration of the resolution, and if you will withdraw this request for the present it will be better.

Mr. MICHENER. Mr. Speaker, reserving the right to object, it was stated yesterday that we had nothing to do today. The minority leader asked what was to be done today and the statement was made that one Member had permission to address the House for 10 minutes. An effort was made to locate the gentleman so as to postpone the session for today. Under these conditions I do not think it is proper now to bring in legislation, even though the entire committee, Republicans and Democrats alike, know all about it. There are a lot of Members of the House who are not on the committees concerned and who understand that no legislation will be given consideration today, therefore I shall object to the consideration of the resolution. I favor the resolution, however there may be some who oppose it or desire to offer amendments. This is not an emergency legislation and there will be plenty of time tomorrow.

The SPEAKER. Objection is heard.

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to proceed for one-half minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. GIFFORD. Mr. Speaker, I wished to add to the remarks of the leader of the minority that I read the report of the Wildlife Committee rather carefully and had marked several places in it concerning which I wanted to ask some questions of that committee. Explanations of certain portions of the report seemed desirable. That is one reason why we should have notice when the resolution is to be considered.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CRAWFORD (at the request of Mr. MAPES), indefinitely, on account of illness.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 368. An act to amend the act of May 25, 1933 (48 Stat. 73), to the Committee on Naval Affairs.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 22 minutes p. m.) the House adjourned until tomorrow, Thursday, January 28, 1937, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., January 28, 1937. Business to be considered: Open hearing on H. R. 1668, long-and-short-haul bill. In view of the exhaustive hearing held in the previous Congress, the committee desires to make this hearing as brief as possible.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will meet in room 445, House Office Building, at 10:30 a. m. on Thursday, January 28, 1937, for hearings on H. R. 29, H. R. 1541, and H. R. 2002.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

304. A letter from the Acting Secretary of the Interior, transmitting a copy of a lease issued pursuant to the provisions of the act of May 23 1934 (48 Stat. 796); to the Committee on the Public Lands.

305. A letter from the Secretary of War, transmitting the draft of a bill with two sections, and the first section containing an amendment of article of war 50½, and the second section containing an amendment of article of war 70, which the War Department presents to the Congress with a view to its enactment into law; to the Committee on Military Affairs.

306. A letter from the Secretary of War, transmitting a draft of a bill to change the name of the Chemical Warfare Service, which the War Department presents to the Congress with a view to its enactment into law; to the Committee on Military Affairs.

307. A letter from the Secretary of War, transmitting the draft of a bill to authorize the sale of surplus War Department real property, which the War Department presents for the consideration of the Congress with a view to its enactment into law; to the Committee on Military Affairs.

308. A letter from the Acting Secretary of the Treasury, transmitting a draft of legislation to provide relief for and to adjust certain accounts of John L. Summers, former disbursing clerk, Treasury Department, and Frank White, G. F. Allen, H. T. Tate, and W. O. Woods, former Treasurers of the United States; to the Committee on Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. O'CONNOR of New York: Committee on Rules. House Resolution 89. Resolution providing for the consideration of H. R. 1531, a bill to extend the classified civil service to include postmasters of the first, second, and third classes, and for other purposes; without amendment (Rept. No. 62). Referred to the House Calendar.

Mr. CLARK of North Carolina: Committee on Rules. House Resolution 11. Resolution authorizing the Special Committee on Wildlife Conservation, appointed under authority of House Resolution 237, Seventy-third Congress, continued under authority of House Resolution 44, Seventy-fourth Congress, to continue its investigations during the Seventy-fifth Congress; without amendment (Rept. No. 63). Referred to the House Calendar.

Mrs. O'DAY: Committee on Immigration and Naturalization. H. R. 26. A bill to amend section 23 of the Immigration Act of February 5, 1917 (39 Stat. 874), as amended (U. S. C., title 8, sec. 102); without amendment (Rept. No. 64). Referred to the Committee of the Whole House on the state of the Union.

Mrs. O'DAY: Committee on Immigration and Naturalization. H. R. 28. A bill to authorize the deportation of aliens who secured preference-quota or nonquota visas through fraud by contracting marriage solely to fraudulently expedite admission to the United States, and for other purposes; without amendment (Rept. No. 65). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WOLVERTON: A bill (H. R. 3785) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. GREEVER: A bill (H. R. 3786) providing for the allocation of net revenues of the Shoshone power plant of the Shoshone reclamation project in Wyoming; to the Committee on Irrigation and Reclamation.

By Mr. MAPES: A bill (H. R. 3787) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. KVALE: A bill (H. R. 3788) to improve the navigability and to provide for the flood control of the upper Mississippi River; to provide for reforestation and the use of marginal lands in, and for the agricultural and industrial development of, the upper Mississippi River Basin; to provide for the restoration and preservation of the water level, and for the development of electrical power, in the upper Mississippi Basin; and for other purposes; to the Committee on Flood Control.

Also, a bill (H. R. 3789) to abolish capital punishment in the District of Columbia; to the Committee on the District of Columbia.

Also, a bill (H. R. 3790) to provide for the commemoration of the Battle of Birch Coulee, in the State of Minnesota; to the Committee on Military Affairs.

Also, a bill (H. R. 3791) to prevent the use of Federal official patronage in elections and prohibit Federal officeholders from misuse of positions of public trust for private and partisan ends; to the Committee on the Judiciary.

Also, a bill (H. R. 3792) to amend the act entitled "An act to give wartime rank to retired officers and former officers of the Army, Navy, Marine Corps, and/or Coast Guard of the United States", approved June 21, 1930, so as to give class B officers of the Army the benefits of such act; to the Committee on Military Affairs.

Also, a bill (H. R. 3793) to promote employment of adult labor by preventing interstate commerce in the products of child labor, and for other purposes; to the Committee on Labor.

Also, a bill (H. R. 3794) to extend the Federal Corrupt Practices Act to primary elections of Senators and Representatives; to the Committee on the Judiciary.

Also, a bill (H. R. 3795) to amend section 20 of the act of June 10, 1922, as amended by the act of July 2, 1926; to the Committee on Military Affairs.

Also, a bill (H. R. 3796) to extend the privileges of compensation and hospitalization to certain American citizens; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 3797) placing certain positions in the Postal Service in the competitive classified service; to the Committee on the Civil Service.

Also, a bill (H. R. 3798) to amend sections 11 and 12 of the Immigration Act of 1924, as amended; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 3799) relating to annual leave of employees in the Government Printing Office; to the Committee on Printing.

Also, a bill (H. R. 3800) to amend the act of June 4, 1920, entitled "An act to amend an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes', approved June 3, 1916, and to establish military justice", to limit its application in the case of civil educational institutions to those offering elective courses in military training; to the Committee on Military Affairs.

Also, a bill (H. R. 3801) to remove discrimination against an Army chief of service; to the Committee on Military Affairs.

Also, a bill (H. R. 3802) to assist by loans any person holding an honorable discharge from the military forces of the United States of America during the period of the World War; to the Committee on Ways and Means.

Also, a bill (H. R. 3803) to repeal section 2 of Public Act No. 242, Sixty-fourth Congress, being an act making appropriations for the support of the Army, and approved August 29, 1916, and relating to the establishment of a Council of National Defense; to the Committee on Military Affairs.

By Mr. ROBSION of Kentucky: A bill (H. R. 3804) to provide minimum retired pay for enlisted men of the regular military and naval forces and the Coast Guard of the United States, and for other purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 3805) to provide retirement after 25 years' service for enlisted men of the Regular Army, Navy, Marine Corps, and Coast Guard of the United States, and for other purposes; to the Committee on Military Affairs.

By Mr. TERRY: A bill (H. R. 3806) to amend Public Act No. 325 of the Seventy-fourth Congress, approved August 24, 1935; to the Committee on Banking and Currency.

By Mr. TOLAN: A bill (H. R. 3807) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. RANKIN: A bill (H. R. 3808) to provide for the construction of a Government building at State College, Miss.; to the Committee on Public Buildings and Grounds.

By Mr. COFFEE of Washington: Joint resolution (H. J. Res. 157) to provide for checking accounts in postal savings banks, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. FISH: Joint resolution (H. J. Res. 158) to call a conference of all the signatories of the Briand-Kellogg peace pact at Washington; to the Committee on Foreign Affairs.

By Mr. JENKINS of Ohio: Joint resolution (H. J. Res. 159) to provide an immediate investigation of the Ohio River and the Mississippi River flood conditions; to the Committee on Rules.

By Mr. KING: Joint resolution (H. J. Res. 160) to authorize the President to suspend or reduce duties on imports into the Territory of Hawaii during the emergency arising from the present maritime strike; to the Committee on Ways and Means.

By Mr. KVALE: Joint resolution (H. J. Res. 161) to limit (prohibit) outside activities of officers, teachers, and other employees in the public schools of the District of Columbia (receiving compensation at a rate in excess of $2,000 per annum) in competition with persons in private occupations or professions; to the Committee on the District of Columbia.

Also, joint resolution (H. J. Res. 162) proposing an amendment to the Constitution of the United States conferring upon the Congress power to regulate the production and marketing of commodities, and to prescribe minimum wages and maximum hours of labor during an emergency; to the Committee on the Judiciary.

Also, joint resolution (H. J. Res. 163) to investigate corporations engaged in the manufacture, sale, or distribution of agricultural implements and machinery; to the Committee on Interstate and Foreign Commerce.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the State of South Dakota, petitioning the President to extend additional sustenance to provide feed for livestock and seed for spring planting; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN: A bill (H. R. 3809) for the relief of H. E. Wingard; to the Committee on Claims.

By Mr. COFFEE of Washington: A bill (H. R. 3810) to place C. P. Gammon, formerly a major in the Medical Corps, United States Army, on the emergency officers' retired list; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 3811) for the relief of Shafer Schwartz; to the Committee on Military Affairs.

Also, a bill (H. R. 3812) for the relief of the estate of Rees Morgan; to the Committee on Claims.

By Mr. COLE of New York: A bill (H. R. 3813) granting a pension to Anna L. Sweeney; to the Committee on Pensions.

By Mr. DORSEY: A bill (H. R. 3814) for the relief of James Garfield Haney; to the Committee on Naval Affairs.

By Mr. FITZGERALD: A bill (H. R. 3815) for the relief of Henry Twogood; to the Committee on Military Affairs.

By Mr. GEHRMANN: A bill (H. R. 3816) for the relief of Hugo Stamm; to the Committee on Indian Affairs.

By Mr. GINGERY: A bill (H. R. 3817) granting an increase of pension to Alice Paul; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3818) granting a pension to Lydia Frances Nyman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3819) granting an increase of pension to Elizabeth Koontz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3820) granting an increase of pension to Barbara Weber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3821) granting a pension to Lana Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3822) for the relief of Stanley Baker; to the Committee on Claims.

By Mr. KELLY of New York: A bill (H. R. 3823) granting a pension to Grace E. Fairchild; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3824) granting a pension to Cora J. Lowell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3825) granting an increase of pension to Emma C. Van Bender; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3826) granting an increase of pension to Emma C. Andrews; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3827) granting an increase of pension to Sophia M. Webster; to the Committee on Invalid Pensions.

By Mr. KVALE: A bill (H. R. 3828) for the relief of Jerry Hines; to the Committee on Claims.

Also, a bill (H. R. 3829) for the relief of Maurice Phillips; to the Committee on War Claims.

Also, a bill (H. R. 3830) granting a pension to Mary Tompkins; to the Committee on Pensions.

Also, a bill (H. R. 3831) granting a pension to Mary C. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3832) for the relief of John E. Fondahl; to the Committee on Naval Affairs.

Also, a bill (H. R. 3833) for the relief of Arthur W. DeFrate; to the Committee on Military Affairs.

Also, a bill (H. R. 3834) for the relief of Charles Forsman; to the Committee on War Claims.

Also, a bill (H. R. 3835) for the relief of Oscar W. Behrens; to the Committee on Naval Affairs.

Also, a bill (H. R. 3836) for the relief of Carl August Engelhardt; to the Committee on Naval Affairs.

Also, a bill (H. R. 3837) for the relief of the Mississippi Barge Corporation; to the Committee on Claims.

By Mr. MARTIN of Massachusetts: A bill (H. R. 3838) for the relief of William F. O'Brien; to the Committee on Military Affairs.

By Mr. PHILLIPS: A bill (H. R. 3839) to authorize the award of the Purple Heart Decoration to Maj. Charles H. Sprague; to the Committee on Military Affairs.

By Mr. RANKIN: A bill (H. R. 3840) for the relief of Julian J. Gill; to the Committee on Claims.

By Mr. WADSWORTH: A bill (H. R. 3841) for the relief of Col. J. P. Barney; to the Committee on Claims.

By Mr. WOLVERTON: A bill (H. R. 3842) granting an increase of pension to Almira M. Shearman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3843) granting an increase of pension to Anna M. Simmons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3844) granting an increase of pension to Sarah C. Wythe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3845) granting an increase of pension to Catherine Ann Page; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3846) granting an increase of pension to Catherine C. West; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3847) granting an increase of pension to Mary A. Pendergrast; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3848) granting an increase of pension to Margaret C. Lee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3849) granting an increase of pension to Carrie A. Eagin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3850) granting an increase of pension to Kate Schnetzler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3851) granting an increase of pension to Martha Weiser; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3852) granting an increase of pension to Josephine Bier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3853) granting an increase of pension to Mary Jane Cooper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3854) granting an increase of pension to Anna J. Flick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3855) granting an increase of pension to Anna M. W. Diggles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3856) granting an increase of pension to Sarah Comstock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3857) granting an increase of pension to Lydia R. DuBois; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3858) granting an increase of pension to George W. Kelley; to the Committee on Pensions.

By Mr. JENKINS of Ohio: Resolution (H. Res. 90) directing the Committee on Military Affairs to investigate the facts in connection with the trial by court martial of former Capt. Oberlin M. Carter, Corps of Engineers, United States Army; to the Committee on Rules.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

137. By Mr. FORD of California: Resolution of the American Federation of Labor, presented by the southern California typographical conference, in favor of protecting labor's interests in national and international expositions and that the Congress be urged to designate the Secretary of Labor a member of every Federal commission appointed to participate in these expositions; to the Committee on Labor.

138. Also, resolution of the Los Angeles County Relief Administration, urging the Congress of the United States to secure assistance from the Federal Government to meet the need of caring for single, able-bodied transient men, for whom there is no care available; to the Committee on Appropriations.

139. By Mr. JOHNSON of Texas: Resolution passed by the County Judges and Commissioners' Association of Texas at a meeting held at Dallas, Tex., in October 1936, favoring increased appropriation for public roads; to the Committee on Roads.

140. Also, resolution passed by the County Judges and Commissioners' Association of Texas at a meeting held at Dallas, Tex., in October 1936, favoring amendment of the powers of the Reconstruction Finance Corporation so that counties and political subdivisions thereof may be able to refinance their indebtedness; to the Committee on Banking and Currency.

141. By the SPEAKER: Petition of L. E. Berno, of Mansfield, Ohio; to the Committee on Ways and Means.

142. Also, petition of the National Association of Supervisors of State Banks, urging equality among all the banks of our country; to the Committee on Ways and Means.

143. Also, petition of the American Bar Association, requesting that when any reports upon proposed reorganizations are sent to the Members of Congress that same be sent to the American Bar Association; to the Committee on Printing.

144. Also, petition of the Gorgas Memorial Institute, of Washington, D. C., concerning the report covering November 1, 1935, to October 31, 1936; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 28, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Infinite God, in whose wisdom and goodness there is neither variableness nor shadow of turning, consider and hear us. Support us this day with a sense of Thine approval. Deliver us, O Lord, from all mistaken notions of Thee and help us to see Thee in the light and mission of Thine only begotten Son. If any wrongs of injustice have been imposed upon us, may we forgive and forget with the realization that hatred or resentment cannot harmonize with the Golden Rule. Establish eternal hope in all breasts and allow nothing to obscure Thy face from us. Heavenly Father, be the guest at every hearthstone, the great physician at every cot of affliction, and the comforter of all. Through Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Crockett, its Chief Clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 1545. An act to provide for loans to farmers for crop production and harvesting during the year 1937, and for other purposes.

The message also announced that the Senate had passed a bill and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 206. An act to provide a preliminary examination and survey of the Snake River and tributaries in the States of Idaho, Washington, and Oregon, with a view to control of floodwaters; and

S. J. Res. 20. Joint resolution authorizing the President to invite the Pan American Republics and the Dominion of Canada to participate in the proposed Greater Texas and Pan American Exposition.

LEAVE TO ADDRESS THE HOUSE

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that after the special order today, which is an address by the gentleman from Texas [Mr. MAVERICK], I may be permitted to address the House for 4 minutes in connection with the flood situation in our country.

The SPEAKER. Is there objection?

Mr. RAMSPECK. Mr. Speaker, I reserve the right to object. My understanding from the leadership of the House is that the matter of placing postmasters on the civil service will be taken up today. I hope the gentleman will defer his request until tomorrow. My understanding is that we have nothing to do tomorrow.

Mr. LUDLOW. This is a matter applicable immediately today, I regret to say, and I think when the gentleman knows what I have in mind he will not regret having withheld his objection.

Mr. RAMSPECK. Several other gentleman have wanted to speak today, and some of them have agreed to defer their requests until tomorrow. We cannot treat gentlemen differently here.

Mr. LUDLOW. I think I may say to the gentleman from Georgia that their situation is not on a par with mine, because this involves a measure being introduced today, and the information in regard to it has already gone out.

Mr. RAMSPECK. I ask the gentleman to defer it until we get through with this matter today. We cannot treat the gentleman from Indiana differently from other gentlemen.

Mr. LUDLOW. It is for only 4 minutes, and I should like to go ahead with it.

Mr. RAMSPECK. If I agree to that, then I should have to agree to several others.

The SPEAKER. Is there objection?

Mr. RAMSPECK. I object.

Mr. GRAY of Indiana. Mr. Speaker, I ask unanimous consent that tomorrow, after the reading of the Journal and the disposition of business on the Speaker's table, I be allowed to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. McCLELLAN. Mr. Speaker, I ask unanimous consent that tomorrow, after the reading of the Journal and the disposition of business on the Speaker's table, I be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I now request that, after the disposition of the business in charge of the gentleman from Georgia [Mr. RAMSPECK], I may be permitted to address the House for 4 minutes.

The SPEAKER. Is there objection?

Mr. O'CONNOR of New York. Mr. Speaker, I reserve the right to object. We have two matters that we wish to dispose of today, one pertaining to the civil service in respect to postmasters, and then also the one creating a select committee on conservation. Those two matters are on the program today, and we desire to dispose of them. That will carry us quite late tonight, I fear.

Mr. LUDLOW. Mr. Speaker, I hope the gentleman will not object.

Mr. O'CONNOR of New York. Would it not still be possible for the gentleman to address the House after we dispose of the business today?

Mr. LUDLOW. Then, Mr. Speaker, I ask unanimous consent that after the disposition of all business on the calendar today I be permitted to address the House for 4 minutes.

The SPEAKER. The gentleman from Indiana asks unanimous consent that, after the disposition of business on the calendar today, he be permitted to address the House for 4 minutes. Is there objection?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to proceed for one-half minute.

The SPEAKER. Is there objection?

Mr. RAMSPECK. Mr. Speaker, I hope the gentleman will not press his request. I have already objected to others, and I shall have to object.

The SPEAKER. Objection is heard.

PERMISSION TO FILE REPORT

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent that I may have until Saturday night at midnight to file a majority report from the Committee on Ways and Means on the Reciprocal Tariff Act, and that the minority may have the same time in which to file minority views.

The SPEAKER. Is there objection?

Mr. JENKINS of Ohio. Mr. Speaker, I reserve the right to object. Is that agreement satisfactory to the gentleman from Massachusetts [Mr. TREADWAY]?

Mr. DOUGHTON. That is the understanding that we reached today with the gentleman from Massachusetts.

Mr. SNELL. Further reserving the right to object, when does the gentleman expect to bring this matter before the House?

Mr. DOUGHTON. As early as we can get the right-of-way, and we hope that will be by the middle or latter part of next week, probably Thursday.

Mr. RAYBURN. Mr. Speaker, I think I should say to the gentleman from New York that this will not come until after the independent offices appropriation bill has been passed.

Mr. SNELL. Then that will follow the independent offices appropriation bill?

Mr. RAYBURN. That is the intention now. Something might come up that will change that, but the tariff act will not be considered before the passage of the independent offices appropriation bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

CALL OF THE HOUSE

Mr. DIRKSEN. Mr. Speaker, I suggest the absence of a quorum.

The SPEAKER. The gentleman from Illinois makes the point of order that a quorum is not present. The Chair will count. [After counting.] One hundred and twenty-three Members are present, not a quorum.

Mr. RAYBURN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 8]

Andresen, Minn.	Farley	Hope	Palmisano
Biermann	Ferguson	Imhoff	Peterson, Fla.
Buckley, N. Y.	Gasque	Jarrett	Quinn
Cannon, Wis.	Gilchrist	Jenks, N. H.	Rabaut
Casey, Mass.	Gingery	Larrabee	Robinson, Utah
Connery	Goodwin	Lea	Stubbs
Cravens	Greenwood	Lemke	Sumners, Tex.
Crawford	Guyer	Lord	Sweeney
Dempsey	Harlan	McGroarty	Taylor, Colo.
Doxey	Harter	Mason	Tinkham
Driver	Higgins	Meeks	Wearin
Duncan	Holmes	Norton	White, Idaho
Engel	Hook	Owen	White, Ohio

The SPEAKER pro tempore (Mr. LEWIS of Colorado). Three hundred and eighty Members are present, a quorum.

Mr. RAYBURN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

EXTENSION OF REMARKS

Mr. VINSON of Kentucky. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD to include a speech that the gentlewoman from Indiana [Mrs. JENCKES] delivered this morning at the Conference of Patriotic Women in behalf of national defense.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HILL of Alabama. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by placing therein an address delivered by the gentleman from Illinois [Mr. LUCAS] on yesterday at the National Defense Conference at the Mayflower Hotel.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SNELL. Mr. Speaker, I ask unanimous consent that on tomorrow, after the other special orders, the gentleman from Michigan [Mr. HOFFMAN] may have 10 minutes within which to address the House.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. DUNN. Mr. Speaker, I ask unanimous consent to insert in the RECORD a joint resolution which I introduced today.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER. Under the previous order of the House, the gentleman from Texas [Mr. MAVERICK] is recognized for 30 minutes.

SUPREME? WHO? PEOPLE OR THE COURT? AMERICA MUST FACE THE ISSUE

FLOODS, STRIKES, NATIONAL EMERGENCIES—IS CONGRESS IMPOTENT?

Mr. MAVERICK. Mr. Speaker, as we are sitting here today in our steam-heated Chamber, this Nation is in distress. The greatest emergency since the World War is in effect this very minute, this being the devastating floods all over the country. More than likely the aid being extended by the President is unconstitutional—according to some interpretations. And, indeed, the only way we can stop floods is by a policy of conservation, going back to the source in our lands and our forests to conserve the soil. We must go back to the farms of America and keep the excess waters from flooding into the streams. But the Supreme Court says agriculture is a mere local matter, and that Congress is incompetent to act.

Floods menace this entire Nation to the extent of tens of millions, yes billions, of dollars, with a consequent destruction of human life and the forced migration of millions of homeless people. Water flows across State lines. Shall we permit the Supreme Court to prevent us from acting in behalf of the welfare of the Nation and conserving its farms and lands? That is certainly something to think about.

And today, also, there is still in effect the greatest strike in American history. The General Motors Corporation, through Mr. Sloan, is "sitting down" and refusing to cooperate. In fact, the General Motors Corporation has sat down on the President of the United States and defies the law of the land, which requires them to recognize representatives of the majority of the employees who wish to meet and discuss wages and working conditions. The General Motors has sat down on a law of the people of this country, passed by the House of Representatives and the Senate and approved by the President of the United States, and after an election has approved that same Congress and President Roosevelt.

THIS SESSION WILL BE MOST SERIOUS IN HISTORY

Mr. Speaker, this session of Congress will be the most serious in our national history. I regard the question of whether or not Congress can effectively legislate as the issue we must solve at once. What is the use in passing legislation for the people, if it is to be knocked out by the Supreme Court?

Mr. Speaker, we are having today what is called "business recovery." I am very glad. But the question is, Will we have human recovery?

The answer to that question will be "yes", if the Government will follow the instructions of the people in the last election and have a progressive and fair administration. This means not only the enactment of fair and progressive legislation and its enforcement; it means also a progressive and fair interpretation by the Supreme Court.

It has been facetiously stated that the Supreme Court "follows the election returns." But, seriously, why should not the Supreme Court consider the will of the people? It seems to me they should also take as much cognizance of science, progress, and plain, ordinary fact as any other branch of our Government.

DRED SCOTT CASE WAS A LEADING CAUSE OF THE CIVIL WAR

So again, I say, let us face the issue of the Supreme Court. Let us go back before the Civil War and consider the case of Dred Scott, a Negro slave. (See below, I, Story of Dred Scott.) What was the holding of the Court? It was that the Missouri Compromise, accepted for 37 long years, was unconstitutional. This meant Congress had no right to legislate a compromise on slavery. Worse, it meant slavery could be maintained in the Territories in defiance of the laws of the United States and the will of the American people, including the southern people, who had also accepted the compromise. It meant—for the Court said it—there was no power under the Constitution that could deal with slavery at all. By this the Court put a sword in every man's hand.

Bitter discussions followed this decision. Hatred increased. The talk began to be of war. The Republican platform of 1860 denounced the decision of the Supreme Court as "dangerous political heresy", and the Republicans were right. Abraham Lincoln said in his first inaugural address that—

> The people were no longer their own rulers if all far-reaching Government policies were to be irrevocably fixed by the Supreme Court.

The answer came in the guns of Fort Sumter, S. C. For the sword put in each man's hand by the Court was drawn. From then on it was bugles and blood, death and destruction, instead of adjustment, democracy, and representative government. Our Nation, our fathers and uncles and grandfathers of many of those present, both North and South, plunged into 4½ years of killing to reverse a decision of the Supreme Court! Brother killed brother, property was destroyed, the economic order torn to pieces, and the end is not yet. The Dred Scott decision was not the only cause of the Civil War, but war might have been prevented except for it.

AGRICULTURE HELD TO BE A MERE LOCAL MATTER

Let us compare the Dred Scott decision with the recent one of the Agricultural Adjustment Act. (See II, Legislation for Welfare of Farmers Knocked Out.) Right or wrong, this Congress—and we are the representatives of the people—enacted the A. A. A. for the purpose of adjusting the problems of agriculture and the economy of the Nation. The act had helped revive agriculture. Farm foreclosures were slowed down. The revival of the purchasing power of the farmers was also helping the city people to recovery. Then the Supreme Court, by 6 to 3, held agriculture a mere local matter—agriculture, which is dependent on the interstate flow of rivers, great dust storms which cloud the Nation, rain, drainage areas, railroads, the soil, the forests, the natural elements, and the prosperity of all the people. Congress, charged with the solemn constitutional duty of providing for the general welfare of the people, was declared incompetent to act.

Now, let us go back to the Civil War. Suppose the principle involved in the Misssouri Compromise had not been knocked out by the Court. Public opinion all over the world was crystallizing against slavery.

Then suppose Congress had passed another A. A. A.—an "African Adjustment Act"—and had said to the slave owner: "We will pay you $2,000 each for your slaves." In a short time most of the slave owners would have complied, for many of the owners themselves opposed slavery, and tens of thousands opposed secession. Only 30 percent of the southerners were slave owners. Many believe slavery was overwhelmingly opposed by the white people of the South. It is quite conceivable that if adjustment and compromise had been possible that we would never have had that awful war.

SHALL 130,000,000 PEOPLE BE TUMBLED INTO ECONOMIC DESTRUCTION BY NINE MEN?

Just so now, would it not be wise, if our great President is courageous enough and has vision enough to suggest we gradually adjust our agricultural and other problems, that we do so? Also, that we establish social security and abolish sweatshops and child labor, and that we arrange to do so and not permit the Nation to be tumbled into economic destruction by Supreme Court decisions?

Mr. Speaker, I do not prophesy civil war. But this Nation may have another bubble of prosperity, another period of inflation, and then economic collapse. What then? What if we had not attacked our problems fundamentally, providing for the economic welfare of the people? It is conceivable that we would fall into such destruction as might bring on civil war.

Now that our country is having business recovery, some people are already forgetting some of the lessons of the depression. But if we are really to end the depression, to finally get out of it and stay out of it, we must have

democracy, and representative government. I am one who is determined that our country shall not go back, that we shall not have economic dissolution or disaster later. Let us all as the American people, and let us as the representatives of the people, face our questions now. One of them is whether or not the people desire the acts passed for the general welfare of themselves to be knocked out as unconstitutional.

WHEN LAWYERS FALL OUT, READ THE CONSTITUTION YOURSELF

So let us look at the Constitution and its provisions. First in the preamble it is set out that the purpose is to promote the general welfare of the people. (See below, sec. III, Constitution Belongs to the People.)

Then Congress is specifically given the power and the duty to provide for the general welfare. (See below, sec. IV, Specific Power to Enact General Welfare Legislation.)

On top of this, the Constitution says that Congress can make all laws necessary for the carrying out of these powers. (Sec. V, Power of Congress to Enact Necessary Laws.)

It is true that the President can veto. (Sec. VI, Constitutional Power of Veto.) But Congress, duly elected constitutional representatives of the people, can pass a law over the veto by a two-thirds vote. The Constitution says so.

But nowhere in the Constitution does it say the Supreme Court has the power to declare acts of Congress as void and unconstitutional.

In fact, the Constitution says the Supreme Court can try cases about ambassadors, consuls, and States, but that all other cases shall be those brought from the lower courts. Then it says in article III, section 2, what the jurisdiction of the Supreme Court shall be, and adds these exact words:

With such exceptions and under such regulations as Congress shall make.

PRESIDENT CHECKS—CONGRESS BALANCES

But listen carefully. When the President vetoes an act of Congress, that is a "check." When Congress, after thoughtful consideration and because of the will of the people, repasses an act over the veto of the President, that is a "balance."

In other words, it has been said, and truthfully, I believe, that this is a government of "checks and balances."

SUPREME COURT CHECKS—BUT THERE IS NO BALANCE

But take the Supreme Court.

It declares an act unconstitutional without any power in the Constitution. That is a "check." Thereafter there is no "balance", because the act merely stays unconstitutional and the people have no remedy.

But, Mr. Speaker, the Supreme Court has over and over again recognized the power of Congress to regulate it in more than 20 decisions, beginning with Chief Justice Marshall in 1810 and extending beyond a hundred years of our history. (See VII, Twenty Famous Cases.) President Roosevelt just said in his address to Congress that means must be found to adapt our legal forms and judicial interpretation to the actual present needs of the largest progressive democracy in the world.

He also said:

During the past year there has been a growing belief that there is little fault to be found with the Constitution of the United States as it stands today. The vital need is not an alteration of our fundamental law but an increasingly enlightened view with reference to it.

THREE ALTERNATIVES CONCERNING CONSTITUTION

To meet the present situation in which legislation is necessary for the people, one of three things must be done:

A. Supreme Court can give liberal interpretation

First. The Supreme Court should, of its own volition, recognize the interdependence of all parts of the country, recognize that what was local a hundred and fifty years ago has in many instances become national; and further recognize that it is the constitutional duty of Congress to provide for the general welfare; or

B. Congress should exercise power to regulate

Second. Congress should again exercise and enforce its rights to regulate the appellate jurisdiction of the Court in order that laws enacted for the general welfare can be effective.

Why should not a law enacted by Congress and approved by the President be a law for the Supreme Court as well as for the rest of the Nation?

C. Clarifying amendment

Third. An amendment might be passed clarifying the powers of Congress and the Court.

CONSTITUTIONAL CONFERENCE TO BE HELD IN WASHINGTON

In making the above suggestions, I am indicating a state of facts. On the situation, I think that all persons will agree. But in making these suggestions I repeat that Congress has the power to regulate the Supreme Court if they wish to exercise it. In fact, we are really regulating the Supreme Court now through the Judicial Code passed by the first Congress and succeeding Congresses.

I am glad to announce that besides the general discussion of the people, that a general conference will be held in March here in Washington to study the whole situation. This conference will attempt to determine what amendments, if any, are needed to the Constitution or to the judiciary act, and it will present its views to Congress and to the public. The will of the American people must be made effective. The chairman of the conference will be Senator GEORGE W. NORRIS, so I am sure that you will consider it as worthy of support.

Concerning the unlimited exercise of power by the Supreme Court, let us look at the history of the income tax. An income tax was enacted way back in 1864 to help pay for the Civil War, and the power was not questioned for 16 years. In 1880 it was held constitutional. But in 1895, under a curious 5-to-4 decision, the Court held another income-tax law of a year previous unconstitutional. To do so it had to reverse, overrule, and find void five of its own decisions handed down over a period of a hundred years. (See VIII, Supreme Court Overrules Five of Its Own Decisions.)

People then said it would be necessary to have a constitutional amendment. After 19 more years, in 1913, an income-tax amendment was adopted, to be paid on incomes "from whatever source derived." (See IX, Income-Tax Amendment.)

We cannot wait 19 years now to get legislation to preserve our form of government!

JUDGES THEN EXEMPT THEMSELVES

As most of you know, an income-tax case soon came to the Court, and the Supreme Court of the United States held that Federal judges did not have to pay a cent of income tax on their salaries. (See X, Judges Exempt Themselves.) Everybody else had to pay, but not members of the Supreme Court and the lesser Federal justices.

The Court quoted John Marshall about an ungrateful and sinning people, said nothing influenced a judge but God and his conscience, and exempted themselves from the tax, and the constitutional amendment which said the tax should be collected from whatever source derived. Justice Holmes and Brandeis dissented scornfully, and added that they saw no reason why a judge should not fulfill the ordinary duties of a citizen.

SHALL SUPREME COURT HAVE VETO POWER?

The point here involved is whether, if an amendment is passed, would it not be interpreted away, as has been the power to tax and the power to provide for the general welfare, and other important parts of the Constitution? Some have suggested that the Supreme Court be given a veto power similar to that of the President. The Supreme Court has never been given this power, but should they have it, certainly Congress should have the power to decide, as in the case of the President, whether or not that veto shall stand.

In the Income Tax case the Court upset its own century-old law and the law under which it ordered the American Government to act, and gave opposite orders. And one can never know when an act is unconstitutional. Added to that is the fact the Court changes its mind, sometimes overnight,

as in the *Legal Tender cases*. The Court's duty is to provide stability—what kind of stability is this? The fact is that Justice Hughes, while not on the bench, said: "The Constitution is what the judges say it is." Which means that in a 5-to-4 decision the single vote of one man irrevocably decides the case and can defeat the will of 130,000,000 Americans.

BRITISH CROWN MAKES PRESIDENT'S FOREIGN ACTS CONSTITUTIONAL

Let us further examine the powers of Congress in the light of the Curtiss-Wright decision of the Supreme Court just lately rendered concerning neutrality. (See XI, Foreign Powers Constitutional Because of British Crown.) It was held that the President had almost unlimited power in foreign relations, and his actions were constitutional because they proceeded, historically, from the British Crown; further, the Government should have effective power to deal with international relations.

It seems any reasonable person must say the people ought to also have, through the American Government, the effective power to control internal problems for the general welfare of themselves.

KILLING AND DESTRUCTION CONSTITUTIONAL; WHY NOT PEACE AND CONSTRUCTION, TOO?

The Court says that these unlimited powers do not depend upon the "affirmative grants of the Constitution." No; war and conquest are constitutional. The right to send soldiers to be killed on foreign fields, and against their will, is constitutional. Taxing the American people for those purposes is also constitutional. Draft laws to send American boys to fight in all wars is constitutional. Taxing the American people to lend money to foreign countries and to take up private loans by the Morgan Co. and other international bankers, so that these foreign countries can fight wars, is constitutional. Lending billions to these foreign countries, who will never pay back a dime, is constitutional—and the American people must pay the bill.

I do not even say this is wrong. But if Congress has the right to declare a war, draft a man and send him to a foreign country to be killed, should not the representatives of the people also have the power to maintain peace, to see that our citizens have employment at home? If Congress has power to build battleships, should we not also build our country? If Congress has power to build great army posts and appropriate billions for the finest housing in the world for military reservations, should not the American people also be afforded the right to have slum clearance and low-cost housing?

CONSTITUTION SAYS NOTHING OF BRITISH CROWN; BUT OF GENERAL WELFARE; YES

Yes; the Court says that these unlimited powers in foreign relations need no "affirmative grant in the Constitution"; for the power proceeds historically from the British Crown. There is not a word in the Constitution about the British Crown—but the general welfare is mentioned in black and white as a duty of Congress.

If control of foreign affairs is constitutional through the British Crown, the reasonable control of national affairs through the black and white terms of the Constitution itself would seem unquestionable.

BRITISH CROWN—PRESIDENTIAL POWER; BRITISH COURTS—WHY NOT THE SAME RULE?

Mr. Speaker, let us make a comparison. The President has certain powers transferred to him by the British Crown at the time of the formation of the Union. Following that reasoning, would not the Supreme Court have the same power of the highest court of England?

The highest court of England did not then have the power to declare acts of Parliament void. It does not have the power now. Therefore, it would seem that if the Court used the same rule for itself as it has laid down for the President, that it has no such power as to declare acts of Congress void and unconstitutional, and this by its own reasoning. Besides, as I have said, the Constitution gives the Court no such power.

Mr. Speaker and Members of this House, I say again, we must face the issue. The people are reading the Constitution, and they can understand it as well as we can, and as well as any lawyer in the country. (See below XII, Bibliography.) The people want their constitutional rights. Liberty Leaguers financed by the munitions interests will weep to the people over the radio as they did in the campaign. But remember they are the ones, along with others, in the big-money and big-monopoly groups, who would break down the average businessman, labor, the white-collar worker, the ordinary citizen, the free-born American who does the work, fights the wars, and pays the bill.

Do the American people revere and respect the Constitution? Yes; all of us revere and respect it—but we all want a living Constitution, not a dead one. And neither do we want a Constitution paralyzed by lawyers. [Applause.] The times and the people demand a restoration of democratic government, one responsive to the will of the people and capable of carrying out that will.

The present situation of a Supreme Court, appointed for life, without accountability and with self-asserted powers, must be corrected. It must be corrected by one of the three possibilities I have suggested—by amendment, by regulation of the Court, or by the Court itself recognizing that times have changed and that the provision of the Constitution defining the duty of Congress to provide for the general welfare means what it says. [Applause.]

I

STORY OF DRED SCOTT AND CIVIL WAR

(See *Dred Scott* v. *Sandford*, 19 How. 393, March 1857)

This case covers over 250 pages of small type. It involves all kinds of technicalities and is hard reading. The real story is about as follows:

Congress enacted the Missouri Compromise in 1820. It provided that in all the territory of the huge Louisiana Purchase north of 36°30′, not including Missouri, slavery and involuntary servitude should be prohibited. Dred Scott, Negro, claimed freedom, alleging also residence in Illinois, where slavery was prohibited by the State constitution, and other reasons for himself and wife. Moreover, the Missouri Compromise said that if an owner took a slave voluntarily into free territory that that slave was free. Where a slave escaped, the fugitive slave law brought him back and the rights of all slave owners were protected. Dred's owner had voluntarily taken him into free territory.

In similar circumstances Lord Mansfield, of England, had ruled "a slave cannot breathe the free air of England and not be emancipated."

Technically it is true that the Missouri Compromise was repealed by the Kansas-Nebraska Act of 1854. This, however, was merely the substitution of one compromise agreement for another. Both recognized that there was to be some limitation upon the extension of slavery into the Territories.

Both were based on the right of Congress to legislate as to slavery in the Territories. The principle was recognized and retained in the act of 1854.

But the Dred Scott decision definitely set aside, outlawed, and declared void the very principle of the Missouri Compromise. Thus it was knocked out by the courts. Although the Missouri Compromise was not before the Court, it was brought into the decision and was declared void because it was not within the constitutional powers of Congress. No longer was the Congress to have the right to legislate as to the extension of slavery into the Territories.

In The American Doctrine of Judicial Supremacy, 1932, by Dr. Charles Grove Haines, a recognized authority on the Constitution, this statement is made:

> The Chief Justice of the United States, with a majority of his associates, was finally prevailed upon to announce the decree that the power of Congress over the Territories acquired since the adoption of the Constitution was limited by all its provisions in favor of private rights, that the Missouri Compromise Act of 1820 was necessarily unconstitutional, and that Congress could not prohibit slavery within the Territories.

Dred Scott, in order to establish his freedom, had brought suit in the Federal court of Missouri against Sandford, his owner, for assault. He said Sandford struck him, his wife, and children, and demanded damages.

Sandford's defense was that as Scott was a slave he could not be a citizen of Missouri and hence could not bring the suit. The judge instructed the jury to find for Sandford, the slave owner, on the ground that even if Sandford struck Scott he was within his rights as a slave owner.

Scott took an appeal to the Supreme Court of the United States. Chief Justice Taney delivered the opinion of the Court. He took 55 pages to state his reasons for deciding that the lower court was without jurisdiction and that Congress exceeded its power in prohibiting slavery in the Territory of Louisiana north of 36°30'.

Since Chief Justice Taney held the lower court was without jurisdiction, without more ado, he could have dismissed the suit.

But he wanted to settle the slavery question for all time, in spite of overwhelming public opinion, and whatever the representatives of the people thought.

He held that Congress could not prohibit slavery in the Territories. Also, that the Missouri Compromise was beyond the power of the representatives of the people. He held that although Congress had power by the Constitution to make needful rules and regulations belonging to the United States (art. V, sec. 3, clause 2), this power was limited to territory in possession of the United States at the time of the treaty of peace with England—and although a territory of the United States, did not include Louisiana, gotten from France!

The opponents of slavery were aroused. The slave-holding States, who had been satisfied, now became belligerent in mind. Compromise and possible adjustment, although proposed, was now unconstitutional. So the Nation fell into war, disintegration, physical and economic destruction.

Finally the question was settled, by an amendment to the Constitution. But when? In December 1865, after 4 years of blood. Adjustment and compromise would have been better.

II

LEGISLATION FOR WELFARE OF FARMERS KNOCKED OUT

(*United States* v. *Butler, Receiver, Hoosac Mills*, 297 U. S. 1)

Mr. Justice Roberts delivered the opinion of the Court. He said:

The act invades the reserved rights of the States. It is a statutory plan to regulate and control agricultural production, a matter beyond the powers of the Federal Government.

Also:

None—

The Court is referring to the constitutional powers of Congress—

to regulate agricultural production is given, and therefore legislation by Congress for that purpose is forbidden.

It is true that the Constitution does not expressly give Congress power to regulate "agricultural production" by name, nor does it expressly authorize power to regulate rivers, railways, radios. Likewise, the Constitution did not give express power to govern and regulate other phases of American life which are required to be regulated by the times. It is easy for a court to pick out exceptions and make it difficult to govern. It is easy to evade the obvious. And obviously when the Constitution was written it was a framework, and naturally our forefathers could not possibly have thought of the numerous details of a complicated industrial and modern civilization.

Mr. Justice Stone dissented with Mr. Roberts in very strong language. He pointed out that the Constitution gives Congress the power to levy taxes for the general welfare and to spend money for its promotion. He said:

There is no basis for saying that the expenditure of public money in aid of farmers is not within the specifically granted power of Congress to levy taxes to "provide for the general welfare." The opinion of the Court does not declare otherwise.

* * * It is insisted—

By the majority of the Court—

that, while the Constitution gives to Congress, in specific and unambiguous terms, the power to tax and spend, the power is subject to limitations which do not find their origin in any express provision of the Constitution and to which other expressly delegated powers are not subject.

He points out—

That the governmental power of the purse is a great one is not now for the first time announced.

Then Justice Stone very plainly says that the Supreme Court has no right to curtail the valid power of Congress, the representatives of the people, because a judge thinks their action unwise, and significantly refers to judicial abuse. He says:

The suggestion that it must now be curtailed by judicial fiat because it may be abused by unwise use hardly rises to the dignity of argument. So may judicial power be abused.

SUPREME COURT JUDGE CHARGES TORTURED CONSTRUCTION OF CONSTITUTION

He continues:

A tortured construction of the Constitution is not to be justified by recourse to extreme examples of reckless congressional spending which might occur if courts could not prevent expenditures which, even if they could be thought to effect any national purpose, would be possible only by action of a legislature lost to all sense of public responsibility. Such suppositions are addressed to the mind accustomed to believe that it is the business of courts to sit in judgment on the wisdom of legislative action.

COURTS NOT SOLE AGENCY OF GOVERNMENT

Then he calls attention to something that every American should know and read. Here are his very important and historic words:

Courts are not the only agency of government that must be assumed to have capacity to govern.

Then, to show that we live in a democracy and that all people, even courts, make mistakes, he points out:

Congress and the courts both unhappily may falter or be mistaken in the performance of their constitutional duty.

After that he calls attention to the fundamental character of our Government, the legislative, executive, and judicial, showing our Nation may be destroyed should any one branch arrogate to itself exclusive rights:

But interpretation of our great charter of government, which proceeds on any assumption that the responsibility for the preservation of our institutions is the exclusive concern of any one of the three branches of government, or that it alone can save them from destruction, is far more likely, in the long run, "to obliterate the constituent members" of "an indestructible union of indestructible States" than the frank recognition that language, even of a constitution, may mean what it says: That the power to tax and spend includes the power to relieve a Nation-wide economic maladjustment by conditional gifts of money.

Justice Brandeis and Justice Cardozo joined in Justice Stone's opinion.

III

CONSTITUTION BELONGS TO THE PEOPLE

PREAMBLE—GENERAL WELFARE SET OUT AS PURPOSE

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and to our posterity, do establish this Constitution.

IV

SPECIFIC POWER TO ENACT GENERAL WELFARE LEGISLATION

Article I, section 8, clause 1, of the Constitution

The Congress shall have power to lay and collect taxes, duties, imposts, and excises to pay the debts and provide for the common defense and general welfare of the United States; but all taxes, duties, imposts, and excises shall be uniform throughout the United States.

V

POWER OF CONGRESS TO ENACT NECESSARY LAWS

Article 1, section 8, clause 18

The Congress shall have power—

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer hereof.

VI

CONSTITUTIONAL POWER OF VETO

(See art. I, sec. 7)

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

It must be noted that the power of the President to veto is given by the Constitution, which is written. Nowhere is the Supreme Court given any such power. At the Constitutional Convention any such idea was frowned on and voted down three times.

Also, Jefferson said:

No, no, my countrymen. The opinion which gives to the judge the right to decide what laws are constitutional and what are not * * * makes the judiciary a despotic branch. The Constitution has erected no such single tribunal, that to whatever hands confided * * * its members would become despots.

VII

TWENTY FAMOUS CASES

Below is an excerpt of article III, section 2, of the Constitution. For distinction, the original jurisdiction is shown in ordinary type, and the appellate jurisdiction in italics:

In all cases affecting Ambassadors, other public Ministers, and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. *In all other cases * * * the Supreme Court shall have appellate jurisdiction,* both as to law and to fact, *with such exceptions and under such regulations as the Congress shall make.*

The Supreme Court has rigidly honored this dictate of the Constitution that Congress shall determine its appellate jurisdiction. One of the earliest cases in which this power of Congress was acknowledged and respected by the Supreme Court was *Durousseau* v. *United States* (6 Cranch, 307 (1810)). In that case Chief Justice Marshall said:

The appellate powers of this Court are not given by the Judicial Act. They are given by the Constitution. But they are limited and regulated by the Judicial Act and by such other acts as have been passed on the subject. * * * they (the Congress) must be understood as intending to execute the power they possessed of making exceptions to the appellate jurisdiction of the Supreme Court.

This opinion of Marshall's has been religiously followed by the Supreme Court through the more than 125 years since it was written. In the following cases the Supreme Court has recognized that its appellate powers are limited and regulated by the Congress:

Ex parte Vallandingham (1 Wall. 243, 251).
Daniels v. *Railroad Co.* (3 Wall. 250, 254).
Ex parte McCardle (7 Wall. 506) (see below).
Merrill v. *Petty* (16 Wall. 338, 346).
Murdock v. *City of Memphis* (20 Wall. 591, 620).
United States v. *Young* (94 U. S. 258, 259).
Railroad Co. v. *Grant* (98 U. S. 398, 401).
Barry v. *Mercein* (5 Howard 102, 119).
United States v. *Curry* (6 Howard 106, 113).
Forsyth v. *United States* (9 Howard 571).
Wiscart v. *D'Auchy* (3 Dallas 321, 327).
Crawford v. *Points* (13 Howard 11).
National Exchange Bank v. *Peters* (144 U. S. 570).
American Construction Co. v. *Jacksonville R. Co.* (148 U. S. 372).
Colorado, etc., Mining Co. v. *Turck* (150 U. S. 138).
The Francis Wright (105 U. S. 381, 385).
St. Louis, etc., Railroad v. *Taylor* (210 U. S. 281).

Ex parte McCardle (7 Wall. 506) is singularly important in this connection. There the case had actually been argued before the Court when Congress legislated away the power of the Court to consider appeals in the class of cases to which it belonged. The Supreme Court, according to the Constitution and in view of the act of Congress depriving it of jurisdiction, dismissed the case immediately.

VIII

SUPREME COURT OVERRULES FIVE OF ITS OWN DECISIONS

(See *Pollock* v. *Farmers Loan & Trust Co.*, 157 U. S. 429, Apr. 8, 1895, and rehearing, 158 U. S. 601, May 20, 1895)

In 1864 there was passed an income tax to help pay for the Civil War. It was collected, accepted by the Nation, and declared constitutional and proper by the Supreme Court. This declaration of constitutionality was in *Scholey* v. *Rew* (23 Wall. 331), and the question was whether the income tax was a direct tax or not. But the Court held:

It is plainly an excise tax or duty * * * it is expressly decided that the term (direct taxes) does not include the tax on income.

Hence, of course, income tax was constitutional. This was approved again in *Springer* v. *United States* (102 U. S. 586). The question of "direct taxes" was again brought up in order to defeat the income tax, and the same law already declared constitutional in the preceding case. The Court again held the income tax constitutional, and that it was not a direct tax.

The Pollock case, cited in the caption above, reversed the two above cases and also, in principle, *Hylton* v. *United States* (3 Dallas 171); *Pacific Insurance* v. *Soule* (7 Wall. 433); and *Veazie* v. *Fenno* (8 Wall. 433).

The majority in the Pollock case, holding the income tax law unconstitutional, and also five of their own decisions unconstitutional, was vigorously opposed by Justices Harlan, Brown, Jackson, and White. The opinion of Justice Harlan is of great interest. He in effect shows the Court has reversed itself in its five previous decisions. The Court held in the first decision that the act was unconstitutional so far as it purported to impose a tax upon the rent or income of real estate and income derived from municipal bonds. The effect of this decision and others resulting in the exemption of billions of dollars of still other securities is of grave importance to the people and should be studied. But that is another question.

For a complete compilation of cases in which the Court (a) has explicitly reversed itself, and (b) has done so, as the judges say, *sub silentio* (under silence), see list by Justice Brandeis in *Burnet* v. *Coronado Oil & Gas Co.* (285 U. S. 393).

IX

INCOME-TAX AMENDMENT

(Wording of sixteenth amendment to Constitution)

The Congress shall have power to lay and collect taxes on incomes from whatever source derived, without apportionment among the several States and without regard to any census enumeration.

X

JUDGES EXEMPT THEMSELVES

(See *Evans* v. *Gore*, 253 U. S. 245, in 1920)

For full reading of case, see any library or lawyer.

XI

FOREIGN POWERS CONSTITUTIONAL BECAUSE OF BRITISH CROWN

(See *United States* v. *Curtiss-Wright*, October term, 1936)

This is an interesting case. The Court says:

The investment of the Federal Government with the powers of external sovereignty did not depend upon the affirmative grants of the Constitution.

Also:

During the colonial period those powers (in foreign affairs) were possessed exclusively by and were entirely under the control of the Crown * * * the powers of external sovereignty passed from the Crown * * * to the colonies in their collective and corporate capacity as the United States of America.

Then the Court says the Union existed before the Constitution, which was ordained and established, among other things, "to form a more perfect Union." Then something is said about the Union being the "sole possessor of external sovereignty."

Also:

In this vast external realm, with its important, complicated, delicate, and manifold problems, the President alone has the power to speak or listen as a representative of the Nation.

And that—

For his conduct he is responsible to the Constitution.

Which everyone knows, and so is every Federal official or employee.

The general reasoning is that the President, as the Chief Executive, took over the powers of the Crown at the formation of the Union. The Court did not say, but it might have said, the powers of the British courts at that time did not extend to declaring acts of Parliament void. In this case, the Court was not called upon to pass upon the general welfare clause. But it would seem with the expansive opinion of the Court, granting that the President and Government have tremendous power in foreign relations, that it would follow the Government should have sufficient power in internal relations for effective government.

The Court merely says, concerning foreign relations and local government, that—

There are differences between them, and that these differences are fundamental may not be doubted.

XII

BIBLIOGRAPHY

Many important books have been written on the Constitution in the past few months. Among them are Nine Old Men, by Drew Pearson and Robert S. Allen; Storm Over the Constitution, by Irving Brant; also the Ultimate Power, by Morris L. Ernst.

Reference is also made to Nullification of Acts of Congress, address by Hon. DAVID J. LEWIS, of Maryland, in the House of Representatives, Tuesday, August 20, 1935; also Shall the People Be Governed as Subjects by the Supreme Court? remarks of Hon. O. H. CROSS, of Texas, CONGRESSIONAL RECORD, January 28, 1936. There is also a pamphlet, Judicial Review of Acts of Congress and the Need for Constitutional Reform, by Charles Grove Haines, reprinted from the Yale Law Journal, April 1936. Another pamphlet, reprinted from the California Law Review of September 1935, is called Limiting Judicial Review by Act of Congress, by Joseph L. Lewinson, of Los Angeles, Calif.

Mr. PARSONS. Mr. Speaker, I make the point of order that there is not a quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present. The Chair will count. [After counting.] Two hundred and fifteen Members present, not a quorum.

Mr. RAYBURN. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 9]

Anderson, Mo.	Driver	Imhoff	Polk
Andresen, Minn.	Engel	Jenkins, Ohio	Rabaut
Biermann	Farley	Jenks, N. H.	Robinson, Utah
Bigelow	Ferguson	Kirwan	Ryan
Buckley, N. Y.	Fieger	Kniffin	Sadowski
Cannon, Wis.	Fletcher	Lambertson	Scrugham
Celler	Gasque	Lamneck	Secrest
Chapman	Goodwin	Larrabee	Stubbs
Clark, Idaho	Greenwood	McGroarty	Sullivan
Claypool	Guyer	McLaughlin	Sweeney
Cravens	Harlan	McSweeney	Taylor, Colo.
Crawford	Harter	Mason	Thom
Crosser	Higgins	Meeks	White, Idaho
Dempsey	Holmes	Mosier, Ohio	Wigglesworth
Dingell	Honeyman	Norton	
Dixon	Hope	Palmisano	
Doxey	Hunter	Peterson, Ga.	

The SPEAKER. Three hundred and sixty-seven Members have answered to their names. A quorum is present.

Mr. RAYBURN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

LEAVE TO ADDRESS THE HOUSE

Mr. PETTENGILL. Mr. Speaker, I ask unanimous consent that tomorrow after the disposition of business on the Speaker's desk and other special orders I may proceed for 30 minutes in reply to the address delivered by the gentleman from Texas [Mr. MAVERICK].

The SPEAKER. Is there objection?

There was no objection.

EXTENDING THE CLASSIFIED CIVIL SERVICE

Mr. O'CONNOR of New York. Mr. Speaker, I call up House Resolution 89.

The Clerk read the resolution, as follows:

House Resolution 89

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 1531, a bill to extend the classified civil service to include postmasters of the first, second, and third classes, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1½ hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Civil Service, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

Mr. O'CONNOR of New York. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee [Mr. TAYLOR]. This is a rule for the consideration of H. R. 1531, to put postmasters of the first, second, and third classes under the civil service. I reserve the balance of my time.

Mr. TAYLOR of Tennessee. Mr. Speaker and Members of the House, I disclaim any intention to reflect on the good faith of the chairman of the Committee on the Civil Service or others who sponsor this legislation. But it seems to me that, instead of this measure being conducive of reform in the civil service, it is exactly the antithesis, because it will be hard to convince the average person that this is not a measure simply to freeze into a permanent job the Democratic Presidential postmasters throughout the United States today.

If this measure was brought forth in good faith, why has its presentation to Congress been delayed until all of the terms of Republican Presidential postmasters in the United States have expired?

It is very true that we had something similar to this in the last session of Congress, but it was defeated when voted upon under suspension of the rules, and I attribute its defeat to the fact that there were many Democrats who still had Republican postmasters in their districts.

But now, the terms of these Republican postmasters having expired, this bill is brought forth again with a view to freezing into the service—you might say covering or blanketing into the service—the Democratic postmasters throughout the country.

I have read carefully the minority report, and I hope that every Member will read it, because I think you will endorse the report both in letter and spirit.

As a matter of fact, there is no one in this House who is a greater believer in the merit system than I am, but I want that merit system to be absolutely free from politics. I want it to be genuine and without any subterfuge or sham. One of the provisions of this bill, as will be observed, is that the Postmaster General now may weed out such undesirable postmasters as he sees fit, and those who are in the service may or may not, in the discretion of the Postmaster General, be certified to the Civil Service Commission for examination. Those in the Service are not subjected to the usual and ordinary competitive civil-service examination, but they are given an examination without competition. Of course, we all understand exactly what that means. If this bill provided for a bona-fide competitive examination for these postmasterships I could see no objection to the bill, but it does not make provision for any such ordinary competitive civil-service examination. If those who are holding office today were subjected to a competitive examination, and everyone in the country, regardless of their political affiliations, were given a chance to qualify, that would be a genuine, bona-fide civil-service reform, but under the terms of this bill the present incumbents will not be subjected to any such competitive examination.

Of course, I do not pretend to voice the sentiments of this side of the House, but personally I can see no reason why a Presidential postmaster should be placed under civil service. I have had a great deal of experience in the appointment of postmasters, because for 10 years as patronage referee for nine congressional districts in Tennessee, postmasters were appointed on my recommendation, and during that period there was no difficulty in finding well-qualified Republicans in every town that had a Presidential post office to fill these positions. Postmasterships of the Presidential class are executive positions which do not require scientific skill. But I would have no objection, as I said at the outset, to this measure if it were a real civil-service reform measure that gave opportunity to all classes to qualify for these positions, but inasmuch as it is discriminatory and highly partisan, I am opposed to it.

Also, during the past 4 years, in my opinion, under the present administration, under the administration of this man whom we hear acclaimed here on the floor of the House every day as the greatest statesman and humanitarian since

the days of the lowly Nazarene, civil-service integrity has suffered more than during any other similar period in the history of civil-service reform. I know that is true in my district, because down in my district, notwithstanding the fact that fourth-class postmasters are now under civil service by law, there is no fourth-class postmaster in my district who has a job which pays as much as a dime a day who is not a Democrat. They always find some pretext for removing the Republican incumbent and putting a Democrat in his place, notwithstanding civil-service regulations.

I call attention to another incident which happened in my district in the present administration. After the building of the Norris Dam and a vast area was inundated by the backwater from that dam, eliminating a post office and three rural carriers, notwithstanding the fact that they had been in the service for more than 15 years, the Post Office Department could not find a vacancy anywhere to which to transfer them. Why? Simply because they happened to be Republicans; and every time that I have heard of a vacancy in my district in the post of rural carrier, or anywhere within reach, I have called it to the attention of the Postmaster General in the hope that he would transfer and take care of these three deserving rural carriers, who had served for a period of 15 years each. They are still out of the service and will doubtless continue to be.

Mr. MITCHELL of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. TAYLOR of Tennessee. Yes.

Mr. MITCHELL of Tennessee. I am sure my colleague does not wish to be misunderstood. If I correctly understood him, he said that there were practically no Republican fourth-class postmasters now serving in the State of Tennessee. The gentleman surely greatly overstates it. As a matter of fact, Republican fourth-class postmasters have not been disturbed in my district.

Mr. TAYLOR of Tennessee. They have in my district, and I know of only one Presidential postmaster who is holding office in Tennessee today, and that is due to the fact that the Representative and the Senator cannot agree as to his successor. The gentleman from Tennessee [Mr. MITCHELL] is doubtless familiar with the case to which I refer.

Mr. MITCHELL of Tennessee. As a matter of fact, there are a great number of Republican postmasters in my State.

Mr. TAYLOR of Tennessee. I am not speaking of the entire State, but in my congressional district I do not know of any Republican fourth-class postmaster in an office that pays anything at all substantial. They have all been removed and the job given to a Democrat, notwithstanding the fact that they are under civil service by act of Congress.

Mr. GOLDSBOROUGH. Mr. Speaker, will the gentleman yield?

Mr. TAYLOR of Tennessee. Yes.

Mr. GOLDSBOROUGH. In the First Maryland District within the last 4 years there have been no fourth-class postmasters removed except, I think, in one or two cases where there have been defalcations, and I do not know the politics of those postmasters; but only in those cases has there been any change in the fourth-class postmasters.

Mr. TAYLOR of Tennessee. It has been my experience that when they want to get rid of a Republican postmaster they have no difficulty in doing so, because they have a wrecking crew of post-office inspectors that they send out for that specific purpose. [Applause.] Mr. Speaker, I reserve the remainder of my time.

Mr. O'CONNOR of New York. Mr. Speaker, I yield 5 minutes to the gentleman from Oklahoma [Mr. NICHOLS].

Mr. NICHOLS. Mr. Speaker, I am opposed to this rule, and I am opposed to this legislation upon a much different basis than that expressed by the distinguished gentleman from Tennessee [Mr. TAYLOR]. I doubt if there is any Member of this House who is more partisan than I. [Laughter and applause.]

I am interested in this legislation, first, because I am interested in myself and my own well-being. Second, I am interested in the service that the postmasters and the Post Office will render to my constituents. I also am interested in another fundamental thing. I hope that before I leave this Congress I will see this body stiffen its back and quit delegating and giving away the authority which they now hold and which they should continue to hold unto themselves.

Civil service—the merit system. If it were a merit system, I would be on this floor fighting for it with every pound of my fighting strength, but civil service is no longer a merit system. I say to you without fear of contradiction that at this minute civil service in Government throws a cloak of protection around more inefficiency than any other thing in Government. [Applause.]

I say further to you that when you take a man out of your district, whether he gets the appointment as postmaster by your recommendation or not, and give him a lifetime position and throw a cloak of protection around him called civil service, at that time you have ruined and destroyed a good citizen of your district. [Applause.]

At this minute each of you Members who wish to return to Congress is busy about the business of making a record upon which you can go back to your constituents and say, "Have I done the job well or have I failed? If I have failed, this is your opportunity to discharge me." So it should be with every other officeholder in the Government. You ought to send your postmasters back to the people to render an accounting of the stewardship of their office every 4 years, so that if they have done the job well you can reappoint them upon your recommendation, and if they have not, then the wrath of the people will come down on you so strong that you will be compelled to displace him and appoint somebody else.

I am constitutionally opposed to lifetime appointments. I am certainly opposed to making lifetime appointments without competitive examinations, of men who at least to a greater or lesser degree are probably not qualified. I think I have the finest bunch of postmasters in the United States. I know all that I appointed are mighty good ones, but I do not want to see those boys ruined. I want them to be left on their mettle. I want them to be left alone so that they will have to continue to render efficient service to their people or be removed from office.

The SPEAKER pro tempore (Mr. WOODRUM). The time of the gentleman from Oklahoma has expired.

Mr. O'CONNOR of New York. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. NICHOLS. Of course, if we are going to discuss it from the standpoint of politics, many of the positions in my post offices are filled with civil-service employees who are of the political faith and complexion of my friends of the minority group. Under this act I say to the Postmaster General—and I do not know how long we are going to have this one or when we may have another one—I say to him, and give him a law to back him up, "First, Mr. Postmaster General, you can, if you want to, appoint the incumbent. If you do not appoint the incumbent, then your next alternative is to promote some civil-service employee in the post office to the job of postmaster," be he Democrat or Republican, be he good or bad, be he qualified or not.

I hope this will not offend the brethren on the Republican side, but I am just scared of that proposition. I do not want to fix it so that by promotion the Postmaster General can, without competitive examination, elevate a Republican to a lifetime job in a post office in my district, or in any town in my district.

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. NICHOLS. Yes; I yield.

Mr. MOTT. Is the gentleman afraid that the present Postmaster General might do that?

Mr. NICHOLS. I will say this: I will say that the Civil Service Commission has left many of my post offices in just this shape.

I think it is perfectly proper that the party in power should hold for the Members of Congress—you men who represent this Nation in the halls of Congress—something for yourselves that we may give as a reward to the faithful down in our districts for services they have rendered us. [Applause.]

I am exceedingly sorry that I find myself in the position of opposing my two good friends, the distinguished gentlemen from Georgia, Mr. RAMSPECK, chairman of the Committee on Civil Service, and the distinguished gentleman from New York, Mr. O'CONNOR, chairman of the Rules Committee. Several of my colleagues said to me today, "Jack, you are making the mistake of your life if you get up and oppose this bill today, because every one of your postmasters will be against you if you do."

Well, I doubt that, in the first place, and, in the second place, if they are against me because I try to be possessed of a sufficient amount of intestinal fortitude to fight for those things which I think are right, I do not give a darn if they are. [Applause.]

If I must, in order to stay in this body, pursue demagogic pursuits and nothing else, and if I am never to be permitted to say what I think, then I do not care to be here. Some of the Members laugh, but in talking to some of my distinguished friends about this matter they have said, "Now, of course, I am against the bill, but I just feel like I am going to have to support it, because I cannot take the chance of making anyone mad at me."

My friends, I sincerely hope you will defeat this rule. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Oklahoma has again expired.

Mr. TAYLOR of Tennessee. Mr. Speaker, I yield 10 minutes to the gentleman from Michigan [Mr. WOLCOTT].

Mr. WOLCOTT. Mr. Speaker, both of the major political parties have in different words declared themselves in favor of the merit system in the employment of Federal employees.

The House will recall that last year this matter came before us on the Consent Calendar and a great deal of discussion was had at that time, and subsequently when a motion was made to suspend the rules and pass the Ramspeck bill. The present bill is substantially the same bill that was introduced and considered in the last session of Congress. I was asked at that time in the colloquy which took place when the bill was considered on the Consent Calendar to offer something better than the Ramspeck bill. In consultation with the legislative drafting counsel I worked out a plan which I though had real merit and introduced a bill at that time—and have reintroduced it at this session—providing in substance that the present postmasters may finish their 4-year terms, at which time a vacancy in the office would be created and at which time a civil-service examination would be held and the Postmaster General would requisition from the Civil Service Commission a postmaster for that vacancy the same as he would now fill vacancies in the clerkships and carrierships. This would put the first-, second-, and third-class postmasters on the merit system.

As we understand it to be desirable to give encouragement for promotion through the ranks I also provide in this bill that those who are now in the Postal Service, except those appointed by the President as patronage appointees, shall be given an advantage of 50 percent in marking their examinations. It might be well to put some figures into the RECORD concerning what this amounts to. In the first place, the press has commented upon the fact that it is quite obvious that there is not any particular need for these offices. There is not any need for a first-class postmaster, a second-class postmaster, or a third-class postmaster; because, after all, he does very little work and becomes merely the custodian of the post-office building. However, if the offices are to be continued, it is desirable to name somebody who knows something about the Service and who has had actual experience in the Service.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mrs. ROGERS of Massachusetts. Under the gentleman's bill, would the personnel of one postal district be eligible for appointment in any other postal district; in other words, would the gentleman's bill make of the Postal Service a career service?

Mr. WOLCOTT. Yes, it would; because I have no prohibition in the bill against appointing from outside the district.

Mrs. ROGERS of Massachusetts. That is very important.

Mr. WOLCOTT. The last figures I was able to obtain on this are as follows: There are 1,007 first-class postmasters, 3,158 second-class postmasters, and 9,565 third-class postmasters, or a total of 13,730 so-called Presidential postmasters. The aggregate of their salaries is $28,045,600.

It was charged when this matter was last under consideration that this bill was designed primarily to blanket into the service, or perpetuate in office, the present postmasters. That would be done, of course. I see no reason, however, while we are considering this subject, that we should not have a real merit bill; because, if I know this question as clearly as I think we should know it, the day will come when the Republicans will return to power in this House; and they are going to insist on an amendment to or repeal of this measure and substitute for it a real merit system. While we are considering it today is not this the proper time to write into the law a real merit system with respect to to civil service, for first-, second-, and third-class post offices?

Mr. Speaker, I ask unanimous consent to read excerpts from an editorial from the Detroit News appearing when this matter was being considered last year.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WOLCOTT. The editorial is headed "Don't Forget Mr. G. O. P." and reads as follows:

DON'T FORGET MR. G. O. P.

Probably the most obvious of governmental reforms is that of excluding the spoils system from the Postal Service. The Presidential postmasters, taking them by and large, are literally political supernumeraries. The post offices would be run just as well or better by their "assistants" of the career civil service. Their salaries are a sheer waste, a political subsidy that must be paid by every user of the mails.

Yet this obvious reform apparently must wait until some national administration seizes the issue, dramatizes it before the public, and forces it on a reluctant Congress.

That is why we may take only an academic interest in the proposal of a Michigan Republican Congressman, JESSE P. WOLCOTT, of Port Huron, that all incumbent postmasters be dismissed and their places be filled by bona-fide civil-service employees.

Mr. WOLCOTT makes one observation that needs mention. This is that no plan to cover the Post Office Department wholly into the civil service can succeed unless it ejects the incumbent political postmasters, body and breeches. Otherwise the Republicans always will object to reform while the Democrats hold office, and the Democrats will do the same when they are out of power.

Plainly this is true, and plainly also it makes the reform that much more difficult to come by. The country will have to wait for it until some administration is willing to embrace and sincerely urge just such a proposal as Mr. WOLCOTT's.

We hope that, when and if the Republicans do come into power, they will not forget their present zeal in this regard.

We are not waiting until we get back into power to effect this reform; we want the reform now as much, if not more, than the Democrats want it; and we are willing to cooperate on a real merit bill which will carry into effect the spirit behind this editorial you have just heard. I hope when the proper time comes, either on this bill or one similar to it, that you gentlemen on the Democratic side will forget your desire to blanket into the service all of your present incumbents and support a substitute measure that will make history and put into effect a real merit system.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. RICH. If the gentleman's bill provided that the present holders of these offices and any others who wished might take the examination and that the offices be filled by those who received the highest grade, would not that overcome any political aspect?

Mr. WOLCOTT. My bill contemplates that upon the expiration of the term the office shall be declared vacant and that if the present postmaster wishes to compete he may do so upon the same basis as any outsider or any other member of the Postal Service. To give encouragement, however, for promotion from the ranks I give to present employees of the Postal Service an advantage of 50 percent in rating.

[Here the gavel fell.]

Mr. TAYLOR of Tennessee. Mr. Speaker, I yield 2 additional minutes to the gentleman from Michigan.

Mr. RICH. Does the gentleman expect to offer such an amendment?

Mr. WOLCOTT. Answering the gentleman from Pennsylvania, I do unless it is done by the minority members of the committee. I understand a motion will be made to substitute something similar to the bill I have been discussing for the bill we will consider under the rule if the rule is adopted.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mrs. ROGERS of Massachusetts. I may say that the minority does plan to submit as a substitute on a motion to recommit the so-called Bacon bill introduced on January 18, which is a real career bill on the merit system.

Mr. PIERCE. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. PIERCE. The statement made by the gentleman that postmasters of the first, second, and third classes do not work is not true in Oregon; they do work and take their part, and they are under instructions, I understand, from the Department.

Mr. WOLCOTT. I did not say they did not work.

Mr. PIERCE. The gentleman said they could be dispensed with.

Mr. WOLCOTT. I said the officers could be dispensed with. It is unreasonable to expect a man picked up from civilian life and put into a large office like the Detroit office or the Seattle office to know one one-hundredth part as much about the Postal Service as the man who is actually doing the work of the office, the assistant postmaster or the superintendent of mails.

Why not give the assistant postmaster or the superintendent of mails the title of postmaster and let him do the work of postmaster? [Applause.]

[Here the gavel fell.]

Mr. O'CONNOR of New York. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. MEAD].

Mr. MEAD. Mr. Speaker, the specific difference between the legislation we are about to consider and conditions as they exist today have not been properly developed in this debate.

Under the present Presidential order now effective an examination for the selection of a new postmaster is held under the direction of the Civil Service Commission. An eligible list is presented, from which the first name must be sent to the Postmaster General and to the President. Under this bill, if enacted into law, we carry out the original intention of the Civil Service Act signed by President Arthur in 1883, which developed a civil-service list, from which one of the first three may be selected.

Mr. BULWINKLE. Will the gentleman yield?

Mr. MEAD. I yield to the gentleman from North Carolina.

Mr. BULWINKLE. This would not prevent the President from issuing another order?

Mr. MEAD. No; it would not.

Mr. BULWINKLE. Just like he has in the past?

Mr. MEAD. Correct.

Mr. Speaker, there is another difference. Under the Executive order a man is covered by the civil service for a definite term of 4 years. Under this bill, if it becomes law, he is protected by the civil service during good behavior for an indefinite term.

If there are any here who are interested in the selection of postmasters under the old spoils system, I may say that that system is a thing of the past. The President's order is now in effect; it is effective, and it will be carried out while he is President of the United States.

Mr. NICHOLS. Will the gentleman yield?

Mr. MEAD. I have only minutes to present my statement.

Mr. NICHOLS. Just for a short question.

Mr. MEAD. I yield to the gentleman from Oklahoma.

Mr. NICHOLS. May I ask the gentleman if he will support an amendment to this bill to put the selection right back like it was before the President issued his Executive order providing that they may be appointed for 4 years, the Postmaster General making his selection from the top three on the eligible list?

Mr. MEAD. I do not favor that, because I believe in the civil service. I see in this bill a great opportunity for advancement for the 250,000 men and women who make up the personnel of the Postal Service. It gives to the man or woman who enters as a clerk or carrier, even as a laborer, the opportunity to earn the reward to which he or she may be justly entitled. I should like to see the time come when a man could go from the bottom of this great enterprise to the very top of it; therefore I would not be in favor of the gentleman's proposal.

Mr. WADSWORTH. Will the gentleman yield right on that point?

Mr. MEAD. I yield to the gentleman from New York for just a minute.

Mr. WADSWORTH. I agree with the remarks being made by the gentleman from New York [Mr. MEAD], but does he not understand that under section 2 there can be no such thing as a career service in the Postal Service? Any postoffice official in the service of a post office in a little third-class place, for example, has to remain there and can never get out of that rank.

Mr. MEAD. Under the bill a laborer appointed to the Postal Service in the city of New York may become the postmaster in that great city, the biggest, most responsible office in the Postal Service.

Mr. Speaker, there is another side to this argument I want to dwell on and then I am through. I want to leave with the Members a thought before I pass to another subject. That is, that the President's order is now effective. By this order a general examination must be held unless the present incumbent or someone in the office is promoted. When this examination is held the name of the top eligible on the list goes to the Postmaster General and to the President of the United States.

I now want to trace the history of the civil service and show how loyal, faithful, and wholeheartedly the Republican Party has been in espousing the cause of the civil service. I want to leave the thought that those who would amend this bill in order to make it perfection itself are violating every tradition of the Republican Party on this subject.

In 1883 the first civil-service bill was passed and signed by President Arthur. It was, however, President Cleveland who issued the first order extending the civil service outside of the District of Columbia and bringing the clerks and carriers of the Postal Service within the civil service. Before that time it was more important that they carry their precincts than to carry the mail. After that time, and as a result of the civil service, the Postal Service has become a most efficient organization.

In 1889 President Cleveland issued another Executive order, and brought the Railway Mail Service under the merit system. That order was to become effective on March 15, 1889, but in the meantime Mr. Harrison had become President of the United States and, although President Cleveland's order covered every railway-mail clerk within the civil service, including railway clerks who were appointed under Republican Presidents years before that time, President Harrison postponed the effective date until the following May. In the meantime 2,300 railway-mail clerks were removed from the Service and their places filled without civil-service examination, after which they were all blanketed within the civil service by the then President's order.

President Theodore Roosevelt next extended the civil service to the fourth-class postmasters, and he did it a few weeks before he turned over the reins of office to his successor, President Taft. He covered them all in 14 of the States, and they were all blanketed in, without having to pass any sort of an examination. There was not even a qualifying test.

President Taft, in keeping with the tradition of his party, issued another civil-service order 3 weeks before Mr. Wilson was elected President. He covered in, without examination or test by the Civil Service Commission but with its

protection, all the remaining fourth-class postmasters in the United States.

Then Mr. Wilson became President of the United States. Theretofore it had always been commonplace when one administration succeeded another that nearly all the postmasters were either told to get out or some reason for their separation from the Service was usually found. But Mr. Wilson issued an order by which all postmasters remained in the Service, Republicans and Democrats alike, until they had completed their service, and not one was to be eliminated for political reasons. He issued another order bringing the first-, second-, and third-class postmasters within the civil service and requiring a bona-fide examination, and also requiring that the first one on the list be selected. This Executive order remained only for a short time after another Republican, Mr. Harding, became President of the United States.

In keeping with the tradition of his party, he weakened that order and made it possible to appoint any one of the first three who took the examination prescribed for these positions.

And now, Mr. Speaker, President Roosevelt, as President of the United States, let it be known early in his term of office that postmasters would serve to the end of their terms and not be removed for political reasons; and he, too, issued an Executive order which requires an examination to be held and that the first eligible on the list be appointed. He has recommended this bill. This is the fairest bill of this nature that has ever been considered by the Congress. It does not blanket in those affected, but it qualifies them under the rules prescribed by the Civil Service Commission, and the Civil Service Commission alone. I hope the rule will pass so that we may discuss this bill with you. [Applause.]

Mr. TAYLOR of Tennessee. Mr. Speaker, I yield 8 minutes to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, I should oppose this rule today if I did not feel it were possible to recommit the bill to the committee with instructions to report out the so-called Bacon bill, which was introduced on the 18th of January by the gentleman from New York [Mr. BACON]. This is, in my opinion and in the opinion of everyone I know, a pure merit bill.

I am extremely sorry for any partisan politics in the discussion of this bill today. I do not speak as a Republican, but as one who, from the bottom of her heart, feels that the merit system should really exist in this country today. Personally, I have had nothing but cooperation from the Democratic postmasters in my own district under this administration, and when the Republicans were in power I asked that several Democrats be appointed as postmasters in my own district. So you see I did not play politics so far as I personally was concerned.

I wish I could go along with the chairman of the Committee on the Civil Service, the gentleman from Georgia [Mr. RAMSPECK]. There is no finer or more splendid chairman of any committee of the House than the gentleman from Georgia, and I believe in his heart he is a thorough believer in the merit system. If this were not so he would not try to insist upon having it made possible that real civil service apply to those on the temporary rolls at the present time. It is obvious to my mind that in his heart he does not favor this bill which he said on the floor of Congress last year was not a pure merit bill.

As you know, Mr. Speaker, under the provisions of this Ramspeck bill, a postmaster now serving may be examined noncompetitively at the expiration of his term by the Civil Service. If he is found qualified he is frozen into the civil service for life. This practically debars the promotion of men in the Postal Service at the present time, men who have served practically all the years of their maturity in that Service, men who know it infinitely better than men who have acted as postmasters, presumably, for just a few years.

I shall ask at the proper time for recommitment of the bill and the substitution of the particular measure I have referred to. I personally should be very pleased to feel that it would not be necessarily to recommend anyone for appointment as postmaster, but that the Civil Service would promote a man of worth and a man who had served in the Postal Service to the position of postmaster if he was found qualified. This would make men now in the Postal Service take even more interest in their work.

If there are not men who are qualified, then the postmasters should be appointed as the result of open competitive examinations in order that everyone have an equal chance. With these provisions, then and then alone, our postmasters would be appointed under a genuine merit system. I earnestly hope, Mr. Speaker, the House will adopt our substitute bill. [Applause.]

Mr. TAYLOR of Tennessee. Mr. Speaker, I yield the remainder of my time to the gentleman from New York [Mr. ANDREWS].

Mr. ANDREWS. Mr. Speaker, I am reminded that the President, in his message this year, spoke of the need for extending the merit system, as I recall it, upward, downward, and outward. This, to me, appears to be the first actual bill presuming and purporting to carry out the spirit of that recommendation.

I have been interested in listening to the historical references to similar occasions dealing with civil-service reform as advocated by previous administrations. It would appear that selfish political motives have usually dictated past changes made. It has always been an attempt to create opportunity for new employees or to freeze old ones into their positions.

Personally, I support any civil-service reform that will improve the Postal Service, whether it is inaugurated by Republicans or Democrats. The only real way to accomplish this is to put the Postal Service on a career basis. This measure will not do this. Quite the contrary.

I want to remind you that there were bills passed during the past two sessions which gave full opportunity during those sessions to the Members to express themselves in favor of a merit system as applied to the Home Owners' Loan Corporation. The record shows that on the last occasion there were only three Members of the Democratic majority who voted in favor of applying the merit system to the Home Owners' Loan Corporation. Why has there been such a rapid change of heart on your part insofar as applies to the Postal Service? The time is coming, I would assume, during this session when you will again be given an opportunity to express yourselves insofar as the merit system is concerned with respect to the Home Owners' Loan Corporation, which employs countless more employees than does the Post Office Department.

Now that the H. O. L. C. has filled all of the positions which under law it is entitled to, I assume we will soon be asked to vote for a measure which will also permanently freeze all of its employees into the civil service.

[Here the gavel fell.]

Mr. O'CONNOR of New York. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. THOMAS].

Mr. THOMAS of Texas. Mr. Speaker, I am heartily in favor of the civil service in all of its aspects. For the last 7 years I have been intimately associated with a first-class post office. It seems we ought to have a bill which will give the postal employees who have been working 5, 10, and 15 years in the Post Office Department, who have been making it their goal to some time be the postmaster, an equal opportunity to become postmaster.

It has been my observation that the postmasters of first-class offices are certainly fine gentlemen but they do not know any too much about the postal system, and certainly not as much as those men who have been connected with the system 5, 10, or 15 years.

I think we ought to have a bill which gives these men in the system an equal opportunity to take a civil-service examination along with the postmaster and select those best fitted for the job. Then if you want to make it for life, dependent upon good conduct and worthy service, I am for the bill. [Applause.]

Mr. O'CONNOR of New York. Mr. Speaker, I yield the balance of my time to the gentleman from Georgia [Mr. RAMSPECK].

Mr. RAMSPECK. Mr. Speaker, I do not want to get into any controversy in the few minutes that I have on the rule about politics. Briefly, I want to tell you what the bill provides and what it proposes to do.

In the first place, we are operating under the Executive order issued by the President of the United States, which provides exactly the same thing that this bill provides, with one exception.

Under the present Executive order, where you have a competitive examination, the person making the highest grade in that examination must be appointed. Under this bill we revert to the basic civil-service law and the rules and regulations which provide that a selection from the three highest names from the civil-service examination shall be appointed.

That is all there is to this bill. We are doing the same thing that the President's Executive order does.

I should be very glad to answer questions as to the details of the bill when I take the floor after we have passed the rule. I ask the House to vote for this rule and give us a chance to go into the matter. The only argument we have had here today which I think is really germane to the question is the argument made by the gentleman from Oklahoma [Mr. NICHOLS], who frankly tells you that he does not believe in the civil service. Of course, if you do not believe in the civil service, you ought not to vote for this bill, because it is a civil-service bill. I shall not try to fool you about it; I am going to be frank with you. It does not mean, however, as the gentleman says, that you give them a lifetime job, because any civil-service employee can be removed, and he has no right of appeal under the present law. It is just putting these postmasters in the same position that your fourth-class postmasters and your rural carriers and city carriers and clerks are in today, and you know they are being removed from time to time whenever there is sufficient cause.

Another thing I emphasize is that the fact that we Democrats are consulted by the Postmaster General in reference to appointments now is not a matter of right or law, but simply a matter of party practice. Under the law the President makes these appointments, and he does not have to consult a single Member of Congress about it.

Mr. WOOD. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. Yes.

Mr. WOOD. If this bill passes, it will place postmasters under civil service? That is to say, that all postmasters will have to take a regular civil-service examination for first, second, and third class?

SEVERAL MEMBERS. Oh, no!

Mr. RAMSPECK. It does this: First, the Postmaster General may reappoint the incumbent by a noncompetitive examination.

Mr. WOOD. The gentleman does not understand my point. After the postmaster has taken the civil-service examination and he is appointed as a postmaster of the first, second, or third class, then he has to be confirmed by the Senate?

Mr. RAMSPECK. No; absolutely no! It takes that power of appointment away from the President and confirmation away from the Senate and he is appointed like any other civil-service employee. The fact that we have been consulted, and that during Republican administrations Republican Members have been consulted about these appointments, is not a matter of right or law but simply party practice, and any President who wanted to could quit consulting us at any time that he saw fit to do so.

Mr. McCLELLAN. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. Yes.

Mr. McCLELLAN. I understand that if this bill goes into effect one of the three highest will be eligible for appointment?

Mr. RAMSPECK. Yes.

Mr. McCLELLAN. And who determines which one of those three shall be appointed postmaster?

Mr. RAMSPECK. The Postmaster General.

Mr. McCLELLAN. And is he going to determine that as in the past by consulting Congressmen?

Mr. RAMSPECK. I cannot answer that, but I presume that he may do so.

Mr. McCLELLAN. This is the thought that I have in mind, that we either ought to have a civil-service law that will take the whole responsibility and remove it from Congressmen, and let the country know it, or we ought to have a law that places the responsibility with Congressmen, and hold them responsible. [Applause.]

Mr. RAMSPECK. I say this to the gentleman from Arkansas. Under the law now the name of any civil-service appointee may be presented to a Senator or Representative for endorsement, but only as to character. You cannot keep people from consulting others by law.

The SPEAKER. The time of the gentleman from Georgia has expired. All time has expired.

Mr. O'CONNOR of New York. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the adoption of the resolution.

The question was taken.

The Chair announced himself in doubt.

Mr. SNELL. Mr. Speaker, I demand a division.

The House divided; and there were—ayes 159, noes 85.

Mr. NICHOLS. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

So the resolution was agreed to.

Mr. RAMSPECK. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 1531) extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 1531, with Mr. WOODRUM in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Without objection, the first reading of the bill will be dispensed with.

There was no objection.

Mr. RAMSPECK. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, if I may have the attention of the membership of the Committee, I want to clear up a few misapprehensions that have been brought to my attention.

In the first place, under the present law the appointment of postmasters is the responsibility of the President of the United States, subject to confirmation by the Senate. As I said a while ago in the House, there is no right by which a Member of Congress has any voice in those selections. It is simply a party custom that has been used by both parties.

The present situation in this administration is that the President issued on July 20 last an Executive order, which is almost word for word like this bill, with the exception that it provides that when a competitive examination is used the person making the highest mark must be appointed. There is absolutely no choice available. I want the membership to understand that, because if you are fighting to retain the right to appoint postmasters, under the present Executive order you do not have any such right. You cannot be consulted, because there is only one person, in case of a competitive examination, that has any chance for it.

Mr. TERRY. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. TERRY. Is there not another distinction between your bill and the Presidential order, that under the Presidential order a competitive examination can be called for and that anybody can take that competitive examination, whether he has a civil-service status or one not with a civil-

service status, but under the present bill, unless the incumbent is appointed, only those within the office may take the competitive examination. Is that not true?

Mr. RAMSPECK. No; that is not correct, I will say to the gentleman from Arkansas. The bill has three methods of appointment: First, reappointment by noncompetitive examination of the incumbent postmaster. It is purely a matter of choice with the Postmaster General as to whether or not he exercises that privilege.

Second, promotion appointment of a civil-service employee in the Postal Service, living within the area served by the vacancy office. That can only apply to first- and second-class offices, because there are no civil-service employees in third-class offices. They, therefore, would not be eligible for promotion from a third-class office. They would have to stand an examination.

A third method is an open competitive examination, and any person who is a resident of the area served by the office can participate, whether they be Federal employees or not. Those are the three methods.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. MAY. What would be the method of ascertaining who would be appointed in a second-class office, where a civil-service examination has already been held and one of the three highest has been appointed? When he goes out of office, what about the other two who had already acquired a civil-service status?

Mr. RAMSPECK. Under the general rules of the Civil Service Commission, eligibility lists last only 1 year.

Mr. MAY. And they would be out?

Mr. RAMSPECK. They would be out. They would hold a new examination or promote somebody in the office.

Mr. MANSFIELD. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. MANSFIELD. The question I desire to ask is this: It occurs to me there is still another distinction between the method of appointment under the President's order and under this bill. Under this bill the Postmaster General would be required to reappoint the present postmaster or some person having a civil-service status in that office.

Mr. RAMSPECK. I do not agree with the gentleman's construction. Section 1 of the bill provides:

> That hereafter postmasters shall be appointed in accordance with the provisions of the civil-service law.

And there is a proviso there which reads:

> That postmasters now serving who have satisfactory records shall continue to serve until their 4-year terms of office expire, after which they may be reappointed without term in accordance with the provisions of section 2 of this act.

Mr. MANSFIELD. Then read section 2. That is what I had reference to.

Mr. RAMSPECK. The word "shall" in section 2 applies to the general question of appointment of postmasters hereafter. It reads:

> * * * shall be made by the reappointment and classification, noncompetitively, of the incumbent postmaster, or by promotion from within the Postal Service in accordance with the provisions of the Civil Service Act and rules—

And so forth; and, third, by competitive examination. He can use either one of the three methods.

Mr. MANSFIELD. He will have that option?

Mr. RAMSPECK. Yes, sir.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. SNELL. The gentleman just said that if an examination is held the man who passes the highest mark on that examination must be appointed?

Mr. RAMSPECK. That is under the present Executive order, but not under my bill. You would have one of three options under my bill.

Mr. SNELL. The gentleman made the further statement in the beginning of his remarks that this is an honest civil service. I cannot see how it is possible to have an honest civil-service bill with any exceptions. If we are going to do anything, let us do it or not do it at all. Let us pass a bill providing that you must have an examination, and the man who ranks highest in the examination shall be appointed when the term of the present postmaster has expired. Would that not be an honest bill?

Mr. RAMSPECK. I will say to the gentleman from New York if permitting a choice from the first three is not honest civil service, then we have never had honest civil-service examinations, because that is the present law.

Mr. SNELL. I am not defending the basis; but the gentleman says he is going to pass something now that is an honest civil-service bill. You cannot have an honest civil-service bill when the first proviso states that they shall be appointed without competitive examination.

Mr. RAMSPECK. I do not want to argue that with the gentleman; that is just a question of politics. The gentleman's party—and he knows it—never has, except in one instance, brought any group under civil service by competitive examination; they blanket them in.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. WHITTINGTON. In the event the pending bill becomes law, what provision will there be with respect to transfers, so as to make possible transfers from offices in other areas?

Mr. RAMSPECK. That would not be allowable unless they had transferred a year before the appointment was made and lived within the delivery district of the post office for 1 year prior to the appointment.

Mr. FORD of California. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. FORD of California. After an appointment is made as a result of a competitive examination, can Senators still object?

Mr. RAMSPECK. Absolutely not; they will have nothing to do with it.

Mr. MAHON of Texas. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. MAHON of Texas. Under the present Executive order the Postmaster General appoints the ranking man, no. 1 man on the list?

Mr. RAMSPECK. Yes.

Mr. MAHON of Texas. Then if this bill should not be passed, under the present Executive order incumbents of first-, second-, and third-class offices could be reappointed for 4 years.

Mr. RAMSPECK. Yes.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. HOOK. The gentleman's bill provides three methods of appointment. Does the second method have to be exhausted before the third method can be employed?

Mr. RAMSPECK. The Postmaster General has to say to the Civil Service Commission that there is nobody in the office who, in his opinion, is qualified for the position.

Mr. HOOK. In other words, if any person now employed is qualified, he must be taken?

Mr. RAMSPECK. I do not know what the gentleman means by "exhausted." The Postmaster General must affirmatively say that he does not think there is anybody in the office qualified to be postmaster. He does not have to name the individuals by name, but is required only to say to the Commission, "I do not find in the office a man I think is qualified for the position. Hold an examination"; and they would have to hold an examination.

Mr. HOOK. But if there is anybody qualified, no examination will be held?

Mr. RAMSPECK. I say to the gentleman very frankly that, personally, I want to make a career service out of the Postal Service. I believe this bill will do it. The promotion option does not apply to third-class offices, because there are no civil-service employees in such offices.

Mr. HOOK. I may say to the gentleman that in my district, then, there will be Republican postmasters for life.

Mr. GREEN. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. GREEN. Suppose the examination were held and three were certified, would it still be the practice to take somebody out of the office who is under civil service and appoint him?

Mr. RAMSPECK. I do not think so; I think they would have to use the eligible list.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield myself one-half minute.

Mr. Chairman, it seems to me this is not a real merit bill, a real civil-service bill, because it does not permit the transfer for promotion to postmaster under civil-service of a person from one section of the country, or one part of a State, to another. This is not a real civil-service bill.

Mr. Chairman, I yield 6 minutes to the gentleman from New Hampshire [Mr. TOBEY].

Mr. TOBEY. Mr. Chairman, this bill ostensibly breathes a fine spirit of devotion to civil service and on its surface commends itself to many good people, but to my mind it is an unholy alliance of civil service and the spoils system.

It pays tribute to civil service, but it enthrones the spoils system.

I oppose this bill because this is not an honest-to-God civil-service bill, in that it does not provide to each and every citizen of a community a free and equal opportunity to compete in an open competitive examination for the position of postmaster.

On the contrary, if the Postmaster General so desires, each and every citizen of a community will be denied the right to compete in a civil-service examination for the job.

The bill provides that on the expiration of the term of a first-, second-, or third-class postmaster incumbent who, and this is important, has received his position not from civil-service merit, but by pure political appointment, the Postmaster General may at his own discretion reappoint him on a noncompetitive basis. Not only that, but such appointment is an appointment for life.

Partisan argument has no place in a discussion of this matter. On too many occasions constructive thought and action have been thrown to the winds by childlike chidings by Members on either side of the aisle, alluding at length to the historic record of partisanship of the other party.

I wish that such quibbling would not have a place in the consideration of this bill today. It is too serious a matter to play with in such a manner. Referring to the other party with the argument, "So is your old man", will get this Government of ours nowhere. If we guide our attempts for reform and progress by the standard of past records of political abuse, we cannot reform; we cannot progress.

I am in favor of taking the power of political appointment out of the hands of the Postmaster General and out of the hands of our national and local politicians. To accomplish this end we cannot approve this bill before us today.

We cannot approve this bill because it permits the Postmaster General to continue in office the present politically appointed postmasters on a noncompetitive basis.

I urge this House to today take the "noncompetitive" provision out of this bill. What excuse is there for such a provision? Change that to "competitive", and make this a true civil-service bill. It will then have my full and conscientious support.

You will be told today that we must be practical. That you cannot get Congress to vote for a measure which will legislate out of office all postmasters at the expiration of their terms and make them participate in an open competitive examination for reappointment.

This statement is a challenge to Congress.

All down through human history, powerful and selfish interests have sought to gain their objectives under the slogan, "Let us be practical."

What an impetus would accrue to good government if we would make a start in placing principle before practicality or expediency.

And in voting to eliminate noncompetitive examinations under this bill we will be taking steps in this direction. [Applause.]

Mr. Chairman, I yield back the balance of my time.

Mr. RAMSPECK. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. Chairman, as a member of the Civil Service Committee of the House of Representatives, I believe fundamentally in the proposed legislation which is now being considered by this body. In the United States today we have some 46,000 postmasters operating as servants of the American public in the transmission of mail. There are some 13,730 of these postmasters now known as Presidential appointees, leaving some 23,000 coming under what we know as the Classified Civil Service Act and rules.

At the present time the fourth-class postmasters of the United States are under the classified civil service. Those are the postmasters serving in the rural communities of this Republic; men and women who receive money for the work which they perform through cancelations and not by a stipulated salary. They fall in the low group, below $1,100. The other groups, taking in the odd thirteen thousand first-, second-, and third-class offices, operate within a salary radius between $1,100 and $12,000.

Today we are faced with this proposition: The Democratic administration, after 4 years in control of the affairs of our Federal Government, has not only the opportunity but certainly a very definite responsibility to carry into effect in the 4 years of the second administration that which has already been started by this administration in carrying upward, outward, and downward, as the President said in his message at the beginning of the first session of the Seventy-fifth Congress, those in the merit system.

Mr. Chairman, it has been intimated here today in the brief debate so far had upon this measure that a man under the civil service will remain there for life. There is no such thing as a position for life in the civil service as it now functions. Any postmaster in the United States may be removed if he fails to function, or does not give to those who come to that office proper service, or if he fails by his actions to bring credit to the United States Government, of which he is a very definite servant. So that, although we would do away with the 4-year term by bringing the first-, second-, and third-class postmasterships under the provisions of the classified civil service, as now exists in the fourth-class offices, we are saying that the term is done away with and a career is started. We are saying more than that. The man who is under the classified civil service, as exists in other branches of the Government service in the number of some 350,000, must give a good account of himself and the office over which he presides. Both the Democratic and Republican parties are committed to the principles of civil service, and today there comes once again, as came in the last session of the Seventy-fourth Congress, the opportunity in the first session of the Seventy-fifth Congress for the Democratic administration to lead the way in bringing about the classified civil service provisions to all classes of postmasters in the United States, adding to the 23,000 now in existence the approximate number of 13,730 not now covered.

[Here the gavel fell.]

Mr. RAMSPECK. Mr. Chairman, I yield the gentleman 4 additional minutes.

Mr. CLARK of North Carolina. Will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from North Carolina.

Mr. CLARK of North Carolina. I assume that the gentleman frequently receives complaints about the Postal Service in his district, as I do about that Service in mine. The reappointment of the postmaster depends upon his recommendation. When that happens you know what to do about it, but when you appoint these postmasters for life, and you receive complaints from your constituents about the Postal Service in your district, how is the gentleman going to remedy that situation?

Mr. RANDOLPH. I may say to the distinguished gentleman that when complaints come to him or to me today as a Member of Congress with reference to the failure of a rural carrier or the failure of a postmaster in the performance of his duties under the classified civil service as it now exists, we refer the matter to the Civil Service Commission through the channels of the Post Office Department. An inspector is then sent out to the location where the trouble has occurred. A report is brought back, and if the postmaster or carrier is found wanting he is removed. As I see the situation, the same practice would be continued by extending the civil service to these three groups of offices not now covered.

Mr. NICHOLS. Will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Oklahoma.

Mr. NICHOLS. In the situation the gentleman states, let us assume, for the sake of argument they did not remove the postmaster and you knew the postmaster had not done his duty. You could under the present system get rid of him at the end of 4 years, whereas under this bill you would be stuck with him. Now you can get rid of him at the expiration of his term if the gentleman felt and the patrons of the office felt the postmaster was not doing his job, but if we pass this law the postmaster would be under the civil service.

Mr. RANDOLPH. I may say that the patrons of the office would not be stuck with him. The patrons of the office are the ones who are being served.

In conclusion, may I bring to the considered judgment of the membership of the House this statement, which I believe to be a fact, and that is if we are to serve the very best principles of the parties of which we are both a part, because both parties are committed to furtherance of civil service, then today we have the opportunity to function in a very definite manner in enacting this civil-service measure into law for all classes of postmasters in this Republic. We should act courageously. [Applause.]

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. MAAS].

Mr. MAAS. Mr. Chairman, I have a great deal of sympathy with the intended objectives of this bill. I think its author, the chairman of the Committee on the Civil Service, is very sincere, but due to political considerations he finds himself unable to bring in a bill which will in actuality extend the merit system to postmasters of the first, second, and third classes. Perhaps this is a step in the right direction, but I doubt it. I believe the intention and purpose is all right, but its effect will be exactly the opposite.

The most ardent advocate of the philosophy that to the victor belongs the spoils is usually sportsman enough to give the same right to the opposition when it wins, but this bill seeks to perpetuate the spoils system for one group, regardless of possible changes in administrations thereafter. It is certainly not a very sporting proposition.

We do not object to perpetuating postmasters in office. We do not object to office without term, but we do strenuously object to giving office without term or forevermore during the life of these postmasters who were appointed for purely political considerations and without any regard to qualifications necessary for service within the postal system.

So we shall offer amendments which will make of this bill a genuine merit-system bill and will create a career service within the Post Office Department. If you are so anxious to extend the civil-service principle, why do you not take in a bureau like the Internal Revenue, which is of the greatest importance and has a personnel of trained experts of extensive experience. These people are of a high caliber and should be protected against removal by political pressure for carrying out their duties without fear or favor in collecting on disputed tax cases. This threat constantly hangs over their heads. If there was ever a group that should be protected by civil service, and where the public should be protected by having trained and competent career men assured in the service, it is the Internal Revenue Bureau. I hope the majority will bring in genuine civil-service bills to put the entire permanent structure of the Government under the merit system.

Mr. MILLARD. Mr. Speaker, will the gentleman yield for a question?

Mr. MAAS. I yield.

Mr. MILLARD. Do I understand that the Postmaster General, who appoints all these postmasters, can tie them in for life, provided he states they are qualified?

Mr. MAAS. Certainly. They take a noncompetitive examination at the expiration of their present term.

Mr. MILLARD. And they call that civil service?

Mr. MAAS. They call that civil service. It is nothing but freezing in the spoils system of patronage, because you know that some day you who are in the majority now are going to be in the minority, where you have been before, and you want to perpetuate your officeholders in their positions in the hope that you will have a political system which can sabotage any other party that might come into power.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. RANDOLPH. The gentleman would not want the man who has had experience to be prevented from having that counted in his behalf?

Mr. MAAS. I certainly would not be willing to give the benefit of such experience to politically appointed postmasters.

Mr. RANDOLPH. Even though they had served in office and had served well?

Mr. MAAS. Only on the basis of open competition with other employees in the Postal Service.

I think the main objections to this bill are, first, it is not an extension of the merit system at all. It is just the opposite, because it permits noncompetitive examinations to politically appointed postmasters, which means nothing whatever. In theory you have competitive examinations for appointments as postmasters now and, generally, the man is selected before he even takes the examination. You know that under the existing sytsem if your candidate is not named one of the first three, you hold another examination and another, and 10 of them, if you have to, until you get him on the list. [Laughter.]

[Here the gavel fell.]

Mr. RAMSPECK. Mr. Chairman, I yield 1 minute to the gentleman from Connecticut [Mr. KOPPLEMANN].

Mr. KOPPLEMANN. Mr. Chairman, aside from all criticism, this measure is a step in the right direction. Therefore I am for it.

I have asked this one minute to express a thought in which every Member of this House must be interested. Every Member has found himself in a difficult position when he had to recommend the appointment of a postmaster. Invariably disappointment of unsuccessful candidates and their friends left sore spots. My policy has been to go along with the endorsement of the Democratic town committee, which, of course, had to make its selection from one of the candidates certified by the Civil Service Commission. But even then, in most instances, the town committee divided into bitter opposing camps, and the privilege of submitting the recommendation was eclipsed by the discomfort of being subject to threats of political extinction and charges of every nature emanating from the camps of those who were not recommended.

In electing us to the House of Representatives, the people did not intend that a major part of our activities be consumed by postmaster problems. So long as postmasters are patronage, we must devote to them time which should be used in legislative work. By placing the postmasters under civil service, they will be selected on the basis of their ability, and Members of Congress will be spared many an unnecessary headache.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Chairman, during the few minutes that I have allotted to me I should like to discuss this question with you and point out some of the matters that I believe should be called to your attention.

In the first place, let me suggest I am in favor of a civil-service merit system. I have always been in favor of such a system. The gentleman who just left the floor stated that this measure is at least a step in the right direction. If it is a step, in my opinion it is a feeble one. It seems to me that while we are about it we should go all the way and have an honest, fair, workable, and practical civil-service merit system.

You have been talking about taking the question of the appointment of postmasters out of politics. Then let us go ahead and do it. Let us not be afraid of the question. Let us go right down the line. There are some points in this bill to which I want to call your attention.

One of them is this: Under this bill you are permitting the present postmaster in office to continue in office without taking an examination of any kind, if the Postmaster General approves it. This, in my opinion, is an important matter. I have no objection, and, in fact, I think it is proper that the present postmasters serve their terms of 4 years from the date on which they were appointed. After that I believe they should be willing to take the examination along with other applicants who are seeking the position.

As a matter of fact, I think a number of the postmasters now holding jobs would be not only willing but would want to do it.

I also want to call your attention to the fact that under the terms of this bill it provides for an examination, and the postmaster is selected from the three persons receiving the highest grades. Why not, if we are going to have a civil-service system, why not appoint the person who gets the highest grade, and not one of three who get the highest grades? If a man gets the highest grade, it seems to me that he should have the job. Let us do this: Let us use our common sense. Let us apply business principles here, just as you would in your own business, and give the man or woman the appointment who is entitled to it by reason of his or her qualifications under a merit system. This is what you say you want to do. Here is a chance to do it. Let us amend this bill and make it workable and practical; make it really worth while, a measure as it ought to be.

Then let us go down the line in other departments of the Government that should be under civil-service system and apply the same kind of a system. I believe that so far as the postmasters in my district are concerned, they would not only be willing but would be glad of such a law. So far as I know, each and every one is a qualified person for the job he holds. He has been appointed for a 4-year term. He should be allowed to finish his term. Then he should take the examination with those who are competing for the job, and if he gets the highest grade, appoint him; and if he does not get the highest grade, then appoint the one who is the best qualified for the position. The man or woman who has been faithful in service is entitled to promotion when there is a chance for it, just the same as you would promote a man or woman who is employed in industry or business. This the merit system would provide.

As I said at the beginning, I want to vote for the civil-service law. I trust that the present measure will be amended so that the question of politics will be taken out of the appointment of postmasters from now on.

Mr. RAMSPECK. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. CURLEY].

Mr. CURLEY. Mr. Chairman, I ask unanimous consent to revise and extend my remarks by inserting a resolution of the Detroit Federation of Post Office Clerks favoring the enactment of legislation by the United States Congress placing postmasters of the first, second, and third class in the classified civil service.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CURLEY. Mr. Chairman, I rise in support of this proposed legislation.

It is a long step to the realization of the administration's sound program to improve and develop the merit principle of the civil-service system.

Our distinguished chairman, Mr. RAMSPECK, from Georgia, who sponsored this bill, has given it a great deal of study, not only in the present session of the Seventy-fifth Congress but in the Seventy-fourth Congress as well.

It is in line with the administration's program to bring this large group of employees of the Postal Service within the classified lists—a very constructive and progressive contribution to the merit system—and rings the death knell to the vicious spoils system of the past.

It is an act to regulate and improve the civil service of the United States through the classification of a little less than 14,000 of the first-, second-, and third-class postmasters throughout the country.

If my memory serves me right, I recall the consideration of this proposed bill in the previous Congress. Under a suspension of the rules of the House the bill came up for consideration, which, of course, required two-thirds of those present to vote in favor of it for its adoption. After a lengthy debate on the merit of the proposal, and the vote was taken, it was defeated because of its failure to receive two-thirds of the vote of those present.

That action, taken by the then Republican minority, in bringing about the defeat of this very meritorious, nonpolitical legislation to improve the civil-service system of our country, can hardly be said to be consistent with the Republican platform pledge of 1924, which specifically provided for exactly the same kind of legislation we have before us today.

We hear now and then a loud articulate complaint from the minority about the "spoils system" and "political expediency" in the distribution of patronage; and yet, near the close of the last session of the Seventy-fourth Congress, when this same kind of bill came up for passage, lo and behold, a majority of the Republicans opposed the measure and it went down to defeat, notwithstanding the fact the Democrats favored the bill by 3 to 1; and when you examine and analyze past records, the Republicans were perfectly consistent, after all, with their party policy by opposing this effort of President Roosevelt to take the postal system out of politics.

If my memory serves me right, the late President Woodrow Wilson, a Democrat, placed all postmasters under the merit system, and the Republican administration which followed the Democratic administration reversed his order; and during the next 12 years of Republican rule that followed the postmasters were in politics as deep as they could go.

When the Republicans saw the handwriting on the wall near the end of the Hoover administration, and knew defeat was to be theirs when the people were to go to the polls, what did the then Postmaster General, the Honorable Walter Brown, do? He rushed off to Omaha, Nebr., where there was a meeting of the National Association of Postmasters. The next morning, September 18, 1931, to be exact, a prominent and nationally known New York newspaper reported his remarks headlined thus:

Postmasters told to enter politics. Brown informs convention that first three classes not barred by law.

As a matter of fact, when the Seventy-fourth Congress adjourned, and the bill had failed of passage, the President, under date of July 20, 1936, issued an Executive order in relation to the appointment of first-, second-, and third-class postmasters which, I might add, superseded all prior Executive orders affecting or relating to the appointment of postmasters to post offices of the first, second, and third classes. This was chronicled as Document No. 7421.

Now, in my humble opinion, this Executive order of the President was a step in the right direction to carry out his strong wishes with respect to the proposal, yet it was not complete, as all appointments required confirmation by the Senate, whereas under the provisions of this proposed bill such confirmation will not be required, and completely takes it out of politics forever, and the Republican Party will have to look for a new "political football" or "political expedient" to play around with.

To the everlasting credit of President Roosevelt, his Executive order placed all postmasters under the civil-service law

on July 20, 1936, just about a month after the Republican minority caused the defeat of the Ramspeck bill in Congress. That Executive order of the President's brought about the most effective and sweeping extension of the merit system in a quarter of a century. The Republican opposition to this constructive legislative effort is based on well-founded fears that this juicy patronage reservoir, for 12 long years under control of the Republican administrations, will be eliminated forever if the Ramspeck bill becomes law, and I believe it will be passed today, and then we will hear no more of this constant political sniping at a realistic, conscientious effort of the Democratic administration and its supporters in the Congress to perform a good, practical job and initiate a much-needed reform in our civil-service system.

It is my impression that this bill is approved by a large number of civic organizations, including the Civil Service League. The bill is progressive and constructive, and will, I am certain, tend to improve and build up the morale of the employees of this vast Post Office Department of the United States. [Applause.]

In accordance with the permission granted me I append the following resolution:

A RESOLUTION BY DETROIT FEDERATION OF POST-OFFICE CLERKS FAVORING THE ENACTMENT OF LEGISLATION BY THE UNITED STATES CONGRESS PLACING POSTMASTERS OF THE FIRST, SECOND, AND THIRD CLASS IN THE CLASSIFIED CIVIL SERVICE.

Whereas for more than a quarter century the United States Civil Service Commission in annual report, has recommended to the United States Congress the enactment of legislation placing postmasters of the first, second, and third class in the classified civil service; and

Whereas a poll conducted by the American Institute of Public Opinion disclosed an affirmative vote of 86 percent in favor of this highly desirable governmental reform; and

Whereas on July 20, 1936, the President of the United States issued an Executive order providing a transient method of filling vacancies in the office of postmaster; and

Whereas we feel that a legislative short-cut to the establishment of the principle of "civil service" for these positions would be to confirm by statute the Presidential Executive order covering this matter, thereby hastening the day when postmasterships would be opened to the career men and women of the Postal Service, as compared to the time which will elapse if they must wait for political parties to reconcile their views on this question: Now, therefore, be it

Resolved, By Detroit Federation of Post Office Clerks, in regular meeting assembled, that we do hereby go on record as petitioning the Seventy-fifth Congress to enact into law a statute giving legislative effect to the Presidential Executive order of July 20, 1936: and be it further

Resolved, That copies of these resolutions be dispatched by air mail to the Michigan delegation in Congress and to the members of the United States Senate and House of Representatives Committee on Civil Service, during Civil Service Week.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 4 minutes to the gentleman from Wisconsin [Mr. BOILEAU].

Mr. BOILEAU. Mr. Chairman and members of the Committee, there are very few Members of this present House of Representatives who have served under both Republican and Democratic administrations and who have never made a recommendation to the Post Office Department for the appointment of a postmaster.

I happen to be one who has enjoyed that position. I use the word "enjoy" advisedly because in my judgment there is no real advantage to the individual Member of Congress who is burdened with the responsibility of recommending persons to be appointed as postmasters.

The reason I have not made such recommendation is obviously because I have not been requested to do so.

The political party to which I belonged was at one time in power, but I was not in harmony with its leadership, and now we have a President whose candidacy I supported, but I am not of his political party.

In the one instance, I was in the right party, but supported the wrong candidate, and now we have a President whom I supported, but I belong to the wrong political party.

I do not find fault with those who have made the recommendations, because from time immemorial it has been the custom for the members of the political party in power to make these recommendations.

I do feel, however, that now that the people of this country have finally accepted the progressive viewpoint with reference to the civil service, and in view of the fact that candidates from all political parties were in more or less unanimity of opinion during the last election to the effect that hereafter civil service shall apply to the appointment of postmasters, that we should now write a bill that will not compromise the issue, that we should now enact legislation that will effectively put an end to the bad system that has prevailed in the past; and I believe we should here and now write a real bill that will put the postal department entirely and completely under the civil service. The bill we have before us today, in my judgment, does not meet that requirement. There is still room for too much politics in this bill. I am glad to have the opportunity as a Member of this House to discuss this proposition, and I sincerely hope that when amendments are offered to it to take politics out of the Post Office Department that those amendments will be adopted and we will enact here today a bill providing for a real merit system in the Post Office Department. I shall be glad to support the amendment to be offered by the distinguished gentlewoman from Massachusetts [Mrs. ROGERS] in which she will attempt to take politics out of the postal department. I am glad that finally the Democratic leadership has brought a bill before us. Obviously it would have come with better grace had the proposition been submitted 4 years ago, or even 2 years ago, but, after all, I do not suppose that is of particular concern to any of us, and I feel that those of the political party I represent have more to lose than any other political party, because I am confident that before many years go by those of us who have been in the decided minority in this House will be in a position where we will have an administration that is representative of the progressive movement in this country; but I submit to you that regardless of whether the prospects of progressives controlling the destiny of this country should come to pass or not, I am willing now to cooperate with those who want to make a real honest-to-God merit system prevail in the civil service and in the Post Office Department. [Applause.]

Mr. RAMSPECK. Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas [Mr. MCCLELLAN].

Mr. MCCLELLAN. Mr. Chairman, I certainly do not want anything that I may say construed as being antagonistic to the civil service. I have no complaint to make against the Civil Service or the Post Office Department as to any treatment that I have been accorded by either since I have been representing my district in Congress. The position that I occupy with reference to this bill is that it is my humble judgment and my conviction that it is only a camouflage and is not going to serve the purpose and accomplish the results that the advocates of it proclaim it will. In the very first place, the bill provides that if the present postmaster can pass a noncompetitive examination, he is entitled to a lifetime appointment; and inasmuch as every postmaster did pass the civil-service examination to get his present position, I therefore assume that they can all pass. Then, if you are going to put it on the merit system, may I ask you, if they are going to be appointed for life, why should one man just recently appointed postmaster, whether I appointed him or you in your district appointed him, be given that advantage by reason of his political ties that got him his present appointment? Is there any merit in giving him that advantage over every other good citizen of his community? The answer is, "No!" [Applause.]

This bill also gives incumbent postmasters an advantage over those who have a civil-service status and who have possibly worked for years in trying to merit promotion. A clerk or assistant postmaster in a first- or second-class post office, who has civil-service status, would be barred from appointment, since preference under the bill is given to the present postmaster, notwithstanding he may be a recent political appointee.

I certainly have no quarrel with the postmasters in my district. They are my friends, and of the entire number I only have a complaint pending from the patrons against one, and this complaint is political rather than regarding his conduct in office.

Mr. Chairman, I am ready to support a genuine civil-service bill, one that is free from camouflage and pretext,

but, as indicated and admitted by the distinguished chairman of the committee, the gentleman from Georgia, we can pass this present bill, and when a competitive examination is called for a postmastership the Civil Service, under this bill, will certify the three making the highest grades to the Postmaster General, who then is privileged to select one of the three so certified as eligible. The question then arises, How will the Postmaster General go about determining his choice? Will he consult the Member of Congress in whose district the appointment is to be made, or is it the purpose of this measure that instead he may consult others and ignore recommendations from Members of Congress?

Under these conditions, Mr. Chairman, it occurs to me that the Postmaster General might in one instance recognize and follow the recommendation of a Member of the House and in the next disregard it. If this practice should be pursued—and this bill not only permits it but sanctions it—Members of Congress will find themselves in a situation where they will receive the blame for everything that goes amiss in the administration of the law and in the making of postmaster appointments, whereas they can never be certain whether they really have any authority or responsibility in connection with it.

In other words, there will be divided and uncertain responsibility with reference to post-office appointments, and we will not be able to convince our constituents that we have no authority in connection with the appointment of the postmaster in their community, and neither can we tell them we do have the authority and be certain we are telling the truth, because under this bill we will have it if the Postmaster General cares to ask us, and if he chooses not to, we would not have a thing to do with it, and we will then be blamed for any action the Postmaster General takes, even though he so acts without our recommendation.

In other words, this bill creates more confusion and does not clarify the situation that exists today, but leaves it more speculative and uncertain.

If the Civil Service Committee and the leaders of the Democratic Party will bring in here a bill that will wholly remove politics from the appointment of postmasters, I shall gladly support it, but as long as politics is going to have some influence in their selection, then I choose to accept full responsibility for any appointments made in my district.

This is not a civil-service bill, and it does not do and will not obtain the results its sponsors claim for it. [Applause.]

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. SHANNON].

Mr. SHANNON. Mr. Chairman, I am in an awkward position here today. I am not against this bill for any of the reasons given by its opponents, nor am I for it for any of the reasons given by its proponents. I consider it a step in the wrong direction.

The only direct contact the people have today with the Federal Government is through the postmasters of their respective communities. And now a bill is presented under which postmasters in the future would be selected from those gentlemen who can accurately state on an examination paper the number of feet it is to heaven or the number of feet it is to hell.

A man may be the most respected and successful citizen in a community, and he may be thoroughly conversant with the needs and wants of that community, and yet be barred from serving as its postmaster because he cannot turn in a perfectly composed examination paper. It would be as foolish to select postmasters in great business centers by civil service as it would be for the President to select his Cabinet officers in that manner.

I want the postmasters left just where they are today, to be selected from the community as they have been for all time. I wish to remind my good friends who have been saying such beautiful things in support of this bill and the civil service and its sponsors of the past that all was not as rosy as they would have you believe. George Pendleton, a Democratic Senator from Ohio, was really the father of the civil service. When he went back to his State after sponsoring that legislation he was denied renomination by his party.

A little later Stephen Grover Cleveland came along. He removed from office the Federal district attorney of my district, M. E. Benton, who afterward served in this body, charging him with "pernicious activity in politics."

A previous speaker here today queried whether the membership of this House possessed intestinal fortitude enough to stand by what is right. That caused me to recall a man of an earlier day who had that quality in abundance. I refer to George Graham Vest, a great United States Senator from Missouri.

Mr. Vest called upon President Cleveland after Mr. Benton's removal from office and asked for an explanation of this drastic action. Cleveland said:

> Yes; I did remove him. He made a Democratic speech, and I consider that pernicious activity in politics.

Then Senator Vest said:

> Mr. President, if he is not reinstated instanter there will be the damndest lot of pernicious activity in politics when the Senate meets that this country ever heard of.

[Laughter and applause.]

M. E. Benton was reinstated.

Civil service in those days was carried to an extreme that smacks of the bill now under consideration.

I have been intimately acquainted with every postmaster, both Republicans and Democrats, in my community for the past 50 years, and there was only one in that time who did not give proper service and consideration to the humblest citizen. One President appointed what was known as a "career man", a man from the ranks, as postmaster in our city, and he was the most arrogant, offensive, and unpopular man who ever held public office. [Laughter.] And he was the only one of that type in 50 years.

Too much weight is being placed on this career business. What we want in public office is more common sense. The position I take in no way conflicts with civil service as it exists today. We want our postmasters of the future, as they have been in the past, to be selected from the business world of the community they represent. The worst thing that could happen to the hundreds of thousands of civil-service employees in the Postal Service would be to have a canned career man placed over them as their superior. They, as well as the citizens, want for postmaster a man or a woman who is truly representative of both their community and the Federal Government. They do not want a career man. [Applause.]

[Here the gavel fell.]

Mr. RAMSPECK. Mr. Chairman, I yield 3 minutes to the gentleman from Nebraska [Mr. LUCKEY].

Mr. LUCKEY of Nebraska. Mr. Chairman, today we are taking a great step toward the goal of efficiency and economy in government. Efficiency and economy are the two chief interests of the average citizen and taxpayer in this country. The average man on the street wants the best government and the best governmental services which can be provided at the least possible cost.

One of the greatest services which this Government renders is that provided by the Post Office Department. The Postal Service affects practically every man, woman, and child in this country. These things being true, efficiency in the Postal Service is a goal worth striving for and one which we will realize in this body today.

Since the first civil-service law was passed under President Arthur in 1883 there have been many extensions of the application of civil service and the merit system. President Theodore Roosevelt placed part of the fourth-class postmasters under civil service, and President Taft completed that work as it applies to the fourth-class postmasters. Postmasters of the first, second, and third classes have not fared so well on the extension of civil service. President Wilson brought them within the civil service by Executive

order, but his successor, President Harding, promptly dumped them back into the spoils grab bag.

At the beginning of the last session of Congress I introduced a bill to place first-, second-, and third-class postmasters under civil service. Hearings were held on my bill, along with other bills which had been introduced at the same time and for the same purpose. The final outcome was the reporting out of this present bill we are discussing, introduced by the distinguished chairman of the Civil Service Committee [Mr. RAMSPECK]. When that action was taken, I threw my entire support behind our distinguished chairman's bill, and it is this measure upon which we shall take favorable action today.

This is supposedly a land of opportunity, where from humble beginnings one may work his way to the top by virtue of ability, hard work, and contributions to the business in which he is engaged. Under the Ramspeck bill those entering the Service have the incentive of being able to advance to the highest-paid positions. The bill tears down the existing barrier which divides those who can and cannot be at the top just as clearly as the caste system in India divides the elect from the untouchables. Competitive examinations open the gateway to opportunity and service.

It is with these thoughts in mind that I say, "Pass this bill and widen the highroad of opportunity for the employees and increase the efficiency of governmental service to the American people." [Applause.]

The CHAIRMAN. The time of the gentleman from Nebraska [Mr. LUCKEY] has expired.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. FADDIS].

Mr. FADDIS. Mr. Chairman, I want to direct the attention of the members of the Committee this afternoon to the fact that in considering this legislation we should consider the fact that it not only pertains to "freezing" postmasters in office but also the fact that we are adding one more chain to our system of bureaucracy. You are promoting the growth of that Frankenstein of bureaucracy that will eventually strangle representative government in this Nation. Whenever you add a great block of employees to this merit system you are assisting in forming a block that will soon result in being the strongest political block ever known in this Nation and will one day not far distant dictate the legislative policies of this Nation.

As I conceive the United States of America, it is a government wherein the government derives its just powers from the consent of the governed. Under a system of bureaucracy that is impossible. The people lose control when their Government gets into the hands of those who hold their positions for life.

The principles behind this measure may sound idealistic, but this Government was not conceived upon a policy wherein the principles of government were to be dictated by any block or blocks within this Nation. Eventually we are going to hand over all of the power of this Government to bureaus. As surely as we place all postmasters under civil service, just as surely are we building up this bureau, and just so much more power will we give them to enable them to dictate to us the policies of government.

There is no man within the range of my voice but who knows that every time he goes down town to one of these bureaus he is regarded with contempt. There is not a Member of this House but who knows deep down in his heart that bureaucracy is overwhelming representative government; that bureaucracy has rendered him helpless to fulfill the purposes for which he was sent here by his constituents. There is nothing to be ashamed of in politics. This is the greatest nation in the world, and it was made so by politics. Our system of government is a political system.

Therefore I ask you to defeat this bill. I ask you to strike a blow at this system of bureaucracy which, as I have said before, will eventually overwhelm representative government in this Nation if it is not checked.

[Here the gavel fell.]

Mr. RAMSPECK. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS. Mr. Chairman, I want to speak in behalf of this measure for just one general reason: That is, because I am interested in the rank and file of workers in the Postal Service of this country, who, I believe, are as fine a group of people in public service as I know. I feel it is a step in the right direction to give those men a chance to hope for regular promotion in the future.

I am not interested in it from a political standpoint myself. There are about 30 post offices in my district, and since this is my first term I obviously have had nothing to do with the appointment of any of the postmasters. But every time we are faced with taking the first step in the direction of certain reforms of this character the cry is always raised, "Now is not the time!"

I believe we have to take that step. I believe myself there could be certain improvements in the legislation. I believe the plan will have to be improved as time goes on; but, in general, I think the big issue is here now and has a lot to do with the promotion of the President's plan of reorganization of the Government, in which I am sincerely interested, and which I hope we are going to be able to carry through.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Chairman, I have been greatly interested in one phase of the discussion here today; in fact, I have been deeply interested in all of it, but there is one phase which has not been touched upon with emphasis, although I believe the gentleman from Kansas [Mr. REES] mentioned it, and that is the affording of a career opportunity for men in the Postal Service.

My colleague the gentleman from New York [Mr. MEAD], chairman of the Post Office Committee, led us to believe that this bill would do it. The gentleman from California [Mr. VOORHIS], who has just spoken, gives that as one of his principal reasons for supporting this bill. I think it can be demonstrated that this bill means utter stagnation in the matter of promotion for the overwhelming majority of the Postal Service. If you will look at the second section, you will find that no person will be eligible for appointment as a postmaster of the first, second, or third class unless he or she has resided for 1 year within the delivery area of the post office to which he or she is to be appointed.

Now, let us consider this in connection with the provision of the first section to the effect that an incumbent, after taking a noncompetitive examination and meeting the standards, we will say, fixed by the Postmaster General, is to be appointed for life. All right; let us go to a third-class post office anywhere. The incumbent takes the noncompetitive examination and is appointed for life. The assistant postmaster under him cannot get any promotion until the other man dies; he is absolutely stagnated where he is. To become a third-class postmaster he would have to resign his job as assistant postmaster and go to live in another delivery district for a year; and, of course, he cannot afford to do it.

Mr. McCLELLAN. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. McCLELLAN. And the present assistant postmaster cannot, under the terms of this bill, do it, for the present incumbent will have a permanent life appointment.

Mr. WADSWORTH. Certainly. Let me proceed. If I am mistaken, I shall be glad to be corrected. He has no chance, of course, in the beginning of this game. I am trying to demonstrate that he will never have any chance until the other man dies, and that may be 40 years.

Mr. McCLELLAN. Mr. Chairman, will the gentleman yield further?

Mr. WADSWORTH. I yield.

Mr. McCLELLAN. And the man who is present postmaster precludes him from having a chance, under the terms of this bill, from getting into that position by reason of politics, does he not?

Mr. WADSWORTH. Yes; but that is incidental.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. My time is so limited I regret I cannot.

Let us now take the case of the third-class postmaster who is appointed under the terms of this bill. Talk about a career. How can he ever become a second-class postmaster, one step up the line? To do so he would have to resign his third-class postmastership, move into another district, live there a year, and then try to get in. He will not do it, of course. Take the second-class postmaster; how is he ever going to become a first-class postmaster? He cannot unless he resigns his second-class postmastership, moves to another area, waits a year, and then tries through this bill.

To say that this bill in any important degree opens the door to the laborer in the Postal Service to go to the top of the list is utter nonsense. It stagnates all promotion so long as the system starts with appointment for life of the present incumbent. There the barrier is erected, an insuperable barrier.

Mr. RAMSPECK. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. RAMSPECK. I wish the gentleman would tell us what he thinks would be the case if we appointed the new postmaster without term.

Mr. WADSWORTH. Yes; but these other men would have a chance.

Mr. RAMSPECK. No more so than now.

Mr. WADSWORTH. They cannot compete under this life term with the incumbents; they are stopped before they begin.

[Here the gavel fell.]

Mr. RAMSPECK. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. LUCAS].

Mr. LUCAS. Mr. Chairman, I rise for the purpose of directing a question or two to the distinguished chairman of the Committee on Civil Service. My only trouble during the last campaign in my district was with certain disappointed seekers for the office of postmaster. I should like to relieve myself of all responsibility to make the selection, or aid in the selection, of postmasters if legislatively possible.

The pending bill, if I understand it correctly, provides that first-, second-, and third-class postmasters shall hereafter be appointed without term by the Postmaster General. If we follow the previous system, is it not a fact that the Postmaster General will interview the Congressman of the district in which the post office is situated for the purpose of getting his recommendation on whether or not the incumbent continues for life?

Mr. RAMSPECK. I cannot, of course, speak for the Postmaster General. All I can say about it is that he could do it or he could refuse to do it, just as he can do it now or refuse to do it under the present law.

[Here the gavel fell.]

Mr. RAMSPECK. Mr. Chairman, I yield 1 additional minute to the gentleman from Illinois.

Mr. LUCAS. Mr. Chairman, in my opinion, the people of a Member's district will hold the Member of Congress responsible for the selection of first-, second-, or third-class postmasters, irrespective of whether the Postmaster General is by law directed to assume such responsibility. And, if this be true, the Member takes on a life responsibility for the appointment of all the postmasters in his district, which will be carried with the Member throughout his career. Instead of lessening the political burden, Mr. Chairman, it strikes me that the bill may increase the political responsibility of every Member of Congress. [Applause.]

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentleman from Mississippi [Mr. COLLINS].

Mr. COLLINS. Mr. Chairman, we have a civil-service rule for the appointment of postmasters now, and that rule is the same as the one applicable to any of the executive departments. In the choice of a stenographer or other civil-service employee by a department, an eligible list is submitted from which the appointment is made. Under an Executive order issued last July that civil-service rule has been changed and the highest eligible will become postmaster, if I read aright that regulation. I dare say the chairman of this committee will tell you that this bill changes that regulation and gives to the Post Office Department three eligibles, as has been the custom in the past.

I dare say he will say that is the case by virtue of an act passed back in 1883; but let me remind the gentleman that the act of 1883 does not so provide.

The authority to submit to the appointing power three eligibles is in pursuance of an Executive order, and the very fact that the President changed this Executive order last July is sufficient indication to my mind that if this act is passed but one eligible will be submitted to the Postmaster General, and that one eligible will become postmaster.

I dare say that under the civil-service examinations that are held not more than 10 percent of the Members of this Congress would be able to pass the examinations for postmaster, for these examinations are upon subjects long since forgotten. There is no telling what types of postmasters we will have if this amendment is adopted. I know of a post office in my district where the first eligible is a poor little consumptive woman in a sawmill town, where the postmaster ordinarily reports for duty in the winter months before daylight. This woman should not be permitted to be postmaster in this little town.

If this bill is passed, we may have any type of unfit person first on the eligible list.

If you think you are shirking responsibility by the passage of this act, you are going to have another guess coming to you after it has been enacted into law. I have three amendments to offer to this bill. I do not know whether you will be able to catch the phraseology of them when they are read or not, but they have been accurately drawn and, if adopted, will put post-office appointments upon the same basis that they are on now and have been in the past.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Chairman, in the closing days of the last Congress this same bill, with possible minor exception, was considered in the House and defeated. I have listened to the debate today. I have read the reports of the committee and I do not find any new material; in fact, this matter has been talked about so long that the subject is threadbare. The country understands what is meant by civil service, and it likewise understands the reason why the Congress has never been able to enact a genuine civil-service law affecting postmasters.

The major political parties in convention assembled year after year declare for economical reorganization of the bureaus and departments of our Government and for civil service, which means efficiency. Yet I am telling you nothing new when I remind you that those good intentions end with the counting of the ballots on election day. It was President Roosevelt who, in the campaign of 1932, said:

> The way we do things and not the way we say things is usually the measure of our sincerity.

Now, let us forget politics and remember, for the moment at least, the admonition of the President. This Ramspeck bill which we are considering is anything but a civil-service measure. Pursued to the last option under the bill, competitive opportunity is given for the selection of postmasters. However, so much discretion is given to the Postmaster General in the selection of postmasters that a competitive merit system does not come into play unless the Postmaster General is dissatisfied with the political appointees holding the positions when the terms of the present occupants expire.

This bill would not be so bad—in fact, it would be a pretty good civil-service bill—if it provided that when the terms of those now holding political appointments as postmasters expire a free and open examination be given. I mean an examination permitting all of those persons in the vicinity of the post office where the vacancy occurs to take the examination who desire to do so and who are properly qualified,

and then let the winner receive the appointment. Or, if that is too stringent, let the Postmaster General select a postmaster from the three applicants having the highest standing as determined by the examination.

This House will not permit such a bill to pass. Amendments will be offered to this effect, but that would destroy the purpose of this bill and many incompetent political henchmen who now hold positions as postmasters would be supplanted by efficient employees. So again I say that the purpose of this bill is to freeze in office politically selected postmasters, and in many cases mere ward politicians who would not possibly be selected in the communities where they reside to be the local postmaster.

If this House wants to enact a real civil-service law, shorn of all camouflage and sure of accomplishing the objective, let me call to your attention H. R. 3129, introduced on January 18, 1937, by the gentleman from New York, Mr. BACON. As I understand it, this bill has the approval of the Civil Service Commission. It will do the job. It will eliminate all possibility of political preferment in the selection of all postmasters. I am calling the attention of the House to this bill before the Ramspeck bill is taken up for amendment under the 5-minute rule. The Bacon bill will be offered as a substitute for the Ramspeck bill, and here is an opportunity to show whether or not you are for genuine civil service or Democratic political civil service. Listen to me, you advocates of civil service on the hustings just before election. Again I say that here is an opportunity where "the way we do things and not the way we say things is the measure of our sincerity."

It seems inconceivable that in a matter of this kind the members of this body will follow blindly and vote for this measure when an opportunity will be given to place these positions under a civil service not subject to deceit and insincerity.

The Bacon bill will be offered in a motion to recommit, so that there will be a record of those who want to vote for civil service and those who give the impression they want to vote for civil service. Here is a case where you cannot serve two masters. Here is a clean-cut, straight issue, and in order that there can be no misunderstanding as to just what the Bacon bill is I read it, as follows:

Be it enacted, etc., That postmasters of the first, second, and third classes, or of any other classes hereafter established, shall hereafter be appointed, without term, by the Postmaster General in accordance with the provisions of this act and the Civil Service Act of January 16, 1883 (22 Stat. 430): *Provided*, That no recommendation by any Senator or Member of the House of Representatives, or political endorsement or recommendation of any kind, shall be received or considered in making any appointment or promotion under this act: *Provided further*, That postmasters now serving may continue to serve until the end of their terms, but they shall not acquire classified civil-service status at the expiration of such terms of office.

SEC. 2. The Postmaster General shall make appointments of postmasters by promotion of persons within the Postal Service possessing such qualifications as may be approved by the Civil Service Commission.

SEC. 3. If no persons are able to qualify for appointment by promotion under the provisions of section 2, the Postmaster General shall request the Civil Service Commission to hold an open competitive examination under the provisions of the Civil Service Act and rules. In the event the Postmaster General does not select the first name on the eligible register furnished him by the Civil Service Commission, he shall certify to the Commission his reasons for not so doing, which reasons may be made public.

SEC. 4. That all appointments of acting postmasters at offices of all classes shall be made in accordance with the provisions of the civil-service rules governing temporary appointments.

SEC. 5. That it shall be unlawful for any Senator or Member of the House of Representatives to make any recommendation of any person for appointment or promotion as postmaster.

When this same matter was before the last Congress I expressed my views on the floor of the House, and I have not changed them. We are not interested today in the faults or shortcomings of past political Postmasters General. Each administration, regardless of political affiliations, has played more or less politics with postmasters, and that is one of the evils we are trying to overcome. I fully realize that if this measure is given the political tinge and if the administration is back of the measure, it will go through with just such amendments as the dominating organization decrees. It is too much to hope that the large majority in the House will yield to a suggestion on the part of the small minority, especially when political patronage is involved. The people, however, understand what this is all about, and I am hopeful that enough independent thinking and acting Democrats will join with those of us who believe in civil service and enact an honest-to-goodness law.

Civil service and efficiency in all branches of the Government—State and Nation—is being demanded by the people at this time. Taxes are almost unbearable. National expenditures are mounting, rather than receding. Our national debt is increasing, rather than diminishing. Some things are sure, and among them is that we must have more tax money or less expenses. Less expense necessitates not only more economy but more efficiency, and civil service, properly administered, spells governmental efficiency. I beseech you to forget for the moment that you are Republicans, Democrats, Progressives, or Farmer-Laborites. Be patriots, forgetting political jobs and, if necessary, political fortunes, because in the end that which is good for all of the people is good for Members of Congress. I am not unmindful of the fact that in many congressional districts the Representative depends upon his postmasters for his political organization. I have served in Congress under both Republican and Democratic administrations. I know what it means to have practically all Republican postmasters in one's congressional district, and I know what it means to have all Democratic postmasters in one's congressional district. With the political weight on one side of the scales and the efficiency weight on the other side of the scales, there is no question about which way the beam tips. The people are demanding genuine civil service, and the Bacon bill is the proper step in the right direction.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. GRAY].

Mr. GRAY of Pennsylvania. Mr. Chairman, this bill is good to the extent that it repeals that part of the Executive order requiring appointment of the man who is the highest on the civil-service list to the position of postmaster. In every other respect it is bad, particularly when it puts men into office for life tenure.

Let us not be fooled by a play on words. They say that this bill does not give a life term to a postmaster because he may be removed for cause. We might as well say that the President of the United States is not elected for 4 years, because he can be removed for cause. There is no difference in that respect. I will take the chance with any Member of this House in recommending some person for the position of postmaster, and I believe he would do a better job than will come about from a civil-service examination, where no choice of selection is left.

Mr. Chairman, many a nitwit, many a man who could not manage a chick sale, can pass a good examination on paper. Lots of men have a good enough academic education who could not run a peanut roaster. I have in my office now business from the Post Office Department involving a certain postmaster who does not seem, according to the report of an inspector, to be possessed of executive ability, in a sufficient degree to properly manage the office; he had no difficulty qualifying.

The much-lauded merit system! Can men who praise it describe what it is? Yea, what is this merit system we hear so much about?

Ask some of the department officials just how this civil-service system works with them. These days we follow some clever propagandist who gives a pretty name to some pet plan and immediately it finds favor.

Think of putting men into office for a lifetime in a democratic government.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin [Mr. HULL].

Mr. HULL. Mr. Chairman, I am heartily in favor of a real civil-service law for postmasters in the first-, second-, and third-class offices. It is for that reason I am opposed to this bill, which, in my opinion, is not a civil-service bill, but merely

a blanketing bill to give certain powers, certain opportunities, and certain privileges to postmasters who are now in office. I have no objection to these postmasters serving out their terms. I have never appointed postmasters, so I do not know what their political value is, but those who have had this privilege may regard their service as of some importance in campaign time or otherwise.

Mr. Chairman, I believe if we are going to have the postmasters under the civil service, let the general civil-service laws govern applicants for such positions as it does all other people who seek to enter the public service through civil-service examinations. There are certain features of the civil-service law which will be abrogated and some which will not be put into force and operation if this bill becomes a law. One is—and it is an old provision of the law—that a veteran of the World War, or of any other war, shall have preference when it comes to entering the civil service. That preference possibly is not as great as it ought to be, but at least the veterans do have this preference when it comes to taking a regular civil-service examination. We are depriving all of the veterans, unless they happen to be postmasters at this time, of any participation in a contest to become postmasters in their respective communities. In other words, we are taking this preference away from the veterans of the World War and all other wars and giving it to men who may have positions because of their political associations, because they stand in right with political committees or those having the political appointing power.

Mr. Chairman, I am in favor of a civil-service law that means something, but, on the other hand, I believe this law will prevent a real civil-service law being enacted for years for such postmasters.

I believe, instead of this being a step forward in civil service, it means a continuation of the spoils system and the patronage system indefinitely, or during the lives of those who are now postmasters in the various offices.

Mr. RAMSPECK. Mr. Chairman, I yield the balance of the time to myself.

Mr. Chairman, I have no difficulty in understanding my friend from Oklahoma [Mr. NICHOLS] or my friend from Pennsylvania [Mr. FADDIS], because they are frank enough to say to you that they do not believe in civil service and, therefore, they are opposed to this bill. I do not quarrel with them about that, because they are just as much entitled to their disbelief in civil service as I am entitled to my belief in that system, but I am utterly unable to understand the position of some of my friends here who say they are in favor of civil service, but that this is not the way to do it.

This is the only way it has ever been done in the history of the country, with the one exception which I mentioned originally, and which was the bringing under civil service of the Prohibition Bureau during the Coolidge administration, and as I said last year, the only reason that was done was because it had become a stench in the nostrils of decent government and they wanted to have a character investigation of those employees. They put them under a competitive examination and found that a lot of them were crooks and criminals who had been appointed by the patronage system to enforce the prohibition law. This is the truth about it.

Mr. HULL. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I cannot yield now.

This is the only way we can get rid of the spoils system with reference to the first-, second-, and third-class postmasters. The gentleman from New York [Mr. MEAD] has already pointed out the fact that there are more than 25,000 fourth-class postmasters who were brought into the civil service without any examination whatsoever, and this was done by two Republican Presidents, and I praise them for it, because, God knows, if we had had to contend with fourth-class postmasters, in addition to first-, second-, and third-class postmasters, we would all have been defeated long ago [Applause.] This is a political liability, and we are offering what I think is a simple, plain bill to bring these offices within the civil-service law and provide for noncompetitive reappointment of men who have already passed a competitive civil-service examination before obtaining their present positions. This fact cannot be disputed.

Mr. O'MALLEY and Mr. WHITE of Idaho rose.

Mr. RAMSPECK. I must decline to yield now, as I yielded most of my time when I had the floor before.

I now want to talk practical politics with my friends on this side of the aisle. You are faced with a President who is determined to bring these postmasters under civil service. Let us get this straight now. He says we are going to have civil service for them. These are his appointments. You have no authority in the matter unless he gives it to you. You have no right to be consulted by the Postmaster General unless he tells Mr. Farley to consult you. I know this has been the practice, but he stated last July that he would put them under civil service so far as he could and he issued an order requiring that they take the top person on the list. So you have no consultation possibilities under the present Executive order. You have nothing to lose, because it is already gone, except every 4 years you are going to have a contest over these offices in your district and you are going to have people thinking you can do something which you cannot do under the present Executive order.

Let me now answer the statement of the gentleman from Mississippi [Mr. COLLINS]. The gentleman says that I am going to tell you that the "three eligibles" provision is in the law. I am not going to tell you any such thing. This is in the regulations of the Civil Service Commission, approved by the President of the United States. It is on page 25, under "certification." They require that in every vacancy under civil service enough names shall be certified so that the appointing officer shall have at least three to select from in filling any vacancy which he may have before him. This is the regulation and it has been this way ever since we have had a civil-service law. Of course, the President and the Civil Service Commission can change it if they want to, but we have no reason to believe that they will because they have not changed it with reference to any other civil-service appointments.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield to my colleague on the committee.

Mr. RANDOLPH. Is it not a further fact, in answer to the statement of the gentleman from Mississippi, that physical fitness is also a part of the examination?

Mr. RAMSPECK. Exactly; in the case mentioned by the gentleman from Mississippi [Mr. COLLINS], when he spoke of the little lady who was suffering from tuberculosis and was not physically fit to fill the job, of course, she would be disqualified because physical fitness is one of the necessary qualifications for the job.

Mr. WOLCOTT. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I cannot yield now.

I want to say just one other thing in conclusion. This bill complies with the recommendations of the President of the United States as stated in his message on Government efficiency, recommending the extension of the civil service "upward, outward, and downward", and he wants this bill passed. The President favored the passage of such a bill last year. I personally discussed this bill with the Postmaster General a week ago today and went over its provisions, and he stated it was satisfactory to him. It has been approved by the Civil Service Commission. It has the backing of the American Federation of Labor, as well as the United States Chamber of Commerce, the National Association of Business Mail Users, the National League of Women Voters, and of every Federal employees' organization in the United States, and also 85 percent of the people of this country, through the Institute of Public Opinion, have endorsed the extension of civil service in the Federal service.

If you want to quibble about details and find excuses because you are against civil service, I have no quarrel with you; but I believe in civil service. I believe it is the best system we have. It is not perfect and we are going to try to improve it, but I believe we will all be better off if we get rid of this liability so we can attend to our legislative duties on

the floor of this House and not have our time taken up with contests over political positions. We make 25 people mad and very often make 1 ingrate when we make one of these appointments. Let us settle the matter now and get rid of it so that these appointments will not come up unless some man dies or is removed for cause. We can then attend to the business which the Constitution intended we should attend to and give our attention to our legislative duties.

Mr. RANDOLPH. The gentleman will also add the Republican Party to the list of those in favor of the extension of civil service, because their platform so declares.

Mr. RAMSPECK. Yes; the gentleman is correct. This complies with their party platform adopted at Cleveland. It may differ as to details, but when they were in power they never advocated a bill with competitive examinations for the incumbent, and therefore this bill complies with their declarations.

I hope my friends on this side of the aisle will stick to this proposition. This is the first opportunity you have had to carry out the President's message with respect to more efficient government. He declared in favor of extending the civil service outward, upward, and downward, and this is your opportunity to get rid of one of the most troublesome problems we have and to put the postmasters of the country under civil service.

Mr. HOUSTON. Will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. HOUSTON. The gentleman does not believe in the suggestion made by the gentleman from Mississippi as to jobs——

Mr. RAMSPECK. Absolutely not. We will have a character investigation. [Applause.]

The CHAIRMAN. All time has expired, and the Clerk will read.

Mr. BOREN. Mr. Chairman, I make the point that no quorum is present.

The CHAIRMAN. The gentleman from Oklahoma makes the point that no quorum is present. The Chair will count. [After counting.] One hundred and fifteen Members are present, a quorum.

The Clerk read as follows:

Be it enacted, etc., That postmasters of the first, second, and third classes shall hereafter be appointed without term, by the Postmaster General, in accordance with the provisions of the act entitled "An act to regulate and improve the civil service of the United States", approved January 16, 1883: *Provided*, That postmasters now serving may continue to serve until their terms of office expire.

With the following committee amendment:

Page 1, line 7, after the word *"Provided"*, strike out the words "That postmasters now serving may continue to serve until their terms of office expire" and insert "That postmasters now serving who have satisfactory records shall continue to serve until their 4-year terms of office expire, after which they may be reappointed without terms in accordance with the provisions of section 2 of this act."

Mr. COLLINS. Mr. Chairman, I offer the following amendment to the committee amendment.

The Clerk read as follows:

Page 2, line 1, strike out the words "without term" and insert "for the term of 4 years."

Mr. COLLINS. Mr. Chairman, ladies and gentlemen of the Committee, the purpose of this amendment and the two others that will follow this one is to put the appointment of postmasters exactly on the footing with which we have always been acquainted—in other words, an appointment for a term of 4 years after a competitive examination and from a list of three eligibles submitted to the Post Office Department by the Civil Service Commission, or with the right vested in the President to reappoint the incumbent.

Those of you who have copies of the bill please turn to page 2. The first amendment offered is to strike out the words "without term" and insert in lieu thereof "for the term of 4 years."

Mr. WOLCOTT. Will the gentleman yield?

Mr. COLLINS. No; I decline to yield until after I have finished my remarks. The second amendment is on page 1, line 4, and strikes out the words "without term by the Postmaster General" and inserts in lieu thereof "for a term of 4 years by the President."

When the President makes the appointment there is a confirmation by the Senate of the United States. The object of having the Postmaster General appoint rather than the President is to take away from the Senate the right or duty of confirmation.

The third and last amendment I propose is on page 2, line 15, after the word "postmaster." It strikes out all of the matter down to and including the word "promotion" in line 20 and in lieu thereof inserts the following: "or among the three highest on a list of eligibles certified by the Civil Service Commission after an open competitive examination is held by the Civil Service Commission."

Mr. MANSFIELD. That will be offered only in the event that the other two amendments are adopted?

Mr. COLLINS. Yes; in the event that the other two are adopted.

The object of the amendments is to authorize postmasters to be appointed as they have been for a long number of years; and if these amendments are adopted, that course of procedure will follow. I do not know of any public officer in this country more capable of selecting a postmaster from that eligible list of three—a person suitable to be postmaster—than the Congressman who represents the particular district in which a vacancy exists. I assume that our constituents have elected us to represent them, and that we have not come here for the purpose of shirking responsibility. I assume that when we come here we are supposed to represent the best interests of the people of our respective districts. There is not a more important public officer in any little town in your district or mine than the postmaster, and a Congressman is certainly more able to select a suitable one from an eligible list than some $2,500 clerk in the Civil Service Commission; for, after all, selection will come in that manner. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. RAMSPECK. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Mississippi. I do not think it is necessary to say to this Committee that the adoption of the amendments offered by the gentleman from Mississippi means that there will be no civil-service for postmasters. There are some 350,000 positions under the classified civil service in this country, and the gentleman from Mississippi [Mr. COLLINS] cannot point to any position in the classified civil service that has a definite term of office. That is one of the cardinal principles in the civil service. It is to have the appointment during good behavior and without term. The only thing that the incorporation of his amendments into the bill would do would be to nullify the entire purpose of the legislation.

Mr. SIROVICH. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. Yes.

Mr. SIROVICH. Does the gentleman not think it is the duty of a Member of Congress to come here and legislate for his constituents and not merely to become a glorified job hunter?

Mr. RAMSPECK. I think our job is to legislate. These positions are in the executive branch of the Government, and under our system of government they are supposed to be a part of the executive department and not a part of the legislative department. The first two amendments would nullify that entire part of the bill and the second amendment would take away from the employees in the post office any opportunity of becoming promoted to the position of postmaster, as provided in this bill.

Mr. NICHOLS. Mr. Chairman, I move to strike out the last word.

Mr. RAMSPECK. Mr. Chairman, will the gentleman yield to me for a unanimous consent request?

Mr. NICHOLS. If it is not to be taken out of my time.

The CHAIRMAN. It will be taken out of the gentleman's time.

Mr. NICHOLS. I cannot yield.

Mr. Chairman, I am assuming that the gentleman from Mississippi [Mr. COLLINS] has had his amendments prepared by some one who knows what they are doing, and I suppose he speaks advisedly when he says that if his amendments are adopted they will put the selection of postmasters right back to where it was before the President's Executive order was signed. For that reason I propose to support the amendment, and in so doing I ask the membership of this House to support it also. Then, in reply to the gentleman from Georgia, I would like to inquire, what is the matter with the so-called spoils system? Of course it will take it back to the spoils system, but what is wrong with that?

This is the greatest Government under the sun, and in the 150 years of its life we have forged ourselves to the head of the procession of nations of the world under a political form of government of the spoils system if you choose to call it that. It is our system of government and has been for the 150 years of our existence as a nation. Why, then, should we abandon it now? Are we sorry to discover that under it our Government has made such progress? I want this selection of postmasters to go back to the old system. I say, as does the gentleman from Mississippi, that I am better qualified to select a man to be postmaster in any of my towns than any member of the Civil Service Commission. [Applause.] And I am not afraid to take the responsibility either. Are you gentlemen going to admit that you are not possessed of a sufficient amount of intelligence so that you can find a man who is qualified to be postmaster in one of your post offices?

Certainly my distinguished friend the chairman of the committee could not have meant what he said when he said that the postmasters now were more corrupt and inefficient than they would be under the system proposed in this bill. No; he does not mean to lay that blanket charge at the feet of the Members of this body. I think every Member here is capable of selecting a man who can take care of the duties of a post office.

The chairman says that there is no use talking about the spoils system, because it is gone. Oh, no; it has not. And let us not try to fool anyone; that system will never be gone as long as we have our present form of government. This Executive order that they flaunt in your face can be changed by this body today by the adoption of this amendment. Of course, you might say that the President could issue another Executive order. Maybe he could, but he could issue another Executive order over your bill if he could over this, supposing the amendments were adopted.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. RAMSPECK. Mr. Chairman, I ask unanimous consent that all debate upon this section and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection?

Mr. WOLCOTT. Reserving the right to object, do I understand this would preclude any further debate on any other amendment to this section?

The CHAIRMAN. That is the purport of the request.

Mr. WOLCOTT. Then I object.

Mr. RAMSPECK. How much time does the gentleman want?

Mr. WOLCOTT. There are several amendments to the section which I would like to discuss.

Mr. RAMSPECK. Very well.

Mr. O'MALLEY. Mr. Chairman, I rise in opposition to the pro-forma amendment.

Mr. Chairman, this particular question was considered some year and a half ago, and I voted for the bill then brought in by the committee with a hope we would get real civil-service legislation. But with this bill before me today I am trying to decide whether this is a bill to promote the merit system or whether it is a bill to keep some admitted incompetents in office and perpetuate bureaucracy.

The gentleman from Mississippi [Mr. COLLINS] has offered an amendment that I favor. If that amendment were adopted, I could vote for the bill with a clear conscience. His amendment puts back into the bill the power of the people to continue to be a check upon some of these postmaster appointments. As the bill reads now, the Postmaster General will be the sole authority as to which name shall be selected from the names submitted by the Civil Service Commission. If anybody in this House has ever taken a noncompetitive civil-service examination, he knows what a lot of "boloney" that kind of examination is. I have taken some of them. I have seen a man with no education get on the top of the list and a college graduate be eliminated because he did not have the right letters coming in and he did not know the right politicians, not because he did not give the right answers. A noncompetitive examination is a lot of bunkum, and there is not anybody in this House who does not know that is a fact. If the Senate has the right to continue to pass upon who shall be appointed, then the people have some rights and they have some protection that the present bill seeks to deny them.

The amendment offered by the gentleman from Mississippi [Mr. COLLINS] puts the appointive power back in the President, and I assume from that that the Senate will have to confirm. That is the first safeguard. If this is a bill to keep in jobs people who are competent, as the committee maintains, why not make the present postmasters take a competitive civil-service examination after they have served? Certainly they have the benefit of 2 or 3 years on the job, and if they cannot pass a competitive examination against outsiders who never worked in the post office, they ought not to be kept in office anyway. I do not care whether they are Democrats or Republicans—if they are afraid of competition they must be incompetent. But under this bill as it is brought in now, without the amendment offered by the gentleman from Mississippi, you leave it to the Postmaster General to decide to retain them after they take a noncompetitive examination. I have nothing but high regard for the present incumbent, but it has been traditional that the Postmaster General is the head of the political organization of the party that is in power. What a field for political skullduggery if this bill is not amended.

Let us adopt the amendment offered by the gentleman from Mississippi and make it a real bill providing for a real merit system, instead of a bill to vest power in new government bureaucrats.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. O'MALLEY] has expired.

The question is on the amendment offered by the gentleman from Mississippi [Mr. COLLINS].

The question was taken; and on a division (demanded by Mr. O'MALLEY) there were ayes 122 and noes 98.

Mr. RAMSPECK. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. RAMSPECK and Mr. COLLINS to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 144, noes 110.

So the amendment was agreed to.

The CHAIRMAN. The question is on the committee amendment as amended.

The committee amendment as amended was agreed to.

Mr. COLLINS. Mr. Chairman, I have another amendment on the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. COLLINS: On page 1, line 4, strike out the words "without term, by the Postmaster General" and insert in lieu thereof "for a term of 4 years by the President." In lines 5, 6, and 7, page 1, strike out the following: "in accordance with the provisions of the act entitled 'An act to regulate and improve the civil service of the United States', approved January 16, 1883."

Mr. COLLINS. Mr. Chairman, I ask recognition on the amendment.

Mr. Chairman, this is merely a clarifying amendment, and is in line with the language of the amendment just adopted, and carries substantially the same words and has the effect of making the terms of postmasters 4 years instead of life.

Mr. MANSFIELD. In other words, if the other amendments should be adopted, this amendment should be adopted?

Mr. COLLINS. Yes. I yield back the balance of my time.

Mr. RAMSPECK. Mr. Chairman, I just want to say to the membership that, of course, if these two amendments are

adopted, especially the last one, then you have killed the whole effect of this bill and you go right back to what you have now with the President's Executive order, where you must take the top person on the list, and you have no change in the present arrangement whatsoever.

It is virtually equivalent to killing this bill.

Mr. NICHOLS. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. NICHOLS. Is not the gentleman in error when he says that if these amendments are adopted the selection must be made from no. 1? As a matter of fact, I was under the impression—and I just asked the author of the amendment—that if these amendments were adopted selection would be made from the top three on the eligible list.

Mr. COLLINS. That is right.

Mr. RAMSPECK. No such amendment has yet been offered.

Mr. COLLINS. I beg the gentleman's pardon. The third amendment has been read, and is in terms as follows:

Or from the three highest on the list of eligibles certified by the Civil Service Commission after an open competitive examination held by the Civil Service Commission.

And it will be the next amendment I offer.

Mr. RAMSPECK. Then I was right. I repeat and reiterate that the amendment has not been adopted. Under the law the appointment of postmasters is vested in the President, and will continue to be unless Congress passes some other law stating how these appointments shall be filled.

Mr. O'MALLEY. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. O'MALLEY. This amendment, as I understand it, merely substitutes the President in place of the Postmaster General.

Mr. RAMSPECK. That is true, that is the first part of the amendment; but the second part strikes out "in accordance with civil-service laws and rules."

Mr. O'MALLEY. The gentleman does not object to the President's having the same say he always has had on postmasterships?

Mr. RAMSPECK. Yes; I do. I want them appointed by the Postmaster General without term under the civil-service law.

Mr. O'MALLEY. The gentleman does not object to the Senate having the final say, does he?

Mr. RAMSPECK. Yes; I do. I want them to have no say whatever about it.

Mr. O'MALLEY. Well, the Senate is the people; and the people are not to have any final say as to who is to be postmaster?

Mr. RAMSPECK. I want them to be under civil service, to be under the merit system.

The CHAIRMAN. The question is on the amendment of the gentleman from Mississippi.

Mr. RAMSPECK. Mr. Chairman, I ask for a division of the question.

The CHAIRMAN. The gentleman from Georgia asks for a division of the question. The Clerk will report the first part of the amendment.

The Clerk read as follows:

On page 1, line 4, strike out the words "without term by the Postmaster General" and insert in lieu thereof "for a term of 4 years by the President."

The CHAIRMAN. The question is on that part of the amendment just read by the Clerk.

The question was taken; and the Chair being in doubt, the Committee divided; and there were—ayes 120, noes 127.

Mr. COLLINS. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. COLLINS and Mr. RAMSPECK.

The Committee again divided; and there were—ayes 152, noes 115.

So the amendment was agreed to.

The CHAIRMAN. The question is on the second portion of the amendment, which the Clerk will report.

The Clerk read as follows:

In lines 5, 6, and 7, of page 1, strike out the following: "In accordance with the provisions of the act entitled 'An act to regulate and improve the civil service of the United States', approved January 16, 1883."

The CHAIRMAN. The question is on the second part of the amendment of the gentleman from Mississippi.

The question was taken; and on a division (demanded by Mr. RAMSPECK) there were—ayes 120, noes 100.

So the amendment was agreed to.

The Clerk read as follows:

SEC. 2. Appointments to positions of postmaster at first-, second-, and third-class post offices shall be made by the reappointment and classification, noncompetitively, of the incumbent postmaster, or by promotion or transfer from within the Postal Service in accordance with the provisions of the Civil Service Act and Rules, unless the Postmaster General certifies to the United States Civil Service Commission that there is no qualified person serving in the vacancy office available for such promotion or transfer.

With the following committee amendment:

Strike out all of section 2 and insert:

"SEC. 2. Appointments to positions of postmaster at first-, second-, and third-class post offices shall be made by the reappointment and classification, noncompetitively, of the incumbent postmaster, or by promotion from within the Postal Service in accordance with the provisions of the Civil Service Act and Rules, unless the Postmaster General certifies to the United States Civil Service Commission that there is no qualified person serving in the vacancy office available for such promotion. No person shall be eligible for appointment under this section unless such person has actually resided within the delivery of the office to which he is appointed, or within the city or town where the same is situated for 1 year next preceding the date of such appointment, if the appointment is made without competitive examination; or for 1 year preceding the date fixed for the close of receipt of applications for examination, if the appointment is made after competitive examination."

Mr. COLLINS. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. COLLINS to the committee amendment: On page 2, line 15, after the word "postmaster", strike out all of the matter down to and including the word "promotion" in line 20, and in lieu thereof insert the following: "or from among the three highest on a list of eligibles certified by the Civil Service Commission after an open competitive examination held by the Civil Service Commission."

Mr. COLLINS. Mr. Chairman, if this amendment is adopted the incumbent postmaster can be reappointed for a further term of 4 years or an eligible from the civil-service register can be appointed after a new examination has been held by the Civil Service Commission. This is exactly what the amendment does, and all that it does.

Mr. O'MALLEY. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. I yield.

Mr. O'MALLEY. The gentleman's amendment makes the examination competitive, so that the incumbent, if fit, should be able to pass it, and if not fit, will be succeeded by somebody else.

Mr. COLLINS. The incumbent can be reappointed.

Mr. MANSFIELD. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. I yield.

Mr. MANSFIELD. Ought not the gentleman's amendment be so modified as to strike out in line 13 the word "shall" and insert the word "may"?

Mr. COLLINS. I submit to the gentleman from Texas that the words "shall' and "may" in this sense mean identically the same.

Mr. FLETCHER. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. I yield.

Mr. FLETCHER. In case the present incumbent of the office were over the age limit, he could not get on an eligible list.

Mr. COLLINS. The civil-service rules already apply.

Mr. FLETCHER. But he would not be of eligible age.

Mr. RAMSPECK. Mr. Chairman, I call the Committee's attention to the fact that under this amendment the possibilities of promotion from within the Postal Service are eliminated. It would be true, of course, that any post-office employee could take the competitive examination, but this amendment destroys any possibility of what I understand to be a career service, where men can be promoted up the line

and get to be postmaster; they would have to stand a competitive examination.

Mr. COLLINS. The rule would be identically as it is now.

Mr. O'MALLEY. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. O'MALLEY. According to the committee's bill, is it possible for an employee of the Post Office Department to be appointed without taking a civil-service examination?

Mr. RAMSPECK. Absolutely. He can be under the express terms of this bill.

Mr. O'MALLEY. Is that not a great advantage over the outside public who may wish to get a chance at the postmastership?

Mr. RAMSPECK. That is because he is under the civil-service system.

Mr. COLLINS. Every clerk in the post office would be on the same footing as everyone else.

Mr. RAMSPECK. Mr. Chairman, I want the Members, especially those on this side who have been pleading for a real civil-service system, to know if they vote for this amendment they are voting out any possibility of a career system in this bill and denying the post-office employee the right to be promoted to the position of postmaster.

Mr. MICHENER. Will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from Michigan.

Mr. MICHENER. Can that situation be remedied by adopting the Bacon bill, which is a real civil-service bill, and will be offered as a part of a motion to recommit?

Mr. RAMSPECK. I doubt if the Members on the gentleman's side will vote for the Bacon bill.

Mr. NICHOLS. Will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from Oklahoma.

Mr. NICHOLS. May I ask the gentleman if under the provisions of the amendment we are considering he will admit it would be possible for any civil-service employee in a post office to compete with anybody else and become postmaster if he can pass the civil-service examination?

Mr. RAMSPECK. I have said that in my previous statement, I may say to the gentleman from Oklahoma. I am not trying to cover up anything. I said he could still take the competitive examination.

Mr. NICHOLS. Then how can the gentleman say he is being discriminated against?

Mr. RAMSPECK. I say you are destroying the career system. I am trying to build up a system whereby a man may go in for a career and hope to be promoted on the basis of merit and efficiency.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. COLLINS] to the committee amendment.

The question was taken; and on a division (demanded by Mr. RAMSPECK) there were—ayes 125, noes 95.

So the amendment to the committee amendment was agreed to.

Mr. WADSWORTH. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. WADSWORTH: Page 2, line 20, after the word "promotion", on line 20, page 2, strike out the remainder of the sentence ending with the word "examination", on line 25, and insert the following: "No person shall be eligible for appointment under this section unless such person has actually resided within the State or Territory in which the office to which he is appointed is situated for 1 year next preceding the date of such appointment"; and strike out the remainder of section 2.

Mr. WADSWORTH. Mr. Chairman, much has been said here this afternoon about opening up a career service for members of the Postal Service. I tried to call the attention of the committee to the language commencing in line 20, page 2, during my remarks earlier in the day and pointed out that the language, which restricts eligibility amongst applicants to those who have resided for 1 year within the delivery area of the post office to which they desire appointment, has the effect of stagnating promotion for all second- and third-class office employees. They cannot move out and establish residence for 1 year in some other district.

My amendment is to enlarge the area in which postal employees, presumably career men, may be eligible for promotion by changing it from the present provision, which reads "delivery area", to the State or Territory in which the office is located. This will greatly simplify the administration of the civil-service regulations. You will not have to carry on the civil-service records thirteen-thousand-odd eligible registers for first-, second-, and third-class postmasters. You will have to have only 48.

Mr. COCHRAN. Will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from Missouri.

Mr. COCHRAN. Does the gentleman feel that a man living in the southern part of New York should be entitled to be appointed postmaster of a town on the Canadian border?

Mr. WADSWORTH. If he lands in the first three in a competitive examination; yes.

This opens a career to these young men. Otherwise there is no career.

[Here the gavel fell.]

Mr. MEAD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I want to correct what, in my judgment, is a misapprehension. The employees of the third-class offices are not career employees and are not covered by the civil service. They are selected by the postmaster and paid out of a lump-sum appropriation.

This matter of promotion has been discussed for a long time. The most satisfactory service that experience indicates can be had in the Postal Service or in any other service is to open the avenue for promotion in the office where an employee is entirely familiar with all of the activities of that office. In other words, a man who grew up in the service in New York City is better qualified to be postmaster there than someone who worked in a post office four or five hundred miles away from New York City.

Mr. Chairman, just contemplate a case in your own State. Take a man in some distant office, even though that man under this bill now possesses all of the opportunity of advancement from the lowest grade to the postmastership of his own town. Transfer him to the other end of the State and put him over all of the employees in another community. Do you think that system will be as satisfactory as would be the case if conditions are as provided in this bill?

This bill gives opportunity to the employees they have never enjoyed before, and every employees' organization have had a chance to study the bill and have come before the committee and recommended passage of the bill in its original form. I believe the bill as written is more satisfactory.

So why talk about transferring a man from one end of the country to the other or from one end of a State to another or from a small office to a larger office when we all know we are going a long way in the right direction by opening up opportunity for advancement for the men in any given office or locality.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield?

Mr. MEAD. I yield.

Mr. WADSWORTH. Will the gentleman point out what advantage has been gained for a member of the Postal Service under the bill as now amended?

Mr. MEAD. As now amended?

Mr. WADSWORTH. That is what I am talking about.

Mr. MEAD. The bill as now amended will probably result in little gain for anyone, because, in my judgment, the amendments will not be approved by the Commission or by the President.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. MEAD. I yield.

Mr. COCHRAN. We should confine ourselves to the pending amendment. Am I correct when I say that a man in southern New York who is capable of passing an

examination and getting a higher grade than a man who may have worked for 15 years in a northern New York post office would get the appointment under the pending amendment of the gentleman from New York [Mr. WADSWORTH]?

Mr. MEAD. Yes.

Mr. COCHRAN. And the career man in the northern office would be denied promotion.

Mr. MEAD. Yes; and I maintain that the man in that particular office and in that particular locality is equally as able to handle the affairs of that office.

[Here the gavel fell.]

Mr. NICHOLS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I shall probably not use the entire 5 minutes, because I simply want to point out that inasmuch as my distinguished colleague from New York and myself for the moment are exchanging opinions, it is his opinion that the ship has been scuttled and that the bill will get us exactly nothing, while I am of the opinion, lame as it may be, that at this time we have a good bill and a bill that will put the situation back where it should be. If you share this thought, then do not go along with the amendment of my distinguished Republican friend from New York on this side of the aisle who would open the thing up and make it so that a man in northwestern Oklahoma could be appointed to fill a post-office position in southeastern Oklahoma. You have a good bill now. You have fought and adopted it. Vote down this amendment, and let us pass the bill.

Mr. MANSFIELD. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. Yes; I yield to the gentleman from Texas.

Mr. MANSFIELD. Does not the gentleman believe that if there is not a competent person within the delivery of an office, the office ought to be abolished? [Laughter.]

Mr. NICHOLS. I do, yes; and I may say to my friend from Texas that I am confident that in the community served by every post office there is a competent man who can be appointed postmaster there. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

The CHAIRMAN. The question now recurs on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The Clerk read as follows:

SEC. 3. Appointments of acting postmasters in all classes of post offices shall be made in accordance with the provisions of the civil-service rules governing temporary appointments.

SEC. 4. All acts or parts of acts inconsistent herewith are hereby repealed.

Mr. BOILEAU. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BOILEAU: Strike out all after the enacting clause and insert in lieu thereof the following:

"That postmasters of the first, second, and third classes, or of any other classes hereafter established, shall hereafter be appointed, without term, by the Postmaster General in accordance with the provisions of this act and the Civil Service Act of January 16, 1883 (22 Stat. 430): *Provided*, That no recommendation by any Senator or Member of the House of Representatives, or political endorsement or recommendation of any kind, shall be received or considered in making any appointment or promotion under this act: *Provided further*, That postmasters now serving may continue to serve until the end of their terms, but they shall not acquire classified civil-service status at the expiration of such terms of office.

"SEC. 2. The Postmaster General shall make appointments of postmasters by promotion of persons within the Postal Service possessing such qualifications as may be approved by the Civil Service Commission.

"SEC. 3. If no persons are able to qualify for appointment by promotion under the provisions of section 2, the Postmaster General shall request the Civil Service Commission to hold an open competitive examination under the provisions of the Civil Service Act and rules. In the event the Postmaster General does not select the first name on the eligible register furnished him by the Civil Service Commission he shall certify to the Commission his reasons for not so doing, which reasons may be made public.

"SEC. 4. That all appointments of acting postmasters at offices of all classes shall be made in accordance with the provisions of the civil-service rules governing temporary appointments.

"SEC. 5. That it shall be unlawful for any Senator or Member of the House of Representatives to make any recommendation of any person for appointment or promotion as postmaster."

The CHAIRMAN. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. NICHOLS. Mr. Chairman, a parliamentary inquiry.

Mr. BOILEAU. I do not yield, Mr. Chairman, for that purpose. Mr. Chairman, ladies and gentlemen of the Committee, in this debate we have heard a good deal, especially from the Republican side, about the so-called Bacon bill. I made a statement in general debate that I was going to vote for that amendment. I waited for this substitute bill to be offered. I thought it was going to be offered from the Republican side. I now understand it is the intention of the Republicans to defer action on that amendment until it is offered as a motion to recommit.

It seems to me that now is the time to present the matter as to whether or not we shall have a civil-service bill. You all admit that the bill as it stands and as it has been amended does not mean anything.

If you want a real civil-service bill, adopt the Bacon bill, which is incorporated in my amendment. I say to you Republicans, if you want the Bacon bill, the bill your leaders were talking about, now is the time to do it, without waiting for a motion to recommit.

I appreciate the fact that it probably would stand a better chance if it had been offered by some member of the committee. I say to all you Members on the other side of the aisle that if you want a real civil-service bill vote for this amendment.

Mr. MANSFIELD. Will the gentleman yield?

Mr. BOILEAU. I yield.

Mr. MANSFIELD. What is the difference between bacon and pork? [Laughter.]

Mr. BOILEAU. The difference is that the Bacon has the real merit system.

Mr. HOUSTON. Will the gentleman yield?

Mr. BOILEAU. I yield.

Mr. HOUSTON. I did not understand the reading of the amendment. Will the gentleman explain the Bacon bill?

Mr. BOILEAU. I have not the time for an extended explanation, but I will give the gentleman this brief explanation: This Bacon bill puts the Postal Department absolutely on the merit system under the civil service. It relieves Members of Congress from making recommendations and puts the Postal Department on a merit system.

Mr. O'MALLEY. Does the gentleman's amendment comply with the bill that the Republican Presidential candidate talked about?

Mr. BOILEAU. And the Democratic Presidential candidate also; yes.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. MICHENER. Mr. Chairman, I move to strike out the last word of the amendment.

The CHAIRMAN. A pro-forma amendment is not in order as long as time remains in opposition to the amendment. Does the gentleman rise in opposition to the amendment?

Mr. MICHENER. I am in favor of the amendment.

The CHAIRMAN. All time has been exhausted in favor of the amendment. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. BOILEAU) there were—ayes 95, noes 125.

Mr. BOILEAU. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. COLLINS and Mr. BOILEAU to act as tellers.

The Committee again divided; and the tellers reported—ayes 130, noes 148.

So the amendment was rejected.

Mr. MAAS. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MAAS: Page 1, line 3, strike out all after the enacting clause and insert in lieu thereof the following:

"That postmasters of the first, second, and third classes shall hereafter be appointed without term, by the Postmaster General, in accordance with the provisions of the act entitled 'An act to regulate and improve the civil service of the United States', approved January 16, 1883, as amended, and the rules prescribed thereunder: *Provided*, That postmasters now serving may continue to serve until their terms of office expire. In the examinations for such positions experience in the Postal Service shall count for 50 percent; but no credit shall be given for experience in the Postal Service, under an appointment made prior to the enactment of this act, as postmaster or acting postmaster in an office of the first, second, or third class. The applicant receiving the highest rating shall be appointed in each case.

"SEC. 2. Appointments of acting postmaster in all classes of post offices shall be made in accordance with the provisions of the civil-service rules governing temporary appointments.

"SEC. 3. That it shall be unlawful for any Senator or Member of the House of Representatives to make any recommendation of any person for appointment or promotion as postmaster or acting postmaster."

Mr. GRAY of Pennsylvania. Mr. Chairman, I rise to a point of order. As I understood the reading of the amendment by the Clerk, there is not a provision in it that has not been defeated in this House this afternoon. The matter has been already acted upon, and, therefore, is out of order.

The CHAIRMAN. The Chair has looked at the amendment and thinks that in its entirety it is a different proposition from anything that has been before the Committee heretofore, and overrules the point of order. The Chair recognizes the gentleman from Minnesota for 5 minutes.

Mr. MAAS. Mr. Chairman, if this House wants civil-service reform and wants to extend the merit system to postmasters, this amendment will do that. Let us have either a merit system in the Government, or let us cut out the camouflage and get back to the open spoils system of patronage; let us kill one or the other. [Applause on Democratic side.]

The amendment that I have proposed would create a genuine competitive civil-service merit system in the Postal Department. It is true it has a provision that some of you gentlemen do not like, because it prohibits Senators and Representatives from interfering with the Government personnel by controlling patronage. It prohibits you from endorsing or recommending people for appointment in the civil service, and I have another bill that I intend to introduce this year to make it a felony for any Member of Congress to recommend anybody for a Federal job. [Applause and cheers.] As a matter of fact, the most serious threat to our democratic system of government is permitting the Executive to control the Legislature by dishing out patronage.

When you insist on a patronage system, you are insisting upon the right to sell the people's votes in this House for the personal gain of building up a political organization to perpetuate yourselves in office. You are not interested in perpetuating the merit system. [Applause.] Your interest is in perpetuating yourselves in office, but the people will have something to say about that, also.

Mr. HARLAN. Mr. Chairman, will the gentleman yield?

Mr. MAAS. If we can get order, I will yield to the gentleman from Ohio.

Mr. HARLAN. I wonder if the gentleman from Minnesota can inform the House as to what party has kept itself in office through tariff preference, exploitation of our natural resources, subsidies, and other devices. [Applause.]

Mr. MAAS. Has not the time come to quit looking backward? Let us look ahead. [Applause.]

I am not defending the undemocratic practices of any administration. I am interested in correcting them and providing now against their continuance in the future by this or any other administration.

The present bill is not an extension of the merit system, but a perpetuation in office of politically appointed party workers.

Perhaps party workers should be rewarded for faithful work on behalf of the party, but not on the public pay roll at the cost of the taxpayers. Government jobs do not belong to the victorious party to be used to pay political machines at public expense. These jobs are created to perform services for all of the citizens.

Most of the job holders affected by this bill were not appointed upon a merit system and therefore to cover them into civil service with noncompetitive examinations is not an extension of the merit system.

A real career system is prevented by the terms of this bill by putting in a residence requirement. Such a requirement is purely political. The postmaster is an administrator and not a route inspector. The requirements of a good postmaster are executive ability, knowledge of postal policies, and the quality of leadership. He does not need to know the exact location of every side street.

Often it is desirable to bring in an outside, trained postmaster, who is not involved in local post-office cliques and internal feuds.

This bill still leaves the door wide open for the spoils system. It permits the Postmaster General to appoint, with or without congressional endorsement, acting postmasters, and then, after a few months, virtually cover them into civil service on a noncompetitive basis as experience in the job counts 80 percent in the examination. This in effect precludes an open competitive test.

It continues a political rather than a strictly merit system, because the Congressman may still make the recommendation on the final appointment, even when it is on a so-called competitive basis. This will place a premium on political activities of postal employees who hope to become postmasters. The effect will be to stimulate politics among postal employees rather than abolishing it.

A genuine merit system will improve the service, for a career system where one may enter at the bottom and look forward to the opportunity to go to the very top will attract and hold even more desirable young applicants.

In normal business times many of the most capable employees resign, because they realize that they are in a blind alley. Open the doors to the top, and the bottom will take care of itself.

I urge the adoption of my amendment, which will make this bill provide a real merit system on a fair, open, competitive basis.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

The question is on the amendment offered by the gentleman from Minnesota [Mr. MAAS].

The amendment was rejected.

Mr. LUCE. Mr. Chairman, I move to strike out the last word.

Mr. RAMSPECK. Mr. Chairman, will the gentleman yield to me to make a motion to close debate?

Mr. LUCE. I yield.

Mr. RAMSPECK. Mr. Chairman, I move that all debate on this section and all amendments thereto close in 5 minutes.

The motion was agreed to.

Mr. LUCE. Mr. Chairman, civil-service reform for the Nation was born in my State. The movement for it was headed for many years by Richard Henry Dana, a resident of my district, and my constituents are probably more interested in this matter than those of any other district in the country.

I should feel that I betrayed my trust if I did not rise here and ask in their behalf, in behalf of all those interested in civil-service reform throughout the country, in behalf of all who desire better government, in behalf of the League of Women Voters, that you cast your vote on the motion to recommit in favor of those who desire real progress in this reform.

This will be one of the few vital votes for the interests of every Member that will be cast in this session. This vote will be noticed in every corner of the United States by earnest women who have come to the conclusion that no more important reform faces the American people than this now before you.

I urge you to bear in mind not only your own welfare in future elections, but, far more than that, exceeding it to a degree that can hardly be magnified, I urge you to look out for the interests of your country, the interests of a

nation that is now threatened by the growth of its public service to such an extent that it will collapse unless this service is organized on an efficient scale.

Civil-service reform has been threatened by what has gone on this afternoon. Before my time expires let me explain to you that the motion to recommit will be for the pure and complete civil-service reform that is desired by the League of Women Voters and all those others concerned whom I have already mentioned.

I bespeak for your welfare and that of the country—and I emphasize "that of the country", mind you—I bespeak the views of that half of the people who have greatest concern with the future of our country, who have so earnestly been praying an opportunity to share in its destinies, who by their votes stand for ideals, stand for integrity, stand for bettering the government of country, and so bettering humanity. I appeal for your votes, because in that way you will continue the march upward begun 73 years ago by a great Senator from my State, Charles Sumner, who introduced the first bill for national reform.

Mrs. O'DAY. Mr. Chairman, will the gentleman yield?

Mr. LUCE. I yield.

Mrs. O'DAY. May I ask when the League of Women Voters endorsed the bill offered by the gentleman from New York?

Mr. LUCE. I cannot inform the lady.

Mrs. O'DAY. I am vice chairman of our local League of Women Voters, and I have had no correspondence on that subject at all. I know they are all for civil-service reform, and, as far as I know, they are for the committee's bill. I have heard nothing to the contrary.

Mr. LUCE. May I say that the committee bill as such no longer exists? [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. LUCE] has expired.

The pro-forma amendment was withdrawn.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WOODRUM, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committtee had had under consideration the bill H. R. 1531, and pursuant to House Resolution 89 he reported the same back to the House with sundry amendments adopted in Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. RAMSPECK. Mr. Speaker, I demand a separate vote on all of the Collins amendments adopted in the Committee of the Whole.

The SPEAKER. The Clerk will report all the Collins amendments adopted in the Committee of the Whole.

The Clerk read as follows:

Page 1, line 4, strike out the words "without term by the Postmaster General" and insert in lieu thereof the following: "for a term of 4 years by the President."

Lines 5, 6, and 7, page 1, strike out the following: "in accordance with provisions of the act entitled 'An act to regulate and improve the civil service of the United States', approved January 16, 1883."

Page 2, line 1, strike out the words "without term" and insert in lieu thereof "for a term of 4 years."

Page 2, line 15, after the word "postmaster", strike out all the matter down to and including the word "promotion", in line 20, and in lieu thereof insert the following: "or from among the three highest on a list of eligibles certified by the Civil Service Commission after an open competitive examination held by the Civil Service Commission."

The SPEAKER. The question is on agreeing to the amendments.

Mr. MAPES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MAPES. Are we voting on the three amendments en bloc or separately?

The SPEAKER. Does the gentleman request a separation of the vote?

Mr. MAPES. No.

The SPEAKER. Without that demand, the vote will be en bloc upon all the Collins amendments.

The question was taken; and the Chair was in doubt.

Mr. RAMSPECK. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 164, nays 216, not voting 52, as follows:

[Roll No. 10]

YEAS—164

Allen, Ill.	Flannagan	Lesinski	Rutherford
Allen, La.	Focht	Lord	Sadowski
Andrews	Fuller	Luce	Sauthoff
Arends	Fulmer	McClellan	Schuetz
Atkinson	Garrett	McGehee	Scott
Bates	Gasque	McGrath	Seger
Beam	Gearhart	McGroarty	Shafer, Mich.
Bell	Gehrmann	McLean	Shannon
Bernard	Gifford	Maas	Sheppard
Boren	Gilchrist	Magnuson	Short
Brewster	Gray, Ind.	Martin, Mass.	Smith, Maine
Brooks	Gray, Pa.	Maverick	Smith, Va.
Bulwinkle	Griffith	May	Smith, W. Va.
Burch	Gwynne	Michener	Snell
Cannon, Mo.	Halleck	Millard	Steagall
Carlson	Hamilton	Miller	Sutphin
Carter	Hancock, N. Y.	Mills	Taber
Case, S. Dak.	Harlan	Mitchell, Ill.	Tarver
Champion	Harrington	Moser, Pa.	Taylor, S. C.
Church	Hartley	Mott	Taylor, Tenn.
Clark, N. C.	Hennings	Mouton	Teigan
Clason	Hill, Ala.	Nichols	Thomas, N. J.
Cluett	Hill, Okla.	O'Connell, Mont.	Thomas, Tex.
Cole, Md.	Hoffman	Oliver	Thurston
Cole, N. Y.	Hook	O'Malley	Tobey
Collins	Hope	Parsons	Transue
Crawford	Hull	Patterson	Treadway
Creal	Izac	Patton	Turner
Crowther	Jarrett	Pearson	Umstead
Dies	Jenkins, Ohio	Plumley	Wadsworth
Dirksen	Kee	Poage	Wearin
Ditter	Kelly, Ill.	Powers	Wheichel
Dondero	Kerr	Rankin	White, Idaho
Douglas	Kinzer	Reece, Tenn.	White, Ohio
Dowell	Kitchens	Reed, Ill.	Wigglesworth
Drewry, Va.	Knutson	Reed, N. Y.	Williams
Eaton	Kramer	Rees, Kans.	Wolcott
Edmiston	Lambertson	Rich	Wolfenden
Englebright	Lamneck	Robsion, Ky.	Wolverton
Faddis	Lea	Rogers, Mass.	Wood
Fernandez	Lemke	Romjue	Woodruff

NAYS—216

Aleshire	Disney	Keogh	Pettengill
Allen, Del.	Dixon	Kirwan	Pfeifer
Allen, Pa.	Dockweiler	Kleberg	Phillips
Amlie	Dorsey	Kloeb	Pierce
Arnold	Doughton	Kniffin	Polk
Ashbrook	Duncan	Kocialkowski	Quinn
Bacon	Dunn	Kopplemann	Ramsay
Barden	Eberharter	Kvale	Ramspeck
Barry	Eckert	Lambeth	Randolph
Biermann	Eicher	Lanham	Rayburn
Bigelow	Ellenbogen	Leavy	Reilly
Binderup	Evans	Lewis, Colo.	Richards
Bland	Fitzgerald	Lewis, Md.	Rigney
Bloom	Flannery	Long	Robertson
Boehne	Fleger	Lucas	Rogers, Okla.
Boileau	Fletcher	Luckey, Nebr.	Ryan
Boland, Pa.	Forand	Ludlow	Sacks
Boyer	Ford, Calif.	Luecke, Mich.	Sanders
Boylan, N. Y.	Ford, Miss.	McAndrews	Schaefer, Ill.
Bradley	Frey, Pa.	McCormack	Schneider, Wis.
Brown	Fries, Ill.	McFarlane	Schulte
Buchanan	Gambrill	McGranery	Secrest
Buck	Gavagan	McKeough	Shanley
Buckler, Minn.	Gingery	McLaughlin	Sirovich
Burdick	Goldsborough	McMillan	Smith, Conn.
Byrne	Green	McReynolds	Smith, Wash.
Caldwell	Greever	McSweeney	Snyder, Pa.
Cartwright	Gregory	Mahon, S. C.	South
Casey, Mass.	Griswold	Mahon, Tex.	Sparkman
Chandler	Haines	Maloney	Spence
Citron	Hancock, N. C.	Mansfield	Stack
Clark, Idaho	Hart	Mapes	Starnes
Claypool	Havenner	Martin, Colo.	Stefan
Cochran	Healey	Massingale	Sumners, Tex.
Coffee, Nebr.	Hendricks	Mead	Sweeney
Coffee, Wash.	Hildebrandt	Merritt	Swope
Colden	Hill, Wash.	Mitchell, Tenn.	Terry
Colmer	Hobbs	Mosier, Ohio	Thom
Connery	Honeyman	Murdock, Ariz.	Thomason, Tex.
Cooley	Houston	Murdock, Utah	Thompson, Ill.
Cooper	Hunter	Nelson	Tolan
Costello	Imhoff	O'Brien, Ill.	Towey
Crosby	Jacobsen	O'Brien, Mich.	Vinson, Ga.
Crosser	Jarman	O'Connell, R. I.	Voorhis
Crowe	Jenckes, Ind.	O'Day	Wallgren
Culkin	Johnson, Minn.	O'Leary	Walter
Cummings	Johnson, Okla.	O'Neal, Ky.	Weaver
Curley	Johnson, Tex.	O'Neill, N. J.	Welch
Daly	Johnson, W. Va.	O'Toole	Wene
Deen	Jones	Owen	West
DeMuth	Kelly, N. Y.	Pace	Whittington
DeRouen	Kennedy, Md.	Patman	Withrow
Dickstein	Kennedy, N. Y.	Patrick	Woodrum
Dingell	Kenney	Peterson, Fla.	Zimmerman

NOT VOTING—52

Anderson, Mo.	Doxey	Higgins	Peyser
Andresen, Minn.	Drew, Pa.	Holmes	Rabaut
Beiter	Driver	Jenks, N. H.	Robinson, Utah
Boykin	Engel	Keller	Sabath
Buckley, N. Y.	Farley	Lanzetta	Scrugham
Cannon, Wis.	Ferguson	Larrabee	Somers, N. Y.
Celler	Fish	Mason	Stubbs
Chapman	Fitzpatrick	Meeks	Sullivan
Cox	Gildea	Norton	Taylor, Colo.
Cravens	Goodwin	O'Connor, Mont.	Tinkham
Cullen	Greenwood	O'Connor, N. Y.	Vinson, Ky.
Delaney	Guyer	Palmisano	Warren
Dempsey	Harter	Peterson, Ga.	Wilcox

So the amendments were rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Goodwin (for) with Mr. Wilcox (against).
Mr. Mason (for) with Mr. Dempsey (against).

Until further notice:

Mr. Drew of Pennsylvania with Mr. Guyer.
Mr. Larrabee with Mr. Tinkham.
Mr. Fitzpatrick with Mr. Andresen of Minnesota.
Mr. O'Connor of New York with Mr. Holmes.
Mr. Taylor of Colorado with Mr. Engel.
Mr. Warren with Mr. Fish.
Mr. Vinson of Kentucky with Mr. Jenks of New Hampshire.
Mrs. Norton with Mr. Beiter.
Mr. Sabath with Mr. Harter.
Mr. Sullivan with Mr. O'Connor of Montana.
Mr. Chapman with Mr. Higgins.
Mr. Cox with Mr. Meeks.
Mr. Driver with Mr. Keller.
Mr. Greenwood with Mr. Cannon of Wisconsin.
Mr. Somers of New York with Mr. Boykin.
Mr. Peterson of Georgia with Mr. Celler.
Mr. Rabaut with Mr. Buckley of New York.
Mr. Scrugham with Mr. Cravens.
Mr. Cullen with Mr. Ferguson.
Mr. Lanzetta with Mr. Gildea.
Mr. Peyser with Mr. Robinson of Utah.
Mr. Delaney with Mr. Farley.
Mr. Stubbs with Mr. Anderson of Missouri.

Mr. CHURCH changed his vote from "nay" to "yea."

Mr. THOM. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. THOM. I voted wrongly under the name of "STUBBS." I wish to correct it.

The SPEAKER. The Chair is informed that the gentleman's vote has been corrected.

Mr. McCORMACK. Mr. Speaker, the gentleman from Massachusetts, Mr. HIGGINS, is absent on account of illness. If he were present, he would vote "nay."

Mr. GREEN. Mr. Speaker, my colleague the gentleman from Florida, Mr. WILCOX, is detained on account of illness. If he were present, he would vote "nay."

Mr. MEAD. Mr. Speaker, my colleague the gentleman from New York, Mr. BEITER, is detained on account of illness. If he were present, he would vote "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the remaining amendments.

The amendments were agreed to.

The SPEAKER. The question now is upon the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentlewoman from Massachusetts [Mrs. ROGERS] opposed to the bill?

Mrs. ROGERS of Massachusetts. Yes; I am opposed to the bill.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. ROGERS of Massachusetts moves to recommit the bill to the Committee on the Civil Service with instructions to that committee to report it back forthwith with the following amendment:

Strike out all after the enacting clause and insert:

"That postmasters of the first, second, and third classes, or of any other classes hereafter established, shall hereafter be appointed, without term, by the Postmaster General in accordance with the provisions of this act and the Civil Service Act of January 16, 1883 (22 Stat. 430): *Provided*, That postmasters now serving may continue to serve until the end of their terms, but they shall not acquire classified civil-service status at the expiration of such terms of office.

"SEC. 2. The Postmaster General shall make appointments of postmasters by promotion of persons within the Postal Service possessing such qualifications as may be approved by the Civil Service Commission.

"SEC. 3. If no persons are able to qualify for appointment by promotion under the provisions of section 2, the Postmaster General shall request the Civil Service Commission to hold an open competitive examination under the provisions of the Civil Service Act and rules. In the event the Postmaster General does not select the first name on the eligible register furnished him by the Civil Service Commission, he shall certify to the Commission his reasons for not so doing, which reasons may be made public.

"SEC. 4. That all appointments of acting postmasters at offices of all classes shall be made in accordance with the provisions of the civil-service rules governing temporary appointments."

Mr. RAMSPECK. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

Mr. SNELL. Mr. Speaker, I demand the yeas and nays on the motion to recommit.

Mr. LUCE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LUCE. Is the pending motion substantially the same as H. R. 3129, known as the Bacon bill?

The SPEAKER. The Chair is not in position to answer that inquiry.

Mr. RANDOLPH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RANDOLPH. Mr. Speaker, is it not a fact that a vote against the motion to recommit will be a vote in favor of the Ramspeck measure?

The SPEAKER. The Chair is not in position to answer the gentleman's question.

The gentleman from New York [Mr. SNELL] demands the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 109, nays 269, not voting 54, as follows:

[Roll No. 11]

YEAS—109

Allen, Ill.	Fish	McLean	Scott
Amlie	Focht	Maas	Seger
Andrews	Garrett	Magnuson	Shafer, Mich.
Arends	Gearhart	Mapes	Shanley
Bacon	Gehrmann	Martin, Mass.	Sheppard
Bates	Gifford	Maverick	Short
Beam	Gilchrist	Michener	Smith, Maine
Bernard	Gwynne	Millard	Smith, Wash.
Boileau	Halleck	Mott	Snell
Brewster	Hancock, N. Y.	O'Connell, Mont.	Stefan
Carlson	Hartley	Oliver	Taber
Carter	Havenner	O'Malley	Taylor, Tenn.
Case, S. Dak.	Hill, Wash.	Patterson	Teigan
Church	Hoffman	Plumley	Thomas, N. J.
Clason	Hull	Poage	Thurston
Coffee, Wash.	Izac	Powers	Tobey
Cole, Md.	Jarrett	Reece, Tenn.	Treadway
Cole, N. Y.	Jenkins, Ohio	Reed, Ill.	Wadsworth
Crawford	Johnson, Minn.	Reed, N. Y.	White, Ohio
Crowther	Kelly, Ill.	Rees, Kans.	Wigglesworth
Culkin	Kinzer	Rich	Withrow
Dirksen	Knutson	Robsion, Ky.	Wolcott
Ditter	Kopplemann	Rogers, Mass.	Wolfenden
Dondero	Kvale	Rutherford	Wolverton
Douglas	Lemke	Ryan	Woodruff
Dowell	Lewis, Colo.	Sauthoff	
Eaton	Lord	Schneider, Wis.	
Englebright	Luce	Schuetz	

NAYS—269

Aleshire	Brown	Colmer	Doughton
Allen, Del.	Buchanan	Connery	Drewry, Va.
Allen, La.	Buck	Cooley	Duncan
Allen, Pa.	Buckler, Minn.	Cooper	Dunn
Arnold	Burch	Costello	Eberharter
Ashbrook	Burdick	Creal	Eckert
Atkinson	Byrne	Crosby	Edmiston
Barden	Caldwell	Crosser	Eicher
Barry	Cannon, Mo.	Crowe	Ellenbogen
Bell	Cartwright	Cullen	Evans
Biermann	Casey, Mass.	Curley	Faddis
Bigelow	Champion	Daly	Fernandez
Binderup	Chandler	Deen	Fitzgerald
Bland	Chapman	DeMuth	Flannagan
Bloom	Citron	DeRouen	Flannery
Boland, Pa.	Clark, Idaho	Dickstein	Fleger
Boren	Clark, N. C.	Dies	Fletcher
Boyer	Claypool	Dingell	Forand
Boykin	Cochran	Disney	Ford, Calif.
Boylan, N. Y.	Coffee, Nebr.	Dixon	Ford, Miss.
Bradley	Colden	Dockweiler	Frey, Pa.
Brooks	Collins	Dorsey	Fries, Ill.

Fuller	Kitchens	Mouton	Smith, Conn.
Fulmer	Kleberg	Murdock, Ariz.	Smith, Va.
Gambrill	Kloeb	Murdock, Utah	Smith, W. Va.
Gasque	Kniffin	Nelson	Snyder, Pa.
Gavagan	Kocialkowski	O'Brien, Ill.	South
Gingery	Kramer	O'Brien, Mich.	Sparkman
Goldsborough	Lambeth	O'Connell, R. I.	Spence
Gray, Ind.	Lamneck	O'Day	Stack
Gray, Pa.	Lanham	O'Leary	Starnes
Green	Lea	O'Neal, Ky.	Steagall
Greever	Leavy	O'Neill, N. J.	Sullivan
Gregory	Lesinski	O'Toole	Sumners, Tex.
Griffith	Lewis, Md.	Owen	Sutphin
Griswold	Long	Pace	Sweeney
Haines	Lucas	Parsons	Swope
Hamilton	Luckey, Nebr.	Patman	Tarver
Hancock, N. C.	Ludlow	Patrick	Taylor, S. C.
Harlan	Luecke, Mich.	Patton	Terry
Harrington	McAndrews	Pearson	Thom
Hart	McClellan	Peterson, Fla.	Thomas, Tex.
Healey	McCormack	Pettengill	Thomason, Tex.
Hendricks	McFarlane	Peyser	Thompson, Ill.
Hennings	McGehee	Pfeifer	Tolan
Hildebrandt	McGranery	Phillips	Towey
Hill, Ala.	McGrath	Pierce	Transue
Hill, Okla.	McGroarty	Polk	Turner
Hobbs	McKeough	Quinn	Umstead
Honeyman	McLaughlin	Ramsay	Vinson, Ga.
Hook	McMillan	Ramspeck	Voorhis
Houston	McReynolds	Randolph	Wallgren
Hunter	McSweeney	Rankin	Walter
Imhoff	Mahon, S. C.	Rayburn	Wearin
Jacobsen	Mahon, Tex.	Reilly	Weaver
Jarman	Maloney	Richards	Welch
Jenckes, Ind.	Mansfield	Rigney	Wene
Johnson, Okla.	Martin, Colo.	Robertson	West
Johnson, Tex.	Massingale	Rogers, Okla.	Whelchel
Johnson, W. Va.	May	Romjue	White, Idaho
Jones	Mead	Sacks	Whittington
Kelly, N. Y.	Merritt	Sadowski	Williams
Kennedy, Md.	Miller	Sanders	Wood
Kennedy, N. Y.	Mills	Schaefer, Ill.	Woodrum
Kenney	Mitchell, Ill.	Schulte	Zimmerman
Keogh	Mitchell, Tenn.	Secrest	
Kerr	Moser, Pa.	Shannon	
Kirwan	Mosier, Ohio	Sirovich	

NOT VOTING—54

Anderson, Mo.	Doxey	Hope	Peterson, Ga.
Andresen, Minn.	Drew, Pa.	Jenks, N. H.	Rabaut
Beiter	Driver	Kee	Robinson, Utah
Boehne	Engel	Keller	Sabath
Buckley, N. Y.	Farley	Lambertson	Scrugham
Bulwinkle	Ferguson	Lanzetta	Somers, N. Y.
Cannon, Wis.	Fitzpatrick	Larrabee	Stubbs
Celler	Gildea	Mason	Taylor, Colo.
Cluett	Goodwin	Meeks	Tinkham
Cox	Greenwood	Nichols	Vinson, Ky.
Cravens	Guyer	Norton	Warren
Cummings	Harter	O'Connor, Mont.	Wilcox
Delaney	Higgins	O'Connor, N. Y.	
Dempsey	Holmes	Palmisano	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On the vote:

Mr. Mason (for) with Mr. Dempsey (against).
Mr. Holmes (for) with Mr. Drew (against).
Mr. Cluett (for) with Mr. Larrabee (against).
Mr. Tinkham (for) with Mr. Fitzpatrick (against).
Mr. Goodwin (for) with Mr. Wilcox (against).

General pairs until further notice:

Mr. Bulwinkle with Mr. Guyer.
Mr. Boehne with Mr. Andresen of Minnesota.
Mr. Nichols with Mr. Hope.
Mr. Vinson of Kentucky with Mr. Jenks of New Hampshire.
Mr. Taylor of Colorado with Mr. Engel.
Mr. Warren with Mr. Lambertson.
Mr. O'Connor of New York with Mr. Kee.
Mrs. Norton with Mr. Beiter.
Mr. Sabath with Mr. Harter.
Mr. Cox with Mr. Meeks.
Mr. Driver with Mr. Keller.
Mr. Greenwood with Mr. Cannon of Wisconsin.
Mr. Peterson of Georgia with Mr. Celler.
Mr. Rabaut with Mr. Buckley of New York.
Mr. Scrugham with Mr. Cravens.
Mr. Lanzetta with Mr. Gildea
Mr. Delaney with Mr. Farley.
Mr. Palmisano with Mr. Higgins.
Mr. Somers of New York with Mr. Robinson of Utah.
Mr. Doxey with Mr. Ferguson.
Mr. Cummings with Mr. O'Connor of Montana.
Mr. Stubbs with Mr. Anderson of Missouri.

Mr. KRAMER changed his vote from "yea" to "nay."

Mr. McCORMACK. Mr. Speaker, the gentleman from Massachusetts, Mr. HIGGINS, is absent on account of illness. If he were present, he would have voted "nay."

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion by Mr. RAMSPECK, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. WARREN (at the request of Mr. CLARK of North Carolina), indefinitely, on account of illness.

To Mr. PETERSON of Georgia, for an indefinite period on account of illness.

To Mr. GREENWOOD (at the request of Mr. GRISWOLD), indefinitely, on account of illness.

To Mr. GILDEA (at the request of Mr. BOLAND), for balance of week, on account of illness at home.

To Mr. ENGEL (at the request of Mr. MAPES), indefinitely, on account of death in family.

The SPEAKER. Under a special order, the gentleman from Indiana [Mr. LUDLOW] is recognized for 4 minutes.

Mr. LUDLOW. Mr. Speaker, in common with the citizenry of the entire country all of us are profoundly touched by the epochal flood disaster that has fallen on our Midwestern States. All of us are watching with loving solicitude and the deepest sorrow the heart-rending developments in the flood-stricken areas. We visualize a great section of our beloved country covered with a pall of grief and anxiety, accompanied by tragic suffering. We see a region where only a short time ago happiness and contentment reigned suddenly changed to a picture of utter desolation. Many of our fellow citizens have been driven from their homes; many are cold and hungry; many are wandering in sheer desperation, not knowing where to turn or what to do. Our hearts are troubled beyond expression by this unprecedented catastrophe. We regret our impotence to relieve in any appreciable degree the myriad forms of suffering caused by this major disaster, but we want our fellow beings in the flooded areas to know how deeply concerned we are over the terrible fate that has befallen them. We want them to know that they will be on our minds and hearts and remembered in our prayers every minute, day and night, until their cup of suffering, now so full and overflowing, shall pass away.

Reflecting, as I believe I do, the Nation's love and devotion to the sufferers in all the sister States in these tragic times, I have introduced today a bill granting a total exemption from income tax of all donations for relief of sufferers from this superflood. Under existing legislation individuals are entitled to exemption from tax on donations for charitable purposes up to 15 percent and corporations up to 5 percent of their incomes. My bill would add the provision that all who desire to donate to relieve the sufferers from the present flood may do so knowing that the Government will give them an income-tax exemption for the total amount they contribute for this worthy purpose. The righteous principle of granting such exemptions was recognized by Congress in the Revenue Act of August 30, 1935, when the privilege of tax exemption for charitable purposes was extended to corporations. Prior to that it had been confined to individuals.

To those who might be inclined to object to this legislation on the ground that it might set an embarrassing precedent, let me say that as far as we know not since the days of Noah has there been a flood comparable in damage and destructive implications with the flood now raging in the Midwestern States.

An enormous amount of money will be required to combat the effects of this flood. I believe this proposal would stimulate contributions that will be sorely needed. I believe the Government could well afford to lose this slight revenue in exchange for the immensely greater benefit that would come to these stricken people. I believe the bill is a righteous measure in the interest of suffering humanity, and I would like to see it pass unanimously. [Applause.]

Mr. GRAY of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. GRAY of Indiana. Mr. Speaker, if there is any one principle or policy of government more unequivocally declared against, disapproved, and denied than any other under our system of free self-government it is the principle of life tenure.

The effect of life tenure in office would be to create an exclusive office-holding class, separate and apart from the people, the void between whom and the people widens and broadens as time goes on, carrying self-government and free institutions back to the indifference of autocratic rule, against which our forefathers fought at the cost of blood and treasure.

And if there is any one office, whether Federal, State, or local, which should be kept in close touch with the people and made more responsive to them than another, it is the community post office.

There are certain public officials exercising discretionary policy of administration who should always remain a part of the people, should always remain of the people, should always remain by the people, to be and remain for the people.

The principles and policies of free self-government instituted to safeguard liberty and civil rights are as sacred to be observed on earth as the principles and precepts for salvation and for the repose and peace of the soul in heaven and the life to come.

The religious devotions and obligations of men who assume to serve their Maker are not more vital or sacred to be observed than the obligations to be adhered to by public officials assuming to serve the people; and I quote from the Holy Scriptures to show the rule declared for one is as applicable to the other.

St. John, chapter 3, verse 3:

Jesus answered and said unto him, Verily, verily, I say unto thee, except a man be born again, he cannot see the kingdom of God.

Again, from the same chapter, verse 5:

Jesus answered, Verily, verily, I say unto thee, except a man be born of water and of the spirit, he cannot enter the kingdom of God.

And, further, from this chapter, verse 7:

Marvel not that I said unto thee, Ye must be born again.

Public officials under free self-government must come back and down to the people at certain stated intervals of time to account to the people, to be commissioned by the people anew, and to be born again of the people.

There is no other public official who comes so near and close to the people, to every man, woman, and child in their everyday affairs of life and whose course and conduct toward them more clearly concerns their happiness and welfare than the postmaster of the community.

And there is the same or more reason for the election of postmasters by the direct vote of the people as for the election of State and local officials. There is no other public official who should be held nearer to the people and made more approachable to them.

There is no other public office where life tenure is more inapplicable, where it is more incompatible with the service, or more in violation of free institutions than the office of the community postmaster.

Under the law of selfish human nature, men always act first for themselves before they act for others.

Many ingenious inventions and devices in the form of bonds, oaths, and penalties have been imposed in vain upon men to modify and overcome the selfish impulse and to make them act first for others, whom they assume to represent, as they would act for themselves.

But all these are ignored and disregarded, as love laughs at locksmiths, and a return to the people at certain stated intervals to account to and be recommissioned, to be born again of the people, remains the only restraint upon men to make them serve and act first for others.

Under the law of selfish human nature it has always been the great problem of free self-government, the great problem of all governments, to create obligations upon officials higher than those of selfish nature to make them first devote their services to the people.

There is no royal road under free institutions whereby to restrain and overcome and subordinate selfish human nature and insure good faith, obedient service.

Public officials must act and serve by and with the consent of the people, with direct responsibility to the people, and subject to the will and wish and their approval or disapproval.

Public officials must be directly responsible to the people or indirectly responsible to the people through other officials directly responsible to them, and who must answer to the people and assume such responsibility for them.

With the responsibility to account only to the Civil Service Commission, a far-away body or organization operating under cold, technical rules, and beyond the patrons' power to reach except through technical forms and regulations, the confiding post-office patrons are powerless to exert their will and wish either directly through their own vote or through their Member of Congress who has assumed responsibility for them.

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent that all Members who spoke today on the postmasters bill may have 5 legislative days within which to revise and extend their remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks in the RECORD on the postmasters' bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 206. An act to provide a preliminary examination and survey of the Snake River and tributaries in the States of Idaho, Washington, and Oregon, with a view to control of floodwaters; to the Committee on Flood Control.

ENROLLED BILL SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 1545. An act to provide for loans to farmers for crop production and harvesting during the year 1937, and for other purposes.

ADJOURNMENT

Mr. RAMSPECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock p. m.) the House adjourned until tomorrow, Friday, January 29, 1937, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., January 29, 1937. Business to be considered: Open hearing on H. R. 1668, long-and-short-haul bill. In view of the exhaustive hearing held in the previous Congress, the committee desires to make this hearing as brief as possible.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

309. A letter from the Disabled American Veterans of the World War, transmitting the minutes of the Sixteenth National Convention of the Disabled American Veterans held at Milwaukee, Wis., July 20–25, inclusive (H. Doc. No. 40); to the Committee on World War Veterans' Legislation and ordered to be printed, with illustrations.

310. A letter from the Chairman, Reconstruction Finance Corporation, transmitting a report of activities and

expenditures for December 1936, including statement of loan and other authorizations made during that month (H. Doc. No. 138); to the Committee on Banking and Currency and ordered to be printed.

311. A letter from the Federal Housing Administration, transmitting the Third Annual Report of the Federal Housing Administration (H. Doc. No. 48); to the Committee on Banking and Currency and ordered to be printed, with illustrations.

312. A letter from the Secretary of War, transmitting a draft of a bill to authorize the sale, under the provisions of the act of March 12, 1926 (44 Stat. 203), of surplus War Department real property, which the War Department presents for the consideration of the Congress with a view to its enactment into law; to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. DEROUEN: Committee on the Public Lands. House Joint Resolution 137. Joint resolution to amend a Senate joint resolution dated March 28, 1918 (40 Stat. 499); with amendment (Rept. No. 66). Referred to the House Calendar.

Mr. DICKSTEIN: Committee on Immigration and Naturalization. H. R. 27. A bill to authorize the shortening or termination of temporary stay in the United States of certain aliens not admitted for permanent residence, to authorize the deportation of certain aliens admitted for permanent residence, and for other purposes; without amendment (Rept. No. 67). Referred to the Committee of the Whole House on the state of the Union.

Mr. DICKSTEIN: Committee on Immigration and Naturalization. H. R. 1543. A bill to amend section 24 of the Immigration Act of 1917 relating to the compensation of certain Immigration and Naturalization Service employees, and for other purposes; without amendment (Rept. No. 68). Referred to the Committee of the Whole House on the state of the Union.

Mr. GREEVER: Committee on Irrigation and Reclamation. H. R. 3425. A bill providing payment to employees, Bureau of Reclamation, for mileage traveled in privately owned automobiles; without amendment (Rept. No. 69). Referred to the Committee of the Whole House on the state of the Union.

Mr. HILDEBRANDT: Committee on the Post Office and Post Roads. H. R. 77. A bill for payment of compensation to persons serving as postmaster at third- and fourth-class post offices; without amendment (Rept. No. 70). Referred to the Committee of the Whole House on the state of the Union.

Mr. KING: Committee on Immigration and Naturalization. H. R. 3471. A bill to permit alien wives of American citizens who were married prior to the approval of the Immigration Act of 1924 to enter the United States; without amendment (Rept. No. 71). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAINES: Committee on the Post Office and Post Roads. H. R. 2006. A bill to permit certain special-delivery messengers to acquire a classified status through noncompetitive examination; without amendment (Rept. No. 72). Referred to the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of Texas: Committee on Foreign Affairs. House Joint Resolution 136. Joint resolution authorizing the President to invite the Pan American Republics and the Dominion of Canada to participate in the proposed Greater Texas and Pan American Exposition; without amendment (Rept. No. 75). Referred to the House Calendar.

Mr. HAINES: Committee on the Post Office and Post Roads. H. R. 1609. A bill to credit laborers in the Postal Service with any fractional part of a year's substitute service toward promotion; with amendment (Rept. No. 77). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROMJUE: Committee on the Post Office and Post Roads. H. R. 1972. A bill giving superintendents at classified post-office stations credit for substitutes serving under them; with amendment (Rept. No. 78). Referred to the Committee of the Whole House on the state of the Union.

Mr. BURCH: Committee on the Post Office and Post Roads. H. R. 3610. A bill to adjust the salaries of rural letter carriers; without amendment (Rept. No. 79). Referred to the Committee of the Whole House on the state of the Union.

Mr. BURCH: Committee on the Post Office and Post Roads. H. R. 3609. A bill to protect the salaries of rural letter carriers who transfer from one rural route to another; with amendment (Rept. No. 80). Referred to the Committee of the Whole House on the state of the Union.

Mr. SWEENEY: Committee on the Post Office and Post Roads. H. R. 2738. A bill to extend the provisions of the 40-hour law for postal employees to watchmen and messengers in the Postal Service; without amendment (Rept. No. 81). Referred to the Committee of the Whole House on the state of the Union.

Mr. HILDEBRANDT: Committee on the Post Office and Post Roads. H. R. 1521. A bill to amend the act of February 28, 1925 (43 Stat. 1053), relative to postal rates on third-class mail matter; without amendment (Rept. No. 82). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAINES: Committee on the Post Office and Post Roads. H. R. 2021. A bill to provide time credits for substitutes in the motor-vehicle service; without amendment (Rept. No. 83). Referred to the Committee of the Whole House on the state of the Union.

Mr. FREY of Pennsylvania: Committee on Foreign Affairs. H. R. 2909. A bill authorizing an appropriation for payment to the Government of Great Britain for the account of N. J. Moosa, a British subject; without amendment (Rept. No. 85). Referred to the Committee of the Whole House on the state of the Union.

Mr. FREY of Pennsylvania: Committee on Foreign Affairs. H. R. 2910. A bill authorizing an appropriation for payment to the Government of the Netherlands for the account of the family of Miguel Paula; without amendment (Rept. No. 86). Referred to the Committee of the Whole House on the state of the Union.

Mr. FREY of Pennsylvania: Committee on Foreign Affairs. H. R. 2911. A bill authorizing an appropriation for payment to the French Government for the account of Henry Borday, a citizen of France; without amendment (Rept. No. 87). Referred to the Committee of the Whole House on the state of the Union.

Mr. FREY of Pennsylvania: Committee on Foreign Affairs. H. R. 2912. A bill authorizing an appropriation for payment to the Government of Great Britain for the account of the Shanghai Electric Construction Co., Ltd.; without amendment (Rept. No. 88). Referred to the Committee of the Whole House on the state of the Union.

Mr. FREY of Pennsylvania: Committee on Foreign Affairs. H. R. 2925. A bill authorizing an appropriation for payment to the Government of Great Britain for the account of certain British citizens; without amendment (Rept. No. 89). Referred to the Committee of the Whole House on the state of the Union.

Mr. FREY of Pennsylvania: Committee on Foreign Affairs. H. R. 2913. A bill authorizing an appropriation for payment to the Government of Canada for the account of Janet Hardcastle Ross, a citizen of Canada; without amendment (Rept. No. 90). Referred to the Committee of the Whole House on the state of the Union.

Mr. FREY of Pennsylvania: Committee on Foreign Affairs. H. R. 2914. A bill authorizing an appropriation for payment to the Government of Chile for the account of Enriqueta Koch v. de Jeanneret, a citizen of Chile; without amendment (Rept. No. 91). Referred to the Committee of the Whole House on the state of the Union.

Mr. FREY of Pennsylvania: Committee on Foreign Affairs. H. R. 2915. A bill authorizing an appropriation for payment to the Government of China for the account of Li Po-tien; without amendment (Rept. No. 92). Referred to the Committee of the Whole House on the state of the Union.

Mr. FREY of Pennsylvania: Committee on Foreign Affairs. H. R. 2916. A bill authorizing an appropriation for payment to the Government of China for the account of certain Chinese citizens; without amendment (Rept. No. 93). Referred to the Committee of the Whole House on the state of the Union.

Mr. FREY of Pennsylvania: Committee on Foreign Affairs. H. R. 2918. A bill authorizing an appropriation for payment to the Government of China for the account of certain citizens of China; without amendment (Rept. No. 94). Referred to the Committee of the Whole House on the state of the Union.

Mr. FREY of Pennsylvania: Committee on Foreign Affairs. H. R. 2919. A bill authorizing an appropriation for payment to the Government of China for the account of certain Chinese citizens; without amendment (Rept. No. 95). Referred to the Committee of the Whole House on the state of the Union.

Mr. FREY of Pennsylvania: Committee on Foreign Affairs. H. R. 2920. A bill authorizing an appropriation for payment to the Government of the Dominican Republic for the account of Mercedes Martinez Viuda de Sanchez, a Dominican subject; without amendment (Rept. No. 96). Referred to the Committee of the Whole House on the state of the Union.

Mr. FREY of Pennsylvania: Committee on Foreign Affairs. H. R. 2921. A bill authorizing an appropriation for payment to the Government of China for the account of Ling Mau Mau, a citizen of China; without amendment (Rept. No. 97). Referred to the Committee of the Whole House on the state of the Union.

Mr. FREY of Pennsylvania: Committee on Foreign Affairs. H. R. 2922. A bill authorizing an appropriation for payment to the Government of China for the account of certain Chinese citizens; without amendment (Rept. No. 98). Referred to the Committee of the Whole House on the state of the Union.

Mr. FREY of Pennsylvania: Committee on Foreign Affairs. H. R. 2923. A bill authorizing an appropriation for payment to the Government of Nicaragua for the account of Mercedes V. de Williams and others; without amendment (Rept. No. 99). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 3334. A bill for the relief of Janet Hendel, nee Judith Shapiro; without amendment (Rept. No. 73). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 3335. A bill for the relief of Lena Hendel, nee Lena Goldberg; without amendment (Rept. No. 74). Referred to the Committee of the Whole House.

Mr. KING: Committee on Immigration and Naturalization. House Joint Resolution 141. Joint resolution to authorize the issuance to Sekizo Takahashi of a permit to reenter the United States; without amendment (Rept. No. 76). Referred to the Committee of the Whole House.

Mr. SWEENEY: Committee on the Post Office and Post Roads. H. R. 3112. A bill for the relief of Ralph C. Irwin; without amendment (Rept. No. 84). Referred to the Committee of the Whole House.

Mr. SOUTH: Committee on Claims. H. R. 986. A bill conferring jurisdiction upon the United States Court of Claims to hear the claim of the Canal Dredging Co.; without amendment (Rept. No. 100). Referred to the Committee of the Whole House.

Mr. SMITH of Washington: Committee on Claims. H. R. 1097. A bill for the relief of Brook House, Ltd., of Sydney, Australia; with amendment (Rept. No. 101). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1099. A bill for the relief of the New York & Baltimore Transportation Line, Inc.; without amendment (Rept. No. 102). Referred to the Committee of the Whole House.

Mr. RYAN: Committee on Claims. H. R. 1120. A bill for the relief of Fields B. Arthur and Arthur L. Allen, copartners, Colorado Culvert & Flume Co.; Glen Haller, Kenneth Austin, A. B. Hoffman, J. W. Jones, and Lloyd Lasswell; without amendment (Rept. No. 103). Referred to the Committee of the Whole House.

Mr. SEGER: Committee on Claims. H. R. 1231. A bill for the relief of John Munroe; without amendment (Rept. No. 104). Referred to the Committee of the Whole House.

Mr. GUYER: Committee on Claims. H. R. 1245. A bill for the relief of Malinda J. Mast and William Lee Mast; with amendment (Rept. No. 105). Referred to the Committee of the Whole House.

Mr. SOUTH: Committee on Claims. H. R. 1249. A bill for the relief of L. M. Crawford; without amendment (Rept. No. 106). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1252. A bill for the relief of Ellen Kline; with amendment (Rept. No. 107). Referred to the Committee of the Whole House.

Mr. SOUTH: Committee on Claims. H. R. 1258. A bill for the relief of E. G. Briseno; with amendment (Rept. No. 108). Referred to the Committee of the Whole House.

Mr. CARLSON: Committee on Claims. H. R. 1275. A bill for the relief of Sarah L. Smith; without amendment (Rept. No. 109). Referred to the Committee of the Whole House.

Mr. CARLSON: Committee on Claims. H. R. 1277. A bill for the relief of William Hayes; without amendment (Rept. No. 110). Referred to the Committee of the Whole House.

Mr. SOUTH: Committee on Claims. H. R. 1315. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of W. J. Nolan, L. Jacobson, J. A. Higuera, C. H. Damsted, R. Gallegguillo, F. G. Grigsby, K. H. Johnson, R. Dupouy, C. J. Degen, W. L. Nolan, R. C. Jensen, M. J. Roderick, L. K. Moore, C. Lederer, M. Kelley, R. Dinkel, A. J. Mouchou, C. R. Taylor, M. Knull, S. W. Ligon, C. C. Johnson, W. P. Brennan, C. F. Siebert, and J. T. Weeks; with amendment (Rept. No. 111). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1346. A bill for the relief of James M. Winter; without amendment (Rept. No. 112). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1347. A bill for the relief of Frank Gedney; without amendment (Rept. No. 113). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1357. A bill for the relief of Nathan A. Buck; with amendment (Rept. No. 114). Referred to the Committee of the Whole House.

Mr. GWYNNE: Committee on Claims. H. R. 1382. A bill for the relief of Edith M. Powell; with amendment (Rept. No. 115). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1758. A bill for the relief of Bruce Bros. Grain Co.; without amendment (Rept. No. 116). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1794. A bill for the relief of the estate of Marcellino M. Gilmette; with amendment (Rept. No. 117). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1838. A bill for the relief of George Houston; without amendment (Rept. No. 118). Referred to the Committee of the Whole House.

Mr. SOUTH: Committee on Claims. H. R. 1851. A bill for the relief of W. D. Davis; without amendment (Rept. No. 119). Referred to the Committee of the Whole House.

Mr. RYAN: Committee on Claims. H. R. 1858. A bill for the relief of Charles E. Names; without amendment (Rept. No. 120). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1859. A bill for the relief of Etta Natelsky; without amendment (Rept. No. 121). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1870. A bill for the relief of Kate Carter Lyons; with amendment (Rept. No. 122). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1871. A bill for the relief of John S. Hemrick; without amendment (Rept. No. 123). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1875. A bill for the relief of Anna Muetzel; with amendment (Rept. No. 124). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1904. A bill for the relief of Florenz Gutierrez; with amendment (Rept. No. 125). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1913. A bill for the relief of Matt Burgess; without amendment (Rept. No. 126). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1923. A bill for the relief of Evangelos Karacostas; with amendment (Rept. No. 127). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1930. A bill for the relief of William H. Ames; with amendment (Rept. No. 128). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 2042. A bill for the relief of Joshua L. Bach; without amendment (Rept. No. 129). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 2089. A bill for the relief of Charles Weisz; with amendment (Rept. No. 130). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 2144. A bill for the relief of Henrietta Jacobs; with amendment (Rept. No. 131). Referred to the Committee of the Whole House.

Mr. CARLSON: Committee on Claims. H. R. 2225. A bill for the relief of Paul Burress; with amendment (Rept. No. 132). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 2226. A bill for the relief of Leah Levine; without amendment (Rept. No. 133). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 2229. A bill for the relief of Florida O. McLain, widow of Calvin E. McLain, who died from injuries received by being struck by a Government Civilian Conservation Corps truck in the city of Knoxville, Tenn., on August 23, 1934; with amendment (Rept. No. 134). Referred to the Committee of the Whole House.

Mr. CARLSON: Committee on Claims. H. R. 2320. A bill for the relief of Peter Karampelis; without amendment (Rept. No. 135). Referred to the Committee of the Whole House.

Mr. SOUTH: Committee on Claims. H. R. 2321. A bill for the relief of James C. Wilkinson; without amendment (Rept. No. 136). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 2332. A bill for the relief of William Sulem; without amendment (Rept. No. 137). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 2334. A bill for the relief of Andrew Dowd; without amendment (Rept. No. 138). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 2368. A bill for the relief of the estate of Catherine Harkins, deceased; with amendment (Rept. No. 139). Referred to the Committee of the Whole House.

Mr. SMITH of Washington: Committee on Claims. H. R. 2488. A bill for the relief of A. H. Sphar; without amendment (Rept. No. 140). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 2560. A bill for the relief of the State of New York Insurance Department as liquidator; without amendment (Rept. No. 141). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 2780. A bill for the relief of William Blakely as administrator of the estate of Joseph Blakeley, deceased; with amendment (Rept. No. 142). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 2934. A bill for the relief of Raymond E. Payne and Anna R. Payne; without amendment (Rept. No. 143). Referred to the Committee of the Whole House.

Mr. SCHULTE: Committee on Immigration and Naturalization. H. R. 2556. A bill for the relief of Joseph Herschmann; without amendment (Rept. No. 144). Referred to the Committee of the Whole House.

Mrs. O'DAY: Committee on Immigration and Naturalization. H. R. 2557. A bill for the relief of Ruth Radin; without amendment (Rept. No. 145). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1025. A bill to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claims of the Italian Star Line, Inc., against the United States; with amendment (Rept. No. 146). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1085. A bill for the relief of John L. Alcock; with amendment (Rept. No. 147). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1375. A bill for the relief of Wayne M. Cotner; with amendment (Rept. No. 148). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1379. A bill for the relief of Matt E. Saylor; with amendment (Rept. No. 149). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1476. A bill for the relief of Mrs. W. E. Bouchey; with amendment (Rept. No. 150). Referred to the Committee of the Whole House.

Mr. RYAN: Committee on Claims. H. R. 1676. A bill for the relief of the Van Buren Light & Power District; with amendment (Rept. No. 151). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1792. A bill for the relief of John Kelley; with amendment (Rept. No. 153). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 2574. A bill for the relief of Julius A. Geske; with amendment (Rept. No. 152). Referred to the Committee of the Whole House.

Mr. KRAMER: Committee on Immigration and Naturalization. H. R. 411. A bill for the relief of A. Sereiskis (Maxwell A. Rittenberg); without amendment (Rept. No. 154). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Immigration and Naturalization was discharged from the consideration of the bill (H. R. 3391) for the relief of Celia Gladstone, and the same was referred to the Committee on Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN of Louisiana: A bill (H. R. 3859) to authorize the erection of additional facilities to the existing United States Veterans' Administration facility, Alexandria, La.; to the Committee on World War Veterans' Legislation.

By Mr. BACON: A bill (H. R. 3860) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. BINDERUP: A bill (H. R. 3861) providing for the reorganization of the Farm Credit Administration; to the Committee on Agriculture.

By Mr. COLDEN: A bill (H. R. 3862) to provide for the construction of a post-office building in Gardena, Calif.; to the Committee on Public Buildings and Grounds.

By Mrs. NORTON: A bill (H. R. 3863) to amend an act entitled "An act to create a juvenile court in and for the District of Columbia", and for other purposes; to the Committee on the District of Columbia.

By Mr. O'NEAL of Kentucky: A bill (H. R. 3864) to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the founding of the University of Louisville; to the Committee on Coinage, Weights, and Measures.

By Mr. SANDERS: A bill (H. R. 3865) to amend section 601 (c) of the Revenue Act of 1932, as amended, to provide for an excise tax on eggs and egg products; to the Committee on Ways and Means.

By Mr. SMITH of Washington: A bill (H. R. 3866) to add certain lands to the Columbia National Forest, in the State of Washington; to the Committee on the Public Lands.

By Mr. VOORHIS: A bill (H. R. 3867) to amend existing laws to provide same benefits for those veterans who served in the army of occupation before July 2, 1921, as for those who served before November 11, 1918; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 3868) to amend existing law to provide full payment of compensation to hospitalized veterans; to the Committee on World War Veterans' Legislation.

By Mr. BACON: A bill (H. R. 3869) authorizing the transfer of Camp Upton Military Reservation, Long Island, N. Y., to the State of New York for forest demonstration, game conservation and management, and public-park uses; to the Committee on Military Affairs.

By Mr. SPENCE: A bill (H. R. 3870) to authorize the Reconstruction Finance Corporation to make loans for repair of damages caused by the present flood; to the Committee on Banking and Currency.

By Mr. HUNTER: A bill (H. R. 3871) providing for a survey of the Ottawa River, Ohio; to the Committee on Rivers and Harbors.

By Mr. GRAY of Indiana: A bill (H. R. 3872) to create an executive department of the Government to be known as the Department of Inland Watercourses; to the Committee on Expenditures in the Executive Departments.

By Mr. HENNINGS: A bill (H. R. 3873) to prohibit the sale, possession, and transportation of Cannabis and its derivatives and compounds; to the Committee on Interstate and Foreign Commerce.

By Mr. BOYKIN: A bill (H. R. 3874) to extend the times for commencing and completing the construction of a bridge and causeway across the water between the mainland, at or near Cedar Point, and Dauphin Island, Ala.; to the Committee on Interstate and Foreign Commerce.

By Mr. VOORHIS: A bill (H. R. 3875) to preserve and maintain peace between the United States and foreign nations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. VINSON of Georgia: A bill (H. R. 3876) to encourage and promote the ownership of farm homes and to make the possession of such homes more secure, to provide for the general welfare of the United States, to provide additional credit facilities for agricultural development, and for other purposes; to the Committee on Agriculture.

By Mr. POWERS: A bill (H. R. 3877) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. PATMAN: A bill (H. R. 3878) to authorize the Attorney General to offer rewards in certain cases; to the Committee on the Judiciary.

By Mr. KENNEY: A bill (H. R. 3879) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. VINSON of Georgia: A bill (H. R. 3880) to extend the period for filing claims on insurance contracts under the World War Veterans' Act, 1924, as amended; to the Committee on World War Veterans' Legislation.

By Mr. CURLEY: A bill (H. R. 3881) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. BURDICK: A bill (H. R. 3882) conferring jurisdiction on the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Assiniboine Indians may have against the United States, and for other purposes; to the Committee on Indian Affairs.

By Mr. CONNERY: A bill (H. R. 3883) for the relief of certain temporary warrant officers of the United States Coast Guard; to the Committee on Merchant Marine and Fisheries.

By Mr. LEA: A bill (H. R. 3884) to amend sections 210 and 602 (b) of the Communications Act of 1934 with respect to the issuing of franks and rendering of free service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McGRANERY: A bill (H. R. 3885) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. MERRITT: A bill (H. R. 3886) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 3887) to restore without premiums the benefits of United States Government life insurance to certain officers of the United States Army, Navy, and Marine Corps; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 3888) to promote on the retired list Army officers retired for wounds received in battle; to the Committee on Military Affairs.

By Mr. POLK: A bill (H. R. 3889) relating to the authority of the Reconstruction Finance Corporation to make rehabilitation loans for the repair of damages caused by floods or other catastrophes, and for other purposes; to the Committee on Banking and Currency.

By Mr. QUINN: A bill (H. R. 3890) to prohibit experiments upon living dogs in the District of Columbia and providing a penalty for violation thereof; to the Committee on the District of Columbia.

Also, a bill (H. R. 3891) to regulate the occupation and practices of cosmetology, to create a District of Columbia Board of Cosmetology for the examination and licensing of persons to carry on or to teach such practices, to insure the better education of such practitioners, to provide rules regulating the proper conduct and sanitation of cosmetological establishments and schools, for the protection of the public health, and to provide penalties for violation thereof; to the Committee on the District of Columbia.

Mr. WEARIN: A bill (H. R. 3892) to amend the Communications Act of 1934, by adding thereto provisions designed to prohibit unified and monopolistic control of broadcasting facilities and printed publications, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Virginia: A bill (H. R. 3893) to revive and reenact the act entitled "An act authorizing the Great Falls Bridge Co. to construct, maintain, and operate a bridge across the Potomac River at or near Great Falls", approved April 21, 1928; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 3894) to authorize the Secretary of the Treasury to acquire, by condemnation or otherwise, such land in the town of Falls Church, Fairfax County, Va., as may be necessary for the location of a post-office building in said town, and also to construct a suitable building thereon, and making an appropriation therefor; to the Committee on Public Buildings and Grounds.

By Mr. TEIGAN: A bill (H. R. 3895) limiting the power of the courts of the United States respecting legislation by the Congress of the United States; to the Committee on the Judiciary.

By Mr. MAAS: A bill (H. R. 3896) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. SEGER: A bill (H. R. 3897) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. LEA: A bill (H. R. 3898) to amend section 318 of the Communications Act of 1934; to the Committee on Interstate and Foreign Commerce.

By Mr. BULWINKLE: A bill (H. R. 3899) to authorize the coinage of 50-cent pieces in commemoration of the one hundred and sixty-second anniversary of the signing of the Mecklenburg Declaration of Independence in the city of Charlotte, Mecklenburg County, N. C., on the 20th day of May 1775; to the Committee on Coinage, Weights, and Measures.

By Mr. DINGELL: A bill (H. R. 3900) providing for the promotion of employees in the Customs Service; to the Committee on Ways and Means.

By Mr. JOHNSON of Oklahoma: A bill (H. R. 3901) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claim which the Kiowa, Comanche, and Apache Tribes of Indians may have against the United States, and for other purposes; to the Committee on Indian Affairs.

By Mr. HANCOCK of North Carolina: A bill (H. R. 3902) to amend the Judicial Code, as amended; to the Committee on the Judiciary.

By Mr. HILL of Alabama (by request): A bill (H. R. 3903) to authorize an appropriation for improvement of ammunition-storage facilities at Camp Stanley, Tex., and Savanna ordnance depot, Savanna, Ill.; to the Committee on Military Affairs.

Also (by request), a bill (H. R. 3904) to amend that provision of the act approved March 3, 1879 (20 Stat. L. 412), relating to the issue of arms and ammunition for the protection of public money and property; to the Committee on Military Affairs.

By Mr. KLEBERG: A bill (H. R. 3905) to exempt certain retailers from the occupational tax on the sale of oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mrs. O'DAY: A bill (H. R. 3906) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. VINSON of Georgia: A bill (H. R. 3907) to amend an act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1910, and for other purposes", approved March 3, 1909, to extend commissary privileges to widows of officers and enlisted men of the Navy and Marine Corps, and also to officers of the Foreign Service of the United States at foreign stations; to the Committee on Naval Affairs.

By Mr. O'CONNELL of Montana: A bill (H. R. 3908) to authorize completion, maintenance, and operation of certain facilities at Fort Peck, Mont., for navigation on the Missouri River; to provide for the creation of the Fort Peck Power Authority; to provide for the generation, distribution, and sale of electricity; and for other purposes; to the Committee on Rivers and Harbors.

By Mr. MEAD: A bill (H. R. 3909) to amend the statutes providing punishment for transmitting threatening communications; to the Committee on the Post Office and Post Roads.

By Mr. SCHULTE: A bill (H. R. 3910) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. CONNERY: A bill (H. R. 3911) to provide educational employees of the public schools of the District of Columbia with leave of absence, with part pay, for purposes of educational improvement, and for other purposes; to the Committee on the District of Columbia.

By Mr. FISH: A bill (H. R. 3912) to provide $250,000 for the national memorial construction program of the Veterans' Memorial Grove Association of Orange County, N. Y.; to the Committee on Military Affairs.

By Mr. McCORMACK: A bill (H. R. 3913) to authorize the purchase and distribution of products of the fishing industry; to the Committee on Agriculture.

By Mr. CITRON: A bill (H. R. 3914) authorizing the erection of a memorial to Brig. Gen. Casimir Pulaski at Savannah, Ga.; to the Committee on the Library.

By Mr. O'BRIEN of Michigan: Resolution (H. Res. 91) for investigation of the strike in the automobile industry in Michigan; to the Committee on Rules.

By Mr. CONNERY: Resolution (H. Res. 92) authorizing the Speaker to appoint a committee of seven Members of the House of Representatives to investigate the allegations and charges that a monopoly or monopolies exist in radio broadcasting; to the Committee on Rules.

By Mr. LUDLOW: Joint resolution (H. J. Res. 164) to provide for an unlimited deduction for income-tax purposes on account of certain contributions for relief in connection with the present flood; to the Committee on Ways and Means.

By Mr. CONNERY: Joint resolution (H. J. Res. 165) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. BARRY: Joint resolution (H. J. Res. 166) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. DUNN: Joint resolution (H. J. Res. 167) to provide at least a billion dollars for the immediate relief of the suffering people in the flooded areas of our country; to the Committee on Appropriations.

By Mr. LEA: Joint resolution (H. J. Res. 168) to appropriate an additional $50,000 for investigations and surveys of forest insects in California; to the Committee on Appropriations.

By Mr. SMITH of Virginia: Joint resolution (H. J. Res. 169) to provide for the printing, with illustrations and binding in cloth, of 110,000 copies of the Special Report on the Diseases of the Horse; to the Committee on Printing.

By Mr. CASEY of Massachusetts: Joint resolution (H. J. Res. 170) authorizing the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, and New York to enter into a certain agreement; to the Committee on the Judiciary.

By Mr. DISNEY: Joint resolution (H. J. Res. 171) for the designation of certain streets or avenues in the Mall as Ohio, Missouri, Oklahoma, and Maine Avenues; to the Committee on the District of Columbia.

By Mr. LEMKE: Joint resolution (H. J. Res. 172) relating to ownership of stocks and bonds of industrial, railroad, mining, banking, shipping, oil, and other corporations, firms, and partnerships by Members of the Senate and House of Representatives of the United States of America and by employees of the Federal Government and their relation to such corporations and firms; to the Committee on the Judiciary.

By Mr. CITRON: Joint resolution (H. J. Res. 173) authorizing the President of the United States of America to proclaim October 11, 1937, General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. McREYNOLDS: Joint resolution (H. J. Res. 174) to amend the public resolution approved June 5, 1936, entitled "Joint resolution authorizing and requesting the President to extend to the Government of Sweden and individuals an invitation to join the Government and people of the United States in the observance of the three hundredth anniversary of the first permanent settlement in the Delaware

River Valley, and for other purposes"; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND: A bill (H. R. 3915) for the relief of Tidewater Construction Corporation; to the Committee on Claims.

Also, a bill (H. R. 3916) granting a pension to Edna P. Welsh; to the Committee on Invalid Pensions.

By Mr. BOLAND of Pennsylvania: A bill (H. R. 3917) granting World War veterans' compensation to John Paszczuk; to the Committee on War Claims.

Also, a bill (H. R. 3918) granting a pension to Mary Elizabeth O'Keefe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3919) for the relief of Patrick James Durkin; to the Committee on Naval Affairs.

Also, a bill (H. R. 3920) for the relief of Thomas A. Coyne; to the Committee on Military Affairs.

Also, a bill (H. R. 3921) for the relief of Nell Mullen; to the Committee on Claims.

Also, a bill (H. R. 3922) for the relief of David A. Gould; to the Committee on Claims.

By Mr. BOYLAN of New York: A bill (H. R. 3923) for the relief of John Michael Sullivan, deceased; to the Committee on Naval Affairs.

By Mr. BULWINKLE: A bill (H. R. 3924) for the relief of Harry W. Sturrup; to the Committee on Claims.

By Mr. COLLINS: A bill (H. R. 3925) for the relief of Hunter George Taft; to the Committee on Naval Affairs.

Also, a bill (H. R. 3926) for the relief of Eliza Boykin; to the Committee on Claims.

By Mr. CONNERY: A bill (H. R. 3927) granting an increase of pension to Ida A. Chapman; to the Committee on Pensions.

Also, a bill (H. R. 3928) granting an increase of pension to John Albert Fritz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3929) for the relief of William A. Ambrose; to the Committee on Naval Affairs.

Also, a bill (H. R. 3930) for the relief of Paul Edmond Beliveau; to the Committee on Pensions.

Also, a bill (H. R. 3931) for the relief of Edward John Bradley, deceased; to the Committee on Naval Affairs.

Also, a bill (H. R. 3932) for the relief of John E. Cassidy; to the Committee on Naval Affairs.

Also, a bill (H. R. 3933) for the relief of William Cavanaugh; to the Committee on Naval Affairs.

Also, a bill (H. R. 3934) for the relief of Joseph W. Christ; to the Committee on Naval Affairs.

Also, a bill (H. R. 3935) for the relief of Humbert Di Pesa; to the Committee on Naval Affairs.

Also, a bill (H. R. 3936) for the relief of John Thomas Donlan; to the Committee on Naval Affairs.

Also, a bill (H. R. 3937) for the relief of Andrew V. Donovan; to the Committee on Naval Affairs.

Also, a bill (H. R. 3938) for the relief of Edward A. Everett; to the Committee on Naval Affairs.

Also, a bill (H. R. 3939) for the relief of Thomas Joseph Farrell; to the Committee on Naval Affairs.

Also, a bill (H. R. 3940) for the relief of Ellen A. Farrelly; to the Committee on Naval Affairs.

Also, a bill (H. R. 3941) for the relief of Edward J. Fegan; to the Committee on Naval Affairs.

By Mr. CROWE: A bill (H. R. 3942) granting a pension to Joseph B. King; to the Committee on Pensions.

Also, a bill (H. R. 3943) granting a pension to Maude Moody; to the Committee on Pensions.

By Mr. DELANEY: A bill (H. R. 3944) for the relief of Brajna Migdal; to the Committee on Immigration and Naturalization.

By Mr. FISH: A bill (H. R. 3945) for the relief of Harry Stanbrough Monell, formerly chairman, War Department Claims Board Transportation Service; to the Committee on Military Affairs.

By Mr. GRAY of Indiana: A bill (H. R. 3946) for the relief of Richard A. Templin; to the Committee on Military Affairs.

By Mr. GRISWOLD: A bill (H. R. 3947) granting a pension to Cora Cate; to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 3948) for the relief of Howard Lewter; to the Committee on Pensions.

Also, a bill (H. R. 3949) granting an increase of pension to Jennie Griffin Milhado Stickney; to the Committee on Pensions.

By Mr. HANCOCK of New York: A bill (H. R. 3950) granting an increase of pension to Carrie H. Wood; to the Committee on Invalid Pensions.

By Mr. HARLAN: A bill (H. R. 3951) for the relief of Manfred Ehrenfried; to the Committee on Immigration and Naturalization.

By Mr. HENDRICKS: A bill (H. R. 3952) granting a pension to Susie E. Payne; to the Committee on Pensions.

By Mr. HILDEBRANDT: A bill (H. R. 3953) for the relief of Harold Dukelow; to the Committee on Claims.

By Mr. HULL: A bill (H. R. 3954) for the relief of Milo Milliser; to the Committee on Claims.

Also, a bill (H. R. 3955) for the relief of Mr. and Mrs. Jens H. Flattum; to the Committee on Claims.

By Mr. IZAC: A bill (H. R. 3956) for the relief of Mr. and Mrs. Charles F. Carter, parents and guardians of Louise Marie Carter, a minor; to the Committee on Claims.

By Mr. JOHNSON of Oklahoma: A bill (H. R. 3957) granting a pension to John Patrick Nolan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3958) for the relief of Lettie Leverett; to the Committee on Claims.

Also, a bill (H. R. 3959) for the relief of Jack Stuckey; to the Committee on Claims.

By Mr. KENNEDY of Maryland: A bill (H. R. 3960) for the relief of the Southern Overall Co.; to the Committee on War Claims.

Also, a bill (H. R. 3961) for the relief of the estate of Benjamin A. Pillsbury (William J. Pillsbury, executor); to the Committee on War Claims.

By Mr. KRAMER: A bill (H. R. 3962) authorizing the President of the United States to present, in the name of Congress, a medal of honor to Paul S. Seim; to the Committee on Military Affairs.

By Mr. LESINSKI: A bill (H. R. 3963) for the relief of John Zarnick; to the Committee on Claims.

By Mr. LEWIS of Colorado: A bill (H. R. 3964) for the relief of Sheldon R. Purdy; to the Committee on Claims.

Also, a bill (H. R. 3965) for the relief of William J. Saunders; to the Committee on Naval Affairs.

Also, a bill (H. R. 3966) for the relief of S. M. Price; to the Committee on Claims.

Also, a bill (H. R. 3967) for the relief of Adele Fowlkes; to the Committee on Claims.

By Mr. MITCHELL of Illinois: A bill (H. R. 3968) for settlement of claim of Allen Holmes; to the Committee on Claims.

By Mrs. O'DAY: A bill (H. R. 3969) for the relief of Joseph Harris (Joseph Hersh); to the Committee on Immigration and Naturalization.

By Mr. O'NEILL of New Jersey: A bill (H. R. 3970) to authorize the presentation of a Congressional Medal of Honor to Taliesin Waters; to the Committee on Military Affairs.

By Mr. PARSONS: A bill (H. R. 3971) granting a pension to Nancy C. Parrish; to the Committee on Pensions.

By Mr. PETERSON of Florida: A bill (H. R. 3972) for the relief of Homer C. Alldredge, also known as Homer B. Collins; to the Committee on Military Affairs.

By Mr. REECE of Tennessee: A bill (H. R. 3973) granting a pension to Laura Alice Donnelly; to the Committee on Invalid Pensions.

By Mr. SECREST: A bill (H. R. 3974) granting a pension to Narcissa Walter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3975) granting a pension to Marion Gregory; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3976) granting a pension to Louisa J. Humphrey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3977) granting a pension to Florence Bonnell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3978) granting a pension to Maretta Anna Booher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3979) granting an increase of pension to Lydia J. Allard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3980) granting a pension to Sarah R. Beggs; to the Committee on Invalid Pensions.

By Mr. SHAFER of Michigan: A bill (H. R. 3981) granting a pension to Lena P. Riddick; to the Committee on Pensions.

Also, a bill (H. R. 3982) for the relief of John W. Barnum; to the Committee on Claims.

Also, a bill (H. R. 3983) for the relief of Maj. Charles B. Dunphy, United States Army, retired; to the Committee on Military Affairs.

By Mr. SOUTH: A bill (H. R. 3984) granting a pension to Maude Campbell; to the Committee on Invalid Pensions.

By Mr. TAYLOR of South Carolina: A bill (H. R. 3985) for the relief of W. H. Hughs; to the Committee on Claims.

Also, a bill (H. R. 3986) for the relief of Ellie Youngblood; to the Committee on Claims.

By Mr. WELCH: A bill (H. R. 3987) for the relief of the estate of Col. C. J. Bartlett, United States Army; to the Committee on Claims.

Also, a bill (H. R. 3988) to amend the act entitled "An act conferring upon the United States District Court for the Northern District of California, southern division, jurisdiction of the claim of Minnie C. de Back against the Alaska Railroad", approved June 24, 1935; to the Committee on Claims.

By Mr. WITHROW: A bill (H. R. 3989) granting an increase of pension to Edith Pullen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3990) granting an increase of pension to Nettie S. Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3991) granting a pension to Josephine D. M. Nelson; to the Committee on Pensions.

By Mr. WARREN: A bill (H. R. 3992) to confer jurisdiction on the District Court of the United States for the Eastern District of North Carolina to hear, determine, and render judgment upon the claim of Daisy Midgett, C. P. Midgett, and M. B. Simpson against the United States; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

145. By Mr. ANDREWS: Petition of residents of Lockport, Niagara County, N. Y., urging continuation of adult education centers in western New York; to the Committee on Appropriations.

146. Also, resolution adopted by the Common Council of the City of Tonawanda, N. Y., urging favorable consideration of a bill to provide improvement of the barge canal from Three Rivers, N. Y., to Buffalo; to the Committee on Rivers and Harbors.

147. By Mr. BUCKLER of Minnesota: Petition of Jack McKechnie, Thief River Falls, and E. A. Torgerson, Oklee, chairman and secretary, respectively, of the Pennington County petroleum industries committee, Minnesota, praying that their State senators and representatives be requested to oppose all added taxes on the motorists and business concerns handling motoring necessities and support measures intended to equalize Minnesota taxes on these products and individuals with that of the average prescribed for the State, to the end that this class of Minnesota citizens and businessmen will not continue to be penalized; to the Committee on Interstate and Foreign Commerce.

148. By Mr. COLDEN: Resolution adopted at the 1936 convention of the American Federation of Labor, urging the inclusion of the Secretary of Labor, along with the Secretaries of State, Agriculture, and Commerce, on Federal commissions on international expositions, and that legislation be enacted accordingly; to the Committee on Labor.

149. Also, resolution, in the form of a letter, from the Los Angeles County Relief Administration, 741 South Flower Street, Los Angeles, Calif., calling attention to the serious problems resulting from the constant influx of transients into Los Angeles County, for whom there is no care available from either Federal, State, or county funds, and urging that consideration be given to the furnishing of relief for such transients by the Federal Government; to the Committee on Appropriations.

150. By Mr. HILDEBRANDT: Petition relating to a 3½-percent rate of interest on Federal land bank loans and requesting early appropriation for funds for seed, and obtaining emergency grants for the Works Progress Administration during the unforeseen weather conditions; to the Committee on Banking and Currency.

151. Also, petition to retain the Health Service of the United States under the Department of the Treasury rather than placing it under the Welfare Department; to the Committee on Education.

152. By Mr. LUCKEY of Nebraska: Memorial of the State Legislature of Nebraska, memorializing the Congress of the United States to enact into law the Sheppard-Hill bill, commonly called the Universal Service Act, in the interest of world peace; to the Committee on Military Affairs.

153. Also, petition of the Unicameral Legislature of Nebraska, urging the Congress of the United States to enact such legislation as is necessary to make more permanent all star-route contracts, and to regulate a reasonable rate of pay thereon; to the Committee on the Post Office and Post Roads.

154. By Mr. MERRITT: Resolution of the student council of the Adult Education League, 80 Centre Street, New York, requesting that the following petition, signed by over 1,100 students to date, be circulated among the students: "We, the undersigned students, citizens and taxpayers of the city of New York, do hereby go on record for the establishment of adult education on a permanent basis. We desire to maintain the present teaching staff, who have proven capable and understanding in the teaching of adult students"; to the Committee on Education.

155. Also, resolution of the Republican Club of Astoria, Inc., at its regular meeting, December 9, 1936, at Long Island City, N. Y., requesting that the Constitution of the United States be amended to permit the enactment into law of certain proposals to establish old-age pensions and unemployment insurance under the so-called Social Security Act and other legislation; and that it is the opinion of this organization that an amendment to the Constitution should be proposed to accomplish these purposes; to the Committee on the Judiciary.

156. By Mr. MOTT: Petition signed by Henry B. Karr and 138 citizens of Tillamook County, Oreg., urging the enactment of the Townsend national recovery plan into law; to the Committee on Ways and Means.

157. By Mr. QUINN: Resolution of the elected representatives of the employees of the McKeesport Tin Plate Co., located at McKeesport, Pa., urging passage of laws for workmen's compensation to cover occupational diseases, shorter working hours and minimum wages, and absolute protection of labor's right to bargain collectively; to the Committee on Labor.

SENATE

FRIDAY, JANUARY 29, 1937

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, who art from everlasting to everlasting; whose eternity, in which we share, gives meaning to our lives, help us so to number our days that we may apply our hearts unto wisdom. Inspire us with a zeal for truth, for freedom, and for every noble virtue, that our souls may be as pure as the naked heavens as we travel on Life's common way in cheerful godliness; and may we lead men by the light of our countenance, as we lay upon our heart the lowliest of their burdens and their sorrows.

Be Thou with all Thy children in the valley of the shadow, that they may fear no evil; and at eventide may there be light and the bridge of golden sunset leading into the eternal day. We ask it in the name of Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, January 27, 1937, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its reading clerks, announced that the House had passed a bill (H. R. 1531) extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 1545) to provide for loans to farmers for crop production and harvesting during the year 1937, and for other purposes, and it was signed by the Vice President.

CALL OF THE ROLL

Mr. LEWIS. In order to secure the presence of a quorum, I ask for a roll call.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Chavez	Holt	O'Mahoney
Andrews	Clark	Hughes	Overton
Ashurst	Connally	Johnson, Colo.	Pepper
Austin	Copeland	King	Pittman
Bachman	Davis	Lee	Pope
Bailey	Dieterich	Lewis	Radcliffe
Bankhead	Duffy	Lodge	Reynolds
Barkley	Ellender	Logan	Robinson
Bilbo	Frazier	Lonergan	Russell
Black	George	Lundeen	Schwartz
Bone	Gerry	McCarran	Schwellenbach
Borah	Gibson	McGill	Thomas, Okla.
Bridges	Gillette	McKellar	Tydings
Brown, Mich.	Glass	McNary	Vandenberg
Bulkley	Green	Maloney	Van Nuys
Bulow	Guffey	Minton	Walsh
Burke	Hale	Moore	Wheeler
Byrd	Harrison	Murray	White
Byrnes	Hayden	Neely	
Capper	Herring	Norris	
Caraway	Hitchcock	Nye	

Mr. LEWIS. I announce the absence of the Senator from Ohio [Mr. DONAHEY] and the Senator from New Mexico [Mr. HATCH] because of illness; and I further announce that the Senator from New Hampshire [Mr. BROWN], the Senator from California [Mr. MCADOO], the Senator from New Jersey [Mr. MOORE], the Senator from Texas [Mr. SHEPPARD], the Senator from South Carolina [Mr. SMITH], the Senator from Missouri [Mr. TRUMAN], the Senator from New York [Mr. WAGNER], and the Senator from Utah [Mr. THOMAS] are necessarily detained from the Chamber.

Mr. MCNARY. I announce that my colleague the junior Senator from Oregon [Mr. STEIWER], the senior Senator from Minnesota [Mr. SHIPSTEAD], and the Senator from Delaware [Mr. TOWNSEND] are necessarily detained from the Senate.

The VICE PRESIDENT. Eighty-one Senators have answered to their names; a quorum is present.

FARM CREDIT ADMINISTRATION—SUPPLEMENTAL ESTIMATE (S. DOC. NO. 15)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, submitting, pursuant to law, a supplemental estimate of appropriation amounting to $50,000,000 for crop production and harvesting loans under the Farm Credit Administration, fiscal year 1937, to remain available until June 30, 1938, which was referred to the Committee on Appropriations and ordered to be printed.

TOPOGRAPHIC MAPPING OF THE UNITED STATES (S. DOC. NO. 14)

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, reporting, in response to Senate Resolution 281 (74th Cong.), relative to a program of expediting the topographic mapping of the United States, which was referred to the Committee on Public Lands and Surveys and ordered to be printed.

REPORT OF THE FEDERAL HOUSING ADMINISTRATION

The VICE PRESIDENT laid before the Senate the third annual report (submitted pursuant to law) of the Federal Housing Administration for the calendar year 1936, which was referred to the Committee on Banking and Currency.

REPORTS OF THE CHESAPEAKE & POTOMAC TELEPHONE CO.

The VICE PRESIDENT laid before the Senate letters from the president of the Chesapeake & Potomac Telephone Co., submitting financial statements of the company, which were referred to the Committee on the District of Columbia, as follows:

Statement (submitted pursuant to law) of receipts and expenditures for the full year 1936; and

The comparative general balance sheet for the year 1936.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the Legislature of the State of Colorado, which was referred to the Committee on Foreign Relations:

Whereas it is indicated that there is a determination of certain Government officials to secure a ratification of the Argentine Sanitary Convention; and

Whereas any attempt to raise the embargo on animal products from Argentina, or any Province thereof, would subject the livestock and wild animal life of the United States to a constant menace of foot-and-mouth disease; and

Whereas past experience shows that outbreaks caused by such importations have caused millions of dollars' damage and consequent depletion of livestock and game, and have been a source of great economic loss: Now, therefore, be it

Resolved by the Senate of the Thirty-first General Assembly of the State of Colorado (the house of representatives concurring herein), That we respectfully petition the Congress of the United States to protest the ratification of the Argentine Sanitary Convention and urge the members thereof to work for the continuance of the present embargo against every country where the disease is known to exist and that there shall be no experimentation at the expense of the health and safety of our livestock and wild animal life; be it further

Resolved, That a copy of this resolution be forwarded to the President of the United States, to both Houses of Congress of the United States, and to each Member thereof from this State, to the Secretary of Agriculture, and to each house of legislative assembly of those States whose legislatures are now in session.

The VICE PRESIDENT also laid before the Senate the following joint memorial of the Legislature of the State of Washington, which was referred to the Committee on Education and Labor:

Senate Joint Memorial 1

To the Honorable Franklin D. Roosevelt, President of the United States, the Senate and House of Representatives of the United States of America in Congress assembled:

We, your memorialists, the Senate and House of Representatives of the State of Washington, in regular session assembled, most respectfully represent and petition your honorable body as follows:

Whereas an Executive order issued through the Works Progress Administration has forced several hundred women with dependent children in the State of Washington to stop work on W. P. A. projects and has forced them to depend entirely on money from the fund for aid to dependent children; and

Whereas such aid is only $18 for one child and $6 for each additional child under 16 years of age, which is manifestly inadequate for the proper maintenance of a family; and

Whereas this order has not only seriously affected the immediate material welfare of these mothers and their children, so that they are now in desperate circumstances, but has also forced many of them to leave educational classes which they were attending in order to prepare themselves for permanent positions in commercial and industrial fields;

Therefore your memorialists do most earnestly pray that this Executive order be rescinded and these mothers returned to the projects where they were working.

Mr. CLARK presented the following concurrent resolution of the Legislature of the State of Missouri, which was referred to the Committee on Finance:

Senate Concurrent Resolution 4

Whereas the Social Security Act, enacted by the Congress of the United States, assessed a tax on employers of eight or more, commencing January 1, 1936, and the tax for the calendar year ending December 31, 1936, for Missouri is estimated to exceed $5,000,000; and

Whereas under the terms of said Social Security Act, enacted by the United States Congress, it is provided that said funds shall become a part of the general revenue of the United States unless the State of Missouri shall have enacted an unemployment compensation law prior to December 31, 1936; and

Whereas there was no session of the General Assembly of Missouri subsequent to the enactment and approval of said Social Security Act and prior to January 1, 1937, and the general assembly is now in session and is considering the enactment of such law; and

Whereas the State of Missouri will lose the benefit of said taxes collected for the year of 1936 unless Congress shall extend the time for the enactment of legislation under the act: Now, therefore, be it

Resolved, That the Senate and the House of Representatives of the State of Missouri by this concurrent resolution memorialize and request the Senators from Missouri in the United States Senate and the Representatives in Congress from Missouri to use their influence and assistance in obtaining an extension of time which would permit the General Assembly of Missouri to enact an unemployment compensation law which will be applicable to taxes collected for the year of 1936, and that Congress authorize the Federal Government to give the credits on said taxes provided for in the Social Security Act provided that the State of Missouri shall enact an unemployment compensation law during the present session of the fifty-ninth general assembly.

Mr. LODGE presented a resolution adopted by the Citizens' Progressive League, Cambridge, Mass., favoring the enactment of antilynching legislation, which was referred to the Committee on the Judiciary.

Mr. COPELAND presented a letter in the nature of a petition from the mayor of Lockport, N. Y., praying for the taking of immediate steps to end the present strikes in the automotive and allied industries, which was referred to the Committee on Education and Labor.

He also presented petitions of sundry citizens of East Aurora and vicinity, in the State of New York, praying for the enactment of neutrality legislation laying mandatory embargoes, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of New York City and vicinity, praying for the enactment of legislation creating a Federal music project as a permanent establishment to be subsidized with a living wage for musicians, which was referred to the Committee on Education and Labor.

Mr. COPELAND. I present a letter in the nature of a petition from the Dairymen's League of my State for appropriate reference. I ask that the brief resolution attached thereto may be printed in the RECORD and appropriately referred.

There being no objection, the letter and resolution were referred to the Committee on Agriculture and Forestry, and the resolution was ordered to be printed in the RECORD, as follows:

Whereas most boards of health in New York State require that milk be offered for sale from only such dairies as are reasonably free from mastitis; and

Whereas this program is beneficial to public health; and

Whereas at present there are neither Federal nor State indemnities paid dairymen for cows rejected for mastitis; and

Whereas this program in many instances creates a tremendous financial loss and burden upon the dairy farmer.

Now, therefore, we the officers, delegates, and members of the Oneida-Herkimer Counties Dairymen's League organization assembled at the courthouse, Utica, N. Y., on January 25, 1937, do hereby go on record as requesting that the matter of suitable State and Federal indemnities for cows rejected for mastitis be given consideration, and a copy of this resolution be sent to the proper State and Federal lawmaking representatives.

GEORGE B. HUMPHREYS,
New Hartford, N. Y.
WILLIAMS J. DICKER,
Holland Patent, N. Y.
ANGUS J. CALMAN,
Mohawk, N. Y., R. D. No. 2.
HOMER S. HACKLEY,
Bridgewater, N. Y.

PROGRAM OF THE AMERICAN FARM BUREAU FEDERATION

Mr. BLACK. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred a copy of the policies of the American Farm Bureau Federation as outlined in a conference with the President at a meeting of the executive committee with him on January 12, 1937.

There being no objection, the matter was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

The executive committee of the American Farm Bureau Federation, pursuant to and in accordance with the direction of the voting delegates at the recent annual convention, herewith presents to the President and to the Congress an outline for legislative action during the present session for a permanent program along production lines for agriculture, so that prices for agricultural products will be maintained on parity levels of prices of industry and labor.

To accomplish this objective existing provisions of law should be strengthened or new legislation enacted to maintain or set up the following programs:

1. For the purpose of guaranteeing to the consuming public at fair prices an adequate reservoir of basic agricultural supplies there should be provided by law an ever-normal granary of food, feed, and fiber.

2. Adequate capital funds to underwrite the continuance and enlargement of commodity-loan operations should be made available.

3. Effective and flexible provisions of law are necessary to insure an adequate supply of agricultural products in line with domestic and foreign demand at parity prices on all basic crops. There must be initiated and maintained a balance between the production of farm products and the consumptive requirements therefor. This can be accomplished most effectively through production adjustment, coupled with farmer control of surpluses under a system of commodity loans; and

4. The continuance of the national soil-conservation program to restore and maintain soil fertility and to secure the proper utilization of the Nation's soil resources in guaranteeing to the future generations an abundance of the necessities of life; and

5. The reenactment or strengthening of provisions of law covering marketing agreements on dairy products and nonbasic crops is necessary to maintain parity prices.

6. The Federal law requiring State administration of the national soil-conservation program should be postponed through amendment until January 1940.

7. An equitable and permanent revenue and fiscal policy should be provided by law that will insure the successful operation and maintenance of the foregoing programs.

The American Farm Bureau Federation emphasizes the necessity for the enactment of legislation during the present session of Congress to:

1. Extend Presidential authority to revalue gold until such time as a monetary authority is established.

2. Continue for 2 years the 3½-percent interest rate on farm mortgages in the Federal land banks.

3. Secure the continuation of the program of the Rural Electrification Administration.

4. Secure the continuation of the program of the Tennessee Valley Authority.

5. Expand foreign trade by means of reciprocity treaties entered into after public hearings and with the most-favored-nation clause eliminated.

6. Maintain a continuance of our quarantine regulations necessary to properly protect American livestock and farm products.

7. Control monopolies and reduce excessive tariff rates.

8. Center conservation activities which relate to organic resources in the United States Department of Agriculture.

9. Penalize oleomargarine in the manufacture of which imported ingredients are used.

10. Coordinate and consolidate all Federal agricultural agencies for purposes of economy and efficiency.

11. Provide adequate appropriations for the land-grant institutions, Agricultural Extension Service, and vocational education.

12. Provide for a Federal experimentation in crop insurance on wheat only if a sound actuarial program can be developed.

13. Provide an opportunity for worthy young farmers and efficient tenants to become farm owners by a liberalized loaning policy under the administration of the Agricultural Department and the Farm Credit Administration.

EDWARD A. O'NEAL.
EARL C. SMITH.
R. W. BLACKBURN.
GEORGE M. PUTNAM.
J. F. PORTER.
O. O. WOLF.

WASHINGTON, D. C., *January 12, 1937.*

REPORTS OF COMMITTEES

Mr. BACHMAN, from the Committee on Military Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 292. A bill for the relief of Thomas Salleng (Rept. No. 18); and

S. 327. A bill for the relief of Felix Griego (Rept. No. 19).

Mr. LOGAN, from the Committee on Military Affairs, to which was referred the bill (S. 686) for the relief of Anthony J. Constantino, reported it without amendment and submitted a report (No. 20) thereon.

Mr. CONNALLY, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 974) to create the Capital Auditorium Commission, reported it with an amendment and submitted a report (No. 21) thereon.

BILLS INTRODUCED

The VICE PRESIDENT. The introduction of bills and joint resolutions is now in order.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

Mr. McNARY. Mr. President, at the request of the Senator from California [Mr. JOHNSON], I introduce a bill for appropriate reference.

The VICE PRESIDENT. The bill will be received and appropriately referred.

By Mr. McNARY (for Mr. JOHNSON of California):

A bill (S. 1178) applying the provisions of the act of August 12, 1935, to the retired pay of officers, warrant officers, members of the Nurse Corps, and enlisted men of the Army, Navy, and Marine Corps, and for other purposes; to the Committee on Military Affairs.

By Mr. McNARY:

A bill (S. 1179) to provide for aiding 4-H clubs in exhibiting and demonstrating their various projects and activities at State agricultural fairs; to the Committee on Agriculture and Forestry.

By Mr. McKELLAR:

A bill (S. 1180) to limit the jurisdiction of district courts and circuit courts of appeal with respect to suits to enjoin the execution of acts of Congress, and providing for appeals of cases in which an act of Congress is held invalid by district courts; to the Committee on the Judiciary.

By Mr. BARKLEY:

A bill (S. 1181) granting a pension to Maggie Ball;

A bill (S. 1182) granting a pension to Dora McCallister;

A bill (S. 1183) granting a pension to Gillis S. Mitchell;

A bill (S. 1184) granting a pension to Thomas E. Morrison;

A bill (S. 1185) granting a pension to Alexander Steele;

A bill (S. 1186) granting a pension to Jamaica Taylor; and

A bill (S. 1187) granting a pension to Philip T. West; to the Committee on Pensions.

By Mr. GEORGE:

A bill (S. 1188) for the relief of J. E. Sammons; to the Committee on Claims.

A bill (S. 1189) to provide for the establishment of a Coast Guard station on the coast of Georgia at or near Tybee Island; to the Committee on Commerce.

By Mr. COPELAND:

A bill (S. 1190) for the relief of Frank Lipinski; to the Committee on Military Affairs.

A bill (S. 1191) to reclassify the salaries of employees in the custodial service of the Post Office Department of the United States of America, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. BLACK:

A bill (S. 1192) for the appointment of an additional circuit judge for the fifth judicial circuit; to the Committee on the Judiciary.

By Mr. BAILEY:

A bill (S. 1193) for the relief of John L. Summers, former disbursing clerk, Treasury Department, and various former Treasurers of the United States; to the Committee on Claims.

By Mr. DIETERICH:

A bill (S. 1194) granting to the State of Illinois all right, title, and interest of the United States in and to the land comprising the right-of-way of the abandoned Illinois and Michigan Canal, as the same was routed and constructed through the public lands of the United States, in the State of Illinois, pursuant to the act of Congress of the United States of March 2, 1827, and pursuant to the act of Congress of the United States of March 30, 1822; to the Committee on Public Lands and Surveys.

By Mr. REYNOLDS:

A bill (S. 1195) to provide for the preferred employment of American citizens by the Government of the United States; to the Committee on Expenditures in the Executive Departments.

A bill (S. 1196) granting a pension to Jacob Schneider, Jr.; to the Committee on Pensions.

By Mr. McGILL:

A bill (S. 1197) granting a pension to Nettie Schafer; to the Committee on Pensions.

By Mr. WHITE:

A bill (S. 1198) granting a pension to Charles Knowlton; to the Committee on Finance.

A bill (S. 1199) for the relief of Wilfred Therrein; to the Committee on Naval Affairs.

By Mr. ANDREWS:

A bill (S. 1200) to provide for a customhouse building at Port Everglades, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. SCHWELLENBACH:

A bill (S. 1201) to provide for the reopening of certain lands in the Colville Indian Reservation in the State of Washington to entry under the mineral-land laws; to the Committee on Indian Affairs.

By Mr. BYRD:

A bill (S. 1202) for the relief of A. F. Amory;

A bill (S. 1203) for the relief of the Butler Lumber Co., Inc., Richmond, Va.;

A bill (S. 1204) for the relief of Walter Lee Brown;

A bill (S. 1205) for the relief of Carrie M. Clements, widow, and Margie P. Clements, James D. Clements, and Elieza V. Ball, children of Dr. David Oscar Clements, deceased;

A bill (S. 1206) for the relief of Robert Coates;

A bill (S. 1207) for the relief of First Lt. R. G. Cuno;

A bill (S. 1208) for the relief of Lawrence A. Jett; and

A bill (S. 1209) for the relief of Roland P. Winstead; to the Committee on Claims.

A bill (S. 1210) for the relief of James T. Moore;

A bill (S. 1211) to authorize and direct the appointment of Levin Milton Price as a first lieutenant, United States Army; and

A bill (S. 1212) authorizing the conveyance to the State of Virginia, for highway purposes only, of portions of the Fort Myer Military Reservation, Va., and for other purposes; to the Committee on Military Affairs.

A bill (S. 1213) granting a pension to Barbara Oertel;

A bill (S. 1214) granting a pension to William Turner; and

A bill (S. 1215) granting an increase of pension to Emily Semple Wood; to the Committee on Pensions.

By Mr. WHEELER:

A bill (S. 1216) authorizing the Secretary of the Interior to convey certain land to the State of Montana to be used for the purposes of a public park and recreational site; to the Committee on Public Lands and Surveys.

By Mr. MOORE:

A bill (S. 1217) to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the birth of Grover Cleveland; to the Committee on Banking and Currency.

By Mr. THOMAS of Oklahoma:

A bill (S. 1218) granting a pension to Joe W. George; to the Committee on Pensions.

A bill (S. 1219) for the relief of Pauline McKinney;

A bill (S. 1220) for the relief of Josephine Russell; and

A bill (S. 1221) for the relief of Zoe A. Tilghman; to the Committee on Claims.

A bill (S. 1222) to provide for the establishment of an institute of Indian education at the University of Oklahoma, placing said institute under the direction of the board of regents of the University of Oklahoma in cooperation with the Bureau of Indian Affairs of the Department of the Interior, and authorizing Congress to make appropriations therefor; to the Committee on Indian Affairs.

By Mr. KING:

A bill (S. 1223) to amend the Gasoline Tax Act of April 23, 1924;

A bill (S. 1224) to amend the act of Congress approved May 28, 1924, to regulate the practice of optometry in the District of Columbia;

A bill (S. 1225) to provide for lunacy proceedings in the District of Columbia; and

A bill (S. 1226) to amend the act of May 3, 1935, relating to the promotion of safety on the highways of the District of Columbia; to the Committee on the District of Columbia.

A bill (S. 1227) to provide that land in national game preserves shall be subject to prospecting and location under the United States mining laws; to the Committee on Mines and Mining.

By Mr. BULKLEY:

A bill (S. 1228) to amend the National Housing Act; to the Committee on Banking and Currency.

A bill (S. 1229) to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim or claims of the Recording & Computing Machines Co., of Dayton, Ohio; to the Committee on Claims.

A bill (S. 1230) to provide for the control of the floodwaters of the Ohio River and its tributaries, for the improvement of the navigability of such rivers, for reforestation and conservation of natural resources, and for other purposes; to the Committee on Commerce.

By Mr. HAYDEN:

A bill (S. 1231) authorizing payment to the San Carlos Apache Indians for the lands ceded by them in the agreement of February 25, 1896, ratified by the act of June 10, 1896, and reopening such lands to mineral entry; to the Committee on Indian Affairs.

By Mr. GUFFEY:

A bill (S. 1232) for the relief of Mary Ellen Tiefenthaler; to the Committee on Claims.

By Mr. BURKE:

A bill (S. 1233) to amend section 40 of the United States Employees' Compensation Act, as amended; to the Committee on the Judiciary.

HOUSE BILL REFERRED

The bill (H. R. 1531) extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes, was read twice by its title and referred to the Committee on Civil Service.

FIRST DEFICIENCY APPROPRIATIONS—AMENDMENTS

Mr. BONE (for himself, Mr. WHEELER, Mr. BULOW, Mr. LOGAN, Mr. POPE, Mr. MURRAY, Mr. SCHWELLENBACH, Mr. ELLENDER, Mr. SCHWARTZ, Mr. HITCHCOCK, Mr. FRAZIER, Mr. NYE, and Mr. LA FOLLETTE) submitted an amendment intended to be proposed by them to House bill 3587, the first deficiency appropriation bill, 1937, which was referred to the Committee on Appropriations and ordered to be printed as follows:

On page 3, line 24, to insert "and to provide for the relief of flood sufferers"; and

On page 3, line 24, to strike out "$790,000,000" and insert in lieu thereof "$1,200,000,000."

Mr. BONE submitted an amendment intended to be proposed by him to House bill 3587, the first deficiency appropriation bill, 1937, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

Add as a new section before the last two lines of the bill the following:

"That hereafter all naval vessels and the main engines, ordnance, and armament for such vessels, including those appropriated for in the Naval Appropriation Act of June 3, 1936, contracts for which vessels or materials have not yet been let, upon which work is undertaken, shall be constructed or manufactured, as the case may be, in the Government navy yards, naval stations, naval gun factories, naval ordnance plants, or arsenals of the United States: *Provided*, That the term 'contracted or manufactured' when applied to main engines, ordnance, and armament, shall include the making of castings, forgings, machining the parts, both roughing and finishing operations, assembling the parts, and installing them: *Provided further*, That raw materials from which castings and forgings are made, fabricated materials such as sheet metal, rods, bars, and tubing, out of which parts are made, and minor appurtenances such as chronometers and grease cups may be purchased in the open market."

OLD-AGE PENSIONS UNDER SOCIAL SECURITY ACT

Mr. VANDENBERG. I submit a concurrent resolution, which I ask to have read at the desk.

The VICE PRESIDENT. The resolution will be read.

The Chief Clerk read the concurrent resolution (S. Con. Res. 4), as follows:

Whereas Congress has adopted the Social Security Act to insure greater economic security for certain groups against the hazards of old age, unemployment, and other disabilities, and these objectives meet with common approval; and

Whereas there are certain major defects in the act which, if uncorrected, will impede the full attainment of these objectives; and

Whereas the operation of the contributory old-age pension plan upon a so-called full reserve basis (totaling $47,000,000,000 by 1980) needlessly creates a fiscal and economic menace and needlessly reduces the average pension payable in 1942 to less than $20 per month (compared with an estimated $46 per month in 1980), thereby needlessly penalizing both the pensioner and the youth of the land who must make up the difference from their private funds in supporting their elders; and

Whereas the full reserve plan makes it necessary to increase from 2 percent to 6 percent in 12 years the supporting pay-roll taxes paid equally by employer and employee with the result that the lowest income groups of American labor are taxed for national debt retirement (through Government bonds acquired for reserve account) instead of the traditional debt-retirement method of imposing taxes on those best able to pay; and

Whereas it is now generally recognized that this so-called reserve plan is unnecessary in a compulsory, tax-supported system; and

Whereas the contributory old-age pension plan discriminates against large groups of citizens, including farm labor, domestic servants, and the self-employed; and

Whereas the Social Security Board has a large research staff of upwards of 140 members, with annual appropriations approximating $400,000, which is available to develop prompt studies to correct these situations: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the Social Security Board is directed to report to Congress not later than May 1, 1937, the necessary plans, with its recommendations thereon, to abandon the full reserve system in respect to contributory old-age pensions, and—

(1) To increase pensions to those retiring within the next 10 to 20 years without, however, increasing pensions for those retiring in later years, and to commence payment of pensions to those retiring in 1939 instead of 1942; and to provide that pay-roll taxes (equally divided between employer and employee) remain at the present level of 2 percent for at least 5 years and thereafter until Congress finds an increase necessary to meet requirements and maintain a reasonable contingency reserve, thus avoiding the early and arbitrary increase in these taxes to 6 percent within 12 years.

(2) Alternatively to leave benefit payments as now provided by law and to provide that pay-roll taxes (equally divided between employer and employee) shall remain at the present level of 2 percent for at least 10 years and thereafter until Congress finds an increase necessary to meet requirements and maintain a reasonable contingency reserve.

(3) To provide for the extension of the contributory old-age pension system to large groups, such as domestic servants and farmers, now excluded from the benefits of the act, and to provide the simplifications necessary to make this possible.

Mr. VANDENBERG. Mr. President, I ask that the resolution be referred to the Committee on Finance.

The VICE PRESIDENT. The resolution will be referred to the Committee on Finance.

Mr. VANDENBERG. In connection with the printing of the resolution in the RECORD I ask unanimous consent to have printed also a statement and memorandum in explanation of it.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

JOINT STATEMENT OF EXPLANATION BY SENATORS VANDENBERG AND TOWNSEND AND REPRESENTATIVES REED OF NEW YORK AND JENKINS OF OHIO

We are completely sympathetic with the objectives of the Social Security Act. Any changes in it should be strengthening changes. It was passed hurriedly 1 year ago, and all informed persons agree that it needs substantial correction. We raise the basic point and ask for a report thereon, that most of its mistakes and weaknesses attach to the fact that its contributory old-age pensions are based on the full reserve system. We submit that such a reserve is unnecessary in a compulsory, tax-supported system; that its ultimate accumulation of a $47,000,000,000 reserve is a positive menace to free institutions and to sound finance and that it is a perpetual invitation to the maintenance of an extravagant public debt; that it will, in effect, transfer the burden of debt retirement from the shoulders of general taxpayers to the shoulders of the lowest income group of the country in the form of a gross income tax on labor; and that it involves a needlessly high pay-roll tax in the immediate years to come and a needless postponement of earlier and more adequate benefit payments.

Sweden, probably the most progressive country in the field of social legislation, furnishes strong evidence against the use of the principle of the reserve fund. After trying it for years, Sweden dropped it and is now on a pay-as-you-go basis.

There is no analogy between the need of private insurance companies for full reserves and the need of the Government sys-

tem for full reserves. The former are at the mercy of uncertain and fluctuating revenues. The latter is compulsory and is guaranteed a continuous flow of revenues.

It seems desirable, therefore, to provide for the repeal of the full reserve plan and the substitution of a direct pay-as-you-go system with only a small contingent reserve.

This will achieve several healthful results. The progressively increasing pay-roll taxes in the present Social Security Act assessed on both employer and employee—2 percent to 1940, 3 percent to 1943, 4 percent to 1946, 5 percent to 1949, and 6 percent thereafter—are largely necessary only to build up the forty-seven billion of reserves. We are advised by competent authorities that with this latter monstrous burden curtailed, it will be possible for at least 5 years to rest on the present 2-percent tax and at the same time to improve social security under the act.

We believe, for example, that benefit payments can commence within a year or two instead of waiting until 1942, as the law now provides. We believe that increased benefit payments are possible for workers now in middle age who will, if existing law be not changed, receive only a pittance at the age of 65. Thus the average benefit payment in 1942 will be about $18 a month as against an average of $46 per month in 1980, unless the former is corrected as we believe to be possible. This would not mean increased benefit payments to the younger workers of today when they are old. But it would mean that these younger workers will be relieved of a large part of the burden which otherwise would be imposed upon their private funds for the care of their elders.

We also ask the Social Security Board to formulate plans for the extension of the old-age benefit system to certain groups now excluded, such as agricultural workers and domestic servants. These groups now can receive old-age assistance only on the humiliating basis of a pauper test.

We submit these suggestions for the expert study of the Social Security Board, believing these objectives to be sustained by the best available experts in the field of social security and social insurance. The Board has a research staff of 150 experts and a research fund of about half a million dollars. It is equipped to explore all of these possibilities. We are asking Congress to authorize and direct the exploration.

The basic question is the reserve system. If it be deemed wise to leave benefit payments at existing levels, we are confident that the abandonment of needless and often menacing reserves would make it possible to also abandon increased pay-roll taxes on employer and employee for at least 10 years to come. The ultimate decision whether to increase benefits or to reduce pay-roll taxes for a longer period will be for Congress to make in the light of the facts that will be developed by this study. Either objective is infinitely worth while.

MEMORANDUM SUPPORTING RESOLUTION ON SOCIAL SECURITY

The Social Security Act provides for a plan of old-age benefits financed through the use of a so-called reserve account. Money collected by pay-roll taxes levied on both the employee and the employer is supposedly deposited in a reserve account. These taxes, now 2 percent, will by 1949 have increased to 6 percent. The idea of the reserve account is founded upon the use of the investment analogy transferred from the field of private insurance, which does not apply to a social-security plan financed through the use of the Federal taxing power. According to the act, money collected through pay-roll taxes, insofar as it is in excess of funds needed for making current benefit payments, is to be invested in Government bonds paying 3-percent interest or more. These bonds can be bought in the open market or can be new issues paying this rate of interest.

Most of the money collected in taxes based on pay rolls will not be used for current payments to beneficiaries of the account when payments begin in 1942. But by 1980 all of the receipts from pay-roll taxes plus $1,406,000,000 in so-called interest will be required. Consequently, people now in middle age will, on retirement, receive much smaller benefit payments than those now starting work who are covered by insurance. For example, the average rate of benefit payment in 1942 will be approximately $18 per month, whereas the average rate of benefit payment in 1980 will be approximately $46 per month. As a consequence of the low rate of benefit payments for those who are now in middle age or older, an unusual burden will be placed upon the young people of the present generation for the care of their parents when they reach old age. This burden will not be placed upon the young people of the next generation, because by that time those retiring will have been insured for practically all their working years.

This situation results from the use of the reserve principle as a basis for the old-age benefits. As previously indicated, the funds in the old-age benefit reserve account must be invested in Government bonds. These may be either outstanding issues now held in private hands paying 3-percent interest on the purchase price or they may be merely newly issued bonds bearing 3-percent interest.

Certain important results follow from these provisions. If bonds now privately held are purchased for the account, the Government will be buying up evidences of its own indebtedness. Nominally these bonds will be held in the reserve account. But actually this will constitute a retirement of the debt. Certainly it is not logical to speak of the Government's being indebted on its own obligations when held by itself. If the bonds for the account are obtained through this method, then the public debt will be retired by means of taxes levied on the gross earnings of the lower income groups—groups least able to carry this type of regressive taxation. The payment of such taxes reduces the purchasing power of a large portion of the population whose standard of living is already much lower than is desirable. It never has been the policy of the National Government to retire the public debt through taxes on the lower-income groups. Money for the retirement of the public debt has in practically all cases been drawn from the general-fund revenues, and the general fund has been primarily raised through taxes on those who are more able to pay than those people who will now be paying the larger part of the pay-roll taxes.

If, on the other hand, the Treasury issues new bonds for the reserve account, the cash position of the Treasury is thereby increased, although the obligations of the Federal Government are increased by an equivalent amount. Now, what can the Government do with the money received from the taxes based upon pay rolls when new bonds are issued? One possibility is that these funds could remain unspent in the Treasury. Another possibility is that the money could be used for meeting current expenditures of the Government. This might encourage a higher level of Government expenditures than would exist if such funds were not placed in the Treasury. A third possibility is that the Treasury could use these funds for the purchase of outstanding Government bonds paying interest of less than 3 percent. This would have the same consequences as outlined previously. In any event, there will be no money left in the Public Treasury to actually earn interest for the account. The money will have been spent. Money spent cannot earn interest.

From figures contained in reports of congressional committees on the social-security bill it is evident that by 1980, 40 percent of the old-age benefit payments will come from the so-called interest on the bonds held in the reserve account. But one cannot correctly speak about the bonds in this account earning interest. If outstanding public debt is bought up by funds in the account, it would not be logical for the Government to continue to pay interest on its own obligations when it holds them itself. If, on the other hand, new bonds were issued for the account, the money will actually have been used for current expenditures or for debt retirement, and money that does not exist cannot earn interest. What really happens is that by 1980 the old age benefit reserve account will require a subsidy from general-fund revenues of 40 percent of the total benefit payments. No one opposes granting a subsidy where necessary for the payment of old-age benefits. We should not, however, hide the fact that the Federal Government is paying such a subsidy and we should not finance old-age benefits in such a manner that the subsidy is more than is necessary for this purpose. But under the present plan that is actually happening. As a result of using the reserve account, more money is being collected from employers and employees in insured occupations than is actually necessary for current benefit payments. The excess funds will be spent for the purpose of debt retirement or for meeting current expenditures of the Government.

A large portion of the people of this country are excluded from the operations of the old age benefit provisions of the Social Security Act. Among these excluded groups are agricultural laborers and domestic servants. These people cannot come within the terms of the act and consequently in their old age they can receive only old-age assistance as provided in title I of the Social Security Act. This assistance is not given as a right but is given as a privilege. It is given only where there is a showing of need. Thus the people in these noninsured occupations can receive such assistance only after they have undergone the humiliating procedure of a needs test.

There is a marked incompatibility between the old age benefit plan provided for in title II of the Social Security Act as it now exists and the system of old-age assistance provided in title I of the act. In 1942 the average man in an insured occupation and his wife will receive only an average benefit payment of approximately $18 a month. But a man who had been employed in a noninsured occupation will with his wife be able to receive up to $60 a month for old-age assistance. It should also be noted that payments for old-age assistance under title I of the Social Security Act began in 1936, but payments under the contributory old-age benefit plan will not begin until 1942.

It seems desirable, therefore, that the Social Security Act should be so amended as to provide for the repeal of the full reserve plan and to substitute in its place a direct pay-as-you-go system with a small contingent reserve. The adoption of this plan will permit the continuance of the present 2-percent tax—1 percent on the employer and 1 percent on the employee—for a number of years beyond the period now provided for in the act. This plan will avoid the imposition of a heavy tax upon lower income groups for the purpose of retiring the public debt or for providing current revenues.

Some contend that if we do not have the full reserve plan a 10 percent pay-roll tax will be required to meet payments by 1980. A Government subsidy bearing part of the cost of the plan will make any such pay-roll tax unnecessary. Such a subsidy is already provided for in the Social Security Act. There it masquerades under the title of "interest." The Federal Government can afford to pay such a subsidy since it will not have to pay out of the general fund interest on the $47,000,000,000 old-age benefit reserve account.

Sweden, a progressive country in the field of social legislation, furnishes strong evidence against the use of the principle of the reserve fund. The original plan set up in Sweden provided for the existence of a reserve fund based upon the private insurance analogy. A few years ago a special royal commission was set up in Sweden to study the whole problem of financing the old-age benefits. After long study this commission submitted a report

advocating the abolition of the reserve and the substitution of a pay-as-you-go plan. The recommendations contained in this report were adopted. This year Sweden began a pay-as-you-go plan.

If we adopt a pay-as-you-go plan, we can begin benefit payments within a year or two—say, in 1939. Without raising the normal level of benefit payments we can increase the benefits to those retiring in the next few years. This will not increase the benefits paid to people who will have been insured during most of their working years. But it will relieve the present younger generation from a large part of the burden imposed upon their private funds for the care of their aged parents. This will tend to bring the amounts paid as old-age benefits more into line with amounts paid as direct old-age assistance.

Holding down the tax to 2 percent temporarily, increasing immediate benefit payments, and starting them earlier appear feasible. There is very good reason to believe that the Social Security Board can formulate workable plans to accomplish these objectives. A 2-percent tax would in 1950 yield $625,000,000. Benefit payments as required by the present act would amount to $505,000,000. This would leave a margin of $120,000,000 to finance the increased cost of benefit payments as here suggested. This takes no account of any interest which may be credited on possible reserve accumulations.

It is also desirable to formulate plans for the extension of the old-age benefit system to certain excluded types of employment, such as domestic servants and agricultural laborers. Many of these people desire to come within the terms of the act but find it impossible. It is not fair to people who pay taxes for their old-age benefits to have others not in insured occupations receive old-age assistance without direct cost.

The resolution asks a study not only of all the foregoing considerations, but also of an alternative which would leave benefit payments at their levels as now established in the present Social Security Act and take full advantage of the abandonment of the full reserve basis in the form of a longer postponement of any increase in pay-roll taxes on employer and employee. It is suggested that the 2-percent tax—instead of increasing 1 percent each 3 years until it reaches 6 percent—can he held at 2 percent for at least 10 years if the full reserve be abandoned. The question whether it is preferable to use a portion of these savings, incident to the abandonment of a needless reserve, in hastening benefit payments and leveling off some of their more immediate inequities, or in using all of these savings to postpone an increase in the pay-roll taxes, will be a policy question for Congress to decide in the light of the full facts as reported by the Social Security Board.

DAISY CLARK

Mr. DAVIS submitted the following resolution (S. Res. 72), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1936, to Daisy Clark, daughter of Noble M. Clark, late an employee of the Senate under supervision of the Sergeant at Arms, a sum equal to 6 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

INTERPARLIAMENTARY UNION—ADDRESS BY SENATOR THOMAS OF UTAH

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an address delivered by Senator THOMAS of Utah at the meeting of the Interparliamentary Union at Budapest during the summer of 1936, which appears in the Appendix.]

NATIONAL DEFENSE—ADDRESS BY SENATOR WALSH

[Mr. GERRY asked and obtained leave to have printed in the RECORD an address on the subject of national defense delivered by Senator WALSH on Jan. 27, 1937, at the Women's National Defense Conference in Washington, D. C., which appears in the Appendix.]

EMERGENCY RELIEF—STATEMENT OF SENATOR LODGE

[Mr. MCNARY asked and obtained leave to have printed in the RECORD a statement with reference to emergency relief made to the Senate Committee on Appropriations by Senator LODGE on Jan. 28, 1937, which appears in the Appendix.]

COOPERATION WITH PRIVATE POWER CORPORATIONS

[Mr. BONE asked and obtained leave to have printed in the RECORD a bulletin issued by the National Popular Government League entitled "Cooperation With the Private Power Corporations", issued Jan. 23, 1937, which appears in the Appendix.]

SOCIAL SECURITY—EDITORIAL FROM ATLANTA CONSTITUTION

[Mr. GEORGE asked and obtained leave to have printed in the RECORD an editorial from the Atlanta Constitution of the 28th instant on the subject of social-security legislation, which appears in the Appendix.]

THE GRAND COULEE DAM AND POWER PLANT

[Mr. SCHWELLENBACH asked and obtained leave to have printed in the RECORD a statement issued by the Columbia Basin Commission of the State of Washington concerning the Grand Coulee Dam and power plant, which appears in the Appendix.]

THE FARM PROGRAM—ARTICLE BY SECRETARY WALLACE

[Mr. MCGILL asked and obtained leave to have printed in the RECORD an article on the farm program written by Hon. Henry A. Wallace, Secretary of Agriculture, and published in the New York Times of the 3d instant, which appears in the Appendix.]

GENERAL MOTORS CORPORATION—ARTICLE BY SAMUEL ROMER

[Mr. NYE asked and obtained leave to have printed in the RECORD an article entitled "Profile of General Motors", by Samuel Romer, published in the Nation of the issue of Jan. 23, 1937, which appears in the Appendix.]

ALIENS ON RELIEF—EDITORIAL FROM SATURDAY EVENING POST

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an editorial from the Saturday Evening Post of the issue of Jan. 3, 1937, entitled "Are There a Million Aliens on Relief?" which appears in the Appendix.]

THE CALENDAR

The VICE PRESIDENT. Morning business is closed. The calendar, under rule VIII, is in order. The clerk will state the first bill.

The bill (S. 766) to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects destroyed in a fire at the radio direction finder station, North Truro, Mass., on December 27, 1934, was announced as first in order.

Mr. KING. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

MISSOURI RIVER BRIDGE, ATCHISON, KANS.

The bill (S. 62) to extend the times for commencing and completing the construction of a free highway bridge across the Missouri River at or near Atchison, Kans., was announced as next in order.

Mr. BULKLEY. Mr. President, the constituents in whose behalf I had asked a hearing on the bill have now advised that they do not care to oppose it. I have no further objection.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the free highway bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near the city of Atchison, Kans., authorized to be built by the city of Atchison, Kans., and the county of Buchanan, Mo., or either of them, or the States of Kansas and Missouri, or either of them, or the highway departments of such States, acting jointly or severally, by an act of Congress approved June 18, 1934, are hereby extended 1 and 3 years, respectively, from June 18, 1937.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

FRED M. MUNN

The bill (S. 110) for the relief of Fred M. Munn was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Fred M. Munn, who served as a private in Troop L, Second Regiment United States Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States on January 10, 1878: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

DANIEL YATES

The bill (S. 113) for the relief of Daniel Yates was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged

soldiers, sailors, marines, and their widows and dependent relatives Daniel Yates, formerly private, Battery D, First Regiment Artillery, United States Army, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private on June 24, 1899: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

Mr. VANDENBERG subsequently said: Mr. President, a bill was passed just a moment ago for the relief of Daniel Yates. The bill was adversely reported on by the War Department in a very emphatic report. I ask that the votes by which the bill was ordered to be engrossed for a third reading, read the third time, and passed may be reconsidered and the bill restored to the calendar.

Mr. LOGAN. Mr. President, if the Senator will withhold his objection for a moment, I should like to make a brief statement with reference to the bill. The Senator from Michigan must know, I am quite sure, although he is not a member of the Committee on Military Affairs, that the War Department always makes an adverse report in these cases. It makes the same report on good bills, bad bills, and every kind of bill having a similar object in view.

The man Yates was charged with desertion. He disappeared in 1899 and was not heard of for many years. Finally he was found in Canada somewhere only a few years ago. The evidence submitted to the committee shows that he was insane when he deserted, has been insane ever since, and is insane today.

Because of these facts, established to the satisfaction of the committee, the committee was of the opinion that he should not be charged with desertion when he did not have a mind capable of knowing what the act meant or the consequences of it. Proof that he has been insane since was submitted to the committee in the form of affidavits. I believe the bill ought to pass.

The VICE PRESIDENT. Is there objection?

Mr. VANDENBERG. Let the bill go over for the day.

The VICE PRESIDENT. Without objection, the votes by which the bill was ordered to be engrossed for a third reading, read the third time, and passed are reconsidered, and the bill will be passed over.

CHARLES WILSON

The bill (S. 293) for the relief of Charles Wilson was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of the pension laws or of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers Charles Wilson shall hereafter be held and considered to have been honorably discharged from the military service of the United States on October 27, 1931, as a private, Headquarters Company, First Battalion, Fifty-third Regiment United States Infantry: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

JOHN C. REYNOLDS

The bill (S. 295) to authorize the award of a decoration for distinguished service of John C. Reynolds was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President is hereby authorized to cause the recommendation of the award of a decoration to John C. Reynolds, formerly a private, first class, Company A, Fourth Infantry, United States Army, American Expeditionary Forces, for distinguished conduct in rescuing wounded in battle on October 2, 3, and 4, 1918, near Nantillois, France, and Montfaucon, France, and during the battle of the Meuse-Argonne, to be considered by the proper boards or authorities, and such award made to said Reynolds as his conduct merits.

GUSTAF E. LAMBERT

The bill (S. 115) to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever", approved February 28, 1929, by including therein the name of Gustaf E. Lambert, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever", approved February 28, 1929, is amended by inserting after the name of John J. Moran, wherever it appears in such act, the name of Gustaf E. Lambert.

BENJAMIN H. SOUTHERN

The bill (S. 223) for the relief of Benjamin H. Southern was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the administration of any laws conferring rights, privileges, and benefits upon persons honorably discharged from the United States Army Benjamin H. Southern shall be held and considered to have been honorably discharged from the United States Army on the 31st day of March, 1919: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the pasage of this act.

SELECT COMMITTEE ON GOVERNMENT ORGANIZATION

The resolution (S. Res. 69), which had been reported by Mr. NEELY from the Committee on Rules on the 27th instant, was read, considered, and agreed to, as follows:

Resolved, That the Vice President be, and he is hereby, authorized to appoint a select committee of nine Members of the Senate to be known as the Select Committee on Government Organization, for the purpose of considering and reporting upon the subject matter contained in the message of the President of the United States of January 12, 1937. All bills and resolutions introduced in the Senate proposing legislation concerning reorganization, coordination, consolidation, or abolition of, or reduction of personnel in organizations or units in the executive branch of the Government shall be referred by the Vice President to the said Select Committee on Government Organization. The said Select Committee on Government Organization is hereby authorized to report to the Senate at any time by bill or otherwise with recommendations upon any matters covered by this resolution; and any bill or resolution so reported shall be placed upon the calendar and have a privileged status.

That said committee or any subcommittee thereof is authorized to sit and act during the present Congress at such times and places within the United States whether or not the Senate is sitting, has recessed, or adjourned; to hold such hearings; to require the attendance of such witnesses and the production of such books, papers, and documents by subpena or otherwise and to take such testimony as it deems necessary. Subpenas shall be issued under the signature of the Vice President or the chairman of said committee, and shall be served by any person designated by them or either of them. The chairman of the committee or any member thereof may administer oaths to witnesses. Every person who, having been summoned as a witness by authority of said committee or any subcommittee thereof, willfully makes default, or who, having appeared, refuses to answer any questions pertinent to the matter herein authorized, shall be held to the penalties provided by sections 102, 103, and 104 of the Revised Statutes of the United States, as amended (U. S. C., title 2, secs. 192, 193, and 194).

JOINT COMMITTEE ON GOVERNMENT ORGANIZATION

The Senate proceeded to consider the joint resolution (H. J. Res. 81) to create a Joint Congressional Committee on Government Organization, which had been reported from the Committee on Rules with amendments.

The first amendment was, on page 1, line 7, to strike out the word "seven" and insert the word "nine", so as to make the clause read:

The joint committee shall be composed of nine Members of the Senate appointed by the President of the Senate, etc.

The amendment was agreed to.

The next amendment was, on page 1, line 9, before the word "Members", to strike out the word "seven" and insert the word "nine", so as to make the clause read:

The joint committee shall be composed of nine Members of the Senate, appointed by the President of the Senate, and nine Members of the House of Representatives, appointed by the Speaker of the House of Representatives.

Mr. ROBINSON. Mr. President, I ask that the amendment be rejected.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. KING. Mr. President, may I submit an inquiry to the Senator from Arkansas?

Mr. ROBINSON. Certainly.

Mr. KING. Does the joint resolution provide for a committee of seven members from each body?

Mr. ROBINSON. Mr. President, I will state in explanation that the House has already established its committee and since, under the proceedings of the joint committee, each body will vote as a unit, the House prefers to retain its

membership at seven, having already created its committee, but is perfectly willing, as I am informed, that the Senate shall have nine members. The controlling reason which prompted the Committee on Rules to amend the joint resolution, increasing the membership on the part of the Senate from seven to nine, is to give opportunity for representation to all groups in the Senate on an approximately fair ratio or basis. It was impossible to work that out under the limitation of seven members.

Mr. KING. May I ask the Senator another question?

Mr. ROBINSON. Certainly.

Mr. KING. Under the provisions of the joint resolution will the committee created parallel the so-called Byrd committee, or are they to function together?

Mr. ROBINSON. The proceedings under the joint resolution now before us will not interfere with any proceedings the Byrd committee may take. We merely follow the procedure in the House and seek to coordinate the efforts of the two bodies in the matter.

Mr. KING. I have had no opportunity to examine carefully the joint resolution. Is the joint resolution broad enough to accomplish what I know all Senators desire, a thorough investigation of the departments and agencies of the Government with a view to recommending reorganization, cutting out duplication, and promoting a general improvement in the organization of the Federal Government?

Mr. ROBINSON. I answer the Senator that the joint resolution is broad enough to comprehend all the purposes he has mentioned. The joint resolution expressly provides for all those subjects and is very comprehensive.

Mr. KING. Does it call for recommendations by the committee?

Mr. ROBINSON. It does.

The VICE PRESIDENT. The question is on the engrossment of the amendment and third reading of the joint resolution.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed, as follows:

Resolved, etc., That (a) there is hereby established a joint congressional committee to be known as the Joint Committee on Government Organization (hereinafter referred to as the joint committee).

(b) The joint committee shall be composed of nine Members of the Senate, appointed by the President of the Senate, and seven Members of the House of Representatives, appointed by the Speaker of the House of Representatives.

SEC. 2. It shall be the duty of the joint committee—

(a) To investigate the organization and activities of the departments, independent establishments, bureaus, boards, commissions, divisions, services, offices, and other agencies of the Government, with the view to determining whether, in the interest of simplification, efficiency, or economy, or in order to eliminate conflicting or overlapping activities, any of such organizations or units should be coordinated or consolidated with any other organization or unit, reorganized, or abolished, or the personnel thereof reduced; and

(b) To report, from time to time, to the Senate and the House of Representatives the results of its investigations, together with such recommendations as it deems advisable.

SEC. 3. The joint committee, or any subcommittee thereof, shall have power to hold hearings and to sit and act at such places and times, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. Subpenas shall be issued under the signature of the chairman of said joint committee, and shall be served by any person designated by him. Amounts appropriated for the expenses of the joint committee shall be disbursed one-half by the Secretary of the Senate and one-half by the Clerk of the House.

SEC. 4. The joint committee shall have power to employ and fix the compensation of such officers, experts, and employees as it deems necessary for the performance of its duties, but the compensation so fixed shall not exceed the compensation fixed under the Classification Act of 1923, as amended, for comparable duties. Officers and employees of the Government shall be detailed to the service of the joint committee, on its request, without additional compensation, and such officers and employees shall be paid from the appropriations regularly available for their salaries.

DEBATE ON GENERAL APPROPRIATION BILLS—AMENDMENT TO RULES

The resolution (S. Res. 8) limiting debate on general appropriation bills was announced as next in order.

Mr. BORAH. Mr. President, I think the resolution should at least be explained and receive some consideration. I have read it, and to me it seems it is the camel's nose under the tent with reference to cloture.

Mr. McNARY. Mr. President, this is a very important proposed change in the rules of the Senate. A similar rule exists at this time in reference to amendments to appropriation bills. This resolution lays down the same rule as to debate on appropriation bills. However, there is one change in the proposed rule. At present, the question of germaneness is submitted by the Chair to the Senate. Under the proposed rule, it is to be decided by the Chair.

I am not prepared at this time to present my views on the subject matter. It involves many complications; and, briefly, for that reason, I ask that the resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

That completes the calendar.

REPORT FROM COMMITTEE ON APPROPRIATIONS

Mr. ROBINSON. Mr. President, I ask the attention of the Senator from Oregon [Mr. McNARY] particularly. I ask unanimous consent that during the recess or adjournment to follow this session the Committee on Appropriations have leave to submit a report.

The VICE PRESIDENT. Is there objection?

Mr. McNARY. Mr. President, I have taken a very decisive stand on that subject, and particularly with regard to requests of that nature, in years gone by. If this request is granted, automatically the bill will come up for consideration on the next legislative day without opportunity being given for study or notice to Members. For that reason I object.

The VICE PRESIDENT. Objection is heard.

Mr. ROBINSON. Mr. President, I desire to make a statement in the hearing of the Senator from Oregon, and ask him for the present to consider withholding his objection.

There is no business on the calendar. Of course, I can move that the Senate adjourn until tomorrow; and, in that event, if the Appropriations Committee is ready to submit its report at that time, it can report tomorrow. That, however, would necessitate a session of the Senate Saturday at which, in all probability, no business would be transacted save the presentation of a single report. I am not even assured that the committee will be ready to report at that time.

Of course, no effort will be made to take up the bill until it is in order to do so. The Senate, however, has frequently given consent in conformity to such requests; and I point out to the able Senator from Oregon that objection to the request will merely compel Senators to be in attendance on the Senate tomorrow for what is a more or less administrative act, namely, to receive and register the report. There is no disposition to press unduly action on the bill referred to. I am now informed that the report will be ready to come in tomorrow. If the objection should be persisted in, of course, I should have to ask that the Senate hold a session tomorrow.

It is well understood that there is considerable necessity for prompt action regarding this particular appropriation bill. I do not undertake to say that the funds which are available for relief have been completely exhausted, but we all know that enormous amounts are being necessarily expended in forms of relief that were not anticipated when the bill was originally in process of drafting.

I should like the Senate to have an opportunity to proceed to the consideration of the bill on Monday, if it is then ready to do so; and, in order that that opportunity may be preserved, it will be necessary to hold a session of the Senate tomorrow for the single purpose, so far as I am now informed, of receiving this report.

I ask the Senator from Oregon, if, under those circumstances, he will not withdraw his objection.

Mr. McNARY. Mr. President, it is always pleasing to be obliging. There are fundamental reasons which I entertain why haste should not be employed in considering a bill of this magnitude, which carries nearly a billion dollars. The matter of 24 hours is immaterial as compared with the necessity of a proper understanding of the bill.

Repeatedly I have assumed this position, which I believe to be correct, in the interest of careful legislation. Even though it may inconvenience some Members of the Senate to require them to be here tomorrow, I persist in my objection.

The VICE PRESIDENT. Objection is heard.

SELECT COMMITTEE ON GOVERNMENT ORGANIZATION

The VICE PRESIDENT. Under the terms of Senate Resolution 69, agreed to today, the Chair appoints as the Select Committee on Government Organization the Senator from Arkansas [Mr. ROBINSON], the Senator from South Carolina [Mr. BYRNES], the Senator from Virginia [Mr. BYRD], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Kentucky [Mr. BARKLEY], the Senator from Mississippi [Mr. HARRISON], the Senator from Oregon [Mr. MCNARY], the Senator from Delaware [Mr. TOWNSEND], and the Senator from Nebraska [Mr. NORRIS].

LIMITATION OF JURISDICTION IN INJUNCTION CASES

Mr. MCKELLAR. Mr. President, on day before yesterday I introduced a bill proposing to limit the jurisdiction and power of district and circuit judges to issue injunctions in certain cases. On the same day the Senator from Nebraska [Mr. NORRIS] discussed questions more or less relating to the same subject. The discussion grew out of a decision made and an injunction granted by a district judge in my State; and, as we all know, it grew out of questions arising concerning an act of Congress creating what is known as the Tennessee Valley Authority. In this connection I want also to discuss the question of a pooling arrangement suggested by some between the power companies and the Tennessee Valley Authority.

Today I desire very briefly to point out the facts which bring that pooling arrangement before the public at this time, and then to discuss very briefly the bill which I introduced.

Mr. President, I am opposed to the suggested power-pooling agreement between the Tennessee Valley Authority and the private power companies.

With an injunction issued by a single Federal district judge, in full force and effect against practically all the power activities of the Tennessee Valley Authority, issued upon the petition of the several and combined power companies of that section, putting at naught the act of Congress establishing the Tennessee Valley Authority, and virtually halting and tying up the entire Tennessee Valley Authority program, to enter into such a pooling agreement now, or even to suggest such an agreement with these power companies, would be an abject confession of failure of the plans and purposes of the Tennessee Valley Authority.

Besides, some time ago, before the suit and before the injunction, possibly at the suggestion of the Chairman of the Authority, our great President, seeking to be fair and just to all, called a conference of the Tennessee Valley Authority and representatives of the private power companies here in Washington to talk over their mutual interests. This conference came to naught, and any like conference which would be beneficial to the interests of the people would likely have the same failure. The President has recently publicly declared that no more such conferences will be called, and in this, I think, he is entirely right.

Mr. President, it is inconceivable to me that any official of the Tennessee Valley Authority would now even suggest such a pooling arrangement, and any official making such a suggestion confesses his own belief that the power policies of the Tennessee Valley Authority are a failure, and it seems to me such official would not care longer to remain with the Authority.

In spite of the dissension in the Tennessee Valley Authority ranks, and in spite of some official inefficiency and incompetence, and even in spite of the pessimism of some of the officials having charge of this Authority, the Tennessee Valley Authority has, in my judgment, made substantial progress all along the line, and already great good has been accomplished in that prices of electric current have been greatly reduced, and as the project continues other large reductions in prices to the people will be made, and all to the greatest benefit to the plain people of this country,

Mr. President, I believe the Tennessee Valley Authority will bring about a permanent system of vastly cheaper power and a wonderfully increased use of power, to the great benefit of all the farmers, all the manufacturers, and all the city dwellers in the Tennessee Valley Authority section of the country, and eventually it will bring about tremendously cheaper electric-current rates to the entire country.

However, with the pooling agreement, the reductions in prices already made, as well as expected reductions, would soon disappear, and the Government would necessarily take its place as a helpless minority of one of the greatest and most active monopolies in the world—the power monopoly.

The pooling arrangement as proposed must not even be considered at this time, and I say this notwithstanding the recent opinion of the Chairman of the Tennessee Valley Authority. If the Chairman has cold feet on the aims and purposes of the Authority, if he has reached the conclusion that it can only properly succeed by combining and confederating with the power companies in a trust in restraint of trade, that it cannot succeed on its own merits, and that it cannot work out its own problems, then it seems to me he would wish to retire from the Authority and let another, of greater courage and of firmer opinion and of higher belief in the merits of the plans and policies of the Tennessee Valley Authority as established by law, take his place.

Mr. President, no one desires to confiscate the properties of the private power companies. One of the main purposes of the Tennessee Valley Authority is to bring about cheaper light and power rates to the people. That Authority and the various cities, counties, and States which are given preference under the act should be willing, and I believe they are willing, to buy the plants of the private companies in the Tennessee Valley Authority territory and pay for them the par value of the bonds and preferred stock of such companies. This is a great deal more than what these same securities were selling for 4 years ago.

As I remember, the preferred stock in the principal companies in our section 4 years ago was selling for somewhere around 20 cents a share. Today it is selling for several times that amount, and, as I recall it, is almost at par.

I believe, further, that the Authority, in cooperation with at least some of the cities taking power from the Authority, might even go a little further and pay a reasonable though small price for the common stock of these companies, rather than to continue in litigation. Notwithstanding the fact that the owners of such common stock of these companies probably never paid any real money for that common stock, and everyone knows that the common stock in most of these utilities is what is known as "watered stock", the owners of these stocks have enjoyed rich returns on such watered stocks for a long, long time. The people have long rebelled, but until the Government got interested in Muscle Shoals and organized the Tennessee Valley Authority, they have had little chance to get light and power at reasonable rates.

Mr. President, in my judgment, there will be no backward step taken in this matter. The Tennessee Valley Authority must go forward along the lines originally planned. It must go vigorously about the tasks to which it has been assigned. It must constitute the yardstick by which electric current is sold in this country. The Authority must go on if we are to have any relief from exorbitant light and power rates. It has been harried by the private companies ever since it came into existence. It has been litigated against and its purposes misconstrued and its objects decried by those who are profiting by unjust exactions from the people in the way of rates. This should not be so. The Authority should be given a fair chance. It should be given an honest and fair test. It should have a fair opportunity on its merits.

Now a word about the injunction recently issued by one of our Federal judges prohibiting and inhibiting any further development of the Tennessee Valley Authority. I have known Judge John J. Gore, who issued the injunction in behalf of these private power companies, long and favorably. I do not criticize him. I am assuming that he acted in accordance with his view of the law and the right. I can only say that I indeed regret that he saw fit to issue the

injunction. Under our Constitution, I doubt exceedingly if he has either the jurisdiction or the power to declare an act of Congress unconstitutional and to issue an injunction against the administration of such act of Congress.

Mr. President, I have read many times the history of our Federal Constitutional Convention of 1787. There is no provision in the Constitution which gives even our Supreme Court the right to hold an act of Congress unconstitutional and void. No one can put his finger on any express provision of the Constitution which gives to the Supreme Court that right. In conferring jurisdiction on the Supreme Court, our Constitution makers were careful enough to enumerate the various subjects of jurisdiction. In that list the jurisdiction and power to declare an act of Congress unconstitutional nowhere occurs. Under the well-known rules of construction of statutes, the enumeration of this list excludes all other subjects.

Further than that, Mr. Madison, one of the delegates of the Constitutional Convention, presented for adoption a provision to read as follows:

> Every bill which shall have passed the two Houses shall, before it becomes a law, be severally presented to the President of the United States and to the judges of the Supreme Court for the revision of each. If upon such revision they shall approve of it, they shall respectively signify their approbation by signing it; but if upon such revision it shall appear improper to either or both to be passed into a law, it shall be returned with the objections against it to that House in which it shall have originated, who shall enter the objections at large on their journal and proceed to reconsider the bill; but if after such reconsideration two-thirds of that House when either the President or a majority of the judges shall object, or three-fourths where both shall object, shall agree to pass it, it shall, together with the objections, be sent to the other House; by which it shall likewise be reconsidered, and if approved by two-thirds or three-fourths of the other House, as the case may be, it shall become a law (Madison Papers, vol. 3, p. 1332).

Mr. Madison's amendment was defeated, and the provision was made that only the President could negative a law, but that his negative could be overruled by a two-thirds vote of each House.

In the discussion which followed Mr. Madison's proposal both Delegate Pinckney and Delegate Mercer approved the amendment. Delegate Mercer "disapproved the doctrine that the judges as expositors of the Constitution shall have authority to declare a law void" (Madison Papers, vol. 3, p. 1333).

Delegate Dickinson agreed. He thought "no such power ought to exist" (Madison Papers, vol. 3, p. 1334).

Mr. Gerry, who was the great grandfather of the present distinguished senior Senator from Rhode Island, Mr. PETER G. GERRY, thought the judges might pass upon the constitutionality of acts (Formation of the Union, p. 147).

On the other hand, delegate Luther Martin seemed to think the Supreme Court would have the power to declare a law void (Madison Papers, p. 1166).

Delegate Mason—George Mason of Virginia—joined in this view (Madison Papers, p. 1168).

However, article VI of the Constitution provides:

> This Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby; anything in the Constitution or laws of any State to the contrary notwithstanding.

It is true that in 1803 Chief Justice Marshall in delivering the opinion of the Supreme Court of the United States in the case of Marbury against Madison held that an act of Congress was unconstitutional, and again in 1857 the Supreme Court in the Dred Scott case held another act of Congress unconstitutional. These were the only two such holdings prior to the Civil War.

I digress long enough to say that that was not the holding of the Court, and that was not the holding of Chief Justice Marshall. It was a dictum in which Chief Justice Marshall declared that in his judgment the law under consideration was unconstitutional.

It is true that various interpretations have been placed upon that decision of Chief Justice Marshall, and we take the opinion for what it is worth. That opinion was rendered in 1803, and it was the first opinion which discussed the question of the unconstitutionality of an act of Congress.

I digress here long enough to say that a remarkable thing happened in connection with the Dred Scott decision. That case arose under the Missouri Compromise Act, which was passed by the Congress in 1820. It was supposed to be the law of the land, and was operated under, because questions concerning it came up almost daily. The Missouri Compromise Act was in effect from 1820 to shortly before 1857. While the Dred Scott case was in the breast of the Court, the Congress repealed the Missouri Compromise Act; and what the Court did in declaring the Missouri Compromise Act unconstitutional and void was purely what it would be called if any other body had so decided—an officious action. It had not an act of Congress before it, because the Missouri Compromise Act had already been repealed; but the Court proceeded just as if that act had not been repealed, and delivered an opinion which, in my judgment, brought on the Civil War and was very hurtful to our country.

After the Civil War it is likewise true that, without serious question as to the power of the Court to declare an act of Congress unconstitutional, our Supreme Court held some 60 or 70 acts of Congress unconstitutional and void.

It may be that this long course of conduct in declaring acts of Congress unconstitutional, though there seems to be no express power given to the Court so to declare, confirms such power in our Supreme Court; and for the purpose which I have in mind I am assuming, without argument, that the Supreme Court of the United States has the power to declare an act of Congress unconstitutional. I am a great believer in courts. I honor them and respect them. I believe it is our duty to uphold them. Whether our Constitution gave to the Supreme Court the power to declare an act of the Congress unconstitutional or not, I think it should have done so. I believe they have that power now.

However, whether the writers of our Constitution gave the Supreme Court the power in terms to declare an act unconstitutional or not, certainly I believe that no one familiar with our constitutional history can believe that any one of the 39 framers of our Constitution ever remotely had it in his mind that a judge of an as yet unnamed court—the judge of an inferior court, to use the words contained in the Constitution—would have the right, as soon as that judge got on the bench, to issue an injunction declaring an act of the Congress, under which he held all his powers, unconstitutional, null, and void, and issuing an injunction making his view effective. I do not believe anyone thinks that it was ever intended by any one of the makers of our Constitution that a district judge should have the right to declare an act of Congress unconstitutional and void and then issue an injunction making his individual view overturn the combined purpose of the two Houses of Congress and the President and make an act of Congress null and void.

Mr. CONNALLY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from Texas?

Mr. McKELLAR. I yield.

Mr. CONNALLY. Of course, the Senator from Tennessee is aware of the rule that all the statutory courts—which means all the courts except the Supreme Court—are creatures of Congress, and Congress has the right to limit their jurisdiction in any way it sees fit. If Congress desires to take away from the inferior courts the right to issue an injunction in any case, it may do so by act of Congress.

Mr. McKELLAR. Mr. President, I thank the Senator for his suggestion. I am just getting to that point. The purpose of the bill I have introduced is to take away the jurisdiction of an individual district judge to issue an injunction making his views as to the constitutionality of an act effective until after the Supreme Court shall have passed on the question.

Mr. CONNALLY. Mr. President, I desire to suggest to the Senator that that rule, however, does not obtain as to the Supreme Court, since it is a creature of the Constitution.

Mr. McKELLAR. I agree with the Senator fully. I take exactly the same view—not only that the Supreme Court is

the only Court that has jurisdiction but that it has full jurisdiction in the matter. I am not discussing that question at all. The only question I am trying to lay before the Senate today is that we ought to limit the jurisdiction of what the Constitution calls an inferior-court judge, but what we call a district-court judge or a circuit-court judge, to declare an act of Congress unconstitutional and to issue an injunction making that decision effective.

Mr. CONNALLY. Mr. President, will the Senator yield further?

Mr. McKELLAR. I yield.

Mr. CONNALLY. To carry that view to the extreme, Congress, if it should see fit, could abolish every Federal court except the Supreme Court.

Mr. McKELLAR. It could abolish every single one of them, if it saw fit; and yet, through the course of many, many years, we have sat here and permitted any one of these officials of our creation—these officials who get power solely from the acts of Congress—we have permitted any one of them to overturn what we do.

Permit me to give the Senate an illustration. I see that the chairman of the Judiciary Committee [Mr. ASHURST] has just come into the Chamber. As the bill I have introduced will go before his committee, I hope I may have his attention for a few minutes.

Mr. ASHURST. Mr. President, I wish to say that I always listen with pleasure and with instruction to what the able Senator from Tennessee [Mr. McKELLAR] says.

Mr. McKELLAR. I thank the Senator. We have 169 district court judges in the United States. We have 49 circuit court judges in the United States. Each one of them under the rule now in force has the right to declare any act of Congress unconstitutional and void, and to issue an injunction upholding his particular views.

The Senator from Nebraska [Mr. NORRIS], in his excellent address here a day or two ago, called the attention of the Senate to a situation arising out of the very case I am now discussing, the Tennessee Valley case. Senators, this is a remarkable situation.

One of the companies in the section in question went before the district judge in Georgia, Judge Underwood, with a bill alleging in general terms that the T. V. A. Act was unconstitutional, and asking an injunction against its enforcement. I am speaking very generally, of course. Judge Underwood was not there, and another judge took his place. That judge, after hearing arguments, rendered an opinion holding that the act was not unconstitutional, and refused to grant an injunction.

The complainant in the Georgia case then went over to Alabama, and there united with 18 other companies, as I am informed, and filed another bill asking for exactly the same relief before the Alabama judge. In February the proceedings in that court suddenly stopped. No further action was taken. The presumption is that the complainants came to the conclusion that the Alabama judge probably would not grant the injunction. Thereupon the same 19 complainants went over to east Tennessee and filed a bill containing, in substance, the same allegations as previously made, having the same purpose—that is, to declare the Tennessee Valley Authority void, and asking for an injunction against its operations—and there they found that the judge was incompetent because some member of his family owned, I think, 20 shares of stock in one of the power companies, and he very properly had himself excused from trying the case, and called in another district judge.

Judge Gore, about whom I spoke a short while ago, was the judge before whom the case was heard. He held the act unconstitutional, and issued an injunction virtually tying up all the principal work of the Tennessee Valley Authority.

Mr. President, I say that it makes no difference whatsoever whether the Supreme Court has the power to declare an act unconstitutional and to direct an injunction to be issued prohibiting it from being carried out or administered; that a district court judge has no such right or power.

Let us see how it would work out. Suppose a district judge who was willing to give that relief could not be readily found. Is it possible that the complainants could go around from one court to another in the entire section where they could get service on the defendant until they had finally found a judge who would grant this relief? Can it be assumed that our forefathers, those who wrote our wonderful Constitution, ever had in mind any such view as that? I think not.

I am now asking the Senate to pass a bill which I have introduced which would take away the jurisdiction and the power in that respect of the district or circuit court judges, as the case may be; not take it away absolutely, but take it away until the Supreme Court has passed upon the constitutionality of an act and, if the Supreme Court held that it was invalid, has directed the injunction to be issued.

Now I desire to speak for a moment of the inferior courts.

The only name given to such courts to be established by the Congress was "inferior courts." In establishing these "inferior courts" the Congress has from time to time fixed their jurisdiction and given the judges thereof the names of "circuit judges" and "district judges." There are 49 circuit judges in the United States at the present time and 169 district judges, 218 in all. These "inferior judges" and these "inferior courts" are established solely in the discretion of the Congress. The acts of Congress establishing them can be repealed at any time, and thus the courts abolished and the judges put out of commission. We have the absolute power over these so-called inferior judges and courts.

To say that these judges, either individually or sitting as a court, purely the creatures of the Congress—and I do not use the word "creatures" in any improper sense—have the right under the Constitution to declare that other acts of Congress are unconstitutional and void and may issue writs of injunction prohibiting the execution of such acts of Congress is to give such "inferior judges" rights so exalted that I doubt if any one of the 39 Delegates that signed the Constitution ever dreamed of giving. There is absolutely no method of construction of the Constitution that would give such an "inferior judge" such jurisdiction or such power.

Probably the only way that such a power could be even conjured up in the wildest of imaginations is to say, first, that the Supreme Court undoubtedly has the power to declare an act unconstitutional; second, that, inasmuch as the Supreme Court is given original jurisdiction in only two cases—suits concerning foreign ambassadors and ministers, and suits brought by a State—therefore, it must have been intended that the "inferior judges" should first pass on the case. Otherwise, the question of constitutionality of acts could not be inquired into by the Supreme Court.

That is the only theory on which it may even be suggested that a district judge has such power. In my judgment, it is a monstrous doctrine to say that any district or "inferior" judge, whose court is purely the creature of the Congress, has the right to declare an act unconstitutional and void and issue an injunction against its enforcement.

If it is necessary for a district judge to pass on an act of Congress in the beginning in order to get the case finally into the Supreme Court, the Congress should certainly limit the district judge as well as the judges of the various courts of appeal individually and as courts from issuing injunctions against the enforcement of an act of Congress until after the Supreme Court acts.

Mr. President, in all of the acts of Congress from the very beginning of our history, creating the "inferior judges" and the "inferior courts" provided for in the Constitution, they have been established by the Congress under terms fixing the jurisdiction of the courts. In the Code of Laws of the United States of America on page 1228 and the following, title 28, sections 41 and the following, the various jurisdictions of these "inferior district courts" are set out in great detail. The specific cases in which such courts shall have jurisdiction are enumerated. In section 41 they are enumerated in 28 different subsections. In sections 43 to 53 are various other cases enumerated in which these "inferior district courts" have jurisdiction. In not a single one of

these acts is the power given to declare an act of Congress unconstitutional or to issue an injunction for the enforcement of such a view.

The enumeration of one class, under every recognized method of interpretation, is the exclusion of all other classes not enumerated. Everyone knows that to be so. The Congress in all cases fixes the jurisdiction, determines the procedure, and defines the power of these inferior courts.

Mr. BONE. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield to the Senator from Washington.

Mr. BONE. Have not the courts always assumed, and on that assumption continually asserted, that the grant of judicial power of the United States to the Supreme Court and to such inferior courts as Congress might ordain and establish carries with it the right to apply the injunctive process? In other words, they assume that that is a part of the judicial power of the courts of the United States, and if we should assume to deprive them of such power they would simply declare the act unconstitutional?

Mr. McKELLAR. Oh, no; we do not deprive them of such power. We merely set out the terms on which they may apply the injunctive process and postpone the execution of their decree until the Supreme Court invalidates the act.

Let me call the Senator's attention to the fact that in 1932 the Congress passed what was known as the "labor-disputes" bill, in which they fixed exactly and precisely what facts had to appear before an injunction could issue. The Supreme Court passed on that act and upheld it. There is no question, as I shall show the Senator in a moment—not a particle of question—about the constitutionality of the proposed limitation of the powers of the courts.

Mr. BONE. Mr. President, will the Senator yield further?

Mr. McKELLAR. I do.

Mr. BONE. The Senator will recall the passage of the Clayton amendment to the Sherman Antitrust Act.

Mr. McKELLAR. Yes.

Mr. BONE. And they were just coldly and purposely junked by the Federal courts as soon as action was taken under the Clayton amendments.

Mr. McKELLAR. That was a different case. It was not a case where the jurisdiction was limited as it is proposed to be limited in this case.

Mr. President, in connection with the bill introduced by me, let me say that the Senator from Alabama [Mr. BLACK], whom I do not see in the Chamber at the moment, introduced a bill under which the jurisdiction would be left exactly as it is, but providing that there should be a speedy appeal directed to the Supreme Court of the United States from the district courts. It is a very excellent measure. I have used it in the revised bill introduced by me today. I have included the principle of the Black provision in my bill, as I think it is very wise to have as early and immediate determination as possible of the constitutionality of an act by the Supreme Court.

The bill introduced by me specifically provides that in all cases involving the constitutionality of an act of Congress no district or circuit judge shall have the power to issue an injunction preventing the execution of such act of Congress in whole or in part until after the case shall have been appealed and tried, and decided by the Supreme Court and the Supreme Court shall have declared the act unconstitutional, and shall have directed the district or circuit judge, as the case may be, to award such injunction. A district judge may indeed declare an act unconstitutional if he so determines, and an appeal may finally be taken in the case to the Supreme Court, but until the Supreme Court itself acts in the particular case and declares that the act of Congress is null and void and directs the award of an injunction, no injunction shall issue by the district or intermediate judge.

That the Congress has the right thus to limit the jurisdiction and power of "inferior judges" there can be no doubt. On that point I have here the principal cases.

POWER OF CONGRESS TO FIX JURISDICTION OF INFERIOR FEDERAL COURTS

Mr. President, it is well settled that Congress has the power to fix the jurisdiction of the lower Federal courts. The nature of this power is well explained by Mr. Justice Sutherland, speaking for the Court in the case of *Kline* v. *Burke Construction Co.* (260 U. S. 226, 233–234 (1922)). I quote from that opinion of Mr. Justice Sutherland, a very learned member of the Supreme Court and a former Member in this body:

> The right of a litigant to maintain an action in a Federal court on the ground that there is a controversy between citizens of different States is not one derived from the Constitution of the United States, unless in a very indirect sense. Certainly it is not a right granted by the Constitution. The applicable provisions, so far as necessary to be quoted here, are contained in article III. Section 1 of that article provides, "The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish." By section 2 of the same article it is provided that the judicial power shall extend to certain designated cases and controversies and, among them, "to controversies * * * between citizens of different States. * * *" The effect of these provisions is not to vest jurisdiction in the inferior courts over the designated cases and controversies but to delimit those in respect of which Congress may confer jurisdiction upon such courts as it creates. Only the jurisdiction of the Supreme Court is derived directly from the Constitution. Every other court created by the General Government derives its jurisdiction wholly from the authority of Congress. That body may give, withhold, or restrict such jurisdiction at its discretion, provided it be not extended beyond the boundaries fixed by the Constitution. (*Turner* v. *Bank of North America*, 4 Dall. 8, 10; *United States* v. *Hudson & Goodwin*, 7 Cranch. 32; *Sheldon* v. *Sill*, 8 How. 441, 448; *Stevenson* v. *Fain*, 195 U. S. 165.)

Now listen to this from the opinion of Mr. Justice Sutherland:

> The Constitution simply gives to the inferior courts the capacity to take jurisdiction in the enumerated cases, but it requires an act of Congress to confer it. The *Mayor* v. *Cooper* (6 Wall. 247, 252). And the jurisdiction having been conferred may, at the will of Congress, be taken away in whole or in part; and if withdrawn without a saving clause, all pending cases, though cognizable when commenced, must fall. The *Assessors* v. *Osbornes* (9 Wall. 567, 575). A right which thus comes into existence only by virtue of an act of Congress, and which may be withdrawn by an act of Congress after its exercise has begun, cannot well be described as a constitutional right.

POWER OF CONGRESS TO REGULATE THE ISSUANCE OF INJUNCTIONS IN CASES WHERE THE COURT DOES HAVE JURISDICTION

There are a number of Federal statutes which provide that injunctions shall not be issued by the lower Federal courts in certain types of cases. With respect to such statutes, it has been argued that the jurisdiction of the court having once attached, the decision as to whether an injunction should issue was an exercise of the equity power of the court—that is the question raised by my friend the Senator from Washington [Mr. BONE]—hence an inherent part of the judicial power, and the manner of its exercise, could not validly be regulated by Congress. However, the courts have held that Congress may validly regulate the exercise of this power within certain limits (*Smith* v. *Apple*, 264 U. S. 274; *Levering & Garrigues Co.* v. *Morrin*, 71 Fed. (2d) 284). See also *Michaelson* v. *United States*, 266 U. S. 42.

In the case of Levering & Garrigues Co. against Morrin, supra, the Circuit Court of Appeals for the Second Circuit upheld the validity of the Anti-Injunction Act of March 23, 1932, which forbade the issuance of injunctions in labor disputes except in strict conformity with the act. The language of the court is in part as follows:

> It is argued, however, that the deprivation of the district court of its power to issue an injunction in a case which does not involve interstate commerce and where the jurisdiction of the court is based upon diversity of citizenship is tantamount to a grant of jurisdiction with a concurrent withholding of the power to properly administer the causes over which the jurisdiction has been granted, and therefore the statute is unconstitutional within the rule announced in *Michaelson* v. *United States* (266 U. S. 42, 45 S. Ct. 18, 69 L. Ed. 162, 35 A. L. R. 451). However, Congress has the power, as now exercised, of withdrawing this jurisdiction from the district court. Congress may give either whole or restricted jurisdiction at its discretion, provided there is no extension beyond the boundaries fixed by the Constitution (*Kline* v. *Burke Construction Co.*, 260 U. S. 226, 43 S. Ct. 79, 67 L. Ed. 226, 24 A. L. R. 1077), and Congress has the power to regulate the power which it grants (*Ex parte Robinson*, 19 Wall. 505, 22 L. Ed. 205; *Michaelson* v. *United States*, *supra*).
>
> It has been said that the attributes which inhere on a grant of power over a subject and which are inseparable from it cannot be rendered practically inoperative. But the power to issue an injunction is not necessarily within the class of inherent attributes

(*Smith* v. *Apple*, 264 U. S. 274, 44 S. Ct. 311, 68 L. Ed. 678). Congress has not exceeded its powers in this legislation.

It should be noted that the Court indicates in its opinion, by implication, that the restriction on the issuance of injunctions might be so sweeping as to be a denial of due process if it denies a litigant all remedy. The cases enjoining the collection of taxes indicate that this is true. Section 3224 of the Revised Statutes provides that no suit for the purpose of restraining the assessment or collection of any tax may be maintained in any court. Nevertheless, the court has permitted injunctive relief in cases where the purported tax has been construed to be a penalty and not a tax (*Lipke* v. *Lederer*, 259 U. S. 557), in cases where the tax has been held unconstitutional (*Rickert Rice Mills* v. *Fontenot*, 297 U. S. 110), and in cases where the collection of the tax would result in great hardship (*Miller* v. *Standard Nut Margarine Co.*, 284 U. S. 509). In the last-cited case the Court said:

> This Court has given effect to section 3224 in a number of cases. It has never held the rule to be absolute, but has repeatedly indicated that extraordinary and exceptional circumstances render its provisions inapplicable.

Thus it appears that a court may refuse to follow a statute of this type even though the statute is admittedly valid.

The Congress may, within certain bounds, regulate the granting of injunctions by courts in cases within the jurisdiction of such courts. However, once jurisdiction of a case is assumed by the court, if it believes that the anti-injunction statute would work great hardship in that case, it may say the statute is invalid because it is a violation the the due-process clause, or it may disregard the statute as in the tax cases cited above.

However, if the statute completely removes certain types of cases from the jurisdiction of the lower Federal courts, as this bill does, there seems to be no reasonable ground to doubt its validity because of the plenary power of the Congress to fix the jurisdiction of such courts.

Mr. President, I have recently examined a document written by Dr. George J. Schulz, of the Congressional Library, analyzing the Federal acts held unconstitutional by the Supreme Court. It is indeed a most valuable and interesting document, and I think all lawyer Senators, at least, would do well to read it.

The celebrated case of Marbury against Madison, so often referred to as holding an act of Congress unconstitutional, apparently does not do so. That part of the decision is largely dictum of the Chief Justice.

Of course, as we all know, the Dred Scott case, decided in 1857, does in terms declare the Missouri Compromise Act of 1820 unconstitutional. One of the remarkable things about that decision was that the Missouri Compromise Act had already been repealed when the decision was made. There was no necessity of making the decision, and its publication, as we all know, caused one of the greatest conflicts in history.

It is true that after the Civil War a larger number of acts growing out of that conflict was declared unconstitutional. Some of them, like the case of former Attorney General A. H. Garland, of Arkansas, the Legal Tender cases, and the Income Tax case of that period, received wide publicity, but none of them except the Income Tax case and those concerning the rights of colored citizens under amendments to the Constitution are particularly of great importance.

The Myers case, decided by Judge Taft in Two Hundred and Second United States Reports, was an important case because the statute provided that postmasters could be removed only by the President by and with the advice and consent of the Senate. That case held that the President had the right to remove such officers himself.

Mr. President, the document prepared by Mr. Schulz, Acting Director of the Legislative Reference Service, of the Congressional Library, was printed by the Government Printing Office. I do not know whether it is a Senate document or not. If it is not it ought to be. It contains an epitomized statement of each one of the 73 cases the Supreme Court has declared unconstitutional in whole or in part, and where there is doubt about whether the Supreme Court passed upon the question of constitutionality, the case is included and made one of the 73.

I hope every Senator will read the document. It is very valuable and very instructive. Dr. Schulz has rendered a very valuable service in preparing it.

Some suggestion was made, following the idea of the Senator from Washington [Mr. BONE], that there might be cases where it would work a great hardship not to have a preliminary injunction. I find that in only 8 of the 73 cases already passed upon was an injunction asked. I find further that in those eight cases if a preliminary injunction had not been granted it would not have affected the case in the slightest, to the disadvantage of the complainant, if the Supreme Court finally adjudged the act unconstitutional.

Under the T. V. A. act we spend some $30,000,000 a year. It would cost the Government millions of dollars if the injunction should remain in effect against that act. The act involves a great public policy which has been established by the Congress. The act has been upheld by the courts up to this date. The Ashwander case, familiar to us all, decided by the Supreme Court, virtually establishes the constitutionality of the act, and yet a single Federal judge, 1 out of 218, has declared the act unconstitutional and has issued a sweeping injunction against it. I am not reflecting upon that judge in the slightest. I believe he is an able and excellent judge. I have no criticism of him at the present time. I simply differ with him and with one of the other judges who decided a similar case. At this point I ask permission to insert in the RECORD as an exhibit to my remarks the opinion in the case to which I have just referred.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(See Exhibit A.)

Mr. MCKELLAR. That very distinguished judge, the able Judge John D. Martin, of Memphis, in passing upon a similar application, said that in his judgment a district judge ought not to undertake to overturn a solemn act of Congress enacted by a majority of both branches of Congress and signed by the President unless there was no doubt about the act's unconstitutionality. I think the opinion of Judge Martin, rather than the opinion of Judge Gore, should be sustained.

I am very hopeful that the bill which I am discussing may be reported speedily. I note the presence of several members of the Judiciary Committee. I note that my friend the Senator from Alabama [Mr. BLACK] has entered the Chamber, and I invite his special attention to the bill, because he is so greatly interested in the subject. I hope the Judiciary Committee may report the bill speedily and that it may be passed at an early date.

Mr. MINTON and Mr. CONNALLY addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Tennessee yield; and if so, to whom?

Mr. MCKELLAR. I yield to the Senator from Indiana, who rose first.

Mr. MINTON. Mr. President, the Senator from Tennessee could hardly expect for the district judge a more favorable verdict at the hands of history than the Supreme Court has enjoyed itself. The Supreme Court, in the three times it has come head-on in collision with the avowed policy of the Congress of the United States—in the Dred Scott decision, the legal-tender decision, and the income-tax decision—has had rendered against it by history an adverse opinion.

Mr. MCKELLAR. Mr. President, it is true that in the three cases to which the Senator from Indiana refers, the policy of the country was declared by the people to be different from what was held by the Supreme Court. As I stated in the outset, however, while I very seriously doubt whether it was originally ever intended by the framers of our Constitution to give even the Supreme Court the power to invalidate acts of Congress—I know they did not intend to give that power to a district judge or a circuit judge, and I have said that I doubted whether there is any fair basis in the Constitution itself for the power assumed by

the Supreme Court in the beginning to invalidate acts of Congress—yet it has been done for so long a time, 134 years, that I believe it would be very unwise for the Congress to undertake at this time to lay down a different rule.

I have gone over these 73 cases; and, with the exception of the Dred Scott case, in which the opinion was rendered after the act was repealed, with the exception of the Legal Tender cases, and the Income Tax case, and with the exception of perhaps one or two other cases, they have not seriously injured the country. I am a great believer in courts. I believe in the Supreme Court. I desire to uphold them in every possible way; but I do think we ought to limit and restrict the right of one of our employees, so to speak—because the Federal circuit and district judges are in a sense the employees of Congress and of the President—to declare acts of Congress invalid and void until after the Supreme Court has passed on the matter.

That is all this bill does. It does not affect the Supreme Court in the slightest degree. On the contrary, it affirms the right of the Supreme Court to pass upon the constitutionality of acts of Congress. The bill makes no change at all so far as the Supreme Court is concerned. It merely limits the jurisdiction of the circuit and district judges to issue preliminary injunctions which will tie up acts like the Tennessee Valley Authority Act when they ought not to be tied up.

By the way, I think the only bond that was given or required in that case was a bond for $100,000; and I am reliably informed by members of the Authority that if the injunction is retained—and, of course, the private companies can retain it, simply by appealing, until after the Supreme Court passes upon the question—the losses of the Authority may be many, many millions of dollars.

In all the 73 cases which have been passed upon by the Supreme Court I have found not a single one where it was necessary in the beginning to ask for a preliminary injunction, and only 8 cases in all the 73 where a preliminary injunction was actually asked for. It was not necessary to do it. I hardly think a case could be imagined that would require a preliminary injunction to issue upon the trial judge finding that in his opinion the law was unconstitutional.

Mr. CONNALLY. Mr. President——

Mr. McKELLAR. I yield to my friend from Texas.

Mr. CONNALLY. Let me say to the Senator from Tennessee that I am not insisting that he yield. I shall be glad to wait until he concludes his remarks.

Mr. McKELLAR. I have about concluded now, but I should like to have the benefit of the views of the Senator from Texas.

Mr. CONNALLY. I thank the Senator.

The Senator from Tennessee a moment ago said that he doubted that the 39 signers of the Constitution had anticipated giving to the Supreme Court any power to declare acts of Congress unconstitutional. I believe he said the number was 39.

Mr. McKELLAR. I think there were 39.

Mr. CONNALLY. I thought there were more.

Mr. McKELLAR. There were 55 members all told, but only 39 of them signed the Constitution.

Mr. CONNALLY. While the Senator said he entertained that doubt, he also stated that in view of the established practice of the Court, and the general acception of that theory, he now acquiesced in it.

If the Senator from Tennessee were a member of the Supreme Court of the United States, how would he avoid the argument of Mr. Marshall in, I believe, the case of Marbury against Madison, in which he drew this parallel:

Here is one citizen claiming a right under the Constitution of the United States, and another citizen claiming a right under a statute of the United States. When there does come, in a lawsuit properly brought between the Supreme Court, a clash between a constitutional right and a statutory right, and one of them must survive, which one would the Senator from Tennessee decide in favor of—the statute or the Constitution? Is there not an inescapable conclusion to be drawn there, one that cannot be avoided?

Mr. McKELLAR. Mr. President, as I have stated, after very careful study I have reached the conclusion that whatever may have been the intention of our forefathers, the Supreme Court now has the power to declare statutes unconstitutional.

I will say to the Senator, however, that we derive the body of our laws from the British. Our general system is patterned entirely after their general system. They have a constitution. It is true that it is unwritten, but they have what they call a constitution. They have courts.

These courts pass upon the acts of Parliament. The courts do not declare acts of Parliament unconstitutional, and they seem to get along about as well with their decisions under that system as we get along by declaring acts unconstitutional.

I am inclined to think that the Senator is right. If an act of Congress is absolutely contrary to the plain provisions of the Constitution, it is the duty, and after long acquiescence I believe the right, of the Supreme Court to declare it unconstitutional. I am not questioning that in the slightest degree. I am upholding that. I am taking the position in this bill that that right in the Supreme Court is absolute. The only thing this bill does is to take away the jurisdiction of a district judge or a circuit judge to issue an injunction nullifying an act of Congress until after the Supreme Court in that case has passed upon it.

Mr. CONNALLY. I desire to say to the Senator from Tennessee that the junior Senator from Texas is largely in agreement with the Senator's view as to limiting the jurisdiction of the inferior courts.

Mr. McKELLAR. I am very happy to hear it.

Mr. CONNALLY. However, a moment ago the Senator suggested something with which I cannot quite agree.

Mr. McKELLAR. What was that?

Mr. CONNALLY. The Senator pointed out that we derive the common law from England, and that under the English system their courts do not declare acts of Parliament unconstitutional.

Mr. McKELLAR. That is correct.

Mr. CONNALLY. Let me suggest to the Senator that for the very simple reason that the British constitution is not written, the British constitution is whatever the British Parliament enacts in the form of a statute. Therefore, no act of Parliament could be unconstitutional under the British system.

Another thing which suggests that the parallel which the Senator from Tennessee seeks to draw between the British system and the American system is not correct is this:

The British have no dual system of government, as we have. In America we have the dual system. The State has a certain jurisdiction; the Federal Government has a certain jurisdiction; and if there were not somewhere an agency to limit and mark out the proper bounds of State authority as contradistinguished from national authority, we should continually be in a state of chaos by reason of clashes between Federal and State authority as to what each one could do.

Mr. McKELLAR. I entirely agree with the Senator, and I so stated at the very outset of my remarks.

Mr. CONNALLY. That distinguishes our system from the British system or any other continental system that I know about.

Mr. McKELLAR. I do not know that it does, for this reason: These laws, established virtually by the cabinet of Great Britain——

Mr. CONNALLY. No; they are not established by the cabinet.

Mr. McKELLAR. That is very nearly the case.

Mr. CONNALLY. If I were the Senator from Tennessee I should not raise that point at this time, because Congress has to enact whatever is suggested over here, and Parliament has to enact whatever is suggested in England.

Mr. McKELLAR. Parliament very generally acts as the cabinet asks it to act.

Mr. CONNALLY. Certainly. The cabinet is the leader there, just as the Executive is the leader here.

Mr. McKELLAR. And they have statutes, just as we have. They call the statutes themselves the constitution, whereas we have a superconstitution or underlying constitution which we call our Constitution.

Mr. LEWIS. Mr. President——

Mr. McKELLAR. I now yield to the Senator from Illinois.

Mr. LEWIS. Will the Senator from Tennessee allow me to interrogate him, looking to information to myself?

Mr. McKELLAR. I shall be delighted to have the Senator do so.

Mr. LEWIS. Did I correctly understand the Senator to say that he feels that the United States judge having authority under the act to preside should not be allowed to declare an act of Congress unconstitutional?

Mr. McKELLAR. Oh, no; my bill specifically provides that he may declare an act unconstitutional if he sees fit, but that he may not issue an injunction, preliminary or interlocutory, upholding his particular view, until the case is appealed swiftly to the Supreme Court, and the Supreme Court directs that the injunction be issued.

Mr. LEWIS. Let me assume a condition which I trust, while happening in the past, may never again happen in the future—that a Congress is overwhelmingly of one political complexion, and it passes a law which puts a limitation upon speech and expression of the citizens.

Mr. McKELLAR. They could not do that as to the Senate.

Mr. LEWIS. Apparently not, sir.

Mr. McKELLAR. I did not refer to the Senator in my remark, either. [Laughter.]

Mr. LEWIS. I am addressing my question to one to whom I think it does apply, nevertheless. [Laughter.]

Mr. McKELLAR. I am quite sure that is so, and I am afraid it is applying now.

Mr. LEWIS. I am asking the Senator a question in order that he may gather my viewpoint.

Suppose such a law were passed, practically putting a limitation amounting almost to a criminal penalty upon a citizen whose speech or expression, from the point of view of Congress, ran counter to their interests, and then a writ of habeas corpus were taken and brought before the district court to rescue this man from the imprisonment that he felt to be illegal, and suppose he should contend that the law under which he was being arrested infringed his right of free speech, his right of liberty, and was, therefore, unconstitutional: The court must decide the act unconstitutional in order to give that man relief on his habeas corpus; must it not?

Mr. McKELLAR. Of course; and this bill does not interfere with that action by the court.

Mr. LEWIS. The Senator does not take issue with that?

Mr. McKELLAR. My bill does not interfere with that case at all.

Mr. LEWIS. Then must the court suspend its judgment until the Supreme Court acts upon it before it can give liberty to the man?

Mr. McKELLAR. No; not at all. The Senator from Illinois misconceives the purpose of the bill. It does not provide for that at all. My bill deals with jurisdiction and touches the procedure in the issuance of injunctions; that is all.

Mr. CONNALLY. Would not the writ of habeas corpus relieve the Senator from Illinois?

Mr. McKELLAR. The writ of habeas corpus would relieve the Senator's friend completely. I did not mean his friend; I meant his constituent.

Mr. LEWIS. If he has been wronged in his liberty, he is my friend when the opportunity comes to protect him, wherever he is. If I may be pardoned, however, I meant to say that if the able Senator contended that when a judgment was rendered declaring an act invalid it would first have to go to the Supreme Court to have it affirmed in some expression before it could be executed, the writ of habeas corpus then could not be executed although the court might hold the act invalid and unconstitutional.

Mr. McKELLAR. If the Senator will examine the bill, he will find it would not have that effect.

There is another thing I might mention. The Senator from Alabama [Mr. BLACK] has just introduced a bill which provides that all cases involving the validity of an act of Congress shall be appealed directly to the Supreme Court, and the Supreme Court would pass upon them as soon as possible. I think that would be very helpful and should be incorporated as a section in any bill the committee might report.

EXHIBIT A

In the District Court of the United States, Western District of Tennessee, Western Division

Jacob G. La Croix, plaintiff, v. *The United States of America, defendant*. No. 1248, equity

ORAL OPINION OF MARTIN, DISTRICT JUDGE, DELIVERED AT THE CONCLUSION OF ARGUMENT OF THE MOTION TO DISMISS

Filed July 29, 1935

This case has been heard on the motion of the United States of America, presented by the assistant district attorney, to dismiss the bill of complaint filed by the plaintiff, who is engaged in the business of operating a slaughterhouse and stockyard and in procuring hog products and in the sale of hog products.

The motion to dismiss questions the right of plaintiff to enjoin the United States of America from collecting the hog-processing taxes pursuant to the act of Congress known as the Agricultural Adjustment Act. The Government maintains that, under title 26, section 154, United States Code, Annotated, the suit cannot be maintained. Said section of the United States Code, provides:

"No suit for the purpose of restraining the assessment or collection of any tax shall be maintained in any court."

The plaintiff maintains, at the outset, that an injunction should be granted for the reason that there is pending in Congress, with high probability of passage, a bill which would prevent the recovery of processing taxes already paid. This Court thinks it would be an unwarranted encroachment of the judicial power of the United States upon the legislative branch of Government should the Court attempt a race of diligence with Congress to defeat the applicability of an act to a pending case. At most, a court has the right to consider the effect of an act of Congress; at least it cannot attempt to defeat proposed legislation before it has become the law. The Court, therefore, could not properly consider the effect upon an individual of the passage of a pending act which has not become law.

The plaintiff contends that the suit is properly brought under section 41, subsection 20, of the act known as the Tucker Act. The authorities presented by counsel on both sides of the skillful and elaborate 5-hour argument force the conclusion that the United States of America, pursuant to the Tucker Act in the section just cited, may be properly sued for a claim for the recovery of money due plaintiff. But this court thinks that the United States of America cannot be enjoined from the collection of the taxes, but only its appropriate officers and agents may be enjoined from collecting or seeking to collect the taxes. The United States of America functions only through its constituted officials; and an injunction directed against the United States by name in its sovereign capacity would not be maintainable. Who would be restrained by such injunction? It is obviously a very different right to sue the United States of America, pursuant to an act of Congress, and to enjoin the United States of America from the performance of some governmental function, such as the collection of taxes.

It is, therefore, the opinion of this court that the injunction prayed for in this bill is beyond the power of this court to grant, as directed, against the United States of America; and the motion to dismiss the bill will be sustained on this ground.

In the course of the consideration of the numerous questions presented on argument it has been necessary to consider the constitutionality of the Agricultural Adjustment Act; and while it is unnecessary for this court to pass upon the constitutionality of this act in the view taken that an injunction cannot be granted against the United States of America in this suit, the court deems it equitable to pass upon the constitutionality of the act and to declare the conclusion reached, because the question will be doubtless again presented by the plaintiff in a new suit, which he would naturally bring against the appropriate officials whom he would seek to enjoin from collection of the challenged taxes.

Counsel for plaintiff has made a most able presentation of his argument against the validity of the act. His argument has been clear-cut and comprehensive, and he has brought forward numerous authorities upon which he bases his vigorous attack upon the constitutionality of the act in question. He has been helpful to the court in considering all of the many phases of the case necessary to be met to arrive at a correct determination of this question. The court will not attempt, in this oral opinion, to review these authorities or to deliver an erudite or elaborate opinion, for the reason that in many districts throughout the United States there are now pending or have been decided like issues here involved; and this case is not, therefore, a case of first impression. The final pronouncement upon the constitutionality of the Agricultural Adjustment Act will be adjudicated by the Supreme Court of the United States, perhaps before the end of the year.

Having reached a conclusion upon the constitutional question involved, this court deems it more important to act promptly than to delay a decision for the purpose of writing an elaborate opinion discussiong the authorities.

At the outset, it should be announced that this court holds the firm conviction that a district court of the United States should not suspend the operation of an act of Congress as unconstitutional, except upon the plainest grounds and surest conviction.

In *Nichols* v. *Ames* (175 U. S. 509, 514, 515) the Supreme Court of the United States said:

"It is always an exceedingly grave and delicate duty to decide upon the constitutionality of an act of the Congress of the United States. The presumption, as has frequently been said, is in favor of the validity of the act, and it is only when the question is free from any reasonable doubt that the Court should hold an act of the lawmaking power of the Nation to be in violation of that fundamental instrument upon which all the powers of the Government rest. This is particularly true of a revenue act of Congress. The provisions of such an act should not be lightly or unadvisedly set aside, although if it be plainly antagonistic to the Constitution, it is the duty of the Court to so declare. The power to tax is one great power upon which the whole national fabric is based. It is as necessary to the existence and prosperity of a nation as is the air he breathes to the natural man. It is not only the power to destroy, but it is also the power to keep alive."

It is the judgment of this court that, before pronouncing an act of Congress unconstitutional and unenforcible, a district court should be even more carefully deliberate and firmly convinced beyond a reasonable doubt of its unconstitionality than would be necessary on the part of a circuit court of appeals or for the Supreme Court of the United States. A district court is a one-man court. There are numerous district courts; and the result of conflicting views of individual district judges as to the unconstitionality of acts of Congress leads to a frequently confusing status in the enforcibility of national laws. Wherefore, district courts should be most reluctant to pronounce acts of Congress void. The soundest public policy is conserved when district courts do not interfere with the operation of acts of Congress. Pending the final decision of the Supreme Court of the United States, nullification of laws in some districts and their enforcement in other districts leads to much confusion and inequality.

The challenge upon the constitutionality of the Agricultural Adjustment Act is, of course, serious; because certain district judges and the United States Circuit Court of Appeals for the First Circuit, in a 2-to-1 decision, have already declared the act unconstitutional. Respect for these decisions make the constitutionality of the act a grave question. With due deference to the distinguished judges with whom this court differs, this court does not feel impelled to follow them. Neither the Supreme Court of the United States nor the Sixth Circuit Court of Appeals has passed upon the question; and this court is, therefore, free to entertain and express independent views.

First, let us consider the background of the challenged act, the emergency existing at the time of its passage. It is well known that the national situation then existing was extremely desperate. Many men of intelligence and normal courage were almost hopeless of a restoration of normal conditions in America, as a result of what started as an economic depression and ended as an economic collapse. It was evident to men of thought that new measures must be brought forward and enacted into law to restore our country to normal prosperity.

To meet the situation Congress enacted many new laws which, in bygone days, would have seemed unnecessary; but which, when adopted, met with the sweeping approval of the overwhelming majority of the people of the United States, as shown by the ready spirit of cooperation in which our population entered upon accomplishment of the purposes of these laws. In the national disaster in which our country was placed nothing appeared more important than meeting the problem of aiding the farmer to continue to produce. It had been a matter of national discussion in the halls of Congress, in the legislatures of the States, and by people generally as to what means or measures might be adopted to benefit the farmers. And so the Agricultural Adjustment Act was born.

It remained unchallenged as to its unconstitutionality, so far as this court knows, for many months; and an improvement was noted in the agricultural situation and in the common betterment of conditions as the direct and proximate result of the provision of the act.

"The devil was sick, the devil a monk would be;
The devil got well, the devil a monk was he."

So, when the situation generally had improved, discussion became more current as to the probable unconstitutionality of the act; all of which is said to emphasize the view of this court of the importance of considering the act in the light of the general-welfare clause of the Constitution of the United States, article I, section 8, subsection 1, which provides:

"The Congress shall have the power to lay and collect taxes, duties, imposts, and excise, to pay the debts, and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States."

In the opinion of this court, reasoning practically, if legislation in time of stress could ever have been needed more for the general welfare of the United States than was the legislation for the benefit of farmers at the time of the passage of this act, the court is in ignorance of any such time. A court of the United States should not be, and cannot be under the doctrines pronounced by the Supreme Court of the United States, concerned with the policy of legislation. Provided the legislation is constitutional, the act must be upheld.

It is immaterial, therefore, as to whether the Agricultural Act is deemed expedient, or not. Only the constitutionality of the act must be considered here.

Counsel for plaintiff maintains that the processing tax is not a tax at all. It seems that the complete answer to this is that the tax is paid into the Treasury of the United States and, even though ear-marked, it is still a tax. The fact that the farmer benefits directly from the tax does not prevent the applicability of article 1, section 8, subsection 1, of the Constitution, where the general welfare is likewise conserved.

The most serious question argued by counsel is as to whether—viewing the act in its entirety—there has been a delegation by Congress of the taxing power to the executive department. Most careful consideration has been given to the urgent argument of counsel and to the authorities which he cites. But, an analysis of the act in its entirety leads this Court to the conclusion that, liberally and fairly interpreting this act, resolving every intendment in favor of its constitutionality, the taxing power is not delegated by the act to the Secretary of Agriculture. Congress has singled out and specified cotton, wheat, corn, hogs, etc., as the subject matter of the processing taxes. It must be noted, further, that Congress has fixed the basis of determining the taxes and has not left to the discretion of the Secretary of Agriculture the fixation of the taxes. Congress has delegated to the Secretary of Agriculture only the calculation of the taxes upon the basis fixed by the terms of the act to obtain a parity through the processing tax of prices of farm products existing in 1909–14.

This court finds no single passage in the act which vests in the Secretary of Agriculture an unconstitutional delegation of legislative authority and power.

The Supreme Court in its recent decisions has settled the proposition that no matter how grave the emergency, Congress will not be permitted to transcend the Constitution. But it would seem manifest that the Court did not intend to declare that the emergency may not be considered in resolving intendments in favor of the constitutionality of the act in a doubtful case. Any case may be classified as doubtful where United States judges who have passed upon a question have expressed divergent views.

This court is aware that the opinion here rendered is at the moment a minority view; but, with proper deference to the majority of the courts, an independent view may be maintained here in the absence of authority binding this court. This court holds the opinion that the full import and meaning of article I, section 8, subsection 1, of the Constitution has been too much obscured in the consideration by some courts of constitutional questions.

It is the opinion of this court that it was the purpose of the framers of the Constitution that this clause, giving the right to levy taxes to pay the public debts, provide for the common defense and general welfare, was to be applied in times of emergency as a liberal and flexible means of providing for the welfare of the United States in times of disaster; provided, of course, that no other and restraining clause was violated.

It seems that some judges have overstressed the interstate-commerce clause and the due-process clause at the expense of the general-welfare clause. The due-process clause of the Constitution is not violated by the method in which the Secretary of Agriculture is instructed to calculate applicable taxes to each of the commodities affected by the Agricultural Adjustment Act. Nor is there a lack of uniformity of taxation as required by article 1, section 8, subsection 1. Hogs in Iowa are taxed upon the same basis as hogs in Mississippi; wheat in Illinois upon the same basis as wheat in California; corn in Indiana upon the same basis as corn in Tennessee; and cotton, likewise, is uniformly treated in all of its producing States.

In the early days of this Republic the expenses of the common Government were borne by taxes upon liquor and tobacco. These taxes were not held to be discriminatory. Why, therefore, should taxes levied upon corn, cotton, hogs, and the commodities described in the Agricultural Adjustment Act be regarded as vicious? Protective import taxes—not primarily designed for revenue—were the means of protection of infant industries, and have been continued for the benefit of lusty, healthy, manufacturing enterprises. Why, then, the argument that the imposition of these farmer-benefit processing taxes is class legislation?

The Schechter case is not in point with the case under discussion for the reason that the Schechter case involved the regulation of local business within the State, and the unconstitutionality of the National Recovery Act did not involve any consideration of taxation.

The motion to dismiss the bill is sustained, and an appropriate order will be entered in conformity with this opinion.

JOHN D. MARTIN,
United States District Judge.

Mr. ASHURST. Mr. President, whatever anyone may think, the time of the Senate and the country taken this morning in discussing the question before us has not been wasted. I have listened to the speech of the able Senator from Tennessee [Mr. MCKELLAR]. I do not doubt at all the power of Congress to enact into law the bill the Senator has introduced, because, as he correctly pointed out, the inferior courts are the creations of Congress, and the only things Congress is restricted from doing are covered in the provi-

sion that it cannot reduce the salaries of judges and cannot remove them except by impeachment. Therefore, in my judgment, the bill is sound, and would stand a test of the courts.

The bill presented by the Senator provides:

> No district court or circuit court of appeals shall have jurisdiction of, and no district or circuit judge shall have jurisdiction or power to issue an injunction in, any suit in which it is sought to enjoin, suspend, or restrain the enforcement, operation, or execution of any act of Congress unless and until such act—

I submit for the consideration of the able Senator an amendment at that point, to insert the words "or some provision thereof." Otherwise the court might say, "We will issue an injunction because this act has never been declared unconstitutional", whereas if the words "or some provision thereof" were inserted, then the court could not escape in that way, for, as the able Senator pointed out in the document to which he referred, some 73 laws or parts of laws have been declared unconstitutional. The Senator did not say 73 laws, but, correctly, he said "laws or provisions thereof." We will find by consulting that document that very few laws, possibly 8 or 10 or 11, have been declared unconstitutional in their entirety. In some cases involving laws five or six pages long, one phrase, one sentence, one paragraph may be declared unconstitutional. Therefore I ask the able Senator to consider the insertion, after the word "act", of the words "or some provision thereof."

Mr. McKELLAR. Mr. President, I regard the Senator's suggestion as a very high compliment to me. This morning I came to the very conclusion he has reached, and revised my bill, introducing another one so as to include the very language the Senator has suggested.

Mr. ASHURST. I always listen to the remarks of the able Senator on legal subjects with attention and respect.

Mr. President, I do not know that I should tax my strength this morning in discussing the asserted power of the Supreme Court of the United States to declare acts of Congress beyond the powers of Congress further than to say that in all tyrannical governments, no matter what may be their form, whether an oligarchy, or, as Thomas Jefferson said, 148 men—no monarch, no tyrant, makes any progress whatever unless and until he seizes in his hands the legislative, the executive, and the judicial powers. Monarchs in Europe—some may call them "tyrants"—would be effectively hampered in their efforts unless they held in one hand, in one magistracy, the legislative, the executive, and the judicial powers. So the first thing a wise, prudent, scheming, subtle monarch in Europe does if he wants complete control is to seize legislative, executive, and judicial powers.

An act of the British Parliament is supremely legislative, it is also supremely judicial. William the Conqueror, in his own hall, before the creation of Parliament, set up his curia regis, or aula regis, to make laws, and to declare laws unconstitutional, if he saw fit, at any time.

Coming down through the ages, the supreme legislative and the judicial powers have reposed in parliament. Parliament possesses the supreme legislative and supreme judicial power. That is their form; it has worked well with them. But when our ancestors formed a government they deemed it unwise to place the legislative and the judicial powers into the same magistracy. Therefore the separation of the powers.

Some Senators discussed the question of the right of the Supreme Court to declare certain laws beyond the power of Congress to enact. That is an interesting subject; and, in my judgment, there are Members of the Senate more able than I, at least at the present moment, to discuss that subject. Suffice it to say that when the Constitution was written, article 6 provided, among other things:

> This Constitution, and the laws of the United States which shall be made in pursuance thereof * * * shall be the supreme law of the land.

Many lawyers contend that that provision gave to the Supreme Court the power to declare laws invalid if they contravened the Constitution. I should like, however, to indicate what, in my judgment, is an overwhelming reason why there must be some magistracy to determine when Congress exceeds its power.

Difficulty was encountered in having the Constitution ratified. The eloquence of Patrick Henry and the influence of the Livingstons and the Clintons and various other statesmen were so great that the Federal Constitution, after it was submitted in 1787, was not immediately ratified. Indeed, New York ratified by a majority of only three. Virginia, after one of the most illuminating debates in the history of our continent, was able to ratify the Federal Constitution by a majority of only 10, and only then by promising to the country that there would be immediately adopted a Bill of Rights setting forth and protecting the great privileges and immunities and franchises which accompany free men in all the Anglo-Saxon world.

So, with the promise made to the States and the statesmen of the country that there would at once be incorporated a bill of rights, as soon as the Congress passed a tariff bill to put some money into the Treasury, James Madison, a Member of the House of Representatives, rose, in 1789, and said:

> In compliance with the promise made to the country, I now introduce the Bill of Rights.

It was introduced and passed and became a part of our Constitution, being embodied as the first 10 amendments, and they were ratified within 2 years and a few months.

The 10 amendments safeguarded the great privileges, franchises, and immunities which are the heritage of freemen everywhere, and when these privileges and franchises and immunities of freemen were assured, Congress was denied the power to do certain things; indeed, many things which I shall not enumerate. Suppose Congress should attempt to overthrow these great rights, privileges, immunities, and franchises of citizens. In that event surely the Supreme Court would be bound to say, whether we liked it or not, "Such action is not according to the Constitution." Suppose Congress should say that a certain sect or a certain religion should be the state religion, and that all people should be punished who did not adhere to or worship in that faith. Surely my able friend, with his acumen and his judgment, if he were on the bench, would be bound under his oath to say, "Congress cannot do that."

Mr. CONNALLY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Arizona yield to the Senator from Texas?

Mr. ASHURST. Certainly.

Mr. CONNALLY. The Senator does not catalog, but he refers to the provisions of the Bill of Rights putting it beyond the power of Congress to pass laws establishing religion, or abridging the freedom of speech or the press, or the right of the people peaceably to assemble. The Constitution provides that Congress shall not do those things. Suppose it should do one of them; where else could a citizen go except to a court?

Mr. ASHURST. Nowhere else.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. ASHURST. I yield to the able Senator from Indiana.

Mr. MINTON. Suppose some authority, well recognized and delegated to the Congress of the United States, were imbedded in an enactment which the people of the country desired, and the Supreme Court held it unconstitutional. Then where would the citizen go?

Mr. ASHURST. If it were contrary to the Constitution, the people would have to amend the Constitution.

Mr. MINTON. Such a thing happened in this country in the Legal Tender cases.

Mr. ASHURST. The Senator is correct.

Mr. MINTON. Gentlemen hold up horrible examples of what may happen to the liberty of someone in this country if Congress does thus-and-so.

Mr. ASHURST. Yes.

Mr. MINTON. Suppose Congress, in pursuance of a well-recognized and constitutional right, enacts a statute, and the Supreme Court knocks it down—and many people think they do that—where can the citizen go?

Mr. ASHURST. Then the Constitution should be amended. We should go to the source of power.

I have no sympathy with attempts to whittle or to chisel, by indirection, circumlocution, and periphrasis, and "house-that-Jack-built" methods, in order to acquire power. Let us manfully stand up and say, "Mr. President, we ought to have more power. We need more power." The way to obtain it is by consulting the States. Acting upon that belief in good faith, I introduced an amendment proposing to give Congress the power—Senators, mark this, for it is sweeping—to regulate commerce, agriculture, industry, and labor. I believe Congress should have the right to regulate agriculture, commerce, industry, and labor; and when I have used those four words I have used about all the words that could describe an activity in our country.

My amendment, however, would not interfere with the privileges and franchises and rights of citizens set up in various amendments to the Constitution. It would not interfere with due process of law; it would not interfere with those rights of citizens, but would give Congress the power legally to enact each and every one of the 12 laws or provisions of laws which were lately declared by the Supreme Court to be beyond our power to enact.

I am not much given to vilification or abuse of another branch of Government when in our own hands is the power to do in the right way what we desire to do. If, forsooth, we have not the power to regulate labor as it ought to be regulated, let us seek the power legally—not, I repeat, by indirection, circumlocution, periphrasis, and "house-that-Jack-built" methods. With such methods I have not much sympathy. I have great sympathy with all wisely conceived reform measures which the country demands. The expansion of industry and science and our general progress require us to enter fields of legislation which would have been regarded as fantastic even 30 or 40 years ago.

In my judgment the way to reach the desired objective is by bold frankness, by asking the people of the States to ratify the necessary amendments. If we think the Supreme Court should not exercise the power of passing upon laws, let us say so by amendment. In the long run there will be niches in the hall of time, and places in the record of history, for men who act directly in that way; but there will be found no niches, no place in the record of history, nor will there be a glowing tribute on the page of any history for a Congress which by such methods as I have indicated tries to do indirectly that which it cannot do directly. Boldness, even as much as honesty itself, is admired by all men. If we do not have the power, let us ask for it, and let us not worry about such an amendment. The people will ratify. They are anxious to have a chance to ratify. They will not thank a Congress, they will not thank any administration, they will thank no one seeking to do things by indirection.

Mr. President, I have gone far beyond what I intended to say.

Mr. BONE. Mr. President, will the Senator yield? I do not mean to intrude myself at this point if the Senator does not wish to be interrupted.

Mr. ASHURST. Mr. President, I am glad to yield to the Senator from Washington.

Mr. BONE. I have listened with a great deal of interest to the statements which have been made here, particularly to the statement that if we should proceed directly, openly, frankly, and bluntly to the accomplishment of a desired purpose, not the thwarting of a right or assumed right of the Supreme Court to declare an act unconstitutional, but boldly and frankly to declare to the people of the United States our intention to do something, our action would be ratified by the people. But when we are confronted with the fact that the Supreme Court, in the face of this express declaration of purpose, declares that we have not the right to do what we have done, a peculiar picture is presented to the people of the United States.

I recall so well the time when the income-tax amendment was adopted. Along with other citizens of the country, I discussed its terms. It provided that—

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived.

I have not yet been able to find a lawyer, at least not in my section of the country—and I have discussed this question with lawyers from the Atlantic to the Pacific—who has been able to find any justification for the apparently studied, cold, purposeful whittling away of the meaning of that expression in a number of decisions which, in my judgment, reflect no credit on the Supreme Court.

I raised this question once before, and I have refrained from criticizing the Supreme Court; but I submit to my brethren in the Senate that it is impossible to find, and I doubt if there is a man within the sound of my voice who can find, words more simple and more elementary than the words—

From whatever source derived.

Yet if the opinions of the Supreme Court on that point shall be examined, there will be found in them an indirection, a circumlocution and evasion which does no credit to that Court. I have heard lawyers in a justice court, a "dusty foot" court, make arguments infinitely more persuasive than the arguments advanced to persuade the court that that language did not mean what it said. The 125,000,000 Americans understood that language to mean that we were to tax income from whatever source derived. It is not a question of something that may have lurked in the mind of any legislator. The 125,000,000 people of the United States believe that the Congress was given the power to levy taxes on incomes from whatever source derived; and if any Member of this body can twist that language into the meaning that the Supreme Court gave it, he has a peculiar mentality.

Mr. ASHURST. Mr. President, I agree with the Senator from Washington; and I wish to say that I was never more astounded, amazed, and surprised in my life than I was when the Supreme Court, in construing that amendment, said it did not give Congress the power to tax incomes derived from bonds of States and of the United States.

When I used to practice law, and lost a case, I would assemble my clients around me, go down to the hotel, and say, "Now, regarding that case of yours which I lost, the judges were wrong. You ought to have men like me on the bench, and your cases would be rightly decided." [Laughter.] In other words, I would go down to the village hotel and I would "cuss" the court, and I would tell those whom I was addressing how much more I knew about law than did the judges on the bench.

However, to abandon facetiousness, I say that I agree with the able Senator from the State of Washington. But, Mr. President, instead of going down to the hotel and abusing the courts, I promptly introduced a joint resolution proposing an amendment to the Constitution which would give to Congress the power to tax the income or interest on bonds of States. I promptly introduced a proposed constitutional amendment which would give to Congress the power to levy taxes on income from bonds issued by the United States; and my amendment was about as popular as a cuckoo clock in a boy's dormitory. It received no support. In fact, I charge the able Senator on my left, the Senator from Texas [Mr. CONNALLY] with the defeat of my amendment. He was then a Member of another body, and presented his argument with an erudition and with an eloquence to which I listened with great respect, and later read with mute amazement and admiration. He is the one who destroyed my amendment; and if it had not been for his eloquent activities the Congress could now be levying taxes on income from bonds issued by the State of Texas.

Mr. BONE. Mr. President, will the Senator yield?

Mr. CONNALLY. I ask the Senator please not to interrupt the Senator from Arizona.

Mr. ASHURST. Please do not charge against me any delay or dilatoriness in the matter of an amendment to levy taxes on income from bonds issued by the States or by the United States. I profoundly believe that the United States should have the power to tax bonds issued by States. I pro-

foundly believe that the States should have power to levy taxes on bonds issued by the United States.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. ASHURST. I gladly yield to the Senator from Indiana.

Mr. MINTON. Did the Senator from Arizona introduce an amendment which sought to get around another opinion of the Supreme Court dealing with the same amendment that has just been discussed, in the case of Gore against Evans, which held that Federal judges' salaries were not subject to tax under that amendment?

Mr. ASHURST. No, Mr. President. I have not time to pay attention to judges' salaries. I was interested, if the Senator will pardon me for saying so, in the larger question.

Mr. MINTON. I understand; but the Senator does not know how often he is going to be called upon to amend the amendment after the Supreme Court has spoken.

Mr. ASHURST. Mr. President, I thank the able Senator from Indiana for his suggestion. However, I do not wish to be led away from the subject. I think Congress will go further and will be more appreciated by the country if, whenever it needs power, it seeks to obtain it by the introduction and passage of an appropriate measure looking to the desired constitutional amendment. I think we have been altogether too lax, too slow, too hesitant about voting for such amendments. The greatest legislative and parliamentary defeat I ever sustained was when my own committee—the committee of which I have the honor to be chairman—declined to report the proposed amendment introduced by me giving Congress the power to tax the income from the bonds of States.

Mr. BONE. Mr. President, I do not wish to have the Senator from Arizona, whose argument is very entertaining and enlightening, misunderstand the purpose of my remarks a moment ago. I was not attempting to discuss the merits of a tax on public issues. I admit that there are two rather reasonable and very persuasive arguments on that subject, one on either side. If a public body has to have its bond issue taxed, or the revenue or interest from the bonds, obviously it will have to collect more taxes from its people, because the bonds cannot be sold at such good prices.

Mr. ASHURST. That is correct.

Mr. BONE. So there is an argument on both sides of that question. My whole purpose in bringing this subject to the attention of the Senate is not to discuss the merits of that question, but to point out that the Congress and the people of the United States, by the mechanism set up by the organic law of the land, did what they wanted to do in that respect. The legislature of my State voted for that amendment with the distinct understanding that Congress could tax these issues, whether or not it was good business to tax them; and the Supreme Court—nine men, or less than that number—said that 125,000,000 people had no right to do that. That is what the Court said by its decisions. There can be no escape from that argument. I have read those cases, and I should be unable to understand the meaning of the English language if I could reconcile the logic by which the Court invalidated that legislation.

Mr. ASHURST. Neither could I, Mr. President. When the decision was announced, I remember the able senior Senator from Nebraska [Mr. NORRIS] criticized it—I will not say he ridiculed it—and went on to say that he would defy the "wordologists" of the country to find more nearly proper language than was used in the amendment. Is that not what the Senator said?

Mr. NORRIS. Yes, Mr. President.

Mr. ASHURST. I agree with that; but what is the use of quarreling about it? If we desire to tax the moneys derived as income from the bonds of the States, let us tax them. I am in favor of it. My own State does not agree with me; my own State does not think that Uncle Sam should tax the bonds issued by Arizona. I do not agree with my State, for I think there should be no tax-exempt property. Upon what reason and hypothesis has any man the right to have his safe-deposit vault or his vest pocket choked with securities and say, "I demand that you enforce the great amendments to the Constitution in my favor but I decline to make a contribution out of my money to be paid into the General Treasury." I have not yet despaired of having the Congress act favorably on my proposed amendment authorizing the United States to tax State bonds.

Mr. CONNALLY. Mr. President——

Mr. ASHURST. I yield to the Senator.

Mr. CONNALLY. Let me say to the Senator from Arizona that most of the complaints that have been raised by Senators as against the Supreme Court have been based upon the theory that the Supreme Court in the case of property interests and other matters holds acts of Congress unconstitutional. Let me suggest that the Court has just as often, probably more often, denied the exercise of Federal power over the rights of individuals and also the power of the States.

A few days ago I was in the Supreme Court listening to some opinions being rendered. The legislature of the State adjoining that of the Senator from Washington, the State of Oregon, had not only passed a law on so-called syndicalism but a man had been arrested, tried, and convicted in that State—and I think sentenced to some 8 years in the penitentiary—because he attended a meeting, although he made no remarks that were traitorous or of an incendiary character. However, because it was shown that he belonged to some communistic or other organization and was present at a meeting he was not only tried and convicted under the State law but was on the road to the penitentiary for 8 years. The Supreme Court held that that act violated the fourteenth amendment in that it denied due process of law.

Now, do Senators mean to strike down the power of the Court to render a decision of that kind? Suppose that had been a Federal law, would not the Court have been required and would it not have been its duty to have stepped in and done the same thing?

Mr. ASHURST. In the first place, it is not to my liking to become the champion of any body of men. I am not the particular champion of the Supreme Court of the United States. They are able to take care of themselves; I feel no obligation here or elsewhere to defend them or anybody else, and what I say, I beg Senators to believe, is not because I am attempting to act as a wet nurse for any body of men; that is not my policy; that is not to my liking. I simply hold the views I am expressing.

I said our forefathers and ancestors desired to build a government where the legislative and judicial and executive power should not be in one magistracy. I think we may consider Thomas Jefferson as one of the soundest statesmen so far as the rights of the people are concerned whom we have ever produced. I have a letter of Jefferson here in which he said:

> We cannot give to the Congress the judicial power, for an oligarchy of 148 men is as bad as an oligarchy of 1.

Long before the Government of the United States was founded, colonial courts were declaring acts of the Colonies invalid. Let me read——

Mr. CONNALLY. Mr. President, will the Senator permit me to interrupt him right there?

Mr. ASHURST. I will ask the Senator first to let me read from an article written by the Senator from Idaho [Mr. BORAH], whose learning is so well known and whose industry and research are recognized by all. The article was printed in the RECORD of January 6, 1936. Senator BORAH said:

> Years before John Marshall was born it was a settled doctrine in the Colonies that any legislative act of a colonial legislature must be held void if in conflict with the charter or fundamental law of the colony. It was a doctrine which grew up with our constitutional history. It was a doctrine which grew up with American law. Over 500 acts of colonial legislatures were held void under this principle.

I should like at this point, Mr. President, to have printed in the RECORD a brief extract from Thomas Jefferson's Notes

on the State of Virginia, as quoted by Madison in The Federalist (Lodge edition, p. 48).

The PRESIDENT pro tempore. Without objection, permission is granted.

The matter referred to is as follows:

All the powers of government—legislative, executive, and judiciary—result to the legislative body. The concentrating these in the same hands is precisely the definition of despotic government. It will be no alleviation that these powers will be exercised by a plurality of hands and not by a single one. One hundred and seventy-three despots would surely be as oppressive as one. Let those who doubt it turn their eyes on the Republic of Venice. As little will it avail us that they are chosen by ourselves. An elective despotism was not the Government we fought for, but one which should not only be founded on free principles, but in which the powers of government should be so divided and balanced among several bodies of magistracy as that no one could transcend their legal limits without being effectually checked and restrained by the others. For this reason, that Convention which passed the ordinance of government laid its foundation on this basis, that the legislative, executive, and judiciary departments should be separate and distinct, so that no person should exercise the powers of more than one of them at the same time. But no barrier was provided between these several powers. The judiciary and the executive members were left dependent on the legislative for their subsistence in office, and some of them for their continuance in it. If, therefore, the Legislature assumes executive and judiciary powers, no opposition is likely to be made, nor, if made, can be effectual, because in that case they may put their proceedings into the form of acts of assembly, which will render them obligatory on the other branches. They have accordingly, in many instances, decided rights which should have been left to judiciary controversy, and the direction of the Executive, during the whole time of their session, is becoming habitual and familiar.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. ASHURST. Yes, sir.

Mr. CONNALLY. The Senator no doubt recalls that the great French writer Montesquieu declared that whenever the powers of the three branches of government—judicial, executive, and legislative—were reposed either in the same agency——

Mr. ASHURST. In the same magistracy.

Mr. CONNALLY. Or whenever they were not separated there was tyranny.

Mr. ASHURST. Yes; but I have no fear of a tyrant in America; I do not think anybody fears a tyrant in America, because we are of such mold and cast that we will tolerate no tyrant of any kind. So nobody is afraid of one; and this is therefore more or less of an abstract discussion; but it is worthy of a note by students of history that no tyrant, no absolute ruler has ever made headway unless he had the executive and the legislative and the judicial powers in his hands. That was the reason for the action of the so-called "founding fathers", upon whom nowadays a good deal of ridicule is sometimes poured. It is true, perhaps, that they were deep-drinking, fox-hunting, wig-wearing men, but they acted according to the lights before them. They made many mistakes, but they each and all recognized the demands of progress and that they were laying down broad fundamentals for what might become the greatest nation in the mighty tide of time. They did the unusual. They not only provided for one method of amending the Constitution, but they did that which had never before been done in the history of the world: so anxious were they that posterity might not in any way be handcuffed, they provided two methods of amendment. Is it statesmanlike, is it sportsmanlike—and when I say sportsmanlike I mean that unless there is some sportsmanship in one he is not much of a statesman—with two methods of amendment before us, constantly to complain that we lack power, and then take no action looking to acquiring the power the lack of which we complain?

I apologize to the Senate for what is perhaps a rather broken and hesitant speech. As previously stated, I doubted my strength to discuss the question at this time, and I will ask unanimous consent, however presumptuous it may appear to be, to have printed in the RECORD at this point a speech I delivered here a year ago pointing out that Congress has no judicial powers except in impeachments and in the determination of the rights of its own Members to seats in the respective bodies.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Arizona?

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

Mr. ASHURST. Mr. President, a number of persons, respectable in character, have complained against the exercise of the power of the Federal courts to declare acts passed by Congress unconstitutional. Some of the complainants take the position that since we derived our legal procedure from England, and that inasmuch as the English courts did not exercise the power to declare an act of Parliament void, it was, therefore, unprecedented and unauthorized for Federal courts in the United States to explore an act of Congress with a view of ascertaining if such act was within the power of the National Legislature.

It will be remembered that the colonial governments in America were grants from the King and were connected with England through the medium of the crown and not through Parliament. The colonial charters were in fact constitutions, and the words "our constitution" in the Declaration of Independence have particular reference to the colonial charters or grants. These charters differed somewhat as to the powers granted or denied, but they all appear to have contained the provision that local legislation enacted by the Colonies should not be contrary to the laws of England; hence the colonial laws were frequently tested by the charter or by the law of England, and many acts of colonial assemblages were annulled because they did not stand the test as to whether they were in accord with the constitution; that is to say, with the colonial charter—the grant. Thus the American colonists became familiar with that system and practice.

I now quote from an article written by the Senator from Idaho [Mr. BORAH], whose learning as a lawyer is well known and whose industriousness in research is daily manifest, which article was printed in the CONGRESSIONAL RECORD on January 6, 1936, as follows:

"Years before John Marshall was born it was a settled doctrine in the Colonies that any legislative act of a colonial legislature must be held void if in conflict with the charter or fundamental law of the Colony. It was a doctrine which grew up with our constitutional history. It was a doctrine which grew up with American law. Over 500 acts of colonial legislatures were held void under this principle."

I choose also to refer to the able address delivered before the Bar Association of the city of Charleston, W. Va., on January 25, 1936, by the Honorable John H. Hatcher, president of the Supreme Court of Appeals, State of West Virginia.

Moreover, I would direct attention to the address of the erudite junior Senator from Texas [Mr. CONNALLY] before the Virginia State Bar Association August 9, 1935, wherein he demonstrates that under the Constitution it is the duty of the courts to declare whether or not an act passed by Congress meets the test of the Constitution.

In tyrannical governments the supreme majesty, or the making, construing, and enforcing the law, is vested in one and the same man or one and the same body of men.

In a government where one and the same magistracy makes, construes, and enforces the laws, whether such magistracy be lodged in one man or in a body of men, there can be no public liberty.

It is true that English courts at the time of the formation of our Federal Constitution rescognized the absolute supremacy of acts of Parliament. Such recognition, however, did not flow from any suggestion of legislative immunity from review but flowed from the fact that Parliament acted in a double capacity—that is to say, as legislature and as court. Parliament possessed legislative and judicial power. Parliament was a court, the old curia regis or aula regis—a court established in England by William the Conqueror in his own hall—long before Parliament possessed the legislative power. In other words, when our Government was formed there were reposing in Parliament both legislative and judicial power; hence, an act of Parliament was both supremely legislative and supremely judicial.

In this connection it must be remembered that when our Federal Constitution was formed much care was taken to see to it that the three powers of government—to wit, the judicial, the executive, and the legislative—should be lodged in different magistracies—different officials—and that these powers should not be permitted to repose in or be exercised by one and the same magistracy.

The Constitution of the United States (art. II, sec. 1) says:

"The executive power shall be vested in a President of the United States of America"—

And (art. III, sec. 1) that—

"The judicial power of the United States shall be vested in one Supreme Court and in such inferior courts"—

And so forth. Bear in mind that the executive power shall be vested in a President and the judicial power shall be vested in one Supreme Court, and so forth, but the Constitution did not vest in the Congress all legislative power but only such powers as were granted and enumerated. The Constitution says that all legislative powers herein granted shall be vested in a Congress (art. I, sec. 1).

Observe the scrupulous phrasing wherein executive power is granted to the President, judicial power to the Court, but that only such legislative power as is granted is lodged with the Congress; and this was done because the makers of the Constitution desired it to be crystal clear that the Federal Legislature was to be of limited power and that certain rights and powers of the States were not granted to the Federal Government but were reserved to

the States. The States possess all the rights and powers not denied to them by the Federal Constitution, whereas Congress possesses only such power as was granted to it by the Federal Constitution.

Parliament was not a body of men with delegated, limited authority. It was a body of men supremely legislative and supremely judicial. The Congress of the United States is a body of men with delegated, limited authority, with no judicial power except as to impeachments and the qualifications of its own Members, and it is not even supremely legislative, as the States possess the powers that were not granted to the Congress. The belief that Congress possesses absolute and unlimited power is a devastating error into which many well-meaning persons have fallen.

The Constitution makers would have recoiled from the suggestion of granting to Congress the judicial power, and they would have recoiled with repugnance and alarm from the suggestion of granting to the judiciary the legislative power.

Some of the ablest lawyers, not only of our time but in bygone days, complained with not a little reason against judge-made law. The United States courts are and ought to be independent of the Army, independent of the Navy, independent of the Treasury, independent of patronage, independent of popularity, and must be content to remain so. Legislative power is the power to make laws. Judicial power is the power to declare laws. Executive power is the power to enforce laws.

The power to declare the law, of course, comprises the duty to determine what is the law and what is not the law. Article VI of the Constitution, among other things, says:

"This Constitution, and the laws of the United States which shall be made in pursuance thereof * * * shall be the supreme law of the land * * *."

An act not made in pursuance of the Constitution is, of course, not a law. The judicial power may not make laws, but must declare, when its jurisdiction is invoked, whether an act of Congress is in pursuance of the Constitution; and if not made in pursuance of the Constitution, it is not a law.

A judicial review of acts of Congress is not an offshoot of English law, but is an American development arising from colonial practice out of a wholesome effort to keep separate the legislative power and the judicial power. It would be baleful to public liberty in our country for the legislative and the judicial powers to be centered in one and the same magistracy. Our genius of government is built upon the separation of the legislative, the executive, and the judicial power; and I doubt if, upon serious second thought, any enlightened friend to civil liberty will argue that these three powers should be centered in one and the same magistracy.

The legislative powers granted to Congress are enumerated and limited, and such limitation was not by chance, was not fortuitous, was not accidental, but was deliberate. Instead of seeking to acquire the judicial power, we in Congress would more truly serve our country by confining our operations to our legislative power.

It is true that our powers as Members of Congress are limited; but, nevertheless, if properly exercised, they are of sufficient amplitude and grandeur to give scope and opportunity to the most zealous champions of true progress and needful reforms, the most redoubtable defenders of liberty, the most eloquent tribunes of popular government, and to soothe and assuage the most fevered ambition.

There have been insinuations, unjustly indulged in, of course, that whilst seeking judicial power we have at the same time been abdicating some of our legislative powers. We would better first prove that we are faithful guardians of the power we now possess before we begin to try to acquire the judicial power.

In conclusion, Mr. President, if in this address I have been able to rectify any of the errors which either myself or others may have imbibed on this subject, my labors will not have been in vain.

Mr. ASHURST. Mr. President, in conclusion, I may say to the able Senator from Tennessee I agree with his bill. His address evidences considerable research, much to his credit, and if he will do the Senate Committee on the Judiciary the courtesy and favor of appearing before it, I see no reason why the bill should not, with reasonable dispatch, be reported to the Senate.

Mr. BAILEY. Mr. President, may I ask the Senator from Arizona a question?

The PRESIDENT pro tempore. Does the Senator from Arizona yield to the Senator from North Carolina?

Mr. ASHURST. I yield.

Mr. BAILEY. I desire to ask a question with respect to the bill submitted by the Senator from Tennessee, which provides:

No district court or circuit court of appeals shall have jurisdiction of, and no district or circuit judge shall have jurisdiction or power to issue an injunction in, any suit in which it is sought to enjoin, suspend, or restrain the enforcement, operation, or execution of any act of Congress—

Mr. McKELLAR. Or provision thereof.

Mr. BAILEY. Yes—

or provision thereof unless and until such act shall have been held finally invalid by the Supreme Court.

That is the legislation proposed. It is intended to prevent the operation of injunctive relief prior to a final adjudication by the Supreme Court of the United States? Does the Senator from Arizona so understand?

Mr. ASHURST. Yes; I understand that is the purpose of the measure.

Mr. BAILEY. Very well. Injunctive relief is founded on the prevention of irreparable injury. Is it contended here that we shall enact a limitation upon any of the courts as to the rights of our constituents which will expose them to irreparable injury until they can reach the Supreme Court of the United States? Is that the proposition that is before the Senate and coolly debated here as a reasonable one?

Mr. ASHURST. In answer to that, let me say the able Senator has correctly horoscoped the purpose and effect of the proposed law. I do not doubt at all that Congress has power to do what is proposed. As the able Senator from Tennessee pointed out, in the initial portion of his remarks, the only constitutional court is the Supreme Court of the United States. The circuit, district, and other courts are so-called inferior courts. They are not creatures of the Constitution.

Mr. BAILEY. The Senator's argument, then, is that we can determine what is due process of law? Is it proposed to affirm that power in the Congress?

Mr. ASHURST. Injunction is an extraordinary legal remedy.

Mr. BAILEY. Yes; and invoked to prevent irreparable injury.

Mr. ASHURST. Very true; but I still assert that, in my judgment, the Congress has power to pass this bill, and, if it should become a law, that the Supreme Court would not strike it down. I believe that whenever a man is elected to the United States Senate or as a Representative to the other House of Congress the first thing he does after he is elected or when he is contemplating election is to turn to the Constitution in order to ascertain what power he has. If one undertakes to act as attorney or as agent, the first thing he does is to read his power of attorney and see what are his powers. Sometimes able lawyers, Members of the Senate, such as those who sit around me, find that a reading of the Constitution itself does not always disclose just what their powers are. Our powers are set forth in the Constitution, and we have such additional powers as are necessarily implied from the powers granted. If I had been in the Chamber yesterday or the day before when the Senator from Arkansas so ably stated his position, while he needed no word from me or anyone else, I would have supported him. It is never unconstitutional to save the United States; it is never unconstitutional, in time of war, pestilence, floods, and other great disasters to do so.

The doctrine of ex necessitate rei, the doctrine of necessity, intervenes as well as the doctrine of humanity. Our own forefathers would laugh at us, if, indeed, they could laugh, if we should apply to the Constitution such narrow and restrictive meaning and construction as would prevent us from rushing to the relief and aid of the stricken people of our country.

Mr. President, I brought upon myself some delicious, in a way, and gentle raillery here by declaring that everybody knows, when the United States is assailed by a foreign army, it is constitutional to go to war and fight. In the insect world there are 450,000 different kinds of insects. It is a question whether mankind or the insects will inherit the food supply of the earth. Suppose that some tribal insects should, as they might, assail the food supplies of the United States. Who amongst us would say it would be unconstitutional to fight insects? We would bring on an army of gas squads and we would exterminate the insects in order to preserve the food supplies of the people.

Therefore, in all these great questions we look to the object to be accomplished. Some other branch or power of Government says we have not the power to take action. We have the power to say we will acquire the power. Therefore, while I do not wish to put myself forth and to be cataloged in

opposition to the leading men of the administration, I make no apology here or elsewhere for the amendment to the Constitution which I introduced last year proposing to grant Congress certain powers. I am prepared to defend the amendment. I have not reintroduced it; I do not know that I shall again introduce it; but I take nothing back. If I want power I ask for it. I think that is the way we should proceed.

Mr. President, I thank the Senate for permitting me to trespass so long upon its time and patience

Mr. McKELLAR. Mr. President, I believe perhaps the Senator from North Carolina [Mr. BAILEY] was not here when I read the opinion, or part of the opinion, of the court in the case involving a statute which Congress enacted in 1932 in connection with trade-dispute cases, requiring that before any injunction could be issued by a trial court or a district judge a certain kind of hearing should be held, evidence taken on five different subjects to satisfy the judge concerning those five different subjects and outlining the kind of evidence that should be taken and providing that no injunction should be granted until all those steps were taken. It provided with far more particularity the limitations to be placed upon the district judge. That act has been held by the Supreme Court to be constitutional.

In addition to that I have investigated the 73 acts which have been declared unconstitutional in whole or in part, or their unconstitutionality hinted at in the decisions of the Supreme Court, and I find that in only eight cases did the prayer of the bill ask for an injunction. I think only six were actually granted. In none of them, as the Senator will see if he will examine the synopsis of those cases made by Dr. Schulz, to which I referred in my remarks, was any irrevocable injury involved. It is difficult to conceive how that question could be involved.

Taken in connection with the bill of the Senator from Alabama [Mr. BLACK], which I hope will be approved, except as to the injunction feature, taken in connection with his proposal to insure expeditious procedure, no real harm can be done any citizen. I think if the Senator from North Carolina will look at the authorities which I have cited in my remarks he will come to the conclusion that the bill is entirely constitutional.

Mr. BAILEY. Mr. President, I fear I did not make myself clear. I did not raise the question of the constitutionality of the proposed legislation, though I could raise it.

Mr. McKELLAR. Then I did misunderstand the Senator.

Mr. BAILEY. A reference to the notes of the official reporter will show that I did not remotely suggest the unconstitutionality of the measure.

Mr. McKELLAR. It is not necessary to make reference to the official reporters' notes. If the Senator makes the statement I accept it at its full face. I doubt if the Senator can think of a case where irrevocable injury would be done by the delay involved in issuing an injunction.

Mr. BARKLEY. Mr. President, will the Senator from North Carolina yield?

Mr. BAILEY. I yield.

Mr. BARKLEY. The Senator's reference to the due process clause of the Constitution gave rise to the thought that he did have in mind the possible unconstitutionality of the bill.

Mr. BAILEY. I will agree to that. It might have been raised by that suggestion. I am not complaining about that. I raised the question of the morality of it—not the constitutionality but the morality of it, and that strikes deeper than the Constitution.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. McKELLAR. First, let me ask whether the Senator thinks it was ever intended or suggested in any way in our Constitution that a district judge, known as an inferior judge by our Constitution, should have the right to declare unconstitutional any act of Congress?

Mr. BAILEY. I think so. I will answer in the affirmative. The judicial section of the Constitution vests the judicial power—and that is all the judicial power—in a Supreme Court and such other courts as the Congress may ordain. When we vested it we vested it all. We vested all the judicial power conceived of in the English-speaking civilization, and that was derived, of course, from the Roman civil law. There is none here except upon the trial of impeachment. We cannot take any either.

We may deprive the courts of jurisdiction, but we can never lay our hands upon the judicial power. It is vested. Who vested it? The American people. Who are we that we should undertake to take it away from them? Who are we that we should raise the question of the power of their court, which they created to restrain us when we lay unholy hands upon the judicial power?

I had not intended to go into that argument, but I am going into the question of the proposed legislation. I said I raised the question of the morality of the proposition, not the constitutionality. Let me paint a picture.

Down in North Carolina is some humble citizen upon whom the power of an unconstitutional act of Congress is laid. There have been such and there will be others. He goes to a court and lays before the court his petition, in which he says, "This purported act of Congress is doing or is about to do me an irreparable injury; an injury which cannot be repaired"; that is, it involves loss of life, or loss of liberty, or loss of property—and they are all combined in our great word "liberty."

The court finds that that is a fact. The citizen makes a good showing. The judge says, "Yes; you are suffering an irreparable injury, which it is beyond anybody's power to repair once it is done. You are about to suffer it or you are suffering it but I can do nothing for you. The judiciary is exhausted by an act of Congress which imposes the wrong upon it. You must go to the Supreme Court of the United States. You must employ lawyers to go there. It is a long distance, a great distance. You must bide the time of going. You cannot go when you wish to go. You must go when it is convenient for the Court, and the Court has much business."

The injury goes on. He suffers the wrong. He loses his property or he loses his life or he loses his liberty. The injury already has been held by a court of justice to be irreparable. There he stands. The only thing he has left is an appeal to the Court after the irreparable injury is done.

It is immoral, regardless of the constitutionality of it, which I shall argue another day. The morality of legislation is on the very threshold of things; the morality of public policy is involved.

A man comes in under some act of Congress, as it may appear, and takes possession of my property. That has been done. It makes no difference whether the owner of the property is rich or poor. I may say that he is a great, rich man, or he is a very poor man. The law makes no distinctions. Let it be assumed that he is a farmer on a farm. He goes into the court and says, "This man should get off my property. I am suffering irreparable injury. I am losing the rents and the profits. I am out of my home." The court says, "Yes; that is indeed very true, but you have no remedy this side of the Supreme Court of the United States", situated at Washington, and sitting, I should say, 7 or 8 months in the year.

The remedy of injunction is always in the breast of the court. It is not necessary that the judge should be sitting in his term. Wherever you find the judge, there is your relief.

I was rather glad that it was conceded earlier in the debate that it was not to be proposed to take away the writ of habeas corpus. That, at least, will stand; but I will make the point that we might just as well take that step as to take away my right to injunctive relief against a lawless act; and an unconstitutional act is a lawless act. I must have some way to prevent the doing of irreparable injury to me; otherwise there is no life, and there is no liberty, and there is no property.

Mr. President, that is all I care to say about the subject at this time. If this bill ever comes back here, I desire to be heard, and with all earnestness.

I wish to respond also to the statement made by one of the Senators, in our very pleasant and informal discussion, that

he would have to believe that anybody who differed with him on the subject of the Court's position in construing the income-tax amendment had a twisted mind.

Mr. ASHURST. Mr. President, I did not say that.

Mr. BAILEY. No; the Senator from Arizona did not say it. The Senator from Washington [Mr. BONE] said it. I suppose our minds are always twisted when we differ with our fellow men. Very well. I will take the risk and invite the thunder.

In construing that amendment, the Supreme Court of the United States made it perfectly clear why it construed the amendment so as not to authorize the taxing of income on the bonds of States and political subdivisions. It took the view that the people in adopting that amendment, and the States in giving that power, did not intend to give the power to destroy the States. The power to tax is the power to destroy. My State of North Carolina issues bonds. I think it has bonds outstanding today in the sum of $160,000,000. I think we are selling them on the market bearing interest at the rate of about 2.75 percent. If it be admitted that the Federal Government may tax the income from those bonds, then my State is put in the position of paying 3, 3¼, or 4 percent, all being determined by the rate imposed; and as we get into the higher brackets of the income-tax law the rate becomes very high.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. BAILEY. In just one moment. The consequence of that would be to destroy the credit of the State of North Carolina. The illustration may be used with respect to other States, with respect to counties and towns and cities. It may be used with respect to bonds of the United States Government.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. BAILEY. I will yield in one minute. I merely wish to make the conclusion.

The Supreme Court simply held that one phrase in an amendment to the Constitution was not the Constitution. There is nothing twisted about that. The phrase in the amendment is governed by the Constitution as a whole, just as every other phrase in the Constitution is governed by all the remainder of the Constitution. It is perfectly logical, perfectly consistent, and thoroughly in accord with the traditions and the character of the great Republic, made up, as it is, not of one nation but of a combination, a confederation, a union of 48 different States. The conception was very simple that in ratifying that amendment they did not intend to destroy themselves. I think that conclusion did not come from twisted minds, and I should think that even a twisted mind would not have difficulty in seeing its force.

I now yield to the Senator from Texas.

Mr. CONNALLY. Mr. President, the Senator from North Carolina was pointing out the desire of Senators to tax the income from State bonds.

Mr. BAILEY. No; I was not talking about the desire.

Mr. CONNALLY. The proposal, then.

Mr. BAILEY. No; I was talking about this amendment, interpreting it in the light of the character of the country, and trying to give the reasons assigned by the Supreme Court.

Mr. CONNALLY. As a matter of fact, we now have the power to tax the income from Federal bonds. We cannot tax the income from State bonds. Senators will not even do that, however. They ought to be consistent. We do not tax the income from Federal bonds except as to surtax, and we really had better not do that, because we should get money much more cheaply if we did not even levy the surtax on such income. But Senators do not tax even the income from Federal bonds, and yet some of them wish to tax State bonds, which would destroy State credit, and cost the States at least 1 percent additional interest rate on every dollar that they pay from now until kingdom come. It is not consistent, and it is not sound.

Mr. BAILEY. Mr. President, I should be indifferent on the matter of the Federal Government's taxing the income upon its own bonds.

Mr. CONNALLY. They do not do it.

Mr. BAILEY. The Government would just pay the tax. That is all it would amount to. We should pay it when we sold our bonds.

Mr. CONNALLY. We should pay twice as much.

Mr. BAILEY. But I am here saying that the decision of the Supreme Court in construing the income-tax amendment was founded upon a profound appreciation of the character and the structure of the Government, and they could not have done otherwise; and there is nothing illogical about it.

Mr. BONE. Mr. President, I desire to repeat, perhaps at the risk of being a bit tedious—and I thought I made it very plain when I occupied the floor—that I was not discussing the merits of the proposal to tax public issues. I have had some little experience in the preparation of resolutions dealing with the utterance and issuance of public securities. I have some question in my own mind, and I have two or three times expressed that thought on this floor, as to the wisdom of taxing public issues. We seem to have made an argument out of something which was not argued here, now or at any time. Certainly, however, I do not think anyone could have assumed for a moment that my argument here, or my remarks on the floor, were an argument for taxing public issues. I had not so intended them. I realize that if we tax a public security, we must make the people who pay that public security pay the difference in the price that the bond will bring and the interest over the years. That is elemental. Children understand that simple thing.

Nor did I intimate, as the Senator has suggested, that his mind or the mind of any other person was twisted because he did not think the word "whatever" meant what the Supreme Court said it meant. I simply said, and I desire to repeat it for the benefit of the Senator from North Carolina, that I do not believe that by any process of logic or by any rule of grammar the words "from whatever source derived" can be made to mean what the Supreme Court said they meant.

Perhaps the words "from whatever source derived" are not the whole Constitution; but I am saying that the Supreme Court, consciously or otherwise, has done itself a great wrong and a great disservice, because all over the United States at the time that amendment was adopted, regardless of the merits of taxing public issues, it was the well-ordered opinion of the great bulk of the legislators who voted for it that the amendment authorized the taxing of all public issues.

That is the point here, not whether or not somebody had a twisted mind. I think, however, that the Supreme Court warped and twisted the plain meaning of simple English words in doing that; and I raised the question solely because the Senator from Arizona [Mr. ASHURST] has proposed a constitutional amendment on the subject. If that amendment should be subjected to the same form of interpretive reasoning, then the purpose of the Senator from Arizona and the purpose of all the legislatures that voted for it would be nullified. It would just be blotted right out if that sort of reasoning were employed.

Mr. BAILEY. Mr. President, I simply desire to make one correction in a statement of fact. The Senator stated that it was the universal understanding when the amendment was ratified that it would permit the taxing of State securities.

Mr. BONE. Perhaps I had better modify that statement and say that it was my understanding.

Mr. BAILEY. I desire to say to the Senator that he has taken in a great deal of territory. There was no understanding of that sort in my section of the country. I can speak for North Carolina. We ratified the amendment and we gave the Federal Government an immense power, too.

Mr. BONE. I fully agree with the Senator.

Mr. BAILEY. I sometimes wish North Carolina could get back that power; but it is gone. I am saying, however, that when we ratified the amendment it did not enter the mind of anybody in North Carolina that we were giving the Federal Government the power to tax our public securities and

therefore destroy the credit of the State. If that question had been presented, the State of North Carolina never would have ratified the amendment.

Mr. BONE. I think perhaps the Senator indulges in what he might, on more mature consideration, consider a little exaggeration when he says nobody in the State of North Carolina believed that, for I know it was the opinion of the people through the West, expressed in innumerable newspaper articles, expressed in debate on the floor of the Legislature of the State of Washington, that the amendment conferred on Congress the power to tax all the issues of the States.

Of course, we need not argue the question of whether or not it is wise to do it. I think perhaps we do ourselves a disservice in permitting that sort of question to come into this kind of an argument. The point is that the Court took the simple phrase, "from whatever source derived", and warped and twisted it by reasoning which I think cannot be sustained in logic.

Mr. BAILEY. Mr. President, I merely desire to say that I do not feel content to sit quiet and have any Senator speak of the Supreme Court as "warping and twisting" the Constitution. I do not know that I have any right to do more than protest; but it is strange language.

Mr. BONE. I content myself by saying that I am in most happy company with Jefferson, Jackson, Lincoln, and a great number of other men I could name of attainments far beyond those which I will ever realize, who have said things compared with which my statements are as moonlight unto sunlight, or water unto wine. I have merely commented on a little phrase of three or four words, "from whatever source derived", and I think the opinion of the 125,000,000 people of the United States will probably in the main be with me in thinking that those words mean what they say or do not mean what they say. If we were to consider a constitutional amendment of any kind which the present administration or any administration would sponsor for the purpose of helping us solve some of the present tragic economic problems, and we employed the simplest words in the English language, and the logicians and the college professors and the Jovian-browed gentlemen from universities were called in to interpret the expression, the Members of the Senate could have no assurance whatever that that expression would not be interpreted to mean exactly the opposite of what we intended it to mean.

To call attention to this matter has been the sole purpose of my remarks, and if the Senator from North Carolina thinks I have criticized the Supreme Court, I urge him to read what Abraham Lincoln and Jefferson and Jackson had to say about decisions of the Supreme Court.

Mr. MINTON. I might add, if the Senator from Washington please, the Senator from North Carolina might read some of the dissenting opinions of Justices of the Supreme Court itself, if he wishes to know what criticism of the Supreme Court is.

Mr. BONE. Yes; Justice Harlan, probably, for one.

Mr. MINTON. Mr. President, I have no intention of detaining the Senate longer than a minute, and I take this occasion to speak at all only because of the fact that we were startled by the eloquence of the Senator from North Carolina. He rushes to the defense of the Supreme Court, and rightly so; he would have no one make a charge against the Supreme Court that is not justified; and that is commendable. At the same time, I think we might rise here to challenge the statement of the Senator from North Carolina when he says that if the measure under consideration at the present time were enacted into law it would be the commission of an immoral act.

I think the Senator does too much honor to the distinguished men who occupy the bench of the district courts of the United States when he envisions a period when the Congress of the United States has become so depraved that in a high-handed and roughshod manner it will ride over the constitutional rights of the people of this country and embody its action in a statute, and that the people's liberties depend solely upon some judge on the bench of a district court out in some State of the United States who possesses the morality to strike down such a law.

I do not believe the morality of this country is divided up in any such fashion, and I am of opinion that whenever the Congress of the United States solemnly passes an act, when a measure musters enough votes to get by the Congress of the United States, the morality of the act has been carefully considered by the Congress of the United States, and I believe that the liberties of the people of this country will not be jeopardized or the morality of anyone affected if we take the act of Congress and carefully consider it, rather than search for morality in the district courts of the United States. I say this in no unkind spirit toward the courts of the country; I say it in defense of the powers, the prerogatives, and the duty of the Congress of the United States.

We seek no unseemly contest with any other branch of government. We merely seek to pursue in our own way what we conceive to be our own constitutional right. Throughout the long history of this country, and the exercise of the power by the Supreme Court to declare acts of Congress unconstitutional, I challenge any man to point to any opinion of the Supreme Court of the United States and say that but for that opinion the Congress of the United States would have ridden roughshod over the people of this country and jeopardized their liberties and their rights.

So I rise on this occasion in defense of the Congress of the United States and the exercise of its power and authority, for throughout 150 years of our history Congress has exercised that power some 40,000 times, and only about 74 times has the Supreme Court of the United States set aside an act of Congress.

It may be said that is a good record for the Supreme Court. Yes; it is; and I assert that it is a good record for the Congress. So only in that spirit would I defend the morality of the Congress of the United States.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 3), as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 28,000 additional copies of the act entitled "An act to provide revenue, equalize taxation, and for other purposes" (Public, No. 740, 74th Cong.), approved June 22, 1936, of which 15,000 copies shall be for the use of the House document room, 5,000 copies shall be for the Senate document room, 2,000 copies for the Committee on Ways and Means of the House of Representatives, 1,000 for the Committee on Finance of the Senate, and 5,000 for the Joint Committee on Printing.

EXECUTIVE SESSION

Mr. ROBINSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

Mr. LOGAN, from the Committee on Military Affairs, reported favorably the nominations of several general officers for appointment in the National Guard of the United States.

He also, from the same committee, reported favorably the nominations of sundry officers for appointment in the Regular Army.

Mr. ADAMS, from the Committee on Public Lands and Surveys, reported favorably the nomination of Farrington R. Carpenter, of Colorado, to be director of grazing.

Mr. WALSH, from the Committee on Naval Affairs, reported favorably the nomination of Col. Clayton B. Vogel to be the adjutant and inspector of the Marine Corps, with the rank of brigadier general, for a period of 4 years from the 1st day of March 1937.

Mr. KING, from the Committee on the District of Columbia, reported favorably the nominations of George E. Allen and Melvin C. Hazen, both of the District of Columbia, to be Commissioners of the District of Columbia for terms of 3 years, and until their successors are appointed and qualified (reappointments).

The PRESIDENT pro tempore. The reports will be placed on the Executive Calendar.

UNDER SECRETARY OF THE TREASURY

Mr. ROBINSON. Mr. President, at a former executive session of the Senate the nomination of Mr. Roswell Magill to be Under Secretary of the Treasury was confirmed. The President has not been notified, and there is necessity that such action be taken at once. I ask unanimous consent that the President be notified of the confirmation.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the President will be notified.

The calendar is in order, and the clerk will state the first nomination on the calendar.

UNDER SECRETARY OF AGRICULTURE

The legislative clerk read the nomination of Milburn L. Wilson, of Montana, to be Under Secretary of Agriculture.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

ASSISTANT SECRETARY OF AGRICULTURE

The legislative clerk read the nomination of Harry L. Brown, of Georgia, to be Assistant Secretary of Agriculture.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

NATIONAL MEDIATION BOARD

The legislative clerk read the nomination of William M. Leiserson, of Ohio, to be a member of the National Mediation Board.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

WORKS PROGRESS ADMINISTRATION

The legislative clerk read the nomination of W. S. Key, of Oklahoma, to be State administrator for Oklahoma.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Louis M. Nims to be State administrator for Michigan.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. ROBINSON. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the nominations are confirmed en bloc. That completes the calendar.

ADJOURNMENT

The Senate resumed legislative session.

Mr. ROBINSON. I move that the Senate adjourn.

The motion was agreed to; and (at 2 o'clock and 45 minutes p. m.) the Senate adjourned until tomorrow, Saturday, January 30, 1937, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 29, 1937

ASSISTANT ATTORNEY GENERAL

Carl McFarland, of Montana, to be an Assistant Attorney General of the United States, vice Harry W. Blair, resigned.

UNITED STATES ATTORNEY

Harvey G. Fields, of Louisiana, to be United States attorney, western district of Louisiana, vice Benjamin F. Roberts, appointed by court.

UNITED STATES MARSHALS

H. Chess Richardson, of Louisiana, to be United States marshal for the eastern district of Louisiana, now serving in the position under a court appointment.

Louis E. LeBlanc, of Louisiana, to be United States marshal, western district of Louisiana, vice George W. Montgomery, term expired.

APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS IN THE REGULAR ARMY

TO BE MAJORS

Capt. Delmar Hall Dunton, with rank from January 26, 1937.

Capt. Orvil Arson Anderson, with rank from January 26, 1937.

Capt. Emile Tisdale Kennedy, with rank from February 1, 1937.

APPOINTMENTS IN THE CORPS OF ENGINEERS OF THE REGULAR ARMY

TO BE SECOND LIEUTENANTS WITH RANK FROM DATE OF APPOINTMENT

Pvt. (1st cl.) Vincent Camden Frisby, Cavalry.

Second Lt. Edmonde Bernard Kelly, Engineers, New York National Guard.

Second Lt. Robert James Jagow, Ordnance Department Reserve.

First Lt. William Perry Jones, Jr., Corps of Engineers Reserve.

Second Lt. Alvin Berthold Auerbach, Corps of Engineers Reserve.

Second Lt. Willard Paul McCrone, Coast Artillery Corps Reserve.

Second Lt. Dean Edwin Swift, Coast Artillery Corps Reserve.

Second Lt. Aldo Hector Bagnulo, Coast Artillery Corps Reserve.

Second Lt. Francis James Loomis, Corps of Engineers Reserve.

Second Lt. Edward Henry Dillon, Infantry Reserve.

Second Lt. Jack Graham, Corps of Engineers Reserve.

Second Lt. Christian Hanburger, Infantry Reserve.

Second Lt. Miles Howlett Thompson, Field Artillery Reserve.

Second Lt. James Walter Sloat, Corps of Engineers Reserve.

First Lt. Karl Fred Eklund, Corps of Engineers Reserve.

Second Lt. Howard James Lowe, Field Artillery Reserve.

Second Lt. William Edward Leonhard, Corps of Engineers Reserve.

Second Lt. Henry Wright Hurley, Corps of Engineers Reserve.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

TO QUARTERMASTER CORPS

Maj. Earl Newell Hackney, Infantry, with rank from August 1, 1935.

Capt. Alexander Andrew Dobak, Infantry, with rank from August 1, 1935.

Capt. Chester Howard Elmes, Infantry, with rank from December 1, 1933.

TO FINANCE DEPARTMENT

Lt. Col. Clarence Brewster Lindner, Coast Artillery Corps, with rank from July 1, 1936.

TO SIGNAL CORPS

First Lt. William James Given, Field Artillery, with rank from June 13, 1936.

TO CHEMICAL WARFARE SERVICE

First Lt. Jacquard Hirshorn Rothschild, Field Artillery, with rank from August 1, 1935.

PROMOTIONS IN THE REGULAR ARMY

To be major

Capt. Paolo Hoffoss Sperati, Infantry, from January 22, 1937.

MEDICAL CORPS

To be colonels

Lt. Col. Frederick Hultman Foucar, Medical Corps, from February 3, 1937.

Lt. Col. Paul While Gibson, Medical Corps, from February 4, 1937.

Lt. Col. Henry Poindexter Carter, Medical Corps, from February 11, 1937.

Lt. Col. Robert Clarence McDonald, Medical Corps, from February 14, 1937.

Lt. Col. Clemens Wesley McMillan, Medical Corps, from February 18, 1937.

Lt. Col. James Franklin Johnston, Medical Corps, from February 21, 1937.

Lt. Col. Samuel Smith Creighton, Medical Corps, from February 23, 1937.

Lt. Col. Henry Clay Michie, Jr., Medical Corps, from February 25, 1937.

Lt. Col. Albert Patton Clark, Medical Corps, from February 27, 1937.

To be lieutenant colonels

Maj. Gouverneur Vincent Emerson, Medical Corps, from February 2, 1937.

Maj. William Archer Hagins, Medical Corps, from February 4, 1937.

Maj. William Oscar Hampton Prosser, Medical Corps, from February 6, 1937.

Maj. George Corwin Beach, Jr., Medical Corps, from February 7, 1937.

Maj. Jesse Irving Sloat, Medical Corps, from February 8, 1937.

Maj. David Norvell Walker Grant, Medical Corps, from February 9, 1937.

Maj. James Stevens Simmons, Medical Corps, from February 10, 1937.

Maj. Cyrus Boynton Wood, Medical Corps, from February 12, 1937.

Maj. Alvin Jay Bayley, Medical Corps, from February 14, 1937.

Maj. John Francis Corby, Medical Corps, from February 15, 1937.

Maj. Roy Edward Fox, Medical Corps, from February 18, 1937.

Maj. Herbert DeWitt Porterfield, Medical Corps, from February 19, 1937.

Maj. Dean Flewellyn Winn, Medical Corps, from February 20, 1937.

Maj. Alva Burton McKie, Medical Corps, from February 21, 1937.

Maj. Albert Walton Kenner, Medical Corps, from February 22, 1937.

Maj. Arturo Carbonell, Medical Corps, from February 28, 1937.

To be captains

First Lt. Fred William Seymour, Medical Corps, from February 1, 1937.

First Lt. Lester Orville Crago, Medical Corps, from February 9, 1937, subject to examination required by law.

First Lt. Joseph Arthur Baird, Medical Corps, from February 17, 1937.

First Lt. Allan Arthur Craig, Medical Corps, from February 19, 1937.

DENTAL CORPS

To be captain

First Lt. John Castle Hampson, Dental Corps, from February 15, 1937.

VETERINARY CORPS

To be major

Capt. Ernest Eugene Hodgson, Veterinary Corps, from February 2, 1937.

CHAPLAIN

To be chaplain with the rank of captain

Chaplain (1st Lt.) James William Elder, United States Army, from February 26, 1937.

PROMOTIONS IN THE NAVY

Capt. Harold R. Stark to be a rear admiral in the Navy from the 1st day of January 1937.

Commander Cary W. Magruder to be a captain in the Navy from the 1st day of November 1936.

Lt. Comdr. Richard E. Webb to be a commander in the Navy from the 1st day of January 1937.

The following-named lieutenants to be lieutenant commanders in the Navy, to rank from the dates stated opposite their names:

Frank R. Talbot, November 1, 1936.
Joseph C. Cronin, November 3, 1936.
Carl H. Sanders, November 25, 1936.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the dates stated opposite their names:

David G. Roberts, October 4, 1935.
Edward K. Shanahan, June 30, 1936.
Milton A. Nation, June 30, 1936.
Curtis A. Myers, July 1, 1936.
John T. Brown, Jr., July 1, 1936.
Elwood C. Madsen, September 6, 1936.

Radio Electrician Myron M. George to be a chief radio electrician in the Navy, to rank with but after ensign, from the 16th day of October 1936.

The following-named machinists to be chief machinists in the Navy, to rank with but after ensign, from the 16th day of October 1936:

Robert F. Baker	Herman Miller
Rowland G. Lindsey	Bartholomew H. Faherty
James W. McLean	Charles E. Bell

Carpenter Emmett N. Tuttle to be a chief carpenter in the Navy, to rank with but after ensign, from the 16th day of October 1936.

The following-named carpenters to be chief carpenters in the Navy, to rank with but after ensign, from the 15th day of December 1936:

Michael P. Sarcone
James C. Doyle

The following-named pay clerks to be chief pay clerks in the Navy, to rank with but after ensign, from the 16th day of October 1936:

Roy O. Stratton
Edward J. Smith

Commander Thomas C. Kinkaid to be a captain in the Navy from the 1st day of January 1937.

Lt. Comdr. T. DeWitt Carr to be a commander in the Navy from the 1st day of November 1936.

Lt. Comdr. Gilbert C. Hoover to be a commander in the Navy from the 22d day of January 1937.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the dates stated opposite their names:

Harold L. Tallman, June 30, 1936.
Leonard B. Southerland, June 30, 1936.
George A. Lewis, June 30, 1936.
Thomas Ashcraft, November 1, 1936.

Assistant Paymaster Kenneth R. Miller to be a passed assistant paymaster in the Navy, with the rank of lieutenant, from the 30th day of June 1936.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 29, 1937

UNDER SECRETARY OF AGRICULTURE

Milburn L. Wilson to be Under Secretary of Agriculture.

ASSISTANT SECRETARY OF AGRICULTURE

Harry L. Brown to be Assistant Secretary of Agriculture.

NATIONAL MEDIATION BOARD

William M. Leiserson to be member, National Mediation Board.

WORKS PROGRESS ADMINISTRATION

W. S. Key to be State administrator in the Works Progress Administration for Oklahoma.

Louis M. Nims to be State administrator in the Works Progress Administration for Michigan.

POSTMASTERS

ARKANSAS

Isaac N. Anglen, Jr., Mountainburg.
Gus A. McMillan, Sheridan.

MAINE

Bethe M. MacDonald, Bridgewater.
Earl L. Garland, Carmel.

TENNESSEE

Mattie H. Swallows, Algood.
Burrell G. White, Bell Buckle.
Albert Jackson Dale, Celina.
Lyles G. Horner, Centerville.
Hugh Neil Reeves, Dickson.
Elvira Boone, Erin.
John Edward Hale, Liberty.
Mumford S. Stewart, Mount Pleasant.
Ernest P. Lassiter, Smithville.
Charles B. Stone, Woodbury.

HOUSE OF REPRESENTATIVES

FRIDAY, JANUARY 29, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

We bless our Father and our God for the inspiration of every permanent movement that enriches human life. We pray Thee that we may hallow Thy name in all our intercourse with our fellow men; let the law and the prophets be fulfilled in us. Cleanse our hearts from all secret faults; direct our thoughts and impulses and keep them in conformity to the high conceptions of truth and justice. Heavenly Father, in all the complicated problems that may arise help us to quit ourselves as God-fearing men. We pray that the dominant temper of the Congress may be couched in the precious fruits of the spirit—gentleness and patience, joy and love. In the blessed name of Jesus. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 3. Concurrent resolution to authorize the printing of additional copies of the Revenue Act of 1936.

LEAVE TO ADDRESS THE HOUSE

Mr. SNYDER of Pennsylvania. Mr. Speaker, I ask unanimous consent that on next Monday, immediately after the reading of the Journal and the disposition of matters on the Speaker's table, I may be permitted to address the House for 20 minutes.

Mr. RAYBURN. Reserving the right to object, I wonder if the gentleman will not defer that request, as Monday is unanimous-consent day.

Mr. SNYDER of Pennsylvania. I will make it Tuesday.

Mr. RAYBURN. I wish the gentleman would consult with the gentleman from Virginia [Mr. WOODRUM].

Mr. SNYDER of Pennsylvania. I will make it Wednesday.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that on next Wednesday, after the reading of the Journal and the disposition of matters on the Speaker's table, he may be permitted to address the House for 20 minutes. Is there objection?

Mr. SNELL. Reserving the right to object——

Mr. SNYDER of Pennsylvania. Mr. Speaker, I withdraw my request.

THE CENTENNIAL OF MICHIGAN

Mr. O'BRIEN of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the centennial of the State of Michigan.

The SPEAKER. Is there objection?

There was no objection.

ALCOHOLIC REVENUE

Mr. DIRKSEN. Mr. Speaker, the Budget estimate of $643,700,000 in revenue on alcoholic beverages for the fiscal year 1938 should draw attention to the enormous tax burden which this industry now supports. This huge tax load indicates that the population of our country has grown, that the alcoholic beverage industry has grown, and that the taxes have grown.

I feel certain that it would be of interest to the Congress and the country to see how far we have come since 1791 in the matter of taxation on spirituous liquors, and to that end I ask unanimous consent to submit a condensed history of this form of taxation.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The matter referred to is as follows:

1. The effective date of the first revenue act imposing a tax on the manufacture of spirituous liquors was July 1, 1791 (act of Mar. 3, 1791, 1 Stat. 202, sec. 14; 203, sec. 15).

2. Sections 14 and 15 of said act of March 3, 1791, provided for a sliding-scale tax of from 11 to 30 cents on spirits distilled from foreign materials and from 9 to 25 cents on spirits distilled from articles produced within the United States.

(The provisions of this act remained in force until the act of May 8, 1792, listed below.)

3. The dates of changes of the tax rate and various amounts up to and including the last tax, which raised the tax to $2 per gallon, are as follows:

Act of May 8, 1792 (1 Stat. 267, c. 32), effective July 1, 1792: According to the class of proof, on spirits distilled from foreign materials, from 10 to 25 cents per proof gallon, and from materials in the United States, from 7 to 18 cents per proof gallon.

(Repealed by act of Apr. 6, 1802 (2 Stat. 148, c. 19), effective July 1, 1802.)

Act of December 21, 1814 (3 Stat. 152, c. 15), effective February 1, 1815, 20 cents per gallon on spirits distilled within the United States, whether from foreign or domestic materials.

(Repealed, effective July 1, 1817, by act of Apr. 19, 1816 (3 Stat. 291), which provided in lieu thereof a tax on licenses to distillers of spirituous liquors.)

Act of July 1, 1862 (12 Stat. 447, sec 41), effective August 1, 1862, 20 cents per first proof gallon.

Act of March 7, 1864 (13 Stat. 14, c. 20), effective upon date of passage, 60 cents per proof gallon.

(Repealed by act of June 30, 1864 (13 Stat. 304, sec. 173).)

Act of June 30, 1864 (13 Stat. 243, sec. 55), between July 1, 1864, and February (later amended to January) 1, 1865, a tax of $1.50 per proof gallon; after January 1, 1865, a tax of $2 per proof gallon.

(Repealed by act of July 13, 1866 (14 Stat. 112).)

Act of July 13, 1866 (14 Stat. 157, sec. 32), continued same rate of tax per proof gallon as provided by act of June 30, 1864.

(Repealed by act of Mar. 2, 1867 (14 Stat. 485, sec. 34).)

Act of March 2, 1867 (14 Stat. 480, sec. 14), continued same rate of tax per proof gallon as provided by act of July 13, 1866.

(Repealed by act of July 20, 1868 (15 Stat. 166, sec. 105).)

Act of July 20, 1868 (15 Stat. 125 effective 60 days, or longer if found necessary by Secretary of the Treasury), from date of passage (p. 167, sec. 108), 50 cents per proof gallon.

(Superseded by act of June 6, 1872 (17 Stat. 238, sec. 12).)

Act of June 6, 1872 (17 Stat. 238, sec. 12), effective August 1, 1872, 70 cents per proof gallon.

(Repealed by act of Mar. 3, 1875 (18 Stat. 339 c. 127).)

Act of March 3, 1875 (18 Stat. 339, c. 127), effective upon date of passage, 90 cents per proof gallon, or wine gallon when below proof.

(Superseded by act of Feb. 24, 1919.)

Act of February 24, 1919 (40 Stat. 1105, sec. 600), effective day following its passage, $2.20 per proof gallon or wine gallon when below proof.

(Superseded by act of Feb. 26, 1926.)

Act of February 26, 1926 (44 Stat. 104), effective upon date of enactment, until January 1, 1927, $2.20 per proof gallon or wine gallon below proof, and proportionate at like rate on fractional parts; on and after January 1, 1927, until January 1, 1928, $1.65 per proof gallon or wine gallon, etc.; on and after January 1, 1928, $1.10 per proof gallon or wine gallon, etc.

Act of January 11, 1934 (48 Stat. 313), effective on day following date of enactment, on and after January 1, 1928, until January 12, 1934, $1.10 per proof gallon or wine gallon below proof and proportionate at like rate on fractional parts; on and after January 12, 1934, $2 per proof gallon or wine gallon, etc.

4. The effective dates of the provisions imposing taxes (per gallon) on the rectifying of liquors are as follows:

July 20, 1868 (15 Stat. 150, sec. 59; act of same date), "Rectifiers of distilled spirits, rectifying, purifying, or refining 200 barrels or less of distilled spirits, counting 40 gallons of proof spirits to the barrel within the year, shall each pay $200 and shall pay 50 cents for each such barrel produced in excess of 200 barrels."

August 1, 1872 (17 Stat. 244; act of June 6, 1872), repeal of that part of act of July 20, 1868, which imposes "tax on rectifiers of 50 cents on each barrel produced in excess of 200 barrels."

March 1, 1879 (20 Stat. 333, sec. 4, act of same date), amends act of July 20, 1868, by adding proviso, "That any person who rectifies, purifies, refines, or manufactures as aforesaid less than 500 barrels a year, counting 40 gallons of proof spirits to the barrel, shall pay $100."

Mr. DIRKSEN. In getting a true picture of the contribution which the alcoholic-beverage industry now makes toward the upkeep and operation of Government, it could be pointed out that the revenues from alcoholic beverages for this fiscal year are estimated at $643,700,000, whereas the annual appropriation estimate for the entire Veterans' Administration, including hospital and domiciliary services, military and naval insurance, administration costs, together with pensions for veterans and dependents as far back as the War of 1812, amounts to $585,832,000. In other words, the taxes derived from the alcoholic-beverage industry annually is enough to defray the annual cost of the Veterans' Administration, with $58,000,000 left over to apply on other expenses of Government.

ELECTION TO A STANDING COMMITTEE

Mr. DOUGHTON. Mr. Speaker, I offer the following privileged resolution and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 93

Resolved, That EDWIN V. CHAMPION, of Illinois, be, and he is hereby, elected a member of the standing Committee of the House of Representatives on the Judiciary.

The resolution was agreed to.

RESIGNATION FROM COMMITTEES

The SPEAKER laid before the House the following communication:

JANUARY 29, 1937.

Hon. WILLIAM B. BANKHEAD,
Speaker of the House of Representatives,
Washington, D. C.

DEAR MR. SPEAKER: I herewith tender my resignation, effective immediately, as a member of the following committees of the Seventy-fifth Congress: Claims, Elections No. 2, Patents, World War Veterans' Legislation.

Respectfully submitted.

E. V. CHAMPION,
Member of Congress at Large, Illinois.

The resignation was accepted.

READING OF WASHINGTON'S FAREWELL ADDRESS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that on February 22, Washington's Birthday, someone appointed by the Chair may be authorized to read Washington's Farewell Address in the House.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. SNYDER of Pennsylvania. Mr. Speaker, after talking with the majority leader, I renew my request to address the House for 20 minutes on Tuesday next, immediately after the reading of the Journal and the disposition of business on the Speaker's table.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

ANNIVERSARY OF THE ADMISSION OF KANSAS TO STATEHOOD

Mr. CARLSON. Mr. Speaker, I ask unanimous consent to proceed for a short time.

The SPEAKER. Is there objection?

There was no objection.

Mr. CARLSON. Mr. Speaker, in view of the fact that January 29 is the seventy-sixth anniversary of the wonderful State of Kansas, I feel that a few remarks regarding this Commonwealth will not be out of order.

In years gone by much has been said on the floor of the House concerning Kansas as one of the leading agricultural States of the Nation, her industries, her natural resources, her educational advantages, and so forth; so I will touch on these briefly, devoting the short time allotted me to other matters.

In the last 400 years many different peoples, varying in race, language, customs, and religion, have laid claim to Kansas. First came the grass-house and earth-house dwellers; then the tepee dwellers, whose homes were cone-shaped leather tents. These were followed by the emigrant Indians from the eastern section of the country; then the Spanish horsemen, who laid claim to the vast plains and prairies for their king. French trappers and traders followed the Spaniard; and finally came the American farmer, who has built a State that all point to with a great degree of pride.

There is so much to be said on behalf of Kansas that one experiences difficulty in starting; but as we have studied and watched the development of our State we come to the conclusion that it is to our citizenship that we owe all, and with this in mind we pay tribute to the pioneer and those who followed. In the matter of education our people had a desire for schools far beyond that displayed in many frontier States. In some States the early settlers were content to let their children grow to maturity without educational advantages, but not so with the Kansas settlers.

They were quick to build schoolhouses and maintain them, even during the wars with the border ruffians, the Indians, and the Confederates. Many have said that the ideals of the Kansas people differ from those of other States, and refer to her as the State of individuality. The Kansas spirit, to which poets and orators have often referred, was born with the pioneers who came to Kansas in the name of liberty and bitterly opposed to slavery. The one who knows our State only by reputation would meet with many surprises if he were to travel across it today. Instead of finding people living in two-room shacks and running around with their feet wrapped in newspapers, as another has said, he would find a most contented citizenship living in comfortable and well-kept homes. He would marvel at the splendid churches and schools, often finding that the schoolhouse is the best building in the town and that the church spire has become a feature of almost every landscape.

In making this trip he would travel entirely over concrete and oil-surfaced roads. Kansas is truly "the main street of America", traversed by more Federal highways than any other State, with the exception of Texas, the largest State in the Union. To give you an idea of the tremendous extent of the Kansas State highway system, let me say that it is almost 3,180 miles from New York to San Francisco and a little more than 1,600 miles from the Canadian line to the Gulf of Mexico. Well, if all Kansas State highways were placed in a line, a person could make a trip from New York to San Francisco by one route, return by way of another, then start from Canada and go to the Gulf of Mexico by one route and return by a different one, and still have enough Kansas State highways left over to go once across our State east and west, the long way.

It will, no doubt, be surprising to some of you to learn that Kansas is both the geographic center of the Nation—Smith County—and the geodetic capital of the North American Continent—Osborne County.

Kansas leads the Nation in flour milling and ranks fourth in the meat-packing industry. There are 101 flour mills in operation in Kansas, or 10 percent of the total mills of the United States. Kansas City ranks first as a milling center, while Salina, which is located in my own congressional district, is the second most important milling city in the State and is sixth in the Nation in this regard. Our State has long been regarded as one of the leading livestock-producing and meat-packing centers of the Nation, and is now surpassed by only three other States.

There is enough salt underlying Kansas to last the United States for the next 250,000 years at the present rate of consumption, and it ranks third among the States in salt production.

The expansion of the oil industry in Kansas has been rapid, and it now ranks fourth in the production of oil. In 1935 we produced approximately 55,000,000 barrels of crude oil, and this in the face of governmental curtailment of production. During the month of February last Kansas produced less than one-seventh of its capacity of existing wells. New oil-producing territory is being discovered in the western half of the State.

There are over 25,000 retail establishments in Kansas, and I am happy to say that 90 percent of them are home owned.

Kansas is fourth in agriculture, with a well-balanced output, 47.1 percent of the farm income coming from crops and 52.9 percent from livestock products. It is the largest producer of Hard Winter wheat in the world and is the largest wheat-producing State in the Union. According to Federal statistics, we planted 16,000,000 acres of wheat last fall, or one-sixth of the wheat area of the Nation. To take care of this crop it has created the largest wheat storage capacity of any of the States. The largest grain elevator in the United States is located in Kansas City, Kans.

To give you an idea of the progressiveness of our people, let me say that Kansas has more farm-owned automobiles than 45 other States, more tractors than 46 others, more farm homes equipped with gas and electricity than 39 others, while 81 percent of the farm homes enjoy the convenience of a telephone.

One could go on and on telling of the wonderful advantages and opportunities to be found in this great State, but suffice it to say that today Kansas looks back upon 400 years of recorded history unmatched in color, significance, and appeal. Proud of its heritage, mindful of its traditions, Kansas faces the future with a confidence born of its vast natural resources. It offers the challenge of opportunity—opportunity that is limited only by the State's golden horizons. [Applause.]

REVENUE ACT, 1936

Mr. LAMBETH. Mr. Speaker, I ask unanimous consent for the present consideration of Senate Concurrent Resolution 3, which I send to the desk and ask to have read.

The Clerk read as follows:

Senate Concurrent Resolution 3

Resolved by the Senate (the House of Representatives concurring), That there be printed 28,000 additional copies of the act entitled "An act to provide revenue, equalize taxation, and for other purposes" (Public, No. 740, 74th Cong.), approved June 22, 1936, of which 15,000 copies shall be for the use of the House document room, 5,000 copies shall be for the Senate document room, 2,000 copies for the Committee on Ways and Means of the House of Representatives, 1,000 for the Committee on Finance of the Senate, and 5,000 for the Joint Committee on Printing.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider the vote by which the resolution was agreed to was laid on the table.

WILLIAM M'KINLEY

The SPEAKER. Under special order of the House heretofore made, the gentleman from Ohio [Mr. JENKINS] is recognized for 30 minutes.

Mr. JENKINS of Ohio. Mr. Speaker, ladies and gentlemen of the House, I have asked for this time today that I may discuss with you and that we might think together of the life and character of a man who, I think, was the greatest Congressman who ever was honored with an opportunity to serve in this, the greatest legislative body in the world. I refer to William McKinley, who was born in Ohio 94 years ago today.

PEOPLE HAVE CHOSEN WELL

The history of any country is read in the biographies of her great men and women. No country has ever been great except that it has produced great men. Great men make history, and history records their greatness. The governments of all ages have been greatly impressed by the lives and actions of their rulers. As these rulers were able or failed to interpret the aspirations of their people, their governments rose or fell. The impressions that men in national power and authority make on their people is of great importance. In our country we can boast that without exception, not one of those that we have elected to occupy the position of Chief Executive has ever been accused of disloyalty to our Government or our people. This is a great compliment to our experiment in democracy. This is more significant yet, when we consider that our Presidents have been drawn from all walks of life and from all strata of society. We have tested the strength of our democracy by calling to the Presidency men of varying ages, varying temperaments, varying backgrounds and qualifications, varying political affiliations, and varying social and financial standing.

COMMON PEOPLE

In America we hear much of "the great average citizen." Those who are able to provide their children with proper food, clothing, and with reasonable educational advantages. In America we can be proud of the high purpose of most of our wealthy men and we can be proud of the efforts of most of our very poor in their ambitions to advance. But the backbone of our democracy has been and always will be found in that great body of our people known as common people, who can make their own way in times of peace and who are ready to report in the full strength of their great numbers in time of war. Probably none of our many great Presidents and national figures more nearly represent this great class than does McKinley.

BIRTH AND CONSTANCY OF PURPOSE

William McKinley was born at Niles, Ohio, on January 29, 1843. This is the ninety-fourth anniversary of his birth. He was born into a home where there was no wealth except a wealth of love and a wealth of Christian character, industry, good citizenship, and patriotism. His life from the beginning was conspicuous for one thing, and in that respect he was as conspicuous as was Washington for his high character, and Jefferson for his learning, Lincoln for his humanity, and Theodore Roosevelt for his energy, and that one characteristic was his constancy in doing the right thing and his freedom from doing the wrong thing. His life from childhood to the highest place in the gift of a grateful people and even to his assassination was a constant procession upward. A fine boy, a purposeful youth, a gallant soldier, a profound lawyer, a great statesman, a good Governor, a wise President, a Christian martyr. While none should be compared to the Savior, yet, under our philosophy of life all should seek to be like Him. McKinley in his assassination was Christlike in that he gave his life for others and his solicitude was for his dearest relative, and in that he could say, "Let no one harm him."

CLEAN, HONORABLE PRIVATE LIFE

The private life of McKinley was so strikingly beautiful as it applied to his treatment of his invalid wife. All of his biographies mention this fact, for it carries such an encouragement to those who yet believe in the institution of home and family and their mutual obligations. One of many incidents of Mr. McKinley's devotion to his wife is commemorated by the erection of a beautiful monument and statue on the spot where it was so beautifully exemplified. When McKinley was Governor of Ohio he and his wife lived at the Neil House, a famous hotel situated across from the statehouse and in view of the Governor's office. Every day as he would walk from his hotel to his office he would stop on the opposite side of the street to wave at his invalid wife, who was always at the window. In commemoration of this beautiful and constant incident, the people of Ohio, when they erected a memorial monument to McKinley caused it to be erected on this spot across from the front of the hotel. This story, beautiful in its romance, is sweet in its simplicity, and encouraging in its appeal for fidelity, and strong in its recommendation of character. There is another incident in McKinley's private life which caused him great anguish and provided an opportunity for bringing out his splendid character as it applied to his private financial obligations. When he was Governor of Ohio a man in whom he had had the greatest confidence from his early life was forced into

financial liquidation. Mr. McKinley had endorsed for this man what he thought was about to the extent of $15,000. But the endorsements had been misused until it appeared his endorsements would reach the sum of $90,000. This would take all the joint property of both Mr. and Mrs. McKinley, and more, too. He courageously set about meeting these obligations by surrendering all they had and executing promissory notes for the remainder, which he promised to pay by leaving politics and returning to the practice of law, where he thought he could liquidate his debts. Strong friends came to his rescue and assumed to pay this debt and took an assignment of his property which they worked out later to the credit and satisfaction of Mr. McKinley. Except for the efforts of these friends, politics would have been robbed of a great statesman and the Nation would have been robbed of another great President. Verily the vicissitudes of politics are harrowing, and disaster and fortune often walk close together in the life of a public man.

SOLDIER

When just past 18 he enlisted in the Ohio Volunteer Infantry. His resolution to do this was early made, for he had watched the national events leading up to the Civil War with great interest. His love for the Union was such a part of him that he felt that duty called him, and his response was prompt. In his regiment were Stanley Matthews, who afterward became a Justice of the United States Supreme Court, and Rutherford B. Hayes, both of whom achieved great distinction as soldiers in the Civil War. In those days deeds of courage and valor were done every day on the field of battle, and in a thousand different ways. They were so general as to become commonplace. But in this great show of heroism on every hand there were unusual men. McKinley, by his ability and quiet, forceful conduct, immediately impressed his comrades and superiors with his soldierly qualities. He came out of the Army after rendering 4 years of hard, conspicuous service without any loss of time for sickness or injuries. For heroic conduct in the heat of many fierce conflicts at Antietam, in West Virginia, and in the Shenandoah with Sheridan, he earned his gradual promotions. On April 13, 1865, when Grant and Sheridan were gradually closing in on Lee, and Sherman was marching to the sea, McKinley "for gallant and meritorious service" upon the recommendation of Generals Sheridan and Crook was by President Lincoln made a major of Volunteers. This title won by him when a lad of 22, after 4 years under the pack, behind the musket, and in the saddle, through hardship and bloodshed was the one title of which he was genuinely proud.

GREATEST WORK WAS AS A CONGRESSMAN

McKinley's greatest work was not his work as Governor of Ohio, or as President of these United States. These great honors were bestowed upon him by our people because of his other great achievements. The hand of the impartial historian will, in the fullness of time when he writes of the life of this great man, say that his greatest contribution to the welfare of this great Republic was his service in the fierce struggle to save the Union and his work here in this room in his efforts to protect the laborers, the farmers, and the industries of this country from the destructive results of the cheap labor of the world. Countless millions have been added to the growth of this Republic as a result of the policies of protection adopted by our country through the leadership and statesmanship of this great man when he worked and labored here on this floor as the chairman of the Ways and Means Committee.

Growth and development of his own country was the passion of his life. To him a protective tariff was the means by which this could best be brought about. While the protective tariff has generally been considered as a Republican doctrine, there are many instances where it has been espoused forcefully by some of the leading Democrats in times gone by. In these modern days there are very few statesmen who still believe in the doctrine of free trade. They all favor protection for the industries and products of their own section at least. Practically speaking, the protective tariff has quite frequently been a question of geography.

Immediately after the close of the Revolution when the States were operating under the Articles of Confederation, tariffs were levied by practically all the States against goods coming from the other States. Their conduct proved the old adage that "Self-preservation is the first law of nature." This caused much bitterness among the States. On the second day after the opening of the First Congress, which opened on April 6, 1789, James Madison, the father of the Constitution, offered a resolution providing for a protective tariff. The Constitution had been adopted and by its provisions States were prohibited from levying duties. Madison's idea was to control the importation of goods from foreign countries by a levy of an ad-valorem duty of 5 percent on all importations with specific duties on such articles as wines, coffee, and sugar. The debate on this bill lasted 6 weeks. It was in this debate that the phrase "infant industries" was first used. The bill was passed. It provided a specific duty on 36 different articles such as cotton, yarn, steel, nails, salt, and coal, and an ad-valorem duty on many other articles such as carriages, glass, and iron castings, the percentage of ad-valorem duty varying. You will note that the bill carried a protective duty on cotton. This bill passed by a vote of 5 to 1. James Madison, who is proudly claimed by the Democrats as a member of Jefferson's political family voted for the first tariff bill. George Washington, as President, approved and signed the bill. It is therefore very evident from the beginning that this great doctrine had a permanent place in the economic life of the Nation. Soon after the passage of the first tariff bill, Alexander Hamilton, whose genius as an economist and financier has not been surpassed by anyone since his day, published his "Report on Manufacturers." This report charted the course for the development of this great Nation. This report was truly a declaration of independence for industry, agriculture, commerce, and for men with rugged individuality and courage. It advocated policies that would guarantee protection to those who would venture their lives and fortunes in carrying westward and southward the flag of development. Under these policies the Nation has become the greatest financial and commercial nation of all times.

WAR OF 1812 AND TARIFF

During the war between England and France in 1808, England sought to prevent shipments of goods from America to France. This brought on our war of 1812. During the war America was thrown upon its own resources, and in this era our manufactures increased rapidly by force of necessity. As soon as the war ceased England sought to regain her hold on American commerce and proceeded to ship great cargoes to America for disposal at a very low price. This situation brought the protective-tariff doctrine forward as an instrument of self-defense. Because of a lack of leadership and experience the American Congress was unable to get a grip on the situation until 1816, when a tariff law was passed. This bill was not strict enough and was not scientifically drawn. The discussions and passage of this bill brought out strange situations from a political standpoint. Henry Clay, who was a Protectionist, opposed it, because it reduced the revenues. John C. Calhoun was its strong supporter because it protected cotton. It will probably shock Mr. TREADWAY and the Massachusetts delegation, both Republicans and Democrats, to know that Daniel Webster opposed it, not because it was not high enough, but because he thought that, since Massachusetts was engaged largely in shipping, it would be better for Massachusetts if it could keep its seamen busy transporting the cheap European goods to the other sections of America. Many students of the political and economic growth of America think that if the statesmen of that day could have anticipated as accurately as Hamilton had done, the growth and development of this country, a protective-tariff system, fair to all sections, could have been adopted which would have prevented the many bitter controversies that followed with reference to this subject.

The act of 1816 was not satisfactory, for it did not protect the manufacturing interests and neither did it stabilize the

cotton and woolen interests. With the ascendancy of Clay to the Speakership of the House, he advocated what he called the "American system", which was modeled somewhat after the Hamilton system. He appointed a Committee of Manufactures to prepare a general tariff measure. This measure levied a duty for revenue only on such articles as would not compete with home manufactures, and a higher protective duty on those articles that did compete with home manufactures. Webster opposed this measure also, but his arguments were in the past, and Clay leaped to prominent leadership over Webster in that contest. Calhoun shifted his position; although still claiming to be a protectionist, he feared a high duty on English-made articles would cause England to levy a tax upon cotton products from the South. So from 1820 the fight started. Clay's American policy gained rapidly. In 1824 another tariff bill was passed. Following its passage the country enjoyed a prosperity never before felt. This prosperity was general and was felt by the farmer as well as the mining, shipping, and manufacturing interests. Tariff inequalities were bound to develop, and with them destructive political influences began to be developed. Exorbitant duties were often forced into the measures by the opponents of real protection or by the friends of protection by way of retaliation, with the result that for the next 20 years this doctrine was the source of much legislative discussion. But through it all the efficacy of the doctrine of protection was so generally recognized that it became a national policy. Advances and recessions followed each other as time went along. When Andrew Jackson came to the Presidency in 1831, the country was in a highly prosperous condition. Jackson sent a message to Congress strongly urging that the revenues coming into the Treasury were too much and should be cut down because the surplus was becoming too large. We often wonder in what respect does the present President think he resembles Andrew Jackson. Jackson was a defender of the Constitution and one who hated big debts. Clay, fighting for his idea of protection for protection's sake, consented for a reduction of the rates as they applied to articles which were not in competition with American-made articles; but the bill of 1832 was so unsatisfactory to some sections of the South that South Carolina passed its ordinance of nullification that brought on the clash between Jackson and Calhoun. Jackson was a protectionist. Clay found himself confronted by a serious situation. Although Jackson was adamant in his position as to the tariff, Clay could see the slavery question in the background. His Missouri Compromise of 1820 had not solved the slavery problem. Fearing that other States would follow the step taken by South Carolina, and always being ready to compromise one problem in order to settle another further along, Clay made concessions to Calhoun which, although preserving the principle of protection and preserving the protection for the northern industries, brought down upon his head the condemnation of many manufacturers. Clay's compromises earned for him the name of the "Great Pacificator", but it seemed that no economic measure could stay the inevitable conflict that was to decide the question of slavery.

DEPRESSION OF 1873

During the Civil War the North continued its policy of protection and the South, being principally an agricultural section, espoused free trade. So, after the war, as has always been the history of all countries and all wars, a great period of speculation followed which in turn was followed by a period of depression. In 1873 the inevitable depression was at hand. Although the Republican Party in the campaign of 1876 adopted a strong plank for protection and the Democrats adopted a strong plank against the then existing tariff law, the depression was the only real issue of this campaign, and, although a Republican President from Ohio was elected, a Democratic House was elected, and the Senate was Republican by two votes. William D. Kelley, known as "Pig Iron" Kelley, was a strong figure in the House and was the leader of the protectionists. He was aided very materially by Samuel J. Randall, the Speaker, who was a Democrat but a strong protectionist. The Democrats denounced all tariff for protection in most vigorous language. But the tariff had become a political and not an economic question. Every Member voted accordingly as his district was favorably or unfavorably affected. And the tariff admitted of much trading and logrolling. It had lost its high place as an important political and economic principle and was now a football for politicians.

M'KINLEY ENTERS CONGRESS

It was into this the Forty-fifth Congress that McKinley was first elected. He was then 33 years of age. His entry was the entry of a quiet, unassuming new Member, who followed the course that most wise, new men follow. He listened much and talked little for the first few years of his service. Rutherford B. Hayes was elected President at the election which brought McKinley to Congress. Hayes and McKinley enlisted in the same Ohio regiment at the same time. Hayes as a major and McKinley as a private. They fought together on many a bloody battlefield. Because of this friendship, scaled by blood and a kindred spirit, the door of the White House was always open to this new Congressman. There are hundreds of new and comparatively new Congressmen in this Congress who would be overwhelmed with importance if the present incumbent of the White House would establish similar relationship with them. But they can hardly expect it, for doubtless he thinks that he has done them the greatest favor of their lives by permitting them to ride into Congress on his strong and spacious coattails.

M'KINLEY AND TARIFF

Seeing the low estate to which this great doctrine of protective tariff had fallen, Mr. Hayes suggested to young McKinley that he could do well if he started in to study and master this subject. The young Congressman assayed this task with the same faithfulness and honesty of purpose that characterized him more than anything else and which was the greatest contributing factor to his gradual and irresistible rise to power and fame. That he succeeded well with this undertaking is one of the certainties of American history. His work in the advocacy of protection brought him in due course to the chairmanship of the powerful Ways and Means Committee of the House. His work as chairman of this committee marked the zenith of his service as a public servant. His work in this position contributed more to the welfare of the Nation than his work as Governor of the great State of Ohio, and more even than his work as President of these United States. He was elected to the Governorship of Ohio with but little oppositon because of his great work as a Congressman, and, in my humble opinion, he was elected to the Presidency for the same reason.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. JENKINS of Ohio. Yes; I yield,

Mr. COX. I wish to make just one observation. I am not, of course, disposed to quarrel with the gentleman's remarks on the tariff. As for myself, I think it has been the worst-fumbled proposition that has ever been dealt with by Congress. The only intelligent treatment that has been given it was the last legislation passed on the subject. My purpose in asking the gentleman to yield, however, was to express my very great appreciation of his fine tribute to that very great American, President McKinley. President McKinley for a number of years spent his winters in Thomasville, in the district I represent. He was of a democratic nature and was known and beloved by many of the people down there.

It was in my district and at the home of Mark Hanna where the leaders of the Republican Party met and determined upon Mr. McKinley's offering as the Republican candidate for the Presidency.

Mr. JENKINS of Ohio. I thank the gentleman for his contribution.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield for a moment?

Mr. JENKINS of Ohio. I yield.

Mr. ROBSION of Kentucky. I wanted to say what perhaps many of us know, that the tariff bill and its discussion in the American Congress in 1818 designated that policy as the American system. Then, as a little side issue, may I say

that when I was a lad my father took me to a political rally in the great city of Dayton, Ohio, and on that occasion I heard speak William McKinley, John Sherman, and Joseph Benson Foraker, of Ohio.

Mr. JENKINS of Ohio. I can assure the gentleman that at a political meeting in Ohio, not only in those days but even now, one can find plenty of strong men to expound the gospel of republicanism.

Mr. ROBERTSON. Will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Virginia.

Mr. ROBERTSON. The gentleman is giving us a very interesting discussion. Will he not insert here the reason that South Carolina passed the nullification act following the tariff of 1828? Why did South Carolina pass the nullification act?

Mr. JENKINS of Ohio. I do not know as any reason I would offer would be satisfactory to South Carolina.

Mr. ROBERTSON. May I suggest a reason?

Mr. JENKINS of Ohio. The gentleman may.

Mr. ROBERTSON. Because agriculture in the South felt that after Jefferson had died, and Jefferson had been the restraining hand in tariff matters, the tariff of 1828 went so far in protection of northern industry that agriculture was definitely put at the bottom of the economic scale; therefore the State of South Carolina said she would not stay in the Union under such a tariff law. I may say further that Webster opposed the tariff of 1825 in his great speech of 1825, but supported the tariff in 1828. The question of secession came up and Hayne said:

I do not wish to interject the question of secession, but the South feels that the tariff has us down, and there is no hope for the southern farmers.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. The business of the South was done largely with Great Britain in the cotton market, and it was not to the interest of the South, they felt, at that particular time to have this tariff in effect in connection with their dealings with Great Britain.

Mr. ROBERTSON. Has it ever been to the interest of the South to have a heavy tariff?

Mr. JENKINS of Ohio. As I stated at the outset, I do not want to get into a discussion of the arguments pro and con on these various matters, but I do thank both of the gentlemen for their contribution, and I will keep their remarks in the RECORD.

Mr. KELLER. Will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Illinois.

Mr. KELLER. The gentleman stated that the question of slavery was properly a moral one and not an economic question. At some future date I should like to present the facts on the other side of the question to show it was an economic question.

Mr. JENKINS of Ohio. I shall not get into an argument with the gentleman, but I thank him for his contribution. Anyway, Henry Clay was ever alert to prevent an open break between the North and the South.

May I comment on the statements made by the two gentlemen. Regardless of what Hayne thought, regardless of what Webster thought, regardless of what Calhoun thought, there were two men, one in the White House and one in the Speakership of the House of Representatives, who decided that proposition. Those two men were Andrew Jackson, with his courage and Henry Clay with his diplomacy. They got us out of the difficulty. But they threw the tariff issue in and made it, you may say, a football of politics.

M'KINLEY GERRYMANDERED

His strong and clear advocacy of the doctrine of protection brought to him the opposition of certain influences and of the opposing political party. This was to be expected. But probably no Congressman in the history of the country suffered so much from a fight carried right into his district. This was done by every means known to the most astute politicians, and in many instances the most unscrupulous politicians. The chief weapon employed was the gerrymander. This was followed by the most unusual personal campaigns, in which the leading men of the opposing political party were brought into this one district. When he made his first race in 1876, the district comprised his home county of Stark and the three additional counties of Mahoning, Carroll, and Columbiana. But when he ran for his second term in 1878 the district had been changed by dropping three of his four counties and adding three Democratic counties, but McKinley was reelected. He was reelected from the same district in 1880 and also in 1882, but in this last election his majority was cut down to 8 votes. He took the oath of office and served from March 4, 1883, to May 27, 1884, when Jonathan A. Wallace was seated, as he had contested the election. They redistricted again in 1884 by adding bigger Democratic counties to his district. But in 1884 his majority increased to 2,000 votes. He continued to represent this district with increasing majorities until 1890, which was the high tide of his work in Congress, when they redistricted him again by cutting off all the counties with any Republican leaning and adding two counties that were overwhelmingly Democratic. This, together with a tremendous personal fight made against him, defeated him by only 303 votes.

[Here the gavel fell.]

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio be given 10 additional minutes.

The SPEAKER pro tempore (Mr. GREEVER). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

A NATIONAL FIGURE

Mr. JENKINS of Ohio. During the time of his services in Congress many other matters besides those rising out of the question of politics claimed McKinley's attention. He was a prominent figure in the councils of the Republican Party in Ohio. He was a strong figure in the national conventions of his party. In 1880 he took a prominent part in the convention that nominated James A. Garfield, who, like Hayes, had served with him in the Army. In the convention of 1884 his work as a parliamentarian and as a writer of platforms gave him a national prominence. The convention of 1888, although he was pledged to the support of John Sherman, when the fight between Sherman and Harrison began to drag out, McKinley declined the nomination because of his sense of loyalty to Sherman.

All these activities had put McKinley at the very pinnacle of political power. From election day in November 1890, when he was defeated for Congress, up to the date of the Ohio Republican convention of 1891 there was an irresistible ground swell in favor of Mr. McKinley for Governor of Ohio. It became evident that he would be the Republican nominee for that State. The defeat for which his opponents had worked so hard was in fact just another opportunity for this man of the common people to show his great quality of mind and heart. His nomination and election were accomplished easily and his second term came to him as a matter of course. His work as governor was equal to that of the many great governors that preceded him. But everybody realized that this man was a man of destiny and that destiny had marked him for the greatest honor in the gift of the people.

Benjamin Harrison was not personally popular but conditions were prosperous in his administration. In the midst of great prosperity a Democratic President and a Democratic House and Senate were elected.

Before the newly elected President had commenced his term, which would be the second term for Grover Cleveland, and which was the first time in the history of America that a President was twice elected with a term intervening, business and commerce had anticipated an enactment by Congress of legislation that would drastically lower all tariffs, and without waiting for the new President to take his office they immediately began to hedge and to prepare for another depression, and before the end of 1893, the

year in which Cleveland started his second term, the country was described by R. G. Dun & Co. as being "in the worst condition for 50 years."

This, with the tinkering by a Democratic Congress with the finances of the country, made 1893 one of the most memorable in the financial and economic history of the Nation.

COURTEOUS GENTLEMAN

Mr. McKinley had the most profound respect of all of the clerks and secretaries and those in official capacity about the House of Representatives. There are some of them yet who remember McKinley well and they are loud in their praise of him. Mr. William Tyler Page, who has been a valued employee of Congress many years, has repeatedly told me of the wonderful ability and personal magnetism of this great man. Mr. Bert Kennedy, who has been connected with the House of Representatives for many years, remembers with great respect this great statesman. There was never any page boy but that could approach him with ease and calm. Mr. Harry Parker, the colored gentleman who has for so many years been the faithful attendant of the Ways and Means Committee, was an attendant of the Ways and Means Committee when Mr. McKinley was chairman of that great committee. Mr. Parker never fails of an opportunity to tell of the kindly and manly disposition of Mr. McKinley to all who knew him. Likewise the Democrats, especially those who were the leaders, recognized in him a man of fine parts and great ability. He had their respect as is shown by the records of congressional activities.

Mr. JOHNSON of Texas. Mr. Speaker, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. JOHNSON of Texas. I want to corroborate what the gentleman has said about Mr. McKinley's having the affection of the Democrats while serving in the House. One of the distinguished Members of Congress from Texas at that time, Hon. Roger Q. Mills, lived in my home town and served upon the Ways and Means Committee with Mr. McKinley for many years. I have heard him speak frequently, as did his son after his death, of the affectionate regard that existed between Colonel Mills and Mr. McKinley, whom Mills esteemed as a very lovely and great man. Roger Q. Mills was a colonel in the Confederate Army and a stanch Democrat, while Mr. McKinley was a major in the Union Army and a leader in the Republican Party. When the Democrats controlled the House, Mills was chairman of the Ways and Means Committee. McKinley and Mills were both great men; and, while they differed politically, they were warm personal friends.

Mr. JENKINS of Ohio. I thank the gentleman. His is the universal testimony of those who knew this courteous man.

THE PRESIDENCY

In the campaign of 1892 McKinley was in more demand as a speaker than any other Republican in the Nation. This was largely because he was recognized everywhere as a statesman of high order and a gentleman of high character. The manner in which he was received all over the country indicated he was a great favorite of the people and presaged his choice as the next Republican candidate for the Presidency. After the campaign of 1892 men like Hanna were attracted to McKinley because of his fine qualities, and when the convention met at St. Louis in the spring of 1896 it was evident that, although there were many strong contenders for the nomination, the people were for McKinley. Candidates in that convention were Thomas B. Reed, Maine; Matthew S. Quay, Pennsylvania; Levi P. Morton, New York; Senator Allison, Iowa. McKinley was nominated on the first ballot with 661½ to 239½ for all the other candidates combined.

The Democrats nominated William Jennings Bryan. While Bryan was electrifying the people of the Nation as he met them in large crowds in all parts of the country, thousands upon thousands of the thoughtful people found their way to the front porch of McKinley's humble home in Canton, where they listened to his sound doctrines and sane political philosophy. They went away convinced that McKinley was safe. He was elected, and immediately, as if by magic, the chains of depression that bound the hands of the American people were stricken off and the country commenced another era of unbounded prosperity. He was reelected to a second term in 1900 over the same opponent.

McKinley's administration as President is noteworthy for three great events that transpired during that time: First, he laid the preliminary plans for the construction of the Panama Canal; second, he conducted the Spanish-American War to a glorious conclusion. He assumed responsibility that came with the control of new foreign possessions, and he safely guided the country out into a status that it had not up to that time occupied, for it was then a world power of the first magnitude. The third great event of his administration was a tragic one. An assassin—who could have had no personal enmity toward the President, who could not possibly profit in any way himself by his death, and whose action in taking his life would not be to the advantage of the world or any person in it—shot him down on September 6, 1901. Eight days thereafter he died.

THE ASSASSINATION

Most of us here remember how his assassination paralyzed the Nation, and we know of the anguish of the people during those 8 days of suspense. The sympathy of his great soul was shown as he admonished those about him to do his assassin no harm, and his great spirit seemed to hover among the people as they prayed their friend might recover. Stories of his tenderness and devotion to his invalid wife were told and retold and moved even the strongest men to tears as they recognized that virtue is its own reward. Business activities were almost at a standstill. Men and women everywhere gave themselves over completely to watching and waiting, and finally, when the end came, the Nation gave itself over to mourning for their great leader. With Motley, as he spoke of William of Orange, who died by an assassin's hand, we can say:

> As long as he lived, he was the guiding star of the whole Nation; and when he died, the little children cried in the streets.

CONCLUSION

The people of Ohio are rightfully proud of the achievements of many of her noble sons and daughters. In the statehouse yard in Columbus can be seen a statue of a woman holding out her hands as if to bless and in pride she is made to say: "These are my jewels." Around her and the subjects of her pride are the statues of these—Grant, Sherman, Sheridan, Garfield, Hayes, Chase, and Stanton. Here in this statue is the story of the Civil War. To this group could be added the figure of McKinley without dimming its luster.

The Republicans of Ohio are proud of the part Ohio Republicans have taken in the affairs of the Nation. The Republican Party started with Lincoln. The Republicans of Ohio are justly proud of the fact that every Republican elected President of the United States, from Lincoln to Hoover, who did not succeed to the Presidency from the Vice Presidency, came from Ohio. Stalwart they all were—Grant, Garfield, Hayes, Harrison, McKinley, Taft, and Harding. McKinley is probably the only one of them who laid the very foundation of his greatness here in this room where we are now gathered. McKinley, as much or more than any of them, through his kindness of soul endeared himself to the whole people.

Much as Ohio reveres the name of McKinley, we recognize that he belongs to the Nation. She leaves him alone in the glory that all Americans ascribe to him.

And, Mr. Speaker, as a humble Congressman for Ohio I still say that William McKinley contributed more for the well-being of this country than any Congressman ever honored with a seat in this great body. [Applause.]

PERMISSION OF THE COMMITTEE ON THE JUDICIARY TO SIT DURING SESSION OF THE HOUSE

Mr. MILLER. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may sit during the session of the House this afternoon.

The SPEAKER pro tempore (Mr. GREEVER). The gentleman from Arkansas asks unanimous consent that the Committee on the Judiciary may sit during the session of the House this afternoon. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. SNELL. Mr. Speaker, I ask unanimous consent that after the address of the gentleman from Michigan [Mr. HOFFMAN] the gentleman from Massachusetts [Mr. GIFFORD] may be permitted to address the House for 20 minutes.

The SPEAKER pro tempore. Is there objection?

Mr. ROBERTSON. Mr. Speaker, I reserve the right to object. Do I understand that is in addition to the program already arranged?

Mr. SNELL. Yes.

Mr. ROBERTSON. Mr. Speaker, we have been waiting for 3 days now to take up House Resolution 11, and we will patiently sit here for about 3 hours more during the delivery of addresses, and I hope they are as good and interesting as the one we have just heard from the gentleman from Ohio [Mr. JENKINS], because that was very fine, and I enjoyed it; but I ask the gentleman from New York to make his request to follow action of the House on House Resolution 11. Then I shall not object.

Mr. SNELL. Mr. Speaker, there are certain reasons why I wish the address of Mr. GIFFORD to come directly after that of Mr. HOFFMAN, and then I shall not object to the gentleman from Virginia bringing in his resolution a little later.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

CONTROL OF FLOODS

The SPEAKER pro tempore. Under special order of the House, the gentleman from Indiana [Mr. GRAY] is recognized for 15 minutes.

Mr. GRAY of Indiana. Mr. Speaker, the great streams and watercourses of the country have become a serious problem before the Nation, a continuing, menacing threat to property, and to economic welfare and security as well, with periodical and recurring waste and loss amounting higher and higher from year to year.

But more than loss and waste of property, more than interruption of industry, commerce, and trade, is the jeopardy of disease and pestilence following in the wake of flood disasters directly with many violent deaths and indirectly with appalling loss of health and life.

The improvement of the streams and watercourses involves more than the single problem of safeguarding against flood disasters. They are included in many different works separately under way and construction to provide inland-waterway navigation, irrigation, safeguarding from stream pollution, conserving municipal water supplies, and the development of the electric power.

Many projects for these separate purposes are already partially constructed or under way, and many bills for other separate improvements of rivers, streams, and watercourses, each providing for a separate system of works for different improvements for the same streams to accomplish these different objects separately, are pressing for attention and congressional action.

And to avoid this confusion of works and improvements, and to obviate this piecemeal order of construction and of the increased cost of loss and waste of overlapping and duplicating projects, and of works to serve one purpose interfering with or rendering useless improvements to serve another purpose, I have prepared a bill creating a separate executive department of inland watercourses and providing for the construction of a unified system of improvements, coordinating all the different works and projects under way or proposed to serve all these different purposes for which rivers and streams are being improved.

Under such an executive department and an exclusive inland watercourse authority every one of these great purposes of flood control, inland water navigation, irrigation, safeguarding against stream pollution, the conservation of municipal water supplies, and the development of electric power can all be accomplished and carried out by river and watercourse improvements under one unified and coordinated system at great saving and economy of construction, efficiency, and operations, and the cost of the works and improvements, or a great part of the cost, paid for by the sale of electric power developed.

It must be realized that any governmental authority authorized and instructed to construct such improvements must be unified and exclusively included in one department, administration, or authority in order that the different purposes can be served and the different objects can be accomplished without sacrifice or impairment of the other.

This requires a surrender of the limited jurisdiction of many different existing departments not directly controlling the watercourses to accomplish the different objects and purposes and the whole authority brought within the department of inland watercourses for unified and coordinated improvements.

The problem of flood control is national and the improvements must be linked together in a system of interstate projects, and coordinated with a defense program as well as to serve the purposes of promoting the general welfare in peace and civil life.

The bill I have prepared and introduced, H. R. 3872, will accomplish all of these purposes promptly, without delay or further waiting, economically, and with a saving of billions by coordination to avoid piecemeal construction and duplication and overlapping operations.

The Nation is again brought face to face with the criminal folly of man, with short-sighted greed and improvidence in cutting off the timber and natural growth and leaving the earth bare, exposed, and lifeless, not only marring the face of nature but leaving the land barren for erosion and without safeguards against flood disasters.

The cleared land has left the slopes to carry the waters to the stream channels as rapid, precipitous, and to pass as swift, as from the steep roofs of buildings, carrying the waters to the gutters and eaves' trough, and through the downspout to the ground, as rapid as the rain falls or the snow melts.

The waters from the rains and snows must be retarded and held back for slow and gradual release within the capacity of the stream channels, or the dwellings of towns and cities now built only above the normal water line must be moved back to higher ground.

The clearing of the land to bring this condition has been in slow progress for a century. Reforestry is likewise a slow accomplishment. Even if the natural order of vegetation can be restored, the security of property and human life cannot wait on the slow recovery by nature. Something must be done in the alternative to compensate for the vandalism of man.

Fortunately the torrents of water recede as rapidly as they come or advance, and the people, as suddenly relieved and left to contemplate the loss of property and life, follow back the retreating waters and resume the normal order of their ways, like the ancient Italians returned to Pompeii under the shadows of the ashes of Mount Vesuvius.

Fortunately the torn face of nature smiles to encourage and revive the hopes of men, and creation unfolds and offers a plan whereby to arrest and hold flood waters until men can contemplate their vandalism, the ruthless desecration of nature, and restore the forests and vegetation.

The channels of the lower and larger streams, by nature, adapted only to carry the water held back for slow and gradual release by the forests and restraining vegetation, are not wide enough or deep enough to accommodate the mad onrush of the flow from above.

Instead of straining to raise the banks of the lower streams and watercourses by building dikes and levees to accommodate an unnatural volume of water, the waters at the source above, and from the tributaries, must be held back to accommodate the capacity of the lower channels.

The waters breaking over and overflowing the banks of the lower streams should never be allowed to reach the scenes of their havoc and destruction, but held in reservoirs and basins in the upper streams and tributaries, and released in a gradual flow.

The broken dikes and levees along the lower Ohio and Mississippi Rivers will remain only as a monument to the criminal folly of men in straining the banks of the channels to carry an impossible volume of water caused by the clearing of the land in violation of the order of nature.

The havoc and destruction of floodwaters are like other great evils and scourges. They must first be dealt with and the remedy applied at the source, instead of locally at the place of damage or destruction. The excess water held back at the source and in the tributaries for gradual and modified release, and the channels below will carry the floodwaters to the sea.

Fortunately, and, as if designed by Providence, the deeper and wider channels of the greater streams are intercepted from the source to mouth by smaller streams flowing in through valleys, of varying width and extending back long distances, and forming natural reservoirs or basins, and of capacity to hold surplus floodwaters. It may also become necessary to dam the upper course of the larger rivers below the intercepting streams and valleys, and allow the rising floodwaters to exhaust the force of their fury by filling these natural basins or reservoirs, extending back each way on either side for miles. One reservoir or basin first and then another can be filled at higher water stage and the waters held for gradual release to accommodate river channels at safe water levels, wherever such dams can be constructed without inundating cities and populous areas.

The taking of these intersecting valleys for flood basins and reservoirs will not be a loss of the property taken. New and valuable economic uses will be found for these permament bodies of water, and their existence will conserve atmospheric moisture and more regular rainfall.

Such inland waterway improvements will relieve the inhabitants of the stricken areas of fear, apprehension, and painful suspense, coming with the beginning of every protracted rainfall, and bring assurance of permanent safety and dependability for these locations and the enjoyment of home and business security.

Incidentally, the work of the construction of such watercourse improvements will furnish a wide diversity of labor and a broad spread of employment, and will be carried to every watercourse community from which the swift flow of flood water must be retarded and held back in reservoirs to safeguard the flood stage of the larger streams.

And incidentally, with such a program of inland waterway improvements bringing security of property and life from the devastation of flood waters, the work and construction of the projects would absorb all or much of the idle waiting labor and relieve the employment crisis for years to come.

And when the great resources of income are realized from the weight of falling waters in the sale of hydroelectric power, and in large and increased volume, developed from all the streams and watercourses, and made available for payment of the cost, the people will be well and fully assured of the redemption of the money issued and expended without the burden of increased taxes, or the banks and bond investors would likewise be assured with confidence beyond the obligation of the Government to pay.

Under modern invention and power mechanism, every pound of falling flood water, which, if retarded and held back, can be converted into water power, and every unit of water power can be transformed into electric power and sold on the market to electrical consumers.

Flood waters retarded and held back and released with the normal flow of streams, and their weight used over and over again with the fall of the streams from source to mouth, if converted or transformed into water power and, in turn, into electric power, will bring billions in power income.

And if all the weight of falling waters of all the inland watercourses was utilized and converted into water power and sold to farmers, home owners, manufacturers, and industries, the revenues and income brought to the Government would pay the cost of all the improvements and maintain upkeep and operating expenses.

The economic loss and waste of flood waters, the destruction of homes and business property, the interruption of industry and trade are not all the losses and wastes resulting; the loss of waters in wasting power will go far to equal the loss and waste from the destruction of the floods.

If all the weight of flood waters from all the streams and watercourses was retarded and held back in dams, basins, and reservoirs, and was gradually released with the normal currents and used in the development of electric power, and if all the river-course improvements were coordinated under a unified system, coordinating all the facilities and activities provided, and all such improvements made to serve all the uses and purposes for which adapted, or to which the construction would contribute, the earnings and income and revenues derived would pay the cost of all the improvements for flood control and inland navigation, for irrigation and safeguarding against stream pollution, for conserving and providing municipal water supplies and the cost of all the power creating facilities, and the expenditures of maintenance and operation, or go far to pay for such expenditures.

The loss of the wasting flood-water power added to the loss by flood destruction makes the economic loss and waste by flood of almost incalcuable magnitude, to say nothing of disease, pestilence, and exposure and the appalling loss of health and life, and makes a calamity which no people can afford to suffer without taking measures to provide against a repetition.

This devastating and destructive flood, with the appalling loss of property and life, should awake men to weigh and consider and to read the rebuke of violated Nature and the handwriting on the walls of many cities left in ruin and chaos.

From an uncontrollable destructive force carrying disease, pestilence, and suffering, with the loss of property and life, these inland streams can be transformed into an agency of security and welfare, a property asset, valuable in the billions, a blessing and a source of increased wealth. [Applause.]

The SPEAKER pro tempore. Under special order of business heretofore established, the gentleman from Arkansas [Mr. McCLELLAN] is recognized for 10 minutes.

Mr. McCLELLAN. Mr. Speaker, I shall now introduce a resolution which I have prepared, and I shall read it and invite your attention to its provisions and merits, and then shall discuss it briefly and ask unanimous consent for its present consideration:

Joint resolution to authorize the submission to Congress of a comprehensive national plan for the prevention and control of floods of all of the major rivers of the United States, and for other purposes

Resolved, etc., That the Secretary of War is authorized and directed to submit to Congress with reasonable expedition a full report or a series of reports embodying a comprehensive national program and plan for the control of floods of all of the major rivers of the United States and their principal tributaries. The Chief of Army Engineers, under the direction of the Secretary of War, is authorized and directed to conduct necessary surveys, assemble information, and prepare such a comprehensive plan, which shall include provisions for the construction of levees, spillways, diversion channels, channel rectification, reservoirs, and all other works necessary for an effective and adequate system of flood control for all such rivers. Such plan and the report to Congress shall list specific projects and set forth estimates of cost, including the expense of acquiring land, easements, and payment of property damages of carrying out the project. Such plan and report or reports shall take into consideration flood-control projects now under consideration or heretofore authorized by acts of Congress.

SEC. 2. There is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this resolution.

Mr. Speaker, in presenting this resolution and in making this appeal for its immediate consideration and favorable action by this body, there is nothing partisan in what is proposed. There is nothing in this measure that gives any peculiar benefit or advantage to the people I represent over those of any other valley in the United States, but it is my thought that in view of our experience in the present

catastrophe flood control is no longer a local problem in any community or in any valley, but is a national problem, and one which challenges this Congress and succeeding Congresses until these problems have been solved and an effective flood-control system constructed on all our principal streams.

Mr. COLDEN. Mr. Speaker, will the gentleman yield?

Mr. McCLELLAN. Yes.

Mr. COLDEN. Why did not the gentleman include a survey of the power possibilities of all these streams, which would greatly help to take care of the cost of such a program?

Mr. McCLELLAN. I think such information has already been submitted, but the resolution certainly would be open to amendment, and I have no objection to that being included.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. McCLELLAN. Yes.

Mr. SNELL. I am in sympathy with a great part of the gentleman's resolution. As a matter of fact, the first really prepared speech I ever made on the floor of this House was along the general lines of the gentleman's resolution, to the effect that the only way we would ever control floods was by making a systematic study of the upper reaches of the various branches of these streams throughout the whole country. The gentleman therefore knows that I am in sympathy with what he has in mind, but I am firmly convinced the gentleman's resolution is altogether too far reaching to be taken up by unanimous consent without previous consideration and notice to the House. I think this is a matter that properly should go to the Flood Control Committee.

This is all-important, as the gentleman has said, and all-important matters cannot be considered on the spur of the moment, even if we are sympathetic with them. I know it will tend to better consideration and more thorough consideration of the very object the gentleman has in mind if this matter is referred to the Committee on Flood Control, and with the request that they act as promptly as possible.

Mr. McCLELLAN. As a member of the Committee on Flood Control, I certainly have no objection to the resolution being referred there. It is only my thought that in view of the conditions which which we are confronted, Congress ought not vacillate and procrastinate any longer on this important matter. We either ought to take definite action or let the country know that we are not vitally concerned and that they can expect no relief from their National Government.

Mr. SNELL. There is a committee set up purposely for this one thing. I brought in the rule to establish it myself, and I know. They should take it up immediately and give it as much consideration as is needed. I will help the gentleman along that line, but I am sure it would be a mistake to try to consider that here today by unanimous consent.

Mr. McCLELLAN. I am not arguing that with the gentleman. I hope the gentleman will help me get an extension of time so that I can speak on the merits of this.

Mr. SNELL. Oh, certainly.

Mr. KELLER. Mr. Speaker, will the gentleman yield?

Mr. McCLELLAN. I yield.

Mr. KELLER. Has the gentleman investigated carefully the report of the Mississippi Valley Commission that has been working on this subject for the past 3 or 4 years?

Mr. McCLELLAN. I have, but I cannot say that I am an authority on it. However, the point I want to make with this House is that I do not believe there is a Member of this House today who can sit down here and draft a bill including a comprehensive plan covering all the major streams of the Nation. It is my belief that we are never going to have flood control in America until the Federal Government assumes responsibility for it, and whenever it does assume responsibility for it it ought to assume it for every major stream, and not for mine or yours alone. That is the plan I am seeking. I am seeking to have the War Department, the best source of information that I know of to go to, to submit us data and information and then say to us what, in its opinion and judgment, will constitute an effective program for the elimination of the menace of floods.

Mr. KELLER. May I suggest to the gentleman if he will investigate the report I referred to it is a very extensive report. The study has been made of that very broadly and it would furnish a basis on which the gentleman might improve his idea at the present time.

Mr. McCLELLAN. Let me say this: If that report does contain ample information upon which a bill can be predicated to accomplish these results, I am sure there are many Members of this Congress who are much smarter than I, and I do not see a bill here today that does it.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. McCLELLAN. I yield.

Mr. RANDOLPH. I remember with keen interest the gentleman's remarks during the Seventy-fourth Congress on this subject. I recall that at that time I asked him if he did not feel it was necessary that effective measures for prevention of floods, rather than for protection after the floods became a menace, must be the concern of this Congress.

Mr. McCLELLAN. Yes.

Mr. RANDOLPH. May I ask further, since there have been authorizations made upon worth-while projects brought from the Army engineers, the source that the gentleman believes able to handle the situation, is it not the duty of this Congress at the earliest opportunity, and that is now, to put into effect the appropriations to cover the authorizations made?

Mr. McCLELLAN. Yes, sir; and I hope the appropriations will be made at this session of the Congress.

The SPEAKER pro tempore (Mr. GREEVER). The time of the gentleman from Arkansas has expired.

Mr. COLDEN. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended for 10 minutes. This is an intensely interesting subject.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield further?

Mr. McCLELLAN. I yield.

Mr. RANDOLPH. Is it not a fact, in the gentleman's opinion, that we must have a comprehensive system of small dams upon all tributary streams?

Mr. McCLELLAN. I will answer the gentleman in this way: It is my idea that we will never have flood control until the Federal Government assumes responsibility for it, and when it assumes it, it ought to assume it on all the major streams of the Nation. I am not an engineer and I cannot say whether there should be a reservoir here or a spillway there or a levee some place else. I must rely upon information of others who are better equipped than I to get it and who are trained for that purpose. I cannot qualify as an engineer.

At the present time we have the War Department, with the great Army engineers, on whom we can rely, and that certainly is the source for us to appeal to. I am asking them in this resolution, in view of the study they have made and any additional study they may be able to make, to assemble and to submit to the Congress a plan that they will recommend and endorse as one that will afford a solution.

Mr. COLDEN. Mr. Speaker, will the gentleman yield?

Mr. McCLELLAN. I yield.

Mr. COLDEN. I thoroughly agree with the gentleman's resolution, but I think it should contain also a survey of power and navigation questions, and all other questions that pertain to floods in rivers and streams.

Mr. McCLELLAN. I may say I think that is a very wise provision, but that would not give any relief from floods. It could be taken up in conjunction with it, and probably should be.

Mr. MILLER. Mr. Speaker, will the gentleman yield?

Mr. McCLELLAN. I yield.

Mr. MILLER. As a matter of fact, before any comprehensive flood-control legislation can be enacted, and before the flood-control legislation that is now in force can be

carried into execution, Congress will have to amend the Act of June 22, 1936, the act referred to by the gentleman from West Virginia [Mr. RANDOLPH].

Mr. McCLELLAN. Is that the omnibus flood-control act the gentleman refers to?

Mr. MILLER. Yes.

Mr. McCLELLAN. Yes. I said at the time it was passed that it would not be effective and would get no results.

Mr. MILLER. Will the gentleman yield further?

Mr. McCLELLAN. I yield.

Mr. MILLER. Is there not marked discrimination now in the legislation that has been enacted by this Congress, particularly by the Seventy-fourth Congress, in reference to various streams in the country?

The only way that it can be put on an equitable basis is by the modification of both the statute of 1928 and a modification affecting the act of June 15, 1936, and the act of June 22, 1936.

Mr. McCLELLAN. I do not want to get into a debate or an argument as to what ought to be done with existing law. I am talking now about the question and advocating now a comprehensive flood-control program. This resolution provides that in submitting such a plan the War Department shall take into account flood-control projects that are already in course of construction and which have been authorized; and the plan they may submit, of course, may contain a modification of projects that have already been authorized; and they will be authorized under this resolution to do it.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. McCLELLAN. I yield.

Mr. McCORMACK. I am in complete agreement with the gentleman's assertions that the present conditions and the control of floods is a national problem, although in my district I have no flood situation confronting me and have had none in the past. I take it the gentleman believes, or is of the opinion, that the Federal Government should purchase the land necessary to erect dams or for any other purposes along the lines of control with reference to the future. Is that correct?

Mr. McCLELLAN. I will first answer the gentleman, yes; and then enlarge upon my answer.

Mr. McCORMACK. I am entirely in agreement with the gentleman; so there is no controversy there.

Mr. McCLELLAN. I argued at the last session of Congress when flood-control bills were under consideration—and I say again today—we are never going to have an effective flood-control system in the United States, one that will give protection, until and unless the Federal Government accepts it as a national problem and will pay the cost of construction. The reason I say that is that whenever local interests make contributions or share the burden of responsibility the local community insists on saying how it shall be done and they want it handled so as to benefit their own local interests. As long as this situation obtains it will be impossible to have a coordinated and comprehensive treatment of what is really a national problem.

Mr. McCORMACK. Personally, I am in complete agreement with the gentleman's statement just made. Following it further, however, it is going to be piecemeal unless we raise the money, and it is going to cost several hundreds of millions of dollars. Personally I am in favor of additional taxes specifically for this purpose, either by way of a general manufacturers' excise tax or by lowering the income-tax exemptions for a period of 1 or 2 years. In 1 year this would raise about $350,000,000, and in 2 years $700,000,000. It is best to meet the problem as quickly as possible rather than by piecemeal activity on our part.

Mr. McCLELLAN. I may say to the gentleman that the purpose of the resolution is to get away from piecemeal action and toying with this great problem. May I say further that at the moment I am not concerned with how the money is to be raised. It is not the purpose nor within the province of the Army engineers to tell us in response to this resolution how to raise money and how to finance flood control. I hold that that is the function of Congress. It is all right for us to call on the War Department and the Army engineers to submit an engineering plan, but the responsibility is ours after the plan is submitted as to whether we shall authorize it to be carried out and how we shall finance it, and whether local interests should make any contribution. These are matters for Congress to decide, and not the War Department.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. McCLELLAN. I yield.

Mr. RANDOLPH. If the gentleman will allow one further interruption, I cannot help but believe, as a layman, not as an engineer, that in spite of the expenditure of large sums of money for flood walls and levees downstream we are finding year after year the length of those levees increasing and reaching back farther upstream. Does not the gentleman feel, as a layman, that we must attack the series of small streams at the headwaters?

Mr. McCLELLAN. I am in complete accord with the gentleman on this modification, but I do not believe that dams and reservoirs on the headwaters alone will be sufficient.

Mr. RANDOLPH. I agree with the gentleman.

Mr. McCLELLAN. I do believe we ought to have just what I have called for, a coordinated system of levees, reservoirs, channel rectifications, spillways, and whatever is necessary.

Mr. RANDOLPH. And reforestation?

Mr. McCLELLAN. This does not contemplate reforestation; that is carried on by the Department of Agriculture. I am heartily in favor of it.

Mr. RANDOLPH. The gentleman is in favor of it, is he not?

Mr. McCLELLAN. Yes.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. McCLELLAN. I yield.

Mr. COX. I have no desire to combat or to endeavor to resist the force of the very admirable argument the gentleman is making; but, in the light of my experience and from what I happen to know about the problem the gentleman is discussing, I am not entirely in accord with the gentleman when he insists that the Congress should adopt the policy of declaring flood control a national matter. The gentleman has evidenced familiarity with the flood problem and the treatment of it on the part of the National Government over a long period of time. The gentleman, of course, knows that up until recently this was regarded as entirely a local problem.

Mr. McCLELLAN. May I interrupt the gentleman? I hope he will get me more time if he takes up all of mine.

Mr. COX. I apologize for interrupting the gentleman. I could not, of course, ask a question without predicating it upon an assumption.

Mr. McCLELLAN. I would like to make some concluding remarks.

Mr. COX. May I ask this question? The gentleman speaks of adopting a comprehensive plan. Is the gentleman familiar with studies made by the War Department in years gone by?

Mr. McCLELLAN. Yes.

Mr. COX. Does he understand it to be a fact that it would take around $10,000,000,000 to treat this problem in a comprehensive manner?

[Here the gavel fell.]

Mr. FULLER. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 6 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. McCLELLAN. Mr. Speaker, I should like to be permitted now to conclude my remarks without interruption.

I have pretty well, in answering the questions propounded, given my view that this is purely a national problem and will never be solved until the National Government assumes responsibility. It is true that a few years ago we did not accept relief and charity as a problem, burden, or obligation of the National Treasury, but we do today. You accept

it today gladly because of changed conditions which have made it necessary.

With this disastrous flood, this great catastrophe that has come to our Nation, and taking further into account devastating floods of the past, we should no longer say that we are going to attempt to place this impossible burden on those who we already know are unable to bear it. How could you go down the Ohio Valley and the Mississippi Valley today, where this flood has inundated millions of acres of land including large cities, some of the largest in our Nation, and literally destroyed billions of dollars of property, thus diminishing our material wealth, and tell those people, property owners, that, in order to repair their levees, in order to build a fortress against a recurrence of what they are now suffering, they will have to make local contributions and bear the cost of construction? They would not be able to do it. And if our valleys, some of them the richest in the world, are going to be conserved and developed for the advancement of agriculture and the use of future farmers of our Nation, and millions of human lives protected, the Federal Government must provide and finance an adequate flood-control system. It is not primarily a local problem nor a State problem, because the waters in my State come from the rainfall in yours; therefore it is national in scope. It will never be corrected except by action on the part of the National Government.

I hope this resolution will be adopted. I am only seeking information that you and I ought to have, and the country ought to have; information that is going to be necessary if we legislate wisely, and it should be our purpose to so legislate. We should not approach this thing any longer with timidity. Too long we have waited already; further procrastination and delay is inexcusable. We ought to approach it with courage, wisdom, and statesmanship and let the American people know their Congress is going to undertake to solve it for them.

May I drop this further thought to you? We have spent in the past 4 or 5 years, or since 1933, about $15,000,000,000 for direct relief and for work relief. We have recently appropriated another huge sum of money, more than three-quarters of $1,000,000,000 for the same purpose. When the funds that we have recently appropriated are exhausted, we will have to appropriate more, and those who may kid themselves into thinking we will not have to do so will only have to await the time to discover their error.

Mr. Speaker, is it not wiser as a national policy in the future, if we are going to have to spend money for relief, to spend it on flood-control projects that when constructed will add to our national wealth, preserve and make available for utilization one of our greatest natural resources, our fertile valleys? If we will do this, we will have something to show for the dent we are making in the Federal Treasury, and in my judgment such a policy is expedient even though it should ultimately cost the stupendous sum of $10,000,000,000, which the gentleman suggests; but it will not cost that much.

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. McCLELLAN. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. Does the gentleman know that the Army engineers in their report, I think Public Document No. 306, made 2 or 3 years ago, estimate if they could have $280,000,000, and they have indicated about 30 or 40 places to spend this money, it would take 8 feet off the flood? If this could be done for that small amount of money, we do not need $10,000,000,000 to do this.

Mr. McCLELLAN. I have not said we need $10,000,000,000. That was the suggestion of the gentleman from Georgia. This is what I am trying to do, and I trust the gentleman will go along with us and give us his support on this resolution. The purpose is to get something concrete so we will not be guessing as we spend this money, and so we will not leave those folks out there in the uncertainty and dread of a recurrence of what they are now being afflicted with.

Mr. JENKINS of Ohio. I agree with the gentleman, but may I say, do not get scared at the amount of money, because this job has to be done. However, it is not going to take that amount of money.

Mr. McCLELLAN. I hope it does not take that amount of money, and I believe it can be done for approximately half that amount. May I say this further: I have no pride of authorship in this resolution. I had hoped, in view of the stress of the emergency, that we might pass it today by unanimous consent, but I understand there has been an agreement between the leaders on both sides of the House that no business of importance will be transacted today. Therefore, under the circumstances I do not now hope to have it considered by unanimous consent.

Mr. Speaker, I have no objection to the resolution going to the Flood Control Committee, but I want to say it behooves every Member of this House to concern himself with a correct solution of the flood-control problem in America. The Members of this House should be aggressive and alert in trying to bring about a solution at this session of the Congress. The American people are looking to this Congress not only for a plan but for a program to be put into execution, and I hope you will join with me in trying to get this resolution favorably acted on by the committee. Let us pass it. Let us call on the agencies of our Government to give us the information, and when we have it let us legislate upon the matter wisely and give relief to the American people, as well as protect and preserve the natural wealth and resources of our Nation. [Applause.]

[Here the gavel fell.]

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Indiana [Mr. PETTENGILL] is recognized for 30 minutes.

THE CONSTITUTION AND THE FEDERAL COURTS

Mr. PETTENGILL. Mr. Speaker, I have asked for this time to reply to some remarks that were made yesterday on the Constitution and the courts by my good friend the gentleman from Texas [Mr. MAVERICK].

One of the great liberal judges of the Supreme Court, a man I am pleased to designate as the grand old man of America, Hon. Louis D. Brandeis, once said in one of his important opinions:

> Experience should teach us to be most on guard to protect liberty when the purposes of government are beneficent. Men born to freedom are naturally alert to repel invasion of their liberty by evil-minded persons. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well meaning, but without understanding.

When a man who enjoys no reputation for truth and character says something, even though it is false, it makes little difference, because those who know him do not believe him even when he tells the truth. But when a man of the finest motives, unimpeachable character, and the purest patriotism speaks to the American people and is wrong and inaccurate, not as a matter of opinion but as a matter of fact in what he says, it is apt to do great damage, because his character gives credit to his words.

The gentleman from Texas [Mr. MAVERICK] is a gentleman of the kind I have last described, and it is only because it seemed to me that his remarks yesterday were as full of error as a pomegranate is full of seeds that I venture to speak today.

I want to make plain at the beginning that I am not opposed to constitutional change by act of the people. I have voted for two constitutional amendments which have been accepted by the people and are now the supreme law of the land. I am prepared to give the Federal Government whatever power is indispensably necessary for it to have. I am also ready to give the States whatever powers they need to deal with the changing conditions of modern life, and I am referring now particularly to the minimum-wage decision of last spring.

I am opposed, however, to the Federal Government doing anything which the States and the local communities can, and should, do for themselves. I still think that Jefferson is right in all cases except where Hamilton is inevitable.

My friend, the gentleman from Texas, however, goes further than advocating orderly constitutional change. He

favors depriving the Federal courts of the power to pass on legislative acts. In the course of his remarks he returned to the Dred Scott decision. This is always gone back to by critics of the Court, and the gentleman from Texas charged the Supreme Court of the United States with responsibility for the Civil War and implied that except for their action, if the matter had been left to the wisdom of Congress, there might have been no Civil War. He said, "Suppose the Missouri Compromise had not been knocked out by the courts." The answer to that is, Mr. Speaker, that the Missouri Compromise was not knocked out by the courts. This case was decided in 1857, and the Missouri Compromise had been knocked out by an act of Congress, by outright repeal, 3 years before that case was decided. One month after the Dred Scott case was first instituted in the Circuit Court of the United States for Missouri, Congress knocked out the Missouri Compromise, and the decision in that case, therefore, did not hold unconstitutional any act that was then in force. No existing law was declared unconstitutional.

The gentleman then says that the Supreme Court, in defiance of the laws of the United States and the will of the American people, including the southern people, who, he said, "had also accepted the compromise", thus thwarted the will of the American Nation. The answer to that, as I have already stated, is that the Missouri Compromise had been repealed by act of Congress in May 1854 and repealed chiefly by votes from the Southern States.

I have no disposition to again fight the Civil War, but only mention this in the interest of historical accuracy with reference to what the gentleman from Texas said.

Then the gentleman goes on to say that the Nation was "plunged into 4½ years of killing to reverse a decision of the Supreme Court." This could not be true in view of the act of Congress of 1854, and the impartial historian of today absolves the Supreme Court of the United States of any major responsibility for the Civil War. It was probably an "inevitable conflict." But if any prime responsibility with reference to the Missouri Compromise as a contributing factor toward those 4 years of blood and carnage is to be attributed to anybody, it is the Congress of the United States in repealing the Missouri Compromise and thus reintroducing slavery into the Louisiana Territory, and it is time, Mr. Speaker, that the responsibility, insofar as there is a responsibility, be placed where it belongs—on the Congress of the United States and not on the Supreme Court. [Applause.]

It is also of interest to note that immediately following the decision in the Dred Scott case, when the passions and the fury of the people were at full cry, bills were introduced in the Congress to repeal section 25 of the Judiciary Act of 1792 and to take from the Supreme Court the power which it did exercise in the Dred Scott decision. But, to the honor of the Congress at that time, despite the passions of the hour, not a single one of those bills was ever reported favorably by a congressional committee. [Applause.]

I am not a prophet or the son of a prophet, but I have heard that history repeats itself, and because of that I venture to say that if we should attempt now what was attempted then, the result now would be the same as the result then.

We are not going to get very far now any more than the critics did in 1858 in taking from the courts of the United States the power to pass on acts of legislative bodies. "The shallows murmur but the deeps are dumb."

I have a distinct feeling that there are tens of millions of people living in quiet homes—farmers, workingmen, merchants, businessmen, investors, veterans, and others—who want now, as they have in the past, to have somewhere in this Republic a body to whom they can submit questions of great import to them, affecting life, liberty, reputation, or property, and have that question—their question—decided by a body of men who will render judgment in their cases uninfluenced by the pressure of politics, partisan expediency, the wishes of those who sit in the seats of power, or the turbulent clamor of the mob.

It is interesting to recall the powerful and popular figures who have attempted to criticize the Supreme Court in years gone by.

I will not say that in relation to some particular case the criticism might not have been justified, but I am thinking now of such great figures as Jefferson, Jackson, Lincoln, and Theodore Roosevelt, who undertook to criticize the courts of this country, and with what result? The only result that insofar as their criticism might have been meant or would naturally tend to impair the prestige and confidence in the Supreme Court by the American people, the criticism reacted on the critics and not on the Court.

My friend from Texas goes on to discuss the income-tax case of 1895. He said that the Court in deciding the income-tax case "had to reverse, overrule, and find void five of its own decisions handed down over a period of a hundred years."

His statement as an opinion amounts to nothing but opinion, but as a statement of fact the gentleman from Texas is entirely wrong, because the Supreme Court refused to overrule a single previous decision, and held that the previous cases differed from the facts then before them for the first time. And in one respect that case was the first attempt to tax interest received by the owners of State and municipal bonds, a question which had never been before the Court up to that time—and in that respect that decision of the Court in 1895 was unanimous.

And neither the Court, Congress, nor the American people in adopting the sixteenth amendment ever reversed that part of that decision.

But aside from this, the gentleman from Texas [Mr. MAVERICK] falls into a curious dilemma. He blames the Court for changing its mind and thus failing, as he says, "in its duty to provide stability"; but in the same speech he pleads for a "living Constitution, not a dead one", and urges that the Court should "be responsive to the will of the people"; in other words, they should follow the election returns. In arguing that the Supreme Court should not change its mind and thus "destroy stability", he argues that a living court must be bound by decisions made by judges long dead, but in arguing that a court must recognize that times have changed, he argues that the Court should not be bound, in the interest of stability, by decisions previously made. So whatever the Court does with reference to previous cases, it is bound to be wrong.

The gentleman refers to the World War Draft Act case, and he makes this astonishing statement. He said that the act to draft soldiers "against their will is constitutional although not in the Constitution." Elsewhere he argues that Congress has not only powers expressly granted but also those incidental powers necessary to effectuate the express powers. As Congress does have the power to "declare war", "to raise and support armies", and "to provide and maintain a navy", all of which require soldiers and sailors, the power to draft must be constitutional, even though, as the gentleman says, "it is not in the Constitution." I am surprised that the gentleman from Texas argues for once in favor of a narrow construction of the Constitution, so as to give us an army without soldiers and a navy but no sailors, except so far as men might volunteer.

He then speaks of the Curtiss-Wright case, decided last December, and says, "It was held that the President had almost unlimited power in foreign relations, and his actions were constitutional because they proceeded from the British Crown." Again I say that the Court held no such thing. What the Court had before it was not the British Crown, but an act of Congress, the Neutrality Resolution of 1934, which gave the President power to declare embargoes, and so forth, and not the naked power of the Executive to act wholly independent of congressional authority.

The gentleman from Texas next cites the case of Evans against Gore, with respect to income taxes paid by Federal judges, and he says to this Congress—and he repeated it in a radio address to his listeners throughout the length and breadth of this land:

I want you to know that in the income-tax case that soon came to the Court, the Supreme Court of the United States held that Federal judges did not have to pay a cent of income tax.

"Everyone else did", he said, "but not members of the Supreme Court and the lesser Federal judges. They exempted themselves." Again I say that the distinguished gentleman from Texas, who is taking it upon himself to lecture the Supreme Court of this country, fell into grave error. The Supreme Court did not hold, as the gentleman from Texas said, that members of the Federal judiciary "did not have to pay a cent of income tax." They held only that that part of a judge's income which comes from the salary paid to him by the Federal Government is not subject to a tax by the Federal Government. On all other income judges pay income tax the same as any other citizen. I say that that statement of the gentleman from Texas which went over the radio, ignorantly and in good faith so far as he was concerned, was nevertheless poison, because the inevitable tendency of it is to inflame the feelings of our people against their judges, on the implication that without any justification whatever but for some purely arbitrary reason, and in a matter that concerned them, judges had set themselves off as a group of untouchables with reference to a tax levy which all other citizens had to pay.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. PETTENGILL. I yield.

Mr. COX. I am in entire sympathy with the position that the gentleman takes, and I applaud him for meeting his responsibility. As I take it, it is his responsibility to speak his mind when so important a question as attacks on the Supreme Court are involved, but does not the gentleman feel in respect to the last statement quoted of the gentleman from Texas that it was so nearly right that it might be passed by as being right, because I hardly think the public could have taken it to mean anything more than that the Supreme Court had held that Federal judges were exempt from the payment of income tax on the salaries paid to them by the Government? That is evidently what the gentleman from Texas intended, and I think it is what the public understood him to say.

Mr. PETTENGILL. Mr. Speaker, I do not yield further. I have no desire to do injustice to anyone, least of all my good friend Mr. MAVERICK. If we are at the threshold of another great constitutional debate, so far as I am concerned, I want to keep it on a high level, the same high level on which the subject matter itself rests. I can only draw my own interpretation as to how such a statement the gentleman from Texas made would be received by people listening in on the radio, wholly ignorant of the case itself and without ability to advise themselves as to what the facts really were. Is it true that the Supreme Court acted without good reason? No. The reason they held that so much of a judge's income as is derived from the salary paid to him by the Federal Government is exempt from income tax is a provision of the Constitution, which reads as follows:

> The judges, both of the Supreme Court and inferior courts, shall hold their offices during good behavior and shall at stated times receive for their services a compensation which shall not be diminished during their continuance in office.

That case was decided by a 7-to-2 vote. Justice Brandeis and Justice Holmes dissented. But you must agree that the reason assigned by the majority was a reasonable one, which intelligent men might honestly hold, in saying that the Federal Government could not grant a judge a salary and then take it away from him by taxes. That provision was put in the Constitution of 1787, as the debates show and as the Federalist papers show, for the purpose of making certain that the judiciary of the Federal Government shall be forever free from legislative pressure, because they said the power over the purse is power over the judgment of the judge.

Mr. KELLER. Mr. Speaker, will the gentleman yield?

Mr. PETTENGILL. I yield for a brief question.

Mr. KELLER. Does the gentleman believe that an amendment to the Constitution does not have power to repeal or to nullify that part of the Constitution already existing?

Mr. PETTENGILL. Oh, certainly.

Mr. KELLER. Then how could that decision be made?

Mr. PETTENGILL. I am not now arguing whether the decision is right or not. I am simply saying that the decision of the majority of the Court was predicated upon a reasonable base, and was not arbitrary or prompted by selfish motives.

I have now discussed the five cases that the gentleman from Texas [Mr. MAVERICK] referred to, and I think I have shown he was inaccurate with respect to all of them.

I will now turn to his more general recommendations. He said the power of the courts to pass on acts of the legislative branch is an "assumed power", "a self-asserted power", a power which the Constitution does not say the Supreme Court has. Then over the radio he asks his hearers to write to their Representatives in Congress telling them that "they are weary of judges destroying their laws" and urging them—that means us—to support laws to deprive at least the lower Federal judges "of the power to destroy the people's legislation."

The SPEAKER pro tempore. The gentleman has 5 minutes remaining.

Mr. PETTENGILL. That is a large subject. I do not have time to discuss it now. I will extend my remarks on it. However, I will have time to go to the record on one point. In listening to statements such as that, and many others that are being made in America today, one would think that all Federal judges do is to sit up nights to "destroy" acts of Congress, and generally by a 5-to-4 vote. What are the facts? In 147 years since the adoption of the Constitution Congress has passed about 24,000 acts, of which only 64 have been declared unconstitutional by the Supreme Court, leaving 23,936 held constitutional or as to which no constitutional question went to the Supreme Court.

Of those 64 opinions in 147 years more than half of them were by unanimous vote of the Court. Of the 64 only 11 were by a 5-to-4 vote. Of those 64 cases there are only 10 of great public importance, and as to them I do not think anyone can say with any assurance whatever that the American people, on a direct referendum, would have repealed the decision of the Supreme Court in a single case. Yet the Supreme Court in that long period of time has decided 40,000 cases, but because one or two do not meet with the views of the gentleman from Texas [Mr. MAVERICK], because the Supreme Court once or twice out of 40,000 cases has miscalled the play at the home plate, he would abolish the umpire or reverse his decision by the clamor of the bleachers rooting for the "home team."

Now, my time is short. There is much more I should like to say on this subject.

The distinct proposal of the gentleman from Texas to deprive at least lower Federal judges of the power to pass upon legislative acts, in my judgment is one of the most dangerous proposals that was ever made in this country. What does it mean? It means that the doors of the lower Federal courts of this Nation will be closed by Mr. MAVERICK to the citizens of the United States to protect their constitutional rights; and what does that mean? It means in practice and effect that the poor man is forbidden from asserting his constitutional rights in the courts of his country. How much does it cost to carry a case to the Supreme Court of the United States in lawyers' fees, printing of the record and briefs, and court costs? Often thousands of dollars. How many poor men can afford to take their cases to the Supreme Court of the United States to have their rights there protected for the first time? The gentleman's proposal came from "a man of zeal but without understanding." He does not prevent the Du Ponts and the "princes of privilege" from going to the Supreme Court. They can pay their way there. They can hire lawyers. They can pay for their records and briefs. Their constitutional rights are not to be deprived by the gentleman from Texas, but he is going to close the Federal courts of this country, in all practical effect, to thousands and thousands of the poor and humble from asking the protection of their constitutional guarantees.

In the words of a great Virginian, "I know not what course others may take, but as for me", if and when the American people decide to destroy the power of the judi-

ciary of this country to pass upon acts of legislative bodies, and decide to relegate the Supreme Court to the basement of our governmental structure, then on that day I shall willingly leave this Chamber of my colleagues, as the only poor protest I can then make against a course of action, which, in my judgment, will destroy much of that which has made this America of ours the land we love. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Indiana [Mr. PETTENGILL] has expired.

Mr. PETTENGILL. Under leave to extend my remarks, may I add the following to what I have said orally:

The gentleman from Texas argues that the Court should take a "liberal" or "enlightened" view of the Constitution. I claim to be a liberal because, when the Court has divided, the views expressed by such Judges as Brandeis, Holmes, and Cardozo often more nearly coincide with my poor opinion in the matter than that of the majority from which they dissent. But in asking the Court to be liberal the request or demand is utterly meaningless unless you go on and state who, in your judgment, the Court should be liberal toward—the Nation or the States; the Government or the citizen.

How would my friend from Texas have the Court construe the ninth and tenth amendments of the Constitution, the one providing that "the enumeration of certain rights shall not be construed to deny or disparage others retained by the people", and the other "the powers not delegated to the United States by the Constitution * * * are reserved to the States, respectively, or to the people"?

If I understand my friend from Texas, he does not want the Court to give a liberal interpretation to these provisions of the Constitution. On the contrary, these provisions of the Constitution are to be construed strictly, and it is only the powers granted to Congress which are to be construed liberally. In other words, what the gentleman intends is not that the Court shall construe the Constitution liberally but rather that it should adopt and write into their opinions the nationalist attitude rather than the State rights point of view in interpreting the Constitution. The gentleman from Texas has become a Hamiltonian.

Whether the power of the States over their local affairs, which have been safeguarded to them by the ninth and tenth amendments, should be taken away from them and vested in the Federal Government, is a question we will apparently have to decide; and I am a good enough American and a good enough believer in government by the consent of the people to live happily under any form of government which the American people, with full knowledge of the facts and with ample opportunity to deliberate, decide that they want to have.

I do want to say, however, that there is a lot of pseudo-liberalism floating around. A movement toward the center and toward the concentration of power at a single point or in a few hands may or may not be justified by the march of economics, but it cannot be described as a "liberal" movement.

The warning voices of every sage and patriot and the teaching of every page of history, ancient or modern, prove that this is so.

Let me quote one man. When the turbulent tides now tossing shall have come to rest and impartial history shall place a just appraisal upon men now prominent in the headlines of the daily press, I believe it will be held that Sam Gompers was the wisest leader that labor ever had. I quote from a speech by him not many years ago before a convention of the American Federation of Labor. He said:

> I believe there is no man to whom I would take second position in my loyalty to the Republic of the United States, and yet I would not give it more power over the individual citizenship of our country. * * * If I were in the minority of one in this convention, I would want to cast my vote so that the men of labor shall not willingly enslave themselves to Government authority in their industrial effort for freedom. * * * Let the future tell the story of who is right or who is wrong, who has stood for freedom, and who has been willing to submit their fate industrially to the Government.

Upon this question of a liberal construction of the Constitution it is worth noting that some of the most bitter criticism of the Supreme Court has come because, as charged, they did not construe constitutional provisions strictly enough. I refer particularly to the decisions restricting the powers of the State under the fourteenth amendment. It was, for example, a broad or liberal interpretation of the fourteenth amendment rather than a strict one under which the Supreme Court decided the minimum wage case of last spring.

It was Justice Holmes who once said: "There is nothing I more deprecate than the use of the fourteenth amendment beyond the absolute compulsion of its words to prevent the making of social experiments by the States."

The gentleman from Texas talks about child labor. That is an evil where it exists, and it seems to me that the gentleman from Texas could take time out from his criticism of the Federal courts and go down before the legislature of his native State and urge it to ratify the child-labor amendment of the Federal Constitution which has been on its doorstep for 13 years. I am not here criticizing Texas. The legislature of that great State has the same right to ratify or disapprove that amendment as any other State in the Nation, but to the extent that child labor may be an evil, my friend might well address his remarks to his State legislature rather than to ask the Supreme Court and the Congress by tortured construction of the Constitution to impose Federal child-labor legislation upon the people of his State, against their will, and without amending the Constitution.

EXTENSION OF REMARKS

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

AUTOMOBILE STRIKES

The SPEAKER pro tempore. Under the special order previously established, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

Mr. HOFFMAN. Mr. Speaker, I hand to the Clerk's desk a privileged resolution which I will ask unanimous consent to have read and considered after I have finished my remarks.

I also ask unanimous consent that I may have permission to revise and extend my remarks.

The SPEAKER pro tempore. Without objection, the gentleman may have permisison to revise and extend his remarks.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, after listening to the gentleman from Indiana [Mr. PETTENGILL], whose district adjoins mine, I am almost sorry I am not his kind of a Democrat; and I think there are some gentlemen here from Illinois who feel about the same way I do. I refer to the gentleman from Illinois [Mr. LUCAS].

This question of the Constitution is one that we all like to hear discussed by those who possess the requisite knowledge to do so intelligently. The gentleman from Indiana is entitled, in my humble judgment, to the thanks of every Member of this House who believes in our form of government for his clear and correct statement of the facts and the law made in answer to the speech of the gentleman from Texas [Mr. MAVERICK].

There is another question, however, which is of equal importance, one which must be solved now. I do not mean it must be solved in the years to come, but that it must be solved within the next few weeks or, at most, the next few months. It is a practical question and upon its correct solution depends our future form of government. We have heard for the last 4 years that unless we adopted this, that, or the other legislation we would have a revolution in this country. No doubt all the Members during the last week have had on their desks pamphlets, or bills, or propaganda of some kind, such as the housing pamphlets from New York, which told us that unless we appropriated money and adopted certain legislation we would have riots in the

slum districts of the city of New York. To put it differently, the word comes to us: "Now you do this, or else——." You are all familiar with the phrase.

I am calling attention to the fact, Mr. Speaker, that today in Michigan there exists a situation where there is already at hand all of the elements which go into a revolution, all of the elements which make for civil war. We already have had violence, and we have on each side of this controversy, which must be settled, armed forces; and when I say armed forces, I mean armed forces; I mean men armed with guns, with bushels of hinges—strange implements but effective—stones, brick, pieces of hose in one end of which has been poured melted lead or babbitt metal—things of that kind—all ready to do battle.

The unfortunate thing about it is that the real issue, the real point that we must solve, is lost sight of in the discussion of the propriety of the statements and the attitude taken by the leaders on either side and by Government officials. To go back a moment. This sit-down strike is something new in this country. These men over at Flint, following that strike in the Bendix plant at South Bend, in the district of the gentleman from Indiana [Mr. PETTENGILL], who just spoke—following that strike these men at Flint thought they would try it. We have no reason to doubt the newspaper information, the news reports, as to the conditions which are said to exist. We who come from Michigan have no reason to doubt the word of people there whom we know, people who live in these towns, men who work in the factories—we have no reason to doubt their statements. We know they are good citizens. They tell us—and we have the letters here, and I shall ask permission to put part of them in the RECORD in an extension of my remarks—they tell us that not over 10 percent, and probably only 5 percent, of the men in those factories want to strike. They tell us that some of those sit-down strikers get out of the factories and go home, because they do not want to continue on strike, are sent for, are brought back to the factories by men not from Flint, not from Detroit, not from Michigan, but by men, union organizers, who come from Ohio and from other States, some from as far south as Atlanta, Ga.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Not now.

Mr. Speaker, we are told that there is coercion on the part of General Motors. For General Motors I hold no brief. We who come from Michigan and who know the facts say that there is coercion on the other side. If information that is true to the facts is to be given to the House so that we can do our part under the police power to legislate to wipe out the conditions which cause these strikes and render it impossible for them to occur again, then an investigation by a regular or a special committee of the House to ascertain the facts is all that is necessary, if the Department of Labor does not already have the information. I notice in the newspaper reports, however, that the Secretary of Labor has sent her agents into the field to find what the facts may be. For this purpose, I have here a privileged resolution calling upon Miss Perkins as Secretary of Labor to give us certain information.

Mr. LUCAS. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. LUCAS. Do I understand that these men are still in the shops contrary to orders of the company owners?

Mr. HOFFMAN. Certainly.

Mr. LUCAS. Do I further understand that the circuit judge of that district issued a mandatory decree authorizing and directing the sheriff of that county to remove these men?

Mr. HOFFMAN. The gentleman is correct.

Mr. LUCAS. Will the gentleman from Michigan tell us why this order has not been carried out?

Mr. HOFFMAN. I can only give the gentleman my idea. I have no authority to speak for anyone; but, having practiced law for something over 38 years, I presume that General Motors desire to let the situation go on until the people in Flint, in Detroit, and in the surrounding towns know what it means to have these factories closed, and to have opinion in these towns crystalized on the question as to whether a small percentage of the workers should be upheld in their efforts to close these factories and other factories dependent upon these body plants for production until General Motors recognized the C. I. O. as the sole bargaining agency.

I might add that the injunction or mandatory order of the court, requiring, as I understand it, the strikers to leave the plant, was served by the sheriff on the sit-down strikers, who refused to obey the order and remained in possession; that General Motors, hoping to avoid violence and undoubtedly hoping for a reasonable solution, refrained from demanding of the sheriff and Governor the enforcement of the court's decree.

Unfortunately the judge who issued this injunction owned stock in General Motors. The papers today inform us that new proceedings have been filed, which will be heard by another judge. This petition for a mandatory injunction will be heard next Monday. At that time General Motors will ask for an order ousting these men. The paper also tells us these men have been discharged by General Motors and are no longer employees. What has been the past situation? The prosecuting attorney of that county, who is a Democrat—a good one and a good citizen besides—issued warrants for the arrest of these men. He called upon the sheriff to serve those warrants. The sheriff was ready and willing to serve them. But what happened? The Governor of the State called out over 2,000 of the National Guard and said he would not permit violence. In other words, if the men would not go out willingly, if they would not accept service and come out with the sheriff and answer the charges made against them, the National Guard would prevent violence in the service of those warrants.

[Here the gavel fell.]

Mr. LUCAS. Mr. Speaker, I ask unanimous consent that the gentleman may have an additional 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LUCAS. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Illinois.

Mr. LUCAS. Do I understand now that the gentleman from Michigan is directly charging the Governor of the State of Michigan with sending troops there in the form of the National Guard for the sole purpose of protecting the men who are the sit-down strikers in those shops?

Mr. HOFFMAN. No; I do not charge the Governor with sending in troops for that purpose. I do say, and I do not believe it can be contradicted, that that is the result of his action. That is all I say. He sent them in, so he said, to preserve order; but men were in the factory and what could be the effect? Suppose I came to your house. I go in. You are away from home. You come home and you want me out and the sheriff says, "No touch."

Mr. LUCAS. Have the troops sent in there by the Governor used any force or persuasion or any method of any kind in attempting to remove the men?

Mr. HOFFMAN. My understanding is they have taken no part whatever. They have remained absolutely neutral.

Mr. COX. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Georgia.

Mr. COX. I wonder if the gentleman is in position to give the House some information as to why the Secretary of Labor has had such poor success thus far in accomplishing anything in the way of bringing the two contending forces together? Is there any prejudice in labor circles or a lack of interest from other sources in the Secretary which means that her battles are lost before being commenced?

Mr. HOFFMAN. I would say so far as Michigan is concerned, and so far as the men in the factories of General Motors are concerned, the opinion would be her battles were won before they were started. That her decisions would be in labor's favor. What she asked Mr. Sloane to do, if I read the news correctly, was to come down here and go into this

conference without his shirt. He was to negotiate while his opponent held possession of the factories. He said he would come down here if these men would get out of the factory, but they said, "No."

The situation in Michigan was one pregnant with trouble. In an effort to aid in settling the differences existing between General Motors and the sit-downers, Governor Murphy called for a conference at Lansing, and at that conference it was agreed that motor officials would meet at Detroit with representatives of the C. I. O. in an attempt to lay a foundation for negotiations to end the difficulty, on condition that the strikers evacuate the plants before the holding of the conference.

In Flint a large number of the employees of the motor industry did not belong to the C. I. O. There were some who were members of the American Federation of Labor and there were others who did not belong to any union organization.

This latter group formed an organization known as the Flint Alliance, composed of employees of the motor industry, business and professional men, merchants, and others in Flint, practically all of whom were dependent upon the motor industry for their livelihood.

They did not desire to be represented in the settlement of the controversy by the C. I. O., and they asked that their interests be considered in any negotiations.

Upon receipt of their request, Knudsen, of General Motors, advised that the company was willing to hear them. This fact becoming known to the officials of the C. I. O., evacuation of the plants was discontinued and negotiations were broken off.

The Governor of Michigan being unable to get the parties together, the controversy came to Washington, and the Secretary of Labor called for a conference. Union officials, officials of General Motors, came to Washington.

Then John L. Lewis, the man behind the C. I. O. and the man behind the sit-down strike, made his famous demand, which was, in substance, that labor having contributed so largely to the campaign fund and to the election of the President, it now called upon him to decide the issue in labor's favor, and he further stated that no settlement would be satisfactory unless the C. I. O. was recognized as the sole bargaining agency.

Getting this report through the newspapers, Sloan, president of General Motors, standing upon the principle that his company would not abandon those of their employees who were not members of the C. I. O., left the city and negotiations were at an end.

The Secretary of Labor then invited all to return for a conference. Union officials accepted. Sloan stood upon the principle that, until the company's property was restored to it, it would not negotiate. But he announced his willingness to meet in conference, if requested by the President.

The President characterized this refusal as unfortunate and intimated, if press dispatches be true, that the request from the Secretary was equivalent to a request from the President himself.

The President may have so understood it. Sloan evidently did not, and he certainly would be a traitor to those of his employees, who far outnumber members of the C. I. O., if he sold them down the river to that organization. It is not only his legal right but his moral duty to protect them if they desire protection.

It is extremely doubtful that Madam Perkins speaks on all labor questions for the President. We doubt if he has approved her course in the past when she disregarded the deportation laws.

Madam Perkins condones the sit-down strike. She contends that, while it may not be legal, it is justifiable. The President has not yet gone that far, and we are certain that he has not forgotten that solemn oath which he took just a few short days ago to defend the rights guaranteed under the Constitution of these United States.

Madam Perkins' invitation to Sloan was to come into this conference without his shirt, to negotiate while the C. I. O. held part of the company's property. He declined to come under those conditions. He insisted upon the protection guaranteed to him by the law of the land and by common justice. He refused to recognize those who were withholding the company's property or to negotiate with them until they recognized the company's right to the possession of the property, the ownership and the possession of which was not disputed.

Columnists and editorial writers, forgetting the original issue, and to some extent the real one now involved, have devoted considerable space to a discussion of the propriety and the advisability of the various steps taken by these officials.

The fourteenth amendment provides that no State shall—

> Deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

To those who dislike the Constitution, who find it hampering and restrictive, cumbersome and out of date, let me for the moment repeat that, regardless of the provisions of Federal and State Constitutions, of Federal and State statutes, Executive orders or opinions of attorney generals, there are certain inalienable rights, based upon justice, which, the application of common sense convinces us, must be preserved if the well-being of the so-called underprivileged or the man who, throughout the history of the world, has been a producer and borne the burden of government, wars, and famines is to be preserved.

Throwing aside all sophistry, technical distinctions, and superficial argument, every man, deep down in his heart, who has a sense of justice and the power of reasoning, knows that the right to work, to earn property, to hold and to enjoy it, is absolutely necessary if there is to be organized society. Any failure to protect this right can only result in riot, bloodshed, and chaos.

It should need no argument to bring us to this conclusion. Even the most muddled thinking of the ardent partisan cannot confuse the issue if we look at the problem honestly, fairly.

Madam Perkins bases her justification for the sit-down strike upon the declaration that, under this complicated economic and industrial system which has developed, a man has the right to work. This, assuming that a man must work to live, is an appeal to the law of necessity.

It, however, ignores the fact that not one man but all are entitled to the right of work and that the sit-down strike, which is called for the purpose of giving one group the right to work under conditions imposed by them, ignores and disregards the right of all others to work under conditions which may be agreeable to the latter group.

In the case of the present strikes, where the vast majority desires to continue in its present employment, it is the application of the doctrine that the privileged few shall dominate the many, a direct repudiation of the President's utterances.

Mr. COX. That brings me back to my original question. What is it that is lacking in the Secretary's technique which makes it impossible for her seemingly to get anywhere?

Mr. HOFFMAN. How do I know what a Democratic Secretary of Labor is thinking? How do I know whether the C. I. O. feels that she owes them a debt or whether those opposed to their demands distrust her? I only remember that she did not enforce the deportation laws.

Mr. HOOK. Will the gentleman yield?

Mr. HOFFMAN. I yield to my colleague from Michigan.

Mr. HOOK. Does not the gentleman feel that the Governor of the State of Michigan has done a most admirable job so far as the State government is concerned with regard to the strike situation?

Mr. HOFFMAN. I hope the gentleman will excuse me from answering that question, because I do not want to criticize any Democratic State official, and I want to remain truthful, if I can.

Mr. HOOK. The gentleman has intimated as much.

Mr. HOFFMAN. Intimated what?

Mr. HOOK. The gentleman has intimated as much when he said the Governor brought in troops for the purpose of stopping the service of court papers.

Mr. HOFFMAN. No; I did not say that. If I said that, I misspoke myself. What I meant to say was that was the result of bringing in the troops, and when the Governor requested the prosecuting attorney and the sheriff of the county to withhold service of the warrant, you can see where we were.

[Here the gavel fell.]

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended 10 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, if we should put this gentleman, the Republican doorkeeper, up here in the Speaker's chair and if we said to this fine majority over here, these intelligent, self-sacrificing men who labor so hard day after day to serve their country, "Boys, you are through until you do what we want done", what would happen to us?

Now, we want the same rule, the same principle, applied over there in Michigan.

Mr. McCORMACK. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The gentleman impresses me as wanting to be very careful in his expressions. I respect the gentleman for that, and I respect him in other ways as well. But I think he unconsciously made a statement which might be construed as a criticism against Governor Murphy. I do not care whether the Governor is a Democrat or Republican. He is the Governor of a great Commonwealth of the Union. Let me ask the gentleman a question in order to clear up the record, so that there will be no mistake or misunderstanding. If my friend the gentleman from Michigan, who is now addressing the House, were Governor of the State of Michigan, having in mind the circumstances that exist there, would the gentleman in all probability take the same action that Governor Murphy took when he sent the troops into Flint?

Mr. HOFFMAN. The gentleman, by his hypothetical statement, confers an undue honor upon me, but I will answer the question by saying this: So help me God, had I been in the executive office in Lansing when these fellows sat down in that factory, knowing as I would that there were 10 to 1 on the outside who wanted to work and could not work because these men were inside keeping the workers out, unlawfully retaining possession, and had the prosecuting attorney of that county issued warrants, valid on their face, I would have given the sheriff of that county, as did Grover Cleveland in his time, the authority to enforce the law. [Applause.]

Mr. McCORMACK. I have no controversy with the gentleman——

Mr. HOFFMAN. I know it.

Mr. McCORMACK. And as to the sit-down strike, I think it is very unwise, and the gentleman from Massachusetts personally does not approve of it, but eliminating, as I have said, the fact of a Democratic Governor or a Republican Governor and having in mind the circumstances that existed at that particular time and assuming everything the gentleman has said is true, and agreeing with all of it, is it my understanding that the gentleman wants the RECORD to show that Governor Murphy sent the troops in there to protect these sit-down strikers in their policy?

Mr. HOFFMAN. No. I have tried to answer that question, and I do not want any misunderstanding about that. I am not talking politics today.

Mr. McCORMACK. If I thought my friend was talking politics, I would not ask the question. [Applause.]

Mr. HOFFMAN. I thank the gentleman.

My point was that I think that was the result. I am not questioning the motives of the Governor of our State. Let us have the record clear on that. He will answer to our people as to the wisdom of his action. I am only trying to say what the result has been and where we stand today; and due to the fact that the Flint Alliance came into this conference in Detroit and the motor officials said they would hear them and would not accept Lewis or his organization as the sole bargaining agency, we got into this mess, and then they came down here and the Secretary of Labor, with the highest motives, we will say, if you wish, tried to solve the problem, and she asked Mr. Sloan down here and she asked the others, and then Mr. Lewis came along, and if he did not make the statement in so many words, the substance of his statement was that the President owed him a political debt. Now, I do not recognize any such thing.

Mr. McCORMACK. So the position of the gentleman from Massachusetts will be clear, my questions were not for the purpose of trying to place my friend from Michigan in any embarrassing position——

Mr. HOFFMAN. I know that.

Mr. McCORMACK. But were for the purpose of trying to clarify the record so that the position of the gentleman would be clearly understood and there would be no possibility of any misunderstanding.

Mr. HOFFMAN. And I thank the gentleman from Massachusetts.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Yes; for a moment.

Mr. WHITE of Idaho. The gentleman speaks of the result of the action of Governor Murphy in handling this situation. Is not the gentleman in favor of settling a strike by peaceful means rather than by violence?

Mr. HOFFMAN. Why, certainly; but I am not in favor of 5 percent of the workers getting on top of the other 95 percent, preventing that 95 percent from working by holding possession of the workshop and the tools and then saying, "Let us not fight."

Mr. WHITE of Idaho. What does the gentleman advocate being done with the 5 percent or 10 percent? What can be done with them?

Mr. HOFFMAN. What can be done with them?

Mr. WHITE of Idaho. Yes; let him answer that question.

Mr. HOFFMAN. In the first place, they have absolutely no legal right in the factory, have they? No one contends that they have. Now, throw away all your Federal and all your State constitutional rights and privileges, throw out of consideration all the statutes, Executive orders, and everything else, and every one of us here today knows that this right to work, which Madame Perkins says is a personal right, or I think the way she put it was that it was a property right and should be guaranteed, and then tell me what right this 10 percent or 5 percent have to deprive the other 90 percent of their right to work in order to support their families and to throw all of them, strikers and all, back on the general public for support out of relief funds.

Mr. WHITE of Idaho. The gentleman will admit that the people engaged in a sit-down strike in these factories were brought in there and employed by the proprietors of these factories, were they not?

Mr. HOFFMAN. Sure. They have since been discharged.

Mr. WHITE of Idaho. But they were there at their invitation and solicitation?

Mr. HOFFMAN. Yes; they were there in the beginning at their invitation.

Mr. WHITE of Idaho. And that was their place of employment?

Mr. HOFFMAN. Yes; and when they got through their day's work it was their business to go home until it was time for the next shift.

Mr. WHITE of Idaho. And they are now engaged in a strike for better wages and living conditions.

Mr. HOFFMAN. There is no question of better wages, living conditions, hours of employment involved in this particular strike. The only issue is on the demand of the C. I. O. to be recognized as the sole bargaining agency for all employees, whether they are members of that organization or not.

Has it not been the doctrine of the President all the way through that the privileged few should not exploit the many; and would you have this 5 or 10 percent keep the others out of employment and put them on the relief rolls? Is that

what the gentleman advocates? That is not the President's attitude.

Mr. WHITE of Idaho. I am simply trying to get the facts.

Mr. HOFFMAN. All right; what does the gentleman want to know?

Mr. WHITE of Idaho. I want to know what the gentleman advocates doing with this 5 or 10 percent of the employees.

Mr. HOFFMAN. Throw them out of the factory and let the other 90 or 95 percent go to work.

Mr. HEALEY. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. HEALEY. At the outset of the gentleman's remarks he stated that both sides were armed and that all of the elements that make for revolution were present in this particular controversy at the present time.

Mr. HOFFMAN. Yes.

Mr. HEALEY. Does not the gentleman think that the action of the Governor of his State was honestly motivated by a sincere desire to avert the very trouble that the gentleman has spoken of in his remarks here today?

Mr. HOFFMAN. Undoubtedly his idea was to prevent bloodshed down there and to prevent violence, but what has been the result?

A condition has been brought about which is much worse than the original situation. The thousands who have been deprived of their jobs, of their wages mounting into the millions, because of the arbitrary, unlawful, and unfair action of this small percentage of strikers, are becoming impatient. There were 8,000 in one group who desired to work, but could not do so because a few held possession of these factories.

Your paper today tells you of 31 in a plant at Akron, Ohio, causing a shut-down of industries which affects the jobs of 10,000 men.

Mr. HEALEY. Aside from that, does not the gentleman think the action of the Governor was commendable in exhausting every possible means to prevent violence or bloodshed?

Mr. HOFFMAN. No more so than if I should strike you and keep on striking you and then have someone hold you and prevent you from retaliating.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Yes.

Mr. CRAWFORD. Part of this situation exists in my home town and there are hundreds or thousands out of employment there. The gentleman from Michigan does not mean to say that General Motors is using its influence to prolong this strike situation so that the people will appreciate the value of operating its plants in these communities. The gentleman does not mean to say that?

Mr. HOFFMAN. No; I do not mean that; they wanted to avoid any hasty action; they wanted to avoid doing anything which would bring on violence. Undoubtedly they thought that after a while the thing would crystallize and people would understand the situation—they would find the number that wanted to work and the number that did not and the matter would be settled peacefully.

Mr. CRAWFORD. The company feeling that way, they did not agitate the enforcement of the service of papers.

Mr. HOFFMAN. No; they did not insist upon the service of the warrants or a compliance with the injunction. They were patient. They evidently hoped the trouble would be settled without either violence or court action.

Mr. CRAWFORD. And the real question is whether the minority shall have, in addition to the right to organize and the exclusive right to collective bargaining, the right to take over the company's property against all constituted authority.

Mr. HOFFMAN. That is a very real question, which requires a solution which will be practicable.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. JOHNSON of Minnesota. Mr. Speaker, I ask unanimous consent that the gentleman may have 2 minutes more in order that I may ask a question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. JOHNSON of Minnesota. The gentleman made the statement about the right of property, is not the sit-down strike a right upheld by the Federal courts of this country?

Mr. HOFFMAN. I do not know of any Federal or State decision to the effect that one man may go on another man's property and deny him the right to enjoy that property. In fact if I remember correctly the fourteenth amendment provides that no State shall deprive any citizen of equal protection under the law. The right to work is not only a property right, it is as well, a personal right. Why should not that 90 percent have their personal right to work?

Mr. JOHNSON of Minnesota. Let me ask the gentleman another question. Will not the gentleman agree that in the last 50 years the prosperity of the country was based on the privilege and right to strike by organized labor, and if they did not have that we would have a peonage system as they have in some other parts of the country?

Mr. HOFFMAN. The gentleman is pointing to the South—I am not throwing any stones.

Mr. JOHNSON of Minnesota. In Minnesota we do not shoot people by the militia.

Mr. HOFFMAN. No; you sandbag them on the highway. [Laughter.] I recall that you had violence and bloodshed in Minnesota; that you had strikes which for months tied up practically all business in some of your principal cities.

More recent news dispatches bring us the information that thousands of workers in Flint, who are out of employment solely because the factories where they work are occupied and shut down because of these strikes, are demanding the right to work.

Representatives of the Flint Alliance, which numbers some 30,000, asked the Governor of Michigan whether he would protect those who desired to work in going to and from their work, and this assurance, if the news dispatches of this morning are correct, the Governor has refused to give.

There is, if the reports, which we have no reason to question, be true, in the State of Michigan armed, open rebellion against the enforcement of the law.

We also learn through the press and over the radio that violence has broken out; that union organizers have been roughly handled. The situation is one where, unless the orderly process of the law be followed, there will be bloodshed and civil war, and about this there is no question.

Where hundreds of men come in from outside the State and prevent the workers of Michigan from going to their usual places of employment and taking up their daily tasks, and where the burden of supporting these unemployed workers is thrown back upon the merchants and others of the local community, where practically all business is brought to a standstill, it is certain that sooner or later, legal relief being denied, the worker will take the law into his own hands.

In Flint there are several hundred strikers within the plants, armed with blackjacks, with heavy pieces of metal, with clubs, and other means of defending themselves. These men are determined at all hazards to hold possession of the plants.

On the outside are several thousand would-be workers, with like means of offensive warfare at their command, equally determined to return to their usual places of employment.

The situation needs but a leader in this latter group to bring on riot, bloodshed, and, locally, civil war. We all remember the bloodshed on the west coast. We remember the strikes of the farmers, the blocking of the highways, the pouring of milk in the roadside ditches.

Within a week we have learned that 250 employees in the city of New York threatened to deprive 2,000,000 people of light and transportation; that in the city of Chicago a small group, for a short period, tied up traffic.

There is but one solution to this present difficulty, and that is:

First. The enforcement of the law through the courts and the executive department of State and Nation.

Second. The incorporation of all labor organizations, making them equally responsible, with employers and employer organizations, under the law, for the carrying out of their contracts, the payment of damages for the violation of such contracts.

Third. The enactment, under the police power of State and Federal Government, of laws which will protect health, which will guarantee continuity of employment, and a living wage.

Fourth. And over and above all, the thought that, after all, we must live together in this land of ours; that, while business should and must cooperate, as the President has requested, in giving employment, it can only create jobs, and continue to give employment, if it is permitted to operate upon an economic basis.

While labor must have a living wage, those with the wealth and the ability to organize and operate industrial plants must also have the opportunity to make a profit. Otherwise, we must have Government ownership and regulation of all business.

With government in control in the end, labor might find, to its sorrow, as it did in those days of old, that it can be commanded to make bricks without straw.

The granting of the recent request of the Secretary of Labor for power to subpena witnesses is wholly unnecessary. There is no reason why she should be sent upon a fishing expedition. She has agents already in the strike area. So has another department of the Government.

Let her submit so much of the information requested in the resolution which I have introduced as may now be in her possession and, if she lacks information, this House can order an investigation, either by a regular or a special committee.

It can call witnesses from both sides; it can inquire, not only as to the activities and contributions made by industry to combat the demands of organized labor, but it can, as well, ascertain the source from which come the funds to pay organizers. It can inquire into the activities of those organizers. Then submit all the facts, with recommendations, to Congress and thus furnish us with a basis for the suggested legislation.

The SPEAKER pro tempore. Under the unanimous consent previously granted, the Chair recognizes the gentleman from Massachusetts [Mr. GIFFORD] for 20 minutes.

Mr. GIFFORD. Mr. Speaker, I know how inadequate may be my assistance to the gentleman from Michigan [Mr. HOFFMAN], but some 3 weeks ago I suggested on the floor that there were certain economic forces at work that would surely become very potent during the next few years. One of them seems to have been suddenly released upon us, and I make the appeal that we ought to do by democratic methods what others are doing by coercion and by force. I cannot expect the gentleman from Michigan [Mr. HOFFMAN] to get any help from the Democratic side of the aisle. The President is the whole Democratic Party, and it is unfortunate that I must refer to him when I should prefer to talk about the responsibility of the majority party. Particularly is this true in these days of trial through which he is passing, and especially during these last few days when his attention must be fixed on flood conditions. But he has an adversary today. A famous newspaper editor said that you could save 1,000 words by showing a picture. Just look at this picture of this man. Does he look as if he would listen to any lullabies?

The day after the inauguration of the President, Mr. John L. Lewis issued a statement, and I think a few of these words should go into the RECORD as part of the sequences when this matter is seriously taken up later on. The following is from a press report:

> We have advised the administration through the Secretary of Labor and the Governor of Michigan that for 6 months economical royalists, represented by General Motors, du Ponts, Sloan, and others, contributed their money and used their energy to drive the President of the United States out of Washington and this administration out of power. The administration asked labor to help it repel this attack, and labor did help the President to repel the economic royalists. These same economic royalists now have their fangs in labor, and labor expects the administration to support the automobile workers in every legal way in their fight. Labor is on the march in this country toward those better things and better times so eloquently described from time to time by the President of the United States.

The President of the United States, upon being questioned by the press, made this cryptic statement, which could be quoted, and hinted certainly that it could be properly analyzed:

> I think in the interest of peace there come moments when statements, conversations, and headlines are not in order.

I doubt if he would approve my making any conversation on this subject this afternoon. I come from an industrial section, and we wish to know whether a sit-down strike is legal or not. When Mr. Sloan refused to come here he issued a statement as follows:

> *To All Employees of General Motors Corporation:*
>
> On January 5 I told you the circumstances that had resulted in our having to close certain of our plants and curtail the operations of others. Many things have since been said. In the conflict of statements and happenings there is much confusion. And now I want to make clear just what has happened and what the situation is today.
>
> Three weeks have passed. During that time we have earnestly striven to do everything possible to develop negotiations with the group that has attacked us in the hopes of reaching a satisfactory solution that will protect the interests of all involved and enable you to go back to work. That is what you want. And it is our most earnest desire.
>
> During these 3 weeks you have in many different ways demonstrated your loyalty and satisfaction. I appreciate your confidence. It means more to me than anything else, for I am deeply concerned with the situation in which we find ourselves. Over 100,000 have signified their desire to return to work.
>
> I told you before, and you yourself have always known, that you are deprived of the right to work by a small minority who have seized certain plants and are holding them as ransom to enforce their demands.
>
> The leader of this group has, as you know, publicly stated that hours, wages, and conditions of employment are not involved. Now, what is involved? It is this: That we should turn you over, body and soul, for exploitation. This is demonstrated by the demand that they be given the exclusive privilege of acting as representatives of all our workers, regardless of your desires. This has always been perfectly clear.
>
> I say to you once more, have no fear. Do not be misled. General Motors will never let you down.
>
> Now, here is where we stand:
>
> 1. We propose to demonstrate that these trespassers, who have seized our plants and who have taken from you the privilege of working, have not the right to do so.
>
> 2. We shall demand that your rights and our rights be protected.
>
> 3. We will negotiate with this group and will earnestly strive for an honorable settlement as soon as the illegal seizure of our plant is terminated.
>
> 4. We believe in giving every group an opportunity to be heard. There is nothing to justify our doing otherwise.
>
> 5. You will not have to pay tribute for the privilege of working in a General Motors plant.
>
> Efforts have been made to make you believe that General Motors is responsible for the break down of negotiations; that we refuse to meet with representatives of our own employees; that we are shirking our moral responsibility; that we have no respect for the public interest.
>
> You know this is not true. So why all these charges? Simply because we refuse to negotiate with a group that holds our plants for ransom without regard to law or justice, thus depriving over 100,000 of our peaceful and law-abiding employees of their inherent right to work. That is the reason and the only reason.
>
> ALFRED P. SLOAN, Jr.

Secretary Perkins invited him to come, and the President is quoted as saying, in effect, "She is my representative, and an invitation from her is equivalent to an invitation to come to the White House." If she is his representative, did she represent him when she said recently that a sit-down strike has not yet been determined illegal? Has it a legalistic status? Every schoolboy in the Nation knows that it is not legal. There may have been originated, as some of you will argue, an idea that labor has acquired a moral right by contributing its part in an industrial undertaking, and that therefore this ought to be interpreted to mean that they have gained a foothold on the actual property. But that question must be decided by the courts. I listened, as did you, very carefully to the President when he took his oath. Did you not hear the inflection of his voice toward the latter part of that oath, when he promised to "defend" the Consti-

tution? He put particular emphasis upon that word. It seemed as though he meant to defend it, even if unsatisfactorily interpreted. When the injunction shall have been issued it will have become the duty of the Governor to eject these people, and finally, if the matter goes to the Supreme Court, the President of the United States must defend its decision.

What right has John L. Lewis to make demands of the President? As one editor put it recently, "Has he a mortgage on the soul of the President?" I think not. I shall read now from one of these editorials. These are not my words. I do not put myself forward as having authority or the ability to judge the situation. But in the course of a rather wide reading lately I have gathered many excerpts from the writings of those who have been giving thought to the subject. These opinions ought to be brought to our attention. If we are to meet the situation, we should inform ourselves. I know of no other way.

Mr. McFARLANE. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. I do not yield. I present the following excerpt from a widely read magazine:

Observers saw in Lewis' words that the C. I. O. was out to collect payment for the campaign contributions. Originally stated to have been $458,418.91, insiders now believe that $1,100,000 is nearer the sum dumped into Democratic coffers by labor.

Another $500,000 is said to have been collected by Lewis to organize steel, a similar sum to fight the automotive industry battle. This money, according to usually well-informed sources, was raised through involuntary assessments on members of the United Mine Workers, which Lewis personally controls. Although Washington commentators declined to be definite, they hinted much of these contributions came from workers on relief.

The figures must have been carefully compiled. Their apparent exactness so indicates.

Although the Washington commentators declined to be definite, they hinted much of these contributions came from workers on relief.

Why do we have to hint? Can anyone doubt it?

I spoke of these economic forces. They worry me. They should worry you. Some newspapers seem to express surprise that the collection of the debt is now demanded. Before election these same newspaper editors, from all over this country, were emphatically stating to you that these demands would be made as soon as the election was over. It can be no surprise to you. Labor largely supported Mr. Roosevelt in the recent election. He went to Detroit and there condemned "entrenched greed and economic royalists." Labor has a right to feel that he should be with them in this fight. In all probability they cheerfully taxed themselves for that enormous contribution to his party.

Mr. HOUSTON. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. Not now. I have not been very fortunate in getting people on the gentleman's side of the House to yield to me lately. The gentleman will notice they do not like to yield to me.

Mr. HOUSTON. I do not like to smile.

Mr. GIFFORD. I am glad the gentleman recognizes a smile. The gentleman will understand that a request to yield is often made in an effort to divert the speaker as he is about to clinch an argument.

To return to the question, we are not surprised, are we, that the demand has been made?

Speaking about economic forces, labor was with the President, as you must agree. In my own district, where the claim was current that the processing tax closed many of our textile mills, it was believed a year ago that labor felt rather bitterly toward your President. Yet in November 1936 they voted for him rather enthusiastically.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. Not now. I wish to say to you that it appears, too, that your President had the support largely of the Communists. Of course, he did not want it. I am sure he did not want it. I do not criticize him for that, but I bring to your mind the economic conditions. The Communists knew, the Socialists knew, all knew that fertile ground was being prepared that could easily be inoculated later. Some of you may not believe I am a farmer, but I am.

Once I carefully prepared a piece of ground. I plowed under the oats. I plowed under the rye, and I took out all the weeds, and I got the soil in proper condition so that all I had to do was send for one peck of soil that had been taken from a field growing alfalfa, and that whole field was inoculated very easily.

Mr. HOUSTON. How big was the field?

Mr. GIFFORD. Oh, in my section you would not regard any field as large. But even 2 acres is large there. [Laughter.] But having in mind the plight of the farmers throughout much of the Nation, I feel that we really make more out of 2 acres than some of you make out of 50 acres. [Laughter.]

The General Motors people say they are ready to talk when the sit-down strikers are ejected; when their buildings that are now held for ransom are depopulated. But this gives Miss Perkins another chance to assert that they have lost the support of the public, as well as of labor, by their refusal. She wishes them to come to Washington and arrive at a happy solution before the sit-down phase of the question is settled. The administration apparently does not want to face the problem of the sit-down strike. I feel that the Governor has been most reasonable. He desired to prevent bloodshed. The company seems also to have been reasonable. They have made no demands for an injunction for several weeks.

We, from other industrial sections, want this thing settled. If a sit-down strike is legal, my workers undoubtedly want to know it, as well as the owners of the property. But a settlement must be hastened, lest the issue itself gets to the courts. Miss Perkins has sent up here a request of your leaders—to me it is a funny picture, since your leaders largely come from the Southern States of this Nation where labor leaders themselves generally receive rather shabby treatment. I can imagine that tar and feathers would be preferred.

I have visited that section. There are laborers of foreign extraction there. They are not wanted. Few, if any, leaders go down there to unionize labor. Your own leaders will doubtless come to the President's rescue in this particular case, but not because of any heartfelt sympathy for union labor dictation. It is to save your President, because your entire party structure must stand or fall with him. Someone has said that the masses of the people have been taught to bow down and worship when he says "my friends." When you mention the name "Hoover", they run to him and say, "Papa, save me." [Laughter.]

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. Yes; I yield.

Mr. SNELL. Has the gentleman any information as to what has become of the letter reported to have been sent by the Secretary of Labor, Miss Perkins, to the Democratic leaders in the House asking for additional power in connection with all these matters?

Mr. GIFFORD. I do not know; but I have several excerpts here quoting those leaders, saying it should have careful consideration and they will try to give it prompt consideration. I think they well know that any action of theirs trying to help this condition will be greatly criticized. There are relics of those who believe in the Constitution still in this House, and even on the Democratic side, as was demonstrated this afternoon.

There are, however, but few relics of the real Democratic Party left. Your principles are gone. Our party is small in numbers, but we still hold to some of our principles at least. Yours are all wrapped up in the New Deal. Whatever your President requests are your principles; his nod is your command. I have been here 15 years. I do not recognize even vestiges of the Democratic Party over there. [Laughter.]

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. CRAWFORD. The gentleman is addressing himself to the industrial phase involved in this problem. My district is quite evenly divided between industry and agriculture. In the agricultural part we have great plants which process agricultural products, fruits, vegetables, sugar beets. Farm crops of this kind can never withstand a sit-down strike.

Keep that in mind. An industrial plant can close and pig iron will not deteriorate, but beans and peas and sugar beets and fruits will not await the settlement of a sit-down strike. If the gentleman will permit me to trespass further on his time, I say you had better give this thing serious consideration. It is something new in industry and agriculture.

Mr. GIFFORD. The gentleman, of course, is simply enlarging the point. It can be demonstrated "reductio ad absurdum." You have only to call to mind a very few instances to make it so ridiculous, as I say, that any schoolboy can see it has no legalistic standing. That "legalistic" reference was probably a trial balloon sent up by the Secretary. Did the President ask her to send it up? Is she speaking for him and using that as a method to try our public opinion?

In my extension of remarks I shall include two or three more very short comments. I want to put in brief statements by others than myself. I call your attention to another commentator, who is very loyal to the President, Heywood Broun. He was a strong asset, was he not, to the President of the United States? Did you read what he wrote recently? I will regale you with some excerpts from one of his columns:

> I am obsessed by the same delusion as John L. Lewis. Something has snapped, because I cannot throw off the impression that there was recently an election and that one of the major issues concerned the right of workers to bargain collectively. Part of my delusion is a memory that Franklin Delano Roosevelt spoke vigorously in favor of protecting employees in their effort to organize.
>
> There is no evidence in the President's words that any such issue was recently decided by the people.
>
> That, then, is the great delusion of John L. Lewis. On the surface, at any rate, he seems convicted of being naive enough to believe that Franklin Roosevelt meant what he said.
>
> Something was said, wasn't it, about taking pride in the enmity of certain selfish groups?
>
> Of course, I must be wrong. Of course, no such notion animates Mr. Roosevelt at present. The problems of the land are to be settled by Mr. Sloan and other men of good will. Mr. Roosevelt purposes to remain completely neutral, although as yet he has neglected to make the traditional gesture of sending for a basin of water with which to wash his hands.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. With great pleasure.

Mr. WHITE of Idaho. Does the gentleman favor the creation of a commission clothed with power to settle strikes and to look into industrial disputes?

Mr. GIFFORD. Have we not already created the National Labor Relations Board? Yet neither side dares bring it into use. They do not want the information, as the gentleman preceding me has stated.

Mr. WHITE of Idaho. Is the gentleman willing to go far enough to give this commission power to subpena witnesses and bring in these industrial and labor leaders for purposes of conference and the furnishing of information as to the real facts?

Mr. GIFFORD. I say in the words of your own leaders, that such an important request, which is capable of so much abuse, should be granted very sparingly, if at all.

Mr. WHITE of Idaho. Is it the contention of the gentleman that the courts abuse such power?

Mr. GIFFORD. Oh, I still believe in our Government and in our courts. I am not like a good many of the Members who, when the court does not agree with them, say that the court is wrong.

Mr. WHITE of Idaho. Does not the gentleman believe that the people of the country have an interest in these labor disputes?

Mr. GIFFORD. Oh, the people of the country have the largest stake in these labor disputes.

Mr. WHITE of Idaho. Then, carrying out that idea, does not the gentleman think that the constituted authorities should have the right to bring in these labor and industrial leaders by subpena, to bring in their books and records, and to let the public know what is involved in these disputes?

Mr. GIFFORD. Of course my answer is "yes." But after an election such as the last, when the Democratic Party accepted about $500,000 from an organization led by a man of such determination and who is now demanding payment, it is at the moment a serious question whether or not such power would be abused. I suggest the reading of the following excerpt:

> The answer is simply that the Government nowadays doesn't dare enforce the law or throw its influence openly on the side of the law, and the case is a graphic example of the change in the Government and in the apparent temper of the people.
>
> Lewis may yet lose the sit-down fight by a mere false move, but he don't lose it all even if he is licked, because the proposition is now calmly accepted that it is all right for a labor leader and a small group of workmen to defy the law if the opponent in the scrap is a soulless corporation.
>
> That much has been won already, and tacitly conceded by all governments. Thus it was before Mussolini and thus again before Hitler.

Mr. WHITE of Idaho. The gentleman is making a serious charge. Upon what does the gentleman base his statement that the Democratic Party accepted half a million dollars in this way?

Mr. GIFFORD. I read the statement showing they had contributed nearly $500,000. I read the exact amount, taken from a magazine, the good standing of which is well recognized. I am glad that the gentleman thinks it a serious charge, implying, as he does, that the contributions should not have been received.

Mr. WHITE of Idaho. The gentleman was simply quoting newspaper matter.

Mr. GIFFORD. Everybody has a right to his opinion as to its authority, and I challenge anyone to prove it false.

Mr. WHITE of Idaho. Aside from newspaper comment upon what does the gentleman base his statement?

Mr. GIFFORD. We get most of our information from the newspapers and the opinions of their special commentators. I do not know where the gentleman gets his, but I know where I have to get mine.

Mr. HOUSTON. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. HOUSTON. I understand the gentleman complains that the labor unions contributed $500,000 to the Democratic campaign.

Mr. GIFFORD. I merely read the statement to the House without expressing any personal opinion.

Mr. HOUSTON. That was taken from the newspapers?

Mr. GIFFORD. Yes.

Mr. HOUSTON. How much did General Motors contribute to the Republican campaign fund?

Mr. GIFFORD. They had to contribute a lot. You had $5,000,000,000 of public money to start with.

Mr. JOHNSON of Minnesota. Will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Minnesota.

Mr. JOHNSON of Minnesota. The gentleman from Massachusetts made the statement that the Committee on Industrial Organization had contributed a half million dollars to President Roosevelt's campaign fund and that some of that money probably came from the workers on relief. What distinction does the gentleman draw between President Roosevelt getting money from workers on relief and Landon getting money from capitalists on relief?

[Here the gavel fell.]

Mr. GIFFORD. Perhaps I did not need to answer the question.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentleman may have 1 additional minute.

The SPEAKER. Is there objection?

There was no objection.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. GIFFORD. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Does the gentleman believe that the majority in this House would be willing to change the rules of the House in order that a sit-down strike of the minority on this side might be recognized? [Applause.]

Mr. GIFFORD. May I answer the question by saying that the great majority over there, under the control of the leaders they have, will try their best to circumvent any action

on this side. I can assure the gentlewoman from Massachusetts of that.

[Here the gavel fell.]

WILDLIFE CONSERVATION

Mr. CLARK of North Carolina. Mr. Speaker, I call up House Resolution No. 11.

The Clerk read the resolution, as follows:

House Resolution 11

Resolved, That the special committee to investigate all matters pertaining to the replacement and conservation of wildlife is authorized to continue the investigation begun under authority of House Resolution 237 of the Seventy-third Congress, and continued under authority of House Resolution 44 of the Seventy-fourth Congress, and for such purposes said committee shall have the same power and authority as that conferred upon it by said House Resolution 237 of the Seventy-third Congress, and shall report to the House as soon as practicable, but not later than January 3, 1939, the results of its investigations, together with its recommendations for necessary legislation. Any unexpended balance of the total amount authorized for the use of said special committee under House Resolution 263 of the Seventy-third Congress is hereby continued available until said date.

Mr. CLARK of North Carolina. I yield 30 minutes to the gentleman from Massachusetts [Mr. MARTIN].

Mr. Speaker, I yield 10 minutes to the gentleman from Virginia [Mr. ROBERTSON].

Mr. ROBERTSON. Mr. Speaker, at a later and more opportune time, when the House has not enjoyed such an extensive flow of wit and feast of reason as we have had today, I will welcome an opportunity to discuss at greater length than I feel justified in doing this afternoon the importance of the conservation of certain of our national resources. In my public life nothing has given me more pleasure nor greater satisfaction than the time I have spent in studying the national resources of a nation that has been richly endowed with such resources, and in working on ways and means of conserving those resources, providing for a fuller and better use thereof, and in working out plans to pass on to future generations some of the advantages we have enjoyed.

I wish to touch today on the economic phases only of the problem.

It is not generally known that our commercial fisheries, for instance, is a billion-dollar industry, and that the finished products, fisheries and fish products, retails annually for about $250,000,000. Yet this great industry is seriously threatened. The lobsters and the crabs of the North Atlantic coast, the salmon, the fish of the Great Lakes, the sardine industry of the Pacific coast, are all threatened.

Mr. McCORMACK. Will the gentleman yield?

Mr. ROBERTSON. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I may say only this morning I received a communication from Boston. The biggest fish pier in the country, if not in the world, is located in my district. They have up there twenty-three and a half million pounds of frozen fish, which has glutted the market. Yesterday I introduced a bill to enable the Federal Surplus Commodities Corporation to do the same thing for the fish industry that we properly permit them to do for agriculture. What the gentleman says about the fish industry is absolutely correct, and I call his attention to this specific evidence which I obtained only today.

Mr. ROBERTSON. The gentleman is undoubtedly correct. There has been no scientific management of this great resource, and I say it is threatened.

Our fur industry is in the same situation. Fifteen years ago the State of Maine alone furnished more mink skins than are now furnished by all 48 States combined. Our farm boys once derived a revenue of $65,000,000 from raw furs. That source of revenue has dropped to $20,000,000.

Last June there was introduced a bill providing for the study of stream pollution. Our committee found that about 85 percent of the streams in the thickly populated sections of this Nation are polluted in one way or another. This is a serious problem that has been overlooked, costing us millions of dollars every year in connection with the purification of water for drinking purposes alone.

Last year there was great complaint from many sections of the country with reference to the duck regulations. There is another great industry which gives employment to some 500,000 people. This employment is in addition to the pleasure that we get from the hunting of ducks and geese and the opportunity to go out to some concentration area and see great flocks of game in flight. That is an inspiration to every man. The supply of ducks is being threatened.

Mr. DISNEY. Will the gentleman yield?

Mr. ROBERTSON. I yield to the gentleman from Oklahoma.

Mr. DISNEY. During this last fall we, in Oklahoma, received complaints from many of our sportsmen as to the zones fixed by the Biological Survey. In other words, there were no ducks to shoot in Oklahoma, because they had already gone before the open season fixed by the Biological Survey. Our sportsmen are not trying to destroy all the ducks, but they would like to get a shot at them once in a while. In Kansas, during the season fixed, they have had some shooting, but by the time the season, as fixed by the Survey, gets to us in Oklahoma all the ducks are down on the Gulf coast. I wonder if this resolution or something related to it will give us some place to complain. The Department wrote us very affable and polite letters, in which was the veiled suggestion that all we wanted to do was to destroy all the wild game. However, our sportsmen are just as patriotic as anyone else, and they think they should have a fair run for their alley. The climatic and geographic situations in Oklahoma and Kansas are comparable, but an arbitrary placing of Kansas—just adjoining us—in one zone and Oklahoma in another seems wholly unfair and impractical.

Mr. ROBERTSON. I recognize that what the gentleman says is correct. Some have complained about the zones. Others have complained against the regulations that prohibited any feeding at all.

In certain marshes where they have always fed you cannot hold the ducks without feeding and the owners of these marshes got no shooting last fall. One of the purposes of continuing this committee is to give a forum this year where those interested in the situation of our migratory birds may be heard with respect to seasons and bag limits and regulations which, under a general act of Congress, the Department of Agriculture has the power to promulgate with the force and effect of law.

Mr. BLAND. Mr. Speaker, will the gentleman yield?

Mr. ROBERTSON. I yield to my colleague from Virginia.

Mr. BLAND. As a member of the committee, I want to congratulate the speaker for the excellent work he has done. I also wish to call attention to the fact that the chairman of the Committee on Agriculture and the chairman of the Committee on Merchant Marine and Fisheries are members of the Wildlife Committee, thus coordinating the activities of investigation with legislative responsibility with respect to the subject.

Mr. ROBERTSON. I thank my colleague, and I may say in this connection that it has been a pleasure for the members of the select committee to work with these other committees and, when called on by them, to make special investigations of subjects that would be of particular interest to us and which we would have more opportunity to study than the major committee.

Mr. PARSONS. Mr. Speaker, will the gentleman yield?

Mr. ROBERTSON. I yield to my friend from Illinois.

Mr. PARSONS. Getting back to the remarks made a few moments ago by the gentleman from Oklahoma [Mr. DISNEY] about their days for hunting in Oklahoma, the gentleman states that this year the ducks were down on the Gulf before their hunting season opened. Just the reverse was true in Illinois. Having a mild winter, they got down in central Illinois, but never did get down into the southern section of the State until after our season had closed. So I have had a lot of complaints from landowners about their wheat being entirely destroyed by flocks of 50,000 or 100,000, with hundreds of acres being destroyed. It is one of the duties of this committee to conduct hearings and cooperate

with the Biological Survey in an effort to determine the proper dates for the hunting season in the various States; and if this committee is continued, I understand it will perhaps be able to do something about this in conjunction with the Biological Survey.

Mr. ROBERTSON. It will be our purpose to hold some public hearings on that subject.

Mr. KRAMER. Mr. Speaker, will the gentleman yield?

Mr. ROBERTSON. I yield to my friend from California.

Mr. KRAMER. From my observation, the chairman of this select committee has done some very good work up to the present time. I understand the amount of the original appropriation was about $7,500. I do not know how much of this amount is still in the hands of the committee, but I assume the gentleman is going to ask for additional funds. Has the gentleman any idea how much additional money will be requested?

Mr. ROBERTSON. Certainly, no more than we originally asked for and on which we have operated for 3 years. We leave those matters largely to the Committee on Accounts. As the House knows, the chairman of the Committee on Accounts is a real economizer, just like the chairman of this select committee. He believes in economy and believes in doing as good a job as possible for as little money as possible, and I do not believe there has been a select committee of the House that has operated as economically as this committee. We have worked for 3 years with an original appropriation of only $7,500.

[Here the gavel fell.]

Mr. CLARK of North Carolina. Mr. Speaker, I yield 2 additional minutes to the gentleman from Virginia.

Mr. ROBERTSON. Mr. Speaker, in these 2 minutes I wish to mention the fact that our studies of the 16 agencies that in one way or another touch the problem of Federal conservation have laid the foundation for a part of the recommendation that has come to the Congress for consolidation of the conservation work of this Government. We have studied this problem. We have developed what these various agencies have done, and we have laid the foundation for what we believe will be a consolidation that will save the taxpayers money and give better results with respect to conservation. This is one thing we have done.

We have also given direction to some 30,000 or 40,000 employees of the Resettlement Administration engaged in expending a fund of about $90,000,000 for the purchase of some 9,000,000 acres of land to be used primarily for recreational and wildlife purposes.

We have seen to it that trained men were put in strategic places who knew something about the purposes for which this land was to be acquired and used.

Mr. SNELL. Mr. Speaker, will the gentleman yield for a question?

Mr. ROBERTSON. I yield to the gentleman from New York.

Mr. SNELL. Who makes the decision as to where these game refuges shall be or who selects such places?

Mr. ROBERTSON. They have three funds. One is an appropriation under the migratory bird treaty with Canada, one is from the duck stamp that our committee helped to get through, and out of which we have been realizing from $600,000 to $700,000 a year, and the third fund is from what they call the emergency fund. I do not know whether this is a P. W. A. or W. P. A. fund, but, whatever fund it is, it is a relief fund, and out of that fund the Biological Survey got $8,000,000. The Biological Survey locates the refuges.

[Here the gavel fell.]

Mr. CLARK of North Carolina. Mr. Speaker, I yield 3 minutes more to the gentleman from Virginia [Mr. ROBERTSON].

Mr. ROBERTSON. I appreciate the kindness of the gentleman from North Carolina, but there are others interested in this matter, and I want them to be heard. I want to thank the Republican members of the committee for their wholehearted support and for the fine work they have done. One thing that has always interested me in conservation is that it is a nonpolitical activity in which all can unite. [Applause.]

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. CARTER].

Mr. CARTER. Mr. Speaker, I might say for the benefit of the new Members of the House that this is a special standing committee that has been in existence 3 or 4 years to investigate the wildlife of this country with the object of coordinating a logical program for its development.

As already stated by the gentleman from Virginia [Mr. ROBERTSON], we found that there were numerous departments of the Government carrying on work affecting the wildlife of this country. They were carrying on a program that was not coordinated. Some were carrying on work that destroyed the wildlife of the country while the Biological Survey was attempting to put on a program that would preserve the wildlife.

I think for the first time in the history of this House there was created a committee before whom representatives of the various departments could be invited, and the committee could ascertain from them just what they were doing. We endeavored to impress upon them the necessity of working out a coordinated program.

It is a well known fact to all of us who live in the West that some of the work carried on by some of the agencies of the Government has been absolutely destructive to wildlife. It is the hope of this committee that in the future due consideration will be given to the subject and that the conservation of the wildlife of this country will be kept constantly in mind by all agencies.

Reference has been made to the work that has been accomplished. I want to pay tribute to the chairman of the committee, the distinguished gentleman from Virginia [Mr. ROBERTSON] and say that every cent has been well spent, and that not one dollar of the money made available to this committee has been used in needless expenditure. There have been no trips by the membership of this committee. We have brought in here to Washington the various witnesses at the hearings, and they have all been held in the House Office Building. The chairman has conducted these hearings in an impartial and fearless manner, intent on bringing out all facts, so that a picture of the entire problem might be obtained.

It is needless for me to remind the membership of this House that a serious problem does confront this country in reference to the preservation of wildlife. On the Pacific coast—and this matter was referred to a few moments ago—we have what we call the sardine problem. For a number of years plants along the shores of California, Oregon, and Washington have fished for and canned sardines. As long as they fish and can those sardines within the 3-mile limit, they are under the jurisdiction of the respective States. In California they are under the jurisdiction of the California State Game Commission. This commission can make rules and regulations governing the activities and the catch of those various plants, but in recent years a very serious problem has developed by reason of the fact that floating reduction plants have been operating outside of the 3-mile limit, under the jurisdiction of nobody.

They go out there into one of those schools of sardines and actually scoop up tons and tons of sardines. They do not use them for food. They use them principally for fertilizer. They are running unrestrained. I do not know whether the point of depletion is being reached, but I do believe that some agency should be authorized to make studies in reference to that so that we may have the facts and then provide whatever legislation is necessary.

The gentleman from Oklahoma complains about the duck situation in his State. We hope as a result of the work of this committee that a more thorough understanding of not only the duck problem but of all problems in relation to wildlife will be brought to the attention of this House and that these problems will, therefore, be more logically solved. I favor the resolution, and I commend it to the membership of the House. [Applause.]

EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks on two subjects, and to insert in my remarks two bills which I have introduced.

The SPEAKER pro tempore. Is there objection?

There was no objection.

WILDLIFE CONSERVATION

Mr. CLARK of North Carolina. Mr. Speaker, I yield 10 minutes to the gentleman from Texas [Mr. KLEBERG].

Mr. KLEBERG. Mr. Speaker and fellow Members of the House, when this country of ours was first visited and thereafter settled by white men, our antecedents and ancestors, its wildlife resources beggared description by their very abundance. Nature's storehouse was bountifully supplied and nature's school lavishly equipped. For the first hundred years after we embarked as a society, or nation, under constitutional government of law, no legislative or administrative attention was paid to the wildlife resources of our country.

About a half century ago Congress authorized the establishment of a small agency within the Department of Agriculture to take up the study of American birds. Much of the work which is of vital importance to the Nation's wildlife resources has occurred since that time. Since then public interest has increased as these wildlife resources have become decimated and have decreased. Through the awakening of this public interest, knowledge through study of the problem involved has been of great additional value, and it has become more and more apparent that wildlife is a powerful factor affecting the economical, inspirational, and educational condition of all of the people. Federal activities directed toward its preservation, first very slowly and then with increasing speed, have been gradually extended to the point where the conservation of this natural resource has become one of the concerns of our Federal Government.

So I say, Mr. Speaker, that until a comparatively recent date our country's billion-dollar resource was a neglected asset. There was no national program for its development, and at the beginning funds providing for the essential restoration work were small and highly uncertain. Essentially, most conservation legislation had to find its way to enactment and too often without the close and special consideration which these problems require. It finally became apparent that the Federal Government must take steps to adopt definite and constructive policies with respect to this important resource, so on April 7, 1930, the Special Committee on Wildlife Resources was appointed in the Senate. My colleagues will recall that this was followed in due course by the appointment of a similar committee in the House. At this juncture permit me to say that these committees have been, in the main, responsible for the great progress in the regeneration of wildlife in this country and the rehabilitation of the natural wildlife resources during the past 4 or 5 years.

Digressing for a moment, I pause to pay tribute to a scanty few of the great men of your and my country by using their example in a way which I hope may directly be of benefit. George Washington, Thomas Jefferson, Abraham Lincoln, and Sam Houston—whom we claim in Texas and WILLIS ROBERTSON claims in Virginia—were all granted the unusual privilege of attending the greatest of schools—the school of nature—throughout their lives. Our history is replete with evidence of the value of this rock-solid foundation for the useful expressions of their latterly acquired educational attainments in the service of our country. So I think it is to be conceded that whatever we may do to restore this great school to a condition where our future citizens may attend—the least, reasonably well equipped—is certainly no minor part of our fulfillment in the performance of our duty to posterity. The Migratory Bird Conservation Act, a measure to provide marsh and water areas to be set aside as sanctuaries for migratory birds, was enacted in 1929.

This important piece of conservation legislation, due principally to the fact that neither House had a committee to take action on this measure, had been ignored for many years. The Federal Migratory Bird Hunting Stamp Act presented by me in this Chamber became law in 1934, and I desire here to express appreciation for the cooperation and active interest displayed by the House Committee on Wildlife. Although this measure had the unanimous support of all the great conservation organizations, and its importance as a part of any national plan for the preservation of wildlife was recognized by these organizations, as well as major agriculture organizations, it had been shuffled from one House to the other for nearly 10 years without receiving the approval which made it effective.

For your added information, the sales of migratory bird hunting stamps yielded in the fiscal year ended June 30, 1935, $635,344; the following year, ended June 30, 1936, $446,919. For the fiscal year ending June 30, 1937, a total of 487,987 stamps were sold by the Post Office Department from July 1 to December 31, 1936; however, reports are not in from all postmasters, so I think it will be fair to estimate that a total of $500,000 will be realized for this last year. From these figures, hunters of migratory birds have contributed $1,582,263 as their part in the national program.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. KLEBERG. Yes.

Mr. SNELL. Just what is that money used for? Is it used to buy game refuges?

Mr. KLEBERG. It is used for buying game refuges and for the purpose of property maintenance and caring for them, and also to meet the expense of looking into and appraising areas for the purpose of game refuges. It is used also in the development of these refuges; that is, in the construction of dams and dikes, ditches for feeding purposes, and any number of waterfowl protective measures.

Mr. SNELL. Does the Biological Survey have charge of all this fund and its expenditure?

Mr. KLEBERG. Not in its entirety, as I understand. I am not entirely informed, but I think I am correct in saying that the Bureau expends all of this fund with the exception of that portion allotted to the Post Office Department for the printing and sale of the "duck stamps", and so forth, which, I believe, amounts to approximately $25,000 annually.

Another bill of importance that was passed at that time, and a bill which today is of more importance than it was then, was the coordination bill introduced in the Senate by Senator ROBINSON, which called upon the various Federal agencies to coordinate their activities in any degree affecting natural wildlife resources. The Bureau of Fisheries was to be consulted with reference to drainage projects which might tend to pollute streams or to render streams less effective for the wildlife resources incident thereto.

Another matter has come up which should be considered by the Federal group which have to do with the coordination bill. The great oil industry of this Nation has undertaken to lease waters in navigable streams along the coastal lines in a manner without regard to Federal agencies and without regard to the possible pollution and destruction of wildlife incident to those operations. So I repeat that your committee should carefully look into the fact that the Congress of the United States adopted by unanimous vote the bill whereby the question of pollution and the destruction caused by ill-advised drainage and poorly worked out flood-control propositions should be studied so that that law will be made effective both as to the purposes for which it was intended and see that they do not destroy the natural resources at the same time.

Mr. JOHNSON of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. KLEBERG. I yield.

Mr. JOHNSON of Oklahoma. The gentleman, I believe, mentioned something about the Bureau of Fisheries. Is it not true there is a serious shortage of fish all over the country?

Mr. KLEBERG. I am not prepared at this time to go into statistics with reference to that shortage, but I am informed that in some lines of commercial fish there are serious shortages.

Mr. JOHNSON of Oklahoma. I am informed by the people of Oklahoma that there is not anything like enough fish available to stock the ponds and streams.

Mr. KLEBERG. The gentleman has reference to inland fish?

Mr. JOHNSON of Oklahoma. Yes.

Mr. KLEBERG. The gentleman is correct about that. Entirely so.

Mr. JOHNSON of Oklahoma. I am wondering if this committee has looked into the possibility of additional fish hatcheries to supply fish to those inland points?

Mr. BLAND. Mr. Speaker, will the gentleman yield?

Mr. KLEBERG. I yield.

Mr. BLAND. The subject of fish hatcheries is one, in its legislative branches, that comes under the Committee on Merchant Marine and Fisheries. That committee contemplates going into a revision of the 5-year program which was adopted several years ago, but was never completed.

Mr. KLEBERG. There are many ways in which your committee has been able and has assisted to preserve this great national heritage for the benefit of future generations of Americans. We now have a definite and constructive policy for the administration of our wildlife resources quite similar in purpose to the plan for the preservation of the national forests put into effect 30 years ago. Research and demonstration units have been established in nine land-grant colleges under Federal supervision. Our country at this moment is engaged in a $15,000,000 program for the restoration of wildlife through the acquisition and improvement of marsh and water areas. Approximately 2,000,000 acres have already been acquired in the program of acquisition. The definite value of this program finds two of its main values in its contribution as a soil-conservation and flood-control measure.

Mr. Speaker, the American people have come to regard the efforts of your committee with great interest and high approval. A general and favorable opinion expressed on all sides indicates that the future welfare of our valuable and irreplaceable wild birds, animals, and fish depends in a very large degree upon the continued effort of this special committee in the Congress. It is patent that as the program outlined progresses Congress, in the exercise of its authorized powers, greatly needs the agency it now has in this committee to report from time to time and take remedial action on steps that inevitably occur in the natural process of giving back this great resource in which our public is so interested. It would be most unfortunate if anything should occur which should militate against the continued unity and effectiveness of this committee's contribution to the harmonious and effective work already performed by the Congress. It would be equally disastrous and unfortunate were we by unfavorable action to this resolution to begin to dispel the confidence which supports the national program at this time. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Texas [Mr. KLEBERG] has expired.

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, I suppose if anybody made the statement on this floor today that, to a considerable degree, at least, the destructive force of the floodwaters in the Ohio Valley is due to the selfish, visionless disregard of restoration and conservation, it would sound like an incredible statement; yet, in my judgment, that statement could be very safely made today and remain within the boundaries of truth.

To remain within the scope and purpose of the pending resolution, I want to address a few remarks to this subject of restoration of wildlife. I want to go a way back in a generic way to the destruction of the balance of Nature in this country. I think most of our difficulties, most of our ills result from the fact that we fail to operate in conformity with the laws of Nature. Nowhere is that more true than in the field of conservation and restoration.

For instance, I think of a river that traverses the State of Illinois that is 273 miles long, and we will just take that by way of illustration. It starts up near Chicago and flows diagonally across the State down in the direction of St. Louis. That river has been there a long time. When Nature had finished fashioning that river valley it was in some places a mile wide and in some places 7 miles wide. For the most part, that river valley was adequate as a basin and reservoir for all floodwaters that might come down. Then, prompted by selfishness and lack of vision, we had people look longingly at those fertile acres along the Illinois River, and in a little while they began to take away from Nature and from the river that which was rightfully hers, and then they express astonishment and surprise when suddenly Nature strikes out and takes back that which rightfully belongs to her.

My remarks today are prompted by the fact that I was for 5 years a drainage contractor on the Illinois River. I think I know a little something about moving dirt, about marine construction, about the building of levees, and about ditching, and about getting the run-off of rainfall expedited, so that it gets into the major watercourses of the country. What you see in the Ohio Valley today with all the attendant anguish, suffering, and destruction, which in my judgment will cost a billion dollars to replace, is nothing but mute tribute to the fact that we failed to operate in conformity with Nature.

The first thing that visionless folks did was to stick a plow in the ground in that western country and destroy the native long and short grasses that fixed the moisture in the soil without a single thought of the future. They came along with the ax of the woodsman and struck down millions of those magnificent specimens of trees that are the Almighty's instruments for somehow fixing climate. If you want to know what a tree really means to Nature, let me tell you what one learns from a study of the physical sciences. An ordinary oak, in its full magnificence, will have as many as 150,000 leaves. The roots of that oak extend down into the soil and take up the moistures in which is dissolved the mineral content of the soil. It goes through the trunk and branches and it goes into the leaves, and then by what the botanists call "transpiration" it comes out into the atmosphere in the form of vapor. There comes these caressing breezes that touch the vapor, precipitate it, send it back down to earth in the form of rainfall. These forests that we had in the country, hundreds of millions of acres of them, fixed the climate and they preserved balance in Nature and helped anchor the soil moisture. But we went in with the ax and ruthlessly destroyed them.

Do you know what you do when you destroy a single beautiful tree? You destroy an instrumentality that will transpire, or exude, as much as 10,000 gallons of water in a single summer day. That sounds incredible, yet these trees which pick up the moisture in the soil send it out through those little veins and pores in the leaves into the atmosphere. Then the winds come along and send it back down and give you the perfect balance. We destroyed those trees, and cut-over lands in the Northwest and in the Ohio Valley are tribute to our destruction. We have been ruthlessly destroying the balance in this country by destroying our natural resources, by destroying the natural balance wheels which Nature provided.

Then we go into this matter of drainage, and I want to relate it to the substance of this pending resolution. I have helped to build levees along the Illinois River. I can remember the time when a little sweetpotato ridge was enough to keep water off the lowlands. Then they had to be built higher. We would come in with huge dipper dredges with 90-foot booms, a boat which was 60 feet in beam and 110 feet long, carrying a 3-yard dipper, and would dig down into a barrow pit, throw the dirt over until we got way up to the 460-foot elevation on the basis of the Memphis datum level, all for the purpose of keeping flood waters from going over into these natural reservoirs which nature had so generously provided. Then came the plow. Then came yields of 100 bushels of corn to the acre in all these beautiful lowlands—320,000 acres of rich land in that Illinois Valley alone that has been taken away from Nature. And then what happened? When you get a ridge on this side of the river and a ridge on the other side of the river to crib and confine the water and nature begins to swish her tail and sends the spring freshets and the waters of the

melted snows down the river valleys, what happens? The water goes over the top of the man-made ridges called levees. Nature seeks to reclaim what is hers and then everyone marvels; but there is no marvel about it. The water goes up and pours over the top, or cuts crevasses in the levee and then people rush to save their lives, to move their grain, flee from their houses and dwellings. But Nature is unmindful of all that, she comes and takes that which was hers.

Mr. O'CONNOR of New York. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. CONNOR of New York. After having heard of the extension of remarks the gentleman intends to place in the RECORD, I am surprised he should rise at this time to talk about water.

Mr. DIRKSEN. I just thought the gentleman from New York would indulge in a witticism today. I will say to my friend from New York, however, that unfortunately we still do not manufacture quite enough of that to which he refers to fill that river valley.

But then comes Nature and takes back that which is hers and there ensues millions and millions of dollars in damage, and we marvel. There is no marvel about it.

One of these days I want to introduce a bill in proper form to handle this situation.

As related to the pending resolution, what does it mean? Every time we put 10,000 acres behind a great earthen wall we have taken it away from the ducks; we have taken it away from the birds; we have taken it away from the wildfowl; we have taken it away from the fish. Then we expect the fish to spawn in water that has been polluted by the sewage of a great metropolis like Chicago, and of other cities and towns on the Illinois River; and there is no place, no quiet water, no refuge water, in which the fish can spawn. Little by little the fishing is destroyed, hunting for most folks is destroyed, and all places for people to exercise the instincts of outdoor pursuit are taken away.

Then we attempt to meet the demand for outdoor recreation with synthetic indoor recreation and chortle, "Ain't Nature grand!"

What is the remedy for this sort of thing? Give back to Nature that which was hers; give back to the fish that which rightfully belongs to the fish; and to the ducks what belongs to the ducks. Let us restore, if we can, some of these rich resources that were once here.

Illinois was admitted to the Union only 119 years ago. Had we been privileged to traverse her fields and watercourses at that time, we would have found an abundance of long and short grasses to help anchor the soil moisture. We would have found enough timber and forest to stop the precipitate run-off of the rainfall and help preserve a beautiful balance. We would have found creeks and streams and rivers with long watersheds but ample reservoir space to take care of unusual volumes of water. We would have found those streams teeming with fish life. In fact, only 40 years ago the Illinois River ranked next to the Columbia as a fish-producing stream. We would have found lowlands that were the habitat of ducks and fish, where anyone could go and catch a mess of fish or shoot a brace of ducks. We would have found Nature in all her glory, where man could go and commune with her and wash out the imperfections of spirit. We would have found a domain where one could really get close to the infinite.

Today we have remade Nature and given her a new face. Streams are polluted, fish life has been destroyed, ducks have to be artificially fed, levees have been built at huge expense to confine the waters, and people have been deprived of what I like to think of as an inalienable right to the enjoyment of forest and stream.

I might tell you what happens so far as the wild fowl is concerned. You reclaim all these drainage districts and in a little while you will see that all the duck weed has disappeared: all of the wild fowl food, all the wild rice has disappeared, and then somebody comes along and sets out a feeding ground, feeding $10,000 or $15,000 worth of corn in a single season, in the hope of anchoring the ducks in that area so that they may get a little shooting.

[Here the gavel fell.]

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. ROBERTSON. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Virginia.

Mr. ROBERTSON. May I say that the area drained in the two Dakotas alone is more than the entire Great Lakes and that includes the marshes and sloughs in those two States.

Mr. DIRKSEN. The paradoxical thing about all this is while we are witnessing this great catastrophe in the Ohio River Valley, last summer they had in Washington what was known as an upstream engineering conference to deal with water conservation. The gentleman from Virginia will remember that. For what purpose? For the purpose of devising ways and means of saving the soil water in the country. When they got down to facts, what did they find? They found, for instance, in States like Montana, North and South Dakota, and others, the water table in the soil has receded as much as 16 feet in the last 10 years. That is why wells go dry every summer. That is why we now have the spectacle of a drought on the one side in summer and a flood on the other in spring or winter. Really, it is a pathetic spectacle.

Mr. Speaker, in my judgment all artificial and synthetic proposals are not going to solve this great problem until we get right with Nature and get right with the world and give back to Nature that which belongs to her.

There is ample inspiration for a real program. This is probably a better time to do it than any other. We are going to spend $480,000,000 every year for soil conservation. We had an Agricultural Adjustment Act which took out of cultivation some 40,000,000 acres of land. Why not take this money in the aggregate and buy the land along our water courses? Then we will solve the bulk of the problem once and for all. Why not do that instead of trying to move these levees back and still retain from Nature that which belongs to Nature? Four hundred and eighty million dollars a year would go a long way toward buying this land. If we produce too much farm produce of all kinds and pay for reducing and destroying it, why not buy the acreage which produces it, take it out of cultivation, give it back to ducks, to fish, and to timber and solve several problems with one stroke?

They came out there last summer and wanted to buy some of this fine alluvial land in the Illinois Valley for $10 an acre. You are not going to buy it for that. The gentleman from Illinois [Mr. LUCAS] can tell you that land on the basis of general land value is worth $100 or $150 an acre. If we expect to get it, we will have to pay for it, but in the long run it is going to be the cheapest policy to pursue for unfortunately we are going to have this flood problem to contend with year in and year out, because we have done our best to hasten the run-off, deplete the soil of the water table, and get all the water into the water courses as soon as possible. Then the freshets came that spread everywhere and destroy property on every hand, bringing in their wake destruction, anxiety, bitterness, and despair.

Mr. Speaker, that is the program we will have to follow. So I am very much encouraged by the recommendations and suggestions of the gentleman from Virginia, and I hope as this committee goes along on the basis of its extended life the members can give more and more attention to this matter and make some specific recommendation. It seems to me that is the only solution for a problem where we have for almost a hundred years been destroying the natural resources of the United States of America.

Mr. LUCAS. Will the gentleman yield?

Mr. DIRKSEN. I yield to my colleague from Illinois.

Mr. LUCAS. Is it not a fact that practically one-half of these drainage districts along the Illinois River are not self-sustaining from a financial angle when their current problems are considered, plus the bonded indebtedness and interest?

Mr. DIRKSEN. That is right. We have been going before the R. F. C. trying to get some of them refinanced at 25 cents on the dollar so that they may keep going. There you have an example of misguided selfishness and how it did not work out. Sooner or later we are going to have to get around to this problem of establishing a program that is in conformity with nature.

Mr. ROBERTSON. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Virginia.

Mr. ROBERTSON. May I correct just one statement the gentleman made, and that is with reference to the water level. I believe he stated 16 feet. In the Dakotas it was 50 feet.

Mr. DIRKSEN. Maybe it was a good deal more. I was trying to strike an average from the figures that came to my desk last summer.

Mr. ROBERTSON. That was in the Dakotas.

Mr. DIRKSEN. There has been a recession in the water table. This will not be the last of the floods unless we do something to restore the reservoir space to the streams as originally intended, and carry on a program to hold the soil moisture.

Mr. PARSONS. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Illinois.

Mr. PARSONS. There is another and important matter which the gentleman touched on and that is reforestation of all the marginal and submarginal lands, as well as the hill and mountain lands that border upon the tributaries of the Ohio Valley. This will take a long period of time, but will really assist in solving this problem.

Mr. DIRKSEN. I think so.

Mr. PARSONS. It will take 20 or 25 years to become effective; but had the territory in the Ohio Valley been reforested it would have kept 45 percent of the run-off water in the soil.

Mr. DIRKSEN. I note in the current accounts of the floods in the Ohio and Mississippi Valleys that levees had to be opened or cut or dynamited in various places to afford reservoir space in the hope of saving the property in nearby towns. What more eloquent testimony is required to affirm the need for a program that is right with Nature and which must restore to her that of which she was despoiled by the selfishness of man?

Mr. CLARK of North Carolina. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. LUCAS].

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield 5 additional minutes to the gentleman from Illinois [Mr. LUCAS].

Mr. LUCAS. Mr. Speaker, the very distinguished gentleman from the district which is adjacent to mine and who has just finished a most interesting talk upon the question before the House, places me in the position of saying to you that the gentleman has practically made the speech that I had contemplated making when I asked for the time upon this matter.

I represent the Twentieth Congressional District of Illinois, comprising 10 counties, 9 of which touch the Illinois and the Mississippi Rivers. The tenth county is adjacent to the Sangamon River, which empties into the Illinois River.

There is probably no greater duck country in the central west than that which exists in my district. As the distinguished gentleman [Mr. DIRKSEN] just said, in the early history of the Illinois Valley wildlife was abundant in every form, and then came, first, the turning of the Des Plaines River upside down and running it into the Illinois instead of Lake Michigan, allowing the sewage disposal from the city of Chicago and other cities along the stream to enter. This was the primary factor in the destruction of all the fish life in what was one of the greatest productive rivers from the standpoint of fishing in all America.

I can recall when I was a boy on the Illinois River that the fish produced from a commercial standpoint was more than any other river in the United States, save and except the Columbia in the great Northwest. We still have fish, but the major portion of the industry has been destroyed because of the pollution and because of the drainage districts which have been established along the Illinois River.

I approach another point in this discussion, from the standpoint of economics, when I tell the Members of this House that during the last 25 years thousands upon thousands of acres of delinquent and swamp land, which at one time produced nothing in the way of revenues, have today been purchased by the sportsmen throughout the Central West, and 2 years ago, while chairman of the tax commission of the State commission of Illinois, I caused my investigators to make a survey of the number of acres that had been taken over from the delinquent-tax rolls of the counties upon the Illinois and the Mississippi, as well as ascertaining as nearly as possible the value of this land, and also the number of individuals who were dependent upon the hunting for a livelihood in the fall of the year. It was found that 6,000 individuals and their families in the State of Illinois alone were dependent primarily for a livelihood upon hunting in the fall of the year, while thousands upon thousands of acres, with millions of dollars invested, was also discovered. These people have come there and purchased lands which were practically worthless some 30 years ago and, as I said before, delinquent so far as tax assessments were concerned. These lands have been placed upon a parity as far as assessment purposes are concerned with the agricultural farm lands nearby, the result being that several country school districts and community high-school districts are practically maintained and operated due to the revenue thus produced, and which comes from the land owned by the sportsmen of that community. If anything should happen to further restrict the hunting in this great valley, the time may come when these lands may return to the delinquent state, thereby cutting off all revenue and throwing many men out of employment, as well as crippling the educational advantages of the youth therein.

I am vitally interested in the Biological Survey of this Government of ours, and I sincerely hope that this committee, which is going to function for another 2 years, will keep closely in touch with that agency of government.

We have delegated, in my humble judgment, too much authority and power at the present time to this Service so far as rules and regulations are concerned, and unless a committee of this kind keeps in close touch with what is going on—and I know that with the able Members who are on this committee they will—they may take too much authority and power under the regulations they issue from time to time, many of which even their own men in the field can scarcely understand. Confusion reigned out in my section as to what this regulation might mean or what that regulation might mean. State wardens were telling you one thing, the Federal wardens were telling you another, and there seemed to be no program of cooperation or harmony with respect to what the regulations meant and how they should be adequately and properly enforced.

Mr. PARSONS. Mr. Speaker, will the gentleman yield?

Mr. LUCAS. I yield.

Mr. PARSONS. As the gentleman knows, we have only been trying this out for the past 3 years, and over a period of a few years we will be able to get a striking average that will give each State and each section of a State the proper days for an open season, so that we may let the sportsmen have their day in court and at the same time protect the fowls and give them a chance to increase.

Mr. LUCAS. No one wants to protect the fowls more than myself, but under the regulations as they existed last year—I say with all sincerity and based upon personal knowledge—the wild duck was not protected. Two years ago, under the regulations with respect to feeding, you were prohibited from shooting a duck within 200 yards from where you were feeding. To me this was an excellent regulation. Last year this was removed entirely, and what happened? Every man who could get a gun and a boat went to this river or to the stream nearby and, instead of being able to kill a duck and retrieve it, he shot at the duck at any distance in the air, and, if fortunate enough to hit the flying mark, the duck landed some-

where in no man's land and was never recovered. The ordinary hunter out in a boat on the Illinois River or in the lakes nearby would bring down 30 ducks before he would be able to get the limit of 10; and unless you have two men, two boats, and two good dogs out there waiting for them to fall, you never retrieved the cripples that went a quarter of a mile away.

High shooting is always responsible for cripples going a quarter of a mile and sometimes three-quarters of a mile before they fall. This is important, and the director of conservation of Illinois had his men down through the Illinois Valley checking up on the cripples that they could find, and hundreds upon hundreds of crippled ducks were found and brought to the department where they were being nurtured back to life. Obviously thousands upon thousands died, all of which was conservation in reverse. I maintain that the regulation in force last year was a detriment to the protection of the ducks rather than protecting them as was intended. [Applause.]

[Here the gavel fell.]

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield the gentleman 4 more minutes.

Mr. LUCAS. I hope this committee, in the study of this conservation problem, will seriously take into consideration my particular section of the State.

Ladies and gentlemen of the House, in line with my distinguished colleague from Illinois I want to say there was a time in the Illinois Valley when we had all of the natural feed necessary to sustain and feed the wildlife therein, but through pollution and drainage it was shamelessly destroyed. Wild rice, wild celery, the potato vine, the duck weed, the marsh weed, the Yorkonut, the smartweed grew in abundance; we also had the acorns from the pin oaks over on the ridge for the mallards. All of that is gone. We are in the natural flight of the ducks from north to south and they must stop in the Illinois Valley. Ladies and gentlemen, they should have some feed in that particular section, even if it be artificial. The duck is not responsible for human hands destroying and disturbing his onetime feeding paradise.

In my humble judgment, the regulation that we had 2 years ago was a proper regulation, and I am going to make a fight with the Biological Survey to bring that regulation back for the benefit of the wild duck and the sportsmen, not only of Illinois but of other parts of the country.

Mr. MICHENER. Will the gentleman yield?

Mr. LUCAS. I yield.

Mr. MICHENER. The gentleman is discussing a very interesting matter, especially to the people of Michigan. We had a fight a few years ago about taking water out of Lake Michigan for the purpose of washing Chicago's sewage down the river, and this sewage has now destroyed the wildlife in the gentleman's district. Now, the gentleman should help us to undo what was unwittingly done and let us get our lake levels back and you get your wildlife back.

Mr. LUCAS. The gentleman from Michigan has made an interesting observation, but it is not material to this debate. Some day I shall be glad to discuss that matter with him.

In conclusion, it would seem to me, as the gentleman from Illinois said, that the day is here when something constructive should be done for the fishing industry of the country, the hunting industry of the country, and also to do something for the flood situation as it develops each year with greater and more serious problems than the flood before. No one would have ever thought that the flood in Portsmouth, Ohio, would go higher than the previous record. I say now is the time when the Government could well afford to make a comprehensive study of all these problems to the end that legislation might be enacted whereby the Government might take over all of the lands in the drainage districts of the important river valleys. Under such a program we would return to Mother Nature as we found her in the pioneer days, and by so doing we would bring back the fishing industry, the wildlife in the valleys, and make a long stride in the controlling of future floods. I may soon offer a bill in this Congress for the purpose of at least making a preliminary survey to ascertain facts and data upon which an intelligent consideration may be made of the most far-reaching problem in American life today. [Applause.]

Mr. CLARK of North Carolina. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

On motion of Mr. CLARK of North Carolina, a motion to reconsider the vote whereby the resolution was agreed to was laid on the table.

LEAVE TO FILE REPORT

Mr. COOPER. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight Monday next to file a report, including minority views, on House Joint Resolution 96.

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Reserving the right to object—and I do so to make an inquiry—can the gentleman tell us when he is going to call that resolution up in the House?

Mr. COOPER. I am sorry that I am not prepared to give the gentleman that information.

Mr. MARTIN of Massachusetts. Does the gentleman expect it to come up next week?

Mr. COOPER. Probably the latter part of the week. The majority leader can probably give the gentleman more information than I.

Mr. RAYBURN. If it is possible to reach it, we hope to call it up the latter part of next week. I cannot say now for the reason that we do not know how long we will be in consideration of the independent offices appropriation bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

EXTENSION OF REMARKS

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix by inserting therein an article written by my colleague from Texas [Mr. KLEBERG] on wildlife resources.

The SPEAKER. Is there objection?

There was no objection.

Mr. HAINES. Mr. Speaker, a year ago the Governor of Pennsylvania appointed a special committee to report on public assistance and relief. I am in receipt of a letter from the chairman of that special committee, and included in that letter is a copy of a resolution adopted by the Committee on Public Assistance and Relief. I ask unanimous consent that I may extend my remarks by inserting that letter in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. CARTER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection.

There was no objection.

MIGRATORY BIRD CONSERVATION COMMISSION

The SPEAKER. Pursuant to provisions of title 16, section 715a, United States Code, the Chair appoints as members of the Migratory Bird Conservation Commission the following Members of the House: Mr. MCREYNOLDS of Tennessee, and Mr. WOLFENDEN, of Pennsylvania.

WILDLIFE CONSERVATION

The SPEAKER. Pursuant to the provisions of House Resolution 11, Seventy-fifth Congress, the Chair appoints as a member of the Special Committee on Wildlife Conservation to fill an existing vacancy thereon the gentleman from New Jersey, Mr. SUTPHIN.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. FARLEY, for 3 days, on account of important business.

To Mr. RICHARDS, indefinitely, on account of illness in family.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection?

There was no objection.

BILL PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 1545. An act to provide for loans to farmers for crop production and harvesting during the year 1937, and for other purposes.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 58 minutes p. m.) the House, under its order previously made, adjourned until Monday, February 1, 1937, at 12 o'clock noon.

COMMITTEE HEARING

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Continuation of the hearings on H. R. 1668, long-and-short-haul bill, next Tuesday, February 2, 1937, at 10 a. m. The opponents will be heard.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

313. A letter from the Chesapeake & Potomac Telephone Co., transmitting a comparative general balance sheet of the Chesapeake & Potomac Telephone Co. for the year 1936; to the Committee on the District of Columbia.

314. A letter from the Chesapeake & Potomac Telephone Co., transmitting a statement of receipts and expenditures of the Chesapeake & Potomac Telephone Co. for the year 1936, in compliance with chapter 1628, acts of Congress 1904; to the Committee on the District of Columbia.

315. A letter from the Acting Secretary of Agriculture, transmitting the draft of a bill to clarify the Perishable Agricultural Commodities Act of 1930; to the Committee on Agriculture.

316. A letter from the Acting Secretary of the Treasury, transmitting a proposed bill to authorize Capt. Harry G. Hamlet, Capt. Edward D. Jones, Lt. Comdr. Louis W. Perkins, Lt. Comdr. Frank T. Kenner, and Lt. Dwight H. Dexter, United States Coast Guard, to accept certain foreign decorations and diplomas; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. KRAMER: Committee on Immigration and Naturalization. H. R. 3679. A bill to restrict habitual commuting of aliens from foreign contiguous territory to engage in skilled or unskilled labor or employment in continental United States; without amendment (Rept. No. 159). Referred to the Committee of the Whole House on the state of the Union.

Mr. POAGE: Committee on Immigration and Naturalization. H. R. 29. A bill to declare that a citizen of the United States who votes in a political election in a foreign state or who participates in certain voting abroad to determine sovereignty of foreign territory shall lose United States citizenship and nationality; without amendment (Rept. No. 161). Referred to the House Calendar.

Mr. CREAL: Committee on the Judiciary. H. R. 2702. A bill to permit grand jury extensions to be ordered by any district judge; without amendment (Rept. No. 162). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHANDLER: Committee on the Judiciary. H. R. 2703. A bill to provide for the representation of the United States Court of Appeals for the District of Columbia on the annual conference of senior circuit judges; without amendment (Rept. No. 163). Referred to the Committee of the Whole House on the State of the Union.

Mr. WEAVER: Committee on the Judiciary. H. R. 2705. A bill to provide for the manner of inflicting the punishment of death; without amendment (Rept. No. 164). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 3094. A bill for the relief of David Limonsky, alias David Binder; without amendment (Rept. No. 155). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 3095. A bill for the relief of Isaac Limonsky; without amendment (Rept. No. 156). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 3096. A bill for the relief of Lazer Limonsky, alias Louis Meerowitz; without amendment (Rept. No. 157). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 2559. A bill for the relief of Benno Shmukler; without amendment (Rept. No. 158). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. House Joint Resolution 153. Joint resolution for the relief of Kam N. Kathju; without amendment (Rept. No. 160). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 3830) granting a pension to Mary Tompkins and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PATMAN: A bill (H. R. 3993) to provide for the redemption of certain cotton certificates issued under the Bankhead Cotton Act; to the Committee on Agriculture.

By Mr. MARTIN of Massachusetts: A bill (H. R. 3994) to repeal the excise tax on manufactures of sporting goods; to the Committee on Ways and Means.

By Mr. DIMOND: A bill (H. R. 3995) to authorize the location, establishment, construction, installation, and equipment of a naval station in the Territory of Alaska, and for other purposes; to the Committee on Naval Affairs.

By Mr. O'NEILL of New Jersey: A bill (H. R. 3996) to enforce the fourteenth amendment; to the Committee on the Judiciary.

By Mr. HENNINGS: A bill (H. R. 3997) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. SACKS (by request): A bill (H. R. 3998) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. HOOK: A bill (H. R. 3999) to authorize the erection of a United States Veterans' Administration hospital in the Upper Peninsula of Michigan; to the Committee on World War Veterans' Legislation.

By Mr. CASEY of Massachusetts: A bill (H. R. 4000) authorizing a study by the Department of Agriculture of the silver moth with a view to its eradication; to the Committee on Agriculture.

By Mrs. O'DAY: A bill (H. R. 4001) to clarify the expatriation laws with regard to certain native-born citizens of the United States, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. CELLER: A bill (H. R. 4002) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. O'CONNOR of Montana: A bill (H. R. 4003) conferring jurisdiction on the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Assiniboine Indians may have against the United States, and for other purposes; to the Committee on Indian Affairs.

By Mr. SCHUETZ: A bill (H. R. 4004) to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever", approved February 28, 1929, by including therein the name of John D. Schwieger; to the Committee on Military Affairs.

By Mr. FORD of California: A bill (H. R. 4005) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. IGLESIAS: A bill (H. R. 4006) for a survey and examination of Jobos Harbor, Guayama, P. R.; to the Committee on Rivers and Harbors.

By Mr. COCHRAN: A bill (H. R. 4007) to make available to each State enacting in 1937 an unemployment-compensation law the proceeds from the Federal employers' tax in such State for the taxable year 1936; to the Committee on Ways and Means.

By Mr. LEA: A bill (H. R. 4008) to regulate the transportation and sale of natural gas in interstate commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK of Idaho: A bill (H. R. 4009) to provide for the general welfare by establishing a system of Federal benefits and by enabling the several States to make more adequate provision for the control and the eradication of noxious weeds; to conserve and protect the agricultural resources of the several States and of the United States; to empower the Secretary of Agriculture to make certain rules and regulations and prescribe conditions; to raise revenue; and for other purposes; to the Committee on Agriculture.

By Mr. GASQUE: A bill (H. R. 4010) to provide hospitalization and domiciliary care to former members of the Regular Establishment not dishonorbly discharged; to the Committee on World War Veterans' Legislation.

By Mr. SUMNERS of Texas: A bill (H. R. 4011) to confer jurisdiction upon certain United States commissioners to try petty offenses committed on Federal reservations; to the Committee on the Judiciary.

Also, a bill (H. R. 4012) to penalize procuring of or attempts to procure the escape of any prisoner in the custody of an officer of the United States; to the Committee on the Judiciary.

By Mr. GASQUE: A bill (H. R. 4013) granting pensions and increases of pensions to certain soldiers, sailors, and nurses of the War with Spain, the Philippine Insurrection, or the China Relief Expedition, and for other purposes; to the Committee on Pensions.

By Mr. BOREN: A bill (H. R. 4014) to prevent profiteering in time of war and to equalize the burdens of war; to the Committee on Military Affairs.

By Mr. O'CONNOR of New York: A bill (H. R. 4015) to amend section 603 of the Revenue Act of 1934; to the Committee on Ways and Means.

Also, a bill (H. R. 4016) to amend paragraph 1733 of subtitle II of the Tariff Act of 1930; to the Committee on Ways and Means.

By Mr. STEAGALL: A bill (H. R. 4017) to amend subsection (a) of section 6 of the National Housing Act, as amended, and for other purposes; to the Committee on Banking and Currency.

By Mr. COSTELLO: Resolution (H. Res. 94) to amend rules 10 and 11 of the House to provide for a Committee on Air Commerce and Civil Aviation; to the Committee on Rules.

By Mr. O'MALLEY: Resolution (H. Res. 95) to create a select committee to investigate flood projects; to the Committee on Rules.

By Mr. HOFFMAN: Resolution (H. Res. 96) requesting the Secretary of Labor to furnish the House of Representatives with all information available on the automobile strike; to the Committee on Labor.

By Mr. McCLELLAN: Joint resolution (H. J. Res. 175) to authorize the submission to Congress of a comprehensive national plan for the prevention and control of floods of all the major rivers of the United States, and for other purposes; to the Committee on Flood Control.

By Mr. CASEY of Massachusetts: Joint resolution (H. J. Res. 176) authorizing the President of the United States of America to proclaim October 11, 1937, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr O'CONNOR of Montana: Joint resolution (H. J. Res. 177) to amend the act of July 3, 1926, entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in claims which the Crow Tribe of Indians may have against the United States, and for other purposes" (44 Stat. L. 807); to the Committee on Indian Affairs.

By Mr. BEITER: Joint resolution (H. J. Res. 178) authorizing the issuance of a special postage stamp in honor of Wladimir Krzyzanowski; to the Committee on the Post Office and Post Roads.

By Mr. REED of New York: Concurrent resolution (H. Con. Res. 3) directing the Social Security Board to file its report to Congress not later than May 1, 1937; to the Committee on Ways and Means.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the State of Nebraska, memorializing the Congress to make more permanent all star-route contracts; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BELL: A bill (H. R. 4018) for the relief of Orville Ferguson; to the Committee on Claims.

By Mr. CASEY of Massachusetts: A bill (H. R. 4019) for the relief of Dominick Edward Lepore; to the Committee on Naval Affairs.

Also, a bill (H. R. 4020) for the relief of William R. Herrick; to the Committee on Claims.

By Mr. COFFEE of Washington: A bill (H. R. 4021) authorizing the appointment and retirement of Frederick Buchanan Rosenbaum as a first lieutenant, United States Army; to the Committee on Military Affairs.

By Mr. COLLINS: A bill (H. R. 4022) for the relief of William D. Wilson; to the Committee on Claims.

By Mr. DIXON: A bill (H. R. 4023) for the relief of Lucy Jane Ayer; to the Committee on Claims.

By Mr. DUNCAN: A bill (H. R. 4024) granting a pension to Arabella Dooley; to the Committee on Invalid Pensions.

By Mr. FULMER: A bill (H. R. 4025) for the relief of J. H. Vallentine; to the Committee on War Claims.

By Mr. GASQUE: A bill (H. R. 4026) for the relief of William C. Dyson; to the Committee on Military Affairs.

By Mr. HAMILTON: A bill (H. R. 4027) to extend the benefits of the Employees' Compensation Act of September 7, 1916, to Emma A. Kuillin; to the Committe on Claims.

Also, a bill (H. R. 4028) to extend the benefits of the Employees' Compensation Act of September 7, 1916, to Noah G. Sawyer; to the Committee on Claims.

Also, a bill (H. R. 4029) to extend the benefits of the Employees' Compensation Act of September 7, 1916, to Elizabeth A. Ripley; to the Committee on Claims.

By Mr. HARRINGTON: A bill (H. R. 4030) for the relief of Walford W. Watt; to the Committee on Military Affairs.

By Mr. HAVENNER: A bill (H. R. 4031) for the relief of the New Amsterdam Casualty Co.; to the Committee on Claims.

Also, a bill (H. R. 4032) for the relief of the New Amsterdam Casualty Co.; to the Committee on Claims.

By Mr. HEALEY: A bill (H. R. 4033) for the relief of Antonio Masci; to the Committee on Claims.

Also, a bill (H. R. 4034) for the relief of Dominick Edward Maggio; to the Committee on Naval Affairs.

Also, a bill (H. R. 4035) for the relief of Thomas E. Connors; to the Committee on Naval Affairs.

Also, a bill (H. R. 4036) granting a pension to Julia Agnes Silva; to the Committee on Pensions.

Also, a bill (H. R. 4037) for the relief of Herbert V. McGregor; to the Committee on Naval Affairs.

Also, a bill (H. R. 4038) for the relief of Conrad Sigfried Larsen; to the Committee on Naval Affairs.

By Mr. HOUSTON: A bill (H. R. 4039) granting a pension to Millard C. Helm; to the Committee on Pensions.

By Mr. KENNEDY of New York: A bill (H. R. 4040) for the relief of Isidore Ferzig; to the Committee on Claims.

By Mr. KRAMER: A bill (H. R. 4041) for the relief of Harry Francis Zeller; to the Committee on Naval Affairs.

By Mr. PARSONS: A bill (H. R. 4042) granting a pension to Mary A. Salyards; to the Committee on Invalid Pensions.

By Mr. PEYSER: A bill (H. R. 4043) granting a pension to Catherine O'Hare; to the Committee on Pensions.

By Mr. ROMJUE: A bill (H. R. 4044) for the relief of Frank H. Shepherd; to the Committee on Military Affairs.

Also, a bill (H. R. 4045) granting an increase of pension to Amanda B. Thomas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4046) granting an increase of pension to Marietta Burger; to the Committee on Invalid Pensions.

By Mr. SCHUETZ: A bill (H. R. 4047) for the relief of Walter C. Paplow; to the Committee on Naval Affairs.

Also, a bill (H. R. 4048) for the relief of Alex Krause; to the Committee on Military Affairs.

By Mr. SCOTT: A bill (H. R. 4049) for the relief of Georgina Park; to the Committee on Claims.

Also, a bill (H. R. 4050) granting a pension to Flora B. Thomas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4051) granting a pension to Margaret Teed; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4052) for the relief of Ralph Cleveland; to the Committee on Military Affairs.

Also, a bill (H. R. 4053) granting a pension to Harry C. Spring; to the Committee on Pensions.

By Mr. SECREST: A bill (H. R. 4054) granting a pension to Margaret O. Hoffer; to the Committee on Pensions.

Also, a bill (H. R. 4055) granting a pension to Elizabeth Walker; to the Committee on Pensions.

Also, a bill (H. R. 4056) granting a pension to Orla T. Pletcher; to the Committee on Pensions.

By Mr. SNYDER of Pennsylvania: A bill (H. R. 4057) granting an increase of pension to Catherine E. Hannen; to the Committee on Invalid Pensions.

By Mr. THOM: A bill (H. R. 4058) granting a pension to Della R. Birney; to the Committee on Invalid Pensions.

By Mr. VINSON of Kentucky: A bill (H. R. 4059) granting a pension to Daniel W. Perkins; to the Committee on Pensions.

By Mr. WITHROW: A bill (H. R. 4060) granting a pension to Nettie Blackley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4061) granting a pension to Mary Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4062) granting an increase of pension to Mary A. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4063) to amend and correct the military record of Frank Schneider; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

158. By Mr. BUCKLER of Minnesota: Petition of Bernice Henry, chairman, and Clarence Daubenspeck, secretary, of the Workers' Alliance, unit at Frazee, Becker County, Minn., praying for provisions which will provide that all workers and laborers who have been employed and those that wish to be employed be given steady employment on Works Progress Administration with a 20-percent increase in salary, those physically handicapped or aged on Works Progress Administration be given outright grants equal to Works Progress Administration standard and farmers and laborers be given representation on all administrative committees of this program; to the Committee on Labor.

159. By Mr. FORD of California: Resolution of the Workers Alliance of California, protesting against the lay-offs occurring and projected by the Works Progress Administration as inimical to the needs and best interests of the workers, the unemployed, the farmers, small merchants, and the community, and asking for an appropriation of $1,250,000,000, for maintenance of the Works Progress Administration; to the Committee on Labor.

160. By Mr. HILDEBRANDT: Petition requesting that the emergency loan measure be continued for 3 years at 3-percent interest; to the Committee on Banking and Currency.

161. Also, petition requesting that the present rate of 3½-percent interest be continued on farm loans; to the Committee on Banking and Currency.

162. By Mr. McLAUGHLIN: Petition memorializing the Congress of the United States to provide Federal funds which may be loaned to farmers on the same basis as emergency drought feed loans of 1934–35; to the Committee on Appropriations.

163. Also, petition memorializing the Congress of the United States to enact into law the Sheppard-Hill bill, commonly called the Universal Service Act, in the interest of world peace; to the Committee on Foreign Affairs.

164. Also, petition memorializing the President of the United States and the Congress of the United States to increase and supplement forthwith the Works Progress Administration allotments of Federal funds for present emergency needs of the State of Nebraska; to the Committee on Appropriations.

165. By Mr. MOUTON: Resolution unanimously adopted at a meeting of cane growers and committeemen from the parishes of Ascension, Assumption, Lafourche, Terrebonne, and St. Mary, held at Thibodaux, La., January 14, 1937, petitioning for the removal of quota restrictions against production of sugar in Louisiana, with several alternatives, and also asking for equal treatment and benefits for sugarcane growers under the soil-conservation program; to the Committee on Agriculture.

166. By the SPEAKER: Petition of the Association of Southern Commissioners of Agriculture of Memphis, Tenn.; to the Committee on Agriculture.

SENATE

SATURDAY, JANUARY 30, 1937

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Eternal Father, within the glory of whose living presence we are assembled at this morning hour: Refresh us with Thy spirit and endue us with strength sufficient for our needs, courage, and insight that we may meet and overcome all our difficulties.

Help us to live this day in serene sincerity of purpose, cultivating cheerfulness and magnanimity, exercising carefulness in conversation, courteous consideration for each other, diligence in our appointed service, and fidelity to our trust.

Thus by our example may we become messengers of Thine, sent by the clear compulsions of Thy love to homeless hearts, to loveless lives, and to those who have no guide. We ask it in the name of Him who had not where to lay His head yet who loves us to the uttermost and is ever the Good Shepherd of our souls, Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of Friday, January 29, 1937, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. LEWIS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Capper	Herring	Neely
Andrews	Caraway	Hitchcock	Norris
Ashurst	Chavez	Holt	Nye
Austin	Clark	Hughes	O'Mahoney
Bachman	Connally	Johnson, Colo.	Overton
Bailey	Davis	King	Pepper
Bankhead	Dieterich	Lee	Pittman
Barkley	Duffy	Lewis	Pope
Bilbo	Ellender	Lodge	Radcliffe
Black	Frazier	Logan	Reynolds
Bone	George	Lonergan	Robinson
Borah	Gerry	Lundeen	Russell
Bridges	Gibson	McCarran	Schwartz
Brown, Mich.	Gillette	McGill	Schwellenbach
Bulkley	Glass	McKellar	Thomas, Okla.
Bulow	Green	McNary	Vandenberg
Burke	Hale	Maloney	Van Nuys
Byrd	Harrison	Minton	Wheeler
Byrnes	Hayden	Murray	White

Mr. LEWIS. I announce the absence of the Senator from Ohio [Mr. DONAHEY] and the Senator from New Mexico [Mr. HATCH] caused by illness; and I further announce that the Senator from New Hampshire [Mr. BROWN], the Senator from California [Mr. MCADOO], the Senator from New Jersey [Mr. MOORE], the Senator from Texas [Mr. SHEPPARD], the Senator from South Carolina [Mr. SMITH], the Senator from Missouri [Mr. TRUMAN], the senior Senator from New York [Mr. COPELAND], the junior Senator from New York [Mr. WAGNER], the Senator from Utah [Mr. THOMAS], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Massachusetts [Mr. WALSH], and the Senator from Maryland [Mr. TYDINGS] are unavoidably detained from the Senate.

Mr. MCNARY. I announce that my colleague the junior Senator from Oregon [Mr. STEIWER], the senior Senator from Minnesota [Mr. SHIPSTEAD], and the Senator from Delaware [Mr. TOWNSEND] are necessarily absent.

The VICE PRESIDENT. Seventy-six Senators have answered to their names. A quorum is present.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting sundry nominations, were communicated to the Senate by Mr. Latta, one of his secretaries.

CHARLES CARROLL OF CARROLLTON BICENTENARY COMMISSION—ESTIMATE OF APPROPRIATION (S. DOC. NO. 16)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, an estimate of appropriation amounting to $12,500, for the Charles Carroll of Carrollton Bicentenary Commission, fiscal year 1937, to remain available until expended, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

CHANGE IN DESIGNATIONS OF CERTAIN NATIONAL PARKS

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting a draft of proposed legislation to change the designations of Abraham Lincoln National Park, Ky., and Fort McHenry National Park, Md., which, with the accompanying paper, was referred to the Committee on Public Lands and Surveys.

WOOLEN AND WORSTED TEXTILE INDUSTRIES

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Federal Trade Commission, transmitting part II of a recent report, previously submitted to the President of the United States, on the woolen and worsted textile industries, especially with reference to investments, earnings, rates of return, and costs during the 6-month period, January–June 1936, which, with the accompanying papers, was referred to the Committee on Education and Labor.

REPORT OF CAPITAL TRANSIT CO.

The VICE PRESIDENT laid before the Senate a letter from the president of the Capital Transit Co., submitting, pursuant to law, a report covering the operations of the company for the calendar year 1936, together with balance sheet as of December 31, 1936, which, with the accompanying report, was referred to the Committee on the District of Columbia.

PETITIONS

The VICE PRESIDENT laid before the Senate the petition of Samuel Harden Church, president of the Carnegie Institute, etc., Pittsburgh, Pa., praying that steps be taken looking toward the immediate construction of certain great engineering enterprises for the restoration and protection of America against the devastation of floods, which was referred to the Committee on Commerce.

He also laid before the Senate a resolution of Local Union No. 155, United Automobile Workers of America, of Detroit, Mich., favoring continuance of the investigations of the subcommittee of the Senate Committee on Education and Labor under the terms of the resolution (S. Res. 266) to investigate violations of the right of free speech and assembly and interference with the right of labor to organize and bargain collectively (74th Cong., 2d sess.; submitted by Mr. LA FOLLETTE), and also the making of an additional appropriation of $500,000 for the expenses thereof, which was referred to the Committee on Rules.

Mr. HITCHCOCK presented the following concurrent resolution of the Legislature of the State of South Dakota, which was referred to the Committee on Foreign Relations:

House Concurrent Resolution 1

Concurrent resolution urging a "peace for America" program by taking the profit out of war and war preparations, by government control of munitions, by strict neutrality, no foreign entanglements, and by a more effective national defense

Whereas because of the imminent danger of European powers to again be drawn into a conflict which would endanger world civilization itself:

SECTION 1. We favor wartime draft legislation that will force industry, finance, commerce, and the manpower of this Nation to assume an equal responsibility for the Nation's safety. All phases of our national life must be called upon to share equally the burdens of war, with sacrifices for all and profits for none. We believe the elimination of profits in this manner will discourage the efforts of those individuals who would advocate America's participation in war.

SEC. 2. We believe the manufacture and sale of munitions is an important phase of our national defense and should be under the control of the Federal Government at all times. We believe the sale of munitions by American manufacturers to foreign countries is a contributing factor to the causes that lead to war. We protest against the sale of munitions that may later be used to destroy the lives of America's soldiers, sailors, and marines.

SEC. 3. We do not believe that wars can forever be eliminated, but we do believe that America's geographical position of comparative isolation makes it unnecessary for the United States to participate in future wars unless attacked by an aggressive nation. We demand strict neutrality for America, with policies that will remove the causes of possible entanglements with belligerents in other wars.

SEC. 4. We are opposed to the theory that America's military forces must be used to protect the investments and property of private individuals and private industry beyond the boundaries of the United States.

SEC. 5. We are opposed to treaties, alliances of agreements with other foreign powers that may in any way endanger our neutrality in time of war.

SEC. 6. We contend that we must have a national defense on land, on the high seas, and in the air adequate at all times to preserve our neutrality and command the respect of other nations for American principles.

SEC. 7. That a copy of this resolution be sent to each of the United States Senators and Members of Congress from the State of South Dakota.

RESOLUTIONS OF AMERICAN SUGAR CANE LEAGUE—LOUISIANA SUGAR QUOTA

Mr. OVERTON. Mr. President, I present for appropriate disposition resolutions adopted by the American Sugar Cane League at New Orleans, La., on January 27, 1937, which I ask may be treated as in the nature of a petition. I also ask unanimous consent that the resolutions be printed in the RECORD.

There being no objection, the resolutions were ordered to lie on the table and to be printed in the RECORD, as follows:

Resolutions adopted by the American Sugar Cane League at New Orleans, La., on Wednesday, January 27, 1937

Whereas the American Sugar Cane League, on behalf of its 7,771 members and all sugarcane producers in Louisiana, has consistently demanded the elimination of any quota restrictive of the continental production of sugar, and upon all occasions has declared that an equitable settlement of the Louisiana quota problem is a necessary condition precedent to any commitment on proposed legislation or any part thereof: Be it

Resolved, That the American Sugar Cane League reiterates its declared position of unwillingness to support any proposal which fails to provide an adequate quota for Louisiana, for the simple reason that there can be no equitable solution of the problems of the sugarcane growers of Louisiana unless the present restrictive quota figures are removed entirely or replaced with a quota for Louisiana based on the normal production records of the past and the production and prospects of the present, or there be provided by law a continental quota equally advantageous to the growers of all sugar-producing States; be it further

Resolved, That the American Sugar Cane League expresses its appreciation of the continuing efforts of the Senators and Representatives in Congress for the betterment of the Louisiana sugarcane industry, which is so important to the general welfare of the State of Louisiana, and expresses its confidence in the success of their pleading of our cause before Congress and the officials of the national administration.

FIRST DEFICIENCY APPROPRIATIONS—REPORT OF APPROPRIATIONS COMMITTEE

Mr. ADAMS. From the Committee on Appropriations I report back favorably, with amendments, the bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes, and I submit a report (No. 22) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

FIRST DEFICIENCY APPROPRIATIONS—AMENDMENTS

Mr. O'MAHONEY. Mr. President, in connection with the report of the Committee on Appropriations just submitted, I desire to give notice that when the measure comes before the Senate for consideration I shall move an amendment to the provision under the heading "Relief and work relief" by adding at the end of the first proviso the following language:

Provided, however, That this clause shall not apply to any person serving on the date of the approval of this act any committee of either House of Congress by the authority of resolutions heretofore adopted.

And I shall also move to amend by striking out from the first proviso of the same section the following words:

Or of the appropriation in the Emergency Relief Appropriation Act of 1936.

The VICE PRESIDENT. The amendments intended to be proposed by the Senator from Wyoming will be received, printed, and lie on the table.

Mr. BARKLEY submitted an amendment intended to be proposed by him to House bill 3587, the first deficiency appropriation bill, 1937, which was ordered to lie on the table and to be printed, as follows:

On page 5, line 10, to strike out the proviso down to and including the word "thereof" in line 16, as follows: "*Provided*, That no part of this appropriation or of the appropriation in the Emergency Relief Appropriation Act of 1936 shall be used hereafter to pay the compensation of any person, not taken from relief rolls, detailed or loaned for service in connection with any investigation or inquiry undertaken by any committee of either House of Congress under special resolution thereof."

REPORTS OF THE MILITARY AFFAIRS COMMITTEE

Mr. LOGAN, from the Committee on Military Affairs, to which was referred the bill (S. 297) for the relief of Curtis Jett, reported it without amendment and submitted a report (No. 23) thereon.

Mr. NYE, from the Committee on Military Affairs, to which was referred the bill (S. 365) for the relief of Capt. James W. Darr, reported it without amendment and submitted a report (No. 24) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CAPPER:

A bill (S. 1234) granting an increase of pension to Eliza A. Perry; to the Committee on Pensions.

By Mr. McGILL:

A bill (S. 1235) for the relief of the Exchange National Bank, of Atchison, Kans.; to the Committee on Claims.

By Mr. BACHMAN:

A bill (S. 1236) authorizing the President of the United States to appoint Sgt. Alvin C. York as a major in the United States Army and then place him on the retired list; to the Committee on Military Affairs.

By Mr. GIBSON:

A bill (S. 1237) reenacting the laws granting pensions to veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, and their widows and dependents, and for other purposes; to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 1238) to provide for a preliminary examination and survey of Smugglers Cove, Oreg.; to the Committee on Commerce.

A bill (S. 1239) for the relief of John W. Beck; to the Committee on Military Affairs.

A bill (S. 1240) for the relief of veterans of the Spanish-American War, including the Philippine Insurrection and Chinese Boxer Rebellion; to the Committee on Pensions.

A bill (S. 1241) to authorize the Secretary of the Interior to dispose of certain isolated and fractional tracts of land formerly embraced in the Coos Bay Wagon Road grant; to the Committee on Public Lands and Surveys.

By Mr. ASHURST:

A bill (S. 1242) for the relief of Stanley A. Jerman, receiver for A. J. Peters Co., Inc.; to the Committee on Claims.

By Mr. DAVIS (by request):

A bill (S. 1243) to provide for an increase of the fees of United States commissioners, the consolidation of same, and to require the payment of those fees by the defendants in certain criminal cases, and for other purposes; to the Committee on the Judiciary.

A bill (S. 1244) to reclassify the salaries of employees in the custodial service of the Post Office Department of the United States of America, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. HALE:

A bill (S. 1245) for the relief of Clarence Leroy Witham; to the Committee on Naval Affairs.

By Mr. THOMAS of Oklahoma:

A bill (S. 1246) granting a pension to Jack E. Teele; to the Committee on Pensions.

By Mr. LUNDEEN:

A bill (S. 1247) to amend the act of June 23, 1936, authorizing the Secretary of War to set apart as a national cemetery certain lands of the Fort Snelling Military Reservation, Minn. (with accompanying papers); to the Committee on Military Affairs.

By Mrs. CARAWAY:

A joint resolution (S. J. Res. 57) to authorize the submission to Congress of a comprehensive national plan for the prevention and control of floods of all the major rivers of the United States, and for other purposes; to the Committee on Commerce.

NEUTRALITY LAW AMENDMENT

Mr. PITTMAN. I submit for appropriate reference a proposed amendment to the joint resolution which I have heretofore introduced, amending the so-called neutrality law, for the purpose of perfecting section 1. I ask that this amendment may be printed and also published in the RECORD.

There being no objection, the amendment intended to be proposed by Mr. PITTMAN was referred to the Committee on Foreign Relations, ordered to be printed, and to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. PITTMAN to the joint resolution (S. J. Res. 51) to amend the joint resolution entitled "Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war", approved August 31, 1935, being Public Resolution No. 67, Seventy-fourth Congress (S. J. Res. 173), as amended by joint resolution approved February 29, 1936, entitled "Joint resolution extending and amending the joint resolution (Public Res. No. 67, 74th Cong.), approved August 31, 1935."

On page 4, line 25, after the word "vessel", to insert "or airship", and insert at the end of the same paragraph the following: "It shall also be unlawful for any foreign vessel or airship to so transport said articles or materials until all title and interest therein and possession thereof shall have been transferred to some foreign government, agency, institution, corporation, or national."

ADDRESS BY HON. JAMES A. FARLEY AT DINNER OF ELECTORAL COLLEGE COMMITTEE

[Mr. DUFFY asked and obtained leave to have printed in the RECORD an address delivered by Hon. James A. Farley, chairman of the Democratic National Committee, at the dinner of the Electoral College Committee held at the Hotel Mayflower, Washington, D. C., Jan. 19, 1937, which appears in the Appendix.]

ADDRESS BY FORMER AMBASSADOR SOARES, OF BRAZIL

[Mr. CHAVEZ asked and obtained leave to have printed in the RECORD an address delivered by former Ambassador José Carlos de Macedo Soares, of Brazil, at Catholic University, Washington, D. C., Jan. 27, 1937, which appears in the Appendix.]

A NATION-WIDE T. V. A.—EDITORIAL FROM FLORENCE TIMES

[Mr. BLACK asked and obtained leave to have printed in the RECORD an editorial from the Florence (Ala.) Times of Tuesday, Jan. 26, 1937, entitled "A Nation Wide T. V. A.? Cheap at Any Price", which appears in the Appendix.]

FLOOD CONTROL

[Mr. MALONEY asked and obtained leave to have printed in the RECORD an editorial from the Hartford Times of Thursday, Jan. 28, 1937, relative to flood control, which appears in the Appendix.]

THE CALENDAR

The VICE PRESIDENT. Morning business is closed. The calendar, under rule VIII, is in order, and the first bill on the calendar will be stated.

The bill (S. 766) to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects destroyed in a fire at the radio direction finder station, North Truro, Mass., on December 27, 1934, was announced as first in order.

Mr. SCHWELLENBACH. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

BILLS AND RESOLUTION PASSED OVER

The bill (S. 113) for the relief of Daniel Yates was announced as next in order.

Mr. KING. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. Res. 8) proposing to limit debate on general appropriation bills was announced as next in order.

Mr. KING. I ask that the resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 292) for the relief of Thomas Salleng was announced as next in order.

Mr. KING. I also ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 327) for the relief of Felix Griego was announced as next in order.

Mr. KING. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 686) for the relief of Anthony J. Constantino was announced as next in order.

Mr. KING. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

CAPITAL AUDITORIUM COMMISSION

The bill (S. 974) to create the Capital Auditorium Commission was announced as next in order.

Mr. McNARY. Mr. President, earlier in the day I notified the able Senator from Arkansas [Mr. ROBINSON] that I would request that this proposal go over until Monday. I then thought it was a legislative bill, but, after examining it, I find it merely provides for the appointment of a commission, so I have no objection to the passage of the measure at this time.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Public Buildings and Grounds with an amendment, on page 2, line 5, after the word "plans", to strike out "the auditorium when constructed to be under the control and supervision of the Secretary of the Interior" and to insert "and to recommend how that cost shall be borne and how the auditorium, when constructed, shall be controlled and supervised", so as to make the bill read:

Be it enacted, etc., That there is hereby created a Commission to consist of the chairman of the Committee on Public Buildings and Grounds of the House of Representatives, the chairman of the Committee on Public Buildings and Grounds of the Senate, and the Secretary of the Interior, said Commission to be known as the Capital Auditorium Commission. Said Commission shall be authorized to investigate as to desirable sites for an auditorium to be constructed in the city of Washington with sufficient capacity, in the opinion of the Commission, to meet the requirements of public convenience and necessity.

The Commission is authorized to ascertain the approximate cost of a suitable site and of the erection of an auditorium thereon and to formulate plans, and to recommend how that cost shall be borne and how the auditorium, when constructed, shall be controlled and supervised. The Commission shall report to the Congress its plans and recommendations for legislation to carry out the same at any time during the present session of the Congress.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION

Mr. ROBINSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters, which were ordered to be placed on the Executive Calendar.

COMMISSIONERS OF THE DISTRICT OF COLUMBIA

The VICE PRESIDENT. If there be no further reports of committees, the calendar is in order, and the first nomination will be stated.

The legislative clerk read the nomination of George E. Allen, of the District of Columbia, to be Commissioner of the District of Columbia.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Melvin C. Hazen, of the District of Columbia, to be Commissioner of the District of Columbia.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

INTERIOR DEPARTMENT

The legislative clerk read the nomination of Farrington R. Carpenter, of Colorado, to be Director of Grazing.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters on the calendar be confirmed en bloc.

Mr. NYE. Mr. President, I find on the list of North Dakota postmasters whose names are sent to the Senate for confirmation the names of two upon which I have been withholding approval. I do not mean to say that I wish finally to disapprove them, but I should like action upon them temporarily postponed.

Mr. McKELLAR. Will the Senator allow an exception to be made of those two, and let them go over until he can look into them?

Mr. NYE. Yes; the last two names on the list under the heading "North Dakota."

Mr. McKELLAR. The Senator refers to the nomination of Joseph E. DeMers to be postmaster at St. John, N. Dak., and the nomination of Hulda E. Hezel to be postmaster at Zeeland, N. Dak.?

Mr. NYE. I do.

Mr. McKELLAR. With the exception of those two, I ask that the nominations of postmasters on the calendar be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations of postmasters will be confirmed en bloc with the exceptions suggested by the Senator from North Dakota and agreed to by the Senator from Tennessee.

IN THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

The VICE PRESIDENT. Without objection, the Army nominations are confirmed en bloc.

IN THE MARINE CORPS

The legislative clerk read the nomination of Col. Clayton B. Vogel to be adjutant and inspector of the Marine Corps.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

That completes the calendar.

ADJOURNMENT

The Senate resumed legislative session.

Mr. ROBINSON. I move that the Senate adjourn until Monday next.

The motion was agreed to; and (at 12 o'clock and 18 minutes p. m.) the Senate adjourned until Monday, February 1, 1937, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 30, 1937

UNITED STATES DISTRICT JUDGE

Sidney C. Mize, of Mississippi, to be United States district judge for the southern district of Mississippi, vice Judge Edwin R. Holmes, appointed United States circuit judge.

COAST GUARD

Capt. (Engineering) John I. Bryan to be commodore, on the retired list, in the Coast Guard of the United States, to rank as such from January 1, 1936.

APPOINTMENT IN THE NATIONAL GUARD OF THE UNITED STATES

GENERAL OFFICER

Brig. Gen. William Irwin Rose, Massachusetts National Guard, to be brigadier general, National Guard of the United States.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 30, 1937

COMMISSIONERS OF THE DISTRICT OF COLUMBIA

George E. Allen.
Melvin C. Hazen.

DIRECTOR OF GRAZING

Farrington R. Carpenter to be Director of Grazing.

APPOINTMENTS IN THE REGULAR ARMY

Donald Edward Casad to be first lieutenant, Medical Corps.

Charles Olin Bruce, Jr., to be first lieutenant, Medical Corps.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

Lt. Col. Edwin Noel Hardy to Quartermaster Corps.
Maj. James Montagu Adamson to Quartermaster Corps.
Maj. Crosby Nickerson Elliott to Quartermaster Corps.
Maj. Leo Lawrence Gocker to Finance Department.

PROMOTIONS IN THE REGULAR ARMY

John Keliher to be lieutenant colonel, Field Artillery.
Kirk Broaddus to be major, Cavalry.
Newton Gale Bush to be major, Infantry.
Edgar Erskine Hume to be lieutenant colonel, Medical Corps.
Walcott Denison to be lieutenant colonel, Medical Corps.
James Earle Ash to be lieutenant colonel, Medical Corps.
Bascom Lee Wilson to be lieutenant colonel, Medical Corps.
Henry Louis Krafft to be lieutenant colonel, Medical Corps.
Paul Ramsey Hawley to be lieutenant colonel, Medical Corps.
John Dibble to be lieutenant colonel, Medical Corps.
George Clark Dunham to be lieutenant colonel, Medical Corps.
Robert Burns Hill to be lieutenant colonel, Medical Corps.
Stanley William Matthews to be major, Medical Corps.
Julius Joseph Babst to be chaplain with the rank of lieutenant colonel, United States Army.

APPOINTMENTS IN THE NATIONAL GUARD OF THE UNITED STATES

GENERAL OFFICERS

Maj. Gen. Gilson Don Light to be major general, National Guard of the United States.

Brig. Gen. William Lloyd Marlin to be brigadier general, National Guard of the United States.

Brig. Gen. John Van Bokkelen Metts to be brigadier general, Adjutant General's Department, National Guard of the United States.

ADJUTANT AND INSPECTOR OF THE MARINE CORPS

Col. Clayton B. Vogel to be the adjutant and inspector of the Marine Corps with the rank of brigadier general.

POSTMASTERS

CONNECTICUT

Isaac Harry Bartram, Sharon.
Audore O. Barnaby, Simsbury.

GEORGIA

Orian A. Moorhead, Greensboro.
Roy B. Allen, Lenox.
John T. Miller, Maysville.
Emmett Monroe Davis, Vidalia.

IDAHO

Harold A. Haymond, Genesee.

KANSAS

Edith Lawson, Alden.
Earl C. Biggs, Lebanon.
George W. Ryan, Lincoln.
Vernon T. Hill, Logan.
Walter P. Kruse, Lorraine.

KENTUCKY

John Hal Grimes, Harrodsburg.
Lucy B. Blaine, Dry Ridge.
Consuelo S. Bush, Shepherdsville.
Bryan K. Morris, Whitley City.
William Thomas Webb, Williamstown.

MISSISSIPPI

Lottie W. Beazley, Raymond.
Sam D. Hamilton, Tutwiler.

NORTH DAKOTA

William C. Drake, Bowdon.
Josephine V. Senecal, Grenora.
Lawrence C. Lerud, Hoople.
Nathan C. Myrick, Pembina.

OHIO

Oliver Perry McDaniel, Carey.
John Whitman, Continental.
Hazel J. Brown, Edgerton.
Meredith D. Morris, Flushing.
Wayne W. Miller, Sherwood.

OREGON

Goldie V. Smith, Brookings.
James T. Brophy, Hines.

WEST VIRGINIA

Jacob Seitz, Jane Lew.
Virginia C. Canterbury, Kimberly.
John R. Fortney, Morgantown.
Howard Mahan, Oak Hill.
Joseph P. Hatfield, Williamson.

SENATE

MONDAY, FEBRUARY 1, 1937

The Reverend Anson Phelps Stokes, of the Washington Cathedral, Washington, D. C., offered the following prayer:

Almighty God, our Heavenly Father, we come before Thee this day with grateful hearts for the blessings of a free government. We beseech Thee that the deliberations of this body may be such as to insure their continuance and development until the kingdoms of this world are transferred into the kingdom of God—the rule of peace, justice, intelligence, freedom, and good will throughout the world. Especially do we pray at this time for all poor, homeless, and unemployed folk who, as a result of flood or industrial strife, are suffering hardship. Give them hope and courage, and strengthen all who are striving to solve their problems. Grant to Thy servants here assembled the wisdom to adopt such legislation as may reduce all national hazards in the future. We offer our prayers for the President and his advisers, the Members of the Congress, the Supreme Court, and all others in authority, that they may seek, find, and carry out Thy will in all the relations of life. Through Jesus Christ our Lord. Amen.

THE JOURNAL

The legislative clerk proceeded to read the Journal of the proceedings of Saturday, January 30, 1937, when, on request of Mr. ROBINSON, and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

CALL OF THE ROLL

Mr. LEWIS. To insure a quorum, I ask that the roll be called.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Clark	Hughes	Pittman
Andrews	Connally	Johnson, Colo.	Pope
Ashurst	Copeland	King	Radcliffe
Austin	Davis	Lee	Reynolds
Bachman	Dieterich	Lewis	Robinson
Bailey	Duffy	Lodge	Russell
Bankhead	Ellender	Logan	Schwartz
Barkley	Frazier	Lonergan	Schwellenbach
Bilbo	George	Lundeen	Sheppard
Black	Gerry	McCarran	Thomas, Okla.
Bone	Gibson	McGill	Thomas, Utah
Borah	Gillette	McKellar	Tydings
Bridges	Glass	McNary	Vandenberg
Brown, Mich.	Green	Maloney	Van Nuys
Bulkley	Guffey	Minton	Wagner
Bulow	Harrison	Murray	Walsh
Burke	Hatch	Norris	Wheeler
Byrd	Hayden	Nye	White
Byrnes	Herring	O'Mahoney	
Capper	Hitchcock	Overton	
Chavez	Holt	Pepper	

Mr. LEWIS. I announce the absence of the Senator from Ohio [Mr. DONAHEY], caused by illness, and the absence of the Senator from Arkansas [Mrs. CARAWAY], caused by a death in her family.

I further announce that the Senator from New Hampshire [Mr. BROWN], the Senator from West Virginia [Mr. NEELY], the Senator from Missouri [Mr. TRUMAN], and the Senator from South Carolina [Mr. SMITH] are absent on important public business, and that the Senator from California [Mr. MCADOO] is necessarily detained from the Senate.

Mr. MCNARY. I announce that my colleague the junior Senator from Oregon [Mr. STEIWER] and the senior Senator from Minnesota [Mr. SHIPSTEAD] are absent because of illness, and that the Senator from Delaware [Mr. TOWNSEND] is unavoidably detained from the Senate.

The VICE PRESIDENT. Eighty-one Senators have answered to their names. A quorum is present.

REPORT OF THE PANAMA RAILROAD CO.

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Interoceanic Canals, as follows:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the Eighty-seventh Annual Report of the Board of Directors of the Panama Railroad Co. for the fiscal year ended June 30, 1936.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *February 1, 1937.*

NATIONAL GALLERY OF ART—GIFT OF ANDREW W. MELLON

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, as follows:

To the Congress of the United States:

I commend to the consideration of the Congress the matter of enacting appropriate legislation to effect the acceptance by the United States of the magnificent gift referred to in my recent exchange of letters with Mr. Andrew W. Mellon. The conditions under which the gift is tendered are set out in the correspondence, copies of which are transmitted herewith.

The works of art thus offered to the Government constitute one of the finest and most valuable collections in existence, containing only objects of the highest standard of quality.

It is with a keen sense of appreciation of the generous purpose of the donor and the satisfaction that comes with the knowledge that such a splendid collection will be placed at the seat of our Government for the benefit and enjoyment of our people during all the years to come, that I submit this matter to the Congress.

The Attorney General and the trustees of the Smithsonian Institution have conferred with representatives of the donor

and will be glad to discuss the necessary legislation with the appropriate committees.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *February 1, 1937.*

The VICE PRESIDENT. The Chair is going to take the responsibility of referring the message, with the accompanying papers, to the Committee on Public Buildings and Grounds. It might go to the Committee on the Library, but it seems to the Chair that a more appropriate reference would be to the Committee on Public Buildings and Grounds, and, in the absence of objection, that reference will be made.

REPORT OF NATIONAL PARK TRUST FUND BOARD

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, and, with the accompanying paper, referred to the Committee on Public Lands and Surveys, as follows:

To the Congress of the United States:

In compliance with the requirements of section 6 of the act approved July 10, 1935, creating the National Park Trust Fund Board, I transmit herewith, for the information of the Congress, the report of the Board for the fiscal year 1936.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *February 1, 1937.*

PURCHASE OF SCIENTIFIC EQUIPMENT FOR NAVY

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Navy, transmitting, pursuant to law, a report showing the names of contractors and subcontractors who have been granted exemption from the limitation of profit under the act of March 27, 1934, as amended, in the purchase of scientific equipment, which, with the accompanying report, was referred to the Committee on Naval Affairs.

DEVELOPMENT OF OIL AND GAS POOLS

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting, pursuant to law, a report of certain leases or portions of leases for the development of certain oil and gas fields in the States of California, Montana, and Wyoming which have been continued beyond the original 20-year period by reason of their inclusion in approved unit plans of development, which, with the accompanying report, was referred to the Committee on Public Lands and Surveys.

OVERTIME SERVICES OF EMPLOYEES IN THE CIVIL SERVICE

The VICE PRESIDENT laid before the Senate a letter from the president of the Civil Service Commission, transmitting, pursuant to law, a report of overtime services rendered by employees in the executive civil service for the period July 1 to December 31, 1936, which, with the accompanying report, was referred to the Committee on Civil Service.

REPORT OF WASHINGTON RAILWAY & ELECTRIC CO.

The VICE PRESIDENT laid before the Senate a letter from the president of the Washington Railway & Electric Co., transmitting, pursuant to law, the report of the company for the year ended December 31, 1936, which, with the accompanying report, was referred to the Committee on the District of Columbia.

REPORT OF POTOMAC ELECTRIC POWER CO.

The VICE PRESIDENT laid before the Senate a letter from the president of the Potomac Electric Power Co., transmitting, pursuant to law, the report of the company for the year ended December 31, 1936, which, with the accompanying report, was referred to the Committee on the District of Columbia.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the Legislature of the State of Missouri, which was referred to the Committee on Appropriations:

Whereas there are located in the southeastern portion of the State of Missouri vast areas of rich and fertile agricultural lands; and

Whereas such territory has included therein numerous towns and cities and is heavily populated; is traversed by improved Federal and State highways, railroads, electric, telephone, and telegraph wires; and there is located in said territory many postal routes, together with numerous schools, churches, community buildings and other improvements appurtenant to one of the most-productive and best-developed sections of the State of Missouri; and

Whereas such territory for the past 12 years or longer has been almost annually inundated by overflows of the St. Francis River and its inhabitants undergo great suffering, want, and deprivation, together with enormous losses of livestock, growing crops, damage to homes, buildings, etc.; and

Whereas the St. Francis River is again at flood stage and the large population in the territory affected are suffering from the worst flood in history and has suffered much loss of property; and, in addition thereto, there now exists in said territory much human suffering and misery, and the economic life and existence of this territory is now seriously jeopardized and threatened; and

Whereas at the Seventy-fourth Congress, second session, there was enacted by the Congress of the United States an amendment to the Mississippi River Flood Control Act of 1928, such amendment being generally known and designated as the Overton bill, approved June 15, 1936, and which said bill authorized, pursuant to the provisions thereof, the construction of adequate levees and/or reservoirs to protect the territory in southeast Missouri and northeast Arkansas from the annual overflows of the St. Francis River and its tributaries; and

Whereas said Overton bill authorized an appropriation by the Congress of the United States in the sum of $16,000,000 to carry into effect the heretofore adopted plan of flood control for the St. Francis River and its tributaries in Missouri and Arkansas north of the backwater area: Now, therefore, be it

Resolved by the senate (the house of representatives concurring therein), That the Congress of the United States be, and is hereby, memorialized to immediately appropriate the $16,000,000 authorized by the Overton bill to control the floods of the St. Francis River and its tributaries in Missouri and Arkansas north of the backwater area, in order that the improved, developed, and thickly populated area affected may be protected and acute human suffering relieved and large annually recurring property loss and damage eliminated, and in order that a great asset of our State and Nation may be preserved and protected and millions of dollars heretofore spent in highly developing the affected area be protected and preserved; and be it further

Resolved, That duly authenticated copies of this resolution be immediately forwarded to the President of the United States Senate and the Speaker of the House of Representatives of the United States, the chairman of the Appropriations Committee of the United States Senate, and the chairman of the Appropriations Committee of the House of Representatives of the United States at Washington, D. C.

The VICE PRESIDENT also laid before the Senate the following house concurrent resolution of the Legislature of the State of Oklahoma, which was referred to the Committee on Appropriations:

Concurrent resolution memorializing the President of the United States and the Congress in appreciation of the great value to the State of Oklahoma derived from the Federal Emergency Administration of Public Works, identified as the P. W. A., and memorializing the President of the United States and the Congress to continue such loans and grants for works of a lasting nature as has been afforded this State since the inception of this Administration in 1933

Whereas the Federal Emergency Administration of Public Works has materially assisted the State of Oklahoma in providing valuable improvements to the State institutions and has afforded employment, both directly and indirectly, to a vast number of Oklahoma citizens at livable wages on valuable public works of a lasting nature; and

Whereas the people of the State of Oklahoma realize the many great benefits of this extensive and most valuable program to our State school system, to the several State institutions which have benefited directly through the P. W. A., and the benefits to the various counties and municipalities of this State brought through the able administration of the Honorable Harold L. Ickes and his local administrators: Now, therefore, be it

Resolved by the House of Representatives of this Sixteenth Legislature, session of 1937, of the State of Oklahoma (the senate concurring therein), That the President of the United States and the Congress are hereby memorialized by the people of Oklahoma, through their representatives in the legislature, in appreciation of the past and present benefits of the Federal Emergency Administration of Public Works, and that the President of the United States and the Congress be respectfully requested to grant a continuance of this valuable and worthy cause in the State of Oklahoma; be it further

Resolved, That a copy of this resolution be mailed to the President of the United States, and that copies be mailed to the Clerk of the House of Representatives, and to the Senate of the United States, and to the Honorable Harold L. Ickes, Secretary of the Interior and Administrator of Public Works, and to the Oklahoma Public Works Administration, and to each of the two Senators and to each Member of the House of Representatives from Oklahoma.

Adopted by the house of representatives the 7th day of January 1937.

The VICE PRESIDENT also laid before the Senate a senate concurrent resolution of the Legislature of the State of Oklahoma, adopted in appreciation of the past and present benefits of the Federal Emergency Administration of Public Works, and favoring the continuance of Public Works projects in the State of Oklahoma, which was referred to the Committee on Appropriations.

(The text of this resolution is identical with the house concurrent resolution appearing on p. 608.)

The VICE PRESIDENT also laid before the Senate the following concurrent resolution of the Legislature of the State of Iowa, which was referred to the Committee on Banking and Currency:

Whereas the Federal Banking Act of 1935, effective as law August 23, 1935, provides that on and after 2 years from that date, namely, August 23, 1937, no bank a member of the Federal Reserve System or a bank member of the Federal Deposit Insurance Corporation "shall directly or indirectly by any devise whatsoever pay any interest on any deposit which is payable on demand", which prohibition shall likewise apply "to any deposit of public funds made by or on behalf of any State, county, school district, or other subdivision or municipality" if they are public funds that are payable on demand; and

Whereas all such public funds in Iowa are payable on demand or, in other words, are withdrawable by any such political subdivision from its bank depositories at any time without notice, and that Iowa's public funds law provides that such public funds "shall" be deposited in banks and "shall draw interest at the rate of not less than 2 percent per annum on 90 percent of the collected daily balances, payable by the bank at the end of each month", with the provision that the rate may be lowered by the State treasurer, with the approval of the executive council, but not below 1 percent on 90 percent of the collected daily balances payable by the bank at the end of each month, and that the interest payable by bank depositories goes directly into the Iowa State sinking fund to be used in paying those claims that are filed against that fund by municipalities for their public funds that were in banks which went into receivership; and

Whereas the Iowa State sinking fund today is approximately $9,000,000 in arrears and that it is estimated it will take from 4 to 5 years or more to pay off that deficit if Iowa's public funds can continue to earn the usual interest from its bank depositories during that period, which approximates even at the low 1-percent interest rate prevailing today about $850,000 per year, or twice that amount if and when the rate is doubled, which will occur when it is economically sound to do so; that the sum of money yet recoverable from assets of those former depository banks still in receivership will in the future, it is estimated, be of no substantial amount, owing to the fact that such receiverships are approaching their end and that it is unfair to continue to divert the beer tax to the State sinking fund when it is badly needed for other tax purposes; that the beer tax, amounting to approximately $1,500,000 annually, will be the only substantial sum left to pay off the deficit in Iowa's State sinking fund if depository banks in Iowa are prohibited from paying interest on public funds as before herein mentioned; and that it is only fair to Iowa's taxpayers that their funds should have the opportunity to earn a reasonable rate of interest pending the time when such funds shall be disbursed: Now, therefore, be it

Resolved by the Senate of the State of Iowa (the house of representatives concurring therein), That we call upon the Congress of the United States to amend the Federal Banking Act of 1935 so that all banks members of the Federal Reserve System and banks members of the Federal Deposit Insurance Corporation may continue to accept public deposits and pay interest on them, regardless of the fact that such deposits may be withdrawable on demand; and we respectfully request the Iowa congressional delegation, whose assistance is herewith respectfully requested, to ask Congress at this session to enact the needed amendment as foregoingly explained, and that everything be done that can be done within the power and influence of the Iowa congressional delegation to prevail upon Congress to strike from the Federal Banking Act of 1935 that prohibition against the payment of interest on public funds payable on demand or to at least postpone its effective date for not less than 5 years further from August 23, 1937, to enable State sinking funds such as we have in Iowa to be fully paid off; be it further

Resolved, That a copy of this resolution be forwarded to the President of the United States Senate and to the Speaker of the United States House of Representatives.

The VICE PRESIDENT also laid before the Senate the following resolution of the Legislature of the State of Nebraska, which was referred to the Committee on Post Offices and Post Roads:

Whereas Government and private enterprises seek to alleviate present-day employment rather than create lower standards; and

Whereas the star-route carriers cannot participate in recovery under the present contract system; and

Whereas similar forms of mail transportation are paid adequate salaries and have permanent jobs: Therefore, be it

Resolved by the Unicameral Legislature of the State of Nebraska, That the Seventy-fifth Congress of the United States enact such legislation as is necessary to make more permanent all star-route contracts and to regulate a reasonable rate of pay thereon.

The VICE PRESIDENT also laid before the Senate a resolution adopted by the Central Trades and Labor Union of St. Louis, Mo., favoring the making of an additional appropriation to continue the investigation by a subcommittee of the Senate Committee on Education and Labor of violations of the right of free speech and assembly and interference with the right of labor to organize and bargain collectively, which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

He also laid before the Senate a resolution adopted by the Oklahoma State Board of Agriculture, commending a concurrent resolution adopted by the Legislature of the State of Oklahoma in appreciation of the past and present benefits of the Federal Emergency Administration of Public Works, and favoring the continuance of Federal loans and grants in aid of works projects in the State of Oklahoma, which was referred to the Committee on Appropriations.

He also laid before the Senate a resolution adopted by the committee on resolutions of the Montana State convention on the Townsend National Recovery Plan, favoring the enactment of legislation embodying the so-called Townsend old-age pension plan, which was referred to the Committee on Finance.

He also laid before the Senate a resolution adopted by Steam Shovel and Dredgemen's Local Union, No. 45, of San Francisco, Calif., favoring the enactment of legislation authorizing an appropriation for the construction of a naval supply base at Oakland, Calif., which was referred to the Committee on Naval Affairs.

Mr. COPELAND presented a memorial of sundry citizens of New York City (N. Y.) and vicinity, remonstrating against the enactment of legislation prohibiting the shipment of arms and munitions to Spain, which was referred to the Committee on Foreign Relations.

ANTILYNCHING SENTIMENT

Mr. DAVIS. Mr. President, I ask unanimous consent to have printed in the RECORD and referred to the Committee on the Judiciary an editorial from the Washington Post under date of February 1, entitled "Antilynching Sentiment."

There being no objection, the editorial was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

ANTILYNCHING SENTIMENT

If a bill to make lynching a Federal crime comes up again for debate in Congress, the traditional argument that the South will not consider restraints on this lawless practice will be found to have lost its force. For a poll conducted by the American Institute of Public Opinion indicates that 65 percent of the South favors a Federal antilynching law.

This compares with an average of 70 percent for the country as a whole. Curiously, greatest opposition is expressed on the Pacific coast, but tempers abnormally inflamed by the recent Mattson kidnaping and murder may furnish a partial explanation of that attitude.

As for the South's reaction, it is only reasonable to conclude that extra-legal executions so distress the general population that the majority, despairing of successful control by State authorities, is now ready to call in Federal assistance. The region's time-honored solicitude for States' rights makes this shift in sentiment especially impressive. Moreover, it is plainly no sudden change of heart occasioned by any recent increase in lynchings. For, to the contrary, 1936 records show nine fewer lynchings throughout the country than in any of the last 4 years.

Perhaps this improvement will discourage any drive for antilynching legislation at this session of Congress. In any event, it should impel those who draft bills on this subject to restrict their scope. Most previous bills have been unpopular in the North as well as the South because of their bland disregard for the separation of State and Federal responsibilities and their consequent highly questionable constitutionality.

REPORTS OF THE MILITARY AFFAIRS COMMITTEE

Mr. THOMAS of Utah, from the Committee on Military Affairs, to which was referred the bill (S. 418) for the relief of Robert H. Muirhead, reported it without amendment and submitted a report (No. 25) thereon.

Mr. LOGAN, from the Committee on Military Affairs, to which was referred the bill (S. 461) to settle claims of farmers whose lands were damaged by waters from Kelly Field,

Tex., reported it with amendments and submitted a report (No. 26) thereon.

UTILIZATION OF WATER RESOURCES OF THE ARID AND IRRIGABLE STATES

Mr. O'MAHONEY, from the Committee on Irrigation and Reclamation, to which was referred the resolution (S. Res. 65) authorizing an investigation relative to utilization of water resources of arid and irrigable States (submitted by Mr. BANKHEAD Jan. 19, 1937), reported it with an amendment; and, under the rule, the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

PRINTING OF PRESIDENT'S MESSAGE OF DECEMBER 21, 1904—REPORT OF COMMISSIONER OF CORPORATIONS

Mr. HAYDEN. From the Committee on Printing I report a resolution and ask unanimous consent for its immediate consideration.

There being no objection, the resolution (S. Res. 74) was read, considered, and agreed to, as follows:

Resolved, That there be printed 500 additional copies of the message of the President of the United States dated December 21, 1904, transmitting the report of the Commissioner of Corporations (H. Doc. No. 165, 58th Cong., 3d sess.) covering the period from the organization of the Bureau to June 30, 1904, be printed for the use of the Senate document room.

Mr. O'MAHONEY. Mr. President, in connection with the resolution which has just been agreed to, authorizing the publication of 500 copies of the message transmitted by the President of the United States in 1904, I desire to call the attention of Senators to the fact that this document contains a very interesting discussion by James R. Garfield, who was at that time Commissioner of Corporations, upon the subject of Federal incorporation.

Mr. Garfield made his report to the then President, Theodore Roosevelt. As a part of this report there are several appendixes which discuss the legal questions involved in the whole subject of Federal licenses and charters for corporations engaged in commerce among the States, and Senators and Members of the House of Representatives who are now giving attention to that subject will find this document of utmost interest.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

Mr. CONNALLY. Mr. President, I introduce the war profits bill, and ask for its reference to the Committee on Finance.

The VICE PRESIDENT. The bill will be received and referred as requested by the Senator from Texas.

By Mr. CONNALLY:

A bill (S. 1248) to provide revenue and facilitate the regulation and control of the economic and industrial structure of the Nation for the successful prosecution of war, and for other purposes; to the Committee on Finance.

Mr. LEWIS. Mr. President, I introduce a bill having to do with neutrality, and ask that it be referred to the Committee on Foreign Relations; and also a bill for reference to the Commerce Committee.

The VICE PRESIDENT. The bills will be received and referred as requested by the Senator from Illinois.

By Mr. LEWIS:

A bill (S. 1249) to authorize and empower the President to issue orders of embargo in aid of neutrality and limit or enlarge list of shipments to warring sections from time to time, and to declare policy of neutrality; to the Committee on Foreign Relations.

A bill (S. 1250) to provide for the establishment of a Coast Guard station on the shore of Illinois, at or near Montrose Harbor, Chicago, Cook County; to the Committee on Commerce.

By Mr. GIBSON:

A bill (S. 1251) for the relief of Alex St. Louis; to the Committee on Claims.

By Mr. THOMAS of Oklahoma:

A bill (S. 1252) for the relief of Bell Oil & Gas Co.; to the Committee on Claims.

A bill (S. 1253) authorizing an appropriation to carry out the provisions of section 26 of the agreement with the Muskogee or Creek Tribe of Indians, approved March 1, 1901; to the Committee on Indian Affairs.

By Mr. WALSH:

A bill (S. 1254) for the relief of the Clark Dredging Co.;

A bill (S. 1255) for the relief of Harold Garr, Chester H. Peters, Harry B. Swift, Dr. Abraham A. Mills, Charles L. Harris, O. W. Morgan, F. G. E. Carlson, Harold S. Fraine, Owen E. Steele, W. C. Mudge, Jr., George F. Poutasse, Paul P. Pickle, W. D. Hiltbrand, Arthur P. Lebel, K. E. Hill, Annie McGowan, Ralph Thompson, and Rosamond M. MacDonald;

A bill (S. 1256) for the relief of Elizabeth B. Dayton; and

A bill (S. 1257) for the relief of James H. Smith; to the Committee on Claims.

A bill (S. 1258) to authorize the purchase and distribution of products of the fishing industry; to the Committee on Commerce.

A bill (S. 1259) for the relief of William D. Ellison; to the Committee on Military Affairs.

By Mr. HAYDEN (for himself and Mr. BORAH, Mr. ASHURST, Mr. PITTMAN, Mr. KING, Mr. MCNARY, Mr. FRAZIER, Mr. WHEELER, Mr. NYE, Mr. THOMAS of Oklahoma, Mr. BULOW, Mr. BONE, Mr. MCCARRAN, Mr. POPE, Mr. THOMAS of Utah, Mr. HATCH, Mr. O'MAHONEY, Mr. MURRAY, Mr. SCHWELLENBACH, Mr. CHAVEZ, Mr. LEE, Mr. SCHWARTZ, and Mr. HITCHCOCK):

A bill (S. 1260) to amend the Social Security Act to provide for aid to Indians; to the Committee on Finance.

By Mr. WHEELER:

A bill (S. 1261) to amend the Interstate Commerce Act, as amended, and for other purposes; to the Committee on Interstate Commerce.

By Mr. TYDINGS:

A bill (S. 1262) to extend the benefits of the Employees' Compensation Act of September 7, 1916, to Lillian Stecher Waldecker, formerly Lillian A. Stecher; to the Committee on Claims.

A bill (S. 1263) to authorize the award of a decoration for distinguished service to George J. Frank; to the Committee on Military Affairs.

A bill (S. 1264) for the relief of persons traveling between the continental United States and the Territory of Hawaii during the existing maritime strike, and for other purposes; to the Committee on Territories and Insular Affairs.

(By request.) A bill (S. 1265) for the relief of Chaim (Hyman) Kaplan; to the Committee on Immigration.

By Mr. BULOW:

A bill (S. 1266) to authorize the city of Chamberlain, S. Dak., to construct, equip, and maintain tourist cabins on American Island, S. Dak., to operate and maintain a tourist camp and certain amusement and recreational facilities on such island, to make charges in connection therewith, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. BROWN of Michigan:

A bill (S. 1267) granting a pension to Martha Bertha Rapin; to the Committee on Pensions.

By Mr. COPELAND:

A bill (S. 1268) to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the changing of the name of Sawpit to village of Port Chester, N. Y.; to the Committee on Banking and Currency.

A bill (S. 1269) to reimburse Domingo Liuanag for money deposited on the United States steamship *President Lincoln* lost at sea; to the Committee on Claims.

(By request.) A bill (S. 1270) to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A bill (S. 1271) to authorize Capt. Harry G. Hamlet, Capt. Edward D. Jones, Lt. Comdr. Louis W. Perkins, Lt. Comdr. Frank T. Kenner, and Lt. Dwight H. Dexter, United States Coast Guard, to accept certain foreign decorations and diplomas; to the Committee on Foreign Relations.

A bill (S. 1272) for the relief of James Meagher; to the Committee on Military Affairs.

A bill (S. 1273) to adopt regulations for preventing collisions at sea; to the Committee on Commerce.

By Mr. BURKE:

A bill (S. 1274) authorizing John H. Owens to bring suit in the District Court of the United States for the District of Nebraska, Omaha Division, against the United States of America for damages sustained by reason of being injured by an automobile operated by an employee of the United States engaged in Government business; to the Committee on Claims.

By Mr. BULKLEY:

A bill (S. 1275) relating to the authority of the Reconstruction Finance Corporation to make rehabilitation loans for the repair of damages caused by floods or other catastrophes, and for other purposes; to the Committee on Banking and Currency.

By Mr. GILLETTE:

A bill (S. 1276) to amend the Judiciary Act of September 24, 1789, as amended, and for other purposes; to the Committee on the Judiciary.

By Mr. SHEPPARD:

A bill (S. 1277) granting a pension to Mary L. Robinson; to the Committee on Pensions.

A bill (S. 1278) to authorize exchange of lands at military reservations, and for other purposes (with accompanying papers);

A bill (S. 1279) to authorize the sale, under the provisions of the act of March 12, 1926 (44 Stat. 203), of surplus War Department real property (with accompanying papers);

A bill (S. 1280) to repeal an act of March 3, 1933, entitled "An act to provide for the transfer of powder and other explosive materials from deteriorated and unserviceable ammunition under the control of the War Department to the Department of Agriculture for use in land clearing, drainage, road building, and other agricultural purposes" (with accompanying papers);

A bill (S. 1281) to authorize the sale of surplus War Department real property (with accompanying papers);

A bill (S. 1282) to amend articles of war 50½ and 70 (with accompanying papers);

A bill (S. 1283) to increase the extra pay to enlisted men for reporting (with accompanying papers);

A bill (S. 1284) to change the name of the Chemical Warfare Service (with accompanying papers);

A bill (S. 1285) to amend that provision of the act approved March 3, 1879 (20 Stat. L. 412), relating to issue of arms and ammunition for the protection of public money and property (with accompanying papers);

A bill (S. 1286) to place accountability for disbursement of public moneys or disposal of public property upon commanding officers directing such disbursement or disposal (with accompanying papers); and

A bill (S. 1287) to authorize the procurement, without advertising, of certain War Department property, and for other purposes (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 1288) for the relief of Jay Paul Turner (with accompanying papers); to the Committee on Naval Affairs.

By Mr. DAVIS:

A bill (S. 1289) to amend section 9 of the act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936; to the Committee on Commerce.

By Mr. LEE:

A bill (S. 1290) to amend paragraph 761 of Revenue Act of 1930 to increase duty on cashew nuts; to the Committee on Finance.

By Mr. TYDINGS:

A joint resolution (S. J. Res. 58) to authorize the President to suspend or reduce duties on imports into the Territory of Hawaii during the emergency arising from the present maritime strike; to the Committee on Finance.

A joint resolution (S. J. Res. 59) to permit foreign vessels to carry merchandise in coastwise trade with the Territory of Hawaii during the emergency arising from the maritime strike; to the Committee on Territories and Insular Affairs.

NEUTRALITY

Mr. CLARK. On behalf of the Senator from Washington [Mr. BONE], the Senator from Michigan [Mr. VANDENBERG], the Senator from North Dakota [Mr. NYE], and myself, I introduce a joint resolution dealing with the question of neutrality, and ask that it be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. The resolution will be received and referred as requested by the Senator from Missouri.

By Mr. CLARK (for himself and Mr. BONE, Mr. VANDENBERG, and Mr. NYE):

A joint resolution (S. J. Res. 60) extending and amending the joint resolution (Public Res. 74, 74th Cong.) approved February 29, 1936; to the Committee on Foreign Relations.

MEMORIAL TO THOMAS JEFFERSON—CHANGE OF REFERENCE

Mr. KING. Mr. President, on January 22 I introduced Senate Joint Resolution 52, relating to a permanent memorial in the city of Washington, D. C., to the memory of Thomas Jefferson. The joint resolution calls for the construction of a building for the housing of various organizations, and also provides for a statue of Thomas Jefferson.

I was advised when the joint resolution was introduced that all measures relating to the erection of statues in the District of Columbia should be referred to the Committee on the Library. Accordingly that reference was made of the joint resolution.

A bill was also introduced by the able Senator from Arkansas [Mr. ROBINSON] dealing with a part of the same subject. His bill was referred to the Committee on Public Buildings and Grounds.

It seems to me the provisions of the joint resolution which I have introduced are germane to the same subject, and accordingly I ask that the Committee on the Library be discharged from the further consideration of my joint resolution and that it be referred to the Committee on Public Buildings and Grounds.

The VICE PRESIDENT. Without objection, it is so ordered.

ALLEGATIONS PERTAINING TO SENATORIAL PERQUISITES

Mr. HOLT. I submit a resolution and ask that it may be read and referred to the Committee on the Judiciary.

The VICE PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution (S. Res. 73), as follows:

Whereas the great institutional prestige of the proper powers of the Senate of the United States should not be obscured by scandalous rumors as to the abuses of senatorial perquisites by individual Senators thereof; and

Whereas certain allegations appeared in an article entitled "Lord Guffey of Pennsylvania", published in the magazine The American Mercury, in the issue for November 1936 and have attained a large circulation thereby; and

Whereas such article makes sensational charges about the political and personal past of a Member of the august Senate of the United States, and implies past lack of perquisites, and present abuses of perquisites of the duties of a Senator; and

Whereas such charges, if untrue, are not only scandalous and libelous, but conducive to an unhealthy disrespect for the Senate of the United States by the people of this country: Now, therefore, be it

Resolved, That the Committee on the Judiciary shall study the charges and allegations made in such article "Lord Guffey of Pennsylvania", impugning the motives and character of the Honorable JOSEPH F. GUFFEY, junior Senator from the Commonwealth of Pennsylvania; and that said committee shall make a report to the Senate as to the truth or falsity of such charges.

Mr. ASHURST. Mr. President, I do not rise in the attitude of a censor. Such an attitude would never be permitted by this body. I do say, however, if the Senate of the United States is going to pause in its great work to take up and consider the truth or falsity of newspaper or magazine articles referring to Senators, then, indeed, we will do nothing but sit as sage statues passing on incompetent, irrelevant, and immaterial matters.

The best thing to do with reference to newspaper articles is to apply the philosophy of the stoics. I thank the newspapers for not printing all they know about me. I am not worried about publicity. I think a great many men in public life overestimate publicity and seek it on occasion when it is not necessary.

Of course, the Senate has the right to demand that the Judiciary Committee suspend its investigation of constitutions and laws and policies which make peoples great and strong, and give attention to these small matters. I do not wish to be unparliamentary in referring to the resolution of a Senator as "small", but I believe when his temples are crowned with silver he will be ashamed of a resolution of this kind.

I repeat, I shall not defy the Senate. If the Senate demands that the Judiciary Committee investigate this matter, the committee can do it, but I shall not have anything to do with it. I have no time to waste with such matters. I am busy with important affairs rather than with small ones.

Mr. ROBINSON. Mr. President, I do not understand that any request has been made for the present consideration of the resolution.

It is regrettable that the time of the Senate should be occupied in the consideration of such matters. My understanding is that the request was that the resolution be referred to the Committee on the Judiciary. Is that correct?

The PRESIDENT pro tempore. That is the request as understood by the present occupant of the Chair, and the resolution will be so referred.

Mr. BORAH. Mr. President, is the resolution to be referred to the Committee on the Judiciary?

Mr. ROBINSON. Yes.

Mr. BORAH. Should it not go to the Committee on Privileges and Elections?

Mr. ROBINSON. I think the Committee on the Judiciary has jurisdiction.

Mr. ASHURST. Mr. President, I suggest that a special committee be appointed to consider the resolution and that the committee be designated as the "Committee on the Disposition of Useless and Unnecessary Resolutions." [Laughter.]

Mr. ROBINSON. I understand the resolution has already been referred to the Judiciary Committee?

The PRESIDENT pro tempore. That was the order of the Chair.

AMERICA'S OUTLOOK—ADDRESS BY SENATOR WALSH

[Mr. WAGNER asked and obtained leave to have printed in the RECORD an address on America's Outlook, delivered by Senator WALSH at the opening of the annual radio forum of the National Democratic Club of New York on Jan. 30, 1937, which appears in the Appendix.]

CONTROL OF FLOODS

[Mr. LONERGAN asked and obtained leave to have printed in the RECORD a statement by Dr. Charles P. Berkey, of Columbia University, relative to the control of floods, published in the New York Times of Jan. 31, 1937, and also an editorial from the New York Times of the same date entitled "Curbing the Mississippi", which appear in the Appendix.]

ACTIVITIES OF GOVERNMENT IN RELATION TO AGRICULTURE—ADDRESS BY H. H. BROWN

[Mr. COPELAND asked and obtained leave to have printed in the RECORD an address delivered by Mr. Halloran H. Brown on the activities of Government as related to agriculture and horticulture, published in the Rockland County Times of the issue of Jan. 30, 1937, and also an editorial comment on the address from the same publication, which appear in the Appendix.]

ADDRESS BY HON. JESSE H. JONES

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD an address delivered by Hon. Jesse H. Jones at Dallas, Tex., Oct. 30, 1936, which appears in the Appendix.]

PRESIDENTIAL ELECTORS' DINNER

[Mr. HAYDEN asked and obtained leave to have printed in the RECORD a list of the Presidential electors and the program of the Presidential Electors' Dinner at the Mayflower Hotel on Jan. 19, 1937, which will appear hereafter in the Appendix.]

ELECTION PREDICTION OF CHAIRMAN FARLEY

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an address delivered by Hon. James A. Farley, chairman of the Democratic National Committee, on Nov. 3, 1936, which appears in the Appendix.]

THE CALENDAR

BILLS PASSED OVER

The PRESIDENT pro tempore. Morning business is closed. The calendar, under rule VIII, is in order, and the clerk will state the first bill.

The bill (S. 766) to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects destroyed in a fire at the radio direction finder station, North Truro, Mass., on December 27, 1934, was announced as first in order.

Mr. SCHWELLENBACH. Let that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 113) for the relief of Daniel Yates was announced as next in order.

Mr. KING. I ask that that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The resolution (S. Res. 8) proposing to limit debate on general appropriation bills was announced as next in order.

Mr. VANDENBERG. Let the resolution go over.

The PRESIDENT pro tempore. The resolution will be passed over.

The bill (S. 292) for the relief of Thomas Salleng was announced as next in order.

Mr. KING. Let that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 327) for the relief of Felix Griego was announced as next in order.

Mr. KING. I should like to have an explanation of that bill, and I ask that it go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 686) for the relief of Anthony J. Constantino was announced as next in order.

Mr. KING. I ask that that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

RECOMMITTAL OF A BILL

The bill (S. 297) for the relief of Curtis Jett was announced as next in order.

Mr. SHEPPARD. Mr. President, I ask unanimous consent that the bill be recommitted to the Committee on Military Affairs in order that it may be reconsidered in the light of additional evidence to be submitted.

The PRESIDENT pro tempore. Without objection, the bill will be recommitted, as requested.

BILLS PASSED OVER

The bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes, was announced as next in order.

Mr. ROBINSON. Mr. President, it will be impossible to consider and dispose of the bill under the present order. I suggest that it be passed over with a view to recurring to it and making it the unfinished business.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 365) for the relief of Capt. James W. Darr was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

FIRST DEFICIENCY APPROPRIATIONS

The PRESIDENT pro tempore. That completes the calendar.

Mr. ROBINSON. Mr. President, I understand it is the intention of the Senator from Virginia [Mr. GLASS], chairman of the Committee on Appropriations, to ask the Senate to proceed to the consideration of the deficiency appropriation bill.

Mr. GLASS. Mr. President, the Senator from Colorado [Mr. ADAMS], chairman of the subcommittee, is charged with the handling of the bill.

Mr. ADAMS. Mr. President, I move that the Senate proceed to the consideration of the bill H. R. 3587, being the deficiency appropriation bill.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. ADAMS. Mr. President, I ask unanimous consent that the formal reading of the bill may be dispensed with, that the bill be read for amendment, and that committee amendments be first considered.

The PRESIDENT pro tempore. Without objection, it is so ordered. The bill will be read.

The Chief Clerk proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the heading "Title I—General appropriations—Legislative", on page 2, after line 2, to insert:

SENATE

To pay to Ellen E. Murphy, widow of Hon. Louis Murphy, late a Senator from the State of Iowa, $10,000.

The amendment was agreed to.

The next amendment was, on page 2, after line 5, to insert:

To pay to Lydia Norbeck, widow of Hon. Peter Norbeck, late a Senator from the State of South Dakota, $10,000.

The amendment was agreed to.

Mr. ADAMS. Mr. President, I think a brief statement ought to be made at this point. The Senate will note that there is the customary appropriation of $10,000 each to the widows of the late Senator Murphy and the late Senator Norbeck. I merely wish to state that the item of the customary appropriation in the case of the widow of the late Senator Couzens is not included at the specific written request of Mrs. Couzens.

The next amendment of the Committee on Appropriations was, on page 2, after line 8, to insert:

For miscellaneous items, exclusive of labor, fiscal year 1937, $160,000.

Mr. KING. Mr. President, I invite the attention of the Senator in charge of the bill to the amendment just read. Does he care to make a statement as to the items included in that rather general and omnibus provision?

Mr. ADAMS. Mr. President, for the information of the Senator from Utah and other Senators I will state that the item represents principally an appropriation for the additional secretaries who have been provided for Senators. Under the statute we have four secretaries. This covers the item of the additional secretaries and some other assistance and services in connection with the business of the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the amendment on page 2, lines 9 and 10.

The amendment was agreed to.

The next amendment was, on page 2, after line 10, to insert:

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, fiscal year 1937, $125,000: *Provided*, That no part of this appropriation shall be expended for services, personal, professional, or otherwise, in excess of the rate of $3,600 per annum: *Provided further*, That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

The amendment was agreed to.

The next amendment was, on page 2, after line 22, to insert:

Office of Sergeant at Arms and Doorkeeper: For two laborers, from February 1 to June 30, 1937, at the rate of $1,260 per annum each, $1,050.

The amendment was agreed to.

The next amendment was, on page 4, after line 4, to insert:

JOINT COMMITTEE ON GOVERNMENT ORGANIZATION

For the payment of the salaries and other expenses of the Joint Committee on Government Organization as authorized by law, fiscal year 1937, to remain available during the fiscal year 1938, $30,000, one-half of such amount to be disbursed by the Secretary of the Senate and one-half by the Clerk of the House of Representatives.

The amendment was agreed to.

The next amendment was, under the heading "Executive—Independent offices—Relief and work relief", on page 5, line 6, after the word "thereof", to strike out "$790,000,000" and insert "$775,000,000", so as to read:

To continue to provide relief and work relief as authorized in the Emergency Relief Appropriation Act of 1936, and subject to all the provisions thereof, $775,000,000, which amount shall be added to, and proportionately increase the specified amounts of the limitations prescribed under, the appropriation made in such act.

Mr. ROBINSON. Mr. President, I believe it would be helpful to the procedure to allow that item to go over for the present. There are one or more controversies relating to the amendment. If the Senator from Colorado approves of that course, I ask that that be done.

Mr. ADAMS. That is satisfactory to me.

The PRESIDENT pro tempore. Without objection, the item will be passed over temporarily.

The next amendment was, on page 5, line 16, after the word "thereof", to insert a colon and the following additional proviso:

Provided further, That no part of the funds carried in this appropriation shall be used to pay more than one-half of 1 percent of the total number of persons appointed or employed in an administrative or supervisory capacity within any State who were nonresidents of the State at the time of the appointment or employment of such persons, nor shall more than 1 percent of the total amount allocated out of this appropriation for expenditures for any purpose within any State be paid as salaries, wages, or other compensation to persons appointed or employed in an administrative or supervisory capacity who were not bona-fide residents of such State at the time of appointment or employment but the provisions of this proviso shall not apply to any projects administered by the War Department.

Mr. BARKLEY. Mr. President, I presume the object of this amendment is to make it compulsory for the Works Progress Administration and other relief administrations to employ nobody in regional offices except residents of the State in which the regional office is located, although a regional office may have jurisdiction over five or six or even a dozen States.

I presume the object is to bar anybody, regardless of his qualifications or the need for his services who may be brought in to a regional office from outside of the State in which the office is located. If that is the object of the amendment, I am opposed to it.

I have just been informed by the Works Progress Administration that the adoption of the amendment would cripple its activities and would knock into a cocked hat its organization in every regional office now engaged in conducting its activities. If that is the purpose—and whether it is the purpose or not, it is certainly the effect—I hope the amendment will be defeated.

Mr. ADAMS. Mr. President, this particular amendment was adopted by the Senate at the time of the passage of the deficiency bill at the last session. It was presented by the junior Senator from Georgia [Mr. RUSSELL]. The amendment was modified very materially in conference, and this is a reoffering by the junior Senator from Georgia of

the language of that amendment with the intent, as I understand, to prevent what is commonly denominated as "carpetbagging", sending employees into a State or district in which they do not live. I would suggest that the Senator from Georgia be permitted to explain it.

Mr. BARKLEY. I shall make some remarks in my own time.

Mr. ADAMS. I am about to ask the Senator from Georgia to make a complete explanation.

Mr. BARKLEY. Is this in the language of the original offering by the Senator from Georgia or in the language of a compromise reached in conference?

Mr. ADAMS. This is the language adopted by the Senate at the last session. It is not the language originally incorporated in the bill because there was a compromise made in the conference committee.

Mr. RUSSELL obtained the floor.

Mr. SCHWELLENBACH. Mr. President, will the Senator from Georgia yield for a question?

Mr. RUSSELL. Certainly.

Mr. SCHWELLENBACH. Would the Senator be willing to have the amendment amended by including, in line 20, after the word "State", words such as these?—

For the purpose of performing services relating exclusively to work within the State.

Mr. RUSSELL. Mr. President, I would gladly accept the suggestion of the Senator from Washington. Of course, no one has any idea of attempting to limit the employees of any regional office to citizens of the State where the regional office might be located. If the amendment would have that effect, it certainly is not intended, and as the author of the amendment, I should be delighted to accept any verbiage that would avoid that effect. This amendment was offered when the bill appropriating the $1,450,000,000 was pending at the last session of the Congress, and was adopted by the Senate. At that time it provoked some little discussion on the floor.

Mr. President, in some of the States there has been an unreasonable policy on the part of the Works Progress Administration. Ofttimes, at the expense of the Government, they have sent people into States from other States to take many of the more attractive supervisory positions. I do not accept the implication that there is a State of this Union which does not have within its borders citizens of sufficient integrity and ability to carry on and direct all of the supervisory and administrative work of the State division of the Works Progress Administration. As for my own State, I resent the inference that there are not citizens of my State who are capable of directing all of this work, and I resent the Works Progress Administration sending people from other States to fill positions strictly within my State, when there are on the reemployment rolls of the State the names of citizens in the State who are looking for work, who have registered themselves, and who possess qualifications which are equal or superior to those of the people sent into the State.

People have been sent into my State to direct the athletic activities of the Works Progress Administration in the city of Atlanta—people from remote sections, who know nothing of the life and habits and manners of living of the people of my State, to take jobs which pay $250 to $300 a month, when there are on the rolls of the reemployment agency in Atlanta the names of any number of people looking for that kind of work who cannot obtain employment.

I say the Congress should take this matter in hand. We have appropriated these funds lavishly and without any strings, due to the great emergency confronting us; but surely there are those in every State capable of carrying on the work in the particular State of an administrative and supervisory character.

Mr. President, there are differences in the kinds of work and the characteristics of those who do the work in the various sections of the Nation. People who have always lived within the State and are familiar with local conditions could do the work more efficiently than those imported from other States.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. BARKLEY. I appreciate the Senator's attitude, and I have a good deal of sympathy with it. I do not think that in purely State activities there should be a considerable number of employees sent in from other States to supervise the work wholly within a State, or to perform services within a State where there are qualified men and women in the State who might do the work. But there are instances in which there are regional offices, for instance, comprising half a dozen States. Certainly five out of six States, in such a situation, ought not to be barred from the right to have their citizens considered for any work that deals with the regional situation, and I am wondering whether the Senator would accept an amendment of this sort: On page 5, in line 20, after the word "State", to insert the words "or any region"; on line 21, after the word "State", to insert the words "or the region"; and in line 24, on the same page, after the word "State", to insert the words "or region."

Mr. RUSSELL. I would accept that amendment.

Mr. BARKLEY. So that the requirement would be that the person employed would have to be a citizen of the State or region in which the work is proposed to be done.

Mr. RUSSELL. I have no intention or desire to hamper the regional offices.

Mr. NORRIS. Mr. President, on account of the noise in the Chamber I could not hear the amendment suggested.

Mr. BARKLEY. The amendment I suggest, and which the Senator from Georgia seems willing to accept, is that in line 20, after the word "State", there be inserted the words "or any region"; on line 21, after the word "State", to insert the words "or the region", and on the same page, in line 24, after the word "State", to insert the words "or region", so that it would not require the Works Progress Administration to limit its employees to the State in which a regional office might be located, but would empower them to consider qualified employees in the entire region over which the office had jurisdiction.

Mr. RUSSELL. I think that either the amendment suggested by the Senator from Kentucky or the amendment suggested by the Senator from Washington would be wholly acceptable to the committee. I know it would be acceptable to me as the author of the committee amendment. I think it would certainly make it clear that there is no desire to interfere with the regions. The difference between the amendment proposed by the Senator from Washington and that proposed by the Senator from Kentucky is that the amendment of the Senator from Kentucky would limit the employees of the regional offices to those living within the region, whereas the amendment offered by the Senator from Washington merely provides that those who are employed in the State organization should be residents of the State.

Mr. BARKLEY. I did not get the force of the suggestion of the Senator from Washington.

Mr. SCHWELLENBACH. Mr. President, I have no pride of authorship, but I do think that the amendment I have offered would meet the situation a little better than the amendment proposed by the Senator from Kentucky.

Mr. BARKLEY. I did not get the force of the Senator's suggestion.

Mr. SCHWELLENBACH. I suggest that the amendment be reported.

The PRESIDENT pro tempore. The clerk will state the amendment.

The CHIEF CLERK. It is proposed, on page 5, line 20, after the word "State", to insert the words "for the purpose of performing services relating exclusively to work within the State."

Mr. KING. Mr. President, may I ask the Senator from Georgia a question?

Mr. RUSSELL. I am glad to yield to the Senator from Utah.

Mr. KING. Are there any limitations upon the Works Progress Administration or its officials in limiting or delimiting the boundaries of the regions? May they set up a region today and then change the boundaries to include

or exclude States not within the contemplation when the region was first established?

Mr. RUSSELL. Mr. President, I do not know that I can answer that question. I do not think any of the regions are fixed by any statute. They are determined by the administrative rulings and orders.

Mr. NORRIS. Mr. President, we cannot hear the discussion; there is so much confusion on the floor.

The PRESIDENT pro tempore. The Senate will be in order.

Mr. BARKLEY. Mr. President, there is no provision in the law limiting the authority of the Administrator of the Works Progress Administration with respect to the location of regional offices or the number of States which he may allocate to any region. That is an administrative matter which all these emergency agencies have conducted as they have seen fit to do, attempting to group States according to their geographical location and the similarity of the problems which they face; but there is no law prohibiting the Administrator from changing them from time to time.

Mr. ADAMS. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield.

Mr. ADAMS. I wish simply to place in the RECORD, in order to make the discussion a little clearer, the provision of the deficiency bill which was agreed to last year by the conference committee and adopted by the two Houses as a substitute or compromise. It is as follows:

> Appointments to Federal positions of an administrative or advisory capacity under the foregoing appropriation in any State shall be made from among the bona-fide residents of that State, so far as not inconsistent with efficient administration.

I should like to ask the Senator from Georgia whether or not he feels that that has been lived up to.

Mr. RUSSELL. Mr. President, I might say that in the case to which I have referred, when an athletic director from another State was sent into my State to have jurisdiction within the city of Atlanta, I was so outraged that I took the matter up with the Comptroller General of the United States and requested him to inform me whether this man could draw his salary. I have here a letter from the Comptroller General, in which he cites the provision of the law referred to, and says:

> You will note that the provision as finally enacted is merely directory to the appointing authorities, rather than an inhibition or a limitation as to the use of the appropriated funds. Furthermore, the direction that the appointments be made from among the bona-fide residents of the State is qualified by the phrase "so far as not inconsistent with efficient administration." This virtually leaves the matter entirely in the hands of the administrative officer in charge.

Mr. GEORGE. Mr. President——

The PRESIDENT pro tempore. Does the junior Senator from Georgia yield to his colleague?

Mr. RUSSELL. I yield to my colleague.

Mr. GEORGE. May I also call the attention of my colleague to the fact that there is no protection provided in the amendment that was carried in the deficiency bill of last year?

Mr. RUSSELL. It was merely a suggestion, to which the authorities are not compelled to pay the slightest attention. It does not prevent transferring people from one section to another.

Mr. GEORGE. Exactly; and it did not relate, or undertake to relate, to the status of the appointee at the time of his appointment.

Mr. RUSSELL. It did not affect that at all.

Mr. GEORGE. If he was already in the service.

Mr. SCHWELLENBACH. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield.

Mr. SCHWELLENBACH. As I stated a few moments ago, I have no pride of authorship in the amendment which I have proposed. The objection I have to the amendment offered by the Senator from Kentucky is merely this: As the Senator from Utah has pointed out, there is nothing in the law which fixed the boundaries or size of regions. If, after we pass this law, the Works Progress Administration should say, "We will have two regions in the United States, one east of the Mississippi and one west of the Mississippi", so far as this amendment is concerned, they could bring people from Maine to Georgia, or from Texas up to the State of Washington.

Mr. CONNALLY. Mr. President, there is no danger of them bringing people from Texas, I will say.

Mr. SCHWELLENBACH. We have no objection to them appointing people from Texas; but it seems to me that the amendment which the Senator from Kentucky proposes would be ineffectual to meet the situation presented by the Senator from Georgia. What the Senator from Georgia desires is to keep people from being brought from outside of a State to do State work. My amendment, I think, would meet the object of the Senator.

Mr. BLACK. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield.

Mr. BLACK. In my judgment, the amendment of the Senator from Washington would meet the situation so far as the State office is concerned. I judge that the Senator from Kentucky and others believe that the regional office should attempt to secure its employees from the region represented by the regional office. If there should be a division of the United States into two regions only, that would necessitate a reduction of regional offices to two, and if that should occur, it would be proper to draw the employees of that regional office from all of the States included within the region.

Some time ago I had some figures as to the employees in a regional office, and I found that in a region which is composed, as I recall it, of three States, there were fewer than 500 employees in the regional office, and 420 of them came from one of the three States. In that situation, naturally, there was not an adequate number of representatives in the regional office from the other two States with a knowledge of affairs within those States to transact the business coming from their States.

I myself am strongly in favor not only of the limitation suggested by the Senator from Washington, but I am in favor of the limitation suggested by the Senator from Kentucky. It is my belief that if all of these departments would recognize that they would obtain better cooperation, in connection with their work, by distributing the employment in the regional office among representatives from the various States within the region, they would help very materially in the proper execution of their work, and if the words suggested by the Senator from Kentucky are not sufficient in their limitation or in the definition of their boundary to accomplish the purpose which he desires, I sincerely hope that someone will suggest other language which will accomplish his purpose.

I may state that a short time ago there came into my city of Birmingham a very estimable and able gentleman from a city in a neighboring State to take charge of the branch office of a certain institution which was doing business in Alabama. This gentleman was sent from the home office of the Government agency over into Alabama. He was a resident of the State in which the home office was located. He had never resided in the State of Alabama for a minute in his entire life. He was not familiar with the business in the State of Alabama which he was sent to control in this branch agency.

I am very heartily in favor of the amendment of the Senator from Kentucky [Mr. BARKLEY] if it will accomplish the purpose sought. If it will not, I hope someone will suggest language which will accomplish the purpose.

In my judgment, this discussion, however, will show exactly what was intended, to wit, that with reference to employment in the State offices of various governmental agencies, the employees, so far as possible, and within the limitations mentioned, shall be residents of the State in which the work is done. Further, that with reference to regional offices it is the belief of this body that there should be, so far as possible, a fair representation and

apportionment of employees within the entire region to serve in the regional office, and that the regional office shall not go a thousand miles away from the region to bring in those who are not familiar with the particular problems of that region. That, as I understand, is the purpose sought by the Senator from Kentucky in his amendment, and I believe that that represents largely the viewpoint of the Members of this body.

Mr. BARKLEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Kentucky?

Mr. RUSSELL. I yield.

Mr. BARKLEY. I reiterate my conviction that as the amendment is drawn by the committee it would even limit the employees in a regional office to the State in which the office is located, and would not permit the diffusion of such employees over the other States of which such regional office had supervision. Of course, this applies to more administrations than the W. P. A., because, for example, out of this fund the President can in the future, as he has in the past, allocate funds to the Resettlement Administration.

It happens that there is a regional office in the city of Raleigh, N. C., which has jurisdiction over Virginia, North Carolina, South Carolina, West Virginia, Kentucky, and, I think, Tennessee. Of course, with respect to the work done in the regional office in Raleigh, the employee is probably physically limited to the office in that city, unless the work is of a supervisory nature that would call for his being sent out as an inspector or in a similar capacity in all the other States included within that region, and the amendment as drawn by the committee, I think, could be subject to the interpretation that every man and every woman who physically worked in or whose limitations were within the boundaries of the State, would have to be selected from that State and would give no leeway at all in the selection of employees from the other States included within the region.

The amendment suggested by the Senator from Washington [Mr. SCHWELLENBACH], by limiting the language to apply to work done exclusively within the State, I think would apply to those who do regional work, although they are physically limited to the office of the regional headquarters in any city. For that reason I think that while the importation of men from outside the region would be permitted, and, as he suggested, employees could be brought in from anywhere in the United States to any regional office, his amendment would not cure the interpretation which I fear would be placed upon the language, that so long as regional employees should by telephone or by mail or by any supervisory methods deal with problems in five or six States, while they are physically located in their headquarters in the city, they would have to be chosen from the State in which they actually did the work, and in that case I think the proposed language would be even more restrictive than the suggestion which I offered, though I hope we can agree on language which will accomplish what we seek to accomplish.

Mr. RUSSELL. Mr. President, this amendment was amended two or three times in the committee, and it is wholly likely, from a careful reading of it, that it is subject to the criticism made by the Senator from Kentucky. I personally feel that either of the amendments, the one offered by the Senator from Washington or the one offered by the Senator from Kentucky, would achieve what I am seeking to accomplish, and that is to prevent persons from outside the State being sent in to take supervisory positions within the State organization. Personally, I think that the amendment offered by the Senator from Kentucky is perhaps a bit more desirable, because it would limit to the region the personnel that administered the work within that region.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Indiana.

Mr. MINTON. Could not we accomplish the purpose of all the Senators by adopting both the amendment of the Senator from Kentucky [Mr. BARKLEY] and the amendment of the Senator from Washington [Mr. SCHWELLENBACH] by simply inserting on page 5, in line 20, after the word "State", the words "or region", and then add the words of the amendment proposed by the Senator from Washington, "for the purpose of performing services relating exclusively to work within the State"? Thereby both purposes would be accomplished.

Mr. BARKLEY. Mr. President, that is the suggestion I made.

Mr. RUSSELL. The amendment proposed by the Senator from Kentucky was to insert the words "or region."

Mr. MINTON. He was putting in the words "or region" without incorporating the amendment of the Senator from Washington.

Mr. RUSSELL. There is certainly no conflict between the two proposed amendments, I will say to the Senator.

Mr. KING. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. KING. I was interested in the statement which the Senator read from a letter addressed to him by the Comptroller General, indicating that the language to which attention was called by the Senator from Colorado [Mr. ADAMS], and which is the present law, was wholly disregarded or apparently was wholly disregarded by the administration. I was wondering if with these proposed amendments, if they shall be accepted, the bill then will be sufficiently mandatory in its character so as to compel the agency or agencies that are embraced in the bill to follow the terms and the spirit and the letter of the act?

Mr. RUSSELL. I certainly hope that that will be accomplished, because that is undoubtedly the purpose of the amendment. I might say to the Senate, however, that the language that finally found itself in the bill as the result of the conference was scarcely directive. It was mildly suggestive that they employ persons living within the State. I do not think that the Works Progress Administration has violated any language of any act of Congress, however far they may have departed from the intention of the Congress as made manifest by this amendment.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CONNALLY. The last clause of the amendment which the Senator quoted destroyed all that went before.

Mr. RUSSELL. Yes.

Mr. CONNALLY. In order to hold down the departments you have to tie them both hands and feet, and draw an amendment containing limitations out of which they cannot wiggle.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield the floor.

Mr. O'MAHONEY. Mr. President, I think it ought to be called to the attention of the Senate that we are considering a deficiency bill. The amendment proposed by the Senator from Georgia [Mr. RUSSELL] was offered when the appropriation bill for the year ending June 30, 1937, was being drafted. That amendment was adopted by the Senate but it was rejected by the House, and the Senate then concurred in the action of the House. The Congress decided by concurrent action of both houses not to place this limitation in the Emergency Relief Appropriation Act for the year 1937. Now we are engaged in supplying certain deficiencies. It seems to me to be quite manifest that it would be rather improper in the middle of the fiscal year to attach to a deficiency bill a rider which would perhaps have the effect of undoing the policies which have been placed in operation as the result of previous action of Congress.

I sympathize with a great deal of what the Senator has said, and I feel that Congress should exercise considerable restraint upon the Executive agencies; but we are not dealing here with W. P. A. alone, nor with the Resettlement Administration. We are dealing with the Public Works Administration and with every other emergency agency.

Mr. RUSSELL. Mr President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Georgia.

Mr. RUSSELL. I might point out to the Senator from Wyoming that the relief appropriation for the last year was carried in a deficiency bill; it was carried in the First Deficiency Appropriation Act for the year 1936. We ought to have an opoprtunity to place limitations on the expendi-

ture of these relief funds in the bill appropriating the funds. Last year the relief appropriation was carried in a deficiency bill, the first deficiency bill of 1936. We now find ourselves with another deficiency bill which carries the appropriation for this relief and work-relief agency. The appropriation of money for this agency could be made only in the deficiency bills, for it is not provided for in any regular appropriation bill.

Mr. O'MAHONEY. The deficiency in question is for the year 1937. The Appropriations Committee will be confronted with this problem within a few months, and it seems to me that at that time we may go into the entire matter.

I may also point out that a reorganization committee has been appointed in both Houses of Congress, and that the President has recommended to Congress the establishment of a department of public works. Obviously, it is going to be necessary for us to go into this entire matter.

I may say that I hold in my hand a memorandum showing that the Emergency Relief Appropriation Act of 1936 contained the following language:

> Appointments to Federal positions of an administrative or supervisory capacity under the foregoing appropriation in any State shall be made from among the bona-fide residents of that State so far as not inconsistent with efficient administration.

I am advised by the W. P. A. that it has made a conscientious effort to carry out that provision. I cannot say with certainty, but I think the Senator will agree that the Committee on Appropriations had no real opportunity to make an investigation as to whether or not the provision has been complied with.

Mr. RUSSELL. The Senator evidently was not on the floor when I pointed out that that language was contained in the bill; that, despite that language, an employee was sent within my State to direct purely State activities, such as athletic directors in the city of Atlanta, Ga.; and that I filed a protest with the Comptroller General of the United States, asking him to give some force and effect to that language by stopping the payment of the salaries of such employees; and I was advised by him that the language was merely directive; that it was left to the discretion of the appointing agencies.

Mr. O'MAHONEY. My feeling is that it would be unwise at this time to adopt the amendment of the Senator, and that we should allow the matter to go until the Appropriations Committee considers the appropriation for the ensuing year for the relief agency, at which time it would be possible to discuss the entire subject.

Mr. KING. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to the Senator from Utah?

Mr. O'MAHONEY. I yield.

Mr. KING. Suppose that since the former bill was passed evidence has been brought to the attention of the Appropriations Committee or to the attention of the Senate that a provision which was inserted in that law has been disregarded, does the Senator think that we ought not to legislate for the remainder of the year and to make such provisions in the terms of this appropriation as will prevent a continuance of the evils?

Mr. O'MAHONEY. I will say to the Senator from Utah that if there were such evidence, that might be necessary, but nothing of that kind appears in the hearings, as I understand.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. BARKLEY. The provision read by the Senator from Wyoming attempts to limit these employees to the State or region in which they are employed, subject, of course, to the exception that if there be some expert or some person peculiarly qualified to deal with a particular situation and if a person so qualified cannot be found in the State or region, the W. P. A. or any of these other agencies may send such employees in from the outside. Of course, whenever anybody is sent into our States from the outside we usually regard that as prima facie evidence that somebody in the State who is equally if not better qualified has been ignored, but that is not necessarily proof of the fact.

Mr. O'MAHONEY. That is true, but I am not concerned at this moment about the merit of these allegations.

Mr. BARKLEY. I understand the Senator's attitude.

Mr. O'MAHONEY. They may be true, and I think we ought to find out whether or not they are true, and if it be true that any of the agencies have violated the clear direction of Congress, then they should be made to feel it. What I am pointing out, however, is that to adopt this amendment at this time, upon this appropriation bill, will mean that it will become effective immediately, and, as a result, there will undoubtedly have to be discharged hundreds of employees who have accepted their appointment in good faith and who knew nothing about this proposal and who will, perhaps, as a result, be placed almost on the doorsteps of Senators looking for other appointments. Let us not disrupt the organization.

Mr. BARKLEY. As a matter of fact, there has been no proof produced before the committee or before the Senate up to this moment that in a single case the administrator has violated the spirit or letter of this provision.

Mr. O'MAHONEY. Nothing beyond what the Senator from Georgia has just stated.

Mr. BARKLEY. I will accept the Senator's word about that, of course. In his particular case there may have been at least a close question as to whether somebody else is better qualified than the person he may have had in mind.

Mr. RUSSELL. I may say I have nobody on earth in mind; it is not a question of patronage at all. I have never made any very serious effort to have anyone employed by the W. P. A. in any supervisory capacity within my own State or within any regional office. It is a matter of principle. I think it is fundamentally wrong to take these funds appropriated for relief and work relief and to use them to pay the salaries of those who are transported from one end to the other of the country and called upon to act under conditions with which they cannot be fully familiar and ofttimes to have large mileage accounts built up at the expense of the Government to pay for transportation.

Mr. BARKLEY. At the same time, if the Senator will yield further, lack of familiarity with a local situation may be overcome sometimes by long experience and qualifications in the type of work which is necessary to be done in the particular locality, which would offset I think the desirability of having local employees.

Mr. DUFFY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Wisconsin.

Mr. DUFFY. I merely wish to suggest to the Senator from Wyoming, that, if the departments have carried out the spirit of the direction which was given, there should not be any considerable number of people that might lose their jobs at this time. I am of the belief that several of the departments, at least, have just chosen to ignore that provision. If they have carried it out, nobody would be greatly harmed, and there would not be any trouble if we should make the provision mandatory in the law.

Mr. O'MAHONEY. I will say, in response to the Senator from Wisconsin, it is only necessary to point out the wording of the amendment, which reads:

> That no part of the funds carried in this appropriation shall be used to pay more than one-half of 1 percent of the total number of persons appointed.

"One-half of 1 percent of the total number of persons appointed" reminds one of the famous amendment which was recently repealed by the action of the people of the United States. But obviously one-half of 1 percent is so infinitesimal a number that the effect of the amendment, if adopted, cannot help but be to cripple every regional office in the country.

Let me add that I thoroughly agree with the Senator from Georgia that the administration of these appropriations should be, to the largest extent possible, committed to organizations and to employees drawn from the several States. I view with a good deal of dissatisfaction, and even

with apprehension, the system which has grown up of establishing regional headquarters which seem to threaten perhaps the future integrity of the States, but I submit this is not the place to correct that error, if error it be; it ought to be corrected on a general bill after an opportunity for hearings.

Mr. LOGAN. Mr. President, will the Senator yield to me?

Mr. O'MAHONEY. I yield to the Senator from Kentucky.

Mr. LOGAN. I have listened with very much interest to the argument, and, while I agree fully with my colleague and also with the Senator from Georgia, I have not said anything because Kentucky has been accepting money from the Federal Government that has been given to it to relieve its citizens, and I have always been a firm believer in the old adage that one should not "look a gift horse in the mouth." So long as the States do not contribute their part to carry out the purposes of legislation of this character, I do not see what right they have to complain or any reason for them to complain if the Federal Government prefers to send those not residing in the State into the particular jurisdiction. If the State wants to do its part, which it should do, of course—and it should not get any money, in my judgment, unless it did do its part—it would have every right to complain if men from the outside were sent in to administer relief. So until the States do their part, I cannot see much reason for them to complain of what is given to them.

Mr. O'MAHONEY. Mr. President, the remarks of the Senator from Kentucky suggest a further observation. I am speaking now particularly of the Works Progress Administration. In order economically to administer the funds placed at the disposal of the Works Progress Administration and to carry out the duty which was imposed upon it, namely, of meeting the relief situation, it has been essential for that agency to appoint individuals who travel from State to State.

The Works Progress Administration, to a greater extent than any other emergency agency, has operated through the States. In every instance of which I am aware the head of the Works Progress Administration has appointed as State directors persons from the particular States involved. There are also field officers of the W. P. A. It is not at all clear that such field officers are exempted from this amendment. As a matter of fact, my own opinion is that they would not be exempted. Therefore, it seems clear to me that the adoption of this amendment would so cripple the administration of this fund that within 2 months the President and the Budget and the Works Progress Administration would have to be back here asking for additional funds in order to repair the destruction wrought by this amendment adopted in the middle of a fiscal year.

Mr. GEORGE and Mr. BARKLEY addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Wyoming yield; and if so, to whom?

Mr. O'MAHONEY. I yield first to the Senator from Georgia.

Mr. GEORGE. Mr. President, I wish to call the attention of the Senate to the fact that while the amendment may be adopted in the middle of a fiscal year, 5 months of the year still remain, and here is an appropriation of three-quarters of a billion dollars with respect to which the Congress is simply making an expression of its own view and opinion that in State offices all but one-half of 1 percent at least of the personnel occupying administrative or advisory positions should be composed of citizens of the State.

Mr. O'MAHONEY. Does the Senator believe that it refers only to State offices?

Mr. GEORGE. I was going to say the Senator did not hear all the discussion that preceded his arrival in the Chamber. It has been stated by my colleague, the junior Senator from Georgia [Mr. RUSSELL], who offered the amendment in the committee that he was quite willing to accept amendments which would restrict the administrative and supervisory personnel of a State office to the employment of people within the particular State and at a regional office to people within the region.

However, I fail to see any force in the Senator's suggestion that, being in the midst of a fiscal year, we cannot impose reasonable restrictions upon the expenditure of such a significant sum as three-quarters of a billion dollars.

Mr. O'MAHONEY. May I interrupt the Senator there——

Mr. GEORGE. Certainly.

Mr. O'MAHONEY. To say that the distinction I make is that if it were adopted upon this appropriation bill the amendment would become immediately effective, whereas if it were attached to a regular appropriation bill for the next fiscal year, then each one of the agencies would have notice. Now none of them have notice, and it would be the inevitable result that numerous employees would be immediately cut off from their positions.

Mr. GEORGE. I may say to the Senator that I do not think there is any agency of the Government that can truthfully assert that its attention has not been called from time to time to the very abuse which this amendment seeks to prevent, for the Congress has undertaken to prevent it. There can be, it seems to me, no excuse for the Congress to refuse to give direction as to the expenditure of a sum of money of this great consequence that must be expended during the period of 5 months by the extraordinary agencies that have been set up. All the more, Mr. President, should that be true when it is recalled that we have appropriated money virtually without restriction upon its expenditure, and we have relied upon the Administrator to deal fairly in the distribution of the offices within the States.

It is not because my colleague desires, certainly not because I desire, to put the citizens of a State within a State office; but when a Senator of the United States is appealed to because of the importation of some persons from a long distance, and when he makes his protest, and when his protest is utterly disregarded, then it is time that the Senate should exercise some authority over the fund which it appropriates. It is embarrassing to me to have my constituents ask, "Did you not know how this money would be expended? Has the Senate no control over the manner of the expenditure of such large sums of money?" I have had to answer that we were told we were in a great emergency; that the President said so, and I accepted his word; I knew it to be true. I was willing to leave to the President the widest discretion in the expenditure of the money; but when we come finally to say to those chosen to administer the fund that with respect to the supervisory and administrative officers within a State office or regional office, "You shall remain within the State or the region to find your personnel", it seems to me that that is the least we could do.

The distinguished Senator from Kentucky [Mr. LOGAN] for whom we all have very great respect, makes the assertion that until the States do something about these appropriations the States ought not to have anything to say about them. That, as I understand, is his suggestion. He framed it in a little more polite phraseology by saying that he never believed in "looking a gift horse in the mouth", but Mr. President, there is not any of this three-quarters of a billion dollars that does not come, in part, from every American State. It comes out of the pockets of the taxpayers, the citizens of this country wherever they may live; and it seems to me when we have given such large discretion to the President because we deemed it necessary, as doubtless it was necessary—at least, all of us accepted it as being advisable and wise to leave to the President the widest discretion so far as the expenditure of the money is concerned—certainly that being the case, there is all the more reason why we should, at the time we appropriate the money, whether at the beginning or the end of a fiscal year, whether it becomes immediately available or available at some future date, say, "With respect to the advisory and administrative personnel of the State and regional offices you shall stay within the respective States or within the particular region for the greater part or number of your State and regional force."

I hope very much the amendment may be agreed to. It will be a simple matter in conference for the amendment to be so worded as to express what I feel the Senate really

desires to do—and that is to say to the administrators, "With respect to your State personnel, stay within the State, and, with respect to your regional personnel, stay within your region."

Mr. McKELLAR. "Or divide them ratably."

Mr. GEORGE. I would not even say "ratably." That would be within the spirit of it; but I would not say "ratably" because it might be that within a region they could get a greater number of administrators from a particular State.

Mr. BARKLEY. Mr. President, if the Senator from Georgia will yield, I should like to address an inquiry to the attention of the Senator from Wyoming [Mr. O'MAHONEY] and the junior Senator from Georgia [Mr. RUSSELL].

Mr. GEORGE. I am trespassing on the time of the Senator from Wyoming.

Mr. BARKLEY. We are all aware, of course, of the terrific flood which has taken such an unprecedented toll of life and property in the valleys of the Ohio and Mississippi Rivers and in the valleys of their tributaries. The Administrator of the Works Progress Administration is now on his way to Memphis, if he is not already there, as chairman of a commission appointed by the President to make an investigation of the damage in the Ohio and Mississippi Valleys as the result of the flood.

I am already beginning to receive telegrams from mayors and county officers all up and down the Ohio Valley asking not only that the W. P. A. but the War Department and the P. W. A. should hasten engineers and experts into those towns to make an official investigation and survey of the damage which has been done by the flood, in order that attempts may be made to remedy the situation either out of the fund which we are now about to appropriate or out of additional funds which may be required.

Mr. O'MAHONEY. We might send one-half of 1 percent of the Army down there.

Mr. BARKLEY. I do not think it would apply to the Army.

Mr. O'MAHONEY. Neither do I.

Mr. BARKLEY. But it would apply to employees of the W. P. A. Inasmuch as Mr. Hopkins has been made chairman of the commission, and for other reasons, I imagine that he probably will be put in charge of the rehabilitation and reconstruction of the Ohio and Mississippi Valleys. What effect will the language have upon his ability to send engineers into my home city, for instance, whose mayor or city manager is appealing to me to send experts to make a survey of the damage in that city, and into the city of Louisville, or Cincinnati, or Cairo, or Memphis, or anywhere else in the flooded area, no matter where the engineers come from, in order that they may do an efficient job? The very fact I am being appealed to by local authorities to send such experts shows upon its face that they do not have available at home the assistance which is required.

Mr. O'MAHONEY. It is absolutely impossible to mobilize facilities known to be needed in an emergency of this kind unless we have proper provision of law to that end. The exemption applies to only one-half of 1 percent. Every other person must be a bona-fide resident at the time of appointment or employment of the State in which he is employed. Every Member of this body knows that the legal requirements as to residence vary in the different States.

It will be a requirement almost impossible of performance to impose upon the Works Progress Administration and other relief agencies at this time the necessity to determine whether all the persons now employed were at the time of their appointment and employment bona-fide residents. Some States require 2 years residence, some 1 year, and some 5 years. It seems to me to be utterly unwise at this time to adopt such a provision.

Mr. GLASS. Mr. President, may I suggest to Senators that the Director of the Works Progress Administration put the Appropriations Committee on notice that he would be completely out of funds by the middle of this week? If we are going to discuss every item in this bill for the length of time we are discussing this comparatively inconsequential item, we will not get the bill passed next week.

The PRESIDENT pro tempore. The Chair inquires of the Senator from Washington [Mr. SCHWELLENBACH] whether he has offered his amendment.

Mr. SCHWELLENBACH. Mr. President, I offer the amendment. I think the amendment which I offered and the amendment of the Senator from Kentucky [Mr. BARKLEY] should be considered.

The PRESIDENT pro tempore. The clerk will state the amendment offered by the Senator from Washington.

The CHIEF CLERK. On page 5, in line 20, in the committee amendment, after the word "State", it is proposed to insert the words "for the purpose of performing services relating exclusively to work within the State", so as to read:

That no part of the funds carried in this appropriation shall be used to pay more than one-half of 1 percent of the total number of persons appointed or employed in an administrative or supervisory capacity within any State for the purpose of performing services relating exclusively to work within the State who were nonresidents of the State at the time of the appointment or employment of such persons.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Washington to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. BARKLEY. I now offer formally the amendment which I have suggested.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 5, line 20, in the committee amendment, after the word "State", the Senator from Kentucky proposes to insert the words "or any region."

Mr. POPE. Mr. President, may I ask the Senator from Kentucky if he does not think the words "or region" should be inserted in line 21, after the word "State"?

Mr. BARKLEY. My amendment applies in several places: page 5, line 20, after the word "State", to insert the words "or any region"; in line 21, after the word "State", to insert the words "or the region"; and in line 24, after the word "State", to insert the words "or region."

Mr. POPE. Then, on page 6, line 3, should not the same amendment be offered?

Mr. BARKLEY. Yes; after the word "State" in line 3, page 6, the words "or region" should be inserted.

The PRESIDENT pro tempore. The amendments will be stated.

The CHIEF CLERK. In the committee amendment, on page 5, line 20, after the word "State", it is proposed to insert the words "or any region"; in line 21, after the word "State", to insert the words "or the region"; in line 24, after the word "State," to insert the words "or region"; and on page 6, line 3, after the word "State", to insert the words "or region", so as to make the proviso read:

Provided further, That no part of the funds carried in this appropriation shall be used to pay more than one-half of 1 percent of the total number of persons appointed or employed in an administrative or supervisory capacity within any State or any region for the purpose of performing services relating exclusively to work within the State who were nonresidents of the State or the region at the time of the appointment or employment of such persons, nor shall more than 1 percent of the total amount allocated out of this appropriation for expenditures for any purpose within any State or region be paid as salaries, wages, or other compensation to persons appointed or employed in an administrative or supervisory capacity who were not bona-fide residents of such State or region at the time of appointment or employment, but the provisions of this proviso shall not apply to any projects administered by the War Department.

Mr. RUSSELL. Mr. President, I do not desire to have brought into this debate this awful catastrophe which has been visited on one great section of our country. I certainly should not like to have any act of mine hamper or hinder the fullest measure of relief to those who are suffering from the results of flood. My personal judgment is that this provision might be very helpful, but if the Senator from Kentucky is apprehensive unless it might cripple or hinder the work for the relief of those who are suffering from the flood, I move

an amendment, on page 6, line 5, after the word "to", to insert the words "flood relief or", so the sentence would read:

The provisions of this proviso shall not apply to flood relief or any projects administered by the War Department.

The PRESIDENT pro tempore. There are amendments now pending. Let us dispose of those first.

Mr. RUSSELL. Very well.

The PRESIDENT pro tempore. Without objection, the amendments offered by the Senator from Kentucky to the committee amendment will be considered as one and voted upon en bloc. The question is on agreeing to the amendments.

The amendments to the amendment were agreed to.

The PRESIDENT pro tempore. The amendment of the Senator from Georgia is now in order.

Mr. RUSSELL. On page 6, line 5, after the word "to", I move to amend by inserting the words "flood relief or."

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 6, line 5, in the committee amendment, after the word "to", it is proposed to insert the words "flood relief or", so as to read:

The provisions of this proviso shall not apply to flood relief or any projects administered by the War Department.

Mr. BARKLEY. Mr. President, I am afraid that language is not sufficiently comprehensive. "Flood relief" might be considered to mean rescuing and feeding sufferers, and not to apply to reconstruction work after the flood subsides. I think better language would be that "this provision shall not apply to rehabilitation or construction work made necessary by floods or to any projects administered by the War Department."

Mr. O'MAHONEY. Mr. President, I desire to ask the Senator from Washington [Mr. SCHWELLENBACH] if in his opinion the amendment which he submitted would exclude from the operations of the original amendment the field officers of the Works Progress Administration, wherever they may be?

Mr. SCHWELLENBACH. Mr. President, as a result of the amendment which I offered, the amendment of the Senator from Georgia [Mr. RUSSELL] would deal exclusively with employees of the State administration. It would not affect field or regional officers or persons sent into a State dealing with problems outside of the State or temporarily dealing with problems within the State.

Mr. O'MAHONEY. If the Works Progress Administration found it necessary, in order to carry out any part of the great program which it is attempting to carry out, it would not be affected by the limitation of the Senator's amendment?

Mr. SCHWELLENBACH. So long as the work of the field officer included work in other States aside from the State in which he was then located.

Mr. O'MAHONEY. Very well. Suppose in the administration of relief it should become necessary for the Works Progress Administration or the Resettlement Administration to send several agents into a particular State to work in that State in flood relief, would it not be necessary for the W. P. A. to deprive themselves of the services of the experts who had had experience in other States?

Mr. SCHWELLENBACH. Not if they went there temporarily. The amendment reads: "Performing services exclusively" relative to work within the State. If a man comes from a neighboring State he may work there 3 months, but his services are not exclusively with reference to the work within that State. He may work another 3 months in another State.

Mr. O'MAHONEY. I thank the Senator.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Georgia [Mr. RUSSELL] to the committee amendment. The amendment to the amendment will be stated again.

The CHIEF CLERK. In the committee amendment on page 6, line 5, after the word "to", it is proposed to insert the words "flood relief or" so as to read:

The provisions of this proviso shall not apply to flood relief or any projects administered by the War Department.

Mr. BARKLEY. Mr. President, I offered a substitute for that which I understood the Senator from Georgia agreed to accept. After the word "to" I proposed to insert the words "rehabilitation or construction work made necessary by flood or to."

The PRESIDENT pro tempore. Is that acceptable to the Senator from Georgia?

Mr. RUSSELL. I think the words "flood relief" should also be retained. I have no objection to the additional language suggested by the Senator from Kentucky.

Mr. BARKLEY. Let the language I have offered follow the words "flood relief" offered by the Senator from Georgia, so it would read:

The provisions of this proviso shall not apply to flood relief or rehabilitation or construction work made necessary by flood or to any projects administered by the War Department.

The PRESIDENT pro tempore. Let the amendment be stated as now offered by the Senator from Georgia and modified by the Senator from Kentucky.

The CHIEF CLERK. On page 6, line 5, in the committee amendment, after the word "to", it is proposed to insert the words:

flood relief or rehabilitation or construction work made necessary by flood or to.

So as to make the sentence read:

But the provisions of this proviso shall not apply to flood relief or rehabilitation or construction work made necessary by flood or to any projects administered by the War Department.

The amendment to the amendment was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had disagreed to the amendment of the Senate to the joint resolution (H. J. Res. 81) to create a Joint Congressional Committee on Government Organization.

FIRST DEFICIENCY APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes.

Mr. O'MAHONEY. Mr. President, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 6, line 6, at the end of the committee amendment, it is proposed to add the following proviso:

Provided, however, That this proviso shall not be construed to apply to any field office of the Works Progress Administration.

Mr. KING. Mr. President, may I inquire why the Senator makes that exemption?

Mr. O'MAHONEY. Because the field officers are supervisory over the various State officers, and it may be necessary for the Works Progress Administration to send them here and there, as the case may be. I referred a moment ago to drought relief. The drought situation is still very serious in many of the Western States, as the Senator from Utah well knows. While the floods are causing great damage in the Ohio and Mississippi Valleys, the drought is causing just as much damage in some of the other States. I do not wish to see the Service crippled by reason of the committee amendment. Therefore I am offering the amendment providing that field services may be excluded. That would be the result of making this limitation apply solely to the State offices.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Certainly.

Mr. BARKLEY. Not only will the Works Progress Administration be called upon to do a large amount of relief work in connection with floods and droughts, but the Resettlement Administration is doing the same thing.

Mr. O'MAHONEY. Exactly.

Mr. BARKLEY. They have field men and they have field offices, and if the Senator's amendment limits the exemption to the Works Progress Administration, it would not apply to

the field offices or field representatives of the Resettlement Administration or to any other of the emergency Administrations which are doing a job wherever it is needed to be done by men who are qualified to do it. It seems to me that, instead of limiting it to the W. P. A., the Senator ought to make it broad enough to apply to any field office or any field representative.

Mr. O'MAHONEY. I shall be glad to do that, and I shall change the amendment to read:

Provided, however, That this proviso shall not be construed to apply to the field office of any agency to which any funds from this appropriation may be allocated.

Mr. RUSSELL. Mr. President, I should like to have the Senator from Wyoming define, for the benefit of the Senate, what is a "field office."

Mr. O'MAHONEY. Let me say to the Senator from Georgia that I conceive a field office to be one to which it may be necessary for the agencies at Washington to send employees, from time to time, offices which may operate throughout the United States.

Of course, I may say to the Senator that it is impossible to legislate altogether intelligently upon the floor in this manner, particularly when we are dealing with a subject matter which was not made the subject of any hearing before a committee either of the House or the Senate, but if this amendment shall be adopted it will go to conference.

Mr. RUSSELL. I may say to the Senator that I did interrogate the representatives of the Works Progress Administration about this amendment.

Mr. O'MAHONEY. Very briefly, the Senator did, that is true; but there was no time to bring out the facts with respect to the various agencies in the various States.

If this amendment is adopted upon the floor, the whole question can go to conference, and the conferees can work out an amendment which will be satisfactory.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield for a question?

Mr. O'MAHONEY. Certainly.

Mr. SCHWELLENBACH. In the inclusion of the words "field office", does the Senator from Wyoming accept the definition I accepted, that it is a temporary office?

Mr. O'MAHONEY. Certainly.

Mr. KING. Mr. President, I can appreciate the difficulty the Senator would encounter in finding adequate phraseology, but will he, if he can, define what is a "field office"? In my State, for instance, there have been activities of the Resettlement Administration, an organization which has been extravagant and wasteful in the highest degree; to my knowledge they have sent out a large number of individuals from time to time ostensibly, I suppose, as field men. They would make a cursory examination and pass on, and another so-called field man—though probably he was given a higher title—would come and traverse the same ground and reach no conclusion.

I venture to say that hundreds of thousands of dollars have been unwisely expended by so-called investigators and field officers and men who are constantly traveling from State to State, ostensibly for the purpose of making examinations.

If this amendment is to apply to the Resettlement organization, with all of its delinquencies and inefficiencies, I shall be inclined to vote against it.

Mr. O'MAHONEY. Mr. President, I may say to the Senator that the Committee on Appropriations made a very substantial cut in the appropriation for the Resettlement Administration. In answer to what the Senator has said I can only repeat what I have already stated, that by the adoption of this amendment the whole matter would be sent to conference, and the conferees undoubtedly would make a serious effort to work out a solution which would be generally satisfactory.

Mr. DAVIS. Mr. President, may the amendment be again stated?

The PRESIDENT pro tempore. The clerk will state the amendment.

The CHIEF CLERK. In the committee amendment on page 6, line 6, after the word "Department" and before the period, it is proposed to insert a colon and the following:

Provided, however, That this proviso shall not be construed to apply to the field office of any agency to which any funds from this appropriation may be allocated.

Mr. NORRIS. Mr. President, I was called out of the Chamber a moment ago. What was done with the amendment of the Senator from Washington to the amendment of the committee on page 5?

The PRESIDENT pro tempore. The amendment of the Senator from Washington to the amendment of the committee was agreed to.

Mr. NORRIS. What happened to the committee amendment?

The PRESIDENT pro tempore. The question on the committee amendment has not been submitted to the Senate.

Mr. NORRIS. The pending amendment is to a different part of the bill. Has the committee amendment been passed over?

The PRESIDENT pro tempore. The pending amendment, as the Chair understands, is the amendment of the Senator from Wyoming to the committee amendment found on page 6, at the end of line 6.

Mr. NORRIS. I desired to speak briefly to the committee amendment.

Mr. O'MAHONEY. Mr. President, would the Senator from Nebraska permit this proposed amendment to the amendment to be acted upon before he takes the floor?

Mr. NORRIS. I have no objection.

Mr. CONNALLY. Mr. President, let me ask the Senator from Wyoming a question.

Mr. O'MAHONEY. Certainly.

Mr. CONNALLY. Does the amendment of the Senator except all the field offices?

Mr. O'MAHONEY. It does.

Mr. CONNALLY. Then to what does it apply?

Mr. O'MAHONEY. It applies to State offices.

Mr. CONNALLY. A State office is a field office. The Department calls every office in the field a field office.

Mr. O'MAHONEY. A distinction is being made here between "State offices" and "field offices."

Mr. CONNALLY. If the amendment exempts all the field offices, there is no use adopting the provision, because everything outside of Washington is a field office. Everyone knows that. The authorities call everything outside of the city limits a field office.

Mr. O'MAHONEY. In the debate——

Mr. CONNALLY. The debate is not going to control the Comptroller General.

Mr. O'MAHONEY. Yes; it controls, because it is clearly understood that by "field offices" we are now referring to the temporary agencies which are set up from time to time. I am hoping that the matter may be worked out in conference.

Mr. CONNALLY. That is exactly what the Senator from Texas does not want to see done. I do not desire to have it worked out in conference, but wish the Senate to have some say about it. Of course, the Senator from Wyoming is going to be on the conference.

Mr. O'MAHONEY. I doubt that very much.

Mr. CONNALLY. If the Senator from Wyoming means a certain thing, let him say it in the amendment. The Comptroller General is not going to take the Senator's speech and rule on the provisions of this amendment with that speech in mind. He is going to take the language of the amendment. I might be governed by the Senator's speech, but the Comptroller General will not be. I think it is unwise to adopt the amendment in this form, because if we do, we might as well just knock the provision out entirely.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Wyoming to the amendment of the committee.

The amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question now is on the committee amendment as amended.

Mr. BARKLEY. A parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BARKLEY. We are now dealing with the part of the appropriation carrying funds for emergency relief. Last Saturday I offered an amendment, to be printed and lie on the table, striking out a proviso of the bill. It has already been agreed that committee amendments shall be voted on first. Will the adoption of the pending committee amendment to this particular appropriation bar the introduction of further amendments, after it shall be agreed to?

The PRESIDENT pro tempore. It will not bar an amendment to the text of the bill as it came from the House. The amendment of the Senator is to the House text, is it not?

Mr. BARKLEY. It is.

The PRESIDENT pro tempore. The adoption of the pending amendment would not interfere with the proposed amendment of the Senator.

The question is on the adoption of the committee amendment as amended.

Mr. NORRIS. Mr. President, I merely desire to offer a few remarks which it appears to me are important for us to consider.

As I understand the bill before us, it is a deficiency appropriation bill, and, as the Senator from Wyoming has very well said, it will go into effect immediately. The appropriations made in the pending bill, if I understand correctly, are to be added to the appropriations already made by general appropriation bills; and as I see it, if we pass this appropriation bill, we will, in the midst of a fiscal year, change the rules which shall govern the expenditure of some of the money provided for in the general appropriation bills. In other words, a general appropriation bill appropriated money and it fixed certain limitations. The money is about to be exhausted, and we are to appropriate additional money in a deficiency bill and are asked to change the limitations which affect the organization of the executive department which is to expend the money and carry out the provisions of the limitations.

One provision this language changes, as I see it, is that having to do with the employment of what might be called regional officers, and Senators complain that men are being appointed to regional positions in some States who come from without the State where the money must be expended. If that has been done, and the regional officials, as we might call them, who are to expend the money have now been employed under the provisions of the law which Congress passed, and we pass this bill and provide that they shall be discharged tomorrow, if the bill shall go into effect that soon, as I see it, we will disrupt the organization to the extent that we interfere with the provisions which have been made under a prior law—legitimately and legally made—and now, in the midst of their work, and in the midst of a fiscal year, all at once, without notice, we are asked to provide for additional limitations which would result in the disruption of the force by the discharge of these regional officials for the balance of the fiscal year.

Mr. KING. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. KING. Does the Senator have in mind the limitation which was imposed in the original bills——

Mr. NORRIS. That is what I am discussing.

Mr. KING. To which attention was called by the Senator from Colorado, under the terms of which, as I interpreted the law, persons ought not to be employed and could not be employed outside of the regions in which they officiated, or the States in which they were called upon to work.

Mr. NORRIS. That is as the Senator interprets it. Let us suppose that when it comes to executing the law the official who has to carry it out has an idea, and, on the theory that everyone is acting in good faith, that he uses his best judgment about it, which is what the law tells him to do. The Senator may think his judgment is bad, and may want to change the law so as to affect his judgment to cut off the appointments he has made, and to do that in the midst of the work, while it is progressing.

I think we ought to hesitate. I am not one who advocates that a person carrying out this law should go all over the United States and transport large numbers of people from one State to another and give them employment. I do not believe in that, and am not arguing it; from my conversations and my dealings with the regional officers I am convinced that they do not believe in it, either, but they might disagree with me or with the Senator as to whether a certain man living outside of the State, perhaps having, as they think, superior qualifications for a particular position, should be appointed as a supervisory official within the State.

It has often happened, I suppose, that in carrying out the provisions of the law in question there has been a disagreement of judgment, depending on who was carrying them out. Some persons may think that no one living out of the State should ever be employed to do this work. My attention has been called to cases where there have been sharp disputes between Senators or Members of the House of Representatives and the official who is carrying out the program of the Works Progress Administration, where claims were made on one side or the other that certain persons should be appointed. Some political machine would make out a list, or a Member of the Senate or the House would make out a list, and say, "Here are your appointees. Appoint these men." If they were not appointed, there would be trouble. Such a case may be an extreme one, but I think such things might happen.

It seems to me that we ought to respect the judgment of the men who have partially carried out this law and not change the whole machinery in the midst of the work.

Mr. KING. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. KING. I may preface the question which I am about to ask by an observation. There is certainly no infallibility upon the part of the bureaucrats. Let us assume that in the appropriation bill of the last session of Congress we interpreted the language to mean that no persons should be employed for regional positions or for State positions outside of the State or the region in which they resided, and Mr. Hopkins, or an official of any other agency, in defiance of the interpretation placed upon law and in defiance of what I conceive to be the clear interpretation and reading of its language, appointed persons, regardless of their habitat, and transferred persons from the eastern coast to the western coast, and vice versa, at great expense, and that we are called upon now to make an appropriation to cover deficiencies, deficiencies which in part were the result of an improper interpretation of the law by such official, if not a maladministration, and to say to such official, "You cannot do that during the rest of the 6 months and in connection with the expenditure of nearly six or seven hundred millions of dollars." Under those circumstances does the Senator from Nebraska think we ought to be bound to make no change, notwithstanding we are satisfied that the official's interpretation was wrong and that——

Mr. NORRIS. If the Senator will permit me to answer the question as far as it has gone, and when I shall have answered, then continue with another question, I shall be glad. Otherwise I may forget the first question before he has concluded.

Mr. KING. Then I will cut the question in two.

Mr. NORRIS. I think the Senator has assumed something that I do not believe is correct. His question assumes that the official in charge of the administration of the appropriation law which is now in existence has gone out of his way, and has not followed the law. The Senator charges him almost with being maliciously intending to disrupt the law.

Mr. KING. Oh, no, Mr. President. I simply made an assumption. I did not mean what the Senator says.

Mr. NORRIS. Then I am corrected, of course, if the Senator says that. But I think the Senator's language was rather harsh against these officials.

Mr. KING. I said, "Assume that we believe it has been done."

Mr. NORRIS. I do not assume that we believe that, and I do not think we have any right to make such an assumption. However, for the sake of argument I wish to take up that assumption. As I construe the law, it did not provide as the first part of the Senator's question that the administrative officials should not go outside of the State to get any of these supervisory officers. I do not believe that that is what the law stated. I do not believe we should make that assumption.

I do not have the law before me, but it has been read in this discussion. It is very clear to me that that law gives the administrative official a discretionary power, and what I am trying to call attention to is that if we do not agree with that discretionary power or the way it is exercised we should not run to the extreme and say, "So-and-so has disregarded the law."

My own judgment is that the administrative officers—at least those with whom I have come in contact—have been trying their very best to follow the law. I have not seen anything to indicate that they want to disregard the law. I am not arguing, however, that instances may not occur such as have been cited here, where my judgment or someone else's judgment would not agree with that of the officer whose duty it is to carry out whatever law he is called upon to carry out and to exercise a discretion in the matter. What I am trying to call attention to is that, assuming that all has been done honestly so far, it is not right, as I see it, now in the midst of the game to change the rules and to discharge this man or that woman because of a limitation that we are now going to put upon an appropriation bill. It is not good legislation, it is expensive, and it means that in this work, which is a very difficult work to perform—everybody I think must admit that—we are going to interfere with the men who I assume are honestly trying to obey the laws of Congress.

Mr. LOGAN. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. LOGAN. I should like to ask the Senator a question. If we insist that the necessities for relief know no State lines, and that in providing the money for relief we recognize no State lines, then in the administration of the relief why should we recognize and insist on State lines? If we have a job to perform, what difference does it make whether the man who is in charge of the work, if he does it well, is from Nebraska or from Kentucky? The program is a national program and not a State program. The money involved is national money and not State money. So I should like to know why we change our position when it comes to administering relief and say that its administration should be confined to those living within a particular State, but when we go to get the money and when we determine the necessity for relief we do not recognize any State lines at all.

Mr. NORRIS. I think there is much force in what the Senator from Kentucky has said. I listened to what he said at a prior time in this debate with a great deal of interest, and I thought what he said was very applicable.

However, Mr. President, it seems to me that wherever it will not interfere with the efficient carrying on of this work, we ought to get the employees, so far as they are efficient, in the immediate vicinity of where the work is to be done. I am not particularly in favor of the establishment of a State line for such employment. I do not believe there should be an arbitrary line established, but that those living over the line in the vicinity of a project should be eligible for employment. I am more interested in having a law that will provide for carrying on this difficult task as efficiently as possible.

As the Senator from Kentucky said, the money involved is Federal money. It comes out of the Federal Treasury, and, in my judgment, a State line ought not to be so arbitrary a dividing line that it never can be crossed.

I liked the amendment proposed by the Senator from Kentucky [Mr. BARKLEY] to add the words "or region." I thought his amendment would obviate any possible difficulty and would not interfere with the present administration of the agency. But now I am afraid that the amendment will have to be construed in such way that the agency will have to discharge a great many men and women who are admittedly efficient, who have been employed because of their efficiency, and those in charge are going to be confined arbitrarily to State lines and cannot overstep them.

The Senator from Utah [Mr. KING], I take it from the question he asked me, was of the opinion that when we passed that law last year we really told the officials, "You must not go outside of the State to get any employee to do work within the State." I do not agree with that interpretation. I like the law, and it seems to me it is well to leave it as it is. If there has been an abuse of discretion, it ought to be fully investigated, of course, but I do not think we ought now to change the law. Let those in charge expend the money now in question under the same provisions of law as those they are acting under at the present time. Money has heretofore been appropriated with certain conditions attached, money to which this appropriation will be added, and I presume it will all be in one pocket.

Mr. KING. I desire to submit one proposition in reply to the Senator from Kentucky. I think, with all due respect to him, he assumes that all the moneys expended by the Federal Government in a State are being expended without the cooperation of the State or the State organizations. I know it is true in my State that we have a State organization, that appropriations have been made, and that the State organization cooperates with the Federal organization, so that the State is tremendously interested in the expenditures which are made for relief by the Federal Government. I think that is true in all the States. I know it is true in New York and in other States. So that the States are interested in the expenditures made by the Federal Government, notwithstanding provision has been made for such expenditures through appropriations by Congress.

Mr. LOGAN. Mr. President, will the Senator yield for a question?

Mr. KING. I yield.

Mr. LOGAN. Is it not true that, under the rules and regulations of the Works Progress Administration at this time, the sponsors of any particular project select all of the employees to carry out that project, whether it be a municipality, whether it be a county, a school district, or the State, and that the Federal Government employs no one and furnishes no employee, except for an inspector, perhaps, to see that the money is properly expended? Is that not the provision of the rules and regulations today?

Mr. KING. I am not sure as to the rules and regulations, because they are very comprehensive and I have not studied them all.

Mr. LOGAN. Let me say to the Senator that if in the State of Utah there is a school district which desires money from the Works Progress Administration, then through the State organization of the Works Progress Administration the school district secures the acceptance of the project, the funds are allocated, and the school district that is sponsoring the project employs everyone who works on the project, including foremen and timekeepers. If it be a courthouse, if it be a waterworks—it does not make any difference what it is—the particular agency of the State government which uses the funds and sponsors the project employs everyone who works on the project, although the money is furnished by the Federal Government.

Mr. RUSSELL. Mr. President——

The PRESIDING OFFICER (Mr. CLARK in the chair). Does the Senator from Utah yield to the Senator from Georgia?

Mr. KING. I yield.

Mr. RUSSELL. I do not know what rules apply in the State represented by the Senator from Kentucky [Mr. LOGAN], but I know that in my State no sponsor of any project has the slightest say-so in selecting the personnel working on the project. They merely put up that part of

the funds required by the State Works Progress Administration, and then someone appointed by the State administration takes charge of the project, the foremen are selected by the Works Progress Administration, laborers are selected by the Works Progress Administration, and the sponsor of the project merely contributes his part of the cost of the project.

Mr. LOGAN. Mr. President, in Kentucky, if I am correctly advised, the same rule does not apply. The complaint in Kentucky is, first, that all those employed in responsible positions are Republicans, and, next, that they have been brought in from some other county in the State, or perhaps from outside the State. There is no complaint about the efficiency of the work. The complaint is all on account of politics, or who gets the jobs, or where they come from.

Mr. RUSSELL. If the same rule had been applied in Georgia which the Senator from Kentucky says applies in his State, there would have been no complaint whatever. It is the first time I ever heard of any such rule.

Mr. BARKLEY. Mr. President——

Mr. KING. Mr. President, I think I have the floor. I yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, along with my colleague I have taken this matter up hundreds of times upon local complaints. I have spoken to persons who have been dissatisfied with the personnel at work on a particular project. I have been repeatedly advised as to the situation, and I say very frankly that I have a good deal of sympathy, if I may say so without injecting politics into the situation, for a Democrat who has worked all his life for the Democratic Party and then sees some Republican walking off with a job that he thinks he ought to have. I can understand that situation, especially in regions where, locally, the Democratic Party never had any offices and where they have fought a losing battle and have seen their local opponents win, and now some of them are seeing them win even under present conditions. But when I have taken these matters up with the State director and when my colleague has taken them up with the State director we have invariably been told—and I know the statement is true—that, while he does appoint certain inspectors and certain supervisory officers to see that the Government and the local community are not defrauded in the expenditure and that the work is efficiently done, whenever either a loan or a grant is turned over to a city mayor or city council or county officer——

Mr. RUSSELL. Mr. President, the Senator is speaking of local agencies. The W. P. A. is not authorized to grant loans.

Mr. BARKLEY. I am speaking of the P. W. A. and the W. P. A. both. Whenever money is turned over to local communities the personnel of the employees is selected by the local authorities, just as if they had gone to the bank and borrowed the money and had complete control of the construction of the work. If it is a street, the control is in the city engineer; or if it is a sewer, the sewer department has charge; or if a highway, the county or the highway officers determine those to be employed to do the actual work on the project, subject, of course, to supervision by somebody who represents the Government to see that the money is well expended. That is the way it has been handled in Kentucky, but even that has given a good deal of dissatisfaction. However, I do not know any way to correct it.

Mr. RUSSELL. Mr. President, of course, there is no perfect way to administer such a comprehensive program, but I may say to the Senator that if the rule he has announced as having been enforced in Kentucky had been enforced in Georgia the conditions of which I have complained would not have existed. I have indicated that in cases where loans and grants are made, of course such loans are turned over to the applicant, and the only supervision the Government has is to send an inspecting engineer to see that the contractor complies with the standard building practices. I know, however, that in the case of the Works Progress Administration the funds have never been turned over to the community. The project is supervised from beginning to end by a Federal agency, and not only does supervision extend to the expenditure of Federal funds but the contributions made by the local sponsors also flow into the general fund and are supervised by Federal agencies.

Mr. LOGAN. Mr. President, I have been very much disappointed, I may say to the Senator, in realizing that my colleague and I have been unable to accomplish anything to relieve the complaints made in Kentucky; but it appears that we have accomplished much more than has been accomplished in Georgia, because under the W. P. A.—I am speaking of the W. P. A.—the sponsor of the project employs everyone on the project except perhaps an inspector. I have had complaints pointing out that 50 or 60, I might say, Republicans were employed—that is what is always stated—working on a particular project; and when I have called attention to it I have been advised that the Works Progress Administration had but one inspector and all the other workers were employed by the local authorities sponsoring the project. That has been true, I think.

Mr. RUSSELL. I congratulate the Senator from Kentucky and his colleague on having such a healthy condition of affairs in their State.

Mr. BARKLEY. I may add that in such cases, of course, they have to take employees from the relief rolls who are certified by some local authority who is acquainted with the relief situation, and it may be that in counties where some local authority desires to use his influence he may decide by selection which relief employees shall go on the job. Though I should like to correct that situation, I do not know how we can do it.

Mr. RUSSELL. I may say, Mr. President, that the instance cited by the Senator from Kentucky is the most powerful argument that could be made in behalf of this amendment. Here we have this organization handling funds of unparalleled size in every State of the Union without even a uniform policy required in the several States as to methods by which the funds shall be expended.

This amendment is indeed being offered to a deficiency bill, but I have already pointed out that, unless it is offered to the deficiency bill, no restriction can be placed on the expenditure of these funds, because such appropriations as this are always provided in deficiency bills. There is no enabling act prescribing rules and regulations for the Works Progress Administration. This entire gigantic system, stretching into every corner of the Nation, like Topsy, has just "growed up" in accordance with administrative rules and regulations promulgated in Washington. The Congress was dealing with a wholly new problem, and did not lay down any definite rules as to the expenditure of these funds in every State of the Union. Since we can look back at this expenditure in retrospect and see the errors that have been made here and there, I say that it is the duty of Congress to look into this situation and to prescribe rules and regulations for the expenditure of these huge sums of money.

Mr. O'MAHONEY. Mr. President, a moment ago, probably due to the awkward language which I used in attempting to state my purpose on the floor, an amendment which I offered was rejected. I should like now to suggest an alternative amendment, which I shall submit for the consideration of the Senator from Georgia. On page 6, at the end of the proviso, I suggest the addition of the following language:

Provided, however, That this proviso shall not be construed to apply to the employment of persons whose actual headquarters are at Washington and whose duties may take them temporarily into the several States.

Mr. RUSSELL. By no stretch of the imagination could the amendment as it now stands apply to any case where the employee had headquarters in the District of Columbia. However, I assume, inasmuch as the amendment is to be adopted, that perhaps this matter will be in some detail considered by the committee of conference, and I therefore have no objection to the Senator's proposal, though I think it is wholly unnecessary.

The PRESIDING OFFICER. The Chair understands the Senator from Georgia to accept the amendment to the amendment. The question is on the committee amendment as amended.

The amendment, as amended, was agreed to.

PREVENTION OF CHILD LABOR

Mr. CAPPER. Mr. President, I desire to recall to the attention of the Senate and the country the fact that since the present Congress has met two more States, Kentucky and Nevada, have ratified the proposed child-labor amendment to the Constitution. If 10 more State legislatures take similar action, the child-labor amendment will become a part of the Constitution.

I hope such action will be taken. I hope that my own State of Kansas will be among those which will ratify the child-labor amendment. Governor Huxman, I am glad to note, has urged the Kansas Legislature to take such action. Governor Huxman is a Democrat. His immediate predecessor in the Governor's chair, the Honorable Alf M. Landon, also urged the ratification of the child-labor amendment while he was Governor.

The people of the United States are almost unanimously opposed to the employment of children in industry. Only a few manufacturers who are so greedy for profits that they care not how much suffering such profits cost others desire to employ children because their labor is cheap, and also because employing them at low wages enables employers to hammer down the wage levels all along the line.

One might ask, How is it, then, that we still have child labor in this Nation?

The answer is that under a series of Supreme Court opinions only the States have power to legislate in this field.

Just so long as this status exists, we will have child labor in a number of States. State legislatures, except where labor is unusually strong, fear to prohibit child labor effectively, because if they make the age limits high, other States will leave them low, and give to employers the competitive advantage of cheaper labor.

The only answer, as I see it, is to empower the Congress to regulate the employment of children. That would simply mean that below 18 years of age, employment of children in industry would be under the same conditions throughout the country. One State, for instance, could not give its employers the advantage of employing 12-year-old children, thereby producing goods more cheaply than the employers of other States.

States fear to raise the age limits in their own acts regulating employment of children, because other States might profit by the competitive advantage of using cheap boy and girl labor. As a result, today in what we call this civilized Nation, 12 States permit children under 14 to be employed during school hours in nonagricultural and nondomestic occupations, and 8 States permit children under 14 to work in factories.

State regulations of dangerous occupations, so far as children are concerned, are inadequate. My information is that 11 States permit children under 16 to be employed in dangerous occupations, and 32 States have no laws protecting children 16 and 17 years of age from hazardous jobs in industry.

I am sorry to say that the records indicate an increase in the employment of children in industry last year. A compilation by the National Child Labor Committee of reports from 10 States, 98 cities, and the District of Columbia showed that in the first 5 months of 1936 work permits for 8,400 children 14 and 15 years of age were issued, compared to 3,350 such permits in the same States and cities and the District in the same months of 1935.

The committee's investigations show that a good many of these children are being exploited. It was a distinct shock to me to learn that last year, in the United States, children 8, 9, and 10 to 12 years of age were working long hours at hard labor.

I say the use of children in competitive industrial warfare because of profit from their labor, is utterly inexcusable while millions of adults are unemployed. Consider also that under constantly changing industrial conditions it is more than ever necessary that children obtain a good education.

The opposition to child labor usually is inspired by reactionary employers and their henchmen. They are supported by many, who in good faith, fear encroachments upon States' rights, but who do not have full information on the dangers of child labor.

Nothing could be further from the truth than the statements made by those who wish to continue to exploit children in industry that the amendment is aimed at the work children do on the farm and in the home. Ratification of the amendment would in no way affect the work children do for their parents.

I believe I am justified in saying that the great majority of the people of the United States are not only opposed to child labor but also are in favor of the constitutional amendment empowering Congress to regulate employment of children.

A recent poll by the American Institute of Public Opinion showed its cross section of citizens in 48 States recording a clear majority for the amendment in 45 of the States.

Mr. President, I have already pointed out that the two most recent Governors of Kansas, one a Republican and the other a Democrat, have urged the Kansas Legislature to ratify the amendment. I may add that Federal regulation of child labor has been approved by Presidents Theodore Roosevelt, Woodrow Wilson, Calvin Coolidge, and Franklin D. Roosevelt; that Presidents Taft and Hoover also are on record in favor of the abolition of child labor in industry.

I have introduced a bill to apply the principles of the Hawes-Cooper and Ashurst-Sumners Convict Labor Acts to strengthen the regulation of child labor by the States, but, as I said when I introduced that measure, I do not believe such legislation can fully meet the situation. The real answer is in ratification of the child-labor amendment, and such proposed legislation as I have just mentioned is only a stopgap until Congress is empowered to meet the situation on a national scale.

I ask unanimous consent that a partial list of organizations supporting the child-labor amendment be included as part of my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Organizations supporting the Federal child-labor amendment—estimated membership

American Association of Social Workers	9,300
American Association of University Women	45,713
American Farm Bureau Federation	1,250,000
American Federation of Labor	3,153,913
American Home Economics Association	10,587
American Legion	831,681
American Nurses Association	111,368
Association for Childhood Education	20,000
Brotherhood of Firemen and Enginemen	70,338
Brotherhood of Locomotive Engineers	59,598
Brotherhood of Railroad Trainmen	128,703
Order of Railway Conductors of America	34,000
Camp Fire Girls	228,774
Central Conference of American Rabbis	382
Council of Women for Home Missions	5,000,000
American Unitarian Association	100,000
Federal Council of Churches of Christ in America	22,000,000
Fraternal Order of Eagles	542,545
General Federation of Women's Clubs	2,000,000
Girls' Friendly Society of America	28,841
Methodist Board of Home Missions and Church Extension	
National Federation of Business and Professional Women's Clubs	61,000
National Child Labor Committee	10,000
National Congress of Parents and Teachers	1,727,703
National Consumers League	2,100
National Council of Jewish Women	40,000
National Education Association	200,000
National Federation of Settlements	152
National Federation of Temple Sisterhoods	55,000
National League of Women Voters	60,000
National Women's Christian Temperance Union	1,000,000
National Women's Trade Union League	1,500,000
Northern Baptist Convention	1,471,120
Reformed Church of America	150,000
Women's General Missionary Society of United Presbyterian Church	34,391
Young Women's Christian Association	407,000

FIRST DEFICIENCY APPROPRIATIONS

The Senate resumed consideration of the bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes.

The PRESIDING OFFICER. The next amendment will be stated.

The next amendment of the Committee on Appropriations was, on page 6, after line 6, to insert:

CHARLES CARROLL OF CARROLLTON BICENTENARY COMMISSION

For every expenditure requisite for and incident to the performance of the duties of the Charles Carroll of Carrollton Bicentenary Commission in carrying into effect the provisions of Public Resolution No. 106, Seventy-fourth Congress, approved June 15, 1936, including personal services in the District of Columbia and elsewhere; travel expenses, and subsistence at not to exceed $5 per day; erection of markers and memorials; postage, printing and binding, services, office supplies and equipment; pageantry, cartographic maps and publications and their distribution, promotion and stimulation of school activities through and by means of essay and public-speaking contests and by other methods, cooperation with the State of Maryland and patriotic societies; fiscal year 1937, and to remain available until expended, $12,500.

The amendment was agreed to.

The next amendment was, at the top of page 8, to insert:

FARM CREDIT ADMINISTRATION

Crop production and harvesting loans: To enable the Governor of the Farm Credit Administration to carry into effect the provisions of the Act entitled "An act to provide for loans to farmers for crop production and harvesting during the year 1937, and for other purposes", approved January 29, 1937, including personal services and rent in the District of Columbia and elsewhere; traveling expenses; paper, printing, and binding; supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate involved does not exceed $50, and such other expenses as may be necessary, fiscal year 1937, to remain available until June 30, 1938, $50,000,000.

Mr. KING. Mr. President, I should like an explanation of the amendment.

Mr. VANDENBERG. Mr. President, I should like to ask the Senator from Colorado [Mr. ADAMS] a few questions. After this bill came to Congress, including within it $58,000,000 for rehabilitation loans through the Resettlement Administration, Congress authorized the additional $50,000,000 for crop seed loans. It is my understanding that the $58,000,000 of rehabilitation and resettlement loans were largely seed loans last year. I desire to know if the $58,000,000 for rehabilitation and resettlement loans is necessary if the $50,000,000 is added directly for seed loans.

Mr. ADAMS. Where does the Senator get his figure of $58,000,000, so that I may have that clearly in mind?

Mr. VANDENBERG. From the debates in the House and a statement made by the chairman of the House Appropriations Committee.

Mr. ADAMS. This is not particularly answering the Senator's question, but we feel obligated to include this item because of the direction of Congress. Congress authorized the appropriation, so the discussion of the Senator, I think, should be directed perhaps not to this section but to the appropriation for the Resettlement Administration which is included in the lump sum.

Mr. VANDENBERG. I think the Senator is entirely correct about that. It occurred to me perhaps he could enlighten me at this particular point on the whole subject. If the inquiry should wait, very well.

While I have the Senator's attention, may I ask if I am to understand that the total deficiency appropriation in the bill is presumed to cover the total relief deficiency for this fiscal year except such new expenditures as may be involved in flood relief and kindred emergencies?

Mr. ADAMS. That is my understanding.

Mr. VANDENBERG. Can the Senator tell me where and how the Reconstruction Finance Corporation gets back the $1,500,000,000 which it has given to relief agencies as described by the junior Senator from Virginia [Mr. BYRD] last week? Can the Senator tell me the status of that $1,500,000,000? According to the junior Senator from Virginia it must be canceled as a Reconstruction Finance Corporation asset, or must it be appropriated for by Congress?

Mr. ADAMS. Giving only my personal judgment, I do not think the Reconstruction Finance Corporation is going to get it back.

Mr. VANDENBERG. Then, would it be fair to say, as the Senator understands the situation, that the relief deficit today, instead of being $700,000,000 or $800,000,000, is more than $2,000,000,000, and that if we were undertaking to pay the whole deficit we would have to appropriate $2,000,000,000 instead of $700,000,000 or $800,000,000?

Mr. ADAMS. I do not understand we are appropriating money to pay a deficit. My understanding is that this appropriation bill is to provide additional funds to meet conditions from now until June 30, 1937.

Mr. VANDENBERG. Very well. I shall use the word "deficiency" instead of "deficit." If we were going to balance the entire relief books at the end of the present fiscal year, would we need another $1,500,000,000 relief appropriation?

Mr. ADAMS. In the sense the Senator is using the term we would have to levy taxes to produce the money. Appropriations do not produce money so we would not balance the books by increasing the appropriation. We would do the reverse. If we want to balance the books we have to levy more taxes.

Mr. VANDENBERG. The Senator understands what I am trying to establish. The Senator stated it to be his understanding that this $700,000,000 or $800,000,000 appropriation would completely balance the relief account for this fiscal year.

Mr. ADAMS. If I said that, it was an error. It is my understanding that the appropriation here planned is to provide the necessary funds for relief during the remainder of this fiscal year. I did not say anything about balancing accounts.

Mr. VANDENBERG. I think the Senator knows what I am trying to find out, and I think perhaps he is a little reluctant to concede my interpretation. Let me put it this way: Is it not a fact that if we were to balance our relief books at the end of this fiscal year it would require, in addition to the $700,000,000 or $800,000,000 appropriation here carried, an additional deficiency appropriation of $1,500,000,000 or more to cover the unpaid advances made by the Reconstruction Finance Corporation to relief?

Mr. ADAMS. I do not believe the Senator and I are using the term "balance the books" with quite the same meaning.

Mr. VANDENBERG. Will the Senator use his own terms and let me know if there is not another $1,500,000,000 that has to be produced by taxation or written off the books of the Treasury in order to complete the relief account?

Mr. ADAMS. I think I understand the point the Senator is making. There is being carried as an asset upon the Government books or the books of some branch of the Government, say the Reconstruction Finance Corporation, an amount of money advanced by the R. F. C. Of course, that is not a collectible item. It is not an item which can be sold in the market. It either must be written off the R. F. C. books or must be repaid through some tax agency or tax-providing measure which will put money in the Reconstruction Finance Corporation, and it would leave an obligation perhaps somewhere else equal in amount.

Mr. VANDENBERG. I think the Senator and I are in complete agreement on arithmetic. My terms are a bit more indicting; that is all.

Mr. KING. Mr. President, may I ask for my own information by what authority the R. F. C. advanced $1,400,000,000 for relief?

Mr. ADAMS. By direction of the Congress of the United States.

Mr. KING. In what measure? Did we not make the appropriations for the R. F. C. and other relief agencies so there would be no necessity of resorting to the R. F. C. for credit or for funds?

Mr. ADAMS. As a matter of fact, the Congress saw fit to direct the R. F. C. to turn over certain funds. We could have done it another way, but that is the way in which it was done. The R. F. C. has congressional action supporting these items.

Mr. KING. Then, instead of openly and frankly making an appropriation for relief covering this $1,400,000,000, we authorized the expenditure or rather the loan of $1,400,000,000 to these agencies. These agencies of course have no funds and the $1,400,000,000 may not be repaid unless Con-

gress makes an appropriation, and that will involve of course taxing the people or issuing more bonds.

Mr. ADAMS. The Senator knows that we only ultimately pay our debts by levying taxes. It does not make any difference how we keep our books.

Mr. KING. We are paying some debts now by the issuance of bonds.

Mr. ADAMS. No; we are not paying debts by issuing bonds.

Mr. KING. We are creating obligations.

Mr. ADAMS. We may be canceling one obligation by issuing another. I know in my own State, into the bank came an old-time borrower who gave a new note in lieu of the note then held by the bank. Tearing up the old note he said, "Thank God, that is paid!" [Laughter.]

Mr. KING. On page 8 is a $50,000,000 aprpopriation pursuant to a bill which we passed at this session of Congress?

Mr. ADAMS. Yes. It was passed last week.

Mr. KING. How will that fund be administered?

Mr. ADAMS. By the Farm Credit Administration.

Mr. KING. Under the Department of Agriculture?

Mr. ADAMS. Of course, the Farm Credit Administration operates under the Department of Agriculture, I understand, although it is separate to a certain extent. There is a double control of the Farm Credit Administration. The borrowers have some stock in some of its agencies. It is partly privately owned and partly publicly owned.

Mr. KING. Will the Senator advise the Senate the number of Federal agencies which are now in existence for the purpose of extending credit and loans to agriculture?

Mr. ADAMS. I regret I am not able to give the Senator that information.

Mr. KING. The committee did not find time nor did it believe it within its jurisdiction to concentrate these various activities?

Mr. ADAMS. As I understand, we have a committee which will study these matters and bring in a well-coordinated bill which will accomplish that object.

Mr. KING. I sincerely hope that understanding of the Senator will be realized.

Mr. ADAMS. We appropriate money in this bill for the benefit of that committee.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, under the heading "Post Office Department—Out of the Postal revenues—Office of the Second Assistant Postmaster General", on page 14, after line 3, to strike out:

Contract Air Mail Service: For an additional amount for the inland transportation of mail by aircraft, and so forth, including the same objects specified under this head in the Post Office Department Appropriation Acts for the following fiscal years, respectively:
For 1936, $100,000;
For 1937, $984,000.

And in lieu thereof to insert:

Contract Air Mail Service: For an additional amount for the inland transportation of mail by aircraft, including the same objects specified under this head in the Post Office Department Appropriation Act for the fiscal year 1937, $734,000.

Mr. O'MAHONEY. Mr. President, I should like to make an inquiry of the chairman of the subcommittee in charge of the bill with regard to the items eliminated by this amendment. My understanding is that the item of $100,000 in line 9, for the year 1936, applied to certain increases of rates allowed by the Interstate Commerce Commission to certain air-mail contractors on services rendered prior to the decision. In other words, this covers a retroactive payment. Is that correct?

Mr. ADAMS. That is correct.

Mr. O'MAHONEY. Is there not a good deal of doubt as to whether the Interstate Commerce Commission had the right to make any order retroactively affecting the pay of air-mail carriers?

Mr. ADAMS. The record before the committee shows that the Solicitor for the Post Office Department took the position that the Interstate Commerce Commission did not have the authority to make the award. We were confronted with two legal opinions, and we thought discretion was the better part of valor, and that we had better keep out $100,000 until the dispute is settled.

Mr. O'MAHONEY. With respect to the item in line 10, for 1937, it is my understanding that that factor does not enter.

Mr. ADAMS. That is an entirely separate matter from the $100,000 item.

Mr. O'MAHONEY. That is separate and distinct?

Mr. ADAMS. Yes.

Mr. O'MAHONEY. I desire to offer an amendment to strike out the numerals "$734,000", in line 15, and to substitute in lieu therefor "$984,000", which is the amount approved by the House.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 14, line 15, in the committee amendment it is proposed to strike out "$734,000" and insert "$984,000", so as to read:

Contract Air Mail Service: For an additional amount for the inland transportation of mail by aircraft, including the same objects specified under this head in the Post Office Department Appropriation Act for the fiscal year 1937, $984,000.

Mr. AUSTIN. Mr. President, I should like to ask the chairman of the subcommittee what, if any, part of this item is due to the payment of damages for the cancelation of air-mail contracts?

Mr. ADAMS. None of it.

Mr. AUSTIN. Does the Senator know from what fund such damages were paid?

Mr. ADAMS. I suppose from the Post Office appropriations.

Mr. BONE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Washington?

Mr. O'MAHONEY. I yield.

Mr. BONE. I should like to ask the Senator if he can give me any information concerning the amount of this appropriation the United States Government might recover in the form of revenue from the sale of air mail stamps?

Mr. O'MAHONEY. That is exactly the point I was about to develop.

Mr. BONE. My interest arises only from a desire to determine whether or not there is any part of this sum which might be actually denominated a subsidy, or be of the actual character of a subsidy, or whether it is merely to take care of what we regard as a normal and legitimate expense in connection with the handling of air mail.

Mr. O'MAHONEY. The fact which I think should be called to the attention of the Senate is that during the past year the amount of air mail has been tremendously increasing, and the revenues derived by the Post Office Department as the result of carrying air mail have increased during the past year by $3,000,000.

When the air mail appropriation was before Congress at the last session there was some dispute as to how much money was necessary and how much money should be made available for carrying the mail. The Post Office Department made a request of the Bureau of the Budget for some $13,000,000, as I recall, and that amount was finally reduced. But in the report which was submitted by the Committee on Appropriations to the other House on February 5, 1936, on page 21, I find this language:

The committee in making the reduction of $250,000 in the Budget estimate has not done so with a view to curtailment of service. With the increase in poundage carried and the development of passenger and express business by air, the financial condition of the mail contracors is improving and some of them should soon reach the point where the Government subsidy can be decreased. Under the law it is the duty of the Interstate Commerce Commission periodically to examine into the financial affairs of the companies and fix the rates. An appropriation for that purpose is carried in the independent offices appropriation act. It is the confident belief of the committee that the action of the Commission in carrying out this duty will be such, based

upon the improvement in the condition of the companies, as to make reductions in some of the rates and effect at least this saving.

From that language it is clear that it was the belief, at the time the original appropriation was passed, that there would be a reduction of rates and that there would be a saving. The contrary has been the fact. The Interstate Commerce Commission, whether rightly or wrongly, has increased the rates, not only under the old contracts, not only on mail that was carried prior to the time the petitions were filed, but also the Interstate Commerce Commission has undertaken to modify the rates made in the contracts, and that, I assume, was done under the provisions of section 5 of the act of Congress approved August 14, 1935, which modified section 6a of the original Air Mail Act. So we find the Post Office Department confronted with the situation that the poundage to be carried on air-mail lines is tremendously increasing and the revenue derived by the Department is tremendously increasing. There is an increase of $3,000,000 this year.

If the proposed cut of $250,000 is made effective, it will become necessary for the Post Office Department to curtail service, and it seems to me that if there is one item upon which the Senate should not require a reduction of expenditure, it is an item which is bringing into the Government revenues amounting to several times the appropriation.

I therefore hope, Mr. President, that the Senate will accept the amendment which I offer restoring for 1937 the amount contained in the bill as it came from the House.

Mr. McKELLAR obtained the floor.

Mr. ADAMS. Mr. President, I should like to make a brief statement. No doubt the Senator from Tennessee and I were rising to say the same thing.

Mr. McKELLAR. I suggest that the Senator speak first.

Mr. ADAMS. Mr. President, I wish to say a word in reference to this reduction. It involves a question of principle so far as the Senate is concerned, the question as to whether or not we shall ratify and approve a defiance of the Congress of the United States. That is what is involved in this particular reduction.

When the post-office appropriation bill came up a year ago the post-office officials asked for $12,250,000 for carrying the air mail. Congress gave them $12,000,000, and cut off $250,000. When the deficiency bill came on later in the year those officials came back and asked to have the $250,000 put back in the bill. Congress again declined to add the $250,000.

Notwithstanding the fact that the Congress has twice said, "You shall have $12,000,000 to operate the air mail", the officials have proceeded to allocate their expenses upon the basis of $12,250,000, and they justify that by the fact that a report in the House of Representatives stated that, notwithstanding they were cutting the appropriation $250,000, they did not expect the service to be lessened. So that the officials in the Post Office Department saw fit to follow their own inclination, on the expressed wish of a committee only, as overruling the definite will of Congress.

Having $12,000,000, which they should have cut into 12 parts, month by month, they have gone on and divided their money and kept up their service on the basis of an appropriation which they did not have, and which had been specifically denied them. So, as I have said, it is not merely a question of growth of the air mail, it is not a question of the poundage that is coming, it is not a question of revenue, but whether or not a Department created by Congress is to be permitted to override and defy Congress, and whether or not Congress is to submit to such defiance.

Mr. McKELLAR obtained the floor.

Mr. O'MAHONEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Wyoming?

Mr. McKELLAR. I desire to make a statement, but perhaps it would be better to wait until the Senator from Wyoming has spoken.

Mr. O'MAHONEY. Mr. President, I merely desire to ask the Senator from Colorado, if I may, whether he contends that no weight whatever should have been given by the Post Office Department to the expressed declaration in the report of the House committee, that the cut was being made on the assumption that it would not involve a curtailment of service, qualified by the statement which immediately follows in the report, from which I have just read, namely, that it was to be expected that the rates would be reduced by the Interstate Commerce Commission, and therefore that in the appropriation the Department would have enough money to carry out the service then existing.

Does not the Senator believe that the Post Office Department was justified, under that language, in saying, "We will maintain the service now existing; we will not cut the service until it becomes necessary"?

The fiscal year 1937 has not yet ended, and if the amount of money asked for is not allowed, of course the Department will cut the expenditures. Five months of the fiscal year remain, and it is easy for the Department within this year to cut off $250,000, but to do so will require curtailment of service.

Mr. RUSSELL. Mr. President, I should like to point out to the Senator from Wyoming that it was stated in the hearings before the subcommittee that the Department had absolutely no intention of creating a deficiency; that this matter was being submitted to Congress for Congress to determine whether or not this service should be curtailed; that the reason for not curtailing the service on a proportionate basis over the 12 months was that the Department paid only for such trips as were made by the planes; that there was a possibility in case of a severe winter the planes would not go from the ground, and they would have enough to maintain the service under the funds appropriated, and therefore they had waited until this hour to commence the curtailment, not in defiance of Congress, but in an endeavor to carry out the expressed wishes of the Congress.

Mr. O'MAHONEY. I thank the Senator. I think every Senator present on the floor knows that during the past year there has been a tremendous increase in the amount of mail carried not only in the air but on railroad trains. The capacity of the post offices of the country has been taxed to the utmost, and revenues have increased, I am told, between 10 and 20 percent. The demand of the people for postal service has been steadily increasing. The Department was justified, it seems to me, in waiting before curtailing the service to discover what the results would be.

Now it is for Congress to say whether or not curtailment shall be made, and it is perfectly clear that if the proposed cut shall be made the people throughout the country will suffer.

Mr. ADAMS. Mr. President, I should like at this point to read from the record the statement of Mr. Branch, of the Post Office Department, which appears on page 377 of the House hearings. He said:

> As I explained to you last year, when I found I was going to run a deficit, after my appropriations were allowed, then I came around to the deficiency committee and tried to get some relief. I was ruled out on that, and then I was faced with a decision as to whether I would begin a curtailment which I knew was coming on July 1, 1936, whether I would make the curtailment at that time, or wait, in the expectation that this Congress would give us a deficit and we would not have to make a curtailment.
>
> Before reaching a decision I talked to some of you gentlemen. I got from you, I thought, the assurance that if I had any more cost and if we came up with a real deficit, that the Bureau of the Budget recognized and sent in an estimate for, that I would not have to curtail. I have gone up to this time on that program.
>
> But a couple of months ago I got a notice from the Bureau of the Budget in which they called attention to the appropriation and how we were exceeding the monthly allotment, and cautioned me that I must stay within my appropriation.
>
> We then made an estimate and we figured that we could go on as we were until the 1st of March if we did not get this deficiency, and that we would be compelled in the last 3 months to make a sufficient curtailment of the existing service to absorb the deficit.
>
> So I wrote a letter to each contractor and put them on notice. I notified them that if we did not have this deficiency that we would have to curtail, and that we would do it on a fair ratio, taking into consideration the necessary services. That is the status we are in today.
>
> If we get a deficiency appropriation we can go along with what we have had all the year, but with no additional new services.

That is, it was a deliberate recognition of the fact that curtailments would have to come, and at that time a year

ago Mr. Branch said, "If you do not give us the $250,000, we will have to curtail." So, I think, Mr. President, with all respect to my good friend from Wyoming [Mr. O'MAHONEY], it is an effort to defy the Congress and to put us into the position where we must make an appropriation because they have defied the law as well as Congress.

Mr. AUSTIN. Mr. President, will the Senator from Tennessee yield to me for a moment?

Mr. McKELLAR. I yield.

Mr. AUSTIN. I interrupt the Senator from Tennessee at this time because it seems to me that this is the proper place to put into the RECORD a part of the proceedings before the Senate committee relating to the subject which has just been discussed. This occurs in the hearings before the Senate committee, at the bottom of page 153:

Senator McKELLAR. But you were proceeding, as I understand your testimony, on exactly the same theory as if you had actually gotten the $12,250,000. You have not made any curtailments or any provisions on the basis of having the $12,000,000 instead of the $12,250,000?

Mr. COLE. Up to the present time we have not; but we still have plenty of time left to stay within the $12,000,000.

Mr. McKELLAR. Mr. President, I thank the Senator for calling attention to that matter.

I happen to be the chairman of the committee on Post Offices and Post Roads, and if there was any way in the world that I could properly defend a request made by the Post Office Department I certainly would do so and present it to the Senate to the best of my ability. However, I think the requests now under consideration are indefensible. The Senator from Colorado [Mr. ADAMS] well said just a few moments ago that last year the budget estimate for air mail was $12,250,000. The House and Senate cut that down to $12,000,000, and the President approved that action. The $250,000 was not appropriated.

Those in charge of the particular branch of the Post Office Department dealing with air mail disregarded the fact that that amount of money was left out, and as one gentleman very frankly testified, he expected to get it in a deficiency bill, and they went ahead just as if the Congress had appropriated the $12,250,000. When the deficiency bill came up last year this same official of the Post Office Department came forward and asked for a deficiency appropriation of the $250,000. After careful consideration, after arguments both in the committee and in the Senate, the Congress disallowed the item of $250,000. Certainly when the item was disallowed the second time it might have been notice to the Department that the Congress intended to stand on the $12,000,000 it had appropriated. But that did not do. The other day when the first deficiency bill of this year came up the same official of the Government came forward and asked for the same amount of $250,000, and he says now that the service will be curtailed if that amount is not granted.

Mr. President, I do not think that that willful defiance of the Congress ought to be permitted. I do not believe the Service will be injured one iota if this $250,000 is not allowed or if the $100,000 is not allowed. The two items might be considered together because, in effect as to both of them, the same disregard of the wishes of the Congress is shown.

The $100,000 item, let me say, is a deficiency of this kind: The Interstate Commerce Commission fixes the rates on air mail. With respect to three companies they not only fixed the rates but they antedated them. The Commissioners awarded what they called back pay, which they were never authorized to do, and which the Solicitor of the Department held they had no legal right to do. However, they absolutely disregarded the judgment of the Solicitor of the Department. They paid no attention to the Solicitor's opinion, and paid out $150,000 which might well have been used for keeping up the Service. It was paid out on those contracts, and when asked why they did not pay it all, they said they did not have any more money to pay out, that was all they had. And now here is a deficiency of $150,000 representing the difference between that sum and $250,000.

Mr. President, I do not think such action on the part of the head of a bureau ought to be countenanced by the Senate. I am strongly for air-mail service; I believe we ought to encourage it wherever we can; that we ought to build it up; that we ought to help the Department do so in every way we can; but we ought not to justify a willful disregard of the powers of the Congress and the acts of the Congress, and for that reason, though I am intensely interested in the Department, I cannot vote to increase the amount in question. I think the Senate committee acted rightly in striking out the $100,000 and in cutting down the $984,000, and I hope that the Senate will agree to those committee amendments. They are proper and should be agreed to.

Mr. O'MAHONEY. Mr. President, I had not completed my remarks. We are faced with a very practical condition which involves very much more than the mere question of whether or not a Government department has kept within its appropriation. The question now propounded to us is whether the Air Mail Service shall be permitted to continue to grow.

I have here a statement of the total miles flown by air-mail contractors during the years 1931 to 1936. The Senate will be interested to realize that in 1931 the total air mileage was 21,381,000. It increased in 1932 to thirty-two-million-and-odd. In 1933 it increased to 35,900,000. In 1934 it decreased to 29,100,000. In 1935 it increased to 31,000,000. In 1936 it increased to 38,699,000.

Mr. President, that means only one thing. It means that the business interests of the United States, the people of the United States who use the air mail, are placing every day, every week, every month an additional burden upon the Air Mail Service of the United States. Are we then at this moment to say to the Department, with 5 months still to go, "We shall cut this appropriation down, although your revenues are increasing"?

For example, on page 161 of the Senate hearings we find an interesting table, no. 216, which shows the growth of the air-mail postage revenue. In 1933 air-mail postage revenue amounted to $6,116,000. In 1934 it dropped off to $5,700,000. In 1935 it increased to $6,589,000. In 1936 it increased to $9,702,000, an increase of $3,000,000.

What we are now saying to the Post Office Department and to the country by this amendment is simply this: "The service by air mail is going to be cut regardless of the demand." The Post Office Department has plenty of time in which to carry out the instructions of Congress. My contention here is that it is absolutely unwise to give any such instructions.

Mr. President, without burdening the Senate further with this discussion, I send to the desk a letter which was written to me at my request this morning by the Second Assistant Postmaster General, together with one sheet containing certain data, and I ask that it may be read at this time.

The PRESIDING OFFICER. Without objection, the letter and the accompanying data will be read.

The Chief Clerk read as follows:

POST OFFICE DEPARTMENT,
SECOND ASSISTANT POSTMASTER GENERAL,
Washington, February 1, 1937.

Hon. JOSEPH C. O'MAHONEY,
United States Senate.

MY DEAR SENATOR O'MAHONEY: In compliance with your request I am submitting below brief reasons as to why the full amount of the deficiency appropriation requested by the Department for 1937 should be approved. If the estimate of the Department in the amount of $984,000, which was approved by the Budget and the House committee, is reduced, Air Mail Service will have to be reduced in proportion to any reduction made by the Senate. The estimate is not made for the purpose of putting on any new service but simply for maintaining the service which is now in effect and which is being utilized by the public as has never been done before.

During the first 5 months of this fiscal year more air mail was transported than in the entire fiscal years 1933 and 1934. The Post Office Department has conducted an intensive campaign to develop patronage of the Air Mail Service which will put it on a self-sustaining basis. As a result of that campaign last year the revenue increased over $3,000,000 despite the fact that revenue had been practically stationary during the previous 5 years of the existence of contract air-mail service. If service is now curtailed, we face the loss of patronage which has been developed by this

campaign and the fact that we have been able to offer the public good air-mail service with sufficient frequency to give it a material advantage over ordinary mail.

No increase in the contractual cost of the service has occurred during the present fiscal year. There has been an increase due to the increase in poundage, for which we had to make excess payments as provided for by law. There has been a slight increase on account of additional mileage payments in cases where the Bureau of Air Commerce has prescribed slightly longer route mileage in order that the contractor would fly a safer course. There has also been some increase because contractors have completed a higher number of scheduled trips than in past years.

It would be deplorable for the Department to have to curtail air-mail service at this time when we are encouraging a campaign to develop patronage to the fullest extent. The attached statistics show the increase both in poundage and in revenue. Last year the revenue was $9,702,676.46. It is estimated that the revenue for 1937 will be $12,000,000 if we do not have to curtail service.

Mr. O'MAHONEY. Mr. President, I shall interrupt the clerk at this point. Observe what the letter says—that the revenue in the next succeeding year will be $12,000,000, another increase of $3,000,000, and we are talking about cutting out an appropriation of $250,000 which will bring in that increase.

The Chief Clerk continued reading, as follows:

If it is necessary to curtail service, we will not only lose revenue and patronage during the current fiscal year but it will hurt patronage and revenue for the fiscal year 1938, in which we had expected to get revenues of $13,250,000.

Sincerely yours,

HARLLEE BRANCH,
Second Assistant Postmaster General.

Additional amount necessary to maintain the service in effect at the beginning of the fiscal year		$250,000
Rate increase prescribed by Interstate Commerce Commission for route AM-33, operated by Inter Island Airways		12,400
Rate increase prescribed by Interstate Commerce Commission for routes AM-3 and AM-16, operated by Northwest Airlines		221,600
Increases resulting from:		
Excess poundage	$375,000	
Higher performance of service	100,000	
Mileage readjustments	25,000	
		500,000
Total		984,000

Mr. O'MAHONEY. Mr. President, I now ask that there be incorporated in the RECORD at this point, together with the letter which has just been read, another table which I have obtained from the Post Office Department showing the increase in the poundage carried. I shall not read it.

The PRESIDING OFFICER. Without objection, the table will be printed in the RECORD at this point.

The table is as follows:

TABLE 208.—*Statistical report showing the pounds of air mail dispatched, by months, during the fiscal years 1927–37*

	Fiscal year—										
	1927	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937
July	29,673	99,589	214,575	645,653	692,467	779,105	545,090	644,172	682,520	1,169,737	1,616,191
August	32,404	102,051	419,049	701,538	695,318	804,455	568,887	690,177	776,173	1,224,623	1,623,239
September	35,246	146,486	423,840	658,984	705,963	796,703	555,661	643,621	736,193	1,172,265	1,559,880
October	42,070	153,649	467,555	707,019	743,705	836,603	567,006	665,458	916,416	1,293,869	1,629,711
November	37,686	141,282	426,002	624,750	637,062	720,301	533,047	631,748	823,737	1,181,678	1,511,117
December	39,350	165,768	441,634	620,376	767,229	827,530	542,326	657,203	931,425	1,317,774	
January	33,510	144,289	488,711	519,572	687,560	669,077	524,721	643,278	820,286	1,177,753	
February	35,037	153,363	434,263	556,922	642,484	634,284	493,416	526,903	858,299	1,167,535	
March	42,111	173,929	524,404	625,174	724,617	718,980	586,822	698,492	1,002,269	1,396,977	
April	45,856	171,026	508,676	676,271	750,638	676,084	568,740	241,856	1,036,796	1,355,200	
May	46,133	199,409	588,459	702,629	750,960	687,906	612,653	389,721	1,108,315	1,444,013	
June	55,026	210,957	598,512	680,810	781,419	694,930	643,449	644,200	1,082,819	1,476,469	
Total	473,102	1,861,800	5,635,680	7,719,698	8,579,422	8,845,967	6,741,788	6,476,919	10,775,248	15,377,993	7,940,138

NOTE.—The above poundage figures were determined by ascertaining the weight of mail dispatched monthly on each route, and then consolidating the route totals to obtain monthly totals for all routes combined. As the same mail was frequently carried over 2 or more routes, the figures shown do not, in any sense, represent the weights of originating air mail.

Percentage of increase for the first 4 months of each year:	*Percent*
1937 over 1933	187.44
1937 over 1934	143.21

Percentage of increase for the first 5 months of each year:	*Percent*
1937 over 1933	186.68
1937 over 1934	142.43

Mr. O'MAHONEY. This table shows that in January last year, a single month, there were carried 1,177,000 pounds of mail. In June of this year there were carried 1,476,000 pounds of mail. In other words, month by month the amount of air mail is increasing, and the fact is that the added expense upon the Post Office Department under the law passed by the Congress fixing the rates during this year, has been $375,000. This increase could not possibly have been within the purview of any of the committees of Congress or of the Senate or of the House of Representatives at the time the original appropriation was passed, and I sincerely hope that my amendment, restoring the figures of the House bill, may be adopted.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Wyoming [Mr. O'MAHONEY] to the committee amendment. [Putting the question.] The noes seem to have it.

Mr. O'MAHONEY. I call for a division.

The PRESIDING OFFICER. The Senator from Wyoming demands a division.

Mr. McKELLAR. Let us have a roll call on the question, Mr. President.

The PRESIDING OFFICER. The Senator from Tennessee demands the yeas and nays. Is the demand seconded?

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. BYRNES (when his name was called). I have a general pair with the senior Senator from Maine [Mr. HALE]. I am advised, however, that if present he would vote as I shall vote, and I therefore vote. I vote "nay."

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Minnesota [Mr. SHIPSTEAD]. I transfer that pair to the Senator from California [Mr. MCADOO] and vote "nay." I am not advised how either Senator would vote if present.

Mr. McKELLAR (when his name was called). On this vote I have a pair with the senior Senator from Delaware [Mr. TOWNSEND]. He being absent, I transfer that pair to the senior Senator from New Hampshire [Mr. BROWN] and vote "nay." I am not advised how either Senator would vote if present.

Mr. McNARY (when his name was called). On this vote I have a pair with the senior Senator from Mississippi [Mr. HARRISON]. I am advised, however, that if present he would vote as I am about to vote. I therefore vote. I vote "nay."

The roll call was concluded.

Mr. LEWIS. I announce that the Senator from Ohio [Mr. DONAHEY] is detained on account of illness and that the Senator from Arkansas [Mrs. CARAWAY] is absent due to a death in her family.

The Senator from Arizona [Mr. ASHURST], the Senator from Alabama [Mr. BANKHEAD], the Senator from New Hampshire [Mr. BROWN], the Senator from Mississippi [Mr. HARRISON], the Senator from Oklahoma [Mr. LEE], the Senator from Nevada [Mr. MCCARRAN], the Senator from New

Jersey [Mr. MOORE], the Senator from West Virginia [Mr. NEELY], the Senator from Louisiana [Mr. OVERTON], the Senator from South Carolina [Mr. SMITH], and the Senator from Missouri [Mr. TRUMAN] are detained on account of important public business.

The Senator from California [Mr. MCADOO] is unavoidably detained.

The Senator from Florida [Mr. PEPPER] has been called to the State Department on official business. If present and voting, he would vote "yea."

Mr. MCNARY. My colleague [Mr. STEIWER] and the Senator from Minnesota [Mr. SHIPSTEAD] are absent because of illness, and the Senator from Delaware [Mr. TOWNSEND] is necessarily absent.

The result was announced—yeas 39, nays 35, as follows:

YEAS—39

Andrews	Dieterich	Murray	Schwellenbach
Austin	Duffy	Norris	Sheppard
Bailey	Hatch	Nye	Thomas, Okla.
Barkley	Hitchcock	O'Mahoney	Thomas, Utah
Bone	Logan	Pittman	Van Nuys
Bulow	Lonergan	Pope	Wagner
Chavez	Lundeen	Reynolds	Walsh
Clark	McGill	Robinson	Wheeler
Copeland	Maloney	Russell	White
Davis	Minton	Schwartz	

NAYS—35

Adams	Byrd	Gillette	King
Bachman	Byrnes	Glass	Lewis
Bilbo	Capper	Green	Lodge
Black	Connally	Guffey	McKellar
Borah	Ellender	Hayden	McNary
Bridges	Frazier	Herring	Radcliffe
Brown, Mich.	George	Holt	Tydings
Bulkley	Gerry	Hughes	Vandenberg
Burke	Gibson	Johnson, Colo.	

NOT VOTING—21

Ashurst	Harrison	Moore	Steiwer
Bankhead	Johnson, Calif.	Neely	Townsend
Brown, N. H.	La Follette	Overton	Truman
Caraway	Lee	Pepper	
Donahey	McAdoo	Shipstead	
Hale	McCarran	Smith	

So the amendment of Mr. O'MAHONEY to the committee amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment as amended.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The next amendment of the Committee on Appropriations will be stated.

The next amendment was, on page 14, in lines 21 and 22, to strike out "the Land Bank Commissioner certifies to the Secretary of the Treasury", so as to make the clause read:

Payments to Federal land banks on account of reductions in interest rate on mortgages: For an additional amount for payments to each Federal land bank of such amount as is equal to the amount by which interest payments on mortgages held by such bank have been reduced during the fiscal year beginning July 1, 1936, in accordance with the provisions of paragraph "Twelfth" of section 12 of the Federal Farm Loan Act, as amended, to supplement the amount made available for this purpose for the fiscal year 1937 in one fund by the "First Deficiency Appropriation Act, fiscal year 1936", $6,000,000.

The amendment is agreed to.

The PRESIDING OFFICER. The first amendment passed over will be stated.

The CHIEF CLERK. The amendment passed over is on page 5, line 6, to strike out "$790,000,000" and to insert "$775,000,000", so as to read:

To continue to provide relief and work relief as authorized in the Emergency Relief Appropriation Act of 1936, and subject to all the provisions thereof, $775,000,000, which amount shall be added to, and proportionately increase the specified amounts of the limitations prescribed under, the appropriation made in such act: *Provided*, That no part of this appropriation or of the appropriation in the Emergency Relief Appropriation Act of 1936 shall be used hereafter to pay the compensation of any person not taken from relief rolls, detailed, or loaned for service in connection with any investigation or inquiry undertaken by any committee of either House of Congress under special resolution thereof.

Mr. ROBINSON. Mr. President, I should like to ask the attention of the members of the committee and of the Senate to that amendment. The amendment is a reduction of $15,000,000 in the aggregate amount appropriated in the bill for relief and work relief. There is nothing in the bill to indicate a specific purpose in the amendment. As already stated, it is a mere reduction of the aggregate amount.

Mr. BONE. Mr. President, will the Senator from Arkansas yield to me?

Mr. ROBINSON. I yield to the Senator from Washington.

Mr. BONE. I am concerned at this point because certain Senators have an amendment proposing to increase this amount, and I am wondering, as a matter of parliamentary procedure, if that amendment should not be disposed of before the Senate acts on the committee amendment. I merely raise that point now because I do not want to be barred from discussing the amendment proposed by some 12 or 13 Senators.

Mr. ROBINSON. Mr. President, if the committee amendment should not be agreed to, the provision would still be open to amendment, would it not?

The PRESIDENT pro tempore. It would be.

Mr. ROBINSON. Then, I suggest to the Senator from Washington that the amendment which he has in mind, and which I think I know the purpose of, would still be in order, and I should like to have settled the issue in the pending committee amendment.

Mr. BONE. I do not desire to interrupt the Senator's remarks or delay action on this matter, but I do not wish to be in the unhappy position of having the amendment to which I have referred barred by some parliamentary procedure which would make it impossible to have it brought before the Senate for disposal.

Mr. ROBINSON. I have no purpose of that nature in mind.

Mr. BONE. I fully realize that.

Mr. ROBINSON. The Chair has indicated that if this amendment should be disagreed to, the provision would still be subject to amendment.

Mr. SCHWELLENBACH. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. SCHWELLENBACH. Let me put it the other way—assume that the committee amendment should be agreed to, then would not the amendment referred to by my colleague be barred?

The PRESIDENT pro tempore. In the opinion of the Chair, Senators would be barred from offering further amendments if the committee amendment should be agreed to.

Mr. BONE. That is precisely the point I had in mind.

Mr. NORRIS. If I may make an inquiry—I could not hear the statement of the Chair—assuming that the committee amendment should be agreed to, what then would be the parliamentary situation?

The PRESIDENT pro tempore. If the committee amendment shall be agreed to, the matter will be disposed of and not be subject to further amendment.

Mr. NORRIS. As I stated, I did not hear the statement of the Chair. Then it would follow from the inquiry of the Senator from Washington [Mr. BONE] that if the amendment should be agreed to he would be barred from offering the amendment which he has suggested?

Mr. ROBINSON. Mr. President, as already stated, there is nothing in the bill which discloses the purpose on the part of those proposing the amendment to reduce or eliminate funds to be made available by the bill for any particular purpose. It is my understanding, however, that in the aggregate item of $790,000,000 is embraced an amount to be available for Resettlement and that the hearings disclose that the object of the amendment is to prevent the use of further funds in connection with what is known as farmstead or other similar resettlement projects.

The item carries an amount of $14,000,000 of the $15,000,000 which probably would be used in completing resettlement projects already in existence.

Mr. NORRIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Nebraska?

Mr. ROBINSON. I yield.

Mr. NORRIS. That is another item in the bill, is it?

Mr. ROBINSON. No.

Mr. NORRIS. Then I do not quite understand.

Mr. ROBINSON. It is difficult to state. The appropriation for relief and work relief comprehends a great many purposes, as the Senator well understands. In that item of $790,000,000 are such funds. It is expected, if the item be preserved as passed by the House of Representatives, that $14,000,000 will be used to complete resettlement projects already initiated and in process of construction. If the amendment reported by the committee is agreed to, it will make difficulty in the allotment of the funds, because, as I have already said, there is nothing in the bill to indicate the purpose of the reduction.

In theory of law a reduction might be made from funds allotted to any other purpose or to be allotted to any other purpose; but, assuming that judicial notice will be taken of the purpose in mind in eliminating the $15,000,000, the result would be the termination of the construction of projects already partly completed. On some of these projects are buildings which have been partly constructed, which have not been completed, and which will not be completed if the amendment is adopted and remains in the bill.

I have discussed the matter with the Secretary of Agriculture and with others. Even if it is the intention and the desire of the Congress to terminate programs for resettlement, it is felt that in any event the projects which have been begun should be completed; otherwise a large part of the funds which have already been expended will be lost or wasted.

Mr. BORAH. Mr. President——

Mr. ROBINSON. I yield to the Senator from Idaho.

Mr. BORAH. Am I to understand the $15,000,000 which it has been proposed shall be eliminated from the bill, is intended to be used to complete projects already begun and not yet completed?

Mr. ROBINSON. Yes. If the amendment proposed by the committee is agreed to, the hearings show there is in contemplation a suspension of activities with regard to the resettlement projects.

I have not discussed the matter with all the authorities of the Resettlement Administration because the subject was not brought to my attention until just a few moments ago, but those with whom I have talked, including particularly the Secretary of Agriculture, recognize that very serious consideration should be given to the question of whether new projects of the character referred to and affected by the amendment should be hereafter initiated.

There are many matters in connection with the subject which the Secretary of Agriculture feels should have investigation and inquiry, but it is believed that to suspend those projects which are embraced in the list which is before me would result in loss and would make the projects ineffective to accomplish the purpose for which they were initiated.

Mr. KING. Mr. President, will the Senator yield?

Mr. ROBINSON. I yield to the Senator from Utah.

Mr. KING. The Senator, not being a member of the committee, may not have before him the information which I should like to obtain. I should like to know what appropriations heretofore were made for the benefit of the Resettlement organization or the organization of which it is a child, and also what disposition has been made of those appropriations and whether they have all been expended.

Mr. ROBINSON. My recollection is—and if I am in error the chairman of the subcommittee in charge of the bill will please correct me—that appropriations have not been made for the specific purpose of constructing these projects. The projects have been initiated and proceeded with under general allotment made by the President under the authority granted by acts of Congress. In my judgment, he would still, as a matter of law, have a right to make an allotment for the Resettlement Administration for the completion of these projects notwithstanding the amendment, because the amendment does not specifically provide what work shall be discontinued or that any work shall be discontinued. In other words, the amendment may prove ineffective to accomplish the purpose of those who propose it. If the Executive should look into the hearings and find what was in the minds of those who proposed the amendment, he would have the power to refuse to make any further allotment whatever for the completion of these projects.

I do not recall or know just to what the other $1,000,000 was to be applied. The amendment would reduce the appropriation by $15,000,000. Of that amount it is expected by the Secretary of Agriculture and the Resettlement Administrator that an allotment of $14,000,000 would be made to complete the projects already in process of construction.

I am stating these facts and circumstances in order that the committee and other Members of the Senate may pass upon the question whether it is their purpose to compel the abandonment of projects already started, whether it is their purpose to force the loss of those funds which have already been applied under allotments made heretofore to the partial construction of the projects.

There is a great deal of difference in the status of some of the projects. Some of them are near completion, others are approximately half completed, still others have had less work done on them.

Mr. LEWIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Illinois?

Mr. ROBINSON. Certainly.

Mr. LEWIS. I ask the able Senator from Arkansas what is assumed to be the amount necessary to continue and carry on to completion the projects already in hand?

Mr. ROBINSON. The additional $14,000,000, as I have already stated, which is to be taken from the bill by the committee amendment. If the committee amendment prevails and the Executive carries out the implication of the amendment as derived from the hearings before the committee, work will stop on the projects which I have stated are already partially completed. If the $14,000,000 be kept in there will be no other projects of this nature initiated until a very careful study of the subject has been made.

Mr. COPELAND. Mr. President——

Mr. ROBINSON. I yield to the Senator from New York.

Mr. COPELAND. I believe it would be helpful if we could have some information regarding the projects in question so as to determine whether some of them are so far completed that they ought to be finished.

Mr. ROBINSON. I have all that information here and propose to place it in the RECORD. It would require perhaps an hour to read the information in complete detail. Some of the projects, as I have already stated, are completed or approaching completion. Others have more recently been initiated and less work has been done on them. Others are halfway completed. On many of the projects are houses in process of erection or construction which will not be completed if the amendment prevails.

Mr. VANDENBERG. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Michigan?

Mr. ROBINSON. I yield.

Mr. VANDENBERG. Will the Senator state whether the $14,000,000 will entirely complete all of the projects, or is it merely this year's obligation?

Mr. ROBINSON. The $14,000,000, in addition to the amount now available, according to information supplied me, will complete the projects which are now in process of construction.

Mr. VANDENBERG. And they will require no further appropriation?

Mr. ROBINSON. No further appropriations for this class of work will be required or even recommended until a further study of how the projects are operating has been made. That is the statement made to me by the Secretary of Agriculture. I will read exactly what is said. The statement actually comes from the Resettlement Administration, but it was supplied at the request of the Secretary of Agriculture, and I know it has his approval.

Mr. KING. Mr. President——

Mr. ROBINSON. I yield to the Senator from Utah.

Mr. KING. I should like to ask the able Senator why whoever has charge of this fund, or the organization which has charge of it, started on the construction of these projects unless it was known there were ample funds available to complete them?

Mr. ROBINSON. This is a deficiency appropriation bill to carry out in the main works which have already been initiated. It is not an authorization bill in the sense that any project is to be initiated with the funds carried in the bill.

Mr. BARKLEY. Mr. President, will the Senator from Arkansas yield?

Mr. ROBINSON. In just a moment. The reason for that is that certain projects have been commenced and are not completed, and this deficiency appropriation is necessary to enable their completion.

I yield now to the Senator from Kentucky.

Mr. BARKLEY. Is it not true that as a result of the terrific drought during the last year a large amount of funds originally intended for Resettlement was diverted from Resettlement in order to take care of drought relief?

Mr. ROBINSON. Yes; and for other pressing purposes.

Mr. BARKLEY. And is it not also true that these uncompleted projects cover acreage where the Government has taken an option on the land and closed the options, except insofar as paying for them is concerned, and many thousands of farmers have been left somewhat suspended, not knowing whether their projects were to be completed or whether they would be able to sell their land, or would have to go back on them?

Mr. ROBINSON. What the Senator says is undoubtedly true. It would create very great confusion and cause loss, as I have repeatedly explained.

In answer to a question that was asked me a few moments ago about whether any portion of this fund is to be used in commencing new projects, I should like to read from a memorandum to which reference has already been made:

When this matter was considered by the Senate Appropriations Committee, there developed on the part of some members of the committee a spirited opposition to appropriating any more money for projects, and it was finally decided to reduce the total amount of the deficiency appropriation by $15,000,000. It was evidently the intent of the committee that this should be taken out of the money intended for the completion of these projects. The language, however, is such as to leave this question in uncertainty, and it is likely, if left as it is, to make it embarrassing to the President when he comes to allocate these funds.

The quotation continues:

The Department of Agriculture is convinced that the projects now under construction should be completed, but that further construction should not be started until a very careful study is made of the whole program for the development of farmsteads. If this is not done, there will be over the country in these different projects partly constructed houses left standing. Not only would these unfinished buildings be an embarrassment but a delay in their completion would add greatly to their cost and result in an inevitable loss to the Government. Because of this it seemed highly desirable that the $15,000,000 recommended to be eliminated should be restored.

There were attached to the memorandum, a part of which I have read, several pages from a report on "rural and suburban resettlement program." Group 1 consists of "projects initiated by division of subsistence homesteads."

Group 2 relates to "projects initiated by Federal Emergency Relief Administration."

Group 3 relates to other Resettlement Administration projects known as the infiltration projects.

There are several other groups distinguished because of the particular purpose in mind in their initiation.

The amount required to complete all the projects which have been started is the $14,000,000, and the approximate amount necessary in each instance is stated in the memorandum, which I shall publish as a part of my remarks.

Mr. President, for the reasons I have stated, I feel that the committee should consent that the amendment be disagreed to.

I ask that the statement to which I have just referred be printed as a part of my remarks.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

Rural and suburban resettlement program

GROUP 1. PROJECTS INITIATED BY DIVISION OF SUBSISTENCE HOMESTEADS

1 State	2 Project title	3 Approximate number of units (includes units of $14,000,000 fund)	4 Total land (acres)	5 Total land cost	[16] Farmstead cost	[17] Other costs	8 Total estimated cost, all agencies	9 Additional funds requested ($14,000,000 fund)
Alabama	Slagheap village	390	822	$106,121	$1,550,084	$1,038,020	$2,694,225	
Do	Palmer homesteads	60	288	24,242	212,801	63,773	300,816	
Do	Palmerdale homesteads	42	400	32,420	298,311	161,652	492,383	
Do	Gardendale homesteads	75	513	39,048	390,071	173,134	602,253	
Do	Greenwood homesteads	83	402	20,084	424,463	240,312	684,859	
Do	Bankhead farms, unit A	24	476	11,855	67,027	27,884	106,766	
Do	Bankhead farms, unit B	76	1,620	40,702	499,121	272,956	812,779	
Arizona	Phoenix homesteads, unit B	25	75	15,320	82,237	22,903	120,460	
California	San Fernando homesteads	40	40	13,578	86,336	15,263	115,177	
Do	El Monte homesteads	100	100	50,144	214,083	33,537	297,764	
Georgia	Piedmont homesteads	50	15,240	86,989	361,894	137,156	586,039	
Illinois	Lake County homesteads	53	530	46,319	467,834	19,490	533,643	$30,000
Indiana	Decatur homesteads	48	80	8,087	144,637	31,620	184,344	
Iowa	Granger homesteads	50	224	27,960	163,292	34,830	226,082	
Minnesota	Austin acres	44	216	10,311	168,581	46,676	225,568	
Do	Duluth homesteads	95	1,220	28,073	604,968	144,252	777,293	
Mississippi	McComb homesteads	20	264	2,200	80,178	32,423	114,801	
Do	Magnolia homesteads	25	273	5,225	64,114	22,963	92,302	
Do	Tupelo homesteads	35	171	3,909	127,810	23,083	154,802	
Do	Hattiesburg homesteads	24	129	2,397	68,118	20,654	91,169	
Do	Richton homesteads	26	7,751	23,259	130,857	66,382	220,498	15,000
Montana	Malta homesteads	25	2,430	65,060	200,706	97,971	363,737	26,000
New Jersey	Jersey homesteads	206	1,238	84,550	1,739,285	1,214,745	3,038,580	
North Carolina	Penderlea homesteads	250	10,396	92,422	1,314,081	473,073	1,879,576	200,000
Pennsylvania	Westmoreland homesteads	254	1,353	120,870	888,752	647,193	1,656,815	
Tennessee	Cumberland homesteads	274	23,394	299,966	1,603,039	615,708	2,518,713	
Texas	Beauxart gardens	50	205	12,300	115,810	50,161	178,271	
Do	Dalworthington gardens	78	593	37,145	222,062	92,047	351,254	
Do	Houston gardens	100	320	43,750	191,629	87,196	322,575	
Do	Three Rivers gardens	50	160	13,170	102,116	58,676	173,962	
Do	Wichita gardens	62	223	17,424	144,301	47,881	209,606	
Virginia	Shenandoah homesteads	150	6,512	291,605	607,474	292,107	1,191,186	80,000
Do	Newport News homesteads	158	440	52,200	825,261	313,097	1,190,558	
Washington	Longview homesteads	60	141	28,201	150,902	19,201	198,304	
West Virginia	Tygart Valley homesteads	231	2,531	104,150	842,330	701,120	1,647,600	
Do	Arthurdale	165	1,133	48,500	1,140,333	851,809	2,040,642	
Total		3,498	81,903	1,909,556	16,294,898	8,190,948	26,395,402	351,000

[Footnotes at end of table]

Rural and suburban resettlement program—Continued

GROUP 2. PROJECTS INITIATED BY FEDERAL EMERGENCY RELIEF ADMINISTRATION

1 State	2 Project title	3 Approximate number of units (includes units of $14,000,000 fund)	4 Total land (acres)	5 Total land cost	6 Farmstead cost	7 Other costs	8 Total estimated cost all agencies	9 Additional funds requested ($14,000,000 fund)
Alabama	Cumberland Mountain	227	8,040	$60,300	$629,339	$112,313	$801,952	$300,000
Do	Coffee farms	320	23,399	326,647	812,962	212,351	1,351,960	480,000
Arizona	Arizona part-time farms	95	558	82,000	272,545	110,197	464,742	15,000
Arkansas	Wright's plantation	105	5,692	198,000	566,016	267,329	1,031,345	40,000
California	California migratory camps	979	521	98,300	107,214	398,585	604,099	60,000
Do	Marysville migratory camp	185	55	4,000	40,000	102,552	146,552	
Do	Arvin migratory camp	120	40	8,048	40,000	95,616	143,664	
Georgia	Irwinville	90	10,164	91,481	437,185	202,532	731,198	55,000
Do	Briar Patch farms	18	7,496	59,220	154,940	61,592	275,752	
Do	Wolf Creek	26	2,243	26,400	198,572	62,100	287,072	
Michigan	Johannesburg farms [3]	130	5,360	148,632		55,466	204,098	
Minnesota	Little Fork farms [4]	100				12,500	12,500	
Do	Rainy River farms [4]	220			385,000	13,958	398,958	
Nebraska	Two Rivers	38	1,411	149,605	190,181	108,476	448,262	
Do	Scottsbluff farmsteads	21	160	24,000	80,991	46,967	151,958	
Do	Fairbury farmsteads	10	207	16,750	28,237	10,892	55,879	
Do	Loup City farmsteads	10	280	17,042	30,000	10,434	57,476	
Do	Kearney farmsteads	8	124	13,750	19,499	9,176	42,425	
Do	Grand Island farmsteads	10	180	14,400	22,768	9,680	46,848	
Do	Falls City farmsteads	10	192	23,000	9,781	21,411	54,192	
Do	South Sioux City farmsteads	22	297	32,668	31,809	26,937	91,414	
New Mexico	Bosque	44	2,380	72,720	426,537	293,809	793,066	
North Carolina	Roanoke farms	200	17,680	580,000	896,300	220,536	1,696,836	* 350,000
South Carolina	Ashwood plantation	200	11,544	462,105	1,031,155	531,477	2,024,737	150,000
South Dakota	Sioux Falls	13	660	75,000	63,282	60,312	198,594	
Texas	Woodlake Community	100	1,755	43,468	230,796	420,985	695,249	
Do	Ropesville homestead gardens	100	4,100	102,523	230,610	36,000	369,133	
Do	Wichita Valley farms	92	5,304	189,920	581,446	135,994	907,360	
West Virginia	Red House	150	2,020	63,232	615,439	479,297	1,157,968	
Total		3,643	111,862	2,983,211	8,132,604	4,129,474	15,245,289	1,450,000

GROUP 3. RESETTLEMENT ADMINISTRATION PROJECTS—INFILTRATION TYPE

Colorado	Western Slope farms	100	5,638	$284,000	$243,500	$87,900	$615,400	$400,000
Do	Bowen-Morgan-Waverly farms	100	5,900	90,000	196,500	35,230	321,730	350,000
Indiana	Wabash farms	95	4,651	308,500	91,825	100,502	500,827	400,000
Maine	State of Maine farms	100	8,131	148,500	85,000	64,963	298,463	180,000
Minnesota	Central Minnesota farms	150	14,077	739,594	76,450	61,100	877,144	450,000
Do	Thief River Falls farms	108	18,303	273,800	139,550	85,400	498,750	514,000
Mississippi	Northeast Mississippi farms	145	9,376	150,000	170,125	81,500	401,625	450,000
Missouri	Osage farms	80	5,389	270,000	130,100	93,653	493,753	300,000
Montana	Fairfield Bench farms	152	13,500	424,000	134,000	85,000	643,000	680,000
New Mexico	New Mexico farms	65	3,532	200,000	199,050	74,550	473,600	150,000
New York	Finger Lakes farms	88	5,476	219,550	39,500	62,395	321,445	300,000
Do	New York Valley farms	88	2,670	108,600	39,500	59,770	207,870	300,000
North Dakota	Red River Valley farms	140	23,278	665,300	376,350	47,729	1,089,379	480,000
Ohio	Scioto farms	130	4,300	460,000	209,350	98,585	767,935	550,000
Oklahoma	Boomer farms	70	7,001	340,000	184,635	85,193	609,828	200,000
Oregon	Yamhill farms	170	5,661	544,800	225,460	122,960	893,220	690,000
Texas	Fannin farms	55	3,969	111,200	119,184	66,499	296,883	180,000
Utah	Sevier Valley farms	30	640	91,000	54,750	40,120	185,870	30,000
Wisconsin	Drummond farms	40	2,320	18,720	166,087	41,447	226,254	
Do	Lakewood-Crandon farms [3]	160	8,400	336,000		37,500	373,500	
Total		2,066	152,210	5,783,564	2,880,916	1,431,996	10,096,476	6,604,000

GROUP 4. RESETTLEMENT ADMINISTRATION PROJECTS, CONTIGUOUS INDIVIDUAL FARMS

Arizona	Casa Grande Valley farms	80	3,365	$321,000	$406,775	$75,187	$802,962	
Arkansas	Lakeview	87	5,612	136,600	503,187	60,990	770,777	$80,000
Florida	Escambia	100	10,968	65,000	129,750	138,605	333,355	200,000
Kentucky	Sublimity farms	66	573	51,200	234,104	83,758	369,062	
Do	Christian-Trigg farms	165	9,994	489,100	138,400	105,825	733,325	700,000
Total		498	30,512	1,062,900	1,412,216	464,365	2,939,481	980,000

GROUP 5. RESETTLEMENT ADMINISTRATION PROJECTS, CLOSE COMMUNITY TYPE

Arkansas	Lake Dick	80	3,453	$105,011	$419,100	$54,290	$578,401	$75,000
Michigan	Ironwood homesteads	285	1,800	185,950	1,085,655	510,000	1,781,605	
Total		365	5,253	290,961	1,504,755	564,290	2,360,006	75,000

GROUP 6. RESETTLEMENT ADMINISTRATION PROJECTS, FARM TENANT SECURITY

Alabama	Alabama farm tenant security	65	10,952	$243,000	$207,603	$22,000	$472,603	$100,000
Arkansas	Arkansas farm tenant security	80	7,148	233,000	187,900	39,654	460,554	150,000
Georgia	Georgia farm tenant security	80	12,364	243,000	176,250	49,775	469,025	150,000
Louisiana	Louisiana farm tenant security	105	6,259	232,500	155,850	67,550	455,900	260,000
Mississippi	Mississippi farm tenant security	80	5,478	291,500	176,250	40,900	508,650	160,000
North Carolina	North Carolina farm tenant security	60	7,598	298,000	180,000	61,911	539,911	100,000
Oklahoma	Oklahoma farm tenant security	45	4,737	273,950	110,000	32,233	415,183	100,000
South Carolina	South Carolina farm tenant security	55	7,054	188,250	150,000	41,404	379,654	100,000
Tennessee	Tennessee farm tenant security	96	5,397	179,800	184,250	44,399	408,449	285,000
Texas	Texas farm tenant security	80	10,987	542,629	245,000	90,564	878,193	135,000
Total		746	77,974	2,725,629	1,773,103	490,390	4,989,122	1,540,000

[Footnotes at end of table]

Rural and suburban resettlement program—Continued

GROUP 7. RESETTLEMENT ADMINISTRATION PROJECTS, SUBURBAN TYPE PROJECTS

1 State	2 Project title	3 Approximate number of units (includes units of $14,000,000 fund)	4 Total land (acres)	5 Total land cost	6 Farmstead cost	7 Other costs	8 Total estimated cost all agencies	9 Additional funds requested ($14,000,000 fund)
Maryland	Greenbelt	1,000	12,715	$1,212,077	$6,448,095	$3,021,905	$10,682,077	$1,000,000
Ohio	Greenhills	1,000	6,825	1,615,488	5,361,710	3,229,074	10,206,272	1,000,000
Wisconsin	Greendale	750	3,511	1,216,750	3,879,031	3,349,893	8,445,674	1,000,000
Total		2,750	23,051	4,044,315	15,688,836	9,600,872	29,334,023	3,000,000
	RECAPITULATION							
Group 1		3,498	81,903	$1,909,556	$16,294,898	$8,190,948	$26,395,402	$351,000
Group 2		3,643	111,862	2,983,211	8,132,604	4,129,474	15,245,289	1,450,000
Group 3		2,066	152,210	5,783,564	2,880,916[3]	1,431,996	10,096,476	6,604,000
Group 4		498	30,152	1,062,900	1,412,216	464,365	2,939,481	980,000
Group 5		365	5,253	290,961	1,504,755	564,290	2,360,006	75,000
Group 6		746	77,974	2,725,629	1,773,103	490,390	4,989,122	1,540,000
Group 7		2,750	23,051	4,044,315	15,688,836	9,600,872	29,334,023	3,000,000
Grand total		13,566	482,405	18,800,136	47,687,328	24,872,335	91,359,799	14,000,000

[1] Figures in this column do not include land cost.
[2] Figures in this column include costs for community facilities, planning, land acquisition, management, and other development costs.
[3] To be developed on the basis of loans to individual clients.
[4] To be developed from Minnesota State Corporation funds.

Mr. DUFFY. Mr. President, will the Senator yield?

Mr. ROBINSON. I yield.

Mr. DUFFY. May I inquire as to who it was who signed the letter the Senator read? I make this inquiry because I was informed in the committee meeting the other day that there would be no unfinished houses, that all the projects now under construction would be completed, but that it would prevent a further extension of those projects. I should like to know who is right.

Mr. ROBINSON. The statement is not signed. It was furnished me at the request of the Secretary of Agriculture. He stands sponsor for it.

Of course, the data came from the Resettlement Administration; and, I repeat, the object is to finish the projects which have been initiated, and no part of the fund will be available or used for any other purpose.

Mr. DUFFY. There is a project near Milwaukee in which I have been very much interested, and the information given seemed to be exactly opposite to that which the Senator now states.

Mr. ROBINSON. What was the information given to the Senator?

Mr. DUFFY. That even with the fourteen or fifteen million dollars there was no project under Resettlement that would not be completed—that is, any houses, any construction which had been started—but that it would merely prevent a further extension of some of those projects. I took that to mean that those houses which have been started in Greendale, Wis., would all be completed.

Mr. ROBINSON. What would prevent an extension?

Mr. DUFFY. My understanding from the committee was——

Mr. ROBINSON. The Senator's understanding is erroneous, in my judgment. As I have been stating throughout my remarks, the effect of the amendment is to discontinue construction on the projects which are embraced in this list, and which are in various stages of completion. No further projects will be initiated until additional study has been made of the subject. But if this amendment shall prevail, the projects will not be completed; they will be abandoned.

Mr. DUFFY. The statement was that some $39,000,000 is unexpended and is still available for the purpose of completing these projects. I am merely seeking information. I should not like to see the projects in a partial state of construction. I think they ought to be completed. I think we ought to know where we stand. The information the Senator has stated seems to be contrary to what the committee has before it.

Mr. ROBINSON. I will print the statement in each instance showing the number of units, the total land acres, the total land cost, the farmstead cost and other costs, total estimated cost, of all agencies and additional funds requested. The additional funds requested aggregate $14,000,000. Some of the projects perhaps will not require additional funds. I am sure some of them have been completed.

Mr. ADAMS. Mr. President, either the Secretary of Agriculture has misinformed the Senator from Arkansas, or the Resettlement Administration misinformed the Committee on Appropriations. We had before us Mr. Alexander, who is in charge of the Resettlement Administration, and we had others of his staff before us. These are the facts as we get them from these officials of the Resettlement Administration.

In the first place, it will take not $14,000,000, but $49,000,000, to complete all of the projects which have been initiated. The Resettlement Administration today has unallocated funds amounting to $78,000,000. The Resettlement Administration today has $35,000,000 obligated to the completion of these projects. If the information which the Senator from Arkansas got was correct, they have $29,000,000 more than they need to complete the projects.

Mr. ROBINSON. Mr. President, may I read from the statement to the Senator?

Mr. ADAMS. Certainly.

Mr. ROBINSON. As I stated a moment ago, this subject has just come to me within the last few hours. On page 101 it is shown that Mr. Baldwin said:

> I might say, Senator ADAMS, that the amount of money which was requested, and which our regional people felt it would take to complete properly these projects, most of which were started before Resettlement was organized, was an amount greatly in excess of $14,000,000. We feel that that is the minimum figure that we can get by with.

This is a statement in the hearings, to which the Senator has referred, in answer to a question of his own, which shows that $14,000,000 is the minimum amount the Resettlement Administration felt was necessary to complete the projects.

Mr. BYRNES. Mr. President, will the Senator from Colorado yield to me?

Mr. ADAMS. I yield.

Mr. BYRNES. The same witness, Mr. Baldwin, testifying as to the same appropriation, made the following statement before the House committee:

> Mr. TABER. Do you mean that this $49,000,000 is what will be required to finish the jobs you have started?
>
> Mr. BALDWIN. Yes, sir; that is right. Of that amount, approximately $35,000,000 is available from old funds.
>
> Mr. TABER. That $35,000,000 is included in that block of money that you have unobligated as of December 31?
>
> Mr. BALDWIN. Yes, sir; as of December 31.

The Senator from Colorado has repeated what was stated to us, that as of the first of the year they have $35,000,000 in this particular fund unobligated.

Mr. ADAMS. The statement is made, and if we may go back, Mr. President, I will say that in the 1936 Deficiency Act this provision was included:

> No Federal project shall be undertaken or prosecuted under the foregoing appropriation unless and until an amount sufficient for its completion has been allocated and irrevocably set aside for its completion.

That was in the last deficiency bill. We said to all of those participating in these funds, "You shall not initiate a project unless the money is set aside irrevocably for its completion." They have two different meanings attached to the term "completion."

Mr. LOGAN. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. LOGAN. I am trying to get my mind made up about this matter. It seems to me that what the Senator from South Carolina has said fully confirms what the Senator from Arkansas stated. It requires $49,000,000 to complete these projects; they have $35,000,000 with which to do it, and if I have not forgotten my arithmetic, that leaves $14,000,000 necessary to complete the projects. That is what Mr. Baldwin said, and that is what I derive from the quotation from the evidence.

Mr. BYRNES. Mr. President, the statement made by Mr. Baldwin is that a detailed statement of the use of the unobligated balance, plus the estimates under consideration, makes a total of $158,000,000—the balance he had on hand, plus the estimates of funds he would like to get. We have reduced by $14,000,000 this amount, which is in the deficiency bill for the remainder of this fiscal year.

They have set forth in a detailed statement what they would do with the $158,000,000, have itemized the different statements. They do say, "Rural resettlement and subsistence projects, $49,000,000."

Out of the $158,000,000, if they are given the entire amount asked for, and have this balance, they would use $49,000,000. It does not mean that a house under construction will not be completed, because they have $35,000,000. It goes to the extension of the projects; and I do not care to go into that, because I believe the Senator from Colorado intends to do so, and I prefer that he explain what is meant by finishing the projects.

Mr. ADAMS. I do not believe the Senator from Kentucky has the mathematics correctly in mind. The Resettlement Administration has $35,000,000 now irrevocably available to them to apply to these projects. They say that it will take, in addition to the $35,000,000, $14,000,000 to complete the projects in the form in which they were designed. The $35,000,000 will complete every house which is now under construction.

Mr. BYRNES. The Senator from Colorado might add that it would do much more than that.

Mr. ADAMS. Yes; it would do much more than that. The officials stated in the hearings before the House committee that they could not use the $35,000,000 during this fiscal year. They said they could not use that amount. Mr. Baldwin, speaking of this subject, said:

> All of that will not be expended because the money is irrevocably allocated. It means that we have no flexibility.

Then, reading from page 262, I find he said:

> So there will be a substantial balance of the $35,000,000 which will remain unexpended on June 30.

What the Resettlement Administration wants is just what every other department which has ever been before an appropriation committee seeks. They have available $35,000,000. They have more than they can possibly use during the remainder of this fiscal year, but they are reaching out for an additional and an unneeded appropriation to have in their hands.

The Senator from Arkansas is in error when he says that if they do not get the $14,000,000 these projects will be abandoned. Not a single project, if I understand the situation correctly, will be abandoned. The work upon every house that is under process of completion in the whole period of time between now and the 30th of June will be pushed as much as possible.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. McKELLAR. I wish to inquire if the Senator does not understand the evidence as I do, that the $35,000,000 is ample to complete every project, as the law requires. The law, as expressed in the last deficiency bill, required a project to have an allotment and an irrevocable apportionment of the money to such project, and that has been done, so it is said. But the desire for the $14,000,000 is to put additional units in the same projects, as I understand the testimony.

Mr. ADAMS. The Senator has the situation clearly in mind. There are two ways in which those in charge of the work use the term "completion." They were forbidden by Congress to enter upon a project unless they had money to complete it, so they laid out a series of resettlement areas. They did not have the money to complete all of their plans but they would say, "Here is a unit, and we will complete half of that unit, and then we will get money for the other half." They say to us, "We need the additional money to go ahead and initiate other structures upon these units." That is, they are thinking of the completion of their general plan. But they said when they got the $35,000,000 and started the work that that amount would complete the project. That is, they completed it in one sense, after getting the $35,000,000, but they have another method of completing it when asking for the $14,000,000.

I want to see this project carried out. Like the Senator from Wisconsin, I am interested in projects in my own State. But I think that in a deficiency bill—and that is what we are dealing with here—we ought not to make appropriations which are not needed within the current fiscal year, and which merely provide funds for the continuation of projects or the starting of new projects in a given fiscal year.

Mr. HAYDEN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Arizona?

Mr. ADAMS. I yield.

Mr. HAYDEN. Just to emphasize the point which the chairman of the subcommittee made, that there are two meanings to "completion", I desire to read from page 262 of the House hearings:

> Mr. TABER. I thought you told me that this allocation was irrevocable and that it had to be enough to complete the project.
>
> Mr. BALDWIN. It has to be enough to complete a certain number of units in the project.
>
> Mr. TABER. This $17,000,000 that you are asking for here—

They asked for $17,000,000 and the House allowed $14,000,000—

> is for you to go ahead with new projects and not for old projects?
>
> Mr. BALDWIN. New units of old projects which are required and which will be necessary to make the projects successful.

In other words, they have on hand irrevocably allocated to these projects enough to complete entirely the units of the projects for which the Congress appropriated the money; that is, the $85,000,000 we gave them at the last session of Congress. The $14,000,000 requested will permit the construction of new units to existing projects.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. VANDENBERG. I should like to point out to the Senator from Colorado that another difficulty involved in this type of appropriation is that the projects themselves are so ephermeral that it is often impossible for anyone, even in good faith, to approximate what the ultimate cost is to be. Here is a resettlement project which does not happen to be under the Resettlement Administration, but is under Mr. Hopkins and the W. P. A. Nevertheless, it is included within this bill, and it demonstrates the infirmity which necessarily attaches to this sort of an undertaking.

I am now referring to the Matanuska project. I call the Senate's attention to the fact that on June 24, 1935, Mr.

Hopkins said that the cost of Matanuska was estimated at $1,093,000. That was in perfectly good faith, precisely as was the letter read by the Senator from Arkansas [Mr. ROBINSON]. By December 27, 1935, 6 months later, Mr. Hopkins reported that Matanuska had cost $2,325,000. It had doubled in cost in 6 months. Meanwhile he said at that time it would take only $100,000 more to complete the project, but on January 14, 1937, he writes me that he has now spent on Matanuska $3,975,000, and that he needs $800,000 more to complete it. In other words, the $1,000,000 project has just naturally flowered into a $5,000,000 project, and meanwhile the beneficiaries of the $5,000,000 project, which has increased 500 percent over its original cost, are proposing to strike unless they are kept on W. P. A.

I am now submitting that the able Senator from Arkansas read that the minimum requirement for these Resettlement projects is $14,000,000. I think the word "minimum" is the most important word in the entire communication he read. It is the minimum, and Heaven only knows what the maximum is, unless a stop order is put in somewhere.

Mr. LEE. Mr. President, with the hope of throwing a little light on this controversy, I wish to say that last Saturday evening I spent 2 hours in Mr. Alexander's office, at which time his conversation confirmed the stand that the Senator from Arkansas has taken. He said, "$15,000,000 is to be cut off our appropriation." He explained to me that that would mean stopping some of the projects in Oklahoma that had already been begun, and that it would be necessary to have that amount to complete those projects. I am not a member of the committee conducting the hearings, but believe that since we have begun these projects we ought to finish them.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. BARKLEY. It is difficult to understand the disparity between the figures and the statements made here. I do not look at this matter from the standpoint of my own State any more than others, but I am not devoid of those human qualities and attributes which make me interested, of course, in what happens in my State. Personally I am for the Resettlement Administration. Personally I should like to see it made a permanent part of the Government service of the United States, because I think it has rendered a valuable service and is capable of more valuable service.

When the program was started it was contemplated that there would be six projects in the State of Kentucky, and I happen to know more about that than I do about any other State, of course. They whittled it down until they got it down to one project, and now there is contained in this bill and in the list which is submitted here only one project out of the six originally contemplated. When recently I took up with the Resettlement Administration the question of completing that one project so that in my State the Government would not be in the position of having started something and not finishing it and leaving a great many people high and dry in the air, not knowing what the Government was to do about it, and thereby disappointing the faith of the people in the Government, I was met by the proposition that they did not have enough money to complete that project. I assume that they were telling me the truth about that, and for that reason it is one of the projects they propose to complete with this $14,000,000. I mention that to show that in my State they have cut down the original projects from six to one, and now have not enough money to complete that one. Certainly they ought to be allowed to complete that one out of the six.

Mr. ADAMS. Mr. President, they will never reach the point where they will have all the money they need. I happen to occupy the unfortunate position of being chairman of the subcommittee of the Appropriations Committee in charge of deficiency appropriations. The Senate seeks to impose upon the Appropriations Committee certain obligations. Among those is an effort to endeavor to conserve money and to avoid needless expenditures. The committee and this bill have to do only with appropriations to carry the Government to the 30th of June, being primarily limited to those things which have arisen by one reason or another, so that there is a deficiency, a shortage of money, not enough to carry on until then.

The Resettlement Administration has money enough, I will say to the Senator from Kentucky, to carry on this program without diminution up until the 30th of June and not stop work on any of its projects. It has $35,000,000.

I have great sympathy with the dream which accompanies the resettlement. The practical working out, however, of the dream has been disappointing. Ninety-one million dollars has gone into these projects and 10,777 families are all that have been taken care of. The projects are costing an average of over $7,000. Some of them cost $14,750. You are not taking care of a fellow who is in distress when you are providing him with houses of that nature. A number of the individual projects are costing over $12,000. Many of them are costing over $10,000.

Mr. President, I say it is a marvelous dream; but the number of people we can accommodate upon that basis is relatively small. I think the Senator from Kentucky has been thinking of other phases of the work of the Resettlement Administration where they do come in touch with vast numbers of people.

The Resettlement Administration is the only agency of the Government today which is making grants. Other administrations such as the W. P. A. are employing people upon a wage basis. Others are making loans. The Resettlement Administration is actually making grants, small grants of $20 a month, to families in distress. They are touching people by the hundreds of thousands, and they are making small loans not to exceed $300 per loan. In that way $90,000,000 has been paid out. The cut here made was made with a purpose. It will not interfere with the work. It was made to indicate that the Congress did not approve of the initiation of new projects. In other words, we were confronted with a bill coming from the other House, in turn having its source with the Director of the Budget, and doubtless with the President, asking for $790,000,000—a lump sum. We find nothing in the bill itself, as the Senator from Arkansas pointed out, which defined the particular purpose. We called before us the Director of the Budget and others. We read the House hearings. We find that it is intended—a pure matter of intention—to allocate $80,000,000 for resettlement work. The Resettlement Administration had on the 1st of January $78,000,000 unobligated in their hands. So they are not in distress. They have $35,000,000 definitely obligated to particular types of housing projects. It is not a distress situation. Some members of the committee disapproved of the project generally. Some of them like myself sympathized with or approved of the general plan. But it seemed to us that we should say something indicating that we wanted the projects that were under way completed before new ones were started. So we are endeavoring to indicate our opinion in the only way we can without going into the bill, dividing it up, earmarking it by the report of the committee which we made and indicating that the $14,000,000 should come off.

Mr. BYRNES. Mr. President, I ask the Senator from Colorado if the last bill providing funds for Resettlement and for work relief and relief did not simply provide that of the total amount there should be available for Resettlement only $85,000,000?

Mr. ADAMS. That is correct.

Mr. BYRNES. That is for the present fiscal year. So that the effect of this bill is to give additional funds and no limitation is being placed?

Mr. ADAMS. I may say to the Senator that if the amendment shall be adopted instead of having $85,000,000, as Congress intended, they will have $143,000,000. It is an increase over what Congress meant they should have.

Mr. BYRNES. An increase from $85,000,000 to $143,000,000.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. COPELAND. I am very anxious to be right about this matter.

Mr. ADAMS. May I say to the Senator from New York that those of us on the committee have also been eager to be right but we have found it difficult. The presentation of this matter to the committee has not been so clear as it might have been. That is due to the fact that there has been a change in the administration. It is not the fault of the present administration. Mr. Alexander came in comparatively a few weeks ago and took over the organization. He could not know all about it. He has been handicapped, and the result is he has handicapped us. The information for the statement I am making is the result of a most careful effort to get the facts out of the testimony before the House committee, and out of the record and the testimony before the Senate committee.

Mr. COPELAND. I was told by a Senator a few moments ago that near his home there was a Resettlement project where there were to be erected 400 houses—I think I am correct as to the number. It was cut down to 200, and they now have actually under construction and incomplete 135 houses. If I understand what the Senator from Colorado said a moment ago, they would have the money to finish the 135 houses; that is to say, that there are funds provided to take care of all the houses actually under construction today?

Mr. ADAMS. Yes. I do not mean it is specified and set out in the bill, but there is, in fact, a sum of money substantially equal to that demand.

Mr. COPELAND. In short, then, if we should appropriate $14,000,000 by this bill, it would simply enable the R. A. to begin to construct perhaps more houses to the extent of $14,000,000? Is that correct?

Mr. ADAMS. That is my understanding.

Mr. McKELLAR. New houses to the extent of $14,000,000.

Mr. ROBINSON. Mr. President, that is not correct, but I will refer to it in my own time.

Mr. COPELAND. My leader says it is incorrect; the chairman says it is correct; and, so far as I am concerned, I do not know.

Mr. OVERTON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Louisiana?

Mr. ADAMS. I yield.

Mr. OVERTON. I think the difficulty we encounter is in obtaining accurate information on this question. If Senators will read the statement of representatives of the R. A. in the House hearings they will come to the conclusion that they have on hand sufficient funds to complete all projects that have been undertaken, and that, as a necessary inference, the $14,000,000 asked for in addition are to be used for new projects.

On page 262 of the House hearings there is a break-down of the $14,000,000 additional funds which are requested. Finally the last word, after all this contradictory and unsatisfactory testimony, was given before the House and before the Senate. Mr. Baldwin, representing the Resettlement Administration, was asked this question by Senator RUSSELL:

Senator RUSSELL. And the additional funds you are asking for are for additional units of those projects?

Mr. BALDWIN. For additional units on some of the projects; and part of this money is for work on projects which we inherited from F. E. R. A. and subsistence homesteads.

There is no break-down so far as the record shows, and, so far as I am advised, as to how much of this $14,000,000 is to be used for new units or projects and how much is to be used for completing projects that were inherited from the F. E. R. A. and the subsistence homestead.

My purpose in rising is to emphasize what the chairman of the subcommittee has, in effect, stated that the testimony upon this point was so unsatisfactory, and, if I may add, so contradictory, that the committee could not arrive at a fair and just conclusion as to what the $14,000,000 was to be used for.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Tennessee?

Mr. ADAMS. I yield.

Mr. McKELLAR. It did not seem to me that there was much confusion. We had before us the testimony of these gentlemen both before the House and Senate committees, and I quote from page 262 of the House hearings:

Mr. TABER—

That is Representative TABER, who was questioning Mr. Baldwin—

Mr. TABER. This $17,000,000 that you are asking for—

They asked for $17,000,000 in the House, instead of $14,000,000 which they asked for in the Senate—

This $17,000,000 that you are asking for here is for you to go ahead with new projects, and not for old projects?

Mr. BALDWIN. New units of old projects which are required and which will be necessary to make the projects successful.

Mr. BARKLEY. Mr. President, what is the interpretation of the word "unit" as given there by Mr. Baldwin? Does that mean a new house, simply a house? In other words, they have established a project, and the completion of that project requires, we will say, the construction of a hundred houses for families that are to be brought in from other sections of the country, especially from sections that have been taken over by the Government for other purposes, and they have only started 50 houses. Then the beginning of new units simply means the beginning of a sufficient number of new houses in order to make the projects successful and enable them to carry out the original intention with respect to it?

Mr. ADAMS. I will say to the Senator from Kentucky it is my understanding that a project may cover a hundred acres.

Mr. BARKLEY. Or a thousand.

Mr. ADAMS. And if they are planning 20 houses, giving each house 5 acres, each 5 acres would be termed a "unit"; so there would be 20 units in the project.

Mr. BARKLEY. Of course a unit, according to the Senator's definition, includes not only the house but the land. They do not have to begin any new units so far as the land is concerned; the land is already there, but the unit, within the meaning of the testimony, would mean the beginning of a new house not already under construction? Is that correct?

Mr. ADAMS. Of course a part of the problem which the Resettlement Administration has is this: The Resettlement Administration has purchased land. They could not buy land under the deficiency act of 1936, but they could buy land under the 1935 act. So they want new money to use for general purposes, without going back and using the money available to them which they could use for the purchase of land. Their theory is that if they could get this $14,000,000 they would have to use less of the $35,000,000, which they could use to purchase land. So it is, from their standpoint, a matter of having a more desirable fund in their hands as against a less desirable fund.

Mr. BARKLEY. Where a project has been established, of course, there are two ends to it; one is the moving out of people who are within the area of the project and the moving in of others who are dispossessed somewhere else; and if the project calls for the erection of 50 houses in order to take care of the people contemplated to be moved in and only 25 houses have been begun, what is the reason why the other 25 houses ought not to be completed so as to carry out the original plan of the project and make it succeed, even if they have to start a new house where the foundation has not been laid?

Mr. ADAMS. There is no reason why they should not do so. We were confronted and they were confronted with the provision of the 1936 Deficiency Act which reads:

No Federal project shall be undertaken or prosecuted under the foregoing appropriation unless and until an amount sufficient for its completion has been allocated and irrevocably set aside for its completion.

In other words, they argued with the committee that the completion of separate houses upon what are called "units" is a completion within that term, and they argued for more money, for they said, "In order to complete the project we must be able to complete all the houses."

Mr. BONE. Mr. President——

Mr. ADAMS. Mr. President, I merely wish to conclude. I do not want to take too much time. I have submitted to the Senate the view of the committee that the money is not needed by the Resettlement Administration. If the understanding of the Senator from Arkansas were correct, that the failure to make the $14,000,000 would stop all these projects, I should be opposed to the amendment. After careful study of the record, after hearing the testimony, I am convinced that the denial of the $14,000,000 will not impede the proper progress of the Resettlement Administration.

Mr. KING. Mr. President, I should like to ask the Senator what disposition did Mr. Alexander, or any of those representing the organization, say they would make or intended to make of the $35,000,000 now available and in their hands?

Mr. ADAMS. They said they could not spend it all by the 30th of June next, that they will have some left after that date.

Mr. KING. Was there anything before the committee showing the amount of money expended by the Resettlement organization?

Mr. ADAMS. Yes; we had very elaborate and complete tables of their work so far as the construction of these projects is concerned. So far as rehabilitation work is concerned, the information has come in from other sources and is not so complete.

Mr. KING. I should like to ask another question, but before doing so, let me state a situation. In my State, when I was home in November——

Mr. ADAMS. I might say that I asked what was the total amount of money they had, and they said $369,000,000 had been put in the hands of the Resettlement Administration up to this time.

Mr. KING. I should like to know what they have done with it.

Mr. President, I may say, in passing, before I make my suggestion, that I think there has been a great deal of waste, and that it is one of the most extravagant organizations which have ever been set up under the Government.

I should like to ask the Senator if the situation I am about to mention would come within the contemplation of the amendment involving the $14,000,000, if it should be provided. I inquired of one of their representatives in my State as to what they were doing, and he stated that they had recently purchased, or had contracted to purchase, 35 farms. I asked if they were farms upon which people were living. The reply was, "Yes." I said, "Then you are purchasing farms and moving out men and their families in order to move in others who have failed in their farming activities?" He stated that the 35 farmers whom they were moving had been successful farmers. The Government was paying $100 an acre for some of the land. I suggested then that possibly they were moving out good farmers and moving in those who had made a failure upon farms. He stated, "As to that, I do not know; but we have been authorized to purchase these 35 farms, and we intend to do so." I was wondering if the purchase of these farms would come within the $14,000,000 or of the $35,000,000, and if that is a project within the authorization or contemplation of the law of Congress?

Mr. ADAMS. I do not think that that phase of it is included.

Mr. KING. I thought not; but still it is one of the activities of the Resettlement organization.

Mr. ROBINSON. Mr. President, it is regrettable that more definite and accurate information has not been made available with respect to the subject matter under consideration. The debate has convinced me of the substantial correctness of the statement I made in the beginning.

It is apparent that the facts relative to the matter were not made entirely clear in the hearings either before the House committee or before the Senate committee. The point is that this fund of $14,000,000 is required if we are to complete the projects which have already been initiated and begun. The facts are that on some of the projects what are called new units will be constructed from the $14,000,000, and that units which have already been begun will be completed.

If Senators will analyze the testimony, that is the conclusion that will be reached, I think, by everyone who hears me. To illustrate: In my home State is a project which I visited very recently known as the Wright's plantation project. It is one of the projects which will require additional funds to complete. A number of houses or units have been finished and are occupied. When I saw the project there was an equal number partly completed and not ready for occupancy.

These projects are organized on a definite basis. Those who plan their organization determine where they may best be located, the number of units that shall constitute a project, and other details which pertain to the completion of the project. Here is a project that contemplates, let us say, 100 units. It will have a number of facilities when the project is completed that are intended to serve those 100 units. If we stop the project when 5 or 10 or 25 units have been completed, if we merely provide for the completion of those houses which are now partly constructed, we will have an incomplete project—not necessarily an incomplete unit of the project, but an incomplete project which the organizers of it would not expect to be able to operate with a fair measure of success. The community facilities which are planned for the project contemplate a given number of units. If we stop the construction of projects with a less number of units the plan is out of joint, and necessarily so.

Reference has been made to the House hearings. While some of the answers do not appear to be conclusively responsive to the questions asked, nevertheless I refer to pages 261 and 262 where an effort was made to explain the situation. I read under the title "Completion of Present Projects." That is the subject which was then being discussed:

COMPLETION OF PRESENT PROJECTS

Mr. TABER. What else is there that you expect to spend money on?

Mr. BALDWIN. On projects?

Mr. TABER. That is what I am trying to find out. Go ahead.

Mr. BALDWIN. There are funds required to complete our present projects.

Mr. TABER. What are those projects?

Mr. BALDWIN. They are the projects described by Dr. Alexander.

Mr. TABER. What will it cost to complete the projects?

Mr. BALDWIN. Approximately $49,000,000.

Not $14,000,000, but the answer is:

Approximately $49,000,000.

Mr. TABER. I wish you would go into that a little bit and tell us something about it.

Mr. BALDWIN. I would like to make one statement in that connection before I go into a further description of the projects, which I think Dr. Alexander can handle more adequately than I can: Under the terms of the 1936 act we have received allocations from the President in sufficient amount to complete different units of projects. Those funds are irrevocable. That means that on July 1 some of the money will remain unobligated and will be required to complete the work that has already been started.

Mr. TABER. Do you mean that this $49,000,000 is what will be required to finish the jobs you have started?

Mr. BALDWIN. Yes, sir; that is right. Of that amount, approximately $35,000,000 is available from old funds.

Mr. TABER. That $35,000,000 is included in that block of money that you have unobligated as of December 31.

Mr. BALDWIN. Yes, sir; as of December 31.

Mr. TABER. Is the whole $49,000,000 in there?

Mr. BALDWIN. No, sir; only $35,000,000 would be in there.

Of course, that is not very clear. The expression "in there" is somewhat indefinite.

Mr. TABER. Only $35,000,000 in this block?

Mr. BALDWIN. Yes, sir; that is correct.

Mr. TABER. There is $35,000,000 of the $49,000,000 in that block of money that was unobligated as of December 31.

Mr. BALDWIN. Yes, sir.

Mr. TABER. And that has been irrevocably allocated to these particular projects.

Mr. BALDWIN. Yes, sir.

Mr. TABER. For the completion of those particular projects.

Mr. BALDWIN. Yes, sir.

Mr. TABER. You are putting in $49,000,000 as the amount you want to spend between now and the end of the year.

Mr. BALDWIN. No, sir; it is $17,000,000. All of that will not be expended because the money is irrevocably allocated. It means that we have no flexibility in the transfer of funds from one project to another. If we have $500,000 set up for one project and do not need it on that particular project between now and June 30, we cannot ask that the $500,000 be transferred to some other project.

Mr. TABER. It would simply revert to the Treasury.

Mr. BALDWIN. It may revert to the Treasury if it remains unexpended, but it will be required, because some of this construction work cannot be completed by June 30. So there will be a substantial balance of the $35,000,000 which will remain unexpended on June 30.

Mr. WOODRUM. You are using $17,000,000 on the basis of $90,000,000.

I do not know what that means.

Mr. BALDWIN. Yes, sir; I will have to adjust those figures.

Mr. WOODRUM. Is that for new construction?

Mr. BALDWIN. There is nothing at all for construction in new projects.

Mr. WOODRUM. Is there anything for the acquisition of land?

Mr. BALDWIN. No, sir. We have not purchased any land from last year's appropriation. There was some question about whether we could legally do it. Our land was purchased under the act passed in 1935.

Mr. TABER. I thought you told me that this allocation was irrevocable and that it had to be enough to complete the project.

Mr. BALDWIN. It has to be enough to complete a certain number of units in the project.

Mr. TABER. This $17,000,000 that you are asking for here is for you to go ahead with new projects and not for old projects?

Then comes the answer read by the Senator from Tennessee [Mr. MCKELLAR]:

New units of all projects which are required and which will be necessary to make the projects successful.

Even that answer, by the information which I have from other sources, is not complete. It might very well have been, "new units of old projects and the completion of units already commenced." Any other statement would make false the declaration by the Secretary and the Resettlement Division that "there will be, over the country, on these different projects, partly constructed houses left standing to embarrass the administration. Not only would these unfinished buildings be an embarrassment but a delay in their completion would cause loss." That has reference to buildings already partly constructed. Delaying their completion would cause loss.

So that clearly $49,000,000 all told, of which they have $35,000,000 already, is required to complete the projects already initiated. If the $19,000,000 be cut off, many projects, including those in the list which I shall print in the RECORD, will never be completed unless some future provision be made for their completion.

Mr. President, it is apparent that consideration of the bill cannot be completed this afternoon, and if it meets with the approval of the Senator from Colorado [Mr. ADAMS], I shall ask the Senate to proceed to the consideration of other matters.

Mr. BONE. Mr. President, will the Senator yield?

Mr. ROBINSON. For what purpose?

Mr. BONE. I have a matter I should like to present formally so as not to take up any time tomorrow.

Mr. ROBINSON. Will the Senator wait just a moment until I dispose of another matter?

Mr. BONE. Very well.

JOINT COMMITTEE ON GOVERNMENT ORGANIZATION

Mr. ROBINSON. Mr. President, at a former session of the Senate, the Senate passed the joint resolution (H. J. Res. 81) to create a Joint Congressional Committee on Government Organization. The Committee on Rules of the Senate had reported two amendments to the joint resolution, one increasing the Senate membership to nine and another increasing the House membership to nine. When the joint resolution was considered in the Senate I stated that it was my information that the body at the other end of the Capitol did not desire the adoption of the amendment which increased the House membership, and upon that representation the Senate passed the joint resolution carrying an increased membership on the part of the Senate and limiting the House membership to seven.

The body at the other end of the Capitol has reached the conclusion, as I anticipated in the beginning might be the case, that the membership of each body on the joint committee should be the same, and therefore that the amendment which the Senate disagreed to, increasing the House membership on the committee from seven to nine, should be reconsidered and agreed to by the Senate.

The PRESIDENT pro tempore. Let the Chair interrupt the Senator from Arkansas to lay before the Senate a message from the House of Representatives.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the joint resolution (H. J. Res. 81) to create a Joint Congressional Committee on Government Organization.

Mr. ROBINSON. Mr. President, it is my purpose to ask the Senate to reconsider the votes by which the joint resolution was ordered to a third reading and passed, and then to reconsider the amendment to which I have referred, and agree to that amendment, which was disagreed to when the joint resolution was before the Senate, so that it will provide for increasing the membership of the House on the joint committee to nine.

I ask unanimous consent that the votes by which the amendment was ordered to be engrossed and the joint resolution read a third time and passed may be reconsidered.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The joint resolution is before the Senate.

The Senate resumed the consideration of the joint resolution (H. J. Res. 81) to create a Joint Congressional Committee on Government Organization.

Mr. ROBINSON. I ask unanimous consent that the vote by which the amendment on page 1, line 9, proposing to increase the membership of the House on the joint committee from seven to nine was disagreed to may be reconsidered.

The PRESIDENT pro tempore. Without objection, the vote is reconsidered.

Mr. ROBINSON. I now ask that the amendment be agreed to.

The PRESIDENT pro tempore. The amendment will be stated.

The LEGISLATIVE CLERK. On page 1, line 9, it is proposed to strike out the word "seven" and insert the word "nine", so as to make the paragraph read:

The joint committee shall be composed of nine members of the Senate, appointed by the President of the Senate, and nine members of the House of Representatives, appointed by the Speaker of the House of Representatives.

The amendment was agreed to.

Mr. ROBINSON. I now ask that the amendments be engrossed and the joint resolution read a third time.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

FIRST DEFICIENCY APPROPRIATIONS

The Senate resumed consideration of the bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes.

Mr. BONE. Mr. President, I desire to present a matter which will take only a moment, and my purpose in offering it now is in order to avoid discussion of it tomorrow.

I ask unanimous consent that the vote by which the amendment on page 2 relating to compensation for personal and professional services, and the like, be reconsidered, and I send to the desk an amendment to the amendment which I should like to have considered at this time.

I will read the provision of the amendment which I desire to tender. I should like to have the Senators examine line 18, on page 2, where I am proposing to add the following words, "except in case of special investigating committees

of the Senate, such committees shall have authority to employ not to exceed one expert at a compensation of not to exceed $450 per month."

Let me say to the Members of the Senate that my purpose in suggesting this amendment arises both out of my own experience on an investigating committee and out of the experience of other Members of the Senate who have discussed with me at various times, and on the floor of the Senate, some of the rather acute problems the committees face in not being able to secure the type of experts they have desired for professional work.

I think it is unnecessary for me to recall to the memories of Senators the fact that a Senate committee retained the services of Mr. Pecora, who has subsequently been made a member of the Supreme Court of the State of New York; and I think we may agree that Mr. Pecora is an able gentleman.

I really feel that those of us on this floor who are lawyers realize how difficult it will be in the future to procure for $300 a month the services of an able man—and I mention Mr. Pecora as an example—and have him come to Washington to assist those of us who may be members of investigating committees. It seems to me it is asking a great deal of a man to abandon his practice and come here for such compensation, when the committee is endeavoring to obtain the services of an able and skillful man to direct the committee activities.

I do not wish to take further time. I merely desire to express to the Senate the thought that I believe we are justified in making an exception, so that our committees, the members of which have an ambition to get at the facts and who cannot accomplish that result with the aid of inept persons, may secure the services of able assistants. I feel Senators will agree with me in the statement that it is wise for the Senate to give the committees this much latitude. It might possibly be abused, but I cannot conceive of its being abused, because I would then have to assume that the members of the committees are going to make very bad blunders in hiring men.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. BONE. I yield.

Mr. BYRNES. I desire to say to the Senator that I do not know who originated the proposal limiting the compensation of an employee of an investigating committee to $3,600 a year. I am of the opinion that it is unwise as to certain employees, and there should be some latitude, some discretion left with the committee. Whenever we seek an attorney to conduct an investigation, and can pay no more than $3,600 a year we must employ some man who is not competent to conduct the investigation; or, secondly, we must employ some man who has a hobby which is the subject of the investigation, and a man with a hobby, who is given the power of a chief investigator, is a dangerous man. The third alternative is that we would be likely to employ an attorney who would accept the employment and make the sacrifice financially in order to procure the attendant publicity. I am giving those three alternatives; there may be an exception, but I agree that the limitation of $3,600 is unwise.

I should not like to have action on the amendment of the Senator today, but should like to have it go over until tomorrow, because I have one or two suggestions I wish to make to him which I believe would be of some possible assistance.

Mr. BARKLEY. Mr. President, in line with what the Senator from South Carolina has said, it ought to be borne in mind also that the $3,600 lawyer we would be authorized to employ for an investigating committee, a committee investigating matters important enough to occupy the attention of the Senate and of the committee, must compete with the most skilled and expert lawyers who can be brought here by those who are being investigated during the course of the hearings. It is really a travesty, and somewhat of a humiliating situation, when we have to limit to $3,600 a year the compensation we pay to lawyers who must go into these matters, and who have to compete with the skilled, high-priced lawyers who can be retained by parties being investigated.

Mr. BONE. Mr. President, if the Senator from South Carolina desires that the matter go over, of course I have no objection. I really bring the subject to the attention of the Senate because I feel I am doing the Senate a service in reviving interest in it.

The Senator from Kentucky and the Senator from South Carolina have made out a better case than I could have made out. I am sure all the lawyers in this body realize, without any argument, the necessity of our making out a good case when we go into an investigation. We do not desire to have any of our committees employ an inept person, or a person coming within the categories mentioned. If we have any pride in our work and are spending a lot of money, we want to have the job done well, and the only way to get it done satisfactorily is to secure a good lawyer to handle it.

Mr. McKELLAR. Mr. President, it seems to me the amendment is a very sensible suggestion. Ordinarily a restriction or limitation of $3,600 might work out very well, and we might leave the language just as it is, but in a special case, such as has been suggested by the Senator from Washington, this body can modify the rule, just as the Senator proposes to modify it, in order to obtain really high-class legal assistance.

Mr. BARKLEY. Mr. President, if the Senator from Washington will yield further, his amendment limits the committee to the employment of one expert. Of course that employee may be a lawyer or he may be an accountant. I doubt the wisdom of limiting the committee to the employment of one. I think the increase ought to apply to any attorney who is qualified to investigate. The Senator knows that when we send an accountant into a bank or a railroad office or stock market he is supposed to know what he is doing, and we ought to be able to command the services of the best, and men like accountants cannot make a sacrifice in order to get a reputation, because there is nothing in the future for them so far as reputation is concerned. They cannot go on the Supreme Bench, and they cannot get the publicity which a lawyer who is conducting an investigation might receive. I think that before tomorrow it might be well to consider whether the Senator would not desire to broaden the amendment a little.

Mr. BONE. Mr. President, I desire to conclude what I have to say by suggesting that I wholly agree with the views of the Senator from Kentucky. I think it is not wise for us to tie our own hands. I know there has been opposition expressed to the thought to which we are giving currency here, and I feel that the committees themselves should ultimately determine how many experts they desire to employ. I should be very happy to broaden the terms of the amendment. I am perfectly willing to have it go over until tomorrow.

The PRESIDENT pro tempore. The amendment will be printed and lie on the table.

EXECUTIVE SESSION

Mr. ROBINSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

Mr. BURKE, from the Committee on the Judiciary, reported favorably the nomination of Sidney C. Mize, of Mississippi, to be United States district judge for the southern district of Mississippi, vice Judge Edwin R. Holmes, appointed United States circuit judge.

Mr. CONNALLY, from the Committee on the Judiciary, reported favorably the following nominations:

Harvey G. Fields, of Louisiana, to be United States attorney, western district of Louisiana, vice Benjamin F. Roberts (appointed by the court);

Louis E. LeBlanc, of Louisiana, to be United States marshal, western district of Louisiana, vice George W. Montgomery, term expired;

Granville T. Norris, of Oklahoma, to be United States marshal for the eastern district of Oklahoma, vice James E. Swinney, deceased (Mr. Norris is now serving under an appointment by the court); and

H. Chess Richardson, of Louisiana, to be United States marshal for the eastern district of Louisiana, now serving in the position under an appointment by the court.

The PRESIDENT pro tempore. The reports will be placed on the Executive Calendar.

If there be no further reports of committees, the calendar is in order. The clerk will state the nominations which were passed over at the last executive session.

POSTMASTERS

The legislative clerk read the nomination of Joseph E. DeMers to be postmaster at St. John, N. Dak., and the nomination of Hulda E. Hezel to be postmaster at Zeeland, N. Dak.

Mr. NYE. Mr. President, I ask that the nomination of Hulda E. Hezel be confirmed, and that the nomination of Joseph E. DeMers be recommitted to the Committee on Post Offices and Post Roads.

Mr. McKELLAR. Mr. President, in accordance with the request of the Senator from North Dakota, I ask unanimous consent that the nomination of Joseph E. DeMers to be postmaster at St. John, N. Dak., be recommitted to the Committee on Post Offices and Post Roads.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. McKELLAR. I ask that the nomination of Hulda E. Hezel to be postmaster at Zeeland, N. Dak, be confirmed.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the nomination is confirmed.

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the remaining nominations of postmasters be confirmed en bloc.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the nominations are confirmed en bloc.

RECESS

The Senate resumed legislative session.

Mr. ROBINSON. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 45 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, February 2, 1937, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 1, 1937

POSTMASTERS

ALABAMA

Helen Perry, Crichton.
Joseph A. Russell, Dawson.
Lucille C. Land, Gilbertown.
Newton R. Shockley, Pell City.
Catherine A. Cox, Spring Hill.
Emmett I. Cox, Springville.

COLORADO

Clarence A. Reynolds, Swink.

INDIANA

Levi B. Morehead, Atlanta.
Robert T. Phillippe, Bicknell.
Damon C. Thompson, Darlington.
Frank E. Louette, Goodland.
Ben E. Wise, Middlebury.
Ralph H. Adams, Newport.
Thomas J. Lemasters, Oakland City.
Mary H. Greene, Westfield.
Lydia Rae Parker, Wheatfield.

MARYLAND

Charlotte F. Worgan, Luke.

NEBRASKA

Raymond E. Flowers, Clearwater.
Mary B. Packwood, Cook.
Rex Shubert, Fairfield.
Thomas H. Vaughan, Guide Rock.
Anton J. Netherda, Niobrara.
George D. Thomas, Seward.
William Vondrasek, Table Rock.
Clyd Calder, Utica.
Morton Trueman Kilmer, Western.

NEW YORK

H. Bertram Miller, Amenia.
Joseph Keenan, Babylon.
Samuel L. Knowles, Campbell.
Martin Carey, Castile.
James O'Doherty, Central Islip.
Augustus W. Dymes, Jr., Croton on Hudson.
Arlie W. Wilson, Dewittville.
Edith A. Wyman, Dover Plains.
Fred W. Odwell, Downsville.
Henry Joseph Hoogkamp, East Greenbush.
Charles A. O'Brien, Fayetteville.
Van Angus, Gloversville.
Dorr Gardner, Hartwick.
Francis Arthur Fagan, Herkimer.
Lawrence W. Snell, La Fargeville.
Arthur Cosgrove, Lindenhurst.
Mark E. Monaghan, Malone.
Edmund V. Shortt, Marlboro.
Robert E. Lindsey, Mattituck.
Isidore F. Linehan, Mamaroneck.
Orville E. Velley, Millerton.
John A. Kuchanske, North Syracuse.
Gerald G. McQuaid, Norwood.
James Boylan, Peekskill.
Margaret T. Scott, Piermont.
Phoebe L. Parrott, Plandome.
Arthur Sharron, Plattsburg.
Henry C. Olney, Prattsburg.
August J. Portanova, Purchase.
Jules L. Friedman, Ronkonkoma.
James O. Bennett, Silver Creek.
Lorrin Eggleston, Westport.

NORTH DAKOTA

Hulda E. Hezel, Zeeland.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 1, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Merciful God, our Father in Heaven, how wonderful are the works of Thy hands; what wisdom, what power, and what majesty back of all. Thou art the dearest and the nearest of all friends before whom we are perfectly known. Amid conflicting and contending forces may we do Thy will and measure up to the strength and the dignity of our manhood; we realize that whatever else is of value in life, character rises superior to all. We pray Thee, compassionate Father, to help us develop those qualities which are most desirable in the eyes of God and man. May this be a good week; let Thy richest blessings descend upon our Speaker and the Congress; quicken every impulse that makes for wise statesmanship; Father, preserve them in good health and strength. Almighty God, the moment is heavy as our hearts turn yonder to Thy ailing children amid their desolation and destruction. O give emancipation to the mourners and the martyrs. Through Christ. Amen.

The Journal of the proceedings of Friday, January 29, 1937, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Crockett, its Chief Clerk, announced that the Senate had passed, with an amendment, in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H. J. Res. 81. Joint resolution to create a Joint Congressional Committee on Government Organization.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 62. An act to extend the times for commencing and completing the construction of a free highway bridge across the Missouri River at or near Atchison, Kans.;

S. 110. An act for the relief of Fred M. Munn;

S. 115. An act to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever", approved February 28, 1929, by including therein the name of Gustaf E. Lambert;

S. 223. An act for the relief of Benjamin H. Southern;

S. 293. An act for the relief of Charles Wilson;

S. 295. An act to authorize the award of a decoration for distinguished service to John C. Reynolds; and

S. 974. An act to create the Capital Auditorium Commission.

CONSULTING TRUSTEE FOR NATIONAL TRAINING SCHOOL FOR BOYS

The SPEAKER. Pursuant to the provisions of the act of May 3, 1876 (19 Stat. 52), the Chair appoints as a consulting trustee for the National Training School for Boys the gentleman from Oklahoma [Mr. MASSINGALE].

DIRECTORS OF COLUMBIA INSTITUTION FOR THE DEAF

The SPEAKER. Pursuant to the provisions of section 4863 of the Revised Statutes of the United States, the Chair appoints as directors of the Columbia Institution for the Deaf the following Members of the House: Mr. BLOOM and Mr. FOCHT.

BOARD OF DIRECTORS, COLUMBIA HOSPITAL FOR WOMEN

The SPEAKER. Pursuant to the provisions of the act of June 10, 1872 (17 Stat. L. 360), the Chair appoints as members of the board of directors of the Columbia Hospital for Women the following Members of the House: Mrs. NORTON and Mr. ROBSION of Kentucky.

INDEPENDENT OFFICES APPROPRIATION BILL, 1938

Mr. WOODRUM, from the Committee on Appropriations, reported the bill (H. R. 4064, Rept. No. 165) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1938, and for other purposes, which was read the first and second times, and, with accompanying report, referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. WIGGLESWORTH reserved all points of order on the bill.

ORDER OF BUSINESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RAYBURN. I think it fair to the House to state the program for today. Of course, this is Consent Calendar day and the calendar will be called. There are only three bills on the calendar that are eligible for consideration. After that, the gentleman from Virginia [Mr. WOODRUM] will take up the independent offices appropriation bill for general debate.

JOINT COMMITTEE ON GOVERNMENT ORGANIZATION

Mr. O'CONNOR of New York. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 81, a joint resolution to create a Joint Congressional Committee on Government Organization, with a Senate amendment.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendment as follows:

Page 1, line 7, strike out "seven" and insert "nine."

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. SNELL. Reserving the right to object to ask a question, what is the effect of this amendment? Does it increase the House membership on the committee from seven to nine?

Mr. O'CONNOR of New York. No. It increases the Senate membership from seven to nine. The House membership remains the same.

Mr. McCORMACK. Reserving the right to object, Mr. Speaker, I should like to inquire whether or not the joint committee makes recommendations to the House and the Senate, or, as far as recommendations are concerned, whether the House and Senate committee, for all practical purposes, sit concurrently?

Mr. O'CONNOR of New York. This joint committee, of course, does not report or recommend legislation to either body. Each body has its own legislative committee which will draft legislation. They sit together for the purpose of investigation and conferring.

Mr. McCORMACK. I think that answers my inquiry; otherwise I would certainly object to the Senate even having the same number as the House, because ordinarily on joint committees the House membership would be anywhere from 3 to 4 to 1. Under those circumstances, I can see no objection, because the House committee makes its own recommendations to the House.

Mr. RANKIN. Mr. Speaker, reserving the right to object, we could not hear what the gentleman from New York said in response to the inquiry made by the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. O'CONNOR of New York. This is a joint committee consisting of nine Senators and seven Members of the House. It is really an investigating committee. Any legislation proposed, of course, would be recommended to each body by its own committee. In the House the seven Members would handle the legislation. There are two separate committees, and the members of those two separate committees are also members of this conferring or collaborating committee.

Mr. RANKIN. As I understand it, the Senate would have nine members on that "collaborating" committee and the House only seven?

Mr. O'CONNOR of New York. Yes.

Mr. RANKIN. That does not sound exactly democratic to me.

Mr. O'CONNOR of New York. Well, this is a Senate government.

Mr. RANKIN. It sounds like patronage. If that were what is involved, I might agree that it is a Senate government, but this is a question that involves governmental reorganization. With 96 Senators and 435 Members of the House, and the House supposed to do a majority of the work at any rate, it does not seem to me this "collaborating" committee, as the gentleman calls it, and I presume that designation is correct, should be composed of nine members from the Senate and only seven from the House. The fact of the matter is, if there is going to be a majority from either House, it ought to be the other way around.

Mr. O'CONNOR of New York. The gentleman is complaining of a condition that is deep-rooted. I am perfectly willing he should act as a committee of one to try to change it. I abandoned all hope years ago. [Laughter.]

Mr. SNELL. Mr. Speaker, will the gentleman yield for a further question?

Mr. O'CONNOR of New York. I yield.

Mr. SNELL. What reason was given by the Senate why they should have more members on this committee—why their proportion should be increased?

Mr. O'CONNOR of New York. Because there were so many candidates, as I understand it. [Laughter.]

Mr. SNELL. It has been reported in the newspapers that they increased the Senate membership on the committee in order entirely to submerge the Byrd committee, and be sure and have members who would blindly carry out the President's recommendations.

Mr. O'CONNOR of New York. I do not think so. The Byrd committee still functions as an independent unit, as I understand it.

Mr. SNELL. No; I understand they were to be a part of this committee, but they increased the membership so the Byrd committee would not have a dominating influence on the reorganization. That is the reason, I have heard. I am asking the gentleman the question.

Mr. O'CONNOR of New York. Senator BYRD is a member of the committee; and in the debates appearing at page 552 of the RECORD it is definitely stated that the Byrd committee would not be interfered with at all in functioning, if it desires.

Mr. SNELL. I understand that; but the gentleman has not answered my question. It was stated in the papers that they were going to put additional administration men on the committee so they could control this committee and not give the Byrd representation a fair opportunity to go forward and do what they wanted to do. This is a question I should be glad to have the gentleman answer.

Mr. O'CONNOR of New York. I cannot, of course, recognize an administration man when I see him, so I do not know whether what the gentleman states is correct or not.

Mr. SNELL. But some reason has developed recently why they want to increase the Senate membership, has there not?

Mr. O'CONNOR of New York. I understand, to be frank with the gentleman, that it was done to take care of the various factions—I think that is the word used.

Mr. SNELL. I thank the gentleman. The representatives of the administration are to be added in order to shut off the other fellows who really want an honest reorganization.

Mr. COCHRAN. Mr. Speaker, if the gentleman from New York will yield, most of us only know what appeared in the press, but I am told the reason for the increased number on the part of the Senate, I may say to the minority leader [Mr. SNELL], was made directly at the request of the minority leader of the Senate to maintain their ratio policy on committees. In other words, under that policy it was necessary to increase the number to nine, but on a vote the seven of the House will equal the nine of the Senate.

Mr. SNELL. They are much more considerate to the minority than they ever have been in the past; and this is not the real reason, I may say to my friend from Missouri. That was not the reason assigned in the newspapers, and I am inclined to believe the news items in this instance are absolutely correct.

Mr. RANKIN. Mr. Speaker, reserving the right to object, would it not be possible to increase House membership on this committee at least to nine, thus giving us the same representation the Senate has?

So far as I am concerned, I am not willing for the Senate to become the entire Congress of the United States. If we are going to have representative government, it is about time that the House asserted itself and began to function as the real legislative body. I am not willing to create a committee, even though it is just a "collaborating" committee, and give to the Senate greater membership on it than the House has. Now, if we are going to deal with the Senate, their demand for a greater membership on the committee may be all right with some Members, but it is not all right with me for them to have more members on the committee than the House is going to have.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. RAYBURN. May I state this to the gentleman from Mississippi, if this were a legislative committee, if this committee were to make up a bill and it were its function to make up a bill and submit it to each branch of the Congress, if it had anything to do except what was so well said by the gentleman from New York, simply to make an investigation, if at the hearings there is to be a vote on anything, it would be different. There will be one vote in the Senate and one in the House. So far as this committee is concerned they will not vote numerically. This was specifically stated in the Senate during consideration of this matter; so it does not seem to me that it makes any difference whatever if the Senate has nine instead of seven. If it needs the extra number to take care of the minorities of the Senate, it appears to me that under the circumstances we should not object.

Mr. RANKIN. Let me say to the gentleman from Texas that this is more important than if it were a committee to prepare a bill to be passed by Congress. This is the reorganization that goes to the very vital operations, one might say, of the Government. Now, it may be that after they get all their plans worked out, after the Senate Members have worked them out, it may be that they would say: "Now, if you want this, you gentlemen can take it"; and we will probably take it. But we know they are going to accept what is worked out.

It seems to me that the House ought to have reasonable representation on the committee that works out the plan. That is what I am talking about. This senatorial arrogation of the right to "talk down hill" to the House has long since worn threadbare with me. This committee is going to work out the plan, and for this reason I do not think we ought to permit the Senate to select a larger membership on the committee than the House.

Mr. O'CONNOR of New York. Does not the gentleman know that if there were seven House members and one Senate member that the Senator would be the chairman of the committee?

Mr. RANKIN. He would not be if the gentleman from Mississippi happened to be one of the members of the committee, or if the gentleman from New York happened to be one of the members of the committee. There may be Members here who would yield to one Senate member on a committee composed of one Senate member and seven House members, but there are other Members of the House who would not stand for it. This is a very vital proposition.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. RANKIN. Mr. Speaker, for the time being I object.

Mr. O'CONNOR of New York. Mr. Speaker, I call up House Joint Resolution 81, to create a Joint Congressional Committee on Government Organization, with a Senate amendment, for immediate consideration as a privileged resolution.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 7, strike out "seven" and insert "nine."

Mr. O'CONNOR of New York. Mr. Speaker, I move the previous question on the Senate amendment.

Mr. SNELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SNELL. I understood the gentleman called this up as a privileged matter. On what ground is this a privileged matter?

The SPEAKER. In reply to the inquiry of the gentleman from New York [Mr. SNELL], under paragraph 2 of rule XXIV of the House Manual it is stated:

> Business on the Speaker's table shall be disposed of as follows: Messages from the President shall be referred to the appropriate committees without debate. Reports and communications from heads of departments, and other communications addressed to the House, and bills, resolutions, and messages from the Senate may be referred to the appropriate committees in the same manner and with the same right of correction as public bills presented by Members.

Here is the pertinent part in answer to the gentleman's inquiry:

> But House bills with Senate amendments which do not require consideration in a Committee of the Whole may be at once disposed of as the House may determine, as may also Senate bills substantially the same as House bills.

Mr. SNELL. I appreciate that, and I have no objection to the consideration of this matter, but I wondered if it was a matter that could be taken up without being referred back to the committee for consideration.

The SPEAKER. Under the rule which the Chair has just read, the Chair is clearly of the opinion that it may be brought up in this manner.

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RANKIN. Is this amendment debatable?

The SPEAKER. The gentleman from New York [Mr. O'CONNOR] has the floor.

Mr. RANKIN. I understood the previous question had been asked for.

The SPEAKER. That was an error.

Mr. RANKIN. If this matter is debatable, I want to be heard in opposition.

Mr. O'CONNOR of New York. How much time does the gentleman desire?

Mr. RANKIN. How much time has the gentleman at his disposal?

The SPEAKER. The gentleman from New York [Mr. O'CONNOR] is entitled to 1 hour, and he may yield such part as he desires.

Mr. O'CONNOR of New York. Mr. Speaker, I yield the gentleman 5 minutes.

Mr. RANKIN. I wish the gentleman could yield me 20 minutes. I might want to yield some time to other Members. This thing should not be railroaded through here without the Members' investigating it. I submit there is a question of the prerogatives of this House involved that I do not think ought to be passed off lightly.

Mr. O'CONNOR of New York. Mr. Speaker, I yield the gentleman from Mississippi [Mr. RANKIN] 20 minutes.

Mr. RANKIN. Mr. Speaker, I yield myself 5 minutes of that time.

Mr. Speaker, the time has been when the House of Representatives was the premier legislative body of this Government, and if we are going to have representative government in this country we must restore it to that position. We cannot do so by continuing to assume an attitude of inferiority before another body.

This question of reorganization is a very serious one. It is admitted this plan will not save the Government any money. Some say it will make for efficiency, but what is called efficiency invariably means further concentration of power. If this change is going to be made, and if we are to work out a reorganization plan, the Members of the House ought to have at least as much voice in the working out of that plan as the Members of the Senate, because, as I said a while ago, whatever plan is laid before you will pass. Whatever plan is finally adopted and laid before the two groups of memberships of the committee will be adopted.

Mr. O'MALLEY. Will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Wisconsin.

Mr. O'MALLEY. Does the gentleman know of any committee that can function without going through the semblance of a vote? When the committee makes a recommendation they will have to vote?

Mr. RANKIN. Why, certainly.

Mr. O'MALLEY. And the weight of a vote decides the recommendation?

Mr. RANKIN. If we give the Senate nine members on this committee they are going to write the report.

Mr. Speaker, I was one of the men who led the fight in this House against increasing the term of Members of the House to 4 years, because I believe one of the wisest provisions in the Constitution is the one which holds the Representatives directly responsible and close to the people of this country.

Mr. COX. Will the gentleman yield?

Mr. RANKIN. In just a moment.

We have to account for our conduct here every 2 years. We are the representative body of this Government. The Members of the other body are elected every 6 years. Whenever you go to minimizing your importance in this House, you are not so much minimizing your own importance, as you are minimizing the importance of representative government. I now yield to the gentleman from Georgia [Mr. COX].

Mr. COX. There can be no question but that there is great merit in the position that the gentleman has taken. Certainly there ought to be equal representation on the committee. If there are good reasons why the Senate should have nine members on this committee, there are equally good reasons why the House should have the same number. The question which ought to concern the House is the effect such a set-up will have upon the country. There cannot be any question but that the impression will be created that the Senate, so far as this joint action is concerned, preponderates in influence. If the House saw fit, it might have only one member with an equal voting strength with the nine Senate members, but that would not be well and would not create a good impression.

I am wondering if the controversy might not be solved satisfactorily to all concerned by increasing the House representation from seven to nine. Has the gentleman raised that inquiry?

Mr. RANKIN. No; but I am ready to raise it now. If the gentleman from New York will offer an amendment to that effect, I will not object.

Mr. O'CONNOR of New York. Of course, I do not propose to offer such an amendment. I may say to the gentleman that the matter has been considered fairly. The Senate was informed that it was the attitude of the leadership of the House that seven members would be satisfactory to the House, even though the Senate had nine.

Mr. ANDREWS. Will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from New York.

Mr. ANDREWS. I should like to ask the chairman of the Rules Committee one or two questions, if the gentleman will permit. As I understand, the present amendment provides for nine Members of the Senate and seven of the House. I agree with the gentleman from Mississippi that we should have nine on the committee or the Senate should be restrained from increasing its number by two. I should like to ask the chairman of the Rules Committee if we refuse to accept the Senate amendment, would not the resolution go to conference?

Mr. O'CONNOR of New York. I think so.

Mr. RANKIN. Let me say to the gentleman from New York and to the other Members of the House that I do not have much time, and some other Members want to speak on this question. So far as I am concerned, I am willing to concede to the Senate all of its prerogatives, all its powers and all its influence, but if the American people are going to have representative government, they are going to have it largely at this end of the Capitol. This is just a beginning. We must regain the prerogatives that have been gradually taken from us. The House of Representatives must become again the premier legislative body of the Government, and I am not only going to oppose this change, but I shall oppose any attempt from now on to minimize the importance or the influence of the House of Representatives and to emphasize the importance or the influence of the United States Senate, and I say this with all deference to that body. If we are going to have representative government it is time we exercised our prerogatives here.

I reserve the balance of my time, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, will the gentleman yield me a moment to ask a question?

Mr. O'CONNOR of New York. I yield to the gentleman from New York.

Mr. ANDREWS. Getting back to my question of a few moments ago, if we refuse to accept the Senate amendment and the bill goes to conference, where will the conferees come from?

Mr. O'CONNOR of New York. From the Rules Committee. It is a rather strange thing to have a conference from the Rules Committee, but that is what would happen.

Mr. JONES. Mr. Speaker, will the gentleman from New York yield?

Mr. O'CONNOR of New York. I yield.

Mr. JONES. May I ask the gentleman if an opportunity will be given the House, if the Senate amendment is adopted, to vote on an amendment to increase the House membership to nine, or is it his purpose to move the previous question?

Mr. O'CONNOR of New York. Personally it is of no concern to me whether the number is seven or nine.

Mr. JONES. I understand that.

Mr. O'CONNOR of New York. There is no Member of this body who has fought for years against the overwhelming and dominating attitude of another body more than I have.

Mr. JONES. I agree with that.

Mr. O'CONNOR of New York. I have complained about it in and out of season, so whether it is seven or nine means nothing to me, except that certain reasons were advanced to me whereby the House could function with seven without opening membership on the committee to two additional members.

Mr. JONES. The question I ask is, if we adopt the Senate amendment, will the gentleman then permit an opportunity for an amendment to be offered to increase the House membership to nine, or does the gentleman intend to move the previous question, and in this way cut off all opportunity to offer such an amendment?

Mr. O'CONNOR of New York. My present intention is to move the previous question.

Mr. JONES. Then will the gentleman yield for the purpose of permitting an amendment to the Senate amendment to be offered or an amendment to the resolution to be offered along the same line?

Mr. MICHENER. A point of order, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. MICHENER. There is a very interesting colloquy going on over on the other side. Some very important questions are being asked and they are questions that will determine votes and we cannot hear a word.

The SPEAKER. The gentleman from Michigan makes the point of order the House is not in order. The point of order is well taken. The House will be in order.

Mr. O'CONNOR of New York. Mr. Speaker I may state to the gentleman that the substance of the colloquy between the chairman of the Committee on Agriculture and myself was that the gentleman asked me if I proposed to yield for amendments or did I intend to move the previous question. I said that my present intention is to move the previous question and not yield for an amendment.

Mr. JONES. Mr. Speaker, will the gentleman yield for a further question in that connection?

Mr. O'CONNOR of New York. I yield.

Mr. JONES. Would it be permissible, before the gentleman moves the previous question, to offer an amendment by way of a substitute which would increase the House membership on the joint committee to nine?

Mr. O'CONNOR of New York. Of course, I do not intend to yield the floor for that purpose, I shall say frankly to the gentleman.

Mr. JONES. Then the House will not have an opportunity to express an opinion on the subject unless it votes down the motion to concur in the Senate amendment.

Mr. O'CONNOR of New York. That is the parliamentary situation.

Mr. O'MALLEY. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR of New York. I yield to the gentleman from Wisconsin.

Mr. O'MALLEY. As I understand the gentleman from New York, his heart is not in this proposition, but he does not intend to relinquish his efforts to put this across and in that way accommodate the Senate?

Mr. O'CONNOR of New York. I am just a servant doing my duty, that is all.

Mr. COLE of Maryland. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR of New York. I yield to the gentleman from Maryland.

Mr. COLE of Maryland. Mr. Speaker, may I say to the gentleman that I am inclined to agree with the attitude taken by the gentleman from Mississippi and the Rules Committee of the Senate, which reported out this resolution with the recommendation that there be nine Members from the House. There was objection to that part of the Senate committee recommendation, according to the RECORD of Friday, and without debate the amendment to increase the number of House Members to nine was rejected and the House was left with seven members. I want to ask the distinguished gentleman from New York, in view of the language in this resolution and the paramount importance of this problem before the Congress now, which is one we must solve—that is, reduce the expenses of government and reorganize very drastically—do not the duties of this joint committee call for action by a joint committee and not by the Senate, separate from the House? As I understand, they are to report jointly from time to time the results of their investigations, with such recommendations as it deems advisable. All expenditures by the committee are to be made by action of the joint committee, not by a separate vote of the Senate group and the House group. Anyone reading the duties and powers of the joint committee provided for in House Joint Resolution 81 can come to no conclusion other than that it is contemplated, and technically the language demands joint action and decision. I agree thoroughly that sitting down with 16 members on this joint committee, the House having 7 and the Senate 9, we begin with the cards stacked against us. I hope the House insists upon an equal number being provided.

Mr. RANKIN. Mr. Speaker, will the gentleman from New York yield to me to submit an amendment to be read by the Clerk?

Mr. O'CONNOR of New York. Just for information; yes.

Mr. RANKIN. Mr. Speaker, I send an amendment to the Clerk's desk to be read for the information of the House.

The Clerk read as follows:

Mr. RANKIN offers the following amendment to the Senate amendment: After the word "nine" insert "and"; on page 1, line 9, strike out the word "seven" and insert the word "nine."

Mr. RANKIN. That gives nine Members of the House and nine Members of the Senate.

Mr. O'CONNOR of New York. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. O'CONNOR of New York. If I yield the floor to permit an amendment, will it be in order under the rule—I have some doubt about it?

The SPEAKER. In reply to the inquiry made by the gentleman from New York, the Chair desires to call the attention of the gentleman and the attention of the House to the following rule.

Section 526 of Jefferson's Manual reads:

But the House cannot recede from or insist on its own amendment with an amendment, for the same reason that it cannot send to the other House an amendment to its own act after it has passed the act.

Under that rule it seems to the Chair that the House having acted on the matter and the Senate having accepted that language, it would not be open for the amendment offered by the gentleman from Mississippi.

Mr. RANKIN. We have a right to accept the Senate amendment with an amendment. We are not attempting to amend the House bill.

The SPEAKER. The gentleman's amendment is to the text of the House bill.

Mr. RANKIN. I beg the Chair's pardon. After the word "nine" in the Senate amendment it is to strike out the word "seven" in line 9 and insert the word "nine." I am proposing to amend the Senate amendment. We have a right to accept the Senate amendment with an amendment.

The SPEAKER. The amendment proposed by the gentleman from Mississippi is to amend the text of the joint resolution. Under this rule that amendment cannot be in order.

Mr. JONES. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. JONES. If it is not in order to offer an amendment such as the gentleman from Mississippi proposes, if the Senate amendment were rejected and sent back to the

Senate the purpose of the amendment could be accomplished.

The SPEAKER. The Chair will state to the gentleman that on the premise laid by him if the Senate amendment were voted down the Senate could reconsider its action and increase the number of the House committee.

Mr. JONES. If it were sent back to the Senate would not it go as an original proposition so they could recede from their amendment and take up the bill as an original measure and put in nine Members of the House?

The SPEAKER. The Senate could reconsider its action.

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry. My amendment states:

I offer the following amendment to the Senate amendment.

I am not trying to amend what the House has done. It is specifically written that it is an amendment to the Senate amendment.

The SPEAKER. The gentleman is not confining himself in his amendment to the Senate amendment, which deals only with the number of Senators on the joint committee; but he goes further down in the paragraph and adds additional matter to the text, to which both Houses have already agreed.

Mr. RANKIN. All I do is to offer an amendment to the Senate amendment, not striking out their number but adding to ours, making them equal. I submit that under the rules of the House I have a right to offer an amendment to the Senate amendment.

The SPEAKER. But the amendment offered by the gentleman must deal with the matter the Senate amendment deals with, as shown by the resolution. The Chair makes the further statement that the Chair has no disposition whatever to prevent the House from expressing itself upon the attitude assumed by the gentleman from Mississippi, but when the Chair is called upon to make a parliamentary decision, he is bound, of course, to conform with the rules and precedents of the House.

Mr. FULLER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FULLER. Cannot that be amended by unanimous consent?

The SPEAKER. The only way under the rules of the House by which this situation could be changed would be by a concurrent resolution, agreed to by both Houses, changing the text of the matter already passed upon by the House and accepted by the Senate.

Mr. WOODRUM. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WOODRUM. The discussion of this matter has proceeded upon the premise that someone would make a point of order against the amendment of the gentleman from Mississippi. If the gentleman from New York [Mr. O'CONNOR] should yield to the gentleman from Mississippi [Mr. RANKIN] for the purpose of offering an amendment, and if the gentleman from Mississippi should offer the amendment, and no one should make a point of order, then unquestionably it could be put upon the bill.

The SPEAKER. The only difficulty with that proposition is that the Chair feels that it is his duty to protect the integrity of the proceedings between the two Houses of Congress, and when the Chair is confronted with a proposition of that sort, there is but one answer to it, in the opinion of the Chair.

Mr. BOILEAU. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BOILEAU. If the Senate amendment were to be voted down and the matter sent to conference, in conference would it be possible to amend the numbers with reference to both the House and the Senate representation?

The SPEAKER. The conferees would have no greater authority than the House. This is a very unusual situation which has been presented here. As the Chair stated a moment ago, if this motion should be voted down, the matter could then be taken up again by the Senate and they could voluntarily change the text of their amendment. Then the House would have an opportunity to accede, and the Chair is of opinion that if it were presented to the Senate that the attitude of the House is in favor of nine members on this commission, the Senate would readily accept that.

Mr. RANKIN. Then the only thing we can do is either adopt the Senate amendment or vote it down?

The SPEAKER. That is correct.

Mr. O'CONNOR of New York. Mr. Speaker, I move the previous question.

Mr. RANKIN. I ask the gentleman to withhold that for a moment. I promised to yield 5 minutes to the gentleman from Massachusetts [Mr. McCORMACK]. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, my position on this question is absolutely in line with the position taken by the gentleman from Mississippi. I reserved the right to object to ask some questions of the chairman of the Committee on Rules, and if I were alone in my thoughts I felt that I would not make an objection, although I have serious thoughts on the advisability of the House concurring in the Senate amendment, with a membership on the joint committee on the part of the Senate of nine and on the part of the House of seven.

For a number of years the Senate has been gradually encroaching upon the jurisdiction of the House. That usually manifests itself through the medium of tax legislation. The members of the Committee on Ways and Means have had to be constantly on their guard in respect to amendments put in the nature of riders on bills in the Senate, which invade the constitutional prerogatives and duties of the House. All revenue legislation must originate in the House under the Constitution, and there have been indirect encroachments upon the jurisdiction of the House. A joint committee should have about three to four members of the House to one of the Senate, if it were a joint committee in fact. In view of the fight being made I think the House should insist upon a position of at least equality. Assuming that the House and Senate committee do act concurrently, as stated today, nevertheless, when they sit jointly many questions of jurisdiction arise, many questions on details arise. Points of order may be raised and many votes will be taken in the joint committee, and with the House having only seven members and the Senate nine, the House may be placed in a very embarrassing position.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. Yes.

Mr. RAYBURN. The practical point is this: The House passed its resolution several days ago. Seven Members have been appointed. Everyone thought, therefore, that the appointment of the House was closed. Furthermore, I thought all the time, and it was brought out in debate in the Senate last week that in all the votes respecting matters in this joint committee, the House would have a vote and the Senate would have a vote. Practically, I do not think there are going to be many things, if any, except probably the organization of the committee, upon which there will be votes. In my opinion, this is an investigating committee or commission.

Mr. McCORMACK. Would the gentleman agree to nine Members in the Senate and seven in the House if this were an original proposition?

Mr. RAYBURN. It would be of no moment to me if the committees have equal power and equal authority.

Mr. McCORMACK. In other words, would the gentleman say the Senate should have greater membership on a committee than the House?

Mr. RAYBURN. On a committee?

Mr. McCORMACK. On any committee.

Mr. RAYBURN. No. But this is not a committee. This is not a legislative committee. This is not a conference committee. It does not have any of the power or authority of a legislative or conference committee.

Mr. McCORMACK. But the committee has legislative functions and legislative duties. The gentleman from Maryland referred to the fact that it was a joint committee, but the gentleman from New York [Mr. O'CONNOR] has

assured the House that they will act concurrently, and I am sure the gentleman from New York, from a practical angle, knows what he is talking about.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. O'CONNOR of New York. I think I can solve this by proceeding in accordance with my heart.

I will withdraw my motion to concur in the Senate amendment and move to disagree to the Senate amendment.

Mr. McCORMACK. I yield.

Mr. RANKIN. I second the motion, Mr. Speaker.

The SPEAKER. The gentleman from New York [Mr. O'CONNOR] withdraws his motion to agree to the Senate amendment and now moves to disagree to the Senate amendment.

The question is on the motion of the gentleman from New York.

The motion was agreed to.

EXTENSION OF REMARKS

Mr. MAVERICK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks by including an address delivered by Hon. Robert H. Jackson, Assistant Attorney General, at the annual dinner of the New York Bar Association at the Waldorf Astoria Hotel in New York.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. WADSWORTH. Mr. Speaker, I object.

Mr. O'CONNOR of New York. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to insert a radio address delivered by a former Member of this House, Mr. Anning S. Prall, Chairman of the Federal Communications Commission.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. WADSWORTH. Reserving the right to object, may I ask the subject of the address?

Mr. O'CONNOR of New York. The part that radio has played in the floods.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MAVERICK. Will the gentleman from New York withhold his objection to my request?

Mr. WADSWORTH. I reserve it.

Mr. MAVERICK. Is it not usual to permit the inclusion of these speeches by high officials of the Government? If the gentleman disagrees, it must be because of differences with the opinions stated here, because he has not objected to the other request. It is only fair that the CONGRESSIONAL RECORD have opinions of various sorts.

Mr. WADSWORTH. Mr. Speaker, reserving the right to object, I have been in consultation with a good many Members, and I find it difficult to lay down a strict rule-of-thumb about this. Apparently the gentleman from Texas would be perfectly willing to see the CONGRESSIONAL RECORD converted into a Literary Digest. For more than one reason I am opposed to that, in view of recent developments.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. MAVERICK]?

Mr. WADSWORTH. I object, Mr. Speaker.

CONSENT CALENDAR

The SPEAKER. The Clerk will call the first bill on the Consent Calendar.

INTERNATIONAL EXPOSITION OF PARIS, 1937

The Clerk called the first business on the Consent Calendar, House Joint Resolution 52, relating to the participation by the United States in the International Exposition of Paris, 1937.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. FISH. Mr. Speaker, I object.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that the joint resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. BLOOM]?

Mr. WOLCOTT. Reserving the right to object, may I ask the gentleman's purpose in doing that? Is it the gentleman's intention to bring it up under a rule or under suspension later on?

Mr. BLOOM. Answering the gentleman, permit me to state that the gentleman from New York [Mr. FISH] has declared that he is going to object on the floor to all bills of this kind. Until we have some understanding with the gentleman from New York, I have determined that the best thing to do is to ask to pass the bill over without prejudice.

Mr. WOLCOTT. I may say to the gentleman that I also objected. The proceedings may not show it, but I objected as well as the gentleman from New York [Mr. FISH].

Mr. BLOOM. If that procedure is going to be followed on all of these matters, then I ask unanimous consent, Mr. Speaker, that the bill be stricken from the calendar.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. BLOOM]?

There was no objection.

AMENDING SECTION 23 OF IMMIGRATION ACT OF FEBRUARY 5, 1917

The Clerk called the next bill, H. R. 26, to amend section 23 of the Immigration Act of February 5, 1917 (39 Stat. 874), as amended (U. S. C., title 8, sec. 102).

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TARVER. Mr. Speaker, reserving the right to object, I trust the gentlewoman from New York [Mrs. O'DAY] will ask that the bill be passed over without prejudice. I have just secured a copy of the bill a few moments ago, and there are certain features of it that I desire to consider before the bill is passed.

Mrs. O'DAY. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

DEPORTATION OF CERTAIN ALIENS

The Clerk called the next bill, H. R. 28, to authorize the deportation of aliens who secured preference-quota or nonquota visas through fraud by contracting marriage solely to fraudulently expedite admission to the United States, and for other purposes.

Mr. EBERHARTER. Mr. Speaker, I object.

Mrs. O'DAY. Mr. Speaker, will not the gentleman withhold his objection? Both bills passed the House at the last session, but were held up in the Senate because of the adjournment of Congress.

Mr. EBERHARTER. I may say to the gentlewoman from New York that my attention was called to the bill only a few moments ago and that I have not had an opportunity to study it. From a hasty examination, I do not think the title as set forth in the calendar is quite in accordance with the bill as written. I should like to have an opportunity to study the bill.

Mrs. O'DAY. Perhaps I can explain the bill to the gentleman.

Mr. EBERHARTER. The third section of the bill on page 2 states that any marriage which is judicially annulled retroactively to date of marriage shall be evidence of fraud and cause for deportation.

Mrs. O'DAY. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

Mr. SNELL. Mr. Speaker, reserving the right to object, it seems to me that a complicated matter like immigration should not be taken up by unanimous consent but should come up for proper consideration by the House on Calendar Wednesday, and I shall object.

The SPEAKER. Does the gentleman from New York object to the request that the bill be passed over without prejudice?

Mr. SNELL. Yes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLLINS. Mr. Speaker, I object.

The SPEAKER. This completes the call of the Consent Calendar.

Mr. WOLCOTT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WOLCOTT. Starting with no. 16 on the Consent Calendar are several bills which appear to be private in character. Although the bills provide for payment to a foreign country, the payment is on behalf of citizens of the country. Inasmuch as the bills will not be called, I cannot, of course, make a point of order against them; but my parliamentary inquiry is whether these bills are properly on the Consent Calendar. Should they not be on the Private Calendar?

The SPEAKER. In answer to the question of the gentleman from Michigan, the Chair is of the opinion that the bills to which the gentleman refers are properly on the Consent Calendar under the rules of the House. The gentleman will note that these bills provide for the payment of moneys to a foreign government; and, under the rules, they are public bills and properly on the Consent Calendar.

INDEPENDENT OFFICES APPROPRIATION BILL, 1938

Mr. WOODRUM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4064) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1938, and for other purposes.

Pending this motion, Mr. Speaker, I ask unanimous consent that general debate continue throughout such portion of the afternoon as we may have speakers to occupy, the time to be equally divided between myself and the gentleman from Massachusetts [Mr. WIGGLESWORTH].

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Virginia.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4064, the independent offices appropriation bill, 1938, with Mr. BOLAND in the chair.

The Clerk read the title of the bill.

At the request of Mr. WOODRUM the first reading of the bill was dispensed with.

Mr. WOODRUM. Mr. Chairman, I yield 20 minutes to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Chairman, I have requested this time in order that I may discuss a subject concerning which there is considerable contrariety of opinion. I believe, however, the differences have arisen largely from a lack of understanding and information.

I wish to talk about aviation in the lighter-than-air field; in other words, about airships; and may I say by way of general preface that I am not connected with any person, firm, company, or corporation in any way interested in the production or operation of airships. I shall not talk with reference to any particular bill or any particular type of construction, but I shall seek merely to give information that I trust may be helpful in our consideration of this general subject and its importance to our country. I wish also to say in the beginning that I am talking purely as a layman. I can give no technical or expert advice, but there are certain things coming within the observation of a layman which stress the importance of this particular matter.

My interest in lighter-than-air craft was stimulated originally by studies with reference to helium gas, and those of you who have served in this body for some years are familiar with the fact that I have spoken in this Chamber on several occasions concerning it. In the early days when I first made bold to offer remarks on this subject it was not generally known, perhaps even by some of my colleagues here, whether I was discussing a patent medicine or a breakfast food.

Mr. Chairman, I realize that there is considerable antipathy toward this subject in general, that lighter-than-air aviation has been thought by many not to be practicable, that dirigibles are hazardous toys and dangerous playthings. Perhaps this conclusion has been predicated upon certain calamities which have befallen us in the operation of our airships in the Navy. It should be borne in mind, of course, with reference to these disasters in our own country that they resulted from our first efforts in such construction and such operation.

The first automobiles were not practicable, the first flying machines were dangerous and hazardous, as may also have been the first boat and the first train, yet we do not hesitate to go on with our progressive development in these various methods of transportation because of the fact that we have had disasters and loss of life.

It so happens that most of our airship disasters might have been avoided. I think the chief authority in this country with reference to lighter-than-air craft is Commander C. E. Rosendahl, who, before he joined the Navy, lived in the district which I have the honor to represent. By training, by study, and by experience he is eminently qualified to speak upon this subject. In an article written by him last year he goes on to show that the human equation has likely been largely responsible for such losses as we have sustained in our operation of these ships, and I shall quote an excerpt from that article:

> Where there has been no clear explanation, the public naturally draws the conclusion that there must be something basically wrong with the airship as a type. Yet from a study of available information, it is my opinion that in each of the half dozen major airship losses since the World War the human equation stands responsible to a considerable degree. I believe each one of them was to a large extent "avoidable." Let's glance at a few.
>
> The *ZR–2* while still in the hands of the British builders was maneuvered severely at low altitudes, whereas everyone concerned should have remembered that the ship was copied from a German high-altitude bomber, purposely of light construction in order to attain great altitude, and therefore was intended for its maximum maneuvering only in the upper air where the loads on the ship were correspondingly less. No one would expect a light, fast motorboat to endure a beating from the open sea; yet when the *ZR–2* was subjected to operating conditions for which she was not intended the resulting tragedy was unfairly discounted as only another example of airship frailty.
>
> The semirigid airship *Roma*, while being maneuvered at high speed at a very low altitude, found itself unable to "pull out" before flying into high-tension wires. Being inflated with hydrogen, the result was inevitable.
>
> The British *R–101*, after only a few hours in flight following a major alteration, set out in the face of unfavorable weather admittedly because of political considerations. The ship lacked certain elementary features, such as control from the control car, of emergency ballast in the ends of the ship, a feature which had been incorporated in every previous airship. Losing altitude presumably because of gas-cell deflation forward, and apparently because ballast or other weights could not be dropped quickly enough forward to compensate, the ship flew into a low hill in France. That in itself might have meant a few broken limbs and perhaps some structural damage, but being inflated with hydrogen the resulting total loss by fire was inevitable.
>
> Coming nearer home, it is my firm belief, as previously expressed, after a study of all the factors, that the *Akron* simply flew into the Atlantic Ocean at a ground speed of 100 miles per hour or more, during, but not because of, a storm. The effects of the storm on the ship were only of an incidental nature, such as causing the altimeter to falsify the true altitude. In my opinion, the loss of the *Macon* was likewise avoidable, for hindsight now shows us that the collective judgment of all concerned in delaying structural reinforcements previously known to be necessary was in error.
>
> Summed up briefly, the human equation in design, construction, and operation must keep apace of the material development, but, unfortunately, it seems that in every pioneering endeavor in the world the human equation has advanced mainly only by sad experience. In this respect a real study of the situation shows that the airship has been no worse, if indeed as bad, as many other developments, such as, for instance, the submarine.

Mr. Chairman, in contrast with our naval operations, let me call attention to the fact that in the commercial operation of airships more than a quarter of a million people have been carried as passengers, and not one has been killed or suffered injury. So I am talking about this matter today not so much perhaps from the governmental angle as from the commercial angle, that we may give to our Navy and our armed forces such equipment as may be necessary for their operations in this regard, but that we may give also proper stimulus to commerce to the end that we may not be outstripped by other nations when we are the favored nation by reason of the fact that we have practically a monopoly of the known supply of helium in the world.

Let us look just a moment at some of the results from the operation of commercial airships. I call attention first to the operation of the blimps by the Goodyear Co. in our own country. They started their fleet in 1925 with a single small ship, the *Pilgrim*, which is now in the Smithsonian Institution. They expanded at their peak to six ships. They are at present operating four—one in Washington, one in Los Angeles, and two in Florida. Up to the end of the year 1936 these ships had flown 2,463,603 miles; they had carried 237,212 passengers, and not a single passenger had suffered even so much as the scratch of a finger.

Let us look at it from the standpoint of the commercial operation of these dirigibles by Germany.

Mr. WOODRUM. Mr. Chairman, would the gentleman care to be interrupted?

Mr. LANHAM. I shall be glad to yield to the gentleman.

Mr. WOODRUM. Does the gentleman have right at this point the comparative figures covering other types of planes, how many passengers carried, and the fatalities?

Mr. LANHAM. No; I have not. I am simply trying to show in my remarks, and in calling attention to this matter, that the operation of airships has been shown to be practical from a commercial standpoint both in this country and abroad. It is also, I think, an important adjunct of our naval operations, and we should not quickly draw conclusions from the unfortunate pioneering accidents which have occurred in our naval service.

For 8 continuous years the *Graf Zeppelin*, which was the first airship used for aerial oceanic transport, has operated with great success, and the statistics with reference to it up to September 1936, are as follows:

Number of flights, 555; total hours in flight, 16,000; total distance covered, 1,000,000 miles plus; persons carried, 36,300; passengers carried, 13,000; mail, 91,000 pounds; freight, 126,000 pounds; ocean crossings, 132.

Since being placed in service in March 1936 the *Hindenburg* had made some 53 flights during the remainder of the year, including 8 round trips between Germany and Rio de Janeiro and 10 North Atlantic round trips, all on schedule. It seems no other type of aircraft has carried a single pay passenger over the North Atlantic.

Mr. Chairman, it has come to be a commonplace thing in South America to see these airships from Germany come and go. On one occasion one of these giants of the air started its trip under weather conditions that forced every other kind of aircraft to remain on the ground. When we look at the results and take into consideration that there have been no passengers injured, more than a quarter of a million of them carried, the Atlantic Ocean crossed over and over again, one of these ships having made a round-the-world trip, not having the advantage of the use of our helium, which is a noninflammable, nonexplosive gas with a buoyancy of 92 percent of that of hydrogen, no one can doubt that this is a subject worthy of our practical consideration. Not only that but travel on these dirigibles is made with greater comfort than with any other method of transportation. There is less noise, less vibration, and the pay load is of very considerable proportions when compared, for instance, with our heavier-than-air ships.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. LANHAM. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. May I ask the gentleman if he can give us some information about the cost or the expense to the passenger in traveling on these ships? I do not know whether the gentleman has stated anything on that or not.

Mr. LANHAM. I have no information at hand as to the cost of travel on these ships, but that may be ascertained by inquiry at their agencies. Of course, they make a very quick trip across the Atlantic. However, I have some information with reference to the cost to this Government in connection with our airship construction and operation, and it is very much less in its total than the cost of building a single battleship. We now have some splendid lighter-than-air facilities in this country, including, of course, the great hangar at Lakehurst, N. J.

Mr. PHILLIPS. Will the gentleman yield?

Mr. LANHAM. I yield to the gentleman from Connecticut.

Mr. PHILLIPS. I wonder if the gentleman could give me this information: Could the German Zeppelins, which are flown commercially, be flown with helium? What I am trying to arrive at in my own mind is whether helium is practical as a lifting medium.

Mr. LANHAM. Yes; helium has been shown to be practical as a lifting medium. It has 92 percent of the buoyancy of hydrogen and can carry a load 92 percent of that which can be carried by a hydrogen-filled ship. The Germans use for fuel a combination, part of which is hydrogen, known as blau gas.

Mr. EATON. Will the gentleman yield?

Mr. LANHAM. I yield to the gentleman from New Jersey.

Mr. EATON. Can the gentleman throw any light on what happened in America that our lighter-than-air craft suffered disasters while the Germans' have not?

Mr. LANHAM. I can do that, and I intimated that in my opening remarks. Of course, the Germans are much more experienced in the building of these airships than we are. For instance, Germany has built 138 of them; England has built 16; and the United States has built 3. Of course, on account of their experience through all these years, they are much more expert in the construction of airships than we are. We have just started.

Mr. EATON. How many have they lost out of the one-hundred-and-thirty-odd as compared with our three? We have lost all of ours, of course.

Mr. LANHAM. Yes; that is true. I stated earlier that some of the reasons for our losses will be set out in extending my remarks. These losses may indicate at first blush, but in no way prove, especially in the light of the practical results, that lighter-than-air aviation is not feasible.

Mr. EATON. I asked the question, because I am convinced if the Germans can do it the Americans ought to be able to do it.

Mr. LANHAM. I am coming to that.

Mr. WHITE of Idaho. Will the gentleman yield?

Mr. LANHAM. I should like to go on, because I may anticipate some of the gentleman's questions in my further statements.

Mr. WHITE of Idaho. I would like to know this: Are the German dirigibles inflated with helium?

Mr. LANHAM. They are not. They have no helium. I understand they are inflated with a combination of gasses that they call blau gas, using hydrogen largely as the lifting element.

Mr. WHITE of Idaho. Is it explosive?

Mr. LANHAM. Yes.

Mr. WHITE of Idaho. But they have had no serious explosions.

Mr. LANHAM. They have not had an accident to a traveling passenger, and they have crossed the ocean time after time, until it is now taken as a matter of fact.

The United States has been very much interested in the peace conference that was held at Buenos Aires. It is recognized that our natural and most normal trade territory is South America, yet here are foreign countries cultivating through these friendly relationships the commercial goodwill of the South American peoples, to whom we could with relative ease send our helium-filled airships on missions of mutual benefit. The Government of Brazil is now building outside Rio de Janeiro a very large hangar to take care of these regularly scheduled flights that are being made there by the German dirigibles.

It seems to me we are overlooking a very fruitful opportunity to link ourselves, both in terms of peace and of commercial relationships, with these neighbors of ours to the south, and that we are sitting by, favored as we are, and letting that great advantage go to countries across the sea. They are capturing our natural, normal trade territory, with which we ought to have relations most harmonious and helpful; and, of course, airship transportation to South America is just as much transoceanic as the crossing of the Atlantic.

I shall not talk at this time—I have on many other occasions in the House—of the advantage to the Navy of airships for the purpose of reconnaissance, and so forth; but I will insert this statement: I recall very definitely that a very great British naval authority made the assertion toward the conclusion of the World War, or shortly thereafter, that one helium-filled dirigible was worth as much in war—they did not have it then, of course—as from three to five cruisers.

[Here the gavel fell.]

Mr. WOODRUM. Mr. Chairman, I yield the gentleman from Texas 10 additional minutes.

Mr. LANHAM. Now, the question arises, if Germany can do this, and we are a favored nation in that we have a monopoly of helium which can enable us to operate more safely, why can we not do it? Why should we let them absorb this territory of ours to the south while we have surplus crops and products and nowhere to send them? Of course, one reason is that we have given no stimulus to commercial aviation in the lighter-than-air field. The Merchant Marine Act provides for it in very broad terms. The Department of Commerce and the Department of the Navy are very much interested in this subject, and they have had their commissions appointed that have been giving study to it and their reports have all been favorable. Why, inasmuch as there are many forms of transportation, by land on our trains, in the air by our airplanes, on the water by ships, should not this means of transportation, which has been proven so practical both in this country and abroad, be given the same stimulus in the Merchant Marine Act that is given to other forms of transportation, in order that there may be some inducement and some encouragement in this country to enter this field commercially in order to protect our interests of trade and to promote our interests of peace and harmony?

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I will be pleased to yield to my friend.

Mr. STEFAN. Would the gentleman care to say, or does the gentleman know, what we are doing in the way of the development of our helium supply?

Mr. LANHAM. Our helium supply is being very well protected, because we have an enormous reserve, where we control the entire geologic structure holding the natural gas that contains the helium. We draw it off and extract the helium as we have need for it. It so happens—and I am coming in just a moment to that phase of the matter—this whole operation has been more or less in a state of standstill recently, and I call attention to this as one reason we have not made greater progress. It is the policy in the Navy, as you know, to send men on tours from one place to another. They serve so long in one capacity and then they go somewhere else and serve in another capacity. The consequence has been that we have little well-trained personnel in the operation of these airships. About the time they have become sufficiently acquainted with the airships and their operation to be really of service, they are transferred to some other branch of the service. This is one reason that in this country there has been successful operation commercially. For instance, I made inquiry of the Goodyear Co. in this regard, and I have this information from them:

> A number of our pilots are well over the 10,000 mark in air hours gained in at least three-fourths of the States of the Union, excepting only the Northwest area. Ten of them are Reserve officers in the United States Navy, eight of them have taken active duty at Lakehurst, and have had one or more training flights to Europe or South America aboard the *Hindenburg* and the *Graf Zeppelin*.

In other words, when they have taken these men that we have trained for a short time in our Navy, they have given them the benefit of going on with that training, and we find that they have been operating these dirigibles in this country and have carried more than one-quarter of a million passengers, flown two and a half million miles, without so much as a scratch of a finger in injury of any passenger.

Now, I think our naval policy should be changed in that regard, especially when we are new in this field, that these men may be given continuous training and experience in the operation of lighter-than-air craft. I believe that this project so important to us, and in which I have no interest except as a citizen, may be carried on effectively.

Mr. WHITE of Idaho. Will the gentleman yield?

Mr. LANHAM. I yield.

Mr. WHITE of Idaho. Would the gentleman confine this solely to the Navy?

Mr. LANHAM. No; I would not; although the dirigible is more an adjunct of the Navy than the Army. In fact, the appropriations heretofore have been carried in both the Navy and Army bills.

Mr. WHITE of Idaho. The supply of helium is confined principally to the State of Texas, is it not?

Mr. LANHAM. No, sir; as a matter of fact we have a reserve in Utah. The highest content of helium in natural gas of which I have heard is in the State of Colorado. We have some of it in Pennsylvania, and in other States.

But the singular thing is that though nations have sought it from various sources—Japan even experimenting with the gases from volcanoes—we have in this country for all practical purposes a monopoly of helium and a sufficient volume to carry on operations, if properly conserved, for many, many years.

Mr. RANKIN. Will the gentleman yield?

Mr. LANHAM. I yield.

Mr. RANKIN. What is the price of helium today? The reason I ask is that the gentleman from Texas made a speech on the floor some years ago, and if I remember correctly he said that during the war helium cost about $1,500 a cubic foot, and at that time when he made the speech it had dropped to 4 cents a cubic foot. I have understood that it could be supplied now for 1 cent a cubic foot.

Mr. LANHAM. Yes; I have talked about the price of helium several times. Up to the time of the World War it was a chemical curiosity, a plaything of the laboratory, and at that time they had not extracted a cubic foot of helium for less than $1,500. That was obtained by breaking down uranium ore. Later it was discovered in natural gas in Kansas and elsewhere.

During the war the United States Government established experimental plants to extract helium from this gas and brought the price down from $1,500 to 40 cents a cubic foot. They had 210,000 cubic feet, enough to inflate one small ship, on the docks at New Orleans ready to be transported abroad when the armistice was signed. Since that time through our experimentation we have brought it down further, and we can now extract helium from natural gas for from 1 to 1½ cents per cubic foot.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. WOODRUM. Mr. Chairman, I yield the gentleman 5 minutes more.

Mr. LANHAM. When we stop to think of this great advantage we should consider ourselves very fortunate. When hydrogen becomes highly impregnated with air it becomes so explosive that it has to be released, but we can keep our helium, repurify it at a nominal cost, and use it over and over again; and, necessity being the mother of invention, we have made many discoveries that are most helpful in this regard—one the recovery of water from the exhaust of gasoline motors on dirigibles, by which as the weight is lost by the consumption of fuel that weight is regained in condensing the water from the motors, and we can recover in that way even more than 100 percent of the loss and thereby obviate the necessity of valving the helium. There are many of those things into which I could go, but the thing I am anxious to do in these remarks is to impress the fact that from the standpoint of the airship as an adjunct of the Navy, from the standpoint of the airship in commercial aviation, if given the proper stimulus, lighter-than-air aviation is extremely practical, extremely feasible, as shown by the operations of the German Government, and the Goodyear Co. in this country. The world has gone beyond the phase and the stage of mere experimentation.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. Yes.

Mr. RANKIN. What is the difference in the cost per mile of travel in the gasoline used, we will say, for passengers in a blimp and in an airplane?

Mr. LANHAM. I cannot give the gentleman that, but I can tell the gentleman this, that, for instance, on these splendid flights we are making now across the Pacific, with the *China Clipper* that carries, I think, six passengers, it has to stop at various places on the way, governed somewhat by the weather; but a dirigible could cover the same distance in the same or less time, because it would not have to stop, and it could carry many more passengers and a very much greater freight load.

Mr. RANKIN. The dirigible also would not have to use power to hold itself in the air.

Mr. LANHAM. No. I am not speaking against the airplane, because I am strong for aviation in all its branches, and just as we use different kinds of airplanes for different kinds of services, in the same way we should use different kinds of dirigibles for different kinds of services. Perhaps the principal trouble in the disasters that we have had has arisen from the fact that the dirigibles were not used for the particular purposes for which these types were adapted.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. Yes.

Mr. ROBSION of Kentucky. The gentleman has made a very interesting and instructive speech on this important subject. In view of the safety and the availability of helium and its desirability, what is it that is holding it back?

Mr. LANHAM. That is a very interesting question. Germany, for instance, is now going forward on a larger scale and building even larger dirigibles, to carry on this trade, which they have carried on successfully without accident and without loss of life or injury to a passenger. One thing that is holding us up is that there is no stimulation of commercial aviation in the lighter-than-air field, and no adequate provisions for it in our laws. If in our laws, in our Merchant Marine Act, for instance, the same encouragement could be given to private enterprise to construct commercial airships that is given for carrying ocean mail and the carrying of air mail, then there would be some reason for investment in a project of this character, to promote goodwill and expanded trade in this hemisphere and the other.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. Yes.

Mr. JONES. May I suggest in that connection that the control of helium by the Government is so complete that one has to get special permission to use it for commercial purposes and, therefore, can have no assurance under the present enactment.

Mr. LANHAM. That is correct, and in that connection there is a ban in the law against the exportation of helium. It has to be exported in very small volume with the President's consent; and, interesting in that regard is the fact that it has been discovered that helium mixed with oxygen is very helpful by way of relief to those who suffer from asthma, and we adopted an amendment in this body last year providing that the Government might sell to certain hospitals and authorized physicians quantities of helium that would enable them with their machines to relieve asthma patients, and an objection was made to that by companies producing helium commercially in this country because the Government could sell it at a smaller rate than they could sell it, naturally, because they had to have some profit; but that indicates that private capital is even now operating in the production of helium without any stimulus in our law to give them a desirable market for their output.

Mr. SUTPHIN. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. Yes.

Mr. SUTPHIN. A moment ago the gentleman referred to the construction of dirigibles. Is it not a fact that we changed the construction from the keel method which the Germans used to the ring method?

Mr. LANHAM. I thank the gentleman. There were several changes in construction, and, furthermore—whether there is any truth in it or not I do not know—there was much talk, some of it on the floor of this House, with reference to sabotage in the construction of those dirigibles. Of that I do not know, but I do know that those disasters can be explained, as they have been by Commander Rosendahl on reasonable and plausible grounds, and that the human equation was likely one particular factor leading to them.

Mr. MARTIN of Colorado. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield.

Mr. MARTIN of Colorado. In his extension of remarks, will the gentleman discuss the destruction of the *Shenandoah*, the *Los Angeles*, and the *Macon*, and the bearing of those disasters on the arrested development of airships in this country?

Mr. LANHAM. I shall ask permission to extend my remarks to include a statement made in that regard by Commander C. E. Rosendahl, who is thoroughly familiar, through experience, with this entire matter.

Mr. SUTPHIN. Mr. Chairman, will the gentleman yield further?

Mr. LANHAM. I yield.

Mr. SUTPHIN. Does not the gentleman think it advisable, in view of the fact that the Germans have constructed lighter-than-air ships and operated them successfully, that we might endeavor to secure one by exchanging cotton, of which we have a surplus at the present time?

Mr. LANHAM. By exchange or by purchase or by whatever method may be necessary, if that is the best way to get a practical dirigible, let us do that; but, at any rate, let us not forsake this field, in which we are favored, and in which experience shows it is practical and feasible to make these transoceanic trips. They are now coming to be taken as a matter of fact, going on day in and day out. Why should we sit serenely and supinely by, favored as we are, and let these other nations promote their commercial enterprises to the loss of our natural trade territory? [Applause.]

The CHAIRMAN. The time of the gentleman from Texas [Mr. LANHAM] has again expired.

Mr. WIGGLESWORTH. Mr. Chairman, I yield 30 minutes to the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Chairman, we have before us in Committee of the Whole House the annual appropriation bill for the support of the so-called independent offices. One of the items in the bill is the appropriation for the support of the office known as the General Accounting Office and the Comptroller General and his assistant. If my recollection serves me right, that appropriation calls for the expenditure of approximately $5,300,000. The fact that this item of appropriation for the support of the Comptroller General and the General Accounting Office is contained in this bill perhaps furnishes me an excuse, if not a good reason, to discuss the origin of the Office itself and, having traced that as briefly as I may, discuss its functions, especially in view of the great task that confronts the Congress, looking toward the reorganization of the executive departments of the Government.

During the World War the Government of the United States of necessity grew in its dimensions by leaps and bounds. Nearly all of that growth was for the purpose of meeting the emergency incident to the Great War. The demobilization period consumed the years 1919 and 1920, speaking generally. Demobilization was accomplished in due time, but it became apparent to the Members of the House and Senate of that day that in coming back to normal condition in government, those who were to manage it, including the members of the legislative branch, were bound to find additional complications and ramifications incident not only to some of the lessons learned in the war itself, but incident, perhaps more especially, to the natural growth of the country.

Prior to 1920, dating clear back to the inception of our Government, there had never been made any especially determined effort to see to it that as the Government, in its executive departments, grew from year to year, it grew in systematic and orderly fashion. Accountability for expenditures authorized in the first instance by Congress, was

scattered in pretty nearly all of the departments. Confusion existed; lack of system, and the inevitable waste which comes with an ill-ordered governmental structure. In 1920 the movement for reform achieved great force, and Members of both Houses, looking back over the years, made up their minds that if the Government was to be conducted in orderly fashion from that point on and be put in a position where it could stand the strains which the future might put upon it—of course, the strains are of a financial character principally—it was absolutely necessary to establish a budget system. Several States of the Union had established budget systems prior to that time, but there had been nothing approaching it in the Federal Government.

I think it fair to say that the best minds in both Houses and on each side of the aisle in both Houses, gave their attention to the establishment of a budget system. In 1920 the first effort was made, and a bill was passed establishing the office of Director of the Budget, with duties assigned to him such as you are all familiar with, duties which he still bears. Needless to say, the establishment of that office made it possible for the Congress and the country as a whole to get a better view of the financial condition of the Government; a better view and understanding of the requests for money coming from the Executive, the revenues which might accrue from tax measures, and finally the appropriations made by the Congress itself.

As an integral and essential part of the Budget system, attempted first in 1920, there was established the General Accounting Office and the office of the Comptroller General and Assistant Comptroller General. Around the establishment of the General Accounting Office, and particularly around the establishment of the office of Comptroller General, a considerable controversy took place. The House of Representatives at that time, in passing the Budget bill, provided for the office of Comptroller General, and inserted in the act provisions to the effect that the Comptroller General should be appointed by the President, by and with the advice and consent of the Senate, and should serve until he was 70 years of age, or during good behavior. The bill provided that he might be removed by concurrent resolution of the Congress for malfeasance in office, incompetency, or neglect of duty, or he might be removed through impeachment proceedings.

The Senate accepted the House provision in very large measure, and the bill was passed. Woodrow Wilson was President of the United States at that time. If my recollection is correct, each House of Congress was controlled by a majority of the Republican Party, although the majorities were not heavy.

Mr. Wilson vetoed the bill. In his veto message he expressed his regret that he felt impelled to veto the Budget Accounting Act, acknowledging as he did that it would bring about great reforms and emphasizing the fact that his only reason for vetoing it was on account of the provision in the bill which failed to give him, the Chief Executive, the right to remove the Comptroller General. I think it might be of interest to the Members of the Committee who do me the honor to listen to me if I read a portion of President Wilson's veto message of House bill 9783, sent to the Congress on June 4, 1920. I read an excerpt from the veto message:

> I do this with the greatest regret. I am in entire sympathy with the object of this bill and would gladly approve it but for the fact that I regard one of the provisions contained in section 303 as unconstitutional.

I may interject the observation that President Wilson was referring to the power of removal of the Comptroller General when he used that sentence. He goes on to say:

> The effect of this—

That is, the removal provisions which lodged the power in the Congress——

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. RANKIN. Did the original bill provide that the President might remove the Comptroller General?

Mr. WADSWORTH. No; the original bill provided that the Comptroller General should be appointed by the President, but might be removed only by concurrent resolution of the Congress for malfeasance, incompetency, neglect of duty, or by impeachment proceedings. President Wilson went on to say:

> The effect of this provision is to prevent the removal of these officers for any cause except either by impeachment or concurrent resolution of Congress. It has, I think, always been the accepted construction of the Constitution that the power to appoint officers of this kind carries with it as an incident the power to remove. I am convinced that the Congress is without constitutional power to limit the appointing power and its incident, the power of removal.

President Wilson's message gave rise to a very interesting debate. It was submitted, of course, first to the House of Representatives as the body in which the bill had originated. The gentleman from Iowa, Mr. Good, was chairman of the Committee on Appropriations in those days and had charge of the bill during its passage through this body. It will be remembered that he was a most distinguished man and served in this House for many years, later becoming Secretary of War and, unhappily, dying in office. Mr. Good was one of the persons who took part in the discussion of the President's veto. He said on that day immediately after the message was read:

> I regret more than I can express that the President has thought it necessary to veto the Budget bill. I cannot arrive at any conclusion other than that the legal advice he has received as to the constitutional powers of Congress in this respect is, indeed, faulty. In creating the General Accounting Office and providing for the Comptroller General and Assistant Comptroller General the committee was guided by a single thought; that was, that these two officers should be placed upon a plane somewhat comparable to the position occupied by a Federal judge.

That is, the Comptroller General and the Assistant Comptroller General—

> The positions are somewhat judicial, and it was the opinion of the committee that we should remove them as far as possible from political considerations. It was considered that as to the President's appointment, if it was made a political office, the President would, in all likelihood, appoint someone of his political faith. It is the desire of the committee that that situation should be avoided if possible. There is no decision of the Supreme Court construing a statute such as we have attempted to enact. I think it may be stated—

Said Mr. Good—

> as a general rule that the power given to the President to appoint an officer carries with it the inherent power of removal unless that inherent right or incidental right is taken away by the statute itself; and that is what this Congress intended to do, to take from the President the incidental right of removal and to provide the circumstances and the method of removal.

The course of the debates on that day indicate very clearly that when the Congress sought to create the office of Comptroller General it did not seek or intend to create an executive office. It sought and intended to create an agency of the Congress itself subject to the Congress, responsible to the Congress; and that in case of need the incumbent could be removed by the Congress.

The purpose of the act, as I recollect it—and I had the honor of serving in the Senate at that time and can remember a great deal of the discussion—was to give to Congress better control over the appropriations which it makes from time to time in the matter of seeing to it that they are made in accordance with the views and intent of the Congress; in other words, that the expenditures themselves are legally made.

After considerable debate upon the veto message the question was laid before the House as to whether the veto message should be sustained or be overridden. The vote upon that occasion was 178 to override the veto and 103 to sustain the veto. A two-thirds vote was lacking and the veto was sustained. It is interesting to note the roll call on that veto message. All party lines were forgotten. Democrats and Republicans joined in the debate on the original passage of the bill through the House urging its passage, and joined in the debate incident to the reception of the veto message itself. Remember, of course, that the Republicans

had a slight majority in the House at that time, as I recollect; but the Democratic Party was a powerful minority group, many of whose members were exceedingly prominent in this and other debates and who contributed much to this discussion and its final solution which occurred a year later.

It is not for the purpose of drawing any comparisons or to bring before this committee at this time any partisan consideration that I call attention to the support given to this proposal by the prominent members of the Democratic side of the House at that time on the vote to override the President's veto of the Budget Act.

We find, for example, voting to override, the gentleman from Alabama, Mr. Bankhead, the present distinguished Speaker the House; the gentleman from Texas, Mr. Buchanan, the present chairman of the Committee on Appropriations of this House; the gentleman from Tennessee, Mr. Byrns, the late Speaker and former majority leader of the House. I may mention also the gentleman from Georgia, Mr. Crisp; the gentleman from Alabama, Mr. Huddleston; the gentleman from Texas, Mr. Jones; the present chairman of the Committee on Agriculture; the gentleman from Texas, Mr. Rayburn, the present majority leader of the House; the gentleman from Colorado, Mr. Taylor, who in the last session of Congress was the acting majority leader. I could name many others who, joining with representative Republicans, believed not only in the constitutionality of the bill but in the necessity for its enactment.

Mr. Chairman, this ended the matter in that Congress. In 1921 the agitation was resumed and carried on in much the same spirit as in 1920. In the meantime Mr. Wilson had retired from the Presidency and had been succeeded by Mr. Harding. Again there was a Republican majority in the Senate and in the House, although of not overwhelming dimensions by any means.

The bill was introduced all over again, and, as I recollect it, Mr. Good, of Iowa, had charge of it in the House. It came from the so-called Budget Committee, composed of both Republicans and Democrats. If my recollection is correct it came with a unanimous report.

As this bill passed the House, the Comptroller General was to be appointed by the President, by and with the advice and consent of the Senate, removable by the Congress by a concurrent resolution in practically the same language as contained in the bill of 1920. The House still clung to the life tenure or to the proposition that the Comptroller General should serve until he was 70 years of age or during good behavior.

The Senate committee, headed by the late Senator Medill McCormick, of Illinois, believed that the Comptroller General should serve for 7 years. In other respects throughout the bill there were very, very few differences. The Senate passed the bill with an amendment changing the tenure of office of the Comptroller General.

The bill went to conference, and the conferees of the two Houses compromised and provided that the term of the Comptroller General should be 15 years, but that he should be ineligible for reappointment. The conference report submitted to the two Houses emphasizes the fact that by this device the Comptroller General would still be kept completely independent of executive control or influence. Being ineligible for reappointment, he cares not what any executive officer thinks of him; he cannot be moved by ambition to succeed himself, and, not being removable by an Executive order but only by the Congress, his responsibility to the Congress and his independence from executive control persists.

This bill came before the House in 1921 and the House had a very enlightening debate upon it; more so, perhaps, than upon the veto message of Mr. Wilson. Those who spoke included the Honorable John Nance Garner, of Texas, who insisted that the Comptroller General should be completely independent; Mr. Byrns, of Tennessee, who did the same; Mr. Bankhead, of Alabama, who did the same; Mr. Good, of Iowa, and many others.

So in 1921 there was no partisan division. The leaders on both sides saw the great necessity for establishing a Budget system in the Federal Government, and the further great necessity of establishing as an integral part of the Budget system an independent auditor responsible only to the Congress. The act was passed and was signed by President Harding. The roll call on final passage showed—yeas 335, nays 3. You can thus see the practical unanimity of the action of the Congress at that time.

Of course, I do not know how the present Members of the Congress feel about the passage of that act. I happened to be here at the time, as many of you were. I got the impression at that time—and I have had it ever since—that the passage of the Budget and Accounting Act of 1921 represented the greatest fiscal reform in the conduct of the Government of the United States since its foundation in 1789. I think for the first time it struck at a huge and admitted evil; that is, the wasteful expenditure of the people's money. For the first time it set up a system by which it would be possible for the Congress, as well as the public, to get a clear understanding, if they are willing to study the Budget figures, of the structure of the Government of the United States and the manner in which it spends its money.

Mr. Chairman, the Budget system has continued to the present day. The Comptroller General has performed his function. The first 15-year term has come to an end and the incumbent has left office, not being eligible for reappointment. At the moment an Assistant or Acting Comptroller General is performing the functions of that Office. It has fallen under criticism, and especially criticism from a committee of gentlemen appointed by the President of the United States, who, examining into the structure of our Government and looking toward a better management of the executive departments, have recommended the abolition of the office of Comptroller General and of the General Accounting Office. The President himself made that recommendation, his very own, in his message to the Congress relating to the reorganization of the executive departments.

I am not sure that every Member of the House will agree with me about this, and as I express my views I beg of you to believe I am not expressing them as a partisan, but, rather, as one endeavoring to view the future. Presidents come and go. Congresses come and go. But the bureaucracy goes on forever. We may feel perfectly safe with respect to the legal and proper expenditure of the funds which we appropriate under the guidance of the present occupant of the White House. We may feel perfectly safe with respect to the proper expenditure of the funds under the guidance of the next occupant of the White House. But who can tell in the mutations of politics, the swinging back and forth of public opinion in times of stress, confusion, and hysteria, what the future holds with respect to this great problem? And in the future what shall be the function, the standing, and the power of the legislative branch, and especially of the House of Representatives, in which, according to custom, all appropriation bills of major importance originate and in which, in accordance with the Constitution, all revenue measures must originate?

In 1921 the Congress, glancing toward the future, made up its mind that in the interest of economy and orderly progress it should have an agent of its own to audit the expenditures as made in this vast bureaucracy. To secure the assistance of such an auditor they created this office. They took care to make him absolutely independent of the officials whose expenditures he was to audit.

To my mind, there is a very, very deep and fundamental issue involved in this situation. It is involved not only to those who are concerned about the immediate present but to those who look along the vista of the future. It is proposed now that the office be abolished. It is proposed also that the General Accounting Office be abolished and that there be substituted, if it may be called a substitution, a general auditor, how independent of the several executive departments it is difficult to state, but completely dependent upon the Chief Executive; that he shall conduct what might

be called a post-audit of expenditures made by the disbursing officers of this huge bureaucracy and make a later report to the Congress. He shall not be the agent of the Congress or its representative and shall not be responsible to it in any fashion whatsoever.

Criticisms have been cast at the Office of the Comptroller General, especially by this committee of three, who have charged that the interposition of his functions in what they are pleased to call the executive department of the Government has caused delay and confusion.

Perhaps you will bear with me if I attempt to give in a somewhat sketchy manner, and subject always to correction and elaboration by those who know more about it than I do, some description of just how this thing has been working.

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield 10 additional minutes to the gentleman from New York.

Mr. WADSWORTH. Contrary to the conception entertained by a good many people, the Comptroller General and the Accounting Office today do not possess, as the result of the Budget Act of 1921, the absolute power of preaudit. Many people seem to think that before a disbursing officer of one of the executive departments can disburse money, he must get the audit or permission of the Comptroller General. That is not true. When the Congress makes an appropriation for a certain purpose, and the appropriation or the bill has been signed by the President, the department chief involved begins to study, or perhaps he has already studied, the method and program for spending the money for the purpose intended. Let us say he is the Secretary of Agriculture. When the Secretary of Agriculture has his plans made, he notifies the Treasury Department that the Department of Agriculture is ready to proceed under this appropriation. The Treasury looks up the appropriation and sets out on the books of the Treasury the item of appropriation to the credit of the disbursing officer of the Department of Agriculture; at the same time the General Accounting Office is notified of the readiness of the Secretary of Agriculture to proceed under the appropriation and that office also sets up upon its books this credit to the disbursing officer of the Department of Agriculture.

The disbursing officer of the Department of Agriculture, unless I am very much mistaken, is under bond, and he operates under what is known as a system of accountable warrants. If he disburses money illegally, under this accountable warrant system, he can be held responsible. His bondsmen may be called upon to reimburse the Government for the illegal expenditure and, of course, the system extends out into the field where local disbursing officers are established and they, too, may be held accountable.

With the Comptroller's Office in existence as it has been during the last 15 years, an overwhelming majority of the disbursing officers of the executive departments, and especially the good disbursing officers, have taken every possible means to ascertain in advance whether the disbursement they are about to make is legal under the act of the Congress which made the appropriation. So what do they do? They ask the Comptroller General to give them an opinion, and the Comptroller General examines the statutes, estimates the intent of the Congress, and then informs the disbursing officer that he may or may not disburse the money in the method suggested by the officer.

Of course, this has occasionally given rise to delay, but I want to impress upon you the fact that it has always been the result of the voluntary requests of the disbursing officers addressed to the General Accounting Office to find out whether they can disburse money in a certain fashion or not.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from Mississippi.

Mr. RANKIN. Also, as I understand it, the Comptroller General passes on the question of whether or not the appropriation was authorized by law.

Mr. WADSWORTH. Oh, certainly.

Mr. RANKIN. The whole legality of it.

Mr. WADSWORTH. The whole legality of it is looked into. I think it is to the credit, largely, of the disbursing officers of the Government that they have gone to the Comptroller General to ascertain whether the disbursing of the moneys as planned by some bureau chief is in accordance with the law and the intent of the Congress.

Mr. RANKIN. Mr. Chairman, will the gentleman from New York yield again?

Mr. WADSWORTH. I yield.

Mr. RANKIN. The gentleman from New York made a statement a moment ago that puzzled me somewhat. The gentleman said that if one of these disbursing officers disbursed money that was not authorized by law, he could be sued on his bond and made to repay it. Does that apply where the Congress has passed an appropriation which was not authorized by law?

Mr. WADSWORTH. I cannot answer that question; I do not know.

Mr. ANDRESEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from Minnesota.

Mr. ANDRESEN of Minnesota. Does the gentleman think that in the original act there was an intent on the part of the Congress that there should be a preaudit?

Mr. WADSWORTH. There was not. There is nothing said in the original act about a preaudit.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. The gentleman from New York has stated that the Comptroller can pass on the question of whether or not Congress had the power to appropriate certain money or to pass the act. Has our Comptroller, in the 15 years, had occasion to turn down any act of Congress?

Mr. WADSWORTH. I am not sure that I understood the question of the gentleman from Mississippi. If that was the intent of the gentleman's question, I am, perhaps, in error. I think the Comptroller may not "go behind the returns" with reference to the passage of a bill.

Mr. RANKIN. I was under the impression that the Comptroller General, if we were to pass a law appropriating money for a purpose not authorized, had the right to pass on that disbursement. I may be in error about that.

Mr. WADSWORTH. I am not competent at the moment to pass on that question.

Mr. ROBSION of Kentucky. The gentleman from New York merely asked for information whether the Comptroller General ever turned down an act of Congress.

Mr. RANKIN. I thought the gentleman's question indicated his views in the matter.

Mr. WADSWORTH. No.

Mr. COLDEN. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. COLDEN. May I ask the gentleman from New York whether it is his belief that the Comptroller General has functioned as a representative of the Congress rather than an independent agency? I understood the gentleman to say that the spirit and purpose of the original act was to have a representative of the Congress to pass on these bills. Has he actually functioned in that respect?

Mr. WADSWORTH. I believe so; yes. The Comptroller General in making these rulings upon the request of the disbursing officers has done so as an agent of Congress in protecting the funds. He certainly has not been an agent of the executive department.

The strength of his position is increased by the fact that he is completely independent of the executive department. He is not independent of Congress; he is our servant, our agent. We can remove him any time by concurrent resolution or impeach him.

I am not now saying that his performance has been 100-percent perfect. It has been a tremendous task, and

he has had to move slowly because it was all new. In performing his functions he has protected the funds.

Mr. RANKIN. Will the gentleman yield?

Mr. WADSWORTH. Certainly.

Mr. RANKIN. And he has caused Congress to be more careful in passing upon appropriations not authorized by law?

Mr. WADSWORTH. Yes.

Mr. GIFFORD. Will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. GIFFORD. Many of us have been to the Post Office Department with reference to relief on contracts for star routes. It has been said that they could not do that although they were in sympathy with it because the Comptroller General said that it could not be done. If the Comptroller General were abolished, could not favoritism creep in there?

Mr. WADSWORTH. Yes; I imagine from the nature of the question that the gentleman is in sympathy with me, and I think it would be a tragedy if the Comptroller General were abolished.

(The time of Mr. WADSWORTH having expired, he was given 5 minutes more.)

Mr. MARTIN of Colorado. Will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. MARTIN of Colorado. I have had this situation brought to my attention. In the purchase of marginal lands the legal department of the Department of Agriculture passes on the title and makes an abstract of title. I have had the complaint that after that was done it all had to be turned over to the legal division of the Accounting Office and again another examination involved which has resulted in much delay. I am wondering how much of that duplication exists.

Mr. WADSWORTH. I cannot answer the gentleman but you will always hear complaints from the bureaus about delay. They cannot stand delay one moment in the spending of money.

Mr. RANKIN. Will the gentleman yield?

Mr. WADSWORTH. I will.

Mr. RANKIN. Notwithstanding all the complaints that have been made, with all the spending agencies we have and with the tendency to go beyond the intent of Congress, would it not be a deplorable situation if we were to abolish this position unless we had something to take its place? [Applause.]

Mr. WADSWORTH. Yes. Now, I must conclude in a few moments. Members of the Committee, it is now apparent, whether we like it or not, that the expenditures of the Government of the United States for many years to come will not fall below $7,000,000,000 a year. When this Budget and Accounting Act was passed in 1921, the annual expenses of the Government of the United States were three and one-half billion dollars, on an average.

Already we have doubled that sum, and it is apparent that, in accordance with the views of those now in power, there is to be no cessation, no substantial reduction in expenditures for years to come. Moreover, it is now apparent that the functions of the Federal Government, already multiplied most substantially through this depression, are not to be reduced in number. Many emergency departments or bureaus are to become permanent, if the recommendations of this reorganization committee prevail. The problem becomes more and more immense. A larger percentage of the people's money is being taken out of their pockets and brought to Washington in the form of taxes and then spent. Bureaucracy is growing by leaps and bounds, and when it grows by leaps and bounds and escapes auditing control, managed and governed by the legislative branch, then the legislative branch, just as sure as we are sitting here, becomes a rubber stamp. There is no other end to it.

If the Congress is to surrender its right to audit, through its representative, the expenditures of the money which it appropriates with certain purposes in view, then the Congress has lost once and for all its control of the purse strings. Gentlemen know as well as I do that Anglo-Saxon liberty has been built from the beginning upon the theory that unless the representatives of the people control the purse strings, liberty will not survive. I am not talking about 1936 or 1938 or 1940, if you please. We might get along for a while, but inevitably, in the long run, the legislative branch and especially this House of Representatives must lose caste, lose power, and become subservient, not I venture to say, to a single Chief Executive, but to a vast ever-growing bureaucracy, with its tentacles stretching out into every township in the land, clothed with power from time to time—at its own demand generally—to control the daily life of the citizen and to be free in the exercise of that power. The hope of control lies right here on this floor. The hope of the future in keeping our Government orderly, in conserving the wealth of the Nation, in seeing to it that we do not become abject subjects of a bureaucracy lies in maintaining in our system of government an auditor named by the Congress and responsible to the Congress. [Applause.]

Mr. WOODRUM. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. MAVERICK].

REPUBLICANS OBJECT TO NEW DEAL SPEECH BEING PUT IN RECORD

Mr. MAVERICK. Mr. Chairman, I want to address these remarks also to the Republican side, because they are about the incident that occurred this morning when an address I wished to put into the RECORD was objected to by the gentleman from New York [Mr. WADSWORTH], and another address offered at the same time was not objected to. I have talked to the chairman of the Committee on Printing, who says it is not in violation of any precedent, and he cannot understand why it was objected to.

This is an address by Robert H. Jackson—not the Jackson who is a member of the Democratic National Committee but an entirely different person, who holds probably the highest position in the Attorney General's Department. It is a speech which he delivered to the New York Bar Association, and I shall quote a little of what he said, so that the House can understand what I offer. I shall ask unanimous consent to put it in the RECORD because I believe I am not violating any precedent. It is an important speech that ought to be in the RECORD, far more important than the other speech that was not objected to.

The address by Mr. Jackson, and which was objected to, was delivered at the annual dinner of the New York bar held at the Waldorf-Astoria Hotel on January 29. Speaking of the legal profession, he says:

The profession tonight can scarcely boast of its popularity.

Then, further, he says:

Why does the legalism that guides courts and bar so often find itself in conflict with the views of public leaders such as Jefferson, Jackson, Lincoln, and Theodore Roosevelt; not to mention living leaders who have survived lawyer opposition?

SOME IMPORTANT WORDS SUPPRESSED APPEAR BELOW

Then further:

Other men are known by their fruits. We judge our work only by logic. Congress looks forward to results, the courts look back to precedents; the President sees wrong and remedies, the courts look for limitations and express powers.

The pattern requires the court to go forward by looking backward.

Legal philosophy requires us to consider modern labor relations in terms of precedents made by slave owners, and social security in the light of decisions by men who, if they heard the term, would have thought it means return of fugitive slaves. Our motto is, "No concessions to the times."

MEDICAL AND LEGAL PROFESSIONS COMPARED

Speaking further of lawyers and courts, he says:

Our record is one of fidelity to "fundamentals." Since 1787 the medical profession has changed its treatment of disease from blood letting to blood transfusion. We make no such disrespectful departures from the practice of the fathers.

We do not let the realities of life influence our legal decisions.

WE SHOULD HAVE "LIVING NATIONAL GOVERNMENT"—JACKSON

Again:

Our Constitution is a general outline of great powers and institutions. It is not a legal document.

It was never thought when they spared words in the interest of simplicity that we would reach a point where nothing is lawful unless the Constitution had a word for it.

They set up a living National Government and left the future to fill in much of detail, according to its own experience, its judgment, and its own patriotic purposes. Then the lawyers whittled at it with the rules applicable to private contracts until today you commence study of constitutional law, not with the document but with a long course in interpretation of interpretations.

Mr. Chairman, in presenting this I offer a speech which is very important, made by a high official in the Government of the United States. If he had been a Republican, I would not have objected; and I now ask unanimous consent, with this explanation, that his very able and instructive address be printed in the RECORD.

Mr. SNELL. Mr. Chairman, I make the point of order that that request is not in order in Committee of the Whole.

Mr. MAVERICK. Mr. Chairman, I should like to speak on the point of order. It seems that a great effort is being made to suppress this speech. Are the gentlemen afraid of the truth?

Mr. SNELL. I make the point of order that the request is not in order at this time.

NO OBJECTION TO WIND AND AIR, BUT A GREAT SPEECH, NO! NO! NO!

Mr. MAVERICK. This debate is not confined to the bill. This is general debate, and it is in order, as far as I know. Everything under the sun has been said here today. Because a speech intimates lawyers and courts are not sacred, should it be suppressed? The RECORD is full of many tiresome things. Why should not a good, informative, intelligent, and progressive speech by a high official be inserted?

Mr. MICHENER. Mr. Chairman, I think the Chair recognizes that there is no rule on the matter.

The CHAIRMAN. Will the gentleman again state his point of order?

Mr. SNELL. I make the point of order that it is not in order to make a unanimous-consent request for extension of remarks in Committee of the Whole House. That must be done in the House.

Mr. MICHENER. Mr. Chairman, while there is no rule in the book preventing requests of this kind being granted in the Committee of the Whole, the same as in the House, previous Speakers of the House have established a policy, to which the House has been asked to adhere, that no unanimous consent requests of this nature will be considered in the Committee of the Whole.

POLITICAL PURGATORY AND THE UNION LEAGUE CLUB

Mr. MAVERICK. Very well. I regret very much that I cannot print the whole speech. It seems that the objection is really made upon the ground that the speaker, Mr. Jackson, is a New Dealer, for in the speech to the bar association he said concerning himself:

As the New Dealer on your program, I suppose I represent the "lesser breeds without the law." At least we are so represented at some bar meetings.

And he adds:

It seemed last fall that the American Bar Association identified itself pretty thoroughly with Maine and Vermont. Some people think we need a bar association to represent the rest of the United States. Now that the Union League Club offers itself as a political purgatory for penitent Democrats, there is a chance that the bar will extend absolution to unrepentant ones, and may even bring its liberalism nearer to date than the 1912 "New Freedom" model.

Mr. Chairman, there is nothing that I can do about this objection. If it is objected to, I cannot put the whole speech in; but I must regard the objections made by the Members of the minority as being based upon their opposition to the views of a progressive man. In other words, by the use of the general power in the House of objection, an important speech is withheld from the RECORD in the same manner as Mr. Jackson said in this speech:

Lawyers have tied up many major problems of government in legal doubts.

Thus my hope to get this fine speech in the RECORD, just as the Government has attempted to enact progressive laws, has been prevented by a capricious objection.

RIGID AND UNYIELDING LEGAL PHILOSOPHY

Mr. Jackson says:

Government by litigation has destroyed effective enforcement of public policy. We were once nearly wrecked by the rigid and unyielding legal philosophy which in the Dred Scot decision outlawed the Missouri Compromise.

I regret very deeply that the minority is not willing for this great speech to be printed in the RECORD. I regret that they have kept Members of Congress and the American people from reading the full truth in the CONGRESSIONAL RECORD.

The CHAIRMAN (Mr. LUCAS). The Chair thinks the point of order is well taken. A request for inclusion of matters other than the remarks of the Member is not in order in the Committee of the Whole. The Chair suggests that the gentleman withhold his request until the Committee rises. He may then submit his request to the Speaker.

Mr. MAVERICK. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman's own remarks?

Mr. MAVERICK. Yes, sir.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. WOODRUM. Mr. Chairman, I yield 20 minutes to the gentleman from Kansas [Mr. HOUSTON].

Mr. HOUSTON. Mr. Chairman, under the present terms of title II of the National Housing Act the guaranty by the United States of debentures of the mutual mortgage insurance fund issued by the Federal Housing Administrator in exchange for properties foreclosed under insured mortgages expires as to all mortgages insured on or after July 1, 1937. Should the Congress at this session fail to adopt an amendment to the National Housing Act providing for a continuation of this guaranty, the social and economic consequences to the Nation as a whole would be so widespread and so unfortunate that I wish to place before this House, as briefly and as clearly as I may, the fundamental considerations which, in my opinion, render the enactment of legislation extending this guaranty a vital necessity.

When the National Housing Act establishing the Federal Housing Administration was passed in June 1934, conditions in the building trades bordered on desperation. Home construction in this country had fallen to a point far below the average of the preceding 10 years—less, in fact, than that for any year since the close of the World War. The Nation was approximately 2,000,000 homes short of minimum requirements, and, with a normal increase of at least half a million new homes a year necessary to meet current needs, the number of homes built in 1933 was only some 47,000. Mortgage money was frozen tight, and the year 1933 had seen the Federal Government forced to create the Home Owners' Loan Corporation for the purpose of applying some $3,000,000,000 toward breaking the vicious spiral of deflation, foreclosures, and forced sales which engulfed the real-estate and mortgage markets during the depression years, and which, in the absence of this drastic intervention by the Government, would undoubtedly have wiped out a substantial part of our home-mortgage values.

It was against this background that the National Housing Act was drawn, and the act may be described as no more than a statutory expression of the lessons of this very bitter experience in the field of real-estate and mortgage finance. Over and above the now generally recognized effectiveness with which this legislation has served to meet an immediate emergency by unfreezing mortgage funds, reviving construction activity, and creating employment, its paramount purpose was and is to reestablish on a sound and permanent basis the colossal home-mortgage debt of the country, exceeding $21,000,000,000 in aggregate amount, and thus to prevent the recurrence at any future time of the disaster which overtook the real-estate market in the years 1929 to 1933. To this disaster, as all disinterested observers now know, basic defects in our whole theory and practice of home-mortgage lending, investment, and finance, which are eliminated by title II of the National Housing Act, contributed materially.

In addition to the paramount purpose of the act which I have just stressed, there is, of course, the equally important and correlative purpose of making possible a maximum

contribution on the part of private capital toward a solution of our whole national housing problem.

With the exception of the modernization credit-insurance program of title I, therefore, it is self-evident from its background and context that the National Housing Act was in no sense passed by the Congress as a temporary emergency measure from which the Government could afford to withdraw its interest and support as soon as general economic recovery was restored. The title of the act reads:

To encourage improvement in housing standards and conditions, to provide a system of mutual mortgage insurance, and for other purposes.

I submit, Mr. Chairman, that in the very nature of things the improvement of housing standards and conditions and, to that end, the development and application on an ever-widening scale of a system of mutual mortgage insurance that in the brief period of slightly more than 2 years has conclusively demonstrated both its present effectiveness and its future promise in terms of debt-free home ownership for the average American family of small means, may not be viewed as a transitory emergency effort by any democratic government aware of its responsibilities.

There is another fundamental and frequently unappreciated characteristic of title II of the National Housing Act, namely, that within the framework provided by the law itself and by the regulations issued thereunder by the Federal Housing Administrator the system of mutual mortgage insurance is from first to last one of private-capital operation. The Federal Housing Administration neither lends nor spends Government money under title II. It simply insures the principal of mortgage loans made by approved private-lending institutions in accordance with prescribed conditions. For the insurance protection afforded, an annual premium equal to one-half of 1 percent of the original principal amount of the mortgage insured is charged by the Federal Housing Administrator and paid into the mutual mortgage-insurance fund. In the event of default and foreclosure of an insured mortgage, the insurance is paid by the Federal Housing Administrator through the issuance to the mortgagee of debentures of the mutual mortgage insurance fund in exchange for the conveyance by the mortgagee to the Administrator of the foreclosed property.

In addition to the debentures, the mortgagee receives from the Administrator a certificate of claim representing a principal amount equal to foreclosure costs and all other out-of-pocket expenses properly incurred by the mortgagee in connection with the transaction. The certificate of claim is payable out of such proceeds as may ultimately be realized by the Administrator upon liquidation of the foreclosed property; and in the event that such proceeds are more than sufficient to discharge the certificate in full, any balance remaining is returned to the mortgagor. In one of the few cases of foreclosure of insured mortgages that have occurred to date, it is significant that within a few weeks after taking over the property the Administrator was able to dispose of it at a price which not only entailed no loss to the mutual mortgage insurance fund but also permitted immediate payment of the certificate of claim issued to the mortgagee with the debentures and the return to the mortgagor of a substantial cash equity.

Of a total of 151,758 mortgages accepted for insurance by the Federal Housing Administrator, in an aggregate amount of $609,044,017 as of December 31, 1936, only 12, involving a total principal amount of $50,331.65, have been foreclosed. It is, of course, too early to attempt to predict with even probable accuracy what the foreclosure rate under insured mortgages may be. Actual experience thus far, however, is at least deserving of consideration as a convincing indication that this rate will be substantially less than that contemplated by the loss ratio upon which the actuarial calculations of the adequacy of the mutual mortgage insurance fund were based. In any event, it may be stated with complete assurance that, short of a real-estate and mortgage collapse substantially more drastic than that of the last depression, there is little or no likelihood that the Treasury would be called upon to pay under a guaranty of the debentures of the fund.

Why, then, should not the present guaranty be allowed to lapse on the 1st of next July in accordance with the terms of the original act? The answer is brief and, to my mind, quite as obvious as it is conclusive. For psychological reasons alone, the presence of this guaranty is, and for some time will remain, the keystone of the entire National Housing Act structure. In any insurance enterprise it is elementary that the public confidence required for successful operation can be obtained only by a company of unquestioned solvency, possessing unimpaired capital in an amount reasonably commensurate with the total insurance liability incurred or to be incurred. In setting up the mutual mortgage insurance fund, the Congress, instead of capitalizing the fund outright in an amount commensurate with the $2,000,000,000 volume of business authorized, met this situation by the alternative method of providing a nominal capital of only $10,000,000, supported by a guaranty of the debentures of the fund, applicable to all such debentures which may be issued in exchange for any property foreclosed under a mortgage insured prior to July 1, 1937.

The building up of the mutual mortgage insurance fund through the collection of annual premiums is necessarily a slow process. The original $10,000,000 placed in the fund has already grown to more than $15,000,000, and at the rate at which the Federal Housing Administration is now doing business, an average monthly volume in excess of $40,000,000, it will approximate $20,000,000 by the end of the present fiscal year. Until the fund is in a position, however, to issue a financial statement demonstrating to approved lending institutions that its capital assets are beyond question sufficient to meet all its liabilities, it is only natural that these institutions will place their chief reliance upon the Government guaranty. Because of it, some 7,000 of them are now actively cooperating in the program and have made insured mortgage loans in an aggregate amount rapidly approaching the $600,000,000 mark. Of this amount, more than 70 percent has been made by State and National banks, institutions to which prior to the passage of the National Housing Act investment in long-term amortized home mortgage loans was a more or less unknown and practically impossible venture.

In large measure widespread participation of banking institutions in the insured mortgage program was facilitated by the recognition given in certain provisions of the National Banking Act of 1935 to the importance of the role which banks may properly play in the home mortgage financing field. As a result, through the National Housing Act, there has been directly opened up to the home mortgage market the immense reservoirs of funds embraced by our banking system, funds never before available for this type of financial activity and never more needed than at the present time.

It requires little insight, therefore, to appreciate the results which would necessarily flow from any restriction of the participation of banks in the insured mortgage program or from any impairment whatever of the confidence of mortgage lending institutions, generally, in the soundness and integrity of that program. That such impairment might follow from failure to extend the Government guaranty of debentures of the mutual mortgage insurance fund is no gratuitous assumption, for already banks and other lending institutions are refusing to close new construction loans under Federal Housing Administration commitments to insure because of fear that delays in construction may make it impossible to have the mortgages representing such loans endorsed for insurance before the expiration of the guaranty on July 1.

In addition to the withdrawal from the home mortgage field of the funds available through the banking system, with a consequent decline of new construction activity, as well as disruption of the orderly liquidation and refinancing of millions of dollars' worth of frozen properties now in process, there would also result a revival of all the abuses which in the past have made the home mortgage the bane of lending institutions in times of stress, and the bane of the individual home owner, or purchaser, at all times. It is a fact that cannot be disputed that today the relatively high percentage,

amortized mortgage loan, eliminating the necessity for costly secondary financing, is available to the average citizen of this country only through the mutual mortgage insurance system provided by title II of the National Housing Act.

It is equally beyond dispute that the average family of America with an income of $3,000 or less must forego the possibility of achieving debt-free home ownership unless the long-term, single mortgage, representing up to 80 percent of the appraised value of the property, is made available to it on a sound and secure basis.

In conclusion, Mr. Chairman, I therefore submit that the continuation of the present Government guaranty of the debentures of the mutual mortgage insurance fund under title II of the National Housing Act represents no more than the logical carrying out of the purpose of the Congress in originally enacting such guaranty and until such time as that purpose shall have been fulfilled in fact. The Congress will defeat its own ends if it allows this guaranty to expire. The sole issue presented by this question is simply whether the Congress is willing to deprive the American people of the proven benefits of the insured mortgage program, for the purely bookkeeping reason that there will thereby be eliminated from the books of the United States Treasury a contingent liability so remote that none can plausibly argue that it will ever become actual to any appreciable extent. I therefore urge upon the members of this House earnest consideration and prompt adoption of any measure which may come before us providing for the extension of such guaranty. [Applause.]

I yield back the balance of my time, Mr. Chairman.

Mr. WIGGLESWORTH. Mr. Chairman, I yield myself 12 minutes.

Mr. Chairman, about a year ago I called the attention of the House to a situation apparently prevailing in the radio field, and to the part played by the Federal Communications Commission in this connection. I urged at the time that a thoroughgoing investigation be made of the entire situation.

I rise at this time to renew that recommendation, in the light of evidence recently submitted to the Committee on Appropriations by the Communications Commission. I do so because, if I interpret the evidence correctly, there is, I think, a situation that merits serious consideration on the part of every Member on both sides of the aisle.

I think it was General Weaver, Mr. Chairman, who, half a century ago, in making a colorful campaign for the Presidency of the United States on the Populist ticket, proclaimed throughout the country that unless something was done about monopolies we should one day have a corporation chartered to control our air supply and pipe it to the consumers at so much per gallon.

The prediction at the time, no doubt, seemed somewhat extreme. I submit, however, that the testimony given your committee by the Federal Communications Commission indicates that today we are in sight of a virtual monopoly by the big broadcasting companies of the Nation, with all the possibilities with which we have been familiar in the past in other fields, for the capitalization of that monopoly into earnings and profits, to the detriment of the American people.

I further submit that the evidence indicates, in the absence of further explanation, that the Federal Communications Commission has failed to exercise the regulatory functions contemplated in this connection by the Federal Communications Act.

Under the Communications Act, as you appreciate, Congress undertook specifically to provide against the evils of monopoly. The act provided that no license should be issued for more than 3 years. As a matter of policy, that period, as you know, has been reduced to 6 months. Every licensee is required to apply for renewal every 6 months. Renewal is authorized by law only if proved to be in the public interest.

I call your attention particularly to sections 301 and 310 (b) of the act. Under section 301, the act specifically sets forth its purpose, among other things—

> To maintain the control of the United States over all channels of interstate and foreign radio transmission, and to provide for the use of such channels, but not the ownership thereof, by persons for limited periods of time, under licenses granted by Federal authority.

Under section 310 (b), it is provided that—

> The station license acquired, the frequencies used by the licensee, and the rights therein granted shall not be transferred, assigned, or in any manner voluntarily disposed of * * * unless the Commission shall, after securing full information, decide that said transfer is in the public interest and shall give its consent in writing.

It is perfectly clear, I think, that the Congress intended in this manner to guard against the evils of monopoly, as well as those inherent in trafficking in Federal licenses. Nevertheless, the record indicates that under policies pursued by the Communications Commission virtual monopoly is at hand, the renewal of licenses has become largely a perfunctory matter, and the transfer of licenses has been approved upon terms which, in the absence of further explanation, appear, to say the least, to be without justification.

The Big Three broadcasting companies, Columbia, National, and Mutual, have acquired so many broadcasting stations and licenses that today it appears that, to all intents and purposes, they control all of the 40 clear-channel franchises in the country as well as other highly desirable franchises and stations.

How nearly complete the control must be is suggested by a recent statement by a former member of the Radio Commission to the effect that the Big Three use in their stations some 97 percent of all the full time night broadcasting power authorized by the Communications Commission. I understand, moreover, that no independent full-time station is licensed to operate at night with a power of more than 1,000 watts in contrast to the 165 or more stations controlled or operated by the Big Three, many of which are said to have power of 50,000 watts, one of them having 500,000 watts.

Monopoly is always dangerous. Monopoly of the air—a great medium for public expression—is particularly dangerous. Monopoly in this instance appears to have been facilitated by the virtual assurance of the continued renewal of Federal licenses permitting the capitalizing of presumptive franchise rights just as long-term franchise rights were capitalized in other fields in days gone by.

The record indicates not only that the renewal of licenses has become largely a formality, it indicates also that the Commission has approved the transfer of licenses on terms which appear to be contrary to the public interest and to the intent of the law.

Let me call your attention to tables furnished by the Commission purporting to show a record of all transfers and leases of licenses approved by the Commission since its organization. You will find these tables on pages 370, 376, and 1038 of the committee hearings. Instance after instance appears where the Commission has given its approval to the transfer of a licensed broadcasting station for a consideration far in excess of the replacement cost of the station transferred. Other instances will be found where approval has been given to a transfer in the form of a lease for periods in excess of the original license. Time will not permit detailed analysis. Among other approved sales, however, you will find the following, the replacement value of the station transferred being given in each instance in the first column and consideration paid for the station in the second column:

Replacement value:	*Consideration paid*
$217,000	$1,250,000
$13,500	28,500
$14,000	65,000
$65,000	110,000
$14,000	50,000
$75,000	170,000
$20,000	80,000
$29,000	60,000
$17,000	105,000
$29,000	91,000
$58,000	104,000
$85,000	239,000
$8,000	27,000

You will also find among the leases referred to a lease of a station with a replacement value of less than $500,000 for an annual rental of $219,000 for a period of 7 years; a lease for a period of 10 years with an option of renewal for another 10 years; and in still another instance a lease of a station apparently for a period of 99 years. I am advised that the lessor in certain instances obtains under the terms of the lease not only a fixed rental but also a substantial percentage of the profits realized by the lessee.

Mr. Chairman, if the Federal Communications Commission is in position to justify these transactions, I hope it will do so. I know that it is unnecessary to emphasize the dangers inherent in trafficking in Federal licenses. The practice opens the door to all the scandals which we have known in the past in other fields.

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield myself 5 additional minutes.

It opens up the door to scandals which the Communications Act was intended to eliminate. In the absence of further explanation it is difficult to believe that transfers approved by the Commission have been in the public interest and within the terms of the Communications Act.

The testimony of the Commission appears in the hearings before your committee. I call particular attention to the testimony beginning at page 367. I think it is fair to state that the testimony of those appearing before your committee prior to the submission of the figures referred to clearly indicates either a complete ignorance of facts which should have been within their knowledge or a desire to withhold those facts from your committee. As a matter of fact, the information embodied in the last table furnished, appearing at page 1038, is far from complete. There is reason to believe that a further scanning of the records of the Commission either by the Commission itself or by your committee would be helpful in furnishing additional light.

Mr. Chairman, the very existence of this industry depends upon the grant of a Federal franchise. Under existing policy this franchise is granted as a gratuity. Not a cent is paid by the licensee. The return to the industry as a result of the franchise has been enormous. I have seen the annual income for the past year estimated as amounting to over $100,000,000. In my judgment, the industry can and should, through license fees or otherwise, make a real contribution to the Federal Treasury.

A thoroughgoing investigation would serve to furnish the country with information as to the extent and effects of the monopoly. It would also determine whether the Communications Commission has or has not performed its duties under the Federal Communications Act. It would also serve to determine the charge which may fairly be imposed on the members of the broadcasting industry in return for the franchise granted as a gratuity, which, of course, belongs to the entire American people.

For these reasons, Mr. Chairman, I renew the recommendation of a year ago for a thoroughgoing investigation.

Mr. CONNERY. Will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from Massachusetts.

Mr. CONNERY. My colleague from Massachusetts has made a very interesting statement. I presume from his remarks he is in favor of a resolution which I have submitted calling for a thorough investigation of radio monopoly by a select committee of seven to be appointed by the Speaker of the House?

Mr. WIGGLESWORTH. I am very much in favor of the resolution. I remember that my colleague introduced a similar resolution a year ago having the same purpose in mind.

Mr. CONNERY. As I have stated, the gentleman has made some very interesting statements. Some of the facts he has given I did not know myself. But they only add to the reasons why a thorough investigation should be made by a select committee of this House.

Mr. WIGGLESWORTH. I hope my colleague will succeed in securing the approval of the Rules Committee and having his resolution reported favorably to the House.

[Here the gavel fell.]

Mr. WOODRUM. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. GRISWOLD].

Mr. GRISWOLD. Mr. Chairman, I have a very important matter to discuss in connection with the pending bill. That is the increase in the number of mental cases under the jurisdiction of the Veterans' Bureau and the shortage of beds in veterans' facilities throughout the country.

We have a surplus of beds today in all veterans' facilities, so far as general hospitalization is concerned. That is true so far as TB hospitals are concerned. But today on the waiting list of the Veterans' Bureau there are over 2,800 mental cases that have made application and are unable to get in. These are absolute, bona-fide applications made to the Veterans' Administration by men who should be able to get into these various hospitals. We have in addition to that a constant increase in mental cases over all other cases. In the last 2-year period the mental cases have increased 5 percent, while all other cases have increased only 2 percent.

Mr. Chairman, this condition exists in all States. You have a veteran who is a mental or nervous patient, and you try to get him into a State institution. Your State institutions are loaded and cannot keep pace with the increase in nonveteran cases in the various States, no matter how much they build. The State officials give as their excuse: "This is a veteran. He should be taken care of in a veterans' hospital." They pass the buck back to the Veterans' Administration. I do not know about the rest of the districts, but in certain districts in Indiana as a result we now have veterans in jail waiting because they cannot get hospitalization. The veterans' facility at Marion, Ind., which is the largest of the mental facilities in the United States, has a capacity of 1,500 beds, with every one filled. These beds have been filled for months and years. There are an average of 12 applicants every day that cannot be taken in. Besides there are approximately 12 applicants from the Dayton home that are supposed to be handled and cannot be handled. This makes an average load of 22 cases that cannot be handled in this facility.

Mr. Chairman, this situation exists all over the United States. It is not confined to the State of Indiana. I have some figures, and I want to give them accurately.

On January 1, 1937, we had 4,206 TB veterans. We had available 5,729 TB beds. There is a surplus of beds over patients of 1,523.

We had 12,447 general hospital patients and 15,039 beds, or a surplus of 2,592 beds.

In connection with the mental cases, we had 24,087 patients and 24,436 beds, but there was a waiting list of 2,847. If we added to that the number of 349 beds that they had available and unfilled from some cause, we would still have a shortage of beds for mental cases of 2,498.

In considering this shortage we must also consider that many of these mental hospitals were made over from old soldiers' homes. The buildings are old barracks. They are unfit for the proper handling of mental cases and cannot be used for this purpose unless the barracks are remodeled to take care of mental cases.

Mr. RANKIN. Will the gentleman yield?

Mr. GRISWOLD. I yield to the gentleman from Mississippi.

Mr. RANKIN. There are two ways in which this condition can be relieved. Of course, the gentleman understands that the Veterans' Administration or the Board of Hospitalization has funds with which to make additions to these hospitals. One reason that the mental cases have overrun the supply of beds is that, in the first place, the conditions through which we have passed for the last 4 or 5 years seems to have had a depressing effect on humanity generally. I think it will be found that all mental institutions are crowded today. One of the ways in which we can relieve

the Veterans' Administration is in connection with the congestion of these institutions with what we call misconduct cases.

Somebody back in 1920, in connection with the passage of the original veterans' laws, undertook for the first time in history to penalize what they called misconduct cases and to deny them compensation. Many of them were among the best soldiers we had. Many of them faced the firing lines, and the record shows that as a rule they did their duty. But they are denied compensation. Therefore, the only relief they can get of any kind is in these hospitals. That has caused a great many of these men to go to the hospitals who probably would not go there if Congress did what I think is its duty and repealed the present misconduct clause in the veterans' law. There is a bill pending before the Veterans' Committee, of which I am chairman, which has that for its purpose. I hope to get it through at this session of Congress, so that it may become law and relieve this strain to a great extent.

Mr. GRISWOLD. I agree with the gentleman in his statement in connection with these misconduct cases. If these men were taken care of outside it would relieve the congestion. I have always thought it was unfair because a man had some evidence of the so-called misconduct provisions to keep him out of compensation, even though he may have something else which entitled him to compensation or a pensionable status. The gentleman was in the service. Like Kipling, I do not believe any single man in the Army grows into a plaster saint and I do not believe he should be penalized.

Mr. RANKIN. I believe also a great many disabilities have been attributed to misconduct that should have been attributed to something else.

Mr. GRISWOLD. I agree with the gentleman.

Mr. RANKIN. And if the law is amended to that effect, it will greatly relieve this strain and, probably, relieve it entirely.

Mr. GRISWOLD. I may say, however, to the gentleman and the Members of the House, that until we do something of that sort and until this congestion is relieved, we should think about establishing proper facilities for the great increase in mental cases. We have almost 3,000 on the waiting list now and the number is increasing at the rate of 5 percent. Within the next 4 years we are going to need 6,000 additional beds if we figure it on this basis. Some one in some way looks after the man suffering with a general disability who can go to a general hospital, but these men cannot look after themselves. There are men with dead minds in living bodies who are in jails and in all kinds of institutions where they should not be with the buck being passed from the State government to the Veterans' Administration and the Veterans' Administration not having sufficient facilities to take care of them. I think the Congress should begin to think about the problem and get ready for the future.

Mr. RANKIN. I may say to the gentleman from Indiana I think funds have been provided. I think the Board of Hospitalization has ample funds to make the necessary extensions now under the law we passed 2 years ago.

Mr. GRISWOLD. But I will say to the gentleman that they are not doing it.

[Here the gavel fell.]

Mr. WOODRUM. Mr. Chairman, I yield the gentleman from Indiana 2 additional minutes.

Mr. GRISWOLD. For instance, in this particular facility I am talking about at Marion, Ind., there was appropriated $425,000 in the last bill to build a new clinical building. They tell me that next May they will advertise for bids, which will mean the building will be completed in the next 2 or 3 years, maybe, and yet at this hospital every day there are 22 applicants who cannot get in. These are bona-fide applicants and nobody knows how many would make application if there was any opportunity for them to get in. With the increased load, before the time this building to take care of present needs is completed another building will be necessary.

Mr. RANKIN. May I suggest to the gentleman that he take this up with the Board of Hospitalization and see if they have not the funds to make these additions to this hospital. I think they have.

Mr. GRISWOLD. They may have the funds, but they are not using them, and in addition to that, there are many of these old barracks buildings at the old soldiers' homes not equipped to take care of mental cases. We must consider that in taking care of mental cases they need clinical facilities more than they do in a general hospital or in a TB hospital, for they have the mental condition added to the TB and general condition. They need mess facilities, refrigeration, and all those things, that I will admit make the mental hospital more expensive than the others in original cost of construction but not in its maintenance afterward.

Mr. RANKIN. I may say to the gentleman that we can appropriate the money and authorize its expenditure, but we have no power to make them carry out the program.

Mr. CONNERY. Mr. Chairman, will the gentleman yield?

Mr. GRISWOLD. I yield to the gentleman from Massachusetts.

Mr. CONNERY. Referring to the bill that the chairman of the Veterans' Committee just referred to, doing away with the misconduct clause, if that were passed at this session, would that lighten the load so that enough insane veterans could go into these hospitals without building additional hospitals?

Mr. GRISWOLD. I think that would relieve the load somewhat, but I could not say that it would relieve it sufficiently, because, according to the reports, on January 1, 2,800 more men were on the waiting list, and with this increase of 5 percent that the Veterans' Administration gives me, I do not know whether that would lighten the load sufficiently or not.

Mr. CONNERY. I am in favor of doing away with that misconduct clause; I can tell the gentleman that.

Mr. GRISWOLD. If the load in the mental cases is increasing faster than the general load, and we have a surplusage in one class of hospital and a shortage in the other, then simple arithmetic should teach us that we must increase the capacity for mental cases. The other type of cases seems to have reached the peak.

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. HANCOCK].

Mr. HANCOCK of New York. Mr. Chairman, with the independent offices appropriation bill before us, it is timely to give some consideration to the report of the Brownlow Commission and the President's message of January 12, based on that report, recommending the reorganization of the Federal Government. The report advises that all the independent offices be brought within the jurisdiction of the 12 executive departments.

No one will dispute—certainly no Member of Congress—that our governmental structure is top-heavy, unwieldy, inefficient, and wasteful. Despite the fact that the worst of the depression is past, that Happy Days Are Here Again is sung at every Democratic rally, and that the election is behind us, the Federal pay roll continues to grow. There are 143 separate governmental agencies with 840,000 regular paid employees, and the number is increasing at the rate of 100 daily. These and other equally shocking facts were revealed by the junior Senator from Virginia in a recent radio address.

We have too many legal staffs, too many lending agencies, too many construction offices, too many housing agencies, too many competing, conflicting, and overlapping commissions, bureaus, administrations, and authorities.

Let me give you a single example of bad management that has recently come to my attention. A farmer may borrow money to buy feed for his cow from the Farm Credit Administration, but if he wishes to borrow to feed his chickens he must go to the Resettlement Administration. Can anyone suggest any good reason why the same office should not handle both loans?

Clearly the time is at hand to tear down many of the temporary governmental structures which were badly planned and hastily erected in the last 4 years.

I believe, without having much information on the subject, that there are a number of older commissions that have outlived their usefulness. It is my guess that the various Mixed Claims Commissions, boundaries commissions, and fisheries commissions could be abolished tomorrow and their functions transferred to regular departments of the Government without a ripple on the sea of international relations. On the only occasion I ever had to visit one of the Mixed Claims Commissions no business whatever was being transacted.

There are certain recommendations in the Brownlow report and in the President's message which I regard as highly debatable. The most important of these is the proposal to give "the Executive complete responsibility for accounts and current transactions." That means abolishing the Office of Comptroller General and transferring his duties to some underling in the Treasury Department.

It seems to me that the wisdom of having an independent comptroller, free from political influence or Executive domination, has been convincingly demonstrated in the last 15 years. General McCarl has rendered distinguished service to his country; he has established lofty standards for his office and by a rigid insistence that the letter of the law be obeyed in the expenditure of public funds he has saved this country many millions of dollars.

I do not pretend to be an expert on government—only a humble student. In all the discussions of the "short ballot" for States or municipalities I have ever heard, experts have agreed that the legislative branch, the Chief Executive, and the one who succeeds him in case of death or disability, and the Comptroller should be elected by the people. The Secretary of State, Treasurer, and Attorney General, or those performing comparable services, may safely be appointive officers. The Legislature raises public funds and appropriates them for public purposes, the Executive spends them, and it is the function of the Comptroller to see to it that they are spent according to law.

Congress created the office of Comptroller General about 16 years ago and made a serious effort to free him from every influence that might interfere with the conscientious discharge of his duties. If he is to become a mere assistant or clerk in one of the executive departments, his usefulness will be impaired and the taxpayers will lose a valuable safeguard. It cannot be otherwise.

Another proposal which I think should be carefully weighed is the recommendation that the Interstate Commerce Commission be placed under the control of one of the Cabinet officers, presumably the Secretary of Commerce. In the 50 years of its existence the I. C. C. has steadily grown in prestige and usefulness. It has established itself as one of the most efficient of Government organizations and enjoys public confidence and respect. Its primary function is to protect the public from extortionate or unreasonable railroad rates and shippers from unjust rate discrimination, but we have steadily added fresh responsibilities. Only recently we have given the Commission jurisdiction over busses engaged in interstate commerce and have conferred new authority in connection with railroad reorganizations. I think the day is not far distant when it will have new duties in connection with transportation by air and by water. The Commission is essentially a quasi-judicial body. It is nonpartisan and bipartisan. If it is to maintain its character, the Commission must not be placed under the power of executive officers whether you call them statesmen or politicians.

I feel the same way about the Federal Trade Commission. It, too, is a quasi-judicial body, created originally to combat combinations in restraint of trade and unfair trade practices. The establishment of this Commission was one of the accomplishments of the Wilson administration in which he took the most pride. There was a time, not long since, when the Federal Trade Commission had few friends in this House. Its appropriations were cut down and threats were made to destroy it.

The Commission is now thoroughly established as a useful and necessary organization and plays an important part in the economic life of the country. It is destined to become a quasi-judicial court with still greater powers over the business activities of the United States if present indications mean anything. Last year the Patman-Robinson bill was passed, imposing upon the Federal Trade Commission the duty of preventing price discrimination. Since the demise of the unlamented and unwept N. R. A. the Commission has been busily breaking up combinations in restraint of trade which that legislative monstrosity brought into being. Bills are now pending to revive the N. R. A., or certain parts of it, through the instrumentality of the Federal Trade Commission.

It is equipped to conduct investigations and supply Congress with facts as a basis for legislation. And may I suggest the desirability of basing legislation on facts rather than the policy we have witnessed for the last few years of passing laws in a spirit of gay adventure and vague hope.

The last report of the Federal Trade Commission is worthy of careful reading, and I commend it to you. Since 1933 it has been engaged in 41 lawsuits and has been successful in 40 of them. Contrast that with the record of the Attorney General in his efforts to validate New Deal legislation. During the past year it handled nearly 2,000 cases of unfair competition and through conference, adjustment, and agreement settled nearly all of them without litigation. The offending parties have departed in peace, promising to sin no more.

Mr. RANKIN. Will the gentleman yield?

Mr. HANCOCK of New York. I yield.

Mr. RANKIN. The Federal Trade Commission has redeemed itself by its investigation of the holding companies.

Mr. HANCOCK of New York. Yes; it is now regarded as a valuable instrument of the Government.

Early in his administration the President attempted to destroy the bipartisan, nonpolitical, quasi-judicial character of the Commission by summarily removing Commissioner Humphreys from office. The Supreme Court held in a unanimous decision that the President had no such power, that the Commission was quasi-legislative and quasi-judicial, and a member thereof could only be removed for one of the reasons specified by Congress in the act creating the Commission.

I am not one of those who believe in the control of business by the Government or who denies that a certain amount of regulation is necessary. When abuses appear let us outlaw them, but initiative and competition should always be encouraged. That way lies progress. If courts or quasi-courts are set up to regulate or control the business of this country, I insist as strongly as I can that the men comprising those courts be independent of all Executive and political domination or restraint.

I do not wish to quarrel with the Committee on Appropriations, but it seems to me the funds provided for the I. C. C. and the Federal Trade Commission have not kept pace with the additional burdens placed upon these two bodies. If I were a member of that distinguished and powerful committee I would pursue a liberal policy toward agencies of government which Congress has created to perform essential functions, and I would be as niggardly and miserly as Silas Marner toward the experimental projects of the brain trusters. Hundreds of millions have been spent to no good purpose while regular establishments of the Government have been hampered in their work by lack of funds.

Before we adjourn sine die, some day next July or August, we will be called upon to consider an administration measure to reorganize the Government along the lines of the President's message of January 12. I cannot speak for the Republican Party, but I am reasonably sure that our puny little minority in this House will attempt to protect and preserve the independent status of the Comptroller General, the Interstate Commerce Commission, and the Federal Trade Commission in this and future administrations for the sake of good government. There are undoubtedly many Members on the other side of the aisle—the crowded side—who agree with us in principle. With our united strength perhaps we can succeed. The President now has the 840,000 Federal employees completely under his thumb; he has had

thus far a pliant and subservient Congress. When the judicial bodies are under his control we will have the autocratic form of government against which our ancestors struggled for centuries, by whatever euphemism you describe it.

If the rumor is correct that 250 Members on the majority side have pledged themselves to come along like harmless little sheep whenever the leader crooks his little finger, or if the majority prefer to take orders rather than to exercise the intelligence and independent judgment with which they are endowed, then let us all go home—all except the Speaker and the floor leader. Everything can be passed by unanimous consent or by suspending the rules. There will be no one to object, to say "no", or to make a point of "no quorum." It will only be necessary to keep a clerical staff large enough to handle the mechanics of legislation. But let the Chaplain remain—that is most important—and may he pray for the country as he never prayed before. [Applause.]

Mr. WOODRUM. Mr. Chairman, I yield 20 minutes to the gentleman from Texas [Mr. PATMAN].

REPUBLICANS' POSITION ON SOCIAL SECURITY LAW

Mr. PATMAN. Mr. Chairman, in the CONGRESSIONAL RECORD for January 29, 1937, at page 548, there is a joint statement purporting to be an explanation by Senators VANDENBERG and TOWNSEND and Representatives REED and JENKINS. This statement criticizes the present social-security law and raises a question that I think there will be more discussion about in the next few months and years than about any other question before Congress. I am answering it as an individual Member of Congress. I have no right to speak for the administration or the Democratic Party, and I shall not attempt to do so here. The statement criticizes the present social-security law for two reasons; one, because it does not include farmers and domestic servants, but the principal criticism, obviously from the amount of the statement devoted to it, is because of the enormous reserve fund set up to provide old-age benefits. That law is justified for many reasons, but, if for no other reason, it is justified because of the reserve fund.

TAX-EXEMPT SECURITY QUESTION WILL BE SOLVED

I have heard many persons criticize the issuance of tax-exempt securities. Members get on the floor of the House frequently and say they should not be issued. Many of us oppose the Government's paying interest on its own obligations. We feel that it is a bonus to those who purchase the Government obligations, because usually they are purchased with Government credit, and it is just the Government paying interest on its own obligations purchased through the use of its own credit. This reserve fund will eventually solve both of those questions and I shall tell you how it will solve them.

ALL GOVERNMENT BONDS TO BE OWNED BY THIS FUND

As the fund accumulates and it is increased each year by over half a billion dollars, eventually it will become a sufficient amount to absorb all United States Government bonds. It will bring them in from the banks. The banks are holding 60 percent of our Government obligations today.

Most of the banks have gone out of the banking business. The Government is keeping them up. They are speculating on Government bonds, and have become commercial bookkeepers. They are not in the banking business any more, because they have no incentive to be in that business. As the reserve fund increases and the money used in buying these bonds from the banks, the banks will have to use that money in the channels of trade and production or they will have no earning power. So there will be an incentive for the banks to go back into the banking business. The banks do not like that, they like it as it is, they want the Government to continue to pay them four to five hundred million dollars a year interest on the Government's own obligations, bought with the Government's credit. These obligations can be exchanged at any time for new United States currency through the Bureau of Engraving and Printing here in Washington, D. C.

BITTER FIGHT WILL BE WAGED

The banks like that, and they object to this reserve-fund arrangement and, mark my words, there will be a bitter fight to repeal that section of the law because eventually all these Government bonds will be owned by this reserve fund, and they will be deprived of the opportunity of receiving four hundred million or five hundred million dollars from the Government as they are now receiving annually. We will continue to pay interest on these Government obligations, it is true, but that interest will go to the old people of this country. It will not go to the banks, it will not go to the Government bondholders, but will go to the aged people of the country. We do not object to paying the interest for that purpose, which is perfectly all right, but the people who are benefited by the present arrangement do not like it. They want us to continue to have these bonds, 60 percent of them, in the banks and have us pay the banks four or five hundred million dollars a year interest, and then when we need more money for this reserve account, they think we should appropriate it directly from the Treasury of the United States.

STATEMENT SUGGESTS RESERVE ACCOUNT SHOULD BE SUBSIDIZED LATER SO GOVERNMENT BONDHOLDERS CAN BE SUBSIDIZED NOW AND IN FUTURE

I read to you now from this statement gotten up by the Republican leaders:

> We should not, however, hide the fact that the Federal Government is paying such a subsidy, and we should not finance old-age benefits in such a matter that the subsidy is more than is necessary for the purpose. * * * A Government subsidy bearing part of the cost of the plan will make any such pay-roll tax unnecessary. * * * The Federal Government can afford to pay such a subsidy, since it will not have to pay out of the general fund interest on the $47,000,000,000 old age benefit reserve account.

This statement says it is all right to pay the subsidy at a time when we need it, but we should not do it now; in another way saying, "We want the banks to continue to collect interest on these Government obligations and when we need the money for this fund that will be kept out and paid to the banks we can appropriate it out of the Treasury." That will be fine for the banks, but is it good business? Will it not amount to subsidizing the banks? The present law is the best way to handle it. In that way it solves our tax exempt securities question; it solves the question of the Government paying interest on its own obligations; but these Republican leaders say, "We do not want to do that. We want to continue to let the banks draw this enormous interest, and then when the time comes that we have to have more money for this reserve account, we want that money appropriated out of the Treasury of the United States."

ACCOUNT SHOULD REMAIN AS IT IS

I was hoping that this account would remain as it is. There has never been a man on the floor of this House who has spent more time talking against tax-exempt securities than the gentleman from Pennsylvania [Mr. RICH]. He is anxious to solve this question. The best way to solve it is to keep this reserve account just as it is.

I yield to the gentleman from Pennsylvania.

DAILY BALANCE IN TREASURY

Mr. RICH. Does the gentleman know why the Secretary of the Treasury is carrying in the banks $1,730,782,644.66 as of January 28 and paying the borrowers interest on this money?

Mr. PATMAN. Why does not the gentleman ask me a question about what I am talking about? Why does he want to get off the question? I do not blame the gentleman.

Mr. RICH. The gentleman from Texas is attacking the Republican Party for doing something, and I should like to know why the Democratic Party is carrying this money in the banks today and paying this interest? That is their fault, too.

Mr. PATMAN. I will tell the gentleman what I believe to be one reason why, because the Treasury of the United States today can get money from banks cheaper than they can print the bills at the Bureau of Engraving and Printing. They can get money as low as 10 cents for the use of $100 a

year. Why should they not keep a large account in the banks on a basis like that?

Mr. RICH. The gentleman would not recommend their borrowing this money and paying interest to the banks, would he?

NOT A PENNY HAS BEEN STOLEN BY LEADERS OF THIS ADMINISTRATION, WHO HAVE DISPENSED BILLIONS OF DOLLARS

Mr. PATMAN. That is a question of policy. They are on the inside. They know why. They have a reason for it. Evidently it is a good reason, or they would not do it.

One thing can be said for this administration; with all the billions of dollars that have been spent, that we know about, you cannot trace one penny that has been dishonestly spent by those in charge, not one penny has been embezzled. With an administration having a record like that, the gentleman certainly would not want to accuse them, without any reason on earth, for keeping a large balance when he thinks they should keep a small one.

Mr. RICH. Will the gentleman allow me to reply to that?

Mr. PATMAN. I yield for a question briefly.

Mr. RICH. When Mr. McCarl last year refused to pay $800,000,000 that was spent illegally by this administration, where they had bonded men as paymasters, they came in here with a bill asking that this be approved by the Comptroller General. Will the gentleman tell me why they wanted to come here and do that if it was not illegally spent?

Mr. PATMAN. Ordinarily the gentleman would like to talk about tax-exempt securities. I am now talking about tax-exempt securities, and the gentleman does not want to talk about them at this time.

Mr. RICH. I am against the issuance of tax-exempt securities.

REPUBLICANS PURSUING SAME POLICY

Mr. PATMAN. Because the Republican Party is pursuing a policy of protecting the big interests of this country just as they always have. Right now the Republican Party has become the mouthpiece for the big bankers. The big bankers are squawking about this reserve account. They do not like it. I am surprised that the leaders of the Republican Party in the Senate and in the House would give out a statement denouncing this reserve fund. Of course it is couched in language that would not be discovered very quickly unless you knew something about the history of the social-security law; but, knowing the history and the purposes of the law, we can take the veil off of this statement, and, after we remove the veil, we see it is nothing more in effect than the Republican leaders becoming the mouthpiece for the big Wall Street bankers.

SOLVES TAX EXEMPT SECURITY QUESTION AND ANOTHER MAJOR CONTROVERSIAL QUESTION

I hope they change their tactics and change their policy, because this account is serving two good purposes. As I said, first, it solves the tax exempt security question that the gentleman from Pennsylvania is always talking about when somebody else is talking about something else, because no one objects to paying interest on tax-exempt securities that are in an account owned by the old people, and the interest will go to the old people of this Nation. No one objects to paying that interest. No one objects because they are not taxable. So that solves two issues. Solving the two issues, I am really surprised that the Republican leaders would get themselves into such a trap as this in such a short length of time after an election wherein the expressions of the people were overwhelmingly in favor of the plain people instead of the Wall Street banks.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I will yield to the gentleman if he does not try to change the subject.

WE ALREADY HAVE A LAW TO ELIMINATE TAX-EXEMPT SECURITIES

Mr. RICH. Will the gentleman, or some Member on his side of the House, bring in a bill eliminating future issuance of tax-exempt securities? The gentleman will find that such a bill will have hearty support over here.

Mr. PATMAN. We have such a law. A bill is not needed. It is the law right now; it is the law I am talking about. We are doing away with tax-exempt securities just as rapidly as we can accumulate this fund. The gentleman is trying to destroy the law that will do what he always said he wanted to do. I understand the gentleman is in favor of this statement in the CONGRESSIONAL RECORD.

Mr. RICH. The gentleman is turning a back-somersault right there because he always was against the issuance of tax-exempt securities. So am I.

Mr. PATMAN. I am asking the gentleman if he is in accord with these statements that have been expressed by the Republican leaders? Answer yes or no.

Mr. RICH. I am in favor of stopping the issuance of tax-exempt securities and I will support any legislation to that end.

Mr. PATMAN. I know the gentleman makes that statement, and I feel sure he is sincere about it, but if he really wants to stop them it occurs to me he should be supporting this law, because it is in the direction of doing away with tax-exempt securities.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. GIFFORD. I do not want the gentleman to make a statement unless he can prove it in some degree. The gentleman has said that the large banks have approached Republican leaders——

Mr. PATMAN. I did not say that the large banks had approached the Republican leaders. I am not attacking the gentleman who made this statement, personally. It is not personal. There is a difference of opinion. I do not agree with them. I am giving my opinions and connecting their views up with the Republican Party because they are leaders of that party.

Mr. GIFFORD. The gentleman made a direct statement to that effect.

Mr. PATMAN. No; I beg the gentleman's pardon. The gentleman can get the stenographer's minutes. They will show that I did not make that statement. I certainly did not have any such intention on my mind. My remarks are not intended as a personal attack on anyone.

Mr. GIFFORD. That was the gentleman's assertion.

Mr. PATMAN. I said that I was surprised at the Republican leaders becoming a mouthpiece for the big international and Wall Street bankers; and I am—that they should become their mouthpiece within such a short time after election. After 6 months or a year I would not be surprised, but within a few months I am surprised that they would openly come out and advocate what the New York bankers want which was opposed by the administration.

Mr. GIFFORD. Had the gentleman made that statement I would not have interrupted him, had he said he was surprised; but he said the Republican leaders were approached by the big bankers.

Mr. PATMAN. I am quite sure the gentleman is mistaken. I know the gentleman must be embarrassed about the statement made by those leaders of the Republican Party.

Mr. GIFFORD. No; I am embarrassed for the gentleman, because I might ask him to prove his statement. His surprise——

Mr. PATMAN. I was quite surprised.

Mr. GIFFORD. His surprise was one of these ingenious expressions we have heard of before.

Mr. PATMAN. Mr. Chairman, if the gentleman wants to ask me a question, I will try to answer it.

Mr. GIFFORD. I ask the gentleman to prove his statement.

Mr. PATMAN. I made the statement that I am surprised that the Republican leaders in such a short time after the election would come in here and openly become the mouthpiece of the Wall Street interests; and I am; they have become the mouthpiece of the Wall Street interests.

Mr. GIFFORD. Now the gentleman changes his statement.

Mr. PATMAN. Does the gentleman agree with the statement; yes or no?

Mr. GIFFORD. I disagree. I feel sure no big banker has approached any Republican; no, sir.

Mr. PATMAN. I am not claiming that big bankers approached them. I am telling the effect of the statement. Will the gentleman first answer yes or no? Does he agree with that or not?

Mr. GIFFORD. With the gentleman's original statement I disagree, and I challenge it.

Mr. PATMAN. It was put in the RECORD—Senator VANDENBERG and Senator TOWNSEND in the Senate and the gentleman from New York, Mr. REED, and the gentleman from Ohio, Mr. JENKINS, in the House.

Mr. GIFFORD. If that is the statement to which the gentleman refers, I agree with that.

Mr. PATMAN. I merely stated that I was surprised that these gentlemen would permit themselves to be used for that purpose, that is to help New York bankers get this reserve account changed so that we shall continue to have tax-exempt securities in the future. I am not claiming that big bankers came to see them and got them to do it, but I am saying that the effect of what they have done is to cause the Republican Party to continue as the mouthpiece of big bankers. If the gentleman is in favor of that he is in favor of continuing tax-exempt securities. We have a law on the statute books—the social security law—that will wipe them out and bring about this change. The gentleman seems to think I am making a personal attack on members of his party including himself and the four gentlemen who made the statements. He is mistaken. I am merely disclosing the effect of their advocacy of the repeal of this reserve-account provision.

Mr. GIFFORD. I will answer the gentleman later.

Mr. PATMAN. And the members of the Republican Party are trying to break down that law; trying to get the part repealed that will solve the tax exempt security question and permit all interest paid by the Government on its obligations to go to the old people instead of the banks.

Mr. BOILEAU. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. BOILEAU. How long will it take before tax-exempt securities now issued will be absorbed through operation of the reserve fund?

Mr. PATMAN. About 10 or 15 years, depending on how quickly the fund is increased and how quickly the national debt is reduced.

Mr. BOILEAU. Will it not take longer than that?

Mr. PATMAN. I do not know how long it will take.

I am in favor of so amending the law as to permit securities of States and local political subdivisions to be included after the Government securities are absorbed, that the States and the political subdivisions may have the advantage of a lower rate of interest, that the interest may go to the old people of the country instead of to a few bankers and Government-bond holders.

Mr. BOILEAU. This fund is very slow in accumulating.

Mr. PATMAN. If the gentleman wants to advance it I will be with him, and if it can be safely done I am perfectly willing to advance the fund so as to absorb it more quickly, if practicable and feasible, but I am not in favor of its repeal.

Mr. BOILEAU. Will the gentleman permit me to make one additional observation? I believe we should at the earliest possible date discontinue the policy of issuing tax-exempt securities.

Mr. PATMAN. This will do it.

Mr. BOILEAU. But at a slow pace.

Mr. PATMAN. We could retire the national debt more rapidly but that would cause an increase in taxes. That would be one way to do it. This is the first time in the history of this Government a step has been taken in the direction of stopping these two evils. One is tax-exempt securities, and the other is the Government paying interest on its own obligations to banks and to private individuals. It is a step in the direction of stopping that practice, and now the Republican leadership wants to change the law which provides for the stopping of these evils.

Mr. DIRKSEN. Will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Illinois.

Mr. DIRKSEN. This is a question purely for information. Does the gentleman recall when the social security bill was discussed on the floor of this House the point was ever raised that the cumulative fund was to be used for the purpose of liquidating the outstanding Government debt and reposing it in the reserve account?

Mr. PATMAN. It was considered by me when I was before the committee. I thought it was one of the most important things in the bill. Although I opposed certain features of the bill I was willing to support it in every way because of this feature. It is just as important as social security itself.

Mr. DIRKSEN. Will the gentleman say there was any general discussion which centered around that part of the bill?

Mr. PATMAN. I was not here all the time, so I cannot say. I have not informed myself.

Mr. DIRKSEN. As a matter of opinion and as a matter of information, would the gentleman say it was the opinion and the conception of the Members of the House at that time that this reserve account was going to be used for the purpose ultimately of impounding all of the funded Government debt?

Mr. PATMAN. That was my information at that time.

Mr. DIRKSEN. Would the gentleman say that was the general impression?

Mr. PATMAN. I believe other Members had it in mind. But what difference does it make? If it is a good thing, is not the gentleman for it now just as much as if he had it in mind when the bill was passed? Is the gentleman in favor of this or is he against it?

Mr. DIRKSEN. I do not know as I am in favor of it or against it. I have not paid any attention.

Mr. PATMAN. Has the gentleman read this statement of the Republican leaders?

Mr. DIRKSEN. I know nothing about it.

Mr. PATMAN. Has the gentleman read it?

Mr. DIRKSEN. No.

Mr. PATMAN. Is not the gentleman in favor of paying the interest to the old people of the country instead of paying it to bankers?

Mr. DIRKSEN. If this is a good thing for the country, I am for it.

Mr. PATMAN. Does not the gentleman think it is good for the country?

Mr. DIRKSEN. I will come to that after I go into the matter. But may I bring one thing to the gentleman's attention? He will remember in the language of the social security bill there was a paragraph providing that the provisions of the Second Liberty Loan Act be amended.

Mr. PATMAN. To permit $14,000,000,000 more to be issued.

Mr. DIRKSEN. To permit the issuance of general Government obligations. It was such involved language that without the rest of the Liberty Loan Act being quoted I fancy most of the Members of the House were under a misapprehension.

Mr. PATMAN. I understood it and the gentleman understood it. I do not suppose anyone was fooled.

Mr. DIRKSEN. If it had been the general conception of the membership of this House that is what they were going to do with the general reserve account, there would have been more discussion than there was at that time.

Mr. PATMAN. That was amended for the reason if it became necessary to issue more bonds the bonds could be issued. Of course, the Treasury cannot issue bonds unless permitted to do so. Under the Second Liberty Loan Act there was a limit placed on the amount of bonds to be issued.

[Here the gavel fell.]

Mr. WOODRUM. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. DIRKSEN. Will the gentleman yield further?

Mr. PATMAN. I yield to the gentleman from Illinois.

Mr. DIRKSEN. May I make the observation that if all of the Second Liberty Loan Act had been brought to the attention of the membership of the House, and it had not been necessary to go back and dig it out of the files so that they knew what they were doing and knew there might be a refinancing of the whole funded debt of this Government

through this reserve account, it would have made a tremendous difference in the attitude of the Members of this House.

Mr. PATMAN. I think the Members of this House, just like the gentleman, understood it, and as I understood it. We understood it, so certainly the other Members understood it. We were not on the committee and we understood it; therefore the other Members understood it.

Mr. McCORMACK. Will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Under the provisions of this reserve fund, there is provided a guaranteed interest?

Mr. PATMAN. Of 3 percent.

Mr. McCORMACK. It is only natural to assume that the best investment would be Government bonds?

Mr. PATMAN. Certainly.

Mr. McCORMACK. So without regard to whether it was expressly understood or not expressly understood, one follows the other.

Mr. PATMAN. It is written into the law. The gentleman should read it.

Mr. DIRKSEN. I read it.

Mr. PATMAN. It says first, Government obligations shall be purchased for the fund. That is, direct obligations of the Government. Next, obligations that are guaranteed by the Government may be purchased. Next, the Secretary of the Treasury may issue obligations bearing 3-percent interest to go into that fund. No one has been fooled. So I ask that this reserve account be kept intact, no consideration given to the proposal to repeal it.

IMPORTANT ISSUE

Remember, every effort will be made by those adversely affected to get the reserve-account provision repealed. It must not be repealed. It must remain as it is so all interest paid by the Government on its obligations will go to our old people instead of Government-bond holders.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, we are taking up the first regular appropriation bill during this session of the Congress, which involves appropriations for the independent offices. I call attention of the Members of the House to the fact that we as Members of this House are responsible for the expenditure of the money of the American people. Our responsibility is so great that we as individual Members should assume our share of responsibility.

May I call your attention to the appropriations for this department of Government in 1936? The appropriation for the year 1936 was $805,234,158. The amount appropriated last year for 1937, according to the report, was $879,743,905, or last year, for the independent offices, we increased the amount $74,509,747 over 1936.

Last year we cut from the Budget estimate an amount equal to $47,601,861.

I want to call your attention to what we are doing this year. We now have the pending bill before us, and I may state that the amount we appropriated for the independent offices last year, plus the amount we gave these various agencies in the deficiency bill, amounted to over $1,079,000,000, or $266,000,000 more than the amount asked for in 1936.

Let us see what we are doing this year. The Budget estimate was $1,146,263,000. The appropriations we are making now amount to $1,140,313,398, or we are increasing the amount this year over last year's appropriation by $61,265,982. The committee only cut down the Budget estimate $5,950,000, according to the report of the committee itself.

The chairman of the subcommittee of the Committee on Appropriations made the statement on the floor of the House a year ago, "Budget estimates are one thing and what we appropriate is another." I have a high regard for the chairman of the subcommittee, but I would like to know why they did not cut at least $75,000,000 or $100,000,000 from the Budget estimates this year. This is the question that is in my mind, and this is not all.

I venture the prediction to the Members of the House of Representatives that every appropriation bill that will come before the House this year will be greater in amount than it was a year ago.

What is going to be the result if this is the case? Every one of these appropriation bills are coming in larger and larger, and whose responsibility is it? It is your responsibility and my responsibility. I want to tell the Members of the House that someone must assume the responsibility to cut down Government overhead. Who must assume it? The majority leader, the majority party.

We have heard this afternoon, and we will hear it almost every day, statements made about a reorganization of the Government. No one made a more earnest statement about cutting down Government overhead than the present President of the United States in 1932, when he was running for President. The Democratic platform called for a reduction in the number of Government bureaus and a consolidation of bureaus and departments, but what has been the result? Never in the history of this Nation have we established more bureaus or increased the personnel of the Government in peacetime more than we have during the last 4 years. Now, it is the responsibility of the majority leader of the House of Representatives, and through him the various appropriating committees, and through him the various other committees of the House of Representatives who are in control of the expenditures. He should demand that they come in here with reduced appropriations. It should not only be a request, but a demand, and every Member of the House of Representatives ought to feel that it is his responsibility to carry this out and reduce unnecessary expense, consolidate and abolish many of these Government agencies where they overlap and where they duplicate the work of administering.

After the first of November we heard the statement made by the President that we are increasing so rapidly our Government earnings that we will soon approach a balanced Budget by increased tax receipts. Never in this world will the increased revenue on account of the business increase of this country approach the rapid expenditures that are being made by the House of Representatives and Senate in their appropriation bills. Never will they catch up to each other. If that is the only way we are going to balance our Budget, then it will never be balanced.

If you want to get a balanced Budget, you have got to cut down expenses. You have now over 800,000 employees on the Government pay roll. You have increased this number by leaps and bounds, and the number is increasing every day.

Mr. CURLEY. Mr. Chairman, will the gentleman yield for a question?

Mr. RICH. I yield to the gentleman for a question.

Mr. CURLEY. Does the gentleman know that in 1933, or during the last year of the previous Republican administration, there was a deficit of $3,680,000,000 handed to the incoming Democratic administration?

Mr. RICH. There was a $3,500,000,000 deficit in 4 years, but there has not been a year during the last 4 years of this administration when you have not exceeded that amount of deficit on the average every year. I deplore that fact in each instance—it is nothing to be proud of. So if you wish to harp on the 4 years of Republican administration, the average for each of the last 4 years of the Democratic administration has increased the deficit more than the amount the gentleman has just stated on the average for each year—a fact to be deplored.

Mr. CURLEY. Will the gentleman yield for a further question?

Mr. RICH. I cannot yield any more, because I have so little time. If the gentleman can get me an extension of my time, I will be pleased to yield.

Mr. CURLEY. I simply wanted to remind the gentleman that for 3 long years during that administration we had a deficit all the way through.

Mr. RICH. Yes; they were 3 long years of deficit, but we have had a deficit each year since those 3 years, and each one has been larger and larger, and each year we have gone into the hole deeper and deeper, and each year the way you

are going now you will continue to go deeper and deeper into the red than any 3 years of Republican history.

Let me show you just what you are doing today, and I am quoting from the statements of the Secretary of the Treasury of the United States.

The Secretary of the Treasury, Mr. Morgenthau, is responsible for making up these statements. I am going back to November 1936. I will take November 3. You will recall that a week or so after election the chairman of the Finance Committee of the Senate says we are approaching the balancing of the Budget.

If I do not do another thing this session of Congress I am going to call attention to the daily statement of the Treasury of the United States and let you judge for yourselves what will happen. It is an easy thing for a fellow to come in here at the end of the session and say we went in the hole three billion and a half dollars or $4,000,000,000. No one knows or realizes what it means. It seems to me that in that way you do not get anywhere and I am goin to try another attack and get the statements to you each day and see if that will do any good. See if it will soak in, as it were.

Now, go back to November 3, 1936. We went in the red $25,779,217.

On November 4 the loss to the Federal Treasury between receipts and expenditures was $22,045,300.

On November 5 the loss between receipts and expenditures was $19,254,770.

November 6 the difference between expenditures and receipts was a loss to the Government of $30,562,778.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. RICH. Yes.

Mr. O'CONNOR of New York. Does the gentleman notice how low it was on election day? [Laughter.]

Mr. RICH. Yes; on election day, that was November 3, the loss was $25,779,217. What is there funny about that? It was a Democratic day, and that to me was funny. But it will not always be that way.

Now let us get back to November 7 last. The loss to the United States between receipts and expenditures was $26,854,163.

On November 9 the difference between receipts and expenditures was a loss to the Government of $27,741,228.

Do you gentlemen ever read the statements that come before you? How many of you gentlemen read them every day? Not one. Too bad. Too bad. No wonder you do not take this serious.

Now take November 10. The loss to the Government on that day was $14,991,190.

On November 11 the loss on that day was $12,044,614.

It would seem foolish for me to read these statements; but, since nobody in the House reads them except myself, it seems that it is my duty to call your attention to them, and that is why I am taking this time. It may bear fruit.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. RICH. Yes.

Mr. McCORMACK. I was interested in the loss on election day. Will the gentleman kindly repeat it?

Mr. RICH. It was over $25,000,000.

Mr. McCORMACK. That is in dollars. Was there any other loss on election day not enumerated in the Treasury report?

Mr. RICH. I think when we summarize the thing that happened on election day, 1936, matters will appear in a different light. Someone said to me the other day that 25,000,000 people cannot be wrong. My reply to that was that 25,000,000 people can wreck 125,000,000 people; and when you take account of the stewardship of this administration 4 years hence you will find then and there that the American people had a great loss on November 3, 1936. They will remember it as a sad, sad day. Let me go back here and show you what happened on November 12. There is one day you ought to laugh about. We were only $1,323,296 in the red. November 13 we were $5,594,476 in the hole, and on November 14, $9,145,068. Gradually coming up again, you see, to greater disaster. November 16, $30,515,148 in the red. It ought to cause a sense of shame to come over your faces.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. DIRKSEN. Does the gentleman want a little more time?

Mr. RICH. I think the gentleman better give me more time now because it will save that much time later on, because if nothing happens I hope I can give you these reports daily.

Mr. DIRKSEN. I yield the gentleman 5 minutes more.

Mr. RICH. I want you to realize just what you are doing. On November 17 we were $9,517,962 in the red, and on November 18, $12,919,600 in the red; on November 19, $13,144,010 in the red. You people like red so well I think we ought to get some other color. On November 20, the loss was $16,919,545. I wonder whether there is any member of the Democratic Party here who reads the financial section every day in the newspapers and looks at the statement of the Treasury. You would get some of these figures if you would read the daily papers and then you would see how bad off we are becoming. On November 23, the loss was $13,123,266, and on November 24, $18,548,351. Perhaps some of you do not believe that I am giving you the right figures, and I had better pass a few of these out which I now do and if I am in error you gentlemen can correct me. Now, we will take November 25 and there we had a loss of less than one million, only $985,863.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. RICH. Yes.

Mr. DIRKSEN. Is the gentleman going to put all of these figures in the RECORD?

Mr. RICH. I think it would be wise to let the Members see what is happening to the Federal Treasury and that their responsibility is to stop it.

Mr. DIRKSEN. I was going to make the suggestion to the gentleman that perhaps the RECORD tomorrow ought to be printed in red ink.

Mr. RICH. That would probably be a good thing, and I think it will be if I continue to read the daily statements; they are practically all in the red. I hate to take the time of the Committee, but I think it is so important that it ought to be done, in view of the fact that the genial chairman of the subcommittee made the statement that Budget estimates are one thing and what we appropriate is another. What I want to drive home is I want you to stop these large appropriations. The chairman of this committee can cut this independent offices appropriation bill down 10 percent and no function of the Government will suffer. On the 27th of November the loss was $721,259 and on November 28th, $612,580. You are getting down nearer to my figures when you get down to less than a million dollars. I can comprehend what it is, but when you get up into the millions and the billions I do not think I know what you are talking about, and I am not sure that a majority of the fellows here know what they are talking about, and I think we ought to have an investigating committee to try to stop some of these Government expenditures. November 30 the loss was $16,538,174. Next is December 1—and we are going to get up to Christmas after a while—the loss was $3,220,325.

Mr. PETTENGILL. Mr. Chairman, will the gentleman yield?

Mr. RICH. Yes.

Mr. PETTENGILL. The gentleman is getting into December now, when the days are getting shorter, and it is noticeable that the loss is less.

Mr. RICH. The gentleman will find out when we get to January that it keeps going up again. Here is one for January 28, $7,271,758 in the red; January 25, $8,158,783 in the red. I shall keep you up to date right along; do not worry about that; and one thing I want to know is that very question that I kept asking last year day after day, Where are you going to get the money?

Mr. PETTENGILL. Mr. Chairman, will the gentleman yield?

Mr. RICH. Yes. I will yield for any question that will help solve the problem of cutting Government expenses.

Mr. PETTENGILL. I am very much impressed with the necessity of this Congress sooner or later turning its attention to the very thing the gentleman has been talking about.

Mr. RICH. I feel confident the gentleman from Indiana is of that spirit and temperament. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. RICH] has again expired.

Mr. WOODRUM. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BOLAND of Pennsylvania, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 4064, the independent offices appropriation bill, and had come to no conclusion thereon.

EXTENSION OF REMARKS

Mr. PETTENGILL. Mr. Speaker, I ask unanimous consent to extend my own remarks on Abraham Lincoln and include therein two short quotations, one from Franklin K. Lane and the other from Robert Lincoln O'Brien.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today and to include therein very brief excerpts from an article which I quoted and one or two other pertinent articles.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ANNUAL REPORT OF BOARD OF DIRECTORS OF PANAMA RAILROAD CO.—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Merchant Marine and Fisheries:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the Eighty-seventh Annual Report of the Board of Directors of the Panama Railroad Co. for the fiscal year ended June 30, 1936.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *February 1, 1937.*

NATIONAL PARK TRUST FUND BOARD—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on the Public Lands:

To the Congress of the United States:

In compliance with the requirements of section 6 of the act approved July 10, 1935, creating the National Park Trust Fund Board, I transmit herewith, for the information of the Congress, the report of the Board for the fiscal year 1936.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *February 1, 1937.*

GIFT FROM ANDREW W. MELLON—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 139)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on the Library and ordered printed:

To the Congress of the United States:

I commend to the consideration of the Congress the matter of enacting appropriate legislation to effect the acceptance by the United States of the magnificent gift referred to in my recent exchange of letters with Mr. Andrew W. Mellon. The conditions under which the gift is tendered are set out in the correspondence, copies of which are transmitted herewith.

The works of art thus offered to the Government constitute one of the finest and most valuable collections in existence, containing only objects of the highest standard of quality.

It is with a keen sense of appreciation of the generous purpose of the donor and the satisfaction that comes with the knowledge that such a splendid collection will be placed at the seat of our Government for the benefit and enjoyment of our people during all the years to come that I submit this matter to the Congress.

The Attorney General and the trustees of the Smithsonian Institution have conferred with representatives of the donor and will be glad to discuss the necessary legislation with the appropriate committees.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *February 1, 1937.*

CALENDAR WEDNESDAY

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday be dispensed with this week.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. SNELL. Reserving the right to object, Mr. Speaker, the majority leader has informed me there is not any special business to be considered on Calendar Wednesday this week, but I want to say I am opposed to the general proposition of doing away with Calendar Wednesday. I think there are many pieces of legislation from some of our smaller committees that can much better be considered at that time than by unanimous consent. Today I objected to consideration by unanimous consent of two bills from the Committee on Immigration. I think controversial matters of that character and of quite far-reaching character should be given reasonable consideration on the floor. The only way it can be done is by maintaining Calendar Wednesday.

I shall not object at this time if it is the desire of the majority leader to dispense with it this week.

Mr. RAYBURN. Mr. Speaker, I wish to state that I quite agree with the gentleman from New York that when we get into the session and get reports from the various committees, Calendar Wednesday should not be dispensed with. I am as much in favor of protecting Calendar Wednesday as anyone, but there are many committees which have no reports at this time.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. SPENCE (at the request of Mr. MAY), on account of illness.

To Mr. SCOTT, indefinitely, on account of illness.

To Mr. O'CONNOR of Montana (at the request of Mr. CLARK of Idaho), indefinitely, on account of illness.

To Mr. MOSER of Pennsylvania (at the request of Mr. HAINES), for 2 days, on account of illness.

To Mr. MILLARD (at the request of Mr. HANCOCK of New York), on account of illness.

To Mr. MAAS, indefinitely, on account of illness.

To Mr. FITZGERALD (at the request of Mr. CITRON), for today, on account of illness.

To Mr. BINDERUP, for today, on account of illness.

To Mr. ALESHIRE (at the request of Mr. LAMNECK), indefinitely, on account of illness.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 62. An act to extend the times for commencing and completing the construction of a free highway bridge across the Missouri River at or near Atchison, Kans.; to the Committee on Interstate and Foreign Commerce.

S. 110. An act for the relief of Fred M. Munn; to the Committee on Military Affairs.

S. 115. An act to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed

and those associated with him in the discovery of the cause and means of transmission of yellow fever", approved February 28, 1929, by including therein the name of Gustaf E. Lambert; to the Committee on Military Affairs.

S. 223. An act for the relief of Benjamin H. Southern; to the Committee on Military Affairs.

S. 293. An act for the relief of Charles Wilson; to the Committee on Military Affairs.

S. 295. An act to authorize the award of a decoration for distinguished service to John C. Reynolds; to the Committee on Military Affairs.

S. 974. An act to create the Capital Auditorium Commission; to the Committee on Public Buildings and Grounds.

ADJOURNMENT

Mr. WOODRUM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 13 minutes p. m.), the House adjourned until tomorrow, Tuesday, February 2, 1937, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

317. A letter from the Secretary of War, transmitting a draft of a bill to authorize exchange of lands at military reservations, and for other purposes; to the Committee on Military Affairs.

318. A letter from the Secretary of War, transmitting the draft of a bill to authorize the procurement, without advertising, of certain War Department property, and for other purposes; to the Committee on Military Affairs.

319. A letter from the Secretary of War, transmitting a draft of a bill to authorize the Attorney General to settle outstanding claims against Chapman Field, Fla., and for other purposes, which the War Department presents for the consideration of the Congress with a view to its enactment into law; to the Committee on Claims.

320. A letter from the Secretary of the Navy, transmitting a list of contracts entered into December 31, 1936, for scientific equipment which have been designated for exemption by the Secretary of the Navy; to the Committee on Naval Affairs.

321. A letter from the Chairman, Federal Trade Commission, transmitting the latest report on the textile industries and the press statement; to the Committee on Interstate and Foreign Commerce.

322. A letter from the president, Capital Transit Co., transmitting a report covering the operations of the Capital Transit Co. for the calendar year 1936, with balance sheet as of December 31, 1936; to the Committee on the District of Columbia.

323. A letter from the President of the United States Civil Service Commission, transmitting a report of the overtime services rendered by employees in the executive civil service for the period beginning July 1, 1936, and ending December 31, 1936; to the Committee on the Civil Service.

324. A letter from the chairman, District of Columbia Commissioners, transmitting the Annual Report of the District of Columbia Unemployment Compensation Board for the calendar year ending December 31, 1936; to the Committee on the District of Columbia.

325. A letter from the president, Potomac Electric Power Co., transmitting a report of the Potomac Electric Power Co. for the year ended December 31, 1936; to the Committee on the District of Columbia.

326. A letter from the president, Washington Railway & Electric Co., transmitting a report of the Washington Railway & Electric Co. for the year ended December 31, 1936; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. WOODRUM: Committee on Appropriations. H. R. 4064. A bill making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1938, and for other purposes; without amendment (Rept. No. 165). Referred to the Committee of the Whole House on the state of the Union.

Mr. DOUGHTON: Committee on Ways and Means. House Joint Resolution 96. Joint resolution to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended; without amendment (Rept. No. 166). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 4056) granting a pension to Orla T. Pletcher; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 4055) granting a pension to Elizabeth Walker; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 4054) granting a pension to Margaret O. Hoffer; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WOODRUM: A bill (H. R. 4064) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1938, and for other purposes; to the Committee on Appropriations.

By Mr. BARRY: A bill (H. R. 4065) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. CALDWELL: A bill (H. R. 4066) to authorize an appropriation for the construction of various projects at Fort Barrancas, Fla.; to the Committee on Military Affairs.

By Mr. CHURCH: A bill (H. R. 4067) to provide for the establishment of a Coast Guard station on the shore of Illinois, at or near Montrose Harbor, Cook County, Chicago; to the Committee on Merchant Marine and Fisheries.

By Mr. COLMER: A bill (H. R. 4068) to amend the Social Security Act with respect to grants to States for old-age assistance; to the Committee on Ways and Means.

By Mr. CONNERY: A bill (H. R. 4069) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. DEROUEN: A bill (H. R. 4070) to change the designations of the Abraham Lincoln National Park, in the State of Kentucky, and the Fort McHenry National Park, in the State of Maryland; to the Committee on the Public Lands.

By Mr. DIMOND (by request): A bill (H. R. 4071) relative to annual labor on mineral claims in the Territory of Alaska; to the Committee on Mines and Mining.

By Mr. GEARHART: A bill (H. R. 4072) to amend section 601 of the Revenue Act of 1932, as amended, to provide for an excise tax on egg products; to the Committee on Ways and Means.

Also, a bill (H. R. 4073) to amend subsection 14 of section 203 (a) of the Motor Carrier Act, 1935; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 4074) to amend subsection 9 of section 203 (a) of the Motor Carrier Act, 1935; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 4075) for the relief of soldiers who were discharged from the United States Army during the Indian campaigns because of misrepresentation of age; to the Committee on Military Affairs.

By Mr. HENDRICKS: A bill (H. R. 4076) to amend the act entitled "An act to authorize the Secretary of Commerce

to dispose of certain portions of Anastasia Island Lighthouse Reservation, Fla., and for other purposes", approved August 27, 1935, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HILL of Alabama (by request): A bill (H. R. 4077) to change the name of the Chemical Warfare Service; to the Committee on Military Affairs.

Also (by request), a bill (H. R. 4078) to increase the extra pay to enlisted men for reporting; to the Committee on Military Affairs.

Also (by request), a bill (H. R. 4079) to authorize the sale, under the provisions of the act of March 12, 1926 (44 Stat. 203), of surplus War Department real property; to the Committee on Military Affairs.

Also (by request), a bill (H. R. 4080) to repeal an act of March 3, 1933, entitled "An act to provide for the transfer of powder and other explosive materials from deteriorated and unserviceable ammunition under the control of the War Department to the Department of Agriculture for use in land clearing, drainage, road building, and other agricultural purposes; to the Committee on Military Affairs.

Also (by request), a bill (H. R. 4081) to authorize the sale of surplus War Department real property; to the Committee on Military Affairs.

Also (by request), a bill (H. R. 4082) to amend Articles of War 50½ and 70; to the Committee on Military Affairs.

By Mr. McCORMACK: A bill (H. R. 4083) to prohibit statements and publications advocating overthrow of the Government by violence, and for other purposes; to the Committee on the Judiciary.

By Mr. PALMISANO: A bill (H. R. 4084) to regulate the speed of motor vehicles shipped or operated in interstate commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RUTHERFORD: A bill (H. R. 4085) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. RAMSAY: A bill (H. R. 4086) to authorize an appropriation to reimburse certain persons for expenses incurred in connection with the formation of local organizations of the National Industrial Recovery Administration; to the Committee on Claims.

By Mr. WELCH: A bill (H. R. 4087) to reduce by 100,000 the number of 50-cent pieces authorized to be coined in celebration of the opening of the San Francisco-Oakland Bay Bridge, and to authorize the coinage of not to exceed 100,000 50-cent pieces in celebration of the opening of the Golden Gate Bridge; to the Committee on Coinage, Weights, and Measures.

By Mr. WITHROW: A bill (H. R. 4088) to amend an act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine", approved August 2, 1886, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. WOLCOTT: A bill (H. R. 4089) to amend subsection 10 of section 4 of the act of June 29, 1906 (34 Stat., 596 U. S. C., title 8, sec. 377); to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 4090) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. CROSBY: A bill (H. R. 4091) to provide for the restoration, preservation, and maintenance, as historic naval relics, of the U. S. S. *Wolverine* and flagship *Niagara* now located at Erie, Pa., and making an appropriation therefor; to the Committee on Naval Affairs.

By Mr. RANKIN: A bill (H. R. 4092) to amend title III, World War Veterans' Act, 1924, as amended; to the Committee on World War Veterans' Legislation.

By Mr. ARENDS: A bill (H. R. 4093) to amend section 5 of title I of the act entitled "An act to maintain the credit of the United States Government", approved March 20, 1933; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 4094) to provide service connection of certain diseases in the case of the World War veterans; to the Committee on World War Veterans' Legislation.

By Mr. BUCHANAN: A bill (H. R. 4095) to provide for the classification of cotton by grade and staple for producers, to furnish farmers timely information on market supply, demand, location, conditions, and market prices for cotton, and for other purposes; to the Committee on Agriculture.

By Mr. BYRNE: A bill (H. R. 4096) granting the consent of Congress to any two or more States to enter into agreements or compacts for cooperative effort and mutual assistance in the preservation of wildlife resources; to the Committee on the Judiciary.

By Mr. CLASON: A bill (H. R. 4097) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. RANKIN: A bill (H. R. 4098) to extend the filing date under section 500, Public Law 844, Seventy-fourth Congress; to the Committee on World War Veterans' Legislation.

By Mr. CONNERY: A bill (H. R. 4099) to amend existing laws to provide compensation of $10 per month, in addition to that otherwise provided, for disability resulting from wounds, gas, or injury, incurred in action involving actual combat; to the Committee on Pensions.

By Mr. McFARLANE: A bill (H. R. 4100) to increase the revenues, and for other purposes; to the Committee on Ways and Means.

By Mr. MARTIN of Massachusetts: A bill (H. R. 4101) to provide for a 2-cent rate on first-class mail matter for delivery within a municipality or township; to the Committee on Ways and Means.

By Mr. CASE of South Dakota: A bill (H. R. 4102) to insure the maintenance of orderly local government; to the Committee on Banking and Currency.

Also, a bill (H. R. 4103) authorizing the Reconstruction Finance Corporation to purchase the obligations of public-school districts to enable them to pay teachers' salaries, and for other purposes; to the Committee on Banking and Currency.

By Mr. BUCHANAN: A bill (H. R. 4104) to authorize the Secretary of Agriculture to make surveys of representative farm areas each year in each State for the purpose of obtaining and publishing information upon the economic condition of agriculture throughout the United States, and for other purposes; to the Committee on Agriculture.

By Mr. CLARK of Idaho: A bill (H. R. 4105) to add certain lands to the Cache National Forest; to the Committee on the Public Lands.

By Mr. CULLEN: A bill (H. R. 4106) to provide for the conveyance of certain property to the city of New York; to the Committee on Public Buildings and Grounds.

By Mr. KENNEY: A bill (H. R. 4107) to provide for the creation of a commission to examine into and report the clear height above the water of the bridge authorized to be constructed over the Hudson River from a point between Fifty-seventh Street and Seventy-second Street, New York, to New Jersey, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RANDOLPH (by request): A bill (H. R. 4108) to regulate the election of delegates representing the District of Columbia to national political conventions; to the Committee on the District of Columbia.

By Mr. ROBERTSON: Resolution (H. Res. 97) to provide funds for the committee authorized by House Resolution 11; to the Committee on Accounts.

By Mr. GIFFORD: Resolution (H. Res. 98) requesting the Secretary of Agriculture to transmit certain information to the House of Representatives; to the Committee on Agriculture.

Also, resolution (H. Res. 99) requesting the Secretary of Agriculture to transmit certain information to the House of Representatives; to the Committee on Agriculture.

Also, resolution (H. Res. 100) requesting the chairman of the Social Security Board to transmit certain information to

the House of Representatives; to the Committee on Ways and Means.

Also, resolution (H. Res. 101) requesting the Secretary of Agriculture to transmit certain information to the House of Representatives; to the Committee on Agriculture.

Also, resolution (H. Res. 102) requesting the Secretary of Agriculture to transmit certain information to the House of Representatives; to the Committee on Agriculture.

Also, resolution (H. Res. 103) requesting the Secretary of Commerce to transmit certain information to the House of Representatives; to the Committee on Banking and Currency.

Also, resolution (H. Res. 104) requesting the Secretary of Labor to transmit certain information to the House of Representatives; to the Committee on Labor.

By Mr. CANNON of Wisconsin: Resolution (H. Res. 105) to investigate the charges made against and the confirmation of the members of the United States Supreme Court; to the Committee on Rules.

By Mr. FISH: Joint resolution (H. J. Res. 179) to call a conference of all the signatories of the Briand-Kellogg peace pact at Washington; to the Committee on Foreign Affairs.

By Mr. CELLER: Joint resolution (H. J. Res. 180) authorizing the selection of a site and the erection of a pedestal for the Albert Gallatin statue in Washington, D. C.; to the Committee on the Library.

By Mr. SHANLEY: Joint resolution (H. J. Res. 181) to amend the Neutrality Act of 1935 (Public Res. No. 67, 74th Cong., 1st sess.), approved August 31, 1935, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SECREST: Joint resolution (H. J. Res. 182) to appropriate an emergency fund for the repair of public roads and streets in the flood devastated areas; to the Committee on Appropriations.

By Mr. KELLER: Joint resolution (H. J. Res. 183) authorizing the selection of a site and the erection of a pedestal for the Albert Gallatin statue in Washington, D. C.; to the Committee on the Library.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the State of Missouri, memorializing the Congress of the United States to enact a Federal law to eliminate competitive bidding on star mail routes, and for other purposes; to the Committee on the Post Office and Post Roads.

Also, memorial of the State of Missouri, Jefferson City, Mo., offering a resolution which was adopted by the Senate and House of Representatives of the Fifty-ninth General Assembly of Missouri; to the Committee on Apropriations.

Also, memorial of the Legislature of the State of Oklahoma, memorializing the President of the United States and the Congress to consider their House Concurrent Resolution No. 2 dated January 15, 1937; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of Oklahoma, memorializing the President of the United States and the Congress in the matter of continuing to make such loans and grants as have been made heretofore; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of Oklahoma, memorializing the President of the United States and the Congress in the matter of continuing to make such loans and grants as have been afforded this State since the inception of this administration in 1933; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN of Illinois: A bill (H. R. 4109) granting an increase of pension to Catherine J. Rodden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4110) granting an increase of pension to Harriet L. Scribner; to the Committee on Invalid Pensions.

By Mr. ARENDS: A bill (H. R. 4111) authorizing the President to reinstate Byron E. Shirley as a captain of Cavalry, United States Army; to the Committee on Military Affairs.

By Mr. BATES: A bill (H. R. 4112) for the relief of Kenneth J. Paul; to the Committee on Naval Affairs.

By Mr. BREWSTER: A bill (H. R. 4113) to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. Ralph Charles Stuart; to the Committee on the District of Columbia.

By Mr. BYRNE: A bill (H. R. 4114) granting an increase of pension to Catherine Magilton; to the Committee on Invalid Pensions.

By Mr. CHURCH: A bill (H. R. 4115) for the relief of Roy M. Young; to the Committee on Claims.

Also, a bill (H. R. 4116) for the relief of Joseph Connor McGurn; to the Committee on Claims.

Also, a bill (H. R. 4117) granting the Distinguished Service Medal to Albert W. J. Johnsen; to the Committee on Military Affairs.

Also, a bill (H. R. 4118) for the relief of Bridget Della Cawley Ebbole; to the Committee on Immigration and Naturalization.

By Mr. FLETCHER: A bill (H. R. 4119) granting a pension to Mary Sacks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4120) granting an increase of pension to James E. Walker; to the Committee on Pensions.

By Mr. CLARK of Idaho: A bill (H. R. 4121) for the relief of James J. Jordan; to the Committee on Military Affairs.

By Mr. COLE of New York: A bill (H. R. 4122) granting an increase of pension to Carrie L. Fay; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4123) granting an increase of pension to Mary L. Paddock; to the Committee on Invalid Pensions.

By Mr. CONNERY: A bill (H. R. 4124) for the relief of Philip F. Haley; to the Committee on Naval Affairs.

Also, a bill (H. R. 4125) for the relief of Leo E. Goodrich; to the Committee on Military Affairs.

Also, a bill (H. R. 4126) for the relief of William J. B. Hughes; to the Committee on Naval Affairs.

Also, a bill (H. R. 4127) for the relief of Jacob Labovitz; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 4128) for the relief of Joseph H. Higgins; to the Committee on Naval Affairs.

Also, a bill (H. R. 4129) for the relief of Edward M. Holian; to the Committee on Naval Affairs.

Also, a bill (H. R. 4130) for the relief of Frank Hansen; to the Committee on Naval Affairs.

Also, a bill (H. R. 4131) for the relief of Daniel Joseph Hartie; to the Committee on Naval Affairs.

Also, a bill (H. R. 4132) for the relief of Francesco Sapienza; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 4133) granting a pension to Mary P. Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4134) granting a pension to Bridget Honohan; to the Committee on Pensions.

By Mr. CROWE: A bill (H. R. 4135) granting an increase of pension to George W. Weekly; to the Committee on Pensions.

Also, a bill (H. R. 4136) granting a pension to Earl R. La Master; to the Committee on Pensions.

By Mr. CURLEY: A bill (H. R. 4137) for the relief of Mario Sigismondo Nascinovich and his wife, Vittoria Nascinovich; to the Committee on Immigration and Naturalization.

By Mr. GEARHART: A bill (H. R. 4138) for the relief of George Miller, Jr.; to the Committee on Claims.

Also, a bill (H. R. 4139) for the relief of Mae B. Miller; to the Committee on Claims.

Also, a bill (H. R. 4140) for the relief of John H. D. Wherland, alias Henry Lowell; to the Committee on Military Affairs.

Also, a bill (H. R. 4141) for the relief of Dennis H. Sullivan; to the Committee on Military Affairs.

Also, a bill (H. R. 4142) for the relief of Fred E. Shaffer; to the Committee on Naval Affairs.

Also, a bill (H. R. 4143) for the relief of Charles Barchard; to the Committee on Military Affairs.

Also, a bill (H. R. 4144) for the relief of Emil Zumbrunn; to the Committee on Military Affairs.

Also, a bill (H. R. 4145) for the relief of Virgil Rose; to the Committee on Claims.

By Mr. GINGERY: A bill (H. R. 4146) granting a pension to Sarah E. Kennedy White; to the Committee on Invalid Pensions.

By Mr. GREEN: A bill (H. R. 4147) for the relief of L. S. Oliver; to the Committee on Claims.

By Mr. GRISWOLD: A bill (H. R. 4148) granting a pension to George W. Worden; to the Committee on Pensions.

By Mr. IZAC: A bill (H. R. 4149) for the relief of Consolidated Aircraft Corporation; to the Committee on Claims.

Also, a bill (H. R. 4150) for the relief of Consolidated Aircraft Corporation; to the Committee on Claims.

By Mr. KELLER: A bill (H. R. 4151) for the relief of Ernest Grover Jones and Mayme Jones; to the Committee on Claims.

By Mr. KELLY of New York: A bill (H. R. 4152) granting an increase of pension to Johanna Wettengel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4153) granting an increase of pension to Sarah Elizabeth Miner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4154) granting an increase of pension to Martha M. Bryant; to the Committee on Invalid Pensions.

By Mr. LARRABEE: A bill (H. R. 4155) for the relief of Ruth Bronnenberg; to the Committee on Claims.

Also, a bill (H. R. 4156) for the relief of George R. Brown; to the Committee on Claims.

Also, a bill (H. R. 4157) for the relief of Arthur Witte; to the Committee on Claims.

Also, a bill (H. R. 4158) granting an increase of pension to Frances A. Bruce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4159) granting an increase of pension to John G. Heck; to the Committee on Pensions.

Also, a bill (H. R. 4160) granting a pension to Charles H. Mattingly; to the Committee on Pensions.

Also, a bill (H. R. 4161) granting a pension to Mary M. Osborn; to the Committee on Pensions.

Also, a bill (H. R. 4162) granting a pension to Jessie Baker Pearson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4163) granting a pension to Mary Roberts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4164) for the relief of Thomas A. Ryland, also known as Thomas Ryland; to the Committee on Military Affairs.

Also, a bill (H. R. 4165) granting a pension to Nellie M. Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4166) for the relief of Robert E. Wallace; to the Committee on Naval Affairs.

Also, a bill (H. R. 4167) for the relief of Thomas B. Wikoff; to the Committee on Military Affairs.

By Mr. LEA: A bill (H. R. 4168) for the relief of Paul Little; to the Committee on Military Affairs.

By Mr. McCORMACK: A bill (H. R. 4169) to carry out the findings of the Court of Claims in the case of the Atlantic Works, of Boston, Mass.; to the Committee on Claims.

Also, a bill (H. R. 4170) to carry out the findings of the Court of Claims in the case of the United Iron Works; to the Committee on Claims.

By Mr. McFARLANE: A bill (H. R. 4171) granting a pension to D. H. Waide; to the Committee on Pensions.

By Mr. MARTIN of Massachusetts: A bill (H. R. 4172) for the relief of James H. Smith; to the Committee on Claims.

By Mr. PALMISANO: A bill (H. R. 4173) for the relief of the Marocco Construction Co., Inc.; to the Committee on Claims.

Also, a bill (H. R. 4174) for the relief of Salvatore Boucino (also known as Salvatore Bucino and Salvatore Buccino); to the Committee on Immigration and Naturalization.

By Mr. POWERS: A bill (H. R. 4175) for the relief of Maxwell S. Turner; to the Committee on Claims.

By Mr. REILLY: A bill (H. R. 4176) to correct the naval record of John Raab; to the Committee on Naval Affairs.

By Mr. SNELL: A bill (H. R. 4177) granting an increase of pension to Martha Vroman; to the Committee on Invalid Pensions.

By Mr. SNYDER of Pennsylvania: A bill (H. R. 4178) granting an increase of pension to Cora Ellen Smith; to the Committee on Invalid Pensions.

By Mr. THURSTON: A bill (H. R. 4179) granting a pension to Margaret E. Duckworth; to the Committee on Invalid Pensions.

By Mr. VINSON of Georgia: A bill (H. R. 4180) for the relief of Oscar M. Williamson; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

167. By Mr. BUCKLER of Minnesota: Petition of V. J. Sauer, chairman, and G. H. Farnham, secretary, of the Becker County Petroleum Industries Committee, both of Detroit Lakes, Becker County, Minn., praying that their State Senators and Representatives be requested to oppose all added taxes on the motorists and business concerns handling motoring necessities, and support measures intended to equalize Minnesota taxes on these products and individuals with that of the average prescribed for the State, to the end that this class of Minnesota citizens and businessmen will not continue to be penalized; to the Committee on Interstate and Foreign Commerce.

168. By Mr. COLDEN: Resolution approved by the forest advisory committee of Santa Barbara County, Calif., recommending the continuation of the Civilian Conservation Corps as a permanent auxiliary to the United States Forest Service and for the training of young men in forestry and citizenship; to the Committee on Ways and Means.

169. By Mr. GOODWIN: Petition of the Saugerties Chamber of Commerce, Saugerties, N. Y., declaring approval of the program of the President to improve trade and neighborly relations between the Latin American countries; the avoidance of foreign entanglements; the maintenance of defenses for the protection and security of the citizens of the United States; to the Committee on Foreign Affairs.

170. By Mr. HALLECK: Petition of the pastor and congregation of the Fairview Church of the Brethren, Tippecanoe County, Ind., favoring a neutrality policy which will be effective in keeping this country out of war; to the Committee on Foreign Affairs.

171. By Mr. McLAUGHLIN: Resolution of the Legislature of the State of Nebraska; to the Committee on Banking and Currency.

172. By Mr. KING: Resolution of the Kapiolani Maternity and Gynecological Hospital, calling attention to the serious situation in Hawaii because of the maritime strike, with the disruptions of the food supply jeopardizing the health of the community; to the Committee on Labor.

173. Also, resolution of the Hawaii Chapter of the American Institute of Architects, calling attention to the serious situation in Hawaii because of the existing maritime strike and the possible cessation of all construction work on account of the lack of materials; to the Committee on Labor.

174. Also, resolution of the Chamber of Commerce of Honolulu, calling the attention of the Congress of the United States to the seriousness of the situation in Hawaii arising out of the interruption of American shipping between the Territory of Hawaii and the mainland of the United States because of the existing maritime strike, and to the necessity of the adoption of remedial legislation to prevent the recurrence of such a dislocation of normal trade channels; to the Committee on Labor.

175. Also, resolution passed by the Board of Supervisors of the City and County of Honolulu, requesting the President and the Congress of the United States to take steps to alleviate the conditions brought about by the maritime strike; to the Committee on Labor.

176. Also, resolution passed by the Board of Supervisors of the County of Hawaii, urging that efforts be made to provide transportation from the mainland of the United States to the Territory of Hawaii of foodstuffs and feed for livestock

and fowls at the very earliest possible moment; to the Committee on Labor.

177. Also, resolution of the Daughters of Hawaii, calling attention to the serious situation in Hawaii because of the existing maritime strike; to the Committee on Labor.

178. Also, resolution of the Honolulu Lions Club, calling attention to the serious situation in Hawaii because of the existing maritime strike; to the Committee on Labor.

179. Also, resolution of the Retail Board of the Chamber of Commerce of Honolulu, calling attention to the serious situation in Hawaii because of the existing maritime strike; to the Committee on Labor.

180. Also, resolution of the Aloha Temple, Ancient Arabic Order Nobles of the Mystic Shrine, calling attention to the serious situation in Hawaii because of the existing maritime strike; to the Committee on Labor.

181. Also, resolution passed by the Board of Supervisors of the County of Hawaii, requesting that vessels be provided for the shipping of foodstuffs, groceries, and other commodities and necessities of life from the mainland of the United States to the Territory of Hawaii; to the Committee on Labor.

182. By Mr. MASON: Letters from officials of the Illinois Industrial Education Association and the Northern Illinois State Teachers College protesting against a reduction from $14,000,000 to $3,000,000 as provided in the George Deen law for vocational education; to the Committee on Appropriations.

183. By Mr. STEFAN: Resolution adopted by the Legislature of the State of Nebraska, January 29, 1937, asking the enactment of legislation to continue and make permanent the 3½-percent interest rate on Federal land-bank loans and for the extension of the moratorium on principal payments; to the Committee on Agriculture.

184. Also, resolution of the Nebraska Legislature, adopted January 21, 1937, memorializing Congress to enact into law the Universal Service Act in the interest of world peace; to the Committee on Military Affairs.

185. By the SPEAKER: Petition of the United Automobile Workers of America, of Detroit, requesting the United States Senate and the House of Representatives to establish a permanent committee and to appropriate for its use $500,000 for the current biennium; to the Committee on Appropriations.

186. Also, petition of I. Wells, a citizen of Los Angeles, Calif., requesting an investigation against judges; to the Committee on the Judiciary.

SENATE

TUESDAY, FEBRUARY 2, 1937

(Legislative day of Monday, Feb. 1, 1937)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, February 1, 1937, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. LEWIS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Bulow	Frazier	Hughes
Andrews	Burke	George	Johnson, Colo.
Ashurst	Byrd	Gerry	King
Austin	Byrnes	Gibson	Lee
Bachman	Capper	Gillette	Lewis
Bailey	Caraway	Glass	Lodge
Barkley	Chavez	Green	Logan
Bilbo	Clark	Guffey	Lonergan
Black	Connally	Harrison	Lundeen
Bone	Copeland	Hatch	McCarran
Borah	Davis	Hayden	McGill
Bridges	Dieterich	Herring	McKellar
Brown, Mich.	Duffy	Hitchcock	McNary
Bulkley	Ellender	Holt	Maloney
Minton	Pepper	Schwartz	Vandenberg
Moore	Pittman	Schwellenbach	Van Nuys
Murray	Pope	Sheppard	Wagner
Neely	Radcliffe	Thomas, Okla.	Walsh
Norris	Reynolds	Thomas, Utah	Wheeler
Nye	Robinson	Truman	White
Overton	Russell	Tydings	

Mr. NORRIS. I am requested to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent on account of illness.

Mr. LEWIS. I announce the absence of the Senator from Ohio [Mr. DONAHEY], because of illness, and I further announce that the Senator from New Hampshire [Mr. BROWN], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from South Carolina [Mr. SMITH], the Senator from Alabama [Mr. BANKHEAD], and the Senator from California [Mr. MCADOO] are unavoidably detained from the Senate. I ask that the announcement may stand in the RECORD for the day.

Mr. MCNARY. I announce that the senior Senator from Minnesota [Mr. SHIPSTEAD] is absent because of illness, and that my colleague the junior Senator from Oregon [Mr. STEIWER] and the Senator from Delaware [Mr. TOWNSEND] are unavoidably detained from the Senate.

The VICE PRESIDENT. Eighty-three Senators have answered to their names. A quorum is present.

REPORT ON FRUITS AND VEGETABLES—AGRICULTURAL INCOME INQUIRY (S. DOC. NO. 17)

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, an interim report of the Commission on fruits and vegetables—agricultural income inquiry—which, with the accompanying report, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

PETITIONS

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the Legislature of the State of New York, which was referred to the Committee on Banking and Currency:

STATE OF NEW YORK,
IN ASSEMBLY,
Albany, January 18, 1937.

Whereas there is pending in Congress a bill by Senator ROBERT F. WAGNER providing for slum clearance;

Whereas it is of vital interest to the public health of the people residing in the city of New York that the city be provided with adequate and sanitarily constructed multiple dwellings at the earliest possible date;

Whereas the enactment of the Wagner bill into law will greatly facilitate the speedy adoption of such a program:

Resolved (if the assembly concur), That the Congress of the United States be, and it is hereby, memorialized to pass the Wagner bill relating to slum clearance at the earliest possible moment; and be it further

Resolved (if the assembly concur), That a copy of this resolution be transmitted to the Secretary of the Senate, the Clerk of the House of Representatives, and to each Senator and Member of Congress representing New York State at Washington.

The VICE PRESIDENT also laid before the Senate resolutions of Local No. 666, International Hod Carriers' Building and Common Laborers' Union of America, of Flint; Chrysler Local No. 7, United Automobile Workers of America; and Lodge No. 121, Slovene National Benefit Society, both of Detroit, all in the State of Michigan, favoring continuance of the investigations of the subcommittee of the Senate Committee on Education and Labor under the terms of the resolution (S. Res. 266) to investigate violations of the right of free speech and assembly and interference with the right of labor to organize and bargain collectively (74th Cong., 2d sess.; submitted by Mr. LA FOLLETTE), and also the making of an additional appropriation of $500,000 for the expenses thereof, which were referred to the Committee on Rules.

REPORTS OF COMMITTEES

Mr. AUSTIN, from the Committee on the Judiciary, to which was referred the joint resolution (S. J. Res. 21) directing the Comptroller General to readjust the account between the United States and the State of Vermont,

reported it without amendment and submitted a report (No. 27) thereon.

Mr. BULKLEY, from the Committee on Banking and Currency, to which was referred the joint resolution (S. J. Res. 38) to extend for a period of 3 years the guaranty by the United States of debentures issued by the Federal Housing Administrator, reported it with amendments and submitted a report (No. 28) thereon.

AIRPLANE ACCIDENTS IN INTERSTATE AIR COMMERCE—LIMIT OF EXPENDITURES

Mr. COPELAND, from the Committee on Commerce, reported a resolution (S. Res. 75), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the limit of expenditures under Senate Resolution 146, Seventy-fourth Congress, first session, agreed to June 7, 1935, to investigate certain airplane accidents and interstate air commerce, is hereby increased by $3,500.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. LONERGAN:

A bill (S. 1291) for the relief of the State of Connecticut; to the Committee on the Judiciary.

By Mr. McNARY:

A bill (S. 1292) to authorize the withdrawal of national-forest lands for the protection of watersheds from which water is obtained for municipalities, and for other purposes; to the Committee on Agriculture and Forestry.

A bill (S. 1293) to provide for the free importation of flax scutching machinery; to the Committee on Finance.

By Mr. MOORE:

A bill (S. 1294) for the relief of the city of New Brunswick, N. J.;

A bill (S. 1295) for the relief of George W. Stout; and

A bill (S. 1296) for the relief of William Sulem; to the Committee on Claims.

A bill (S. 1297) granting an increase of pension to Ada J. McGinley; to the Committee on Pensions.

By Mr. NEELY:

A bill (S. 1298) granting an increase of pension to Charles Adkins; and

A bill (S. 1299) for the relief of Emma Susan McMurdo; to the Committee on Finance.

A bill (S. 1300) to complete the Point Pleasant Battle Monument, Point Pleasant, W. Va.; and

A bill (S. 1301) to amend the military record of John H. Ballah, and for other purposes; to the Committee on Military Affairs.

A bill (S. 1302) granting an increase of pension to Frank C. Nelson; and

A bill (S. 1303) granting a pension to Roy Wilcox; to the Committee on Pensions.

By Mr. GILLETTE:

A bill (S. 1304) to provide for an adequate survey and classification of the soil resources of the United States; to provide for a system of soil conservation; to provide for an ever-normal granary; to provide for a system of commodity loans; to provide for disposal of excess production of agricultural products; to provide for the regulation of imports of farm products; and for other purposes; to the Committee on Agriculture and Forestry.

A bill (S. 1305) for the relief of the heirs of William McGarrahan; to the Committee on Public Lands and Surveys.

By Mr. SHEPPARD:

A bill (S. 1306) to amend Public Act No. 467, Seventy-third Congress, entitled "Federal Credit Union Act"; to the Committee on Banking and Currency.

A bill (S. 1307) for the relief of W. F. Lueders; to the Committee on Claims.

A bill (S. 1308) to aid business and economic research in connection with collegiate schools of business in the several State and Territorial universities; and

A bill (S. 1309) to amend the act entitled "An act to authorize the operation of stands in Federal buildings by blind persons, to enlarge the economic opportunities of the blind, and for other purposes", approved June 20, 1936; to the Committee on Education and Labor.

By Mr. WALSH:

A bill (S. 1310) for the relief of Cesaria Del Pilar;

A bill (S. 1311) for the relief of Norman Hildebrand;

A bill (S. 1312) for the relief of Capt. J. H. Merriam, Supply Corps, United States Navy;

A bill (S. 1313) for the relief of Lt. Comdr. Chester B. Peake, Supply Corps, United States Navy;

A bill (S. 1314) to provide for the reimbursement of certain enlisted men and former enlisted men of the Marine Corps for the value of personal effects lost by fire at the Marine Barracks, Quantico, Va., on October 5, 1930;

A bill (S. 1315) to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects lost by fire at the naval radio station, Eureka, Calif., on January 17, 1930;

A bill (S. 1316) to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects lost by fire at the naval training station, Hampton Roads, Va., on February 21, 1927;

A bill (S. 1317) to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects destroyed in a fire at the naval radio station, Libugon, Guam, on April 15, 1932;

A bill (S. 1318) to provide for the reimbursement of certain officers of the Navy and Marine Corps and the widow of a deceased officer of the Navy for personal property lost as a result of the earthquake which occurred at Managua, Nicaragua, on March 31, 1931;

A bill (S. 1319) to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects lost during a hurricane in Samoa on January 15, 1931; and

A bill (S. 1320) to provide for the reimbursement of certain civilians employed at the naval operating base, Hampton Roads, Va., on May 4, 1930, for the value of tools lost in a fire on pier 7, at the naval operating base, on that date; to the Committee on Naval Affairs.

By Mr. McGILL:

A bill (S. 1321) granting an increase of pension to Amelia Mathias; to the Committee on Pensions.

By Mr. SCHWELLENBACH:

A bill (S. 1322) for the relief of Esther Johnson; to the Committee on Claims.

A bill (S. 1323) for the relief of Mr. and Mrs. James Hagan;

A bill (S. 1324) for the relief of Mr. and Mrs. O. W. Lanham; and

A bill (S. 1325) to provide funds for cooperation with Wapato School District No. 54, Yakima County, Wash., for extension of public-school buildings to be available for Indian children of the Yakima Reservation; to the Committee on Indian Affairs.

By Mr. PEPPER:

A bill (S. 1326) for the relief of L. S. Oliver; to the Committee on Military Affairs.

A bill (S. 1327) for the relief of certain purchasers of lots in Harding townsite, Florida, and for the relief of the heirs of Lewis G. Norton; to the Committee on Public Lands and Surveys.

By Mr. DAVIS:

A bill (S. 1328) granting a pension to Katie Yoos; to the Committee on Pensions.

By Mr. HARRISON:

A bill (S. 1329) for the relief of the heirs-at-law of the estate of Haller Nutt, deceased; to the Committee on Claims.

A bill (S. 1330) to authorize the attendance of the Marine Band at the United Confederate Veterans' 1937 Reunion at Jackson, Miss., June 9, 10, 11, and 12, 1937; to the Committee on Naval Affairs.

By Mr. NYE (for himself and Mr. CLARK, Mr. BONE, Mr. VANDENBERG, and Mr. POPE):

A bill (S. 1331) to take the profit out of war and to prevent profiteering in time of war and to equalize the

burdens of war and thus provide for the national defense, and promote peace; to the Committee on Finance.

By Mr. MURRAY:

A bill (S. 1332) for the relief of the Viking Mining Co.; to the Committee on Claims.

A bill (S. 1333) to promote the safety of employees and travelers upon common carriers engaged in interstate commerce by railroad by compelling such common carriers to maintain tracks, bridges, roadbed, and all permanent structures for the permanent support of way, trackage, and traffic in safe, proper, and suitable condition; to the Committee on Interstate Commerce.

A bill (S. 1334) to authorize the award of a Congressional Medal of Honor to Robert Bruce Wallace; to the Committee on Military Affairs.

A bill (S. 1335) granting a pension to Carrie Knowlton Morrow; to the Committee on Pensions.

By Mr. HATCH:

A bill (S. 1336) granting a pension to Dovie C. Bessent; to the Committee on Pensions.

By Mr. McCARRAN:

A bill (S. 1337) to amend the Taylor Grazing Act; to the Committee on Public Lands and Surveys.

By Mr. WHEELER:

A bill (S. 1338) for the relief of Charles F. Kegel;

A bill (S. 1339) for the relief of Hugh McGuire; and

A bill (S. 1340) for the relief of A. D. Weikert; to the Committee on Claims.

By Mr. DIETERICH:

A bill (S. 1341) for the relief of the Illinois Central Railroad Co.; to the Committee on Foreign Relations.

By Mr. GLASS:

A bill (S. 1342) to provide for the appointment of an additional district judge for the western district of Virginia; to the Committee on the Judiciary.

By Mr. NEELY:

A bill (S. 1343) granting a pension to William Runyon; to the Committee on Pensions.

CHANGE OF REFERENCE

On motion by Mr. McKELLAR, the Committee on Post Offices and Post Roads was discharged from the further consideration of the bill (S. 537) to provide suitable accommodations for the district court of the United States at Glasgow, Mont., and it was referred to the Committee on Public Buildings and Grounds.

INVESTIGATION PERTAINING TO GENERAL MOTORS CORPORATION

Mr. NEELY submitted the following resolution (S. Res. 76), which was referred to the Committee on Education and Labor:

Resolved, That it is necessary, in aid of legislation by the Congress and for the use of governmental agencies, for the information of the general public, and for other purposes in the public interest, that accurate and comprehensive information be procured and compiled regarding the General Motors Corporation, and all other persons, firms, or corporations which control, influence, or direct the activities or policies of the General Motors Corporation, or whose activities or policies are controlled, influenced, or directed by the General Motors Corporation.

SEC. 2. The special Senate committee created by Senate Resolution No. 165, agreed to July 11, 1935, is hereby authorized and directed to investigate and report to the Senate on the following matters with respect to the General Motors Corporation, including all its subsidiary, affiliated, and associated companies, and all other persons or companies in which the General Motors Corporation or any of its subsidiary, affiliated, or associated companies have any direct or indirect financial or other interest, or which have any such interest in them, or in which any of the officers or directors of the General Motors Corporation or any of its subsidiary, affiliated, or associated companies hold any office or exert any control, or whose officers or directors hold any office or exert any control in them.

(a) The corporate and financial history and the capital structure and the relationship of all such companies, including:

(1) The determination of whether or not such structure may enable them to evade State or Federal regulation or taxation, or to conceal, pyramid, or absorb profits, or to do any other act contrary to the public interest.

(2) The capitalization and assets of such companies and the means and sources of the growth of such capitalization and assets,

(3) The investment costs, profits, and rates of return of such companies,

(4) The salaries, bonuses, or other compensations of the directors, officials, and employees of such companies, and the extent to which the directors, officers, and employees, receiving such compensation, paid income taxes thereon, and

(5) The extent to which the financial gains of such companies arising from mechanization, improved technology, patents, unearned increments in land and other values, and increased productive efficiency of employees, which should have been made available in the form of lower prices to consumers or increased wages and salaries to employees, have been capitalized through stock dividends or other devices, or have been improperly diverted by those in control of such companies;

(b) The extent of centralization of control and of monopoly, and the effect of monopolistic control, if any, upon the reasonableness of prices charged by such companies for their products, and the desirability of legislative or other control for the public interest;

(c) The effect of mergers, consolidations, and acquisitions of control by such companies, including the determination of whether there has been any "write-up" in the purchase price of property, equipment, or intangibles, the fairness of the terms and conditions of any merger, consolidation, or acquisition, and the public interest therein, and the effect thereof upon prices or service;

(d) Whether or not the companies have sought through propaganda or the expenditure of money or the control of channels of publicity, or otherwise, to influence or control public opinion, legislation, administrative action, or elections;

(e) The extent of the accelerated and increased production on the part of the companies through "speed-up" methods, and the effect of such practices upon the physical health and mind of the employees of such companies;

(f) The dangers inherent in the absolute and unregulated control of the activities and policies of such a large industrial enterprise as the General Motors Corporation and such other companies by a small group of stockholders and bankers who hold no position in the companies which would impose upon them an obligation to the employees, the stockholders, and the public, and the extent to which such absentee control, without the obligation of responsibility, results in activities and policies of such companies contrary to the interests of the stockholders, employees, and the public; and

(g) The extent to which the activities and policies of the General Motors Corporation or such other companies are influenced, directed, or controlled by foreign interests to the detriment of the employees and stockholders of the General Motors Corporation and of such companies and the public.

SEC. 3. The committee is further directed, after analyzing and appraising the financial situation and the industrial productivity of the General Motors Corporation and its related companies as a typical unit of a mass production industry, to report, among other things, its conclusions and recommendations as to whether, after making allowance for adequate returns for capital actually invested in such companies, it would be practicable for the General Motors Corporation and its related companies:

(a) To institute a 30-hour week for all of its wage and salary workers; and

(b) To establish for the lowest grade of workers a minimum living wage in accordance with accepted official budgetary standards, and above this minimum to establish wage differentials according to skill, training, hazard, and productivity.

The committee is further directed that should it decide that the adoption of the foregoing standards of hours and wages would be practicable, to report its conclusions and recommendations as to the extent and degree of regulation which would be necessary and desirable by the Federal Government to put such standards into effect.

SEC. 4. For the purpose of carrying out the additional authority conferred upon the committee by this resolution, the limit of expenditures of the committee is hereby increased by $———.

NEUTRALITY—ADDRESS BY SENATOR NYE

[Mr. NORRIS asked and obtained leave to have printed in the RECORD a radio address delivered by Senator NYE on Jan. 18, 1937, entitled "Why United States Must Be Neutral", which appears in the Appendix.]

ADDRESS BY ROBERT H. JACKSON BEFORE NEW YORK BAR ASSOCIATION

[Mr. WAGNER asked and obtained leave to have printed in the RECORD an address delivered by Hon. Robert H. Jackson, Assistant Attorney General of the United States, at the annual dinner of the New York Bar Association, Jan. 29, 1937, which appears in the Appendix.]

PRESS AIDES ON FEDERAL PAY ROLL—ARTICLE FROM PROVIDENCE JOURNAL

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an article from the Providence Journal of Friday, Jan. 15, 1937, relative to Federal expenditures for press aides, which will appear hereafter in the Appendix.]

CLARIFICATION OF CONSTITUTION BY AMENDMENT

[Mr. WAGNER asked and obtained leave to have printed in the RECORD addresses on the subject of the clarification of the Constitution by amendment, delivered at the

thirty-seventh annual meeting of the National Consumers' League on Dec. 15, 1936, which appear in the Appendix.]

FIRST DEFICIENCY APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 3567) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes.

The VICE PRESIDENT. The question is on the amendment of the committee on page 5, line 6, which will be stated.

The CHIEF CLERK. On page 5, line 6, the committee proposes to strike out "$790,000,000" and to insert "$775,000,000", so as to read:

To continue to provide relief and work relief as authorized in the Emergency Relief Appropriation Act of 1936, and subject to all the provisions thereof, $775,000,000, which amount shall be added to and proportionately increase the specified amounts of the limitations prescribed under the appropriation made in such act.

Mr. ROBINSON. Mr. President, I do not desire to prolong the debate on this amendment. Perhaps every Senator is conscious of the necessity for the prompt passage of this relief bill. Other amendments which will require some time for debate are to follow the pending one.

The studies pursued after the debate yesterday was concluded confirm me in the opinion and statement that the $14,000,000, frequently mentioned in the debate and which is sought to be eliminated by the committee amendment, is necessary for the completion of projects already initiated and partially constructed. When one goes into the subject in detail he can readily understand that there is confusion and ground for controversy regarding this matter. Nevertheless, in a few words, I shall attempt to make clearer what was said yesterday by myself and by some other Senators in the course of the debate.

Reference has frequently been made to a $35,000,000 fund which the representatives of the committee suggested could be used for the completion of the projects which would be affected by the $14,000,000 item. Now let me make clear what I attempted to state yesterday. About the 1st of January of this year there was a $35,000,000 fund that had not been expended, but most of it had been allotted and set aside in conformity with the act of 1936 which required that when any project was initiated the funds necessary to its completion should be made available.

It is true that all of that $35,000,000 will not be expended prior to June 30, 1937, the end of the present fiscal year; but it is also true that, in compliance with the requirements of law, the fund has been made available for the completion of projects initiated under the act of 1936.

Prior to the passage of that act, and prior to the projects to which reference was last made in these remarks, a number of projects had been commenced under the Relief Administration of which Mr. Hopkins is the Administrator; also a number of other and additional projects had been commenced under the Department of the Interior. Lately these projects have been transferred to the Resettlement Administration. Many of them are incomplete. It is necessary that the $14,000,000 fund be provided, because the $35,000,000 referred to in the debate has been absorbed already in compliance with the act to which reference has been made. It would be impossible to comply with the terms of the act unless these allotments had been provided or unless they had been set aside.

The $14,000,000 projects are of two classes. First are additional units, as was stated yesterday by the Senator from Colorado [Mr. ADAMS] and myself, on projects already started, financed partly from funds provided by the act of 1936, which additional units are necessary to make the projects effective and successful. Second is the completion of construction work on projects financed with funds from other appropriation acts than the act of 1936. These include projects initiated under the Relief Administration and under the Department of the Interior and transferred, as already stated, to the Resettlement Administration.

The allowance of the $14,000,000 fund does not mean new projects. It merely means, as stated yesterday and as is repeated now with emphasis, the completion of the projects already commenced. The refusal to allow the fund, as I said yesterday, would leave on numerous of the projects buildings partly finished which could not be utilized. It would leave projects uncompleted which could not be successful according to the plans under which the projects are being carried forward.

Mr. PITTMAN. Mr. President——

Mr. ROBINSON. I yield to the Senator from Nevada.

Mr. PITTMAN. As I remember, yesterday it was stated that one of the witnesses testified before the House committee that it would be essential to have this money in order to make a success of existing projects. It can be seen, for instance, that one of the projects might require a water system or a sewerage system or some improvement other than simply the completion of a building.

Mr. ROBINSON. Yes. I went into that matter in some detail yesterday. There are two classes of work to be completed. First, in order that a project which has been well planned may be completed, it is necessary, as I said yesterday, that certain facilities be provided. Without such facilities the project cannot be completed. It may be that school facilities, waterworks, or lighting facilities for the beneficiaries of projects may be required. In addition to that it may be that units for occupancy by persons to be benefited by the projects, additional to those now constructed, may be necessary in order to make available the facilities referred to, and other factors that necessarily enter into a complete and successful project. The stoppage of work on the projects would deny those facilities in some instances, and in others would deny the finishing of buildings and other works actually already commenced.

Mr. ELLENDER. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Louisiana?

Mr. ROBINSON. I yield.

Mr. ELLENDER. I noticed in the RECORD a statement that there was a fund from which moneys were taken with which to purchase property. Have we the assurance of the Department that no further lands will be purchased for resettlement?

Mr. ROBINSON. I have no assurance that options already taken and contracts to purchase will not be carried out. I would not wish that such assurance should be given. I have the assurance that no new projects will be initiated until a complete and accurate study of those which have been started has been made and further advice taken regarding the matter.

Mr. ELLENDER. Does the Senator know whether or not any portion of the $35,000,000 referred to and the $14,000,000 would be used to purchase additional land?

Mr. ROBINSON. No. I assume that if the Resettlement Administration has made a contract for the purchase of land it expects to carry out that contract. I do not know what additional lands may be purchased nor do I know that any additional lands will be purchased. I am referring now to the completion of projects located on lands already purchased. The extension of the program as a whole will not be carried forward until the matter has been studied and worked out.

With this statement, Mr. President, I feel that I am not justified in prolonging the debate on the amendment. I had hoped that the committee might find itself justified in receding from the amendment. It may be that that conclusion yet will be reached. In any event, I think that a decision on the subject ought to be made in the early future in order that the Senate may proceed to the consideration of other controversial items in the bill.

Mr. BONE. Mr. President, in view of the fact that, under a ruling of the Chair, if the Senate should concur in the committee amendment to the bill now before the Senate it would preclude the possibility of the consideration of an amendment tendered by myself and 12 other Senators, one of whom has withdrawn his name because of his understanding that a liberal policy is to be pursued within the

funds available, it becomes necessary for me to present the matter now or be foreclosed.

I send to the desk the amendment in question and ask that it may be read, because there is a change in the text of the bill as it is now before the Senate. The amendment which was submitted by me would now occur on page 5, line 7, of the bill. The amendment is very simple in that it increases the appropriation from $790,000,000 to $1,200,000,000.

Mr. ROBINSON. Mr. President, will the Senator yield?

Mr. BONE. Certainly.

Mr. ROBINSON. In view of the fact that debate apparently has about been concluded on the pending amendment, I am wondering if it would be satisfactory to the Senator to vote by unanimous consent on the pending amendment, with leave to the Senator from Washington to offer his amendment following the decision of the Senate on the amendment immediately before us?

Mr. BONE. I would have no objection to that, but I could not consent to anything that would put me in the position of being foreclosed in presenting my amendment. Because of the tragic conditions confronting the country, I would be doing not only myself but the Senate a disservice in not giving the Senate an opportunity to vote on the question involved in my amendment.

Mr. ROBINSON. Very well. I withdraw my request.

Mr. BONE. I am perfectly willing to have a vote taken on the Senator's amendment now, if by unanimous consent I may present my amendment then and not be foreclosed.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 5, line 7, in the committee amendment, it is proposed to strike out "$775,000,000" and to insert in lieu thereof "$1,200,000,000."

Mr. ROBINSON. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Arkansas will state it.

Mr. ROBINSON. Is the amendment of the Senator from Washington offered as an amendment to or a substitute for the committee amendment?

The PRESIDENT pro tempore. It is offered as a substitute for the committee amendment found in the reported bill on line 7, page 5, to strike out the figures "$775,000,000" and substitute "$1,200,000,000." It is an amendment to the committee amendment.

Mr. NORRIS. Mr. President, will the Senator from Washington yield for a suggestion?

Mr. BONE. I yield.

Mr. NORRIS. I think the Senator is doing what he would have to do, as suggested yesterday, in order to protect his rights; so I am not complaining, of course. Inasmuch, however, as the amendment offered by the Senator from Washington will bring about much debate, and inasmuch as the committee amendment already has had debate and perhaps will have more, I am wondering why the Senator from Arkansas does not carry out his suggestion and ask unanimous consent that the course taken by him be followed.

Mr. ROBINSON. I will state frankly to the Senator that it is because I was informed that representatives of the committee expect to make a point of order against the amendment of the Senator from Washington, and therefore that they would not agree to a request for unanimous consent, which would deny them the opportunity of making the point of order.

Mr. BONE. Mr. President, if a point of order is to be made against this amendment in the face of the conditions that exist in this country, I should just as soon have the point of order raised right now, rather than to expend my energy in a futile effort to help the people of this country who face the tragic conditions they now confront. I suggest to my friend the Senator from Colorado [Mr. ADAMS], if a point of order is to be made against his amendment, that I wish to save the amount of energy I am going to expend here in an effort to get relief for the poor and the hungry and the flood-stricken people of the country.

I am perfectly frank about this matter. If a technical question is to be raised here, and whatever effort I make in this behalf is to be in vain, I would rather have the question raised right now, because this is a matter I do not want to fool with. My time is precious.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Washington to the amendment reported by the committee.

Mr. BONE. Mr. President, I do not believe it is necessary for me to discuss at any great length, nor do I wish to occupy the floor here too long in a discussion of things with which we are all more or less familiar. Certainly Members of the Senate today are familiar with the great tragedy which has overwhelmed the country in the terrible flood which is now going on and is devastating whole sections of the country. In addition, we confront the tragic spectacle of millions of unemployed. I desire to confine my remarks as far as possible to the unemployment situation out in the Northwest, with which I am chiefly concerned, although I am very deeply and profoundly concerned with the conditions that exist all over the country.

In presenting this substitute amendment, the Senator from Louisiana [Mr. ELLENDER] requested that his name be withdrawn because of some understanding he had with Mr. Hopkins relative to the amount of money that would be available.

Mr. ROBINSON. Mr. President, it is manifest that the consideration of this amendment may require considerable time. It is my purpose to propose a unanimous-consent agreement that will preserve whatever rights may exist as to the amendment now presented by the Senator from Washington and at the same time will not preclude the point of order to which reference was made a moment ago.

I ask unanimous consent that the Senate may proceed to vote on the amendment of the committee, the pending amendment, and in the event the amendment should be agreed to it may still be in order for the Senator from Washington to offer his amendment, subject to such points of order as would lie if the amendment were offered now.

Mr. McNARY. Mr. President, as for me, I am very clear as to the situation. I think that the suggestion of the Senator from Arkansas is in line with the procedure which ought to be followed in the consideration of this bill. I feel certain that the amendment offered by the Senator from Washington [Mr. BONE] is subject to a point of order. However, if the question is not to be raised now, I think we should adopt the proposal made by the Senator from Arkansas, with the understanding that in the disposition of the committee amendment debate shall proceed to its logical conclusion, and not have a vote immediately upon the proposal. Is that the intention of the Senator?

Mr. ROBINSON. I had not intended to preclude further debate on the amendment. I think the debate has about been exhausted.

Mr. McNARY. I do not know as to that, Mr. President. I have nothing to say on that subject. Certainly after the Senator from Washington has presented his proposal some one may wish to follow him on behalf of the committee. I do not desire to consent, and I shall not consent, to any agreement that will foreclose further debate upon the proposal made by the Senator from Washington.

Mr. ROBINSON. I will modify the request so as to save the point, if the Senator thinks it is important to do so.

Mr. McNARY. I think it is.

Mr. ROBINSON. I ask unanimous consent that at the conclusion of the debate on the pending amendment the Senate proceed to vote upon it, and that if the amendment shall be agreed to the Senator from Washington [Mr. BONE] may nevertheless offer his amendment, subject to such points of order as might be made if his amendment were considered at this time.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Arkansas? The Chair hears none, and it is so ordered.

The question now is on agreeing to the amendment offered by the committee.

Mr. ADAMS. Mr. President, I wish to add a word or two to what has already been said. Probably it is not an addition to but a repetition of what was said on yesterday.

In proposing the amendment, the committee had as its foundation two things. The first was a conviction, from hearing witnesses before the committee and a study of the record, that the $14,000,000 is not necessary to the efficient and expeditious continuation of the resettlement projects. The second was the fact which was more impressive upon the committee yesterday than today, that the 1936 deficiency bill contained the provision quoted yesterday, in the following words:

> No Federal project shall be undertaken or prosecuted under the foregoing appropriation unless and until an amount sufficient for its completion has been allocated and irrevocably set aside for its completion.

It seemed to the committee that we were confronted in this case with a disregard of that provision. On yesterday, however, the Senate by a small majority apparently took the position that it was not concerned with the enforcement of its own rules. We had laid down certain rules in reference to the appropriations for the Post Office Department. Those rules were disregarded and defied; and the argument was presented that disregarding the limitations imposed by the appropriations would be in the interest of public service, and therefore that the decision of a department should be superior to the decision of the Congress. That, in substance, was the decision of yesterday.

Mr. ROBINSON. Mr. President, may I interrupt the Senator?

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Arkansas?

Mr. ADAMS. I do.

Mr. ROBINSON. Without regard to the decision of yesterday, and with regard to the matter immediately under consideration, I should like to point out to the Senator, if I did not make it clear in my former remarks, that this complication has arisen largely because of carrying out the mandate of the Congress. Allotments having been made to projects that had been initiated, and which projects cannot be completed prior to the end of the fiscal year, it would be impossible for Resettlement to comply with the rules laid down without making allotments or setting aside funds under the act of 1936 which would not be completely expended by the end of this fiscal year, because, as everyone ought to understand, it is not possible to finish all projects on an exact given date. Some of these projects necessarily will not be completed until sometime during the next fiscal year; so that instead of being an effort to override the rule of Congress, it is in every respect an effort to carry out the rule of Congress.

Mr. ADAMS. Mr. President, one of the words in the act which I may say disturbed the committee at the time of the hearing was included in the provision that projects should not be "undertaken or *prosecuted*" unless funds were set aside for their completion, and the argument is now made that funds additional should be allocated by Congress for the completion of projects, some of which were commenced and some of which were prosecuted without the funds for their completion having been set aside. That is perhaps a matter of legal construction which, as I say, was more impressive yesterday than it is today.

Mr. ROBINSON. Mr. President, will the Senator yield?

Mr. ADAMS. Certainly.

Mr. ROBINSON. I stated a few moments ago that subsequent to the passage of the act of 1936, and subsequent to the initiation of most of these projects under that act, there was transferred to the Resettlement Administration the completion and the administration of projects which had already been commenced under other appropriation acts, under the Secretary of the Interior and under Mr. Hopkins, the relief administrator, and that principally this $14,000,000 appropriation is to complete such projects.

The Resettlement Administration did exactly what was required under the act of 1936. It did set aside funds to complete all the projects undertaken and prosecuted under that act. But there were other projects which came to it subsequently which either had to be abandoned and the money which had already been spent on them by other departments wasted, or they had to go forward; and the $14,000,000 is necessary in order to carry out the mandate of Congress of 1936.

Mr. ADAMS. Mr. President, I think it should be said that the Resettlement Administration as at present constituted inherited what could properly be defined as a "mess" from its predecessor. It is entitled to sympathy and consideration, because when the present group came into control there was a situation which had been developed which was really indefensible, and I think they have done the best they could.

What I have been trying to make clear is that the Committee on Appropriations, in their effort to follow the law, feeling bound by the law, have presented to the Senate their judgment upon this matter based upon the facts. The Senate may exercise its judgment now; it may disregard its judgment of a year ago, and that will be entirely agreeable to the Committee on Appropriations. But we would do less than our duty if we did not present the case as we saw it in the committee room when faced with the witnesses and the testimony as to the condition.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. VANDENBERG. I should like to ask the Senator whether there is not another factor involved in the committee amendment, which is a lesser factor, to be sure; but is not the committee proposing to reduce the administrative expenses of the Resettlement Administration?

Mr. ADAMS. Yes.

Mr. VANDENBERG. Will not the Senator testify upon that subject briefly?

Mr. ADAMS. I will say to the Senator that if the expenditures should be reduced $14,000,000, very obviously there would be a reduction in the necessary administrative expenses, and the ratio of administrative expense to total expense is such as to justify fully a million-dollar reduction in administrative expenses.

Mr. VANDENBERG. Mr. President, will the Senator yield further?

Mr. ADAMS. Gladly.

Mr. VANDENBERG. Might it not also be said that the figures disclose the fact that 18 percent of the Resettlement request in this bill is for administrative overhead, that 18 cents out of every dollar is for administrative overhead; and that that is an unconscionable amount of overhead in relation to relief?

Mr. ADAMS. I do not find anything in the bill which bears out that statement. I will say that in the preceding administration there was a high ratio of administrative expense to total expense. The officials before the committee endeavored to explain the occasion for that, pointing out that the Resettlement Administration was operating in almost every county in the United States; that they were extending relief by grants to hundreds of thousands of individuals; that they were making thousands of small loans; that handling those matters and making the investigations involved a personnel and an expense greater than that of other agencies of the Government; and that the administrative expense did not arise to so great an extent from the projects we are now discussing.

Mr. ROBINSON. Mr. President, will the Senator yield to me a moment on this point?

Mr. ADAMS. I yield.

Mr. ROBINSON. Confirming what the Senator from Colorado has just said about the administrative expense, the Resettlement Administration has been compelled to undertake a very large task in the nature of relief. There are thousands of farmers in the drought area—one might say hundreds of thousands—who cannot avail themselves of loans from any existing agency other than the Resettlement Administration, because they have no collateral. The Resettlement Administration, in my judgment, is doing ex-

traordinarily good work in that particular. They are investigating cases rapidly, and they are advancing funds to farmers in the drought area necessary to enable them to go along—funds which cannot be secured from crop-production credits or from banks or any other credit agency because the borrowers have no collateral: The machinery of the Resettlement Administration necessarily is large in carrying on that activity, but it is an indispensable activity, and a very helpful one, in the opinion of many who have studied it.

I know of communities in our country where men who have been successful farmers for almost a lifetime, men who own their own homes, who have the ability necessary to cultivate their farms, and whose pasture facilities usually are adequate, have had placed upon them, in some areas for 5 successive years, the withering hand of drought. Many of them have borrowed to the extent of their ability to borrow, through mortgages on their farms, and through mortgages on their livestock. They have not now the feed that is necessary to prevent their cattle and their horses and other livestock from starving and dying on the withered fields which they formerly used as pastures. The Resettlement Administration is affording assistance in these cases, and doing it promptly. It is not rendering assistance in every case where assistance is required; those who can get loans from credit agencies, whether private or public, are required to go there; but he whose resources have been exhausted, and who yet is unwilling to join a bread line, and put his wife and children at the mercy of charity, can still obtain help. It requires a large number of agents to carry out that purpose, which has augmented the administrative cost. But it is a meritorious plan, a helpful plan, and one that is tending to conserve the pride of men who are just as deserving as any citizens of this country can be, and who are unwilling to beg. They still want to use the little they have left in making a living for themselves and their families.

Mr. BYRNES. Mr. President——

Mr. ADAMS. I should like to respond; but the Senator from South Carolina has some figures, and I yield to him.

Mr. BYRNES. There can be no question about the great service rendered to the individual farmer by the Resettlement Administration. But agents of the Farm Credit Administration also go among the farmers, not to make grants, not to give them something, but to make loans to enable them to retain their self-respect; and the administrative expense of the Farm Credit Administration, in my opinion, would be but about one-third that of the Resettlement Administration.

The committee has in mind only the thought that because no specific amount is carried in this bill for administrative expenses, it could not remedy the situation, it could not call it to the attention of the Senate, in any way other than by making a reduction of a million dollars, and then placing in the report the reason for that action. The reason is, as stated in the report, that there should be a reduction in the administrative expenses, not out in the field, not in the drought-stricken sections, or in the rural sections of the country, where this great service is being rendered, but in the District of Columbia alone. Why? Because the figures show that in the District of Columbia for personal services for this year they expect to spend $4,767,000. We ascertained that in the District of Columbia they have approximately 2,700 employees. Out in the field in this great work they have 10,000 employees; but the 2,700 employees in the District of Columbia receive approximately the same compensation as the 10,000 employees out in the field rendering service to the farmers. The reason for it is that in the District of Columbia there are 80 employees drawing salaries of $5,000 and more per year. Out in the field, in the various regions of this great country, there are only 54 employees drawing salaries of $5,000; and of those employed in the field—and there are but a few of them—the highest salary paid is $7,000.

Mr. President, we can reach this situation in no way other than by expressing to the Executive, through the committee report, our belief that there should be some check upon the administrative expenses of this organization. I have in my office, and other Senators have in their offices, the best illustration of the situation, being a report to the President and to the Congress, wherein there is contained a map so expensive, so unusual, that the Government Printing Office could not print it, and, according to the information I have, it cost $1.05 to print each one of those maps outside of the Government Printing Office. I understand that now the Joint Committee on Printing is going to take some steps to limit the expenditure for the printing of maps by any department. The Congress wants reports from departments of the Government, and so does the President, but we do not need 5,000 or more copies of them, and we do not need such a report as has been presented for our information, constituting, with pictures, the most elaborate and most expensive report ever printed by any department of the Government.

Mr. President, the committee report is submitted solely in the hope of calling that situation to the attention of those who have charge of such matters. The report in question, containing the map, is of no personal service to the members of the Appropriations Committee. When such things come to our notice we believe we should call attention to them; and the only way we can do so in connection with the pending bill is through the medium of a committee report asking that a reduction of a million dollars to be made in the expenses in the District of Columbia.

There is another reason for such action. The Resettlement Administration has been merged with the Department of Agriculture. If by taking that independent organization into and merging it with a regular department of the Government no reduction can be made, particularly in the salaries of $5,000 a year and over, it is exceedingly unfortunate, because the amount of more than $5,000,000 expended in the District of Columbia is excessive.

Regardless of the view that may be taken as to the $14,000,000, I wish the Senator from Arkansas [Mr. ROBINSON], instead of asking that the reduction be entirely eliminated, could see his way clear to amend his amendment so as to make it not apply to the $1,000,000, the only purpose of which would be to reduce the expenses in the District of Columbia.

Mr. ROBINSON. Mr. President, I have offered no amendment. I am resisting the committee amendment. However, I shall, if that will be satisfactory to the committee, consent to the amendment which would comprehend a reduction in administrative expenses. I am not prepared to state the circumstances which would justify that. However, the Senator may be entirely familiar with it, and I should rely on his judgment. If the $14,000,000 could stay in the bill, I should be willing to make the reduction suggested and let the matter go to conference.

Mr. BYRNES. If I may make a suggestion to the Senator from Arkansas, instead of resisting the amendment, how would he view a proposition to amend the figures in the bill, adding the $14,000,000, but, instead of a total of $790,000,000, making the figure $789,000,000? Then on the merits, as to the Senator's proposition and as to the other consideration, the question could be settled.

Mr. ROBINSON. If that is agreeable to Senators, I should be willing to do it. That would still leave the matter in conference.

Mr. NORRIS. Mr. President, will the Senator yield for an interruption at that point?

Mr. ROBINSON. Yes.

Mr. NORRIS. It seems to me that could be done on the right kind of a showing, even after we should have voted on this amendment. A Senator may offer any amendment he sees fit to offer. I should dislike to see the measure cluttered up now with this proposed amendment. It seems to me that what has just been suggested can be done equally well after we vote on the question now before us.

Mr. ROBINSON. I think that is true. The proposal just made would complicate the whole question.

Mr. NORRIS. Yes.

Mr. VANDENBERG. Mr. President——

Mr. ADAMS. Mr. President, I believe I have the floor.

The PRESIDENT pro tempore. The Senator from Colorado is entitled to the floor.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. ADAMS. I yield to the Senator from Michigan.

Mr. VANDENBERG. I desire briefly to respond to the observations of the able Senator from Arkansas, which seem to have been originally provoked by my inquiry regarding the administrative expenses.

If the figures presented in the other House are reliable, $49,000,000 of the sum total of Resettlement resources remaining for this year are to be spent for subsistence homesteads and $14,000,000 for administration; and there is not any "withered stock" in any of it except as it relates to such administration having to do with that particular factor. Eighteen cents out of every relief dollar goes for administration so far as this particular appropriation is concerned. I do not think there is any "withered stock" in any of these dream cities which have not as yet been opened, and which, when they are opened, are probably going to cost so much to live in that nobody but one of the upper-income group can hope to qualify for occupancy of them.

Furthermore, I will ask the Senator whether a Resettlement division, supposedly dealing with the most vivid type of relief necessities, needs to spend $289,000 in 14 months for publicity—nearly $300,000 advertising for clients! I respectfully suggest that the sturdy observations of the Senator from South Carolina are entitled to prayerful consideration.

Mr. BLACK. Mr. President——

The PRESIDENT pro tempore. The Senator from Colorado [Mr. ADAMS] has the floor.

Mr. ADAMS. Mr. President, I am anxious to conclude my remarks.

Mr. BLACK. I am sure of that; but, Mr. President, the Senator from Michigan made a statement for which I do not find support in the record. I find a statement which indicates to the contrary, and I am sure he would not have made his statement unless he had in mind some place in the record on which to base his statement. Therefore I desire to call attention to the fact that on page 257 of the record it is shown that the administrative expense and voluntary farm debt adjustment are $14,000,000. That $14,000,000 is a part, not of $49,000,000, but of $158,000,000.

So I cannot see the slightest basis in those figures for the statement of 18 percent being used for administrative expenses. On the contrary, the sum is not even 18 percent for the administrative expense coupled with the voluntary farm-debt adjustment. All of us know that voluntary farm debt adjustment expenditures would constitute a large part of that total.

Mr. ADAMS. I may say to the Senator that I think there are some figures in the record on that point. My recollection is that either one or two million dollars was the amount stated in the record as expended for farm debt adjustment.

Mr. BYRNES. On page 246 it will be seen that the amount is $2,749,000.

Mr. BLACK. That would leave between eleven million and twelve million dollars for administrative expenses out of a total expenditure of $158,000,000, as shown on page 257 of the record.

Mr. BYRNES. I must say that we are talking about different things. The figures to which the Senator from Colorado referred in his statement, as to the farm debt-adjustment program, show that it had cost $2,749,000 to November 30, 1936.

Mr. BLACK. The statement referred to does not show which part of the $14,000,000 is for administrative expense and which part is for voluntary farm-debt adjustment. There are no figures, then, that the Senator knows of in the record which would distinguish between the two portions of the expenditures?

Mr. BYRNES. The statement on page 247 may give the Senator the information he desires.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. VANDENBERG. I merely wish to give the Senator from Alabama the basis of my statement. I am reading from page 436 of the CONGRESSIONAL RECORD, from the address by the chairman of the House Appropriations Committee, which states that $14,000,000 is for administration, and that is the only statement he makes. That is the basis for my observation.

Mr. BLACK. I was sure the Senator had seen that statement somewhere.

Mr. VANDENBERG. I assume that the chairman of the House committee was reliably informed.

Mr. BLACK. The record shows, however, that that particular statement, by whomsoever it might have been made and at whatsoever place made, was a mistake, because on page 257 the break-down, which appears at the bottom of the page—the Senator will find it in the House hearings—shows a total expenditure of $158,000,000, with $14,000,000 for the two items mentioned, which, of course, would be a very much smaller percentage, as the Senator from Michigan will recognize.

Mr. VANDENBERG. If the Senator will permit me, I will say that I think probably under Mr. BUCHANAN's statement the $14,000,000 of administrative expenses should be allocated against the complete total of $158,000,000. Still, regardless of what the actual percentage may prove to be, I think any comparison of the relative administrative expense in the relief agencies of the Government will show that the Resettlement Administration is breaking all records, and that it is a challenge which, as the Senator from South Carolina [Mr. BYRNES] has indicated, ought to be met with some affirmative indication on the part of the Congress that it would like a nickel's worth of economy, at least; and particularly is that pertinent when we find, according to their own letter—which is my authority in that instance—that they have spent $289,000 for so-called information work in 14 months.

Mr. ADAMS. Mr. President——

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. ADAMS. Yes.

Mr. NORRIS. I shall not interrupt the Senator without his consent, of course; but he has been interrupted so much, and so many remarks have been made about the Resettlement Administration, that I feel that I want to say something about that subject. If the Senator would rather I should do so, I shall wait until he is through.

Mr. ADAMS. Mr. President, I should be glad if the Senator would permit me to proceed, because I have just a few things I desire to put into the RECORD.

Mr. NORRIS. Very well. I will wait until the Senator shall have concluded his remarks.

Mr. ADAMS. Mr. President, I have just one comment in reference to the expense item. In the record is the statement that the allocation for administrative expense made at the time of the original appropriation of $85,000,000 would be adequate for operations under a still larger appropriation; so that I think the same proportionate administrative expense would not be necessary when an additional sixty-five or eighty million dollars is made available.

I wish to give just a few items of information gathered from the record; and I think the Senator from Arkansas will concur with me that it is not the easiest record in the world from which to gather facts.

The aggregate estimated cost of all these projects as set forth in the tabulation which the Senator from Arkansas put into the RECORD, and which is in the committee hearings, is $91,000,000. That amount includes all that has been expended, all that is on hand, and the $14,000,000 to complete all the projects.

Thirty-five million dollars is available, which leaves a sum of $56,000,000. Deducting $14,000,000 would indicate that $42,000,000 had actually been expended. The Resettlement projects have been going on for some time. Apparently from these figures during that time $42,000,000 has been spent; so it seems to me that in the next 5 months $35,000,000 would be adequate to carry on the work.

As to the number of projects there are listed in this complete list 13,566 units. I think there are 105 projects embracing the 13,566 units.

On page 82 appears the statement that of the 13,900 units approximately 7,000 have been started. In other words, there has been started only a little more than half of the projected units within the contemplated projects. The statement appears then, on page 81, that there have been approximately 3,000 units actually completed, thereby leaving roughly 4,000 units which have been started but which have not been completed.

The average cost per unit, according to the figures furnished us, including the land, is $7,000. So $28,000,000 should be adequate to complete every unit the construction of which has been started.

With these figures in mind it seems to me it is demonstrated by the statement of the Resettlement Administration authorities that they do not need an additional sum at this time to complete the units which have been started.

There is one instance of unusual figuring. The Resettlement Administration originally asked for $90,000,000. When they asked for $90,000,000 they said it would take $17,000,000 to complete these projects. When they are cut down to $80,000,000 they say they can complete them for $14,000,000, and they proceed to allocate the $14,000,000 down to the last dollar to each of the projects, just so much for this project, so much for that project, and so much for the others, which totals up exactly $14,000,000. I commend the accuracy of their prospective mathematics. I have had some experience in construction and I marvel at their accuracy and their ability to allocate the cost right down to the dollar between the 57 or 60 projects.

That simply leads, Mr. President, to the conclusion that, as indicated by the rest of the record, the movement started as a dream, and it is still incomplete. We want to go ahead; we do not want the money wasted; but if you will look at the record, Mr. President, which was put in yesterday, you will, I think, be amazed at the cost of the individual units, running in one State to $14,750. That is hardly a relief project. In other States the cost runs to $11,700; in other States to $12,350 per unit; other units involve a cost of $11,200; others, $10,600; others, $10,200. The average is $7,000 per unit; that is per house.

The difficulty is that if the entire project is carried through it is contemplated that only 13,566 heads of families will be taken care of. It seems to me that the money appropriated by Congress should have been spread a little thinner. I think that those in need of help—and they are the people, I think, we should have in mind—cannot pay their way out on the basis of $12,000, or even $10,000, units. If provision were made for units—and there are some of that kind—involving a cost of $3,000 or $3,500 and more modest houses, with an equal area of ground, I think the Resettlement Administration and the Congress would be doing a better job and would take care of more people. But I have been amazed at the fact that only 7,000 people are to be taken care of by the projects which are now under construction and those which have been constructed.

Concluding, Mr. President, I merely wish to say that I have not been able to see the force of the argument which calls for an additional appropriation, and I still feel that the committee gave to the Senate accurate and sound advice in proposing this amendment.

Mr. NORRIS. Mr. President, I had not intended to speak on this subject. I feel that it is my duty to do so, however, after listening to the arguments made by various Senators as to the Resettlement projects. Of course, I should like to have administrative expenses reduced as much as possible, and I preface what I am going to say by the statement that I am not in favor of extravagance; I do not believe that the overhead expense ought to be increased more than is necessary; but I have had occasion to observe so often and for such a comparatively long period of time and have had so much to do with the operations of the Resettlement Administration, that it seems to me I cannot permit the present opportunity to pass without saying something in its defense.

Most of the Senators have been discussing projects. It may be that the word "resettlement" naturally leads one to think that this is a branch of the Government having to do mostly with the building of houses, sewer systems, electric-light systems, and waterworks. But, Mr. President, a large area of our country was suffering from drought. As the chairman of the committee himself has said, the Resettlement Administration operated in practically every county in the United States. A large portion of the great Mississippi Valley was affected, as was the remainder of the country, by the depression. All suffered from it, but in addition to that came the terrible drought. In some localities, as the Senator from Arkansas [Mr. ROBINSON] has so eloquently stated, 5 years elapsed without a farmer in an excellent farming section producing any crop. That condition, more or less, with variations, extended over a large number of States. When that condition is considered in connection with the depression it presents a picture that is almost appalling.

The Resettlement Administration had precipitated upon it from time to time various problems growing out of the depression and the drought. They were not merely engaged in building houses or work of that kind but, little by little, from one activity of the administration or another, the needs of additional numbers of suffering people were dumped into the lap of the Resettlement Administration, and that organization was faced with the problem of saving the lives of starving millions of men, women, and little children. Almost overnight from vast regions of the country some of these problems were forced upon the Resettlement Administration. As the Senator from Arkansas has so well said, many farmers had not raised a crop for years; they had mortgaged everything they had on earth; they had no place to go to get any money. Ordinarily they could have borrowed, and obtained food or money from their neighbors.

They would have been able to borrow from their banks. They had already done so. The winds came and the rains failed to come, and the crops which they had labored to plant and cultivate withered and died because of a lack of moisture.

Mr. ROBINSON. Mr. President, will the Senator yield at that point?

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Arkansas?

Mr. NORRIS. Certainly.

Mr. ROBINSON. Reinforcing what the Senator has stated, the Resettlement Administration is making grants of an average of $20 a month to 420,000 farm families in the drought area. It is practically the only assistance that has been made available to them. This activity is costing approximately $8,000,000 a month during the present winter.

In addition to that, as has been pointed out by the Senator from Georgia [Mr. RUSSELL], the Resettlement Administration is performing the only housing service for persons living in rural districts that is being rendered on behalf of the Government of the United States, in contrast to the hundreds of millions of dollars that are being properly expended for slum clearance and housing facilities and related subjects in the large centers.

Mr. NORRIS. Yes. Add that situation to the picture. When we see what is being done, should we feel that we ought to reduce the administrative expenses of the Resettlement Administration? Go out into the field, as I have done, and see what they are doing. In every county seat and in most of the towns outside of the county seat in every county is someone representing the Resettlement Administration. Is it extravagant to have them there? Would anyone suggest that with 150 farm families in a given area, a comparatively small area, there should be no one to supervise the work? What would the critics say if that were done? What would be said by those who are now finding fault with every appearance of extravagance to which they can point a finger if the Resettlement Administration had not sent its men out to take charge of the work?

What does a Resettlement representative do in the town where he is sent? He perhaps has a list which may be determined afterward to be only a partial list or it may be a

list from which some of the names can be stricken. He investigates each individual case. Is not that necessary? Should we do away with that expense? A farmer comes in to see the representative and tells about his condition. If he is in doubt about anything, the investigator takes the necessary steps to learn all the facts, to prevent any fraud, and to prevent any dishonest man from getting relief. That requires investigation and costs money. Would anyone do away with that work? Would anyone furnish $20 per family to every man in the country regardless of who he was or what his necessities were or whether his family needed it?

Mr. BARKLEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Kentucky?

Mr. NORRIS. I yield.

Mr. BARKLEY. May I ask the Senator, considering what he has stated and what he knows about the situation, if it is not inevitable that any organization dealing with the people in sections where the population is more or less sparse has to incur greater administrative expense than if it were dealing with a similar number of people located in a closely populated city where they could be easily communicated with and interviewed?

Mr. NORRIS. Certainly. I have endeavored to investigate some of the representatives of the Resettlement Administration. I have talked with many of them. I have listened to their problems. "How do you do this work? What do you find?" The reports I have had from these men would break a heart of stone. The suffering they find is indescribable.

A man has lived on a farm, ordinarily a fertile farm, for many years. He may be in debt, though he ought not to be. Perhaps he has not exercised the proper care, but has gone into debt when better judgment should have kept him from doing so. But that is water over the wheel. He is in debt; his wheat crop has failed; his corn crop has failed; his pasture has dried up; his stock is dying. A year or two ago the Government took some of his stock, in some cases a great deal of it, which otherwise would have perished because of a lack of food and water.

The farmer has a family. He loves his family just as much as though he lived in a palace or in a great city. His wife is intelligent, perhaps a graduate of a college or perhaps not. She is a human being. Her children are around her crying for food, ragged because they cannot afford clothing. The crops have all failed this year, last year, and in many cases the preceding year and the year before that. Where would they go? Ask yourselves the question. Where could they go? In the first place, they would have to be assisted to go anywhere else; but would they be any better off if they should go somewhere else?

We are faced with a problem which would seem to be impossible of solution. I do not know of any way to solve it, and yet it must be solved. We must find some way to do away with the human agony, the human anguish, the human suffering that prevails in many of our country homes in a great portion of the United States.

The Resettlement Administration has charge of this work to a great extent. At the beginning I did not understand that they had. I think they have done a magnificent work. They are criticized because they do not do enough and criticized because they do too much. They are condemned in every locality because they do not supply all that some of the sufferers want. They are not popular in any community, as a rule. But I say, Mr. President, if the Resettlement agents are human, if they have hearts, especially if they have wives and children of their own, they cannot turn a deaf ear to those who are pleading for life, to be allowed to live.

Farmers in this condition cannot get money anywhere. They do not want to become beggars. They do not want to go on the relief rolls and be fed from public charity. Many of them are compelled to adopt that course, and it is no disgrace to them. Eventually many of them are simply driven there, but in most cases they want to stay off the relief roll if they can possibly do so. They lay the facts before the representative of the Resettlement Administration. It takes time to investigate each case. Delays occur, but we cannot delay the demands of the appetite. It is useless to call for delay to keep one from grieving when he has not clothes to cover his nakedness. There cannot be delay in the case of the farmer's stock; it must be fed now. Yet delays occur, perhaps more than they should. They occur because it is known that all over the country is a class of people who are going to find fault, who are going to criticize, who are going to condemn if they find a case where one penny has been lost or wasted.

We cannot or should not compare dollars with human lives. We cannot or should not measure the suffering in our country on the basis of the dollars and cents that might be saved if we cut this man's salary or that man's salary or withheld 5 cents from the support of this needy family, or if we made a mistake and gave someone relief who, perhaps, ought not to have had it.

It may be, from the tenderness of their hearts, listening to the pleas for mercy of the suffering and anguished that the Resettlement representatives overstep their duty. I do not know that this is so, but it is only natural that it should be so. But should we then complain that we are spending too much for overhead? It would not be possible to go out into the country and make selections among the needy cases without expending some overhead. That is what the Resettlement Administration mainly is doing throughout the great suffering portions of our country. They are doing a fine job. I should not want to curtail their activities in the slightest. I should like to save overhead if I could, but let us not give that as an excuse for preventing the necessary investigation and the necessary examination which must be made in the field, which must be made on the ground. It cannot be made elsewhere. Unless such investigation and examination be made, the Administration would lay itself open to the charge of extravagance, unnecessary extravagance, that ultimately might be proven against it.

I do not believe there is a man at work out in the field who is not necessary. When I look over the ground in a given locality I wonder how these agencies do as much as they do without more assistance. As a general rule, I have not found the men with whom I have talked to be hard-hearted. They are in sympathy with their work. They are in sympathy with suffering humanity. So far as I can observe, they are doing the best they can to give relief where it is most needed. One of the cruelest things of all, it seems to me, comes about when these men, doing the best they can, are criticized by those who are in power, those who wish to get in power, and also by the very persons they are trying to help, because in many cases they cannot pay for the absolute necessities with the amount of money the Resettlement Administration can give them. They cannot relieve these people from suffering. They merely save them from starvation; that is all. They do not keep these people in luxury. These poor folk are waiting and hanging on now, hoping and praying that God will send them rains next year and bring crops to millions and millions of acres of our fertile soil. Unless He does, these people must all perish. They cannot live the way they are living now, even with the support we are giving them, and I think Senators ought to be careful before they cut an expense of this kind.

I do not know anything that we could do anywhere that would be entirely exempt from criticism or wrongdoing. That will creep in, no matter what we do. Occasionally a man will have an administrative job who never ought to have had it, who ought to be kicked out, who has no sympathy with his work. That will always be true. That is especially true in our democracy. That is one of the things we have to endure. We must not ask or expect perfection.

Taking it all in all, Mr. President, I think the committee amendment ought to be defeated. In the interest of efficiency and in the interest of humanity, it seems to me it ought to be defeated.

Mr. HAYDEN. Mr. President, as a member of the Committee on Appropriations, I cannot allow to pass unnoticed the remarks just made by the Senator from Nebraska [Mr.

NORRIS]. They are based upon an entire misapprehension of the facts.

The Committee on Appropriations does not propose to reduce by one cent the amount of money to be expended by the Resettlement Administration in its operations in the field. The committee report states:

Decrease: Allotment to Resettlement Administration for personal administrative services in the District of Columbia, $1,000,000.

It was ascertained that it costs about $5,000,000 to carry on the work of the Resettlement Administration in its headquarters here in Washington.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. NORRIS. Who is objecting to that reduction? I have not raised any objection to it, and I do not think that is involved in this question.

Mr. HAYDEN. That is all that is involved in the committee amendment with respect to reduction of personal services.

Mr. NORRIS. Oh, no.

Mr. HAYDEN. The cut recommended by the committee is solely a reduction in personal expenses in the District of Columbia. I desire particularly to have the Senator understand that the entire Committee on Appropriations is just as sympathetic as he is with the activities of the Resettlement Administration in the field. The committee does not propose to reduce by one cent the amount of money necessary for the employment of personnel in the field.

Mr. ROBINSON. Mr. President——

Mr. HAYDEN. I yield to the Senator from Arkansas.

Mr. ROBINSON. The Senator's remarks, of course, relate solely to the question of administrative costs.

Mr. HAYDEN. Exactly.

Mr. ROBINSON. The Senator does not refer to the committee amendment. He does not mean to say that the sole purpose of the committee amendment is to reduce administrative costs.

Mr. HAYDEN. No. As I understood the remarks of the Senator from Nebraska, his great objection to the committee amendment was to the amount of the reduction in the expenses for personal services. The Senator assumed that the committee was attempting to cut down the number of persons employed by the Resettlement Administration in the field. That is not the fact.

Mr. NORRIS. No, Mr. President; that is not the case. I wish to have the Senator understand that I am not criticizing the motives of anybody. I certainly am not questioning the motives of the committee.

This amendment is a sort of a lump sum. The committee has not broken down, in this amendment, or in the original law, what it consists of. It has great ramifications. It covers the entire United States.

Mr. HAYDEN. The Senator from Nebraska is again mistaken.

Mr. NORRIS. The Resettlement Administration covers the entire United States. The chairman of the Senator's own committee himself said a few minutes ago that the Resettlement Administration operates in practically every county in the United States.

Mr. HAYDEN. The point I wish to emphasize is that the committee followed its usual and customary practice when dealing with lump sums of money and seeking to make a reduction. The sum of money in the bill has been reduced. The report of the committee states where the reduction is to take effect. I read to the Senator from the committee report, and I now repeat what the committee says:

Decrease: Allotment to Resettlement Administration for personal administrative services in the District of Columbia, $1,000,000.

The other purpose, and the remaining $14,000,000 of the $15,000,000 reduction, is in the allotment to the Resettlement Administration for rural resettlement and subsistence homestead projects. The Senator from Nebraska [Mr. NORRIS], in the course of his remarks, stated what the committee is fully aware of, and with which it is in entire sympathy—that the Resettlement Administration makes grants and loans, and that it is the only agency of the Government which can make grants to persons in distress. I wish to point out to the Senator and to the Senate that there is no reduction in the amount of money appropriated for such purposes. If this amendment is adopted, there will still be available to the Resettlement Administration exactly what it asked for for the following purposes:

For rural rehabilitation loans, $58,246,000.

For rural rehabilitation grants, $30,398,000.

For submarginal land purchases, $437,000.

For land development on submarginal purchases, $5,177,000.

The only reductions suggested in these appropriations are $1,000,000 in the administrative expenses in Washington and $14,000,000 in rural resettlement and subsistence homestead projects. So everything that the Senator has said in praise of the Resettlement Administration, with respect to the excellent work it is doing in all of these other fields has the entire concurrence of the Committee on Appropriations. We are just as sympathetic with its activities and just as proud of what it is doing as is the Senator. The committee, however, desires to make it clear to the Senator and to the Senate that the only issued raised here is with respect to these two matters, to wit: Administrative expenses in the District of Columbia and the cost of rural resettlement and subsistence homestead projects.

Mr. ROBINSON. Mr. President, may I ask the Senator some questions on the subject matter of administrative costs?

Mr. HAYDEN. Certainly.

Mr. ROBINSON. The debate really has shifted from the large proposal relating to the $14,000,000 for completion of projects to a proposal to cut off $1,000,000 of administrative expenses in Washington. If the administrative expenses in Washington are out of proportion to the service performed, of course the reduction ought to be made; but I am wondering how far the committee went into that matter. I have gone into it since the amendment was proposed, and I find that the figures do not justify the implication of the remarks of my friend, the Senator from South Carolina [Mr. BYRNES].

Let me ask if the Senator from Arizona is informed as to the approximate percentage the total number of employees here in Washington bears to those in the field in connection with resettlement.

Mr. HAYDEN. No. My information is that the cost of administration in the District of Columbia is practically the same as, or a very little less than, the entire cost of administration in the field.

Mr. ROBINSON. I think there must be some error about that. Does the Senator know the average salary of employees in the District of Columbia in Resettlement?

Mr. HAYDEN. I am informed that it is about $2,800 a year.

Mr. ROBINSON. There is evidently a dispute about that. I do not want to become too far involved in it, because I have never investigated the details; but the information supplied me in compliance with my request is that the average salary in Washington is $1,882, instead of $2,800 as just stated by the Senator from Arizona. That makes a very notable difference. The percentage of Resettlement employees who are in the field is approximately 75 percent, compared with 25 percent in Washington.

Mr. HAYDEN. Which, I will state to the Senator, is a much higher ratio than is normal in the case of other Federal activities.

Mr. ROBINSON. In all probability that is true, and I do not know all the reasons for the existence of that higher ratio.

Mr. WHEELER. That would be only natural, particularly in the Resettlement Administration, where it is necessary to send men out into the field to supervise the distribution of the money, particularly where it is distributed for relief. I can readily understand that. I think it is only natural.

Mr. ROBINSON. Mr. President, I apprehend that when the matter is gone into, the statement of the Senator from Nebraska will be pretty well sustained.

Instead of $2,800 being the average annual salary of employees of the Resettlement Administration in Washington, the figures supplied me, presumably from the record, show that the average salary is $1,882. What is the average salary of employees in the field? Something like 71 percent of the cost of Resettlement has been incurred in the field, and 29 percent of the total cost in Washington. The actual cost of salaries of Resettlement employees in the field is $1,451, compared with $1,882 for the employees in Washington.

The very able junior Senator from South Carolina [Mr. BYRNES], a great student, a hard worker, and a reliable Senator, made a statement which warranted the conclusion that salaries in Washington for Resettlement employees were out of proportion and unduly high as compared with the salaries of employees in the field. The record, as I have it, shows that $1,882 is the average salary for employees in Washington and $1,451 for employees in the field. It is expected that if the comparison were carried out for other departments the figures so far as salaries in the field are concerned would be quite favorable to Resettlement.

Everyone knows that salaries of Government employees in Washington are, on the average, higher than Government salaries elsewhere. The salaries in Washington have to be higher, but, instead of being $2,800, as suggested by my friend the Senator from Arizona, the average as represented to me from the record is $1,882, and the average for the employees in the field, as I have previously stated, is only $1,451. The amount of money spent in the field is 71 percent of the total, as compared with 29 percent spent in Washington.

Mr. HAYDEN. Nevertheless, it is costing approximately $5,000,000 a year to carry on the work of the Resettlement Administration in the District of Columbia.

Mr. ADAMS. Mr. President, let me give some figures coming from the record, the same source from which the Senator from Arkansas gets his figures. The figures I have show that there are 2,778 employees in the District of Columbia, and that their average salary is $1,882, which makes a total of $5,228,196. In the field there are 10,482 employees.

Mr. HAYDEN. Let me repeat that it is costing over $5,000,000 a year to maintain the office of the Resettlement Administration in Washington. The committee was of the opinion that that sum of money can be very properly reduced, and is suggesting that the Administration try to get along with a little better than $4,000,000 during the fiscal year.

Be that as it may, let us take up the other question; that is, the rural and suburban resettlement program, which is something that did not originate with the Resettlement Administration. It was inherited from a bureau transferred to the Resettlement Administration from the Interior Department and by transfer of projects from the Works Progress Administration.

The tabulation on page 252 of the House hearings shows that the projects initiated by the Division of Subsistence Homesteads in the Interior Department number 3,498; that is, they will take care of 3,498 families, and that their total cost will be $26,395,000. The average cost per family will be about $7,000.

The next group, listed on the following page, is of projects initiated not by the Resettlement Administration but by the Federal Emergency Relief Administration, which were likewise acquired by transfer. Those projects number 3,643, and are to cost, when completed, $15,245,000, which would be over $4,000 per family.

The third group of projects are of the infiltration type and number 2,066, costing $10,096,000, or about $5,000 per family.

As the Senator from Colorado has stated, the combined total of the number of families to be benefited by the rural and suburban resettlement program which we are appropriating money to complete is only 13,566. The Federal Government will expend $91,759,000 to take care of about 13,500 families. That is a program which is so essentially unsound that it cannot continue. There is not enough money in the Treasury, and never will be, and the credit of the United States will never be great enough to undertake to give to all other persons similarly situated in the United States like housing accommodations. There are so many hundreds of thousands of families needing better homes that it simply cannot be done by following that method. The most encouraging note I have heard in the course of the debate on the pending amendment is the statement read into the RECORD by the Senator from Arkansas, which was sent to him by the Secretary of Agriculture, which said:

> That further construction should not be started until a very careful study is made of the whole program for the development of farmsteads.

Let it be perfectly plain to all Senators that the Senate Committee on Appropriations does not desire to stop the construction of any one of the rural and suburban resettlement projects which has been initiated. The committee wants to see them all completed, and the best of our judgment is that enough money is already available to the Resettlement Administration to carry on the work from now until June 30. It was, therefore, our judgment that this $14,000,000 is not necessary.

The committee knew there would be a regular appropriation bill to care for further construction during the next fiscal year. We knew there would be other deficiency bills, if we should make any mistake in this instance, but the committee did want to indicate to the Resettlement Administration, to the Senate, and to the country that no new projects should be started.

No new projects may be started, but much money may be spent in adding new units to existing projects. That is what is actually proposed to be done with this $14,000,000.

It seems to me that the Secretary of Agriculture is perfectly sound in the statement that nothing new is to be undertaken until a further study of the subject is made. The Congress is entitled to have the benefit of such a study, because it is perfectly obvious to anyone that the Federal Government cannot find money enough to take care of all the people who ought to have better rural homes.

It is obvious that an approach had to be made toward the solution of this problem. Someone had to conduct the experiment. Little or nothing was known about farmsteads and rural resettlement in the United States. The money that has been expended, although some of it perhaps has been wasted, has been well spent, in my judgment. I am glad to see the experiment started. But the figures submitted by the Resettlement Administration clearly demonstrate that the method of approach is wrong, that Congress must go about it in some other way.

Basically there can be no difference between the problem of housing in the country and the problem of housing in the cities. I am convinced that the only successful method which can be pursued with respect to housing for people of small income is to require a local organization of a public nature to initiate projects. The Federal Government should do as the British Government does, give grants in aid to projects of that kind, upon the ground that through that method we are providing for a better citizenship.

The British Government has very successfully undertaken widespread housing projects on that basis. The able junior Senator from New York [Mr. WAGNER] has most carefully investigated that subject, and I think he will agree with me, if I make the inquiry of him, that certainly the approach made in this respect, by the Federal Government assuming all the costs with no local help at all, no local guidance, no local assistance, no local consideration of the problem, all done at the direction of someone here in Washington, is not the way to undertake housing in the United States, either rural or urban.

Mr. WAGNER. Mr. President, all I can say to the Senator, in reply to his inquiry, is that the bill which I introduced last year, and succeeded in having passed through the Senate, did provide for local housing authorities, who were to initiate the projects, then to be aided by loans and grants by the Federal Government.

Mr. HAYDEN. That is vastly different from what the Federal Government has been doing with respect to rural resettlement. All the cash has come out of the Federal Treasury, and it is proposed to expend $91,000,000 to take care of 13,000 families. When all of the 13,000 families are furnished with homes, what effect will that have upon other millions of our rural population who are equally deserving? Such a plan will get nowhere because there will never be money enough to extend it to all who are in need of better housing.

The present program is thoroughly unsound, and I am delighted to know that the Secretary of Agriculture has stated publicly to the Senate, in the memorandum submitted by the Senator from Arkansas, that no more rural and suburban resettlement projects are to be initiated until further careful study is made.

Mr. McKELLAR. Mr. President, I saw the statement of the Secretary, and knowing the Secretary as I do, I am inclined to believe that if he had been before our committee he would have come to the same conclusion we reached, and I believe even if we appropriate the money, it will not be spent in furtherance of these projects.

Mr. KING. Mr. President, will the Senator permit me to interrogate him for my own information?

Mr. HAYDEN. Certainly.

Mr. KING. I have hastily examined some figures and find that there were allocated for the fiscal year 1936 to the Resettlement Administration $276,734,159, and that $158,111,168 were expended and "encumbered"—I suppose that means commitments made—to the amount of $223,154,616, or the encumbrances exceeded the allocations by $104,000,000. Are the figures which have been presented to the Senate committee corroborative of the figures which I have just indicated?

Mr. HAYDEN. The set-up of figures which the Senator has in his hand is not along the lines of the tabulations which were submitted to the House and the Senate respecting this appropriation. The Committees on Appropriations were interested in a break-down of the total figures. What the Senator has read are grand totals of expenditures for all purposes, whereas what we wanted to know and what we ascertained was that there would be, as I stated before, $58,000,000 for rural rehabilitation loans, $30,000,000 for rehabilitation grants, $35,000,000, or $49,000,000, as the case may be, for rural resettlement subsistence homestead projects, over $400,000 for submarginal land purchases, and land development on such purchases of over $5,000,000. That is where the money is to go that was appropriated by Congress in the sum of $85,000,000 at the last session, and to which the Budget estimate proposed a supplement of $80,000,000, as contained in this bill.

Mr. KING. If the figures which I have obtained from the report submitted by the Resettlement Administration are correct, I am amazed to discover that for the fiscal year 1936 more than $276,000,000 was appropriated to that organization, and that it spent $158,000,000 and made commitments for $223,000,000 more. I was wondering where the money was to be obtained from for those commitments.

Mr. HAYDEN. The Senator is aware, of course, that there were transferred from the Works Progress Administration 250,000 persons who were sufferers from the drought, to be cared for by the Resettlement Administration. That was a load wholly unexpected, wholly unanticipated. The Resettlement Administration was compelled to use money to feed and clothe and preserve the lives of the people in great distress. That makes a vast difference in the figures compared with the estimates presented to Congress at the last session.

Mr. KING. Mr. President, an examination of the Budget shows that the estimated appropriations for the Resettlement Administration for the next year are $179,000,000 plus. So it seems we are to continue these extraordinary expenditures for another year, with the commitments which have been made and, doubtless, commitments which will be made under the authorization to which I have just referred.

I repeat what I stated yesterday, Mr. President, that I regard the Resettlement Administration as one of the most extravagant organizations under the Federal Government; and the debates which have ensued have shown such a confused situation and, to use the expression of the able chairman of the subcommittee of the Committee on Appropriations, such a "mess" in the Administration and in the activities or lack of activities connected with it, that I have felt constrained to offer a resolution, which I send to the desk and ask to have read.

The PRESIDENT pro tempore. Without objection, the resolution will be read.

The Chief Clerk read as follows:

Whereas the Resettlement Administration created by Executive Order No. 7027, dated April 30, 1935, has had transferred to it by subsequent Executive and administrative orders the property, functions, and funds of various other governmental agencies, including the land program of the Federal Emergency Relief Administration, the Division of Subsistence Homesteads of the Department of the Interior, the Land Policy Section of the Agricultural Adjustment Administration, and the Rural Rehabilitation Division of the Federal Emergency Relief Administration; and

Whereas the duties and purposes of the Resettlement Administration, as prescribed by the President, are

(a) To administer approved projects involving rural rehabilitation, relief in stricken agricultural areas, and resettlement of destitute or low-income families from rural and urban areas, including the establishment, maintenance, and operation, in such connection, of communities in rural and suburban areas;

(b) To initiate and administer a program of approved projects with respect to soil erosion, stream pollution, seacoast erosion, reforestation, forestation, flood control, and other useful projects;

(c) To make loans, as authorized under the Emergency Relief Appropriation Act of 1935, to finance, in whole or in part, the purchase of farm lands and necessary equipment by farmers, farm tenants, croppers, or farm laborers;

and

Whereas the Resettlement Administration has expended large sums for the claimed purpose of carrying out the various activities it has undertaken and has a large number of employees in the city of Washington and elsewhere; and

Whereas it is alleged that the expenditures in connection with many of such activities have been unwarranted and excessive and that the benefits derived from such activities have been wholly incommensurate with the expenditures made; and

Whereas it is alleged that many other projects of the Resettlement Administration are contemplated which involve further large expenditures of public funds: Therefore be it

Resolved, That a special committee of four Senators, to be appointed by the President of the Senate, is authorized to make a full and complete investigation of the activities of the Resettlement Administration, the total amount of public funds that have been made available to it for expenditure, and the amounts actually expended for various projects, the number and salaries of its officers and employees, and its contemplated future activities and the expenditures to be made therefor. The committee shall report to the Senate as soon as practicable, but not later than July 1, 1937, the results of its investigations, together with its recommendations, if any, for necessary legislation.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the first session of the Seventy-fifth Congress, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $——, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

Mr. KING. Mr. President, the last portion of the resolution is in the usual form, authorizing the committee to act in full committee or by subcommittee, and to employ the necessary stenographers and incur the necessary expenses incident to the investigation.

Mr. BARKLEY. Mr. President, the Senator does not contemplate seeking action upon the resolution now?

Mr. KING. No, Mr. President.

Mr. BARKLEY. I suggest that the resolution be referred to the appropriate committee.

Mr. KING. Mr. President, I ask that the resolution lie on the table for the moment. I shall ask that it be taken from the table in the near future and considered, or I shall expect at least that some debate will be had upon the subject, and then I shall ask that it be referred to the appropriate committee.

However, in the light of the discussions which have taken place in connection with the bill now before us, it seems to

me that the need of a resolution of this character must be apparent to all. It seems to me that no one who has attempted to familiarize himself with the activities of the Resettlement organization can be satisfied with the progress made, with many of the expenditures made, and with the futilities which have attended many of its efforts. I feel, Mr. President, in the light of the evidence which has been presented here in the discussions, that we are justified in asking for a thorough and searching examination and investigation in regard to the past and prospective activities of this great organization.

Mr. McNARY. Mr. President, I find myself much in accord with the views expressed by the Senator from Utah. However, a resolution of this kind cannot lie on the table. Under the Senate rules it must go to the Committee on Rules or to a standing committee having jurisdiction, and then to the Committee to Audit and Control the Contingent Expenses of the Senate, because it carries an appropriation for investigation. I make that observation in order to hasten consideration.

Mr. KING. Mr. President, I had supposed there would be no objection to the resolution lying on the table. I am familiar with the rule mentioned by the Senator from Oregon. I now withdraw the resolution for the moment, but, of course, it has been read into the RECORD, and at the appropriate time I shall reoffer it for consideration.

The PRESIDENT pro tempore. Without objection, the Senator for the present withdraws the resolution he has just offered.

Mr. CLARK. Mr. President, I wonder whether the distinguished Senator from Arizona [Mr. HAYDEN], who is chairman of the Senate Committee on Printing as well as a member of the subcommittee of the Committee on Appropriations which has the matter under discussion in charge, would mind if I asked him, in view of his wide experience and authority on matters of this sort, just exactly where in the law there is authority for the Resettlement Administration to squander public funds in preparing and issuing, under the guise of an annual report, a flamboyant prospectus of this sort [exhibiting], which would shame any get-rich-quick fake gold-mining company or fake real-estate development in the United States?

How much of the money involved in this controversy is to be spent for that sort of propaganda?

Here is another of the publications of the Resettlement Administration, dealing with "Greenbelt Town." I should like to ask the Senator from Arizona how much money involved in this controversy is to be spent on these Greenbelt or Green Bay or Greenbriar or Green-Goods towns.

Mr. HAYDEN. Mr. President, I have no detailed information as to just from what source the money was obtained to issue these publications. The Resettlement Administration is given authority to have printing and binding done, and no doubt out of its general appropriation the publications referred to by the Senator from Missouri were paid for.

Mr. CLARK. I wish to ask the Senator from Arizona another question. As chairman of the Senate Committee on Printing, does the Senator know any reason on earth why the Resettlement Administration, in carrying out the duties imposed upon it by law to make an annual report of its expenditures and activities during the past year, should not conform to the ordinary practice of other Government departments and other Government bureaus, including the annual message of the President of the United States, the Annual Report of the Secretary of the Treasury, the annual report of every other Government activity, so far as I know, and more or less present its report in a manner similar to that of other reports? Why should the Resettlement Administration be permitted to go out and have a report made on glazed paper which reminds one of nothing more than a get-rich-quick prospectus?

Mr. HAYDEN. Mr. President, certainly there would be a material saving to the Government if such a report was printed in the usual way. I may state, for the information of the Senator, that the Joint Committee on Printing, of which I happen to be a member, will hold a meeting tomorrow. I can assure him that after tomorrow publications of this kind will not be issued unless the proposal shall be first submitted to the Joint Committee on Printing, and if so submitted to that committee there will have to be most extraordinary reasons shown for a repetition of such character of printing.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee on page 5, line 6.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Clark	Hughes	Pepper
Andrews	Connally	Johnson, Colo.	Pittman
Austin	Copeland	King	Pope
Bachman	Davis	Lee	Radcliffe
Bailey	Dieterich	Lewis	Reynolds
Barkley	Duffy	Lodge	Robinson
Bilbo	Ellender	Logan	Russell
Black	Frazier	Lonergan	Schwartz
Bone	George	Lundeen	Schwellenbach
Borah	Gerry	McCarran	Sheppard
Bridges	Gibson	McGill	Thomas, Okla.
Brown, Mich.	Gillette	McKellar	Thomas, Utah
Bulkley	Green	McNary	Truman
Bulow	Guffey	Maloney	Tydings
Burke	Harrison	Minton	Vandenberg
Byrd	Hatch	Moore	Van Nuys
Byrnes	Hayden	Murray	Wagner
Capper	Herring	Neely	Wheeler
Caraway	Hitchcock	Norris	White
Chavez	Holt	Nye	

Mr. LEWIS. I rise merely to reannounce the absence of certain Senators and the reasons therefor as stated by me on a previous roll call.

The PRESIDENT pro tempore. Seventy-nine Senators have answered to their names. A quorum is present. The question is on agreeing to the committee amendment, on page 5, line 6, proposing to strike out "$790,000,000" and inserting "$775,000,000."

Mr. BARKLEY. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. BYRD (when Mr. GLASS' name was called). My colleague the senior Senator from Virginia [Mr. GLASS] is unavoidably detained from the Chamber. He is paired with the senior Senator from Minnesota [Mr. SHIPSTEAD]. If my colleague were present, he would vote "yea."

Mr. BYRNES. I have a general pair with the senior Senator from Maine [Mr. HALE]. I transfer that pair to the Senator from California [Mr. MCADOO] and vote "yea." If present and voting, the Senator from Maine would vote "yea", and the Senator from California would vote "nay."

Mr. MALONEY (when his name was called). On this vote I have a pair with the senior Senator from Wisconsin [Mr. LA FOLLETTE]. If he were present, he would vote "nay." If I were permitted to vote, I should vote "yea."

Mr. McKELLAR (when his name was called). On this vote I have a pair with the senior Senator from Delaware [Mr. TOWNSEND]. I have been informed, however, that if present the Senator from Delaware would vote as I intend to vote. Therefore I am at liberty to vote, and vote "yea."

The roll call was concluded.

Mr. LEWIS. I announce that the Senator from Ohio [Mr. DONAHEY] is absent because of illness; that the Senator from New Hampshire [Mr. BROWN], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from South Carolina [Mr. SMITH], and the Senator from Massachusetts [Mr. WALSH] are detained on important public business; and that the Senator from Alabama [Mr. BANKHEAD] and the Senator from California [Mr. MCADOO] are unavoidably detained from the Senate.

I further announce that the Senator from Louisiana [Mr. OVERTON], who is absent on departmental business, is paired on this vote with the Senator from Wyoming [Mr. O'MAHONEY]. If present, the Senator from Wyoming would vote "nay."

Mr. McNARY. I announce that my colleague the junior Senator from Oregon [Mr. STEIWER] and the senior Sena-

tor from Delaware [Mr. TOWNSEND] are necessarily absent; and that the Senator from Minnesota [Mr. SHIPSTEAD] is absent because of illness.

The result was announced—yeas 36, nays 42, as follows:

YEAS—36

Adams	Chavez	Hatch	McNary
Austin	Clark	Hayden	Moore
Bailey	Copeland	Holt	Radcliffe
Borah	Davis	Hughes	Reynolds
Bridges	Dieterich	Johnson, Colo.	Russell
Bulkley	Gerry	King	Truman
Burke	Gibson	Lodge	Tydings
Byrd	Gillette	McCarran	Vandenberg
Byrnes	Green	McKellar	White

NAYS—42

Andrews	Duffy	Lonergan	Robinson
Bachman	Ellender	Lundeen	Schwartz
Barkley	Frazier	McGill	Schwellenbach
Bilbo	George	Minton	Sheppard
Black	Guffey	Murray	Thomas, Okla.
Bone	Harrison	Neely	Thomas, Utah
Brown, Mich.	Herring	Norris	Van Nuys
Bulow	Hitchcock	Nye	Wagner
Capper	Lee	Pepper	Wheeler
Caraway	Lewis	Pittman	
Connally	Logan	Pope	

NOT VOTING—17

Ashurst	Hale	O'Mahoney	Townsend
Bankhead	Johnson, Calif.	Overton	Walsh
Brown, N. H.	La Follette	Shipstead	
Donahey	McAdoo	Smith	
Glass	Maloney	Steiwer	

So the amendment of the committee was rejected.

The PRESIDENT pro tempore. Under the unanimous-consent agreement the Senator from Washington [Mr. BONE] is recognized for the purpose of presenting his amendment.

Mr. BYRNES. Mr. President, I desire to ask whether, under the unanimous-consent agreement, an amendment is in order to the particular provision which has been under discussion or whether amendments are limited entirely to the amendment offered by the Senator from Washington?

I desire to offer an amendment which was discussed during the debate, reducing by $1,000,000 the total amount carried by the bill. During the debate the Senator from Arkansas [Mr. ROBINSON] stated he was not willing to amend his amendment. I wish to know now whether under the unanimous-consent agreement any amendment is limited at this time to the amendment to be offered by the Senator from Washington [Mr. BONE].

The PRESIDENT pro tempore. The agreement was based only upon the contingency that the committee amendment should be adopted.

Mr. BYRNES. That is what I thought.

The PRESIDENT pro tempore. The Senator from Washington [Mr. BONE], however, has been recognized for the purpose of presenting his amendment.

Mr. BYRNES. May I ask the Senator from Washington if he will permit me to offer the amendment to which I have referred and have a vote on it and get it out of the way? My amendment would reduce by $1,000,000 the total amount carried in the bill. Would the Senator from Washington lose his right to offer his amendment if he yielded to me for that purpose?

The PRESIDENT pro tempore. He would not.

Mr. BYRNES. Then I ask the Senator from Washington if he will yield to me for that purpose?

Mr. BONE. I yield.

Mr. BYRNES. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. It is proposed, on page 5, line 6, to strike out "$790,000,000" and insert "$789,000,000", so as to read:

RELIEF AND WORK RELIEF

To continue to provide relief and work relief as authorized in the Emergency Relief Appropriation Act of 1936, and subject to all the provisions thereof, $789,000,000—

And so forth.

The PRESIDENT pro tempore. The Chair understands, of course, that if this amendment is adopted, the same unanimous-consent agreement will apply.

Mr. BYRNES. That is my understanding.

Mr. President, the only purpose in offering the amendment is that the committee report indicated that the committee desired a reduction of $15,000,000 in the total appropriation, $14,000,000 because of the subsistence homestead projects, and $1,000,000, as indicated by the report, in the way of a reduction in administrative expenses of the Resettlement Administration in the District of Columbia alone. Failure to adopt the amendment of the committee has defeated both items which were included by the committee in the hope of economy. I hope the Senate will adopt at least this part of the committee's recommendation.

Mr. ROBINSON. Mr. President, I do not know whether the amendment involves a practical retrenchment or not. We have had a prolonged discussion of its merits. So far as I am concerned, I am willing that the amendment may be agreed to and go to conference so that the matter may be finally determined there.

Mr. NORRIS. Mr. President, under the circumstances the amendment will probably be adopted, but for the record I should like to state that there is nothing yet before the Senate on the part of the particular Department which is going to be affected by the appropriation, even admitting that the justice of the amendment is established. I do not know whether or not the Department can reduce the administrative expenses in the District of Columbia by this amount. It is a comparatively small matter anyway.

I think, with the debate which has taken place, the Department should take due notice, and that if it can be done they will reduce their expenditures in the District no matter what action we may take here. If we desire to reduce administrative expenses in the District of Columbia the amendment ought to say so. It does not say so. It has no legal relation to that particular point.

If the Senator from South Carolina feels that the expenses ought to be reduced and can be reduced and that the need for such action is sustained by evidence which is fairly conclusive, why does he not offer an amendment expressing the will of Congress that the expenses of the Resettlement Administration in the District of Columbia shall be reduced by $1,000,000?

Mr. BYRNES. Mr. President, the reason why the committee did not do that was because of the exceeding great difficulty in accomplishing that end in the way the Senator from Nebraska has suggested. This is a lump-sum appropriation. The amendment upon which we have just voted did not carry any specific declaration in favor of a reduction for a specific purpose. That suggestion is merely carried in the report of the committee. The committee realized it would only be persuasive upon the executive department.

That is true of the pending amendment. The committee could not well frame an amendment to provide that no part of this fund should be used for administrative expenses in the city of Washington in excess of so many dollars, because it did not want to make too rigid the restrictions upon the department. The committee believes, and I believe, that just as the report would have been persuasive upon the executive department as to the other amendment, so it will be as to this intention on the part of the Congress that there should be a reduction of at least $1,000,000 in the administrative expenses in the District of Columbia. I think the executive department would comply with that wish.

Mr. NORRIS. The executive department will undoubtedly pay the same attention to the debate that has taken place here today. I have no doubt of that. I have no doubt, if it possibly can be done, that they will reduce the administrative expenses in Washington. But they could even increase the administrative expenses, if they wanted to be technical, even though the amendment should be adopted. Unless attention is paid to the debate which has taken place, they could absolutely ignore the provisions of the amendment.

Mr. BYRNES. I would share the view of the Senator that they ordinarily would pay some attention to the debate, but after the debate the million dollars was restored to the bill or retained in the bill, and that would perhaps cause some official in the executive department to say, "There was debate, and after listening to the debate the

majority of the Senate voted to restore the item and, therefore, is against the reduction." On the other hand, if we reduce the total amount by $1,000,000 it would be construed as an intention on the part of the Congress that there should be a reduction in the administrative expenses in the District.

Mr. NORRIS. With due respect to the Senator's judgment, I believe they would take the opposite course. In the debate no one has defended any extravagant overhead expenses in Washington. Except the Senator himself, I think none of us is familiar with just what the expenditures are. I know I am not able to satisfy myself whether or not they are too great. It may be that on investigation we would all become convinced that they are not too great.

Every Senator who has spoken has said he wants to reduce the overhead expenses if it can be done, and that he would like to reduce them if it is possible to do so. If the Department wants to be technical, its representatives could ignore the debates, it is true, but they are just as apt to pay attention to the debates which disclose that every one is in favor of a reduction of overhead expenses if it can be brought about. However, I still insist that we have no particular evidence offered to us that the administrative expenses are too great at the present time.

Mr. KING. Mr. President, will the Senator yield?

Mr. NORRIS. Yes.

Mr. KING. Yesterday, during the debate, the suggestion was made that some economies necessarily would be effected by reason of merging this organization with the Department of Agriculture, or at least placing it under the jurisdiction of the Secretary of Agriculture, because it seems to me that fewer administrative officials than otherwise would be required in the District of Columbia; and obviously there must be a considerable economy in the consolidation of these two organizations.

Mr. NORRIS. There ought to be. I concede that. On the other hand, there has been thrown into the lap of the Resettlement Administration any amount of business that never was intended to be there, some of which must necessarily have a great deal of overhead expense in Washington.

Mr. WHEELER. Mr. President——

Mr. NORRIS. I yield to the Senator from Montana.

Mr. WHEELER. I desire to call the Senator's attention to the fact that during the past few months a number of persons who were on the W. P. A. rolls have been thrown over into the lap of the Resettlement Administration.

Mr. NORRIS. Yes.

Mr. WHEELER. Consequently, it may be necessary to increase the personnel here in Washington for the purpose of taking care of that particular group, which runs into many thousands of persons who have been shifted from W. P. A. over to Resettlement.

Mr. BARKLEY. Mr. President, will the Senator yield in order that I may ask the Senator from South Carolina a question?

Mr. NORRIS. Certainly.

Mr. BARKLEY. Assuming that the $1,000,000 of proposed reduction is taken altogether out of administrative expenses in Washington, it will involve a reduction of about 20 percent, inasmuch as it has been stated that the administrative expenses here are a little over $5,000,000. It was also stated that about $30,000,000 is involved in this appropriation, or in the estimate, for grants to persons throughout the country, and about forty-five or fifty million dollars—I do not remember the exact figures—for loans to such persons. I imagine those figures were made up before the present unprecedented flood descended on the Ohio and Mississippi Valleys, which I presume will involve quite an increase in the activity of the Resettlement Administration with respect to both loans and grants.

In view of that fact, I am wondering whether the proposed reduction in the overhead here in Washington will not be too great a reduction, if it shall turn out that there must be an increase in these loans due to the cause I have mentioned.

Mr. BYRNES. Mr. President, at the conclusion of the remarks of the Senator from Nebraska I shall occupy about 3 minutes of the time of the Senate, and I shall then respond to the suggestion of the Senator from Kentucky.

Mr. NORRIS. Mr. President, I only wish to say to the Senator from South Carolina, in conclusion, that I am in entire sympathy with what he apparently is now trying to do; but I think the Senator is acting in the dark. We have not the necessary information upon which to act, and we may cripple this work. If we reduce the overhead expenses in the city of Washington by a million dollars, I think we shall cripple it. I am afraid we shall. I expect that reduction to take place, if it can be made, without any further action by Congress, because of the unanimous opinion here that the overhead expense ought to be reduced if it can be done. Nobody, however, wishes to cripple this work. I think a reduction of $1,000,000 now would cripple it, although I am not prepared to prove that it would do so.

I do know that the work of the Resettlement Administration has been very materially increased recently, I think within 2 weeks; and I do not know but that the increase is going on every day. So far as I know, the work is continually increasing, and I do not wish to take any chance on crippling it. It seems to me the Senator from South Carolina ought not to ask us to do that.

I do not wish to appear to be opposed to what the Senator desires to accomplish; but it seems to me he is asking us to do something on which we have not sufficient light to act intelligently, and I think the same thing would be accomplished if we should say nothing about it.

Mr. BYRNES. Mr. President, during the consideration of the bill the subcommittee had the clerk of the Appropriations Committee communicate with the Resettlement Administration to ascertain the amount spent for personal services in the District of Columbia. As I stated this morning, that amount appeared to be something more than $5,000,000 for personal services in the District of Columbia. For the moment I have misplaced the memorandum containing the figures. There are more than 80 employees drawing salaries of $5,000 and over.

In the history of the various departments I know of nothing to equal it. The fact also developed that the Resettlement Administration has 2,700 employees in the District of Columbia. In the field, doing the work of resettlement throughout the country, there are 10,000 employees, and the 2,700 employees in the District of Columbia receive approximately the same compensation as the 10,000 employees out in the field—in the States, in the regional offices, and in the counties.

I will say to the Senator that that Budget was arranged sometime ago. As the Senator knows, it was presented to the President many months ago and was presented to the Congress some weeks ago. Since that time the Resettlement Administration has been merged with the Department of Agriculture.

I know what will occur unless something is done. From the history of the departments, and my observation of them during the past 25 years, I know that when the Resettlement personnel comes into the Department of Agriculture, with 80 employees drawing $5,000 and more per year and 2,700 employees drawing this unusually large amount of compensation, efforts will be made to find something for them to do if they have not it at this time under the functions of the Resettlement Administration.

Taking the expenses of the other departments of the Government, the regular and emergency departments, with the best assistance the committee has, we believed that from this expenditure of more than $5,000,000 for personal services in the District of Columbia there could be for Resettlement now, merged as it is with the Department of Agriculture, a reduction of $1,000,000 without in any way affecting the services Resettlement should administer to the country.

I will say to the Senator from Kentucky [Mr. BARKLEY] that 250,000 persons at the most will be transferred from W. P. A. to Resettlement; but again, if we are correctly advised, that is merely for the winter, and at the end of the cold weather they are to go back to W. P. A., and not to remain upon Resettlement. No argument was made that

because of the transfer for the winter of this number of W. P. A. persons on relief rolls there should be any reduction in the overhead expenditure in the city of Washington.

I have not the slightest doubt that $1,500,000 could be taken out of this amount, and there would be absolutely no justification for any injury to the work of Resettlement throughout the country. We know that during the emergency immense organizations have been built up; but the emergency does not exist today to such an extent that we should not give some attention to the salaries of the employees who were placed upon the rolls of the Government during this period, in many instances without regard to the classifications existing in all the other departments.

Nobody on the Appropriations Committee wishes to hamstring in any way the activities of the Resettlement Administration. The only reason why I urge the adoption of the amendment is that the action of the Senate in defeating the Senate committee amendment ought to be construed by an official as a rejection of the proposal that there should be any mandatory reduction in the administrative expenses in the District of Columbia. I think the official would be justified in that interpretation. It is not mandatory, and if it cannot be properly done, it will not be done.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. BYRNES. Yes.

Mr. NORRIS. The Senator says a reduction is not mandatory.

Mr. BYRNES. No.

Mr. NORRIS. But, as I see the matter, it is mandatory. The amount is reduced arbitrarily by $1,000,000.

Mr. BYRNES. Yes.

Mr. NORRIS. If the reduction is not taken out of the overhead expenses in Washington, the officials will have to take it out of something else.

Mr. BYRNES. Yes.

Mr. NORRIS. They must reduce the total by $1,000,000.

Mr. BYRNES. I must say that that is not the legal effect of the action that is proposed, and I think the Senator will agree with me. Seven hundred and ninety million dollars is given to the President for relief and work relief. There are no restrictions upon the expenditure of the $790,000,000, and the President may pay it out for administrative expenses, for P. W. A., for Resettlement, or for anything he pleases. Legally, he may allot the entire amount to administrative expenses if he shall see fit to do so. Of course, he will not do so.

Mr. NYE. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from North Dakota?

Mr. BYRNES. Yes.

Mr. NYE. Has the committee any information concerning the number of employees with whose services the Resettlement Administration has been dispensing without regard to the pending legislation?

Mr. BYRNES. No; we have only the statement made before the committee a few days ago as to the total number, with annual compensation, as I say, of more than $5,000,000.

Mr. NYE. Is it not true that the Resettlement Administration at the present time is dispensing with the services of hundreds of employees?

Mr. BYRNES. I am not able to answer as to that. I sincerely hope so; and if it is being done, it shows that we could easily adopt the pending amendment and indicate that we are in favor of a continuation of the reduction of the personnel.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from South Carolina.

The amendment was agreed to.

Mr. BONE. Mr. President, it would be an ungracious thing for me to think, let alone suggest, that any Member of the Senate does not have in his or her heart as great a desire to serve the interests of the jobless and the hungry and those rendered wretched by the flood as I have in my own heart, or the feeling which I am sure is in the hearts of the other 11 Senators who signed the amendment which is now pending and which I shall discuss.

As the Senator from South Carolina [Mr. BYRNES] has just indicated, we now have before us a proposal to give the President $789,000,000, out of which he may earmark money for W. P. A., for Resettlement, and the allied and kindred interests arising out of the relief program. As I read the President's Budget message, it is proposed that $650,000,000 shall be employed in the relief program under W. P. A. during the next 5 months.

It would be a futile thing for me to occupy the time of the Senate in a long discussion of the needs of the unemployed, because every Senator has access to the same information to which I have access. I think every Senator is as well informed as I am, and possibly better informed, as to the needs of the unemployed and the great tragedy of unemployment which has overwhelmed us and remained with us so long.

I need not stress to the Members of the Senate the tragedy of the flood, which comes to us as an additional visitation of the wrath of Providence. I hold in my hand a clipping which indicates that there are probably a million refugees from the sections flooded by the waters of the Ohio and the Mississippi. I doubt whether one could conjure up a greater picture of human wretchedness and misery than that presented in the flood areas so devastated at this moment, and all of this comes on top of the horror and the wretchedness and the misery of unemployment, and the wretchedness and the misery of the drought, which in itself was a great tragedy. Losses have been sustained in the flood which possibly can never be recouped, and I have no doubt that we are going to be asked to pass legislation, which, of course, probably could not be done constitutionally, to reimburse the flood losses of people in the flood-stricken areas. But these are the problems which confront us today, and in the face of these conditions, it is now proposed that we vote for relief a sum which, in my judgment, is totally inadequate to meet the demands of the next few months.

Mr. TYDINGS. Mr. President, will the Senator yield to me?

Mr. BONE. I yield.

Mr. TYDINGS. I should like to say to the Senator that Mr. Harry Hopkins, W. P. A. Administrator, appeared before the Committee on Appropriations and he was asked the specific question whether or not he did not need more money and did not desire to have more money to take care of flood relief. Mr. Hopkins replied that he did not at this time, that the funds available would be sufficient, that until a considered survey could be made he could not tell what kind of a flood relief bill he would advocate, but that in the meantime, so far as food and shelter and clothing were concerned, he had sufficient money to take care of the situation fully.

Mr. ADAMS. Mr. President, I have before me the testimony referred to by the Senator from Maryland. Could not that be put in the RECORD at this point?

Mr. TYDINGS. I do not desire to trespass on the time of the Senator from Washington. I think that if the Senator would read it, it would be an enlightening contribution to the debate. It is not long; it occupies only half a page.

Mr. BONE. Mr. President, I am not challenging the accuracy of the statement of the Senator from Maryland, though I mean to comment on it. I understand that Mr. Hopkins made a statement of that character, and I have in my hand a statement he gave to the press.

Mr. CONNALLY. I object to inserting the statement in the midst of the Senator's speech. Let it be put at the end of his speech. No one wants to have a Senator's speech destroyed by having such a statement put right in the middle of it.

Mr. ADAMS. I imagine the Senator from Washington can take care of that.

Mr. BONE. I have no objection to the quotation of Mr. Hopkins, because, after all, the value of my efforts here are not to be gaged by what Mr. Hopkins says or by Mr. Hopkins' own conclusions, because in the end what we do has to be measured in our own conscience; it has to be measured by the cold, hard facts.

All I am concerned with now is that 600,000 people, according to Mr. Hopkins' own statement, are going to be dropped from the relief rolls; that a great flood has overwhelmed us; and Mr. Hopkins, in the face of the flood and in the face of dropping 600,000 workers from the relief rolls, tells us that he does not need any more money. I cannot bring myself to believe that that makes sense. But it is coupled with a statement that Mr. Hopkins and the Administration will come to the Congress if, as, and when they need the money. The point is that right now they are proposing in W. P. A. to drop over half a million workers at a time when the problem of unemployment is becoming more acute, and in the face of flood conditions.

I do not desire to burden the Senate with a long discussion, because every Member of the Senate knows the facts as well as I do. It would be like carrying coals to Newcastle to argue such things to the Members of the Senate, who have heard from their own States, who have read the record. So I shall discuss only a few of the things which affect my own State. So far as the record shows Mr. Hopkins' attitude, I think we are able to draw our own conclusions as to what should be done.

Let me quote from the President's message, delivered only a short time ago. In this mesasge our Chief Executive said:

> The most far-reaching and the most inclusive problem of all is that of unemployment and the lack of economic balance, of which unemployment is at once the result and the symptom.

That is the most important question before the country, according to Franklin Delano Roosevelt, the President of the United States, and there cannot be any argument on that point at this time. That is a Banquo's ghost that shakes its gory locks at us on every highway in this country. It is a riddle put up to us, and if we fail to solve it intelligently, and if we fail to bring to bear dispassionate judgment on this matter, and fail to bring relief to suffering people until such time as they can be absorbed into private industry, we are trifling with social dynamite.

I am not overstressing the condition, or overpainting the picture. There is a very unhappy situation confronting us. The mayors of American cities have been here telling us the situation which exists in the various cities of the country. Senators are all familiar with the conditions, and of course it would be a work of supererogation to go over the situation, and I am not going to burden the Senate with such a statement.

I again desire to refer to what the President said in his message. He stated:

> The immediate question of adequate relief for the needy unemployed who are capable of performing useful work I shall discuss with the Congress during the coming months. The broader task of preventing unemployment is a matter of long-range evolutionary policy. To that we must continue to give our best thought and effort. We cannot assume that immediate industrial and commercial activity which mitigates present pressures justifies the National Government at this time in placing the unemployment problem in a filing cabinet of finished business.

It seems to me that by reducing the amount of money now we would perhaps not be putting this problem in the filing cabinet as finished business, but we would certainly be sidetracking its consideration, and saying that perhaps tomorrow, when some of the flood problem shall become so obvious to us that we cannot escape its horrible implications, another bill will be brought in and we will provide some more money.

Let us examine for a moment just what this proposed appropriation of $650,000,000 for W. P. A. means. For the half year from July 1, 1936, to December 20, 1936, for W. P. A. in the entire country there was spent a total of $1,023,000,000, so money was expended at a rate of $170,500,000 a month. With the proposed deficiency appropriation of $650,000,000 for the next 6 months, the expenditure would be at the rate of $130,000,000 a month, which is $40,000,000 a month less than we expended in the 6 months of last year; and that in the face of the fact that a cataclysmic horror has overwhelmed the entire middle section of the United States, a horror which overwhelms the people of that section at the very moment when it is proposed to reduce the expenditures for relief by $40,000,000.

I desire to refer to a statement of Mr. Hopkins which I clipped from the Washington Post of May 29, which may be the statement to which the Senator from Maryland [Mr. TYDINGS] referred. This statement is in a newspaper story written by Mr. Albright, one of the members of the staff of the Post:

> Hopkins told the committee W. P. A. now is carrying a relief load of 2,200,000, and this will be cut further to 2,150,000 in March, to 2,000,000 in April, to 1,800,000 in May, and to 1,600,000 in June. He asked nothing in addition to the $790,000,000 carried in the bill. Senator ALVA B. ADAMS, of Colorado, chairman of the subcommittee, said he assumed another appropriation will be asked "shortly" to cover emergency flood expenditures.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. BONE. I yield.

Mr. TYDINGS. Mr. Hopkins gave the figures for the W. P. A. and relief needs as two-million-and-some-odd thousand, and then a drop to 1,600,000. Mr. Hopkins said that was not all his problem would be, but represented what the indicated trend showed it might be.

In the very next sentence Mr. Hopkins qualified that observation by the remark that, while this was the trend, drought relief, flood relief, and other factors might change that general trend. Mr. Hopkins in that quotation was answering a remark addressed to him as to what was the trend for the future; and upon the basis of his past experience he indicated that probable load for the relief agency. He did not say that that was his definite problem.

Mr. BONE. Mr. President, whether or not we feel that that will be the effect, there will inevitably be presented to the country the rather curious and, I think, unhappy spectacle of providing a sum of money for W. P. A., which of necessity means depriving people of relief at a time when I think the great mass of unemployed in this country and many other folk, including myself, believe that the trend to which the Senator refers does not exist. Strange to say, so little of the unemployment problem has been solved by reabsorption of labor into industry as to be absolutely startling. We are startled by the picture presented to us today in the matter of the small amount of reemployment. It is all right to read cold figures, but the picture of the great army of unemployed, unable to get work and earn money to buy what the individuals need to eat, requires an answer here. The plight of this vast army of unemployed requires us to do one thing, and that is to provide more money. It is not a pleasant thing to have to provide more money, but I think the situation in the country calls for a cold, dispassionate handling of this question. I do not believe we can trifle with it.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. BONE. I yield.

Mr. TYDINGS. I am thoroughly in sympathy with what the Senator from Washington has said. In fact, in the Committee on Appropriations I had expected to vote for some increase in appropriations due to flood conditions.

Let me say, in that connection, that the Senator from Maine [Mr. HALE] asked Mr. Hopkins a question, and the following occurred:

> Senator HALE. And with the money that you get in this bill, there is no question of your having any shortage for taking care of the floods?
>
> Mr. HOPKINS. None whatever.
>
> Senator OVERTON. And the needs of other States that are not affected by the flood will not be interfered with?
>
> Mr. HOPKINS. Not at all. It would simply mean that if this $790,000,000 went through, and there were no further appropriations by Congress, the money would run out sooner.
>
> Senator BYRNES. You cannot tell now what your demands will be?
>
> Mr. HOPKINS. No. Nobody can tell.
>
> Senator BYRNES. And it is best to wait and see what the situation will be?
>
> Mr. HOPKINS. Nobody can tell at this time what the cost is going to be. This is one of the worst floods in the history of the country.

So, as I pointed out to the Senator, when I desired to vote for an increased appropriation, Mr. Hopkins advised us not to give him any more money then. He stated that he did not need it then, but that later, when he has the whole picture before him, he may come in and ask for more money.

Mr. BONE. Mr. President, if I could bring myself to view the situation as it seems to be considered by Mr. Hopkins, then the statement of Mr. Hopkins, as read by the Senator just now, would answer the question regarding the present need. But I do not believe that statement by Mr. Hopkins is correct. I do not care if Harry Hopkins said it a hundred times; the answer is presented by the cold-blooded fact that thousands of men cannot get work anywhere. They are walking the streets vainly begging for jobs. In my judgment, W. P. A. ought to provide means for a man to get a job so long as he is able and willing to work. I know what the conditions are in my State. That is why I refuse to accept the statement of Mr. Hopkins, and the country will refuse to accept it.

I urge favorable action upon my amendment not because I want the Government to spend more money but because I am interested in keeping people alive and keeping them from suffering the privations which come with abysmal poverty. I am going to repeat the proverb, "Necessity knows no law." If we continue to trifle, we in this country are going to find out what happens when necessity compels action. I hope we shall not find it out; but if we continue to trifle with this important question, I am sure that in time we shall find out what happens under the law of necessity.

Other countries have had experiences resulting from necessitous conditions. There is no such social dynamite on earth as hunger. There is nothing like hunger to make men want to make over such a system as that under which we live today. In the face of the hunger which exists, we had better not be too scrupulous in the matter of voting funds.

Let me call to the attention of the Senate the situation in my own State. We have a director of the department of public welfare in the State of Washington who is, I believe, a very conservative gentleman. I mean conservative in his approach to economic and political problems, conservative in his approach to factual propositions. He writes me, and I know he has written my colleague [Mr. SCHWELLENBACH] that the department of public works in the State of Washington—a State containing 1,600,000 or 1,700,000 people—requires a quota of 40,000 jobs for February and March, in default of which several thousand people in that State will not be able to eat. They are citizens of our country. If we were to go to war tomorrow we Senators would vote to draft those men, and put uniforms on their backs, and send them out to fight and die for our country, to die to preserve our form of government. At the behest of Congress, with its fiat hanging over their heads, they would place guns on their shoulders and put uniforms on their backs and go out and fight and die. Yet today they are compelled to walk the streets of Washington's cities, deprived of even the opportunity of working so as to be able to buy something to eat! They are not even eating.

What happens when we need this quota of 40,000 jobs out there in the State of Washington? A statement concerning the situation came to me from one of the most conservative members of the State organization. At the time he wrote, our State had 28,000 jobs in W. P. A. when we needed approximately 40,000. Mr. Hopkins may repeat 10,000 times the statement which the Senator from Maryland quoted; but 12,000 people who are deprived of a chance to get a job, when they cannot get a job in private employment in the State of Washington, will find in their hearts and in their consciences the answer to Mr. Hopkins' statement.

It so happens that I am personally very fond of Mr. Hopkins. I admire him as a man, and he is a good friend of mine. I have talked to Mr. Hopkins about this situation in my own State, as doubtless have many Senators talked to Mr. Hopkins about the problems in their States. At the end of November or the first part of December last, when I presented the distressing nature of this problem in Washington, and the fact that we were having rather threatening and menacing demonstrations in places in the State of Washington, one of the chiefs of the W. P. A. told me that the heart of the matter is that they are up against a gun on the whole question of money, and that the only way out is to reduce the ranks of W. P. A. workers. That was at a time when the W. P. A. had $170,000,000 a month. Now we are proposing to reduce that amount to $140,000,000 a month.

I have before me a letter written to me by Mr. Don G. Abel, State administrator, Works Progress Administration, of Washington. I think he is a very realistic man; certainly he is not an alarmist. Don Abel is a very able lawyer, and I think a very careful administrator. He has been under criticism and fire in my State. He has been accused of "passing the buck", but it was because he had no money, because Mr. Hopkins was not supplying him with money. Of course, Mr. Hopkins could not do so, because he did not have it.

I do not know what pressure there may be on Harry Hopkins to try to curtail the appropriation. I have all the respect in the world, as I said, for Mr. Hopkins, and I admire him very much. Undoubtedly he is going to try to go along with the administration in a program of retrenchment.

Here is the statement of Mr. Abel, dated January 25, 1937:

> We now have assigned to W. P. A. jobs in the State of Washington 33,329. There are working today on W. P. A. jobs in excess of 32,000. We were directed last Saturday to cease making any further assignments, and we have ceased doing so. * * * In the course of the next 2 weeks we will probably lose 1,000 of the 33,329.
>
> I received a telephone call this morning from Mr. Marbury, of Mr. Niles' office, Works Progress Administration, Washington, D. C., asking me to immediately assign, as soon as they could be certified, 500 people from the drought area who are living in urban centers. I was given to understand that as soon as these people were assigned, and the picture could be clarified, we would be able to put on some more of these people.
>
> There are today awaiting assignment to W. P. A. jobs 2,500 people who have been certified to the W. P. A. by the State department of public welfare as being eligible, and we are unable to assign these people to jobs. Of course, there are many more people who could be certified, and the State department of public welfare is continuing their interviewing and at the present time are continuing to certify people to the W. P. A.

In recent months about 6,000 families have come into the State of Washington from the drought-stricken sections of the United States. About half of those families have gone into the urban centers, Seattle, Tacoma, and Spokane. Farmers were literally driven out of the Dakotas and the drought-stricken sections. I recall being in Montana last fall and seeing men driving cars bearing Kansas and Dakota tags, with household goods piled high in the trailers, heading west into Idaho, into Washington, into Oregon, into those evergreen States where they could find a haven of refuge. There is no way for those persons to get relief, because some of those States have provisions which require the status of citizenship before a person can get on relief, so to speak. In other words, a person must have resided in the State a year before he is eligible for relief. Those people were driven out of a land burned by a blazing sun, unable to get relief, and thousands of them are coming into the States of Washington, Oregon, and Idaho. There is no mechanism set up in the State of Washington by which that type of farmer can get help, although he is a good farmer, a typical American. Six thousand of those families came into the State of Washington, and there is no way now to help them. Yet, in the face of that encroachment into the State, in the face of that movement of these fine, high-type American citizens into the State of Washington, it is having its quota in W. P. A. cut down.

The situation is becoming aggravated instead of being solved. Mr. Hopkins may make pronouncements of the type quoted here, but certainly he is not offering even the remotest answer to the problem arising in the State of Washington. I might call the roll in the Senate and ask any Senator if he or she believes that the W. P. A. problem in his or her State is being solved by cutting down the amount of money available for W. P. A.

My State is paying old-age pensions to 29,000 persons and making grants to 12,000 dependent children. In addition, 53,000 persons, representative of 25,000 families, have been receiving direct relief. Private industry has not provided jobs for these people. The situation is critical for them, and, unless the funds for W. P. A. are increased rather than

curtailed, thousands of people in the State of Washington will suffer from cold and hunger this winter.

Even last month, December, with a quota of 28,000, there were protests and petitions from individuals and organizations coming to my office, indicating that was hopelessly inadequate as a measure of protection for that great body of people out there.

Mr. President, it seems to me that it provides no answer to our problem to say to the American people that a little later on the Senate and the House of Representatives are going to vote some more money. We are going to vote some more money in the face of the greatest flood in the history of this country. Tomorrow, next week, we are going to vote some more money. We have the opportunity now in our hands to make very certain that we are going to protect these people, and, if we have in our hearts any sincere desire to protect them, now is the chance to do it. Why postpone until tomorrow the thing that lies before us now to do? We can do a good job.

If the Congress does not want to spend $1,200,000,000, there is no way on earth the Department can be compelled to spend it. Obviously a trusted executive officer under the President of the United States is not deliberately going to throw money away, and it seems to me that Congress, in the face of one of the greatest tragedies that ever overwhelmed America, a combination of drought, flood, pestilence, famine, cold, hunger, unemployment, now defaults when it fails to take advantage of the opportunity to add about $400,000,000 or thereabouts to the amount of money we offer the country as the margin of safety for the unemployed and the wretched in the Ohio and Mississippi Valleys who are going to be driven from their homes. Government agencies, the Army and the W. P. A., announce that they are going to slush money into the flood-stricken area without stint. I think every Senator here, with the faintest adumbration of compassion in his heart for human suffering, wants that done; but, by the same token, I do not want the poor in my State to go hungry. I do not want the little kiddies out there to go hungry, because hunger, it makes no difference from what cause it arises, is hunger; wretchedness and misery, no matter from what cause they arise, are just as challenging, though they arise from unemployment as though they arise from floods.

I am not going to prolong this argument any further. I hope we may have a yea-and-nay vote on the amendment. I have no desire to embarrass anybody, but I wish to say that, in view of the statements that have been made to the Appropriations Committee in both the Senate and the House by representatives of cities who have appeared there, and by the representatives of workers' organizations who have appeared; no one need be embarrassed. The poor of this country are all too frequently inarticulate, and, for one, I am very glad to have any agency or organization of unemployed appear here, for God knows big business has been here often enough and, with dulcet tones, induced the public officials of the Government to go a long distance in writing subsidies into our laws that have enriched a little handful of men. So I am glad, for one, that the poor, who have been so inarticulate most of the time, have come here and have had the courage to present their case, I think as fully and completely, perhaps, with their limited means, as they could do so.

I sincerely hope that the Senate will not lightly pass judgment on this matter. We are dealing now with human misery. We have had presented to the poor of the country a message by a great President. It was a great appeal to a great country, and it touched the heartstrings of the American people. If I have had one, I have had a hundred men say to me, "That sort of message rings true."

The President said, "We are not going to let anybody go hungry in this country." If we let them go hungry, what the Senator from Maryland [Mr. TYDINGS] has repeated on this floor, Mr. Hopkins' statement, will rise to haunt us. I heard a statement made here during my remarks to the effect that "we have not enough money to feed the poor." It may bring a reaction that will not be happy if we do not feed the poor. They are poor through no fault of their own. I know lots of folk out West who want to work and cannot get a job, and if they ever get the idea that we are trifling with them, when, through no fault of their own they are out of work, it is not going to be a very happy circumstance for this country which we all love.

For these reasons I hope the amendment which has been sponsored by 12 Senators will receive the approval of the Senate; and I wish to say, in conclusion, that I sincerely believe, whether or not it meets the approval of those in the Senate who feel that we should now curtail and who are going to oppose any additional expenditure of money, it will meet the approval and conscience of America. Perhaps that is saying too much, but I cannot bring myself to believe that America would not approve our action in being not generous—oh, certainly we would not be generous with a billion two hundred million dollars in the face of flood and misery and poverty—but we might perhaps content ourselves with the thought that we were merely striving to be just.

On the amendment, Mr. President, I ask for the yeas and nays.

Mr. ADAMS. Mr. President, I merely wish to place the Senate in possession of the information which led the Committee on Appropriations, before which this amendment was presented, to act as it did.

The Senator from Maryland read a portion of the statement of Mr. Hopkins, and, in order that it may be in the RECORD for whatever it may be worth, I will read the full statement made by Mr. Hopkins before the committee when this question, together with the other matters concerning this bill, was before it.

Senator BYRNES. Have you taken into consideration any additional demands that may be made upon you as a result of the flood conditions?

Mr. HOPKINS. No; we have not, Senator.

Senator OVERTON. You expect to spend a great deal more by reason of the flood disaster than you otherwise would?

Mr. HOPKINS. It is undoubtedly going to cost a very substantial sum of money, but I cannot indicate now what it will be.

Senator OVERTON. How will that affect the allocations to States which are not affected by the flood?

Mr. HOPKINS. It is just like the drought. The 325,000 people we added last summer were added exclusively in the drought States; and, of course, the men we put to work in the flood area, and the expenditures we make and other agencies make in the flood area, will be exclusively for those States, and will come out of the total.

Senator OVERTON. We are now face to face with that disaster; and I should like to get your view as to whether it would be advisable to make an additional appropriation in order to cover that situation.

Mr. HOPKINS. In my judgment, Senator, it would not, and for this reason: At this moment we have ample powers, under various Federal statutes, to act in this area in the way we are now acting. We are doing everything today that we would do if Congress had made an appropriation immediately available to us. At some point in this picture I assume the administrative agencies will advise the Congress what this flood has cost.

Senator MCKELLAR. But you have no need for any additional funds now?

Mr. HOPKINS. Not at the moment. We have adequate powers to act.

Senator HALE. And with the money that you get in this bill, there is no question of your having any shortage for taking care of the floods?

Mr. HOPKINS. None whatever.

Senator OVERTON. And the needs of other States that are not affected by the flood will not be interfered with?

Mr. HOPKINS. Not at all. It would simply mean that if this $790,000,000 went through, and there were no further appropriations by Congress, the money would run out sooner.

Senator BYRNES. You cannot tell now what your demands will be?

Mr. HOPKINS. No. Nobody can tell.

Senator BYRNES. And it is best to wait and see what the situation will be?

Mr. HOPKINS. Nobody can tell at this time what the cost is going to be. This is one of the worst floods in the history of the country.

Senator HALE. Undoubtedly you will need to have further appropriations for the flood deficiency appropriations?

Mr. HOPKINS. In my judgment, we shall.

Senator ADAMS. Mr. Hopkins, you were talking partly on the flood, the extent to which moneys covered by this deficiency bill might be used for flood relief.

Mr. HOPKINS. Unless there is explicit language put in to prohibit us from doing it, there is power in the present bill to permit us to do the things that in our judgment need to be done in meeting this disaster.

That was the statement before us. We were also confronted with certain parliamentary problems. The Committee on Appropriations acts under the rules of the Senate. In order to increase an appropriation we must have one or the other of two bases upon which to work. There must either be legislative support for an added appropriation or there must be a Budget estimate. The amount we put in the bill, $790,000,000, was the Budget estimate. There was no legislative basis for us to go beyond that. So the committee was guided, first, by the statement made by Mr. Hopkins that for the immediate occasion the moneys were adequate, the powers were adequate; and, second, we were compelled to keep within the limitation placed upon us by the rules of the Senate. It was not any lack of appreciation of the gravity of the situation that led the committee to reject the amendment of the Senator from Washington and the Senators associated with him in sponsoring the amendment.

Mr. BONE. Does the Senator hold there is no legislative authority for this appropriation, this relief bill, which has been continued year after year?

Mr. ADAMS. The relief bill each time fixes the amount of the appropriation. There is no legislative basis for our increasing the appropriation at this time. It is a very easy matter, if the Senate and the House desire to lay the legislative basis, to make it possible to increase the appropriation. A bill could be passed through the Congress in 24 hours. It is not quite right to endeavor to put members of the Committee on Appropriations in a position where they seem to be hard-hearted because they do not do things which they are not legally able to do.

Mr. BONE. Is it the Senator's position that the United States Senate could not even by unanimous consent, if need be, increase this amount?

Mr. ADAMS. No; that is not my position; but the Committee on Appropriations could not, and without unanimous consent neither the Senator nor I could offer an amendment to that end.

The question has not been raised, the point of order has not been made, but the Senator is perfectly well aware of the fact that the amendment does contravene the rules. By reason of the extreme gravity of the situation the point of order has not been made so that the Senate can, if it wishes, adopt the amendment and then it will go to conference with the House and there we will face the same problem.

I merely desire to say to the Senator that we have not raised the point of order against the amendment. So far as I am concerned as chairman of the subcommittee I shall not raise the point of order, though the Senator knows the point of order, if raised, would be sustained. I am not going to be made responsible for raising it. Other members of the Appropriations Committee feel the same way. It is not fair to cast that aspersion upon a committee which is supposed to live up to the rules of the body which appoints it.

Mr. BONE. The Senator will understand I am speaking for people who have no voice in this body, the unemployed. They are not concerned with the technical rules of the Senate. They are concerned with getting food for themselves and for their families. I am trying in my own way to voice the hope of that great group. I am far more concerned with them than I am with the rules of the United States Senate. If I transgress those rules by pursuing this course, I cannot help it.

Mr. ADAMS. The Senator and I are both bound by the rules of the body in which we sit. There are certain definite ways our business must be done. It would have been very easy for the Senator, at the time he prepared his amendment or at the time he gave notice of it, to have introduced a bill or had one introduced in the House and passed regularly giving the Appropriations Committee of the Senate a grant of authority to make the increased appropriation.

Mr. BONE. Mr. President, I cannot bring myself to agree with the statement which has been made here in behalf of Mr. Hopkins that he is acting in response to a trend. The trend Mr. Hopkins talks about is a trend brought about, on the face of the figures, by the forced removal from the W. P. A. rolls of thousands of workers.

Mr. ADAMS. I think in justice to Mr. Hopkins it should be said that he has not arbitrarily cut off a W. P. A. worker. He has said that he hoped that the renewal of private employment would render it possible to make a reduction. There is no declaration, there is no policy, there is no intention on the part of Mr. Hopkins, as I understand his testimony and his statements, to make a reduction which is not justified by increased private employment. He has at all times and on all occasions said that no hungry man should go unfed in the United States.

Mr. BONE. That is precisely what will happen. Not one hungry man, but there will be many of them, and there will be many little children not fed. That is why I have raised the issue. I am not concerned merely to gratify my urge to ask someone to vote for something. I have raised the issue because I feel very keenly about this situation. I know many are suffering now and that many more will suffer. I want to prevent all that suffering, and I have no other thought in taking issue with the committee on a matter of this kind.

Mr. ADAMS. When the bill passes, as it probably will by tomorrow, there will be $790,000,000 available to Mr. Hopkins in addition to some $70,000,000 now in his hands, which can be expended, if need be, within 10 days. We are not putting a limitation upon Mr. Hopkins to meet the existing needs or needs that may arise. We are giving him in this bill a very adequate sum to meet immediate needs.

I sat with the Banking and Currency Committee today, and we provided for sending two Senators representing the flooded States to ascertain what is needed to be done in order that we may provide funds along other lines in the flooded area. Every Senator with whom I come in contact appreciates the seriousness of the situation. We are all willing that all the resources of the United States shall be used to meet the emergency in the flooded area and to meet the emergency of the hungry throughout the land.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. ADAMS. I yield to the Senator from Kentucky.

Mr. BARKLEY. Inasmuch as a point of order is going to be withheld and there will probably be a vote on the amendment——

Mr. KING. Some one of us may raise the point of order.

Mr. BARKLEY. Frankly, I hope the Senate will be permitted to vote on the matter on its merits. For one I appreciate the attitude of the committee in not making the point of order.

Coming from a State which probably has been hit harder than any other State in the Union by the flood in the Ohio and Mississippi Valleys, I realize how embarrassing it is for a Senator so situated to vote against any increase in the appropriation based upon the flood situation; because, while other arguments and other reasons are advanced for the $400,000,000 increase, it is my understanding that the amendment was prompted by the flood situation, probably growing out of a fear that the $790,000,000 would be largely depleted in administering to flood victims and to that extent would be withdrawn from other worthy projects all over the country for which this amount originally was intended.

In that connection I wish to say that at the request of Mr. Hopkins I called a conference last week of Members of both Houses from the flooded area with respect to the situation, in order that we might get first-hand information and make up our minds from that information what would be necessary or expedient to do at the moment. In addition to what he said to the Appropriations Committee, which the Senator has quoted, Mr. Hopkins stated to us in that conference, which was public—the newspapers had their representatives there and carried the story—that the passage of this bill would give him all the funds he could use for the present not only with respect to normal projects, but with respect to flood relief.

He went particularly into the question not only of rescue, but the problem of sending 65,000 employees from the W. P. A. into the flood areas for the purposes of relief and rescue, and said that as soon as the waters subside they

would immediately get into what he called a clean-up campaign, and go as far as possible, even straining his technical authority, to bring relief to those people and those areas; that later on he would come to us with a request for whatever may be deemed necessary to reimburse the W. P. A. funds for normal purposes by whatever amount it had been necessary to deplete them on account of the flood; but he could not then estimate what would be necessary. We know we cannot, because the President has named him as chairman of a commission of five who are now in Memphis planning to come up the Mississippi and Ohio Rivers by steamer to make a minute investigation of the situation which he will report to the President and to the Congress later.

In view of the lack of knowledge we now possess as to whether the amount carried in this amendment will be sufficient or what amount will be required, in view of the fact that the President and Mr. Hopkins, the War Department and the Resettlement Administration, the C. C. C. and the Red Cross and all other agencies of relief and rehabilitation have assured us that every possible effort will be made and every possible dollar will be requested that is needed, it seems to me it is the part of wisdom now not to attempt to legislate in advance when we do not know what the requirements will be.

Much as I dislike to have to vote against an amendment proposing an increase which might affect my own State, my own home city, out of which 40,000 people have been driven and which today is under from 4 to 16 feet of water and the entire population evacuated, I have enough confidence in the administration and the relief agencies to believe that whatever is needed will be requested and provided by Congress when the requisite information is obtained. I do not believe it is the part of wisdom to act now without that needed information.

Mr. BONE. Mr. President, will the Senator from Colorado yield?

Mr. ADAMS. I yield.

Mr. BONE. I may say in response to the Senator from Kentucky that what I want to avoid and the purpose of my argument was to avoid the robbing of the average W. P. A. worker who needs a job of the hope and opportunity of getting a job now in order to give all necessary relief to the people in the flood-stricken area as pictured by the Senator from Kentucky. God knows I have no desire to keep help from going to Kentucky, Illinois, Indiana, and other sections which have been devastated by the flood; but, by that very token, I do not want the W. P. A. worker in New York or Seattle or San Francisco or some other place to be deprived of the only hope he has of living and getting something to eat and protecting and caring for his family. I am fearful that is precisely what may happen.

The W. P. A. is laying off men in my State. I do not presume to speak for any other State, but I may say to the Senator from Colorado and other Senators that in the State of Washington men are being laid off, and apparently there is no hope of getting more money; and Mr. Hopkins is very frank in saying that he cannot and will not supply the amount of money which the relief agencies in my State say is necessary to be supplied to meet that demand. Persons over 65 years of age in the State of Washington are being laid off on the theory that they can get old-age pensions, and yet the State is not able to supply the money for pensions for them. We are laying off single persons in the State of Washington, and yet even a single man or a single woman has to eat. A man may not "live by bread alone", but it is obvious that if he cannot eat there is going to be trouble for him.

That problem confronts us. These people are going off the relief rolls, and there are no jobs for them. If they could find jobs in private employment, I should not be lifting my voice in the Senate in favor of this amendment.

Mr. ADAMS. Mr. President, part of the matter suggested by the Senator from Washington is a matter of the exercise of the judgment of the relief officials. As to the money situation, there has been a reduction in amount. Men have been laid off in various places; but this bill is for the purpose of replenishing that very fund. I come from a part of the country where $790,000,000 looks like a great deal of money, and it looks as if it would do a great deal of good; but so far as the flood is concerned, I will say that the $400,000,000 proposed to be added by the Senator's amendment will be a relatively small contribution to the amount that will have to be provided to care for the flood situation. We shall have emergency deficiency bills before us, and before us with reasonable promptness.

Mr. BONE. May I ask the Senator if his committee feels that a reduction of $40,000,000 a month over the period of the next 5 months is wholly justified—that that inference may be drawn from Mr. Hopkins' statement?

Mr. ADAMS. In the first place, the committee does not know that there is going to be such a reduction. In the next place, the committee is not in position to pass on it. The committee merely had before it the statement of Mr. Hopkins that there are now a certain number of persons in need of relief who are being taken care of, and that when the winter passes and employment opens in various industries and on the farms, he hopes that he may be able to make a progressive diminution in the number who must be helped. He did not make the arbitrary statement that he was going to cut off 200,000, 400,000, or 600,000, but he hoped that returning prosperity and returning employment would make that possible.

Of course the Senator from Washington, like every other Senator, is eager to have every possible man transferred from public help into private employment.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. ADAMS. Certainly.

Mr. SCHWELLENBACH. I ask the Senator to turn to page 92 of the hearings before the Senate Committee on Appropriations, the statement by Acting Budget Director Bell, in which he said, down at the bottom of the page:

> That money has been allocated from month to month to various agencies, including the Works Progress, Resettlement Administration, Treasury Department, or administration of the accounting and disbursing agencies. Now, we could not allot enough money at the beginning of the year to run any agency through the 12 months, because we wanted to hold back a reserve. First, we had a drought facing us; we had a winter coming on; we did not know what it was going to be; and now you have got a flood situation in front of you.

I should like to present this thought to the Senator from Colorado: The Senator has just said that probably more than $400,000,000 will necessarily be appropriated to take care of flood relief; so, while we frankly confess so far as we are concerned that the figure of $400,000,000 is an estimate or a guess, the Senator now says he thinks the amount needed will probably be more than that. It has been my experience and it is my opinion that this policy of month-to-month allocation to the Works Progress Administration is not only inhuman so far as individuals are concerned but is impractical and extravagant so far as the Government is concerned. Every time I have presented an argument to the Works Progress Administration asking for some project which I thought was of particular value, something that would add to the wealth of the community, the answer I have had was, "We cannot start that project because we have our money only from month to month. We do not know how much we are going to get next month, and if we start this worth-while project, it will take 6 or 8 months to complete it, and perhaps we shall have to abandon the project in the middle of it." I have seen the officials abandon worth-while projects in the middle and waste the amount of money they have expended.

Looking at the matter from the personal point of view, the reason why we have work relief as compared with straight relief or the dole is that we try to keep people busy, to keep them at work, to keep up their morale. Nothing can destroy the morale of an individual so much as being at work one month, out of work the next month, and then back at work the next month. Since we know that we are going to have to appropriate, before the 30th of June, somewhere around $400,000,000, it seems to me

that, to be consistent with the purpose of the work-relief program and to enable the Works Progress Administration to start projects which are worth something to the several communities, we certainly should not hesitate to make this additional appropriation at this time.

What I am afraid of—and I am sure that is what my colleague [Mr. BONE] is afraid of—is that the authorities will take money for flood relief from this fund, as they certainly have indicated they intend to do. There is no question about that. That will mean that at no time between now and the 30th of June will the Works Progress Administration know how much money it is going to have; and it will mean that we shall continue to do as we have done in the past 6 months, since the drought condition arose in the Middle West, and money for its relief was taken from this source. We shall continue with a program of mere leaf-raking operations, wasting the money of the Government, and breaking down the morale of those who are receiving work relief.

I realize that it is hard to assume the responsibility of saying that some money may be saved by adding $400,000,000 to an appropriation. It is quite a burden to undertake an argument of that kind; but if we should appropriate at the beginning of the year enough money to take care of our needs, while we might spend a little more money, I sincerely believe that when we were through we should get something for the money, instead of having it wasted as has very largely been done under the program of the Works Progress Administration during the past 6 months.

Mr. ADAMS. The Senator, of course, understands that the Senate and the Congress of the United States have not fixed the policies of the Works Progress Administration. We have merely provided vast sums of money practically without limitation or restraint. The last appropriation was $1,425,000, turned over to the President without restraint. Back of that was a similar appropriation of $4,800,000,000. Back of that were other funds; and we, as legislators, have not attempted to prescribe the rules or the methods by which the money was to be expended. In other words, the criticisms which the Senator makes may be well founded, or they may not be; but they are not properly to be directed at the Senate.

The other problem is the legislative procedural problem.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. ADAMS. Certainly.

Mr. SCHWELLENBACH. I should like to ask the Senator a question. In the light of the fact that we know money is to be taken from this fund in the same way that it was taken from the fund for drought relief last summer, are we not certain that if we appropriate only $790,000,000 precisely the same condition is going to exist that was described by Acting Director Bell in his testimony before the Senate committee?

Mr. ADAMS. Yes; but I desire to ask the Senator a question: Why put the matter in the form in which the Senator's amendment puts it? Why put it before the Senate, when it belongs, first, before the Budget Director and the President, and, following that, before the House, rather than having it presented to the Senate, which has its limitations of rules and its limitations of statutes? Why put the problem up to us when we really cannot handle it?

Mr. SCHWELLENBACH. The answer to that question is that we have no way of getting an item of appropriation into the Budget, and we have no way of getting it before the House. This is the only place where we are allowed to stand and propose appropriations.

Mr. ADAMS. I assume that the Senator from Washington has a great deal of influence over in the House. I know that is true; and certainly the problem itself has.

Mr. BONE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. DUFFY in the chair). Does the Senator from Colorado yield to the Senator from Washington?

Mr. ADAMS. Gladly.

Mr. BONE. When representations were made by those of us in Congress to the Works Progress Administration last fall concerning this matter of cutting off allowances to the State of Washington we were assured that the inability to give the State the necessary amount of money was due to the fact that some 20 States were in the drought area and it was necessary to assist persons in that area who were in desperate straits. Therefore the money was diverted into the drought-stricken sections.

In my judgment that is precisely what is going to happen here, because the heart of everybody in the city of Washington has been touched by this terrible flood situation. The $650,000,000 which will be allocated under this bill to W. P. A., as the President has indicated, will simply be drawn on very freely to help the flood sufferers. Obviously, with $650,000,000 divided by 5, we have $130,000,000 a month; and if that $130,000,000 is drawn on to help the flood sufferers, I do not know what is going to happen. Mr. Hopkins will not have any money for the usual W. P. A. activities, and will have to be back here in 2 weeks' time getting more money.

Mr. ADAMS. The Senator has not observed any reluctance on the part of the Administration to ask for money, has he?

Mr. BONE. No; but I observe very definite reluctance on the part of the Administration to increase the Budget now when it has a chance. Perhaps the Senator and I do not understand the meaning of the word "reluctance." The meaning of the term "reluctance" may be a matter of disagreement. I do not know.

Mr. KING. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. KING. Has not the criticism been from various sources—Democrats as well as Republicans—that the President and the Administration have been rather too prodigal in advancing funds for relief? It seems to me, in view of the alacrity with which the Administration has responded to the requests of the people whenever immediate relief has been required, that we have a promise that we will get whatever is necessary to meet the needs of the people

Mr. ADAMS. Mr. President, just one word. I took the floor in order to make clear to the Senate the position of the Committee on Appropriations and also to endeavor to make it as clear as I could that some Members of the Senate who might find it necessary by reason of the parliamentary procedure to vote against the amendment should not in fairness be charged with opposition to adequate appropriations for these great needs.

Mr. BONE. Mr. President, I may add, merely for the sake of making the record plain to everyone, that certainly in my own heart I absolve the Senator from Colorado and the other members of his committee from any personal responsibility. I would not desire to have the inference go out that anyone has been unjust. I fully realize, as every other Member of this body realizes, the implications of the parliamentary situation; and if I have said anything which might imply that any Senator has been unjust, I desire to withdraw the implication. I merely said what I did say because there was in my heart a very sincere desire to help and a deep feeling that it is highly necessary to assist now; but that does not reflect in any degree on the committee which had the bill in charge. I understand fully the position of the Senator.

Mr. ADAMS. Of course the rules were made before the Senator and I came here.

Mr. BONE. I understand that, and I am sure the Senator knows I understand it.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Washington [Mr. BONE].

Mr. BONE. I suggest the absence of a quorum.

Mr. ROBINSON. Mr. President, if the Senator will withhold his suggestion, before the roll is called I should like to make a statement. Unquestionably the flood emergency which is now upon a large part of the country has increased the necessity for relief expenditures. It has also emphasized the importance of proceeding as speedily as possible with the consummation of a national plan for flood control.

So far as I am informed—and I think I am pretty well advised on the subject—every possible effort that can be made within reason is being put forth now through the Red Cross, agencies of the War Department, the W. P. A., and voluntary associations, to make provision for the immediate necessities of persons who have been driven from their homes and who are in need of assistance because of the extraordinary flood which is now occurring.

There is no intention or purpose that efforts in that particular shall be abated or discontinued. Undoubtedly enormous amounts will be added to the program of relief because of the flood, but it is respectfully submitted that all the agencies of the Government which have worked in connection with the immediate problem of flood relief are now making a study of what is occurring, of what may be anticipated, and also of what may be required.

In view of these facts, and the further fact that no amounts at this time in addition to the aggregate amount carried in the pending bill have been asked or are justified, it is my personal opinion that the Congress may well await further information upon the subject before authorizing additional funds, with the full realization of the fact that we, as well as other agencies of the Government, are ready to give quick response to necessities as they arise.

In all probability the present session of Congress—though I do not wish to be regarded as entering the realm of prophecy—will continue until sometime near the end of the present fiscal year, and ample opportunity will be afforded to make such further provision as may be necessary to provide adequate relief. For that reason, and with that assurance, I do not feel that the amendment proposed by the Senator from Washington is at this time necessary.

Mr. DAVIS. Mr. President, will the Senator yield for a question?

Mr. ROBINSON. I yield.

Mr. DAVIS. May we expect a report from the special committee studying flood matters before Congress shall adjourn?

Mr. ROBINSON. Mr. President, the Administrator of W. P. A., the Chief of Engineers, Red Cross representatives, and representatives of other relief agencies of the Government within the last 3 days have gone to the center of the flood trouble and are now studying the situation there. Unquestionably the task to which we have set ourselves will not be completed when occupants of flooded regions liable to be devastated have been withdrawn or removed to places of safety. There will be necessary a process of rehabilitation in order to make it possible for citizens to resume the occupancy of their former homes and to go on with life. But we have no detailed information on that subject now.

In reply to the question of the Senator from Pennsylvania, undoubtedly full information will be made available as it is obtained, and quick response may be expected from agencies of the Government, including the Congress, when the information shall become available.

I would have no feeling or assurance that in adding to the amount carried in the pending bill at this time, either the sum proposed by the Senator from Washington or any other sum which might be suggested, we would be meeting the standard of service which it will be necessary to meet in the final discharge of our duty.

We have before us a deficiency bill. The funds carried are adequate for present purposes, and no relief activities which are really vital and necessary will be discontinued until the opportunity shall have been afforded to take up the subject further and deal with it in the light of information that is necessary in order to enable us to determine intelligently the problems arising.

Mr. BONE. Mr. President, in view of the fact that so many Senators are now in the Chamber, I withdraw the suggestion of the absence of a quorum.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Washington.

The amendment was rejected.

The PRESIDING OFFICER. The question recurs on agreeing to the committee amendment as amended.

The amendment as amended was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the joint resolution (H. J. Res. 81) to create a Joint Congressional Committee on Government Organization.

ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled joint resolution (H. J. Res. 81) to create a Joint Congressional Committee on Government Organization, and it was signed by the Vice President.

FIRST DEFICIENCY APPROPRIATIONS

The Senate resumed consideration of the bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes.

Mr. GILLETTE. Mr. President, I desire to submit an amendment, and I ask that it be read.

The PRESIDING OFFICER. The Clerk will state the amendment.

The CHIEF CLERK. It is proposed to amend by striking from line 22 on page 14 of the pending bill the words "is equal to" and by inserting in lieu thereof the words "represents each land bank's share of the net loss to the Farm Credit Administration, by reason of", so as to read:

Payments to Federal land banks on account of reductions in interest rate on mortgages: For an additional amount for payments to each Federal land bank of such amount as represents each land bank's share of the net loss to the Farm Credit Administration, by reason of the amount by which interest payments on mortgages held by such bank have been reduced during the fiscal year beginning July 1, 1936, in accordance with the provisions of paragraph "Twelfth" of section 12 of the Federal Farm Loan Act, as amended, to supplement the amount made available for this purpose for the fiscal year 1937 in one fund by the "First Deficiency Appropriation Act, fiscal year 1936", $6,000,000.

Mr. GILLETTE. Mr. President, I have submitted this amendment in substantially the same form to the chairman of the subcommittee, and I believe he agrees to the need for the amendment. The $6,000,000 made available by the bill as an appropriation is to cover the possible losses to Federal land banks because of the reduction in mortgage interest that was provided for by a law enacted during the Seventy-fourth Congress. As drawn, the language provides that the sum to be paid shall be equal to the amount of the interest reduction, whether or not such loss is suffered by the Federal land banks. The amendment I have offered is designed to make this sum, or so much thereof as may be necessary, available to meet the actual net loss which the land banks have suffered because of the interest reduction, instead of appropriating the entire sum.

Mr. ADAMS. Mr. President, I desire to say that I believe the language suggested by the Senator from Iowa meets the purposes of the appropriation more accurately than the language in the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa [Mr. GILLETTE].

The amendment was agreed to.

Mr. SCHWELLENBACH. Mr. President, I send to the desk an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 5, line 10, after the word "appropriation", it is proposed to strike out the rest of the proviso down to and including the word "thereof" in line 16 and in lieu thereof to insert: "or of any appropriation for any executive department or independent executive agency shall be used hereafter to pay the compensation of any person detailed or loaned for service in connection with any investigation or inquiry undertaken by any committee of either House of Congress under special resolutions thereof, unless the department, agency, or establishment from whose staff such person is detailed or loaned shall render to the Secretary of the Senate or the Clerk of the House of Repre-

sentatives (according as the Senate or the House of Representatives shall have ordered such investigation or inquiry) a statement on or before the 10th day of each month of the number, grade, or status, and monthly compensation of the persons so detailed or loaned from the staff of such department, agency, or establishment during the preceding calendar month."

Mr. SCHWELLENBACH. Mr. President, as this bill passed the House, and as the Committee on Appropriations has reported it to the Senate, it contained on page 5 a provision prohibiting the use of certain governmental employees by investigating committees of the House and of the Senate.

During the past week there has been a considerable amount of discussion and controversy as to whether or not that provision as it has been reported should be included in the bill. I have discussed the question with Senators who believe there should be some inhibition against the employment of employees of governmental departments by committees of the House and of the Senate. I did not find any objection to the use of the employees themselves. I did not find any particular criticism of the investigating work which is being carried on by committees of either House at the present time. However, I did find two arguments were used.

One of the arguments was that without some check being placed upon committees, and some report being required from the committees or the governmental agency, it would not be possible for the Senate to know how much its committees were actually spending upon investigations; and a committee might obtain $50,000 from the Senate and then by the use of other employees actually spend $150,000.

The second argument which was used was that the departments, in asking for appropriations, have gotten into the habit of attempting to justify larger appropriations than are actually justified by saying, "Oh, the Senate committee or the House committee asked us for certain assistance, and it has cost us a certain amount of money."

It seemed to me that both those objections could be very simply met; and, as the result, in conjunction with the Senator from South Carolina [Mr. BYRNES], I prepared the pending amendment. It simply provides that when a Senate committee or a House committee uses employees of a Government department, the department must report to the Secretary of the Senate or to the Clerk of the House on the 10th day of each month as to the number of employees used during the previous month, the amount of time they spent in working for the committee, and the amount of their salaries that should be allocated against the committee. I submitted the amendment, I believe, to everyone who was particularly interested on either side of the question, and I believe the amendment meets with the approval of those on each side.

Mr. BYRNES. Mr. President, as the Senator from Washington [Mr. SCHWELLENBACH] has said, there has been quite a controversy as to this particular proviso in the bill. Many different views have been expressed concerning it. However, the Senator has correctly stated that, so far as I am personally concerned, the amendment he has offered meets with my approval; and I hope the Senator from Colorado [Mr. ADAMS] and the other members of the committee can see fit to accept the amendment.

Mr. ADAMS. It is acceptable, so far as I am concerned.

Mr. WHEELER. Mr. President, I desire to say that, so far as I am concerned, the proposed amendment meets with my entire approval. I feel that the Senate of the United States should know the employees of various departments who are being used by Senate committees, and what the use of such outside persons by Senate committees is costing the Government.

The subcommittee of the Senate committee of which I am chairman has been somewhat the subject of the controversy in question; and for that reason I desire to call attention to the fact that, as I introduced the resolution under which the subcommittee finally held hearings, in the first instance it did not have a provision suggesting that we should call upon the Government departments for help. That provision was inserted in the resolution by the Committee to Audit and Control the Contingent Expenses of the Senate. There seemed to me to be some misunderstanding with reference to that. There was some feeling that the resolution contained no such provision, and that the committee was asking for help from the departments without any authorization from the Senate. So, I repeat, that when the resolution was introduced in the Senate, and as reported by the Committee on Interstate Commerce, it contained no provision directing the committee to call upon the various departments for help; but when the resolution came back from the Committee to Audit and Control the Contingent Expenses of the Senate it contained the provision expressly directing the Committee on Interstate Commerce to call upon the Government departments for assistance, and directing the departments to assist in every possible way, shape, and form.

Mr. CLARK. Mr. President, will the Senator yield at that point?

Mr. WHEELER. I yield.

Mr. CLARK. Irrespective of whether or not a particular resolution authorizing an investigation contains authority to call on the departments for assistance, does not the Senator from Montana think it should be considered proper for a committee so to do?

I have in mind an instance that happened during the session before the last, when a resolution was introduced in the Senate by the Senator from Idaho [Mr. BORAH] and the Senator from North Dakota [Mr. NYE] calling for the appointment of a special committee, as I recall, to investigate the N. R. A. On motion of the Senator from Arkansas [Mr. ROBINSON] it was provided that the investigation should be made by the Committee on Finance, a standing committee of this body; and the investigation was conducted by the Committee on Finance—not by a subcommittee, but by the whole committee—without asking for any appropriation or any allocation from the contingent fund of the Senate, without employment of any special assistants or special counsel. However, during the course of the investigation, which covered quite a long period, we had several counsel of the Federal Trade Commission helping the committee, and three or four of their experts helped in collating the facts and assisted us in the investigation. It seems to me that without any specific authorization in the resolution directing us to conduct the investigation, it was entirely proper for the Committee on Finance to call on the Federal Trade Commission for such assistance.

Mr. WHEELER. I thoroughly agree with what the Senator from Missouri has said. For example, during the Teapot Dome investigation my late colleague, Senator Walsh, used men who were assigned to him from the Department of the Interior to help in the conduct of that investigation, and others were assigned from other departments to help him.

When I conducted the investigation into the Department of Justice, I did not use any men from the Department of Justice—they were not assigned to me—but I did use men from other branches of the Government service in the conduct of that investigation.

When the late Senator Couzens, of Michigan, investigated the Treasury Department, men were loaned to him by various departments for the purpose of helping him conduct that investigation.

When the Committee on Interstate and Foreign Commerce of the House of Representatives, under the chairmanship of Mr. RAYBURN, now majority leader, conducted its important investigation, the Interstate Commerce Commission did practically all of the work. As a matter of fact, the investigation was turned over to the Commission, and practically the entire work of the committee was done by the Interstate Commerce Commission.

Mr. CONNALLY. Mr. President, does the Senator mean that the House committee did not do its duty, but turned it over to somebody else to perform?

Mr. WHEELER. No.

Mr. CONNALLY. In effect, the Senator said that. He said the work was turned over to the Interstate Commerce Commission, and the Commission did all the work.

Mr. WHEELER. If I made that statement, it was erroneous.

Mr. CONNALLY. I suggest to the Senator that he should not reflect upon the Members of another body by a statement made here.

Mr. WHEELER. I did not intend in the slightest degree to reflect upon the House or any Member thereof. As a matter of fact, I think the leader of the House who conducted the hearing did an excellent piece of work. I commend him most highly for the work he did in that connection, and I also commend Commissioner Splawn, who assisted him; and those in the Interstate Commerce Commission who assisted the present House leader did a most excellent piece of work.

Mr. CONNALLY. I am very glad to hear that fine tribute to the State of Texas.

Mr. WHEELER. I certainly meant to commend and give my tribute to Representative RAYBURN and to Mr. Splawn.

Mr. CONNALLY. That was exactly what the Senator from Texas had in mind, that the committee had done its duty under the leadership of my friend and former colleague.

Mr. WHEELER. They did a most excellent piece of work, and I commend them most highly for it.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. BARKLEY. I desire to say to the Senator from Montana [Mr. WHEELER] and to the Senator from Texas [Mr. CONNALLY] that in the investigation conducted by the House committee there was of necessity a great deal of informal investigation and checking up of records which could best be done by employees and representatives of the Interstate Commerce Commission. To that extent the employees, the officers, the agents, and examiners of the Interstate Commerce Commission did that work, and they did it not out in the open, in any public hearing, but they went through all the records in order to collate the facts necessary for the chairman to bring out in the public investigation and hearing.

Mr. WHEELER. That is correct.

Mr. BARKLEY. The same thing is happening with respect to the committee of which the Senator from Montana is chairman under a resolution submitted by him. That resolution specifically provided that the Coordinator of Railroads, Commissioner Eastman, should decide what railroads were to be investigated and what financial transactions of the railroads should be looked into, and very largely the decision was based on information within the possession of the Interstate Commerce Commission. I have the word of members of that Commission, and others who have worked and collaborated with it, that, while the Commission has loaned and furnished the subcommittee a number of their examiners, because of the lack of authority on the part of the Commission to do certain things or to go into certain offices and examine certain files, the result of their work with the subcommittee has been as valuable to the Commission as it has been to the committee of the Senate. It seems to me there ought not, for any reason, arise any lack of willingness on the part of the legislative branch of the Government and the executive branch of the Government to cooperate fully in the revelation of evils that may exist anywhere in the financial institutions of the United States and that may affect the welfare of the American people.

Mr. WHEELER. Mr. President, I thank the Senator. I have a letter from Commissioner Eastman, but before referring to the letter I wish to explain to the Senate that when the resolution was submitted we had quite extended hearings before the Interstate Commerce Committee as to whether or not an investigation was necessary. We called before the full Interstate Commerce Committee of the Senate Jesse Jones, the Chairman of the R. F. C.; we called before the committee Mr. Eastman and other members of the Interstate Commerce Commission; we called before the committee such men as Charles A. Beard. They came before us and testified to the necessity of the investigation because of certain things which they had discovered in the financial practices and reorganization of some of the railroads. Then, after the resolution passed the scrutiny of the full Interstate Commerce Committee of the Senate, it went to the Committee to Audit and Control the Contingent Expenses of the Senate, and again an unprecedented thing took place. The Committee to Audit and Control the Contingent Expenses of the Senate called before it—whom? If I am not mistaken, they called before it Jesse Jones; I know they called before it Mr. Eastman, the Coordinator of Railroad Transportation of the country; and they called before it Mr. Joseph P. Kennedy, who was at that time Chairman of the Securities Exchange Commission, who testified to the necessity of carrying on this kind of an investigation by the Senate of the United States.

Then the Committee to Audit and Control the Contingent Expenses of the Senate modified the resolution and directed, as a matter of fact, that the Coordinator of Transportation should undertake to point out the railroads that should be investigated and the financial structures that should be investigated. Secondly, the committee modified the resolution by providing that we should call upon the various departments for help and assistance.

I then appointed an attorney for the committee, Mr. Max Lowenthall, who is an outstanding lawyer and familiar with this kind of work. He came down here and devoted his time and attention to the work, and, as a matter of fact, has been working for $300 a month, when I am here to say that Max Lowenthall could not be hired in the ordinary course of business for several times that amount of money. He had retired from the practice of law, but he had devoted some time and attention to the matter of the reorganization of railroads when he was practicing law, and he knows a great deal about the subject. He gathered around him a group of young men who have worked night and day, many times they have worked all night and all day, looking into these financial transactions. I give credit where credit is due when I say to the Senate that I think they have done one of the finest jobs that any group of young men has ever done in uncovering some of the evils incident to the financing of the railroads of the country.

I wish to call attention to the fact that the number of railroads to be investigated was not designated by me, but was designated by Mr. Eastman. There was a list totaling 25 major railroad systems, which included more than 35 major railroads, and, in addition to that, holding companies which control some of the railroads. Half the railroads on the list and a number of railroad holding companies went into receivership or bankruptcy. The railroad systems on the list, excluding the holding companies, operate 95,000 miles, or approximately 20 percent of the total mileage of the country. They have book assets of approximately $10,000,000,000.

I also wish to call attention to the fact that the Government of the United States has loaned these railroads $600,000,000; $400,000,000 are owed by the railroads of the country at the present time to the R. F. C., and $200,000,000 have been loaned by the Public Works Administration; so there is a total of $600,000,000 which has been loaned to the railroads by the Government of the United States.

We have uncovered evidence of fraud in matter of getting these loans from the Government of the United States which if it had been uncovered earlier the Government would not have made the loans; it would not have dared to make them. It made some of the loans to the Van Sweringen group upon false and fictitious statements. I am not going through the entire list, but we uncovered the circumstance that by means of holding companies the president of one of the great railroad systems and a financial expert were keeping false records without even knowing the records were false. Upon that false bookkeeping, and upon those false records, they obtained loans from the Government of the United States. When finally evidence of it was discovered, it was sent to the Department of Justice, and a report came back that the statute of limitations had run against the transaction, and so nothing could be done. We found, for instance, cases where by means of holding companies some of the largest rebates which the general public understood had been stopped have been continued and are being continued by devious

ways at the present time. We have discovered, beyond the peradventure of a doubt, that some of the rich railroads have been milked to the advantage of some other railroads in the United States.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. WHEELER. Yes.

Mr. McKELLAR. When will there probably be a report of the findings of the committee?

Mr. WHEELER. I can say to the Senator that in the not distant future I want to bring in a report setting forth some of the findings of the committee. We have not, however, concluded the investigation, and the only thing that worries me about it is that it has been such a stupendous task that when we have gone into one phase we have opened up other phases which ought to be investigated.

Let me show what happened in reference to some of the holding companies, particularly in the case of the Alleghany Corporation, in connection with which the Mid-America Co., which is owned by Mr. Ball, who made his money out of manufacturing glass jars, came into the possession of 23,000 miles of railroad. Mr. Ball controls 23,000 miles of railroad; that is, he has it in his power to control them through the control of Mid-America. He bought that control for $274,000, according to the books of his own company. In other words, he bought the controlling stock of the Alleghany Corporation, which in turn controls the Erie Railroad, which controls the Nickel Plate, which controls the Missouri Pacific, and other vast companies in the Southwest. It controls the Wheeling & West Virginia road; it controls the Chesapeake & Ohio; it controls the Nickel Plate and numerous other companies.

It controls mining companies, peach orchards, trucking companies, a retail coal company in New Hampshire, and a coal mine in Wyoming. In addition to 23,000 miles of railroads, it controls almost every conceivable kind of business—retail stores, hotels, real-estate concerns, trucking outfits, fruit shops, all jumbled into one holding company.

It has taken from the public of the United States in the sale of securities, if I am not mistaken in my recollection, in the neighborhood of $3,000,000,000. It sold the securities to the general public, and within a very short time the securities became practically worthless. We have gone into the whole unsavory story of how the railroads were being mulcted.

Mr. WALSH. Mr. President, were those securities issued by authority of the Interstate Commerce Commission?

Mr. WHEELER. No. As a matter of fact, there was a general feeling upon the part of the public, when we enacted the law a few years ago giving the Interstate Commerce Commission some power over holding companies, that we were solving the difficulty. However, when we came to examine that law it was found that it did not apply as we had hoped. As it was introduced into the Congress it was thought it would apply to the Alleghany Corporation. As it was finally passed by the Congress it did not touch the Alleghany Corporation at all. The Alleghany Corporation was eliminated from the provisions of the law and it only affected future holding companies.

Mr. WALSH. The securities to which the Senator refers, that were issued under unfavorable conditions, were of the holding companies rather than the railroad companies?

Mr. WHEELER. Oh, yes.

Mr. WALSH. Does the investigation disclose any such condition in the issuance of securities by the railroads as and of themselves?

Mr. WHEELER. No; not by an operating company. Their securities are submitted to the Interstate Commerce Commission for validation.

As a matter of fact, while there is some dispute at the present time as to whether new holding companies would have to submit their securities, I am of the opinion—though some of the Interstate Commerce Commission lawyers take the opposite view—that if a case should arise a holding company organized tomorrow under certain conditions would not have to go to the Interstate Commerce Commission to have its securities validated at all. The law provides, as I recall it off-hand, "any holding company which in the future obtains control over two or more great railroad companies", and so forth. Here, for instance, is the Mid-America Corporation. Mid-America is not acquiring new control over railroads. It is only taking over the majority stock of the Alleghany Corporation, which in turn controls the various railroads.

One of the amazing things about it is that there will be found in Mid-America as little as three-tenths of 1 percent of the investment in some of the railroads controlling the entire investment in the railroads. I repeat that—as little as three-tenths of 1 percent invested in Mid-America Corporation controls the investment in some of the operating companies.

Mr. McKELLAR. How can that happen?

Mr. WHEELER. It happens because there is a pyramiding of holding companies. They are issuing bonds and preferred stock with no voting rights. The holding companies are pyramided one on top of the other, with bonds and preferred stock and a little common stock controlling the majority of the operating companies. Securities are issued one after the other, until finally, as the evidence shows beyond a question of doubt, as little as three-tenths of 1 percent invested in a holding company controls the entire railroad company.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. CONNALLY. The Senator does not make that clear, I am afraid. What he means is an amount equal to three-tenths of 1 percent of the total property invested in Mid-America, which has a small capitalization, of course, results in giving control over a vast railroad system. Is not that what he means?

Mr. WHEELER. Yes.

Mr. CONNALLY. That is not what the Senator said.

Mr. WHEELER. I thank the Senator for correcting me

Mr. CLARK. Mr. President, will the Senator yield?

Mr. WHEELER. I do not want to take too much time of the Senate about this matter. I yield to the Senator from Missouri.

Mr. CLARK. Does not the Senator think it extremely probable that exactly such information as he has just related to the Senate as having been produced before his committee may furnish a very reasonable explanation for the public clamor which has been started in the newspapers and one place and another against the employment by the Interstate Commerce Committee of the Senate of certain Federal employees? It seems to me the fact that the committee has been getting at the root of this matter, has been drawing blood, and has been carrying out to the fullest extent the purposes for which the investigation was ordered by this body, may be a full, adequate and complete explanation for all the clamor against the employment of experts from the Interstate Commerce Commission.

Mr. WHEELER. I know that some of the railroads and particularly some of the holding companies have been agitating against the use of employees of the Interstate Commerce Commission. Under the present law the Interstate Commerce Commission has been helpless to go into some of these matters because they have had no authority and no power to go into the holding companies, and no authority and no power to go into the banks and examine some of the records.

I will relate one of the most startling things we have come across. A great expert of the New York Stock Exchange is a man by the name of Hoxsey, who is, I believe, an exceedingly able individual and an exceedingly honest individual. We find in memoranda in 1926 that as their expert—and they all concede he is one of the greatest experts in the United States—he advised the New York Stock Exchange and its listing committee of the evils of holding companies, and particularly denounced holding companies of utilities. While he was speaking only of utilities, yet he stated upon the stand before the committee that the same rule would apply to the holding companies of railroads.

Mr. Hoxsey not only denounced railroad holding companies from the standpoint that they were unsafe from a

financial standpoint and an economic standpoint, but he pointed out with the greatest of clarity their abuses and their unsafeness from a social and a political and every other standpoint. It is really one of the most amazing and one of the most enlightening articles and memoranda upon the subject that I have seen anywhere. Mr. Hoxsey stated that if he had had his way he never would have voted to list Alleghany stock, by which the public was mulcted out of millions upon millions of dollars.

I appreciate the fact that when attention was called to this matter in the House, an intimation was made that we had used a number of the examiners of the Interstate Commerce Commission. That is true. Mr. McGinty, of the Interstate Commerce Commission, prepared a tabulation which showed that the use of these employees ran into a large amount of money; but Mr. Eastman points out in his letter that the work we have been doing is of untold value to the Interstate Commerce Commission itself. As a matter of fact, he says:

> While this has lessened the routine work of the Bureau, I believe, and we have so reported to Congress that the work which these accountants have been and are doing under Senate Resolution 71 is of great general value and also of special value to the Commission in the regulation of railroads, including the regulation of their accounting.

Then Mr. Eastman further discusses the subject in a long letter, in the course of which he says:

> If Senate Resolution 71 had not been passed, no doubt we would have gone on endeavoring to perform all of our accounting functions to the best of our ability with the staff available. The effect of the resolution has been to decrease the amount of work done under the function numbered (2) above, i. e., general-accounting examinations, and to increase the amount done under function (3), i. e., special investigations, which are going particularly into the financial affairs of the carriers. In other words, we are, for the time being, concentrating on a more or less specialized matter, with lessening of the more routine work of policing the accounts.
>
> Both of these duties are important and ought to be performed. However, this special inquiry into financial affairs I welcome, because it is a field which we have not sufficiently explored, since 1918, for the reasons which I have already given, and which it was particularly desirable to explore because of the growth of holding-company operations affecting railroads in recent years. An investigation of these holding-company activities was made a few years ago by the House Committee on Interstate and Foreign Commerce, and our accountants assisted in that investigation, which was ably conducted and of very great value.

Then Mr. Eastman goes on to state, in two or three pages, the benefits which are accruing to the Interstate Commerce Commission from this investigation. I shall not take the time of the Senate to read the entire letter, but ask unanimous consent to have it placed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INTERSTATE COMMERCE COMMISSION,
Washington, February 1, 1937.

HON. B. K. WHEELER,
Chairman Committee on Interstate Commerce,
United States Senate.

MY DEAR SENATOR: This letter is written in my capacity as the member of the Interstate Commerce Commission to whom its Bureau of Accounts reports. As fully set forth in the annual reports of the Commission to Congress for the years 1935 and 1936, accountants of that Bureau have, since July 1935 been used to assist your Committee in the investigation authorized by Senate Resolution 71, and in 1936 this work absorbed the services of about one-half of the force available for field work. While this has lessened the routine work of the Bureau, I believe, and we have so reported to Congress, that the work which these accountants have been and are doing under Senate Resolution 71 is of great general value and also of special value to the Commission in the regulation of railroads, including the regulation of their accounting. To make the situation clear, it will be necessary for me to recite a little history.

The normal functions of the Bureau of Accounts are three:

1. To prescribe and revise from time to time uniform systems of accounts for all classes of carriers under our jurisdiction.

2. To enforce these systems of accounts by test examinations and inspections from time to time, inasmuch as no system of accounts, however well devised, is self-enforcing or will produce reliable results without some degree of policing.

3. To make such special accounting examinations from time to time as our duties in the regulation of rates and charges and in securing adequate information in regard to the management and business of the carriers may require.

These three purposes were all clearly understood and recognized in 1906, when the Commission was first given adequate authority over railroad accounting, as is evidenced by the reports and debates of that period. Beginning with about 1918, however, the activities of the Bureau were largely diverted from its normal functions to special and extraordinary duties. These were:

(a) To determine for each rail carrier or system, through an audit of income accounts, the average annual railway operating income for a test period of 3 years, otherwise known as the "standard return", which formed the basis of the compensation paid by the Government for the use of the railroad properties during the period of Federal control.

(b) To determine, through a similar audit, the amounts of net railway operating income guaranteed to carriers under sections 204 and 209 of the Transportation Act, 1920.

(c) To determine, through a similar audit, the correct net railway operating income of carriers as one of several factors in arriving at recapturable excess income under the provisions of section 15a of the Interstate Commerce Act.

These special duties engrossed much of the attention of the Bureau until 1933, when the recapture provisions of section 15a were repealed. Incidentally, the amount saved to the Government by our audits under (a) and (b) above aggregated $29,211,319, which is considerably more than the Bureau has cost the Government from the time of its creation until now.

These special examinations served to police the income accounts of the carriers, but made it necessary to neglect other accounts quite as important to examine in the public interest. At a time when intense competition for traffic was inducing the carrier to extend various concessions, direct and indirect, and in the nature of rebates, to large shippers—concessions which were wasteful and harmful in the long run to the railroad industry as well as to the general public—we were unable to give this matter the degree of attention which it would have had if our accountants had not been otherwise engaged. At a time, also, when many of the carriers were enjoying the prosperity which tempted them to unnecessary and wasteful expenditures of capital for various purposes, we were for the same reason unable to keep ourselves adequately informed in regard to these activities.

In connection with the latter matter, attention may be called to the work performed by the Bureau prior to 1918 in the investigations of the financial operations of the New Haven, the Rock Island, the Frisco, the Pere Marquette, the Cincinnati, Hamilton & Dayton, the Milwaukee, the Louisville & Nashville, and the Wabash-Pittsburgh terminal, which exposed serious abuses, dangerous to investors, shippers, and the country in general. After 1918 we did certain work of this character, as in the investigations of the causes of the Milwaukee and the Denver & Rio Grande receiverships, but it was greatly limited by the exigencies of the special work described above.

In 1933, when recapture was repealed, Congress jumped erroneously to the conclusion that our necessary accounting work would thereby be curtailed and reduced the appropriation for the Bureau of Accounts by more than 50 percent. It has not since been increased, except to the extent made necessary by changes in wage levels. The fact is, therefore, that since 1933 the Bureau has been inadequately staffed for the performance of its normal functions, as set forth in the beginning of this letter. In our opinion, a general examination of the accounts and records of every railroad company should be made at least once every 5 years. With the present staff, even if it were exclusively used for this purpose, it is doubtful whether such a general examination could be made once in 10 years.

If Senate Resolution 71 had not been passed, no doubt we would have gone on endeavoring to perform all of our accounting functions to the best of our ability with the staff available. The effect of the resolution has been to decrease the amount of work done under the function numbered (2) above, i. e., general accounting examinations, and to increase the amount done under function (3), i. e., special investigations, which are going particularly into the financial affairs of the carriers. In other words, we are, for the time being, concentrating on a more or less specialized matter, with lessening of the more routine work of policing the accounts.

Both of these duties are important and ought to be performed. However, this special inquiry into financial affairs I welcome, because it is a field which we have not sufficiently explored since 1918, for the reasons which I have already given, and which it was particularly desirable to explore because of the growth of holding-company operations affecting railroads in recent years. An investigation of these holding-company activities was made a few years ago by the House Committee on Interstate and Foreign Commerce, and our accountants assisted in that investigation, which was ably conducted and of very great value, just as they are assisting in the present inquiry by your committee; but much has happened since the House investigation, and the present inquiry also goes into financial matters not affected by holding companies.

To a considerable extent we might have conducted such an inquiry on our own account, but I am glad that your committee has undertaken it for these reasons:

First. Our powers of inquiry are largely confined to the carriers, but these financial matters ramify into banking and holding-company activities which your committee has powers to investigate but we have not.

Second. The bringing to public attention of any abuses that may be discovered is in itself of great importance, and an investigation conducted by a Senate committee is more effective in this respect than an investigation conducted by the Commission.

Third. If the abuses can and should be corrected by legislation, it is of great advantage to have the investigation in charge of a

committee of Congress which is in the best possible position to seek the necessary legislation. As a matter of fact, examination of the reports made to Congress by this Commission in the past will show that the present inquiry is again disclosing abuses and opportunities therefor, such as we have on several occasions brought to the attention of Congress, but ineffectively, probably because there were no Members of Congress who had special knowledge of and interest in these matters.

Fourth. Your committee has been able to employ for the investigation, in addition to our accountants, other men equipped by training for the work, thus magnifying largely the results which we would have been able to obtain unaided.

Fifth. I am very hopeful that one of the results of the investigation will be to demonstrate to your committee the amount of work involved in accounting and financial investigations, and the need for placing the Commission in a position to do such work adequately.

I may add that it is my hope, and also my expectation, that the inquiry which your committee is now conducting will have broadly constructive results, and particularly in leading to some effective Federal control over the creation and uses of holding and other corporations. There has long been sore need for such control, which will go to the root of many of the abuses in the conduct of private business from which the country has suffered.

Respectfully yours,

JOSEPH G. EASTMAN.

Mr. WHEELER. As a matter of fact, the Interstate Commerce Commission itself will get 99 percent of the benefit of this investigation, and the Senate will get the remaining 1 percent of benefit. What I hope to have the investigation do, however, is to result in the submission of some recommendations which will strengthen the powers of the Interstate Commerce Commission, which will make it impossible for railroad holding companies to do what they have been doing in the past in the way of milking some of the railroads of the country to the extent of millions of dollars and will result in amending the law so that the payment of rebates, as it has been done in the past, will have to cease, and many of the abuses which have occurred in the past will have to cease.

With reference to the question of money, let me say that we use men from the Public Works Administration. It has been said that that is using money appropriated for relief; but let me call attention to the fact that the first relief which was given in the United States was given to the railroads to the extent of $500,000,000. Secondly, relief to the extent of $200,000,000 was given under P. W. A. in the way of loans to the railroads. I do not desire to go into the subject at length. I do not wish to call any names, but I will say that already we have saved the Government of the United States by this investigation, through uncovering some frauds and preventing others, a great deal more than the investigation has cost or possibly can cost the Government of the United States.

In addition to that, let me say that the railroads of the country still owe the Government of the United States $33,000,000 that was loaned to them in 1922, that never has been paid back and never will be paid back. Something like 90,000 miles of railroad in the country are in process of reorganization. One railroad, the Milwaukee, was reorganized a few years ago, and shortly thereafter it again went through a reorganization, and when this investigation was begun, and the railroad was about to be reorganized once more, I protested against that course as chairman of the committee, and I was told by one of the commissioners that if that reorganization had gone through they would have had to have another reorganization of the railroad inside of at least a year's time.

In the case of most of the reorganizations of railroads that have gone through—not all of them, but most of them—the persons who have benefited have been the insiders, the lawyers and some of the bankers, and the roads generally have come out of the reorganizations more heavily in debt than when they went in. If the railroads of the country are to continue to be privately owned, let me say that the only way to insure that being done is to see that the reorganizations are honest, to see that the railroads are not milked by holding companies and selfish individuals who at present are milking some of them for their own selfish purposes, to see that rebates are not paid, and to see that the roads are not exploited by a few persons from a financial standpoint as they have been in recent years.

I will say frankly that I have no desire to do anything other than to try to put the railroads of the country upon a sound financial basis, to try to keep them there, and to see to it that one man or two men, by the investment of a few dollars, cannot control the lives and the destinies of the men who work on 23,000 miles of railroads, and the persons who have invested millions of dollars in the common stocks and bonds of the railroads. In doing that I shall likewise be protecting the Government of the United States in its investment in the railroads to the tune of $600,000,000.

The job is so stupendous that I am frank to say to the Senate that, if I had realized where it was to lead, I probably should not have undertaken it, because it is almost too great a task to be done as it should be done. I am not anxious to carry on the investigation. If any Senator wishes to stop it, I am perfectly willing that he should stop it. That would relieve me of a tremendous lot of hard work.

So far as the investigation is concerned, I desire to say that in my judgment there is not a Member of the Senate who has heard any complaint from any source as to the character of the examinations that have been made. I have utilized the services of men in Government employ, and particularly men from the Interstate Commerce Commission and men from the Securities and Exchange Commission—why? Because when they go into financial institutions, some of the institutions have reported to me that they are not afraid to have regular Government men come in, but they are afraid to have somebody who is only temporarily employed come into their places, because they are fearful that if that were done the temporary employees might take the information they obtain and use it in some other way than that in which it was supposed to be used. Every one of the men we have had in our employ has worked under the Interstate Commerce Commission examiners or under the Securities and Exchange examiners in some way, and all the reports and all the information coming to my committee have also been available to the Interstate Commerce Commission in every way, shape, and form.

The first investigation we made was undertaken at the instance and the request of the Interstate Commerce Commission because they wanted the information before they ruled upon a reorganization plan which was then pending before them.

I repeat that, while we have used these employees, I would not undertake for one moment to carry on the pending investigation unless I could have the assistance of the experts of these departments, and I am not going to carry it on any further unless I am supplied with adequate funds with which to conduct it.

I have tried to keep down the expenses of the committee in every possible manner, using in every way I could the means to that end, even in trivial matters. If the Senate objects to the investigation, if it desires to have it stopped, all it has to do is to indicate that it does not desire to have it proceed, and it will be relieving me of a tremendous amount of hard work. But if I do carry on the investigation, if it is the sense of the Senate that it desires to have it carried on, then I shall insist that we have adequate funds with which to conduct it in a thorough manner, so that I will not have to do a poor job, and so that when I get through I may be able to make some recommendations of a constructive character, both for the benefit of the railroads and for the benefit of the people generally.

Mr. BARKLEY. Mr. President, I have no desire to take up the time of the Senate, but I wish to make a very brief statement, inasmuch as I offered the amendment to strike out the language contained in the bill which prohibits the use by committees of Government employees. I wish to say that the amendment which has been offered and which is now pending I think is a very satisfactory arrangement upon the subject.

I should not like to see the Senate, as a matter of fact I should not like to see either branch of Congress make it impossible for any committee of either House to investigate anything which should be investigated, and to be prohibited

from using any governmental agency which might be serviceable in such an investigation.

I should not like to see such jealousy or envy or suspicion exist between the legislative branch and the executive branch of the Government that we could not call upon the executive branch for any assistance which might reveal conditions which ought to be corrected. For that reason, inasmuch as the amendment would make this provision permanent law, and does not apply simply to this appropriation, I hope the amendment when it shall be adopted will end the controversy with respect to the use of agents, examiners, or other employees of different departments, in assisting committees of the House or the Senate in revealing facts which ought to be revealed.

I wish to say just a word with reference to the investigation being conducted by the Senator from Montana as chairman of a committee of which I happen to be a member. I am also a member of the subcommittee conducting the investigation, although other duties have prevented me from attending the hearings regularly, as the Senator from Montana himself has attended them.

I do not think anyone can doubt the value of the investigations which from time to time are held and conducted by committees both of the House and the Senate. I recall that the Pujo Money Trust investigation, conducted in the House of Representatives some 25 or 30 years ago, contributed very largely to the revelation of conditions which resulted in the passage of the Federal Reserve Act, of which our colleague, the senior Senator from Virginia [Mr. GLASS], was an outstanding author.

The investigation of the Teapot Dome scandal resulted in the recovery by the United States of an infinitely greater amount than the investigation cost.

The Committee on Banking and Currency spent 2 years in investigating the stock market, and in that investigation we went partially into some of the matters which are now being investigated by the Wheeler committee. The Banking and Currency Committee had authorized and at its disposal $280,000, and turned back, I think, $15,000, making the net cost of that investigation $265,000, and it took 2 years to make the investigation. But that investigation revealed conditions which made it mandatory that Congress should pass legislation regulating the issue of securities and regulating their sale in the stock markets of the United States. No one who is now in his right mind would advocate the repeal of the legislation which came about as the result of that investigation.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CLARK. The Senator's memory in these matters goes back a good many years. Does not the Senator recall that when the Pujo Money Trust investigation began really to get into the meat of the subject assigned to it for study, and when the Stanley investigation of the Steel Trust, which was made the basis for the present Federal Trade Commission Act, and when the Teapot Dome investigation, conducted by the late Senator Walsh of Montana, and the investigation of Harry Daugherty, conducted by the senior Senator from Montana [Mr. Wheeler], and the investigation by the committee headed by Senator Reed, of Missouri, which did so much to expose corruption in the use of campaign expenditures in this country, and the investigation by the Banking and Currency Committee to which the Senator from Kentucky has referred—does not the Senator recall that when every one of them began to get into the heart of the matter assigned to it to investigate, began to bring about disclosures which must necessarily lead to remedial legislation, the same sort of agitation and clamor went up in various places, either that the committees were wasting too much money, or were receiving notoriety, or invading the privacy of people's business? In other words, in the instance of every important investigation which has been conducted in the last 35 years by congressional committees, which have done so much to bring about remedial legislation, the same clamor, either in one place or another, has gone up for the purpose of hamstringing the investigatorial powers of the Senate or the House.

Mr. BARKLEY. The Senator is absolutely correct. Of course those who are being investigated in a manner which may be embarrassing to them as a result of the publicity growing out of it naturally do not like the idea of being investigated and, naturally, I suppose, as we all would under the same circumstances, frown upon the investigation and discourage it, and in any way that they possibly can undertake to hamper and cripple those who are charged with the responsibility of conducting the investigation.

We authorized the Federal Communications Commission to investigate the telephone situation in the United States, and appropriated, as I recall, a million dollars for that purpose. The entire telephone industry of this country is worth only about $5,000,000,000 dollars; and here we are investigating an industry which is worth $27,000,000,000, and the United States Government has $600,000,000 of the money of the people of this country invested in the railroads. The P. W. A. loaned them $200,000,000 and the Reconstruction Finance Corporation has loaned them $400,000,000, so that the people of the United States are involved in the railroads to the extent of $600,000,000, and we are interested in undertaking to find out whether anything was "put over" on Uncle Sam in the lending of this money, or whether we can assist in facilitating its collection.

Up to date we have used only a hundred thousand dollars in the pending investigation. We got an appropriation of $25,000 to begin with, and at the last session of Congress we were given $75,000 more. I wish to state to the Senate that that is not sufficient to carry on the investigation. We will have to come back and ask for more money. But certainly the information that is being gathered by the committee is worth all that it will cost to the American people if, by legislation enacted in the future, we shall be able to protect them against the very evils which are being revealed and which have been a matter of common knowledge among the people of this country for a number of years.

Mr. BONE. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. BONE. It is interesting to note some of the things which occurred as a result of Senate inquiries. I recall the Teapot Dome inquiry, where a great amount of loot was recovered from gentlemen who claimed they were expecting to make a hundred million dollars out of the property they acquired so easily. I also recall the probe of the Veterans' Bureau, which disclosed that about $3,000,000 worth of material was sold in Maryland for $600,000. The cost of those investigations, and others I could mention, concerning which I have much data in my files, represented but a tiny percentage of the amount of loot and plunder involved in the operations of the gentlemen whose activities were being investigated.

Mr. BARKLEY. I appreciate the suggestion of the Senator. Undoubtedly he is correct.

Mr. President, I have no desire to make any further remarks, but at this point, in connection with what I have already said, I wish to have printed in the RECORD an article appearing in the February 3 issue of the New Republic, written by Mr. John T. Flynn, a famous commentator on stocks, bonds, and financial matters in the United States, giving an epitomized résumé of the work of the Wheeler committee up to date.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HIGH VAN SWERINGEN FINANCE

Every Senator, every Representative, every depositor in a defaulted bank, every bank superintendent, including the Comptroller of the Currency, should make it his business to set aside 10 minutes to read what follows here. I have tried in as few words as possible to put clearly the amazing story brought out by Senator BURTON K. WHEELER about a certain financial episode in the weird history of the Van Sweringens. The Van Sweringens are dead, but there live certain claims against their allies which are as yet unliquidated.

It would be better, of course, if the reader could find the time to follow this story in the more than 200 pages of testimony and exhibits in which it lies buried. But he hasn't the time or the testimony. So I have tried to compress it into a few paragraphs. The legislator, the bank depositor who reads this may then decide for himself whether the trail of these strange adventures should be pursued farther.

In 1930 the Van Sweringens wanted some more millions for the complex and audacious series of holding companies and subsidiary corporations they were juggling. They had a corporation known as the Cleveland Terminals Building Co. Hereafter we shall speak of it as the C. T. B. Co. It owned directly or through its subsidiaries that extensive collection of real-estate properties which the Vans were exploiting in Cleveland—including the Terminal Towers, Cleveland Hotel, and all their properties centering around the old public square of Cleveland. It was just a big real-estate development which had been hit an almost fatal wallop by the great market collapse of 1929.

The Guaranty Co. of New York, after much negotiation, finally agreed to underwrite a note issue of $30,000,000 for the Vans. A new corporation was organized, called the Van Sweringen Corporation. To it was turned over the stock of the C. T. B. Co. and 500,000 shares of Alleghany Corporation stock. When all this was done we had the Van Sweringen Corporation—owned by the Vans—itself owning the C. T. B. Co. and 500,000 shares of Alleghany Corporation stock. And this Van Sweringen Corporation was now ready to borrow $30,000,000 by issuing notes which the Guaranty Co. would sell to the public.

A circular or prospectus was put out which described the C. T. B. Co. as owning a lot of real estate in urban Cleveland valued at $46,000,000. Here were the facts about that. The C. T. B. Co. at the end of 1929 had a balance sheet which showed that it was insolvent. It showed liabilities $803,000 in excess of assets. But 2½ months later, just a day or two before the prospectus for the $30,000,000 note issue was made up, the physical assets of the C. T. B. Co., consisting of real estate, were, by a twist of the wrist and the flourish of a fountain pen, written up $25,000,000. In addition, according to Senator WHEELER, a mortgage of $9,500,000 owed by the C. T. B. Co. and still unpaid was mysteriously written off. The $30,000,000 of notes were then offered to the public, without disclosing that the real property had just been written up by $25,000,000.

The Guaranty Co. officers testified before Senator WHEELER that they had never inspected the balance sheet showing the company insolvent. Furthermore, Senator WHEELER produced a letter from a Cleveland partner of the Guaranty Co., written at this time, saying that the Van Sweringens "are at the most believed in Cleveland to have overreached themselves in real estate and this proposition will be looked upon as an attempt on their part to liquidate their real-estate holdings, just as Alleghany liquidated their railroad holdings. But whereas Alleghany was floated in a popular railroad market, real estate in Cleveland, at least at the present time, is in a depression and the Van Sweringen realty in a considerable depression." Yet this was the moment, with the country in the depression, when the real-estate holdings of the C. T. B. Co. were doubled in value on the books.

The $30,000,000 of notes were then offered to the public. The offering was by the Guaranty Co. This was an affiliate wholly owned by the Guaranty Trust Co. The Guaranty Trust Co. was made trustee to act for the bondholders. In short, the Guaranty Co. acted for the Van Sweringens, on one side of the counter; the Guaranty Trust Co., which controlled the Guaranty Co., acted for the bondholders on the other side of the counter.

Now, the indenture securing the note issue had several clauses in it for the protection of the bondholders. One clause limited the amount of cash and marketable securities which the Van Sweringen Corporation could dispose of. At least one-half of all such cash and securities had to be kept intact for the benefit of the noteholders. But while the Van Sweringen Corporation, which issued the notes, had to do this, its subsidiary, the C. T. B. Co., did not. The principal security behind the notes was the real estate owned by the C. T. B. Co. Yet this company could sell or mortgage this real estate without hindrance. And that is what it did. Immediately it borrowed $10,500,000 and mortgaged a group of buildings for that amount, thus cutting down the security of the noteholders. It was then at liberty to use that $10,500,000 in any way it chose. It could gamble away the $10,500,000 and lose it. And that is what it did.

The Van Sweringen Corporation could also lend its cash to its subsidiary. And while the Van Sweringen Corporation, under the indenture, could not fritter away its cash, it could lend to the C. T. B. Co. and that company could fritter it away. And that is what it did. This is the kind of protection a bondholder gets when his interests are looked after by the same group of companies that represent the promoters.

Now what became of the $30,000,000 which the public paid the Van Sweringen Corporation for the notes? The Van Sweringen Corporation got this money and handed over the entire $30,000,000 to its subsidiary, the C. T. B. Co. And what did the C. T. B. Co. do with it? It proceeded to use it for speculation in the stock market. It also bought a lot of stocks from another Van Sweringen holding company—the Vaness Corporation.

The Vaness Corporation was at one time the top holding company of the Van Sweringen interests. It was what they called their "basket." It owned a lot of stocks of Van Sweringen companies which it had acquired before the stock-market collapse. Now the stocks were declining rapidly. So it proceeded to dump some of these stocks into the C. T. B. Co. The Vaness Corporation held shares in the Higbee Department Store. These were sold to the C. T. B. Co. for the same price paid by the Vaness Corporation for them before the collapse.

The General Securities Corporation was another Van Sweringen personal holding company or basket. It owned 600,000 shares of Alleghany Corporation stock. The shares were priced on the market at $18. The General Securities Corporation sold these shares to the C. T. B. Co. for $20—$2 above the market. The C. T. B. Co. turned over to the General Securities Corporation $1,200,000 more than the shares were worth in the market.

The Van Sweringens were carrying on astounding operations in the stock market. Most of this was done through the brokerage house of Paine, Webber & Co. It ran into hundreds of millions perhaps. Much, if not all, of this was done on margin. And at one time the Vans owed the Paine, Webber firm $32,872,000 on margin accounts. This situation was made possible by their innumerable accounts in the Paine, Webber firm. Apparently these Van Sweringens were in need of countless names under which to do business. They had a great number of corporations. They had accounts in the brokerage house in the names of all these and many of their subsidiaries. They had accounts in the names of other people. And they had accounts in the names of numbers—how many, Heaven only knows. One reads of account no. 700, account no. 955. There were not enough practical numbers. So they had account V–8, V–10. And in the names of these numerous companies they bought and sold hundreds of thousands, yes, millions of shares of margin—buying and selling the same stocks the same day by the thousands, stocks of their own companies and other companies. And now at this point Senator WHEELER has lifted the curtain on the way these men operated and the kind of aid they got from their banker allies in Wall Street.

Under this $30,000,000 note indenture, the Van Sweringens were obliged to keep with the Van Sweringen Corporation cash or securities to the value of one-half the original issue. Hence they placed with the Van Sweringen Corporation 500,000 shares of Alleghany stock, valued at $30 a share, or $15,000,000—half the $30,000,000 note issue. If the collateral thus deposited fell below the required value, they would have to replenish it in cash or securities.

Now as soon as the note issue of $30,000,000 was put out, the Van Sweringen interests resumed their difficulties. Alleghany Corporation continued to decline in price. For this reason, therefore, the Van Sweringens were interested in keeping the value of Alleghany stock up as near 30 as possible. So they resorted to the grand old scheme of pegging the price on the stock market. Indeed, one letter written by the Vans at this period indicates that the Guaranty people—the trustees of the bondholders—actually suggested doing this.

So the Vans began to buy and sell and thus to manipulate the price of Alleghany stock. They would buy, for instance, 3,600 shares on one day and the same day sell 3,200 shares. On another day they sold 10,000 shares and bought 14,000 shares of Alleghany, all through Paine, Webber & Co. And it was to carry on these operations that they were using a lot of the millions of the C. T. B. Co. obtained on the note issue. Keep this in mind. The $30,000,000 came from the public note buyers. To protect them the Vans had to deposit the $15,000,000 of Alleghany stock. Then, when that stock started to fall, the Vans used the money obtained from the noteholders to bolster the stock in the market and give it a fake value.

Behold this clever little incident. By August, Guaranty Trust vice presidents were talking about the possibility, even probability, of a Van Sweringen and C. T. B. bankruptcy. The Vaness Corporation was in bad shape in the office of Paine, Webber & Co. Its stock account was seriously undermargined. Paine, Webber took it up with the Vans. This was on October 1, 1930. On October 7, the Vaness Corporation sold 600,000 shares of Alleghany stock to the C. T. B. Co. for $12,000,000. The $12,000,000 was then transferred to the Vaness Corporation's account on Paine, Webber's books, thus rescuing it, while the C. T. B. Co. held the shares and found itself thrust into the position of a creditor of the brokerage house.

But these Alleghany stocks continued to go down. By the end of October the Vans were so heavily in debt to the Paine, Webber firm that action could no longer be postponed. Yet the Vans had no further funds with which to rescue themselves. They faced a crash. The brokerage firm was imperiled. The New York bankers, led by Morgan, were frightened. Such a crash at that moment would crack the whole financial world wide open. At this crisis the Morgan firm made a loan of $39,500,000 to the Van Sweringens. Of this $23,500,000 went to the C. T. B. Co. and $16,000,000 to the Vaness Corporation. These two companies paid $19,496,000 of this to the Paine, Webber firm and thus bailed them out.

When they turned the money over to the C. T. B. Co. the Vans withdrew from the Van Sweringen Corporation the Alleghany shares deposited there under the indenture. These shares numbered 900,000 by this time. The shares were turned over to the bankers as collateral. Other shares, constituting control of the Alleghany Corporation, were also turned over. It was those shares which were finally sold to Mr. Ball, the glass-jar manufacturer of Muncie, for 14 cents a share.

Now the Van Sweringen Corporation and the C. T. B. Co. are in bankruptcy and the noteholders have lost over $15,000,000.

But here is a vital point. In August 1930 a Guaranty Co. vice president was discussing a probable bankruptcy of the Van Sweringen Corporation. Yet 3 days later he and another vice president were discussing a campaign to sell these notes to bankers of the American Bankers' Association in Cleveland in September. Whether they pushed that campaign or not there is no evidence. But they did sell a lot of these notes to many banks. And Senator WHEELER put into the record a list of banks which bought such notes and are now closed.

Here, then, are some facts for various readers:

For bank depositors, stockholders in these closed banks: You have not been paid back your deposits. Have you considered

whether or not you have any rights against the bankers who sold these notes and similar ones to you and the trustees who were named by those bankers to act for you? No one stockholder or depositor can enforce his claims. Perhaps no one closed bank can act. But what if all stockholders and depositors acted together to bring pressure on the proper banking authorities to enforce your claims against these bankers?

For bank superintendents and the Comptroller of the Currency: You are administering these closed banks. They hold countless millions of notes and bonds and stocks similar to these Van Sweringen notes. As trustees for the State and the depositors, what steps have you taken to enforce against the bankers and trustees the claims of depositors because of these performances in connection with security issues on which these banks have lost millions?

For Representatives and Senators: This single disclosure of Senator Wheeler, the most ably pursued investigation of a financial deal and only one of many presented by his committee, ought to be worth many millions to abused bank depositors. Will you let this investigation lapse? Will you let the bankers kill it? And will you fail to take the necessary measures to prevent such activities in the future? What can you do? You cannot know until this committee has completed its great labors and studied a path for you to follow.

JOHN T. FLYNN.

Mr. BARKLEY. In the same connection, and at this point, to follow the article just referred to, I ask unanimous consent to have printed in the RECORD editorial comments from 43 daily newspapers scattered all over the United States, commenting on the value and the propriety and the timeliness of the particular investigation which is headed by the senior Senator from Montana [Mr. WHEELER]. I shall not read them, but I ask to have them printed in the RECORD at this point.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

OPINIONS OF THE PRESS

The importance of this committee's work may be seen in part from the widespread editorial reaction of the newspapers of the country:

The Akron (Ohio) Beacon Journal, "There is a point past which investigations have no right to go * * * but the Senate investigation is a clear case where public interest is deeply involved."

The Sioux City (Iowa) Tribune expresses the hope that "The Senate will go on until it unravels the complete story of their (the Van Sweringens') operations in order that it may serve as a warning against permitting the return of circumstances that would sprout another crop of such high-pressure artists."

The Charleston (W. Va.) Gazette, "Senator Wheeler also drew an admission from a banker closely affiliated with the Morgan interests that when the bankers were loaned and invested up to their necks in Van Sweringen enterprises * * * that banker-held stock was voted under 'stage names' to keep the public from getting wise that the banks were in the saddle."

The New York Post, "We wonder whether Congress is going to stop or starve the Wheeler investigation and leave the roof unpatched until the next time it rains.

"Or whether it is going to widen the investigation's authority and give it ample funds to protect the public's twenty-five-billion-dollar investment in the railroad * * *.

"It is cheap insurance against future railroad bankruptcies."

The Washington (D. C.) News: "Lobbies are massing on Capitol Hill in the attempt to kill off two unfinished but very important United States Senate investigations. * * * the La Follette committee, although hampered by opposition and the woefully meager appropriation, has done a magnificent service so far in turning the light on the type of medievalism in certain industries that has astounded the country. * * * Important also is continuance of the Wheeler committee's work. In view of the fact that rails form the keystone for investments by insurance companies and small investors, it is Congress' business to get to the bottom of this situation."

The Lincoln (Nebr.) Journal: "It is worth while to make a study of the practices and devices of financiers who amass wealth through the use of other people's money. The methods used in combining great railway properties into vast systems will also bear investigations. * * * Thousands have lost by investing in properties that now make up the group of Van Sweringen roads."

The Pontiac (Mich.) Press: "The whole organization of American finance is on an iniquitous and unscrupulous basis when such exploitations as these (as the Van Sweringen's) can go on right under the eyes of public authorities and nothing can be done about it."

The Beaumont (Tex.) Enterprise: "The Van Sweringen brothers have been compared unfavorably with the pioneer railroad builders of the United States. * * * The Van Sweringen brothers were not pioneers, but railroad manipulators."

The St. Paul (Minn.) News: "The Senate investigating committee reviewed the collapse of Van Sweringen rail and industrial empire. * * * It is relevant evidence so far as the public is concerned of frenzied finance which acquires useful enterprises, juggles them about, and tosses them into the lap of a bewildered glassmaker. It is quite apparent that the Government must step in to stop such irresponsible and costly private initiative."

The Omaha (Nebr.) World Herald: "* * * There won't be much romance about this investigation. It will be a cynical effort to find out how one becomes a railroad mogul on a shoe string, how he manages to hang on to his moguiship while the people who put up the money, that is the investing public, lose upwards of $40,000,000 in the deal."

The Denver (Colo.) Post: "The investigation 'calls attention to the way the holding-company system has been used to enable speculators to control and operate far-flung transportation and industrial enterprises which are owned by other people.'"

The Paducah (Ky.) Sun-Democrat: "The sale (of Alleghany to Mid-America Corporation) gives a new insight into the evils of holding-company practices, which often ignore the interests of stockholders as they do the weather in Siam."

The Quincy (Ill.) Herald-Whig: "What the committee will probably do as a result of its investigation is to act against railroad holding companies in the same way that moves have been made to dispose of them in the utility field. There was one matter that was not explained, and that was how the Morgan interests let go of the Van Sweringen holdings at a knock-down price * * *."

The East St. Louis (Ill.) Journal: "Investors who spend time pouring over the quotation tables on the financial and market pages might read with profit the Senate committee's revelations of how holding companies operate and to whose profit."

The Durham (N. C.) Herald: "* * * People are coming to conclude that there is something wrong with the scheme that not only permits but encourages the nefariousness that quite obviously figures in the Van Sweringen-Ball farce."

The Philadelphia Inquirer: If the Wheeler committee's inquiry "opens the way to sound regulatory legislation through which such operations as those of the Van Sweringens can be effectively prevented, it will have performed a vitally useful service to the country."

The Jamestown (N. Y.) Post: "The astonishing feature of the (committee's) showing lies in the fact that the man who is thus represented be so important a financial factor in the Van Sweringen undertaking admits that he has not attempted to familiarize himself with the business."

The Charlotte (N. C.) News: The investigation "seems to promise light on a long, obfuscated subject * * * a belief often voiced by competent authorities is that the railroads are suffering not so much from lack of traffic and operating sufficiency as from an accumulated top-heavy capital labyrinth."

The Washington Post: "It is clear that the excesses of the holding-company type of financial regulation, of which the Van Sweringens were the outstanding practitioners in the railroad field, ought to be exposed. For this reason alone the Wheeler committee has an opportunity to perform a real service in bringing to light the unsavory practices which made it possible for a handful of men to play ducks and drakes with important sections of a great industry. * * * The real need is for a thorough and scientific investigation of current railroad financing methods and the problems to which these methods have given rise."

The Phoenix (Ariz.) Republic: "The Wheeler investigating committee has something to chew upon which in the absence of new teeth in the laws it will find pretty hard to masticate. * * *"

The Louisville (Ky.) Courier-Journal: "A Senate committee, investigating the Van Sweringen properties, penetrated a short distance into that unexplored wilderness of high finance where individual initiative pyramids a multifarious collection of incorporated industries to a holding-company peak."

The Great Falls (Mont.) Tribune: "Valuable information is being given the Nation in the present investigation of railroad financing by the Senate committee headed by Senator WHEELER, of Montana. Public hearings now under way serve to make clear the danger of speculative finance operating through holding companies in the field of railroad transportation."

The Spokane (Wash.) Review: "These astounding revelations should interest Senators and Representatives who are under high pressure from railroad lobbyists."

The Buffalo (N. Y.) Courier-Express: "* * * It was a 'little strange' that that the House of Morgan was willing to let the securities controlling these vast properties go at less than the market quotations. * * * All this, no doubt, will increase the public's perplexity over who owns what in these days of involved finance."

The Youngstown (Ohio) Vindicator: "Senator WHEELER's committee * * * is wondering why Morgan sold for $3,121,000 stocks which at the time had a higher market value than that. The committee thinks there must have been some kind of shenanigans. Perhaps the committee is right."

The St. Louis (Mo.) Post-Dispatch: "To dignify such manipulations (as those exposed by the committee) as financial operations is not merely fatuous; it is plain falsehood. This is high-powered trickery—holding-company chicanery at its virulent worst."

The Wilkes-Barre (Pa.) Record: "It is probably just as well that the public should know more about the financial operations which make possible the assembling of such a vast conglomeration of properties through a comparatively small investment in them on the part of the controlling interests."

The Norfolk (Va.) Virginian-Pilot: "If this (the committee's revelations) is healthy industrial development, then all the textbooks had better be rewritten. As a matter of fact, it is not healthy industrial development, and the country now knows it."

The Philadelphia (Pa.) Ledger: "The committee's disclosures are 'an outstanding example of the manner of which holding companies may be misused.'"

The Saginaw (Mich.) News: "The type of holding-company structure revealed by the committee 'permits with a vengeance the use of other people's money to make profits for a skilled manipulator.'"

The Schenectady (N. Y.) Union Star: "The facts brought forth up to the present time promise to lead to an exciting and unusual display of banking and stock manipulation * * *."

The Memphis (Tenn.) Commercial Appeal: The committee's investigation "revealed that swashbuckling bands of pirates are still manipulating railroads in a way that would have put Jay Gould to shame in his palmiest days."

The Watertown (N. Y.) Times: "This type of maneuvering when millions are made and lost on paper has not always been healthy for the small stockholders, but seemingly is most satisfactory to the major operators."

The Green Bay (Wis.) Press Gazette: "It is the obligation of legislators to limit holding companies in such a way that they may be only used consistently with the public welfare. And these uses do not include any of the dead Van Sweringen's plans."

The Los Angeles (Calif.) Evening News: "Once more appears the grasping hand of the House of Morgan in transactions that Senator WHEELER declares 'might have been expected from a wildcat mining company.'"

The Camden (N. J.) Courier: "The I. C. C. must wait for a Senate inquiry to find out what these nonrailroad companies have been doing to hamstring railroad regulation. * * * They (the railroads) might never have needed to borrow public money if they hadn't been so successful at evading public regulation."

The Kansas City (Mo.) Times: "It (the Terminal Shares transaction exposed by the committee) was a complicated deal which, when it finally became known, furnished additional evidence of the need for better regulation of holding companies."

The Milwaukee (Wis.) Journal: "The Commerce Commission has control of railroads, but holding companies are a labyrinth. * * * The job of Congress ought to be clear; it is to get hold of the holding company."

The Chattanooga (Tenn.) News: "The story revealed by the committee 'involved as amazing a piece of financial legerdemain as even the high-flying days of 1928 could have boasted.'"

The Cleveland (Ohio) Plain Dealer: "Some of the testimony presented to the Wheeler committee * * * tends to support the view that some shenanigans went on behind the scenes."

The St. Louis (Mo.) Star Times: "The Senate committee investigating railroad finances has brought out methods of bookkeeping and issuing financial statements that top anything disclosed in the frenzy finance era of the late twenties."

The Philadelphia (Pa.) Inquirer: "Recent disclosures by the Senate Interstate Commerce Committee * * * indicated that more regulatory legislation may be necessary in fields of finance."

The Madison (Wis.) Times: "Not since the Insull debacle occupied the headlines has there been so startling and revealing an exposé of holding-company manipulation and devious financial deals as that which has been brought to light by the Senate committee investigating railroad finance."

The St. Louis (Mo.) Post-Dispatch: "The inquiry has ripped away the high pretensions of banker control of the railroads and has shown it for what it is. * * * Here was a banking house that had profited handsomely in the business of financing the Missouri Pacific, but is now ready on its own testimony to 'let the road go bust.'"

The St. Louis (Mo.) Post-Dispatch: "The disclosures of this investigation, both past and future, are important, not only as disclosures which enlighten the public but a great stake in the wise management of railroads. They are important also as the findings in which regulatory legislation will be based. * * * This investigation, too long delayed, should be permitted to proceed without hindrance."

Mr. WHITE. Mr. President, I have only recently come into the Senate Chamber, and have not heard the early part of this discussion. Perhaps that fact should induce me to keep quiet at the moment. However, as a minority member of the committee conducting the railroad hearings, I desire to say a word.

In my opinion, the chairman of the Senate Committee on Interstate Commerce, the Senator from Montana [Mr. WHEELER] has shown an amazing industry, high intelligence, and a fairness which can be challenged by no interest in the conduct of the investigation up to this time. The story which has been developed by the committee is one of great interest and suggests some matters which deserve the serious consideration of the Congress of the United States.

In the last Congress we undertook to deal with the question of holding companies in the utility field. I was not satisfied with the way in which the matter was dealt with at that time. I think perhaps the most important question touched on by the subcommittee of the Committee on Interstate Commerce up to this time is the question of holding companies in the transportation field. That is a problem which I think we as a Congress cannot avoid giving study to and possibly legislating upon. Certainly we ought to come to some conclusion as to whether the subject requires action by us.

Ordinarily I am not enthusiastic about investigations by a political body. Ordinarily I should be very much in favor of the provision in this bill forbidding, as I understand, the use of persons from Government departments by standing committees or special committees for committee work; but as I understand the chairman of the Interstate Commerce Committee, there have been employed and there are now employed some 10 or 12 people coming from such a source. In that situation, and while the investigation in question is proceeding, I am not willing to deprive the committee, and I am not willing to deprive the chairman of the committee, of the aid which those persons can give to him in the conduct of this undertaking.

If this question came up at some other time, I should cheerfully and eagerly vote to exclude the use of outside persons by congressional committees; but, in the situation which confronts us, in view of the tremendous importance of this investigation, and in view of the manner in which the investigation is being conducted by the chairman of the committee, I am opposed to taking from the committee and from him this aid, and I hope it will not be done.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the junior Senator from Washington [Mr. SCHWELLENBACH].

Mr. BLACK. I call for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. McKELLAR (when his name was called). On this question I have a pair with the Senator from Delaware [Mr. TOWNSEND]. I transfer that pair to the senior Senator from New Hampshire [Mr. BROWN], and will vote. I vote "yea."

The roll call was concluded.

Mr. BYRD. My colleague [Mr. GLASS] is necessarily detained from the Senate. If present and at liberty to vote, he would vote "yea." My colleague has a general pair with the Senator from Minnesota [Mr. SHIPSTEAD].

Mr. MINTON. I announce that the Senator from Ohio [Mr. DONAHEY] is detained on account of illness; also that the Senator from Alabama [Mr. BANKHEAD] and the Senator from California [Mr. McADOO] are necessarily absent.

I further announce that the Senator from New Hampshire [Mr. BROWN], the Senator from Georgia [Mr. GEORGE], the Senator from Utah [Mr. KING], the Senator from Illinois [Mr. LEWIS], the Senator from Nevada [Mr. McCARRAN], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Nevada [Mr. PITTMAN], the Senator from Wyoming [Mr. SCHWARTZ], the Senator from South Carolina [Mr. SMITH], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Maryland [Mr. TYDINGS] are necessarily detained. If present and voting, they would vote "yea."

Mr. BYRNES (after having voted in the affirmative). I have a general pair with the Senator from Maine [Mr. HALE]. Not knowing how he would vote if present, I transfer my pair with him to the Senator from California [Mr. McADOO], and will allow my vote to stand.

Mr. GERRY. My colleague [Mr. GREEN] is detained from the Senate by reason of attending the induction into office of the new president of Brown University. I am informed that if present and voting he would vote "yea."

The result was announced—yeas 72, nays 0, as follows:

YEAS—72

Adams	Byrnes	Harrison	Maloney
Andrews	Capper	Hatch	Minton
Ashurst	Caraway	Hayden	Moore
Austin	Chavez	Herring	Murray
Bachman	Clark	Hitchcock	Neely
Bailey	Connally	Holt	Norris
Barkley	Copeland	Hughes	Nye
Bilbo	Davis	Johnson, Colo.	Overton
Black	Dieterich	Lee	Pepper
Bone	Duffy	Lodge	Pope
Bridges	Ellender	Logan	Radcliffe
Brown, Mich.	Frazier	Lonergan	Reynolds
Bulkley	Gerry	Lundeen	Robinson
Bulow	Gibson	McGill	Russell
Burke	Gillette	McKellar	Schwellenbach
Byrd	Guffey	McNary	Sheppard

Thomas, Utah	Vandenberg	Wagner	Wheeler
Truman	Van Nuys	Walsh	White

NOT VOTING—23

Bankhead	Green	McAdoo	Smith
Borah	Hale	McCarran	Steiwer
Brown, N. H.	Johnson, Calif.	O'Mahoney	Thomas, Okla.
Donahey	King	Pittman	Townsend
George	La Follette	Schwartz	Tydings
Glass	Lewis	Shipstead	

So Mr. SCHWELLENBACH'S amendment was agreed to.

The PRESIDING OFFICER. The bill is still before the Senate and open to amendment.

Mr. BONE. Mr. President, previously I had submitted a motion to reconsider the vote by which certain language on page 2 of the bill was adopted. At that time I offered an amendment relating to lines 16, 17, and 18, page 2, of the bill, which I now withdraw and substitute the amendment which I send to the desk.

The PRESIDING OFFICER. The Chair is of the opinion that the vote by which the entire committee amendment on page 2 was agreed to would first have to be reconsidered.

Mr. ROBINSON. Mr. President, I am informed another amendment is to be proposed in addition to the amendment of the Senator from Washington, and that the discussion of that amendment will require more time than the Senate probably would want to devote to it this afternoon. I inquire of the Senator from Washington whether it would suit his convenience to have his amendment go over until tomorrow?

Mr. BONE. I can make an explanation of it in 30 seconds.

Mr. ROBINSON. Very well.

Mr. BONE. My purpose in moving to strike out the language is due to the fact that the language is surplusage in view of the amendment which was adopted as submitted by the junior Senator from Washington [Mr. SCHWELLENBACH]. My amendment would strike out this language on page 2 of the bill:

Provided, That no part of this appropriation shall be expended for services, personal, professional, or otherwise, in excess of the rate of $3,600 per annum.

That language is not only surplusage, but it would be very confusing if left in the bill in the light of the adoption of the amendment of the junior Senator from Washington. I have talked with the Senator from South Carolina [Mr. BYRNES], and the Senator from Colorado [Mr. ADAMS], about it, and I understand neither objects to the language being stricken from the bill.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. BONE. Certainly.

Mr. BYRNES. As one member of the committee, and as Chairman of the Committee to Audit and Control the Contingent Expenses of the Senate, I desire to say I have no objection to the amendment. The proviso was first inserted in the law about 6 or 8 years ago. In my judgment it has now become an unwise provision. I think it should be left to the Committee to Audit and Control to pass upon the merits of the particular investigation involved and to determine what discretion the investigating committee should have in the employment of attorneys and experts. I believe it is unwise to continue in the law this provision which results in an investigating committee's being unable to employ competent persons to discharge the duties of investigator or otherwise. I hope the amendment of the Senator from Washington will be adopted.

Mr. BARKLEY. Mr. President, has the vote by which the committee amendment on page 2 was agreed to been reconsidered?

The PRESIDING OFFICER. It has not. That vote must first be reconsidered.

Mr. BARKLEY. I ask unanimous consent that the vote by which the committee amendment on page 2, lines 11 to 22 inclusive, was agreed to, may be reconsidered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the vote is reconsidered. The question now is upon the amendment of the Senator from Washington [Mr. BONE] which will be stated.

The CHIEF CLERK. It is proposed, on page 2, lines 16, 17, and 18, to strike out the proviso, as follows:

Provided, That no part of this appropriation shall be expended for services, personal, professional, or otherwise, in excess of the rate of $3,600 per annum.

And in line 19, after the word *"Provided"*, to strike out the word *"further."*

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on the adoption of the committee amendment as amended.

Mr. BARKLEY. Mr. President, inasmuch as I understand another amendment is to be offered to that particular committee amendment by the junior Senator from Washington [Mr. SCHWELLENBACH], I hope the committee amendment as amended will not be now acted upon. It might as well go over. I ask unanimous consent that it be temporarily passed over.

Mr. BONE. Mr. President, may I submit an inquiry to the Senator from Colorado [Mr. ADAMS]?

Mr. BARKLEY. Mr. President, I have just been informed that the Senator from Washington does not now propose to offer the amendment which he advised me he had intended to offer, and accordingly I withdraw my request, and ask that the committee amendment as amended be adopted.

The PRESIDING OFFICER. The question is on the adoption of the committee amendment as amended.

The amendment as amended was agreed to.

Mr. BONE. Mr. President, I have pending an amendment which has to do with the building program of the Navy, and is in effect an amendment of the Vinson Act. I offer it for the reason that I have in my hand a communication from the Secretary of the Navy addressed to all naval stations and navy yards of the country, indicating that a drastic curtailment of forces is now in order; in other words, a large number of men are going to be laid off in the Government navy yards. The purpose of my amendment is to require the Navy to build in Government navy yards the two battleships now in contemplation. I may say that I have very grave doubt if the amendment would be in order if a point of order should be made against it.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed to insert on page 23, after line 16, the following new section:

SEC. —. That hereafter all naval vessels and the main engines, ordnance, and armament for such vessels, including those appropriated for in the Naval Appropriation Act of June 3, 1936, contracts for which vessels or materials have not yet been let, upon which work is undertaken, shall be constructed or manufactured, as the case may be, in the Government navy yards, naval stations, naval gun factories, naval ordnance plants, or arsenals of the United States: *Provided*, That the term "contracted or manufactured" when applied to main engines, ordnance, and armament shall include the making of castings, forgings, machining the parts, both roughing and finishing operations, assembling the parts, and installing them: *Provided further*, That raw materials from which castings and forgings are made, fabricated materials, such as sheet metal, rods, bars, and tubing, out of which parts are made, and minor appurtenances, such as chronometers and grease cups, may be purchased in the open market.

Mr. ADAMS. Mr. President, I think it necessary to make the point of order that it is legislation upon a general appropriation bill.

The PRESIDING OFFICER. The point of order is sustained. The bill is before the Senate and open to further amendment.

Mr. BAILEY. Mr. President, I offer the amendment, which I send to the desk and ask to have read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed to insert at the proper place in the bill the following proviso:

Provided, That no part of the sum of money hereby appropriated or authorized to be appropriated shall be allocated, paid or expended for any State, city, or county project or a project of any other governmental subdivision or agency unless and until such State, city, county, governmental subdivision or agency shall have filed with the President of the United States a certificate of necessity, showing that such State, city, county, governmental subdivision or agency has exhausted its resources to provide for the employment of its unemployed; such showing to set out the tax rate, the income, the indebtedness, the budget, of such State, county, city, governmental subdivision or agency, and the number of unemployed therein; and thereupon a finding by such author-

ity as the President shall designate that such State, county, city, governmental subdivision or agency is in actual need of the aid of the Federal Government to provide for its unemployed.

Mr. BAILEY obtained the floor.

Mr. ROBINSON. Mr. President, I inquire of the Senator from Colorado whether it is his desire to try to conclude the consideration of the bill this evening, or whether he prefers that it go over until tomorrow?

Mr. ADAMS. I should prefer to have it go over, because I think the pending amendment ought to be discussed somewhat carefully.

Mr. ROBINSON. I myself am of the opinion that considerable time will be consumed in debate on the amendment.

Mr. ADAMS. That is my impression.

EXECUTIVE SESSION

Mr. ROBINSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

Mr. WAGNER, from the Committee on Banking and Currency, reported favorably the nomination of Fred W. Catlett, of Washington, to be a member of the Federal Home Loan Bank Board for a term of 6 years from July 22, 1936, to which office he was appointed during the last recess of the Senate. (Reappointment.)

The PRESIDING OFFICER (Mr. DUFFY in the chair). The reports will be placed on the Executive Calendar.

If there be no further reports of committees, the clerk will state the first nomination in order on the calendar.

THE JUDICIARY

The legislative clerk read the nomination of Sidney C. Mize to be United States judge for the southern district of Mississippi.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. HARRISON. I ask unanimous consent that the President be notified of the confirmation of this nomination.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The legislative clerk read the nomination of Harvey G. Fields to be United States attorney for the western district of Louisiana.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of H. Chess Richardson to be United States marshal for the eastern district of Louisiana.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Louis E. LeBlanc to be United States marshal for the western district of Louisiana.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Granville T. Norris to be United States marshal for the eastern district of Oklahoma.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters on the calendar be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

That completes the calendar.

RECESS

The Senate resumed legislative session.

Mr. ROBINSON. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 2 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, February 3, 1937, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate on February 2 (legislative day of Feb. 1), 1937

UNITED STATES DISTRICT JUDGE

Sidney C. Mize to be United States judge for the southern district of Mississippi.

UNITED STATES ATTORNEY

Harvey G. Fields to be United States attorney for the western district of Louisiana.

UNITED STATES MARSHALS

H. Chess Richardson to be United States marshal for the eastern district of Louisiana.

Louis E. LeBlanc to be United States marshal for the western district of Louisiana.

Granville T. Norris to be United States marshal for the eastern district of Oklahoma.

POSTMASTERS

CALIFORNIA

Bertie Poore, Armona.
Ross Thurman Kemper, Arroyo Grande.
Bernard Fallon, Downey.
Charles A. Beguhl, Goleta.
Madge M. Kearns, Sunland.
Nellie A. Britten, Three Rivers.
Henrietta M. Voltz, Verdugo City.
Maude A. Northey, Williams.

ILLINOIS

James Arthur Edwards, Amboy.
Audre A. Beggin, Apple River.
William W. McIntire, Belvidere.
Albert E. Born, Jr., Bensenville.
Kenneth Henkhaus, Bethalto.
Kathryn Mill, Coal City.
Sylvester J. Kiley, Cullom.
Charles William Karcher, Dahlgren.
Maurice Rockwell, Danvers.
Daniel W. Waller, Durand.
Norbert C. Knapp, Glen Ellyn.
Harry F. DuQuoin, Greenview.
Lena Marie Forcht, Hennepin.
Rudolph F. Maurer, Hopedale.
Guy R. Knappenberger, Kirkland.
George A. Boeke, Lena.
Grover H. Kinsey, Mackinaw.
Charles A. Straka, Milledgeville.
William B. Lamb, Oswego.
Bessie B. Kampmeier, Pearl City.
Peter L. Kelly, Piper City.
Kenneth M. Murphy, Pontiac.
Robert H. Ryan, Rankin.
Albert Schrieber, Red Bud.
Louis L. Eubanks, Sparland.
Clemens K. Goldhagen, Warren.
Hugh E. Davis, Waterman.
John H. Stone, Watseka.
Hattie M. Deam, Winslow.

PENNSYLVANIA

Raymond A. McHale, Archbald.
Hugh W. Marshall, Enon Valley.
Harold R. Crissey, Hooversville.
William L. Mitsch, New Brighton.
Charles W. Ziegenfus, Palmerton.
John Peter Johnson, Pocono Pines.
Carl D. Kohl, Stroudsburg.
James N. McConnell, Volant.
Matilda E. Shumaker, West Bridgewater.
May E. Reisinger, Wrightsville.
William F. Burr, Zelienople.

TEXAS

Tod E. Lawson, Annona.
Thomas M. Delaney, Balmorhea.
Ruth V. Roome, Bandera.
Raby Jack Epperson, Bronte.
Volney D. Phillips, Celina.
Benjamin C. Bass, Chandler.
Forest W. Taylor, Clarendon.
Dennis N. Hargrave, Commerce.
Shelley G. Tarkington, Jr., Cuero.
James E. Heaton, Cushing.
Benjamin F. Weatherford, Elkhart.
Rudolph R. Kubena, Fayetteville.
Nell M. Hall, Greggton.
Lake W. Millen, Gunter.
Mabel E. Jones, Hedley.
David P. Slaughter, Howe.
Willie C. Binion, Lufkin.
Lee A. Wilson, McLean.
Allen Tolbert, Midland.
Benjamin E. Ramsey, Newton.
Una B. Walker, Pecan Gap.
Frederick A. Benedict, Randolph Field.
Sallie Hamilton, Richards.
William C. Wallis, Richardson.
Jennie L. Murphy, Roaring Springs.
Oliver D. Worthy, Sterling City.
Sallie V. McAdams, Stratford.
Benjamin H. Cummins, Taft.
Walter E. Smith, Tahoka.
Joseph J. Compton, Timpson.
Willis Walker, Turkey.
Carlyle Benton Moore, Van Alstyne.
Berniece M. Horrell, Vega.
Winfield C. Powers, White Deer.

WASHINGTON

Arthur J. Kralowec, Auburn.
Raymond V. Rosso, Black Diamond.
Harvey Lewis, Kirkland.
Andrew Hunter, Puyallup.
John E. Ober, Vashon.

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 2, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou Eternal One, whose presence occupies all space, unchanged through the flight of time, Thou only art God! Without Thee, virtue, duty, and principle would be mocked and spurned. We praise Thee for Thy merciful goodness which has followed us all our days. Heavenly Father, we must not forget to keep Thee at the very heart and soul of our beings. From Thee alone flow strength and grace for each day. Help us to make our little world better and life a worthier thing. Be merciful unto us and let us make Thy wings our refuge; for Thy mercy is great unto the heavens and Thy truth unto the clouds. Be Thou exalted and let Thy glory be above the earth. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendment, in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H. J. Res. 81. Joint resolution to create a Joint Congressional Committee on Government Organization.

EXTENSION OF REMARKS

Mr. MAVERICK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a speech by Mr. Robert H. Jackson.

Mr. SNELL. Mr. Speaker, reserving the right to object, is this the speech objected to by the gentleman from New York [Mr. WADSWORTH] yesterday?

Mr. MAVERICK. Yes.

Mr. SNELL. Mr. Speaker, I ask the gentleman to withhold his request until the gentleman from New York is present.

Mr. MAVERICK. Mr. Speaker, I shall be pleased to do so.

JOINT COMMITTEE ON GOVERNMENT ORGANIZATION

The SPEAKER laid before the House the following message from the Senate:

Resolved, That the joint resolution from the House of Representatives (H. J. Res. 81) entitled "Joint resolution to create a Joint Congressional Committee on Government Organization" do pass with the following amendments:

Page 1, line 7, strike out "seven" and insert "nine."
Page 1, line 9, strike out "seven" and insert "nine."

Mr. O'CONNOR of New York. Mr. Speaker, I move that the House recede and concur in the first Senate amendment.

Mr. SNELL. Mr. Speaker, will the gentleman yield for a question?

Mr. O'CONNOR of New York. Yes.

Mr. SNELL. The gentleman is perfectly sure now that the committee is fixed up so it can be controlled to do exactly as they are ordered.

Mr. O'CONNOR of New York. I would not be surprised. [Laughter.]

Mr. SNELL. All right; there is no objection.

The motion was agreed to.

Mr. O'CONNOR of New York. Mr. Speaker, I move that the House concur in Senate amendment no. 2.

The motion was agreed to.

A motion to reconsider the votes by which the several motions were agreed to was laid on the table.

Mr. O'CONNOR of New York. Mr. Speaker, I offer the following resolution and ask unanimous consent for its immediate consideration.

The Clerk read as follows:

House Resolution 106

Resolved, That the engrossed resolution (H. Res. 60) agreed to on January 14, 1937, be and the same is hereby amended by striking out the word "seven" in the third line of said engrossed resolution and inserting in lieu thereof the word "nine."

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to insert therein a copy of a speech made by Senator JOSEPH T. ROBINSON at Chicago on last Sunday, January 31.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech made by me over the radio.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STEFAN asked and was given permission to extend his own remarks in the RECORD.

NATIONAL HIGHWAYS

The SPEAKER. Under the special order heretofore made the gentleman from Pennsylvania [Mr. SNYDER] is recognized for 20 minutes.

Mr. SNYDER of Pennsylvania. Mr. Speaker, as long as we have a nation we will have economic, social, and industrial problems to solve.

As we drift from an agricultural nation into an industrial nation, our problems become more complex, and each generation finds that new procedures must be set up in order to take care of the needs and the activities of the people in their generation.

Among the problems that will always confront the people of the United States are the problems of (a) transportation, (b) unemployment, (c) national defense.

It is believed by many of our best engineers and stanchest nation-builders that we can, in a large measure, solve the three problems mentioned above, or at least do our constructive part in initiating the solving of these problems, by building a national system of highways.

The first act of Congress relative to the building of national roads was the bill passed by Congress during Jefferson's administration and signed by him March 29, 1806. This bill carried with it an appropriation of $30,000 for the preliminary survey of the old National Pike, running from Baltimore, Md., via Cumberland, Md., Uniontown, Pa., Washington, Pa., Wheeling, W. Va., to the Ohio River. I might say at this point also that for 40 years thereafter Congress appropriated each year money for the improvement and upkeep of the National Pike, a sum total appropriated of $6,324,919.33.

It was President Monroe who vetoed the appropriation the forty-first year. The history of this phase of road building is very interesting, and if there is no objection on the part of the House, I will insert at this point a copy of the first public document authorizing the beginning of work on the old National Pike, together with some short comments by different prominent men of that day. I hold in my hand a photostatic copy of the public document I refer to in Thomas Jefferson's own handwriting.

Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD a copy of the original document by Thomas Jefferson.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The matter referred to follows:

WORDING OF THE FIRST PUBLIC DOCUMENT AUTHORIZING THE BEGINNING OF WORK ON THE NATIONAL ROAD

THOMAS JEFFERSON,
President of the United States of America.
To all who shall see these presents, greeting:

Know ye, that in pursuance of the act of Congress passed on the 29th of March 1806, entitled "An act to regulate the laying out and making a road from Cumberland, in the State of Maryland, to the State of Ohio", and reposing special trust and confidence in the integrity, diligence, and discretion of Eli Williams, of Maryland, I have nominated and, by and with the advice and consent of the Senate, do appoint him a commissioner in connection with Thomas Moore, of Maryland, and Joseph Kerr, of Ohio, for the purposes expressed in the said act; and to have and to hold the said office, with all the powers, privileges, and emoluments to the same of right appertaining, during the pleasure of the President of the United States for the time being.

In testimony whereof I have caused the letters to be made patent and the seal of the United States to be herewith affixed.

Given under my hand, at the city of Washington, the 16th day of January, A. D. 1807, and of the independence of the United States of America the thirty-first. (Recorded.)

TH. JEFFERSON.

By the President:

JAMES MADISON,
Secretary of State.

This commission, dated 16th July 1806, was issued in the recess of the Senate, who have since ratified the appointment, and this commission issued in consequence of that ratification.

Mr. SNYDER of Pennsylvania. Mr. Speaker, from about 1850 to 1903 Congress did not take any constructive part in the building of national highways. The CONGRESSIONAL RECORD shows that on February 7, 1903, Congressman Brownlow, of Tennessee, delivered a short address from the floor of this House on national highways.

Mr. Speaker, I have just introduced a bill calling for the building of three transcontinental highways running from our eastern shore to our western shore and six running from the southern border to the northern border.

I anticipate that many of my colleagues as well as many of my friends will think my presentation too ambitious, but, my friends, if we will stop to consider what we have accomplished in the last 25 years in the building of streets and highways, I feel sure you will agree with me that in a quarter of a century from now we will have a system of highways superior to the one I am recommending today.

We sometimes say that electricity is just in its infancy; that the uses of radio are in their infancy. Most of us believe this is true. I might say that our road-building program in the Nation is just in its infancy.

Every year we realize more fully that the Federal Government and the States must cooperate both in planning and financing a system of highways that will be adequate to take care of the transportation of our commodities.

As I said, the States have done much and the Nation has done much in the last 25 years, but much of it has been piecemeal.

Different counties and different States went ahead and built roads during the last quarter of a century without taking into consideration whether they would dovetail into what their neighboring county was building or what their neighboring State was building.

As the map will show you that I am about to unfold, I suggest that we build these highways to last for hundreds of years, like the Appian Way in Italy, or the thousand-mile boulevard built by England in farther India 300 years ago.

By the way, these two roads are just as solid today as they were when they were built, and there is no reason why our Government should not build highways at this time that will last for not only hundreds of years but for thousands of years.

I could say that we need these roads for the transportation of our commodities and for our social needs, and that would be sufficient justification for them to be built, but there are other major reasons why they should be built and why we should start to build them now. In building these roads we would provide for a program to cover a space of 25 years for the building of such highways.

I do not say that the Government should build these highways. I would prefer to see them let out on bids in units so that private industry might build the roads.

Among the provisions I would make, if they were let out to private industries to build, would be that inasmuch as we will have for many years to come, two or three millions of able-bodied men between the ages of 50 and 65 years who will not benefit by the social-security law to the extent that they will be sufficiently pensioned when they reach 65.

It should be stipulated that all such men should be taken care of first in the building of such highways—that at certain appropriate locations along these highways would be constructed community settlements, something like the C. C. C. camps, only of a more permanent character. So we could take these unemployed men from the industrial centers and other centers to such locations, and give them a decent place in which to live and a decent wage.

This would be not only a Nation-building program, but it would be a citizen-building program.

Mr. Speaker, as long as we have hundreds of thousands of able-bodied men loafing around our street corners and in our bowling alleys and poolrooms and barrooms and gambling joints, just so long will we be slowly but surely building a citizenship that will eventually be too flabby and weak to perpetuate our form of government.

These men, if put to work on such a constructive project as building these highways, would take on new life because they would know they were building something permanent and worth-while that would be handed down to their children, and to their children's children. They would feel sure that they were contributing something that would make their Nation a better place in which to live.

Mr. Speaker, the two major things that I have briefly mentioned—transportation of our commodities and the absorbing of a big percent of our unemployed for the next quarter of a century are commendable. But perhaps the most outstanding and the one feature embodying the greatest saving in dollars over a period of, we will say, 25 years, is the use of these highways in our scheme of national defense.

We all agree that the type of national-defense equipment that we need today and will need in the future is not the same identical type of national-defense equipment that we

needed 10 or 25 or 30 years ago. I assume that everybody favors some type of national defense for his Nation. I further assume that everybody believes with me that our first line of national defense is made up of our homes, our schools, and our churches.

However, as long as other nations fly at the throats of each other, as we have witnessed for the past space of years, just so long must we provide adequate defense to protect our shores and our possessions in case a foreign foe should choose to disturb our people.

Just as our rubber-wheel units in our national-defense equipment have practically replaced our horse and mule units, so large mobile units on rubber wheels and other large and small units on wings should, and will, take up the major load of defense in the years immediately ahead of us.

I mean by this, Mr. Speaker, that if we had these roads, as set forth in this bill, completed, we could and would save millions of dollars on national-defense expenditures each year, and at the same time have greater strength, efficiency, and flexibility in our national-defense equipment than we have today.

I would not do away with our splendid forts and fortifications that we now have. No; we should keep them equipped with adequate manpower and material equipment, and at the same time provide for better housing and for better facilities for our Army boys in these forts.

But instead of enlarging these stationary fortifications, instead of spending on them multiplied millions each year, we could, and would, if these roads were completed, put the major part of our national-defense equipment that we provide for each year on rubber wheels and wings in a zone some place in the center of the United States. Then, in the case of emergency on our shores or borders, we could rush our wing equipment in 12 hours to the western shore, the eastern shore, or to either of our boundaries, and our rubber-wheel equipment could be moved in 72 hours to the western coast or to the eastern coast, and in 36 hours to the northern border or to the southern border.

In other words, gentlemen of the House, this program would give us adequate means of transportation for many years to come. At the end of half a century, I assume, if they were completed now, they would point back to our time and wonder why in the world we did not build bigger and wider highways in 1937.

This program would also absorb most of our able-bodied unemployed, and especially as I stated, those over 50 years of age who have nothing to look forward to except dole, poverty, or the poorhouse. And it would give us a national-defense set-up that would be at least 50 percent more economical than our present scheme of national defense, and two or three times more efficient and effective if an emergency arises.

And I may say that my reason for making this statement is that I just took a survey of the quantity of stationary national-defense equipment that is left in a certain nation across the sea today, after 3 months of disturbance and destruction.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. SNYDER of Pennsylvania. I yield.

Mr. WHITE of Idaho. The gentleman is making a very interesting speech as to the advisability of providing quick transportation. Does the gentleman know that in the Isthmus of Panama, with two big Canal stations to protect, one at either end of the Canal, that there is no highway across the Isthmus but that all transportation must be by railroad or by water?

Mr. SNYDER of Pennsylvania. I do know that, and I am in favor of remedying it.

Mr. Speaker, this program will give us adequate means of transportation for many years to come. At the end of the next half century our children's children will ask, however, why those fellows back in 1937 did not build better highways.

Mr. Speaker, my bill calls for three east-and-west highways; one starting at Boston, Mass., and running via Chicago, through to Salem, Oreg.; another starting at Baltimore, following the old national trail to East St. Louis, Salt Lake City, and San Francisco; and another starting at some place in South Carolina or Florida, running along the border through San Antonio, Tex., El Paso, to Los Angeles.

My first north-and-south highway starts in Maine and runs south about 75 miles from the seacoast. The second starts at Buffalo and runs through Pittsburgh; Charleston, W. Va.; Atlanta, Ga.; to Pensacola, Fla. A third starts at New Orleans and goes up to Chicago through Memphis, Tenn. A fourth starts at San Antonio and goes to Fargo, N. Dak. A fifth starts at El Paso and follows the eastern side of the Sierra Mountains, through Montana. The sixth and last will be located on the western coast, starting at San Diego, running north inland about 50 or 75 miles from the coast to Seattle.

Mr. Speaker, the reason I say these highways will be of such vast importance for national defense is that they would be built 60 to 80 feet wide and run as straight as possible, and all cross traffic to go overhead or underneath. The rights-of-way to be 200 feet wide or more and said rights-of-way to be leveled the entire width to the road level without any obstruction except shrubbery or flowers. The electric-light poles to be on the outer edges of the 200-foot rights-of-way.

At the intersection of each of these highways we would have an airport of at least 8,000 feet square to take care of that type of transportation.

Mr. RANDOLPH. Will the gentleman yield?

Mr. SNYDER of Pennsylvania. I gladly yield to the gentleman from West Virginia.

Mr. RANDOLPH. I hesitate to make an observation, because I am intensely interested in the discourse the gentleman is giving. I believe perhaps the gentleman may be in error in saying he is in favor of a road 60 to 80 feet wide. Does not the gentleman mean a much wider road?

Mr. SNYDER of Pennsylvania. I thank the gentleman for calling my attention to that matter. I was going to add these highways would be 60 to 80 feet of concrete lanes with a right-of-way 200 feet wide clear across the Nation, to be built up at a later date if the need demanded.

Mr. RANDOLPH. May I make a further observation?

Mr. SNYDER of Pennsylvania. Certainly.

Mr. RANDOLPH. Within the last 3 months Henry Ford, the automobile manufacturer, stated in a press conference he believed it would not be long until we would have a system of national highways with six lanes. Does that agree with the gentleman's study?

Mr. SNYDER of Pennsylvania. It does.

Mr. RANDOLPH. One further observation; and I am sorry to interrupt. I believe the gentleman is familiar with a resolution which I introduced during the Seventy-fourth Congress calling for a study to be made by a special commission of the feasibility of a system of national highways. I do not mean to inject myself but simply bring it into the discussion.

Mr. SNYDER of Pennsylvania. I thank the gentleman.

Mr. Speaker, if we had this zone in the middle of the United States with these highways we could spend one-fourth of the amount we spend now for national-defense equipment, which amounts to about $1,100,000,000 a year. We would have these wheels and wings in the center of the United States, and in case of an emergency we would move either to the east or west in 12 hours, and in 72 hours we could be there with our rubber-wheel material.

Furthermore, we would light these highways up from coast to coast, and during the night we would not have these air accidents, because the pilot would be looking down on a highway at least 80 feet wide, already prepared, and nothing to interfere with his wings in an emergency landing.

May I say here that Germany started in 1924 to build such a system of highways.

[Here the gavel fell.]

Mr. SNYDER of Pennsylvania. Mr. Speaker, I ask unanimous consent to proceed for 2 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SNYDER of Pennsylvania. Mr. Speaker, may I make one more statement in reference to several other countries and what they have done. I call particular attention to Germany because I have maps and data in my office concerning Germany's road construction since 1924, and it corresponds in type and system to what I am saying here, with the exception theirs runs in circles. Around Berlin they have built a circular road four lanes wide and 15 miles from the edge of the present city limits. If you were to start at Brussels and go toward Berlin today, when you hit this four-lane circular highway you could not go straight in to Berlin. You would have to turn and go either under or over to the right and then to the left to enter the city.

They have built this road so that in an emergency an airplane may land on the road any place because the shrubbery is only high enough to dim the glare of lights. In an emergency, as I stated, they can land an airplane any place on the road without interference.

Mr. RANDOLPH. Will the gentleman yield?

Mr. SNYDER of Pennsylvania. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. I trust, as one member of the Committee on Roads, that the gentleman's bill and other pending resolutions on this subject may have adequate hearings.

Mr. SNYDER of Pennsylvania. I appreciate the gentleman's friendly interest.

[Here the gavel fell.]

PRIVATE CALENDAR

The SPEAKER pro tempore. Under the rules this is the day set aside for the consideration of bills on the Private Calendar.

HENRY H. CARR AND OTHERS

The Clerk called the first bill on the Private Calendar, H. R. 327, for the relief of Henry H. Carr, Robert E. Wise, Stanley Wise Ellis, and Peyton L. Ellis, and Hilory Wise and Flora A. Wise.

Mr. MARTIN of Massachusetts. Mr. Speaker, I suggest the absence of a quorum.

The SPEAKER pro tempore. The Chair will count.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw the point of order.

The SPEAKER pro tempore. Is there objection to the immediate consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Henry H. Carr, owner of a certain farm consisting of 304 acres of land, more or less, near Camp Knox, in Hardin County, Ky.; and Robert E. Wise, Stanley Wise Ellis, and Peyton L. Ellis, owners of a certain farm consisting of 200 acres of land, more or less, near Camp Knox, in Hardin County, Ky.; and Hilory Wise and Flora A. Wise, owners of a certain farm consisting of 240 acres of land, more or less (in two separate fees of 120 acres each, more or less), near Camp Knox, in Hardin County, Ky., are, as such owner or owners, hereby authorized to bring such suit or suits as they may respectively desire to so do against the United States of America, to recover damages, if any, for loss or losses, which they may have sustained or suffered, as such respective owners, by reason of establishment, construction, or maintenance of Camp Knox, in the State of Kentucky. Jurisdiction is hereby conferred upon the Court of Claims of the United States or the District Court of the United States for the Western District of Kentucky to hear, consider, determine, and render judgments for the respective amounts of such damages, if any, as may be found to have been sustained or suffered by the said owners of said farms, with the same right of appeal as in other cases, and notwithstanding any lapse of time or statute of limitation: *Provided*, That such action will be brought within 1 year from the date that this act shall become effective.

With the following committee amendment:

On page 2, line 10, strike out "Court of Claims of the United States or the."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALBERT W. WRIGHT

The Clerk called the next bill, H. R. 357, for the relief of Albert W. Wright.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Albert W. Wright, of Richland, N. Y., the sum of $304.33. Such sum represents a payment to the Post Office Department by Albert W. Wright in the year 1921 to make up a deficit at the Richland (N. Y.) post office caused by theft, the recovery of which is barred by the statute of limitations.

With the following committee amendments:

Page 1, line 6, strike out "$304.33. Such sum represents" and insert "$304.33, in full settlement of all claims against the United States for a" and in line 10 strike out "theft, the recovery of which is barred by the statute of limitations" and insert "theft: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDWARD L. GOCKELER

The Clerk called the next bill, H. R. 419, for the relief of Edward L. Gockeler.

There being no objection, the Clerk called the bill, as follows:

Be it enacted, etc., That the requirements of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in the case of Edward L. Gockeler, of Saranac Lake, N. Y., formerly employed from September 18, 1917, to January 1, 1918, as a clerk by the Committee on Public Information, Washington, D. C., and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim filed by him under the provisions of such act, as amended, within 6 months after the date of enactment of this act, for compensation for disability alleged to have resulted from tuberculosis contracted by him while in the performance of his duties as such employee, but compensation, if any, shall be paid from and after date of enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALPHA VINT

The Clerk called the next bill, H. R. 447, for the relief of Alpha Vint.

There being no objection, the Clerk called the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Alpha Vint, a minor of Pulaski County, Ark., the sum of $10,000, in full satisfaction of his claim against the United States for permanent personal injury sustained on September 15, 1932, from the explosion of a 37-millimeter shell at the Sylvan Hills School, Pulaski County, Ark., which he had previously picked up and carried from Camp Pike Reservation, Ark.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 7, strike out "$10,000" and insert in lieu thereof "$3,500."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

C. C. YOUNG

The Clerk called the next bill, H. R. 448, for the relief of C. C. Young.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $20,000 to C. C. Young, father of Adriel Young, who was killed by the explosion of a 37-millimeter shell at the Sylvan Hills School, Pulaski County, Ark. (which had been previously picked up and carried by Alpha Vint from Camp Pike Reservation, Ark.), on September 15, 1932: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 1 strike out lines 3 to 10, inclusive, and insert:
"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. C. Young, of Pulaski County, Ark., the sum of $3,500, in full satisfaction of his claim against the United States for the death of his minor son, Adriel Young, who was killed on September 15, 1932, from the explosion of a 37-millimeter shell, which had previously been picked up and carried from Camp Pike Reservation, Ark., by Alpha Vint, a minor."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EARL HILL

The Clerk called the next bill, H. R. 449, for the relief of Earl Hill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Earl Hill, of Clarksville, Ark., the sum of $3,500, in full satisfaction of his claim against the United States for permanent personal injury received when he was struck by a Civilian Conservation Corps truck as it passed the truck in which he was a passenger on State Highway No. 7, between Clarksville and Cowell, Ark., August 4, 1935: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, strike out all of lines 5 and 6 and insert "not otherwise appropriated."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ERNEST AND LOTTIE DUNFORD

The Clerk called the next bill, H. R. 456, for the relief of Ernest and Lottie Dunford.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ernest and Lottie Dunford, of Ramsey Town, Henry County, Va., jointly, the sum of $3,500 in full settlement of their claim against the United States for the death of their minor child, Hattie M. Dunford, who was struck and killed by a Civilian Conservation Corps truck on June 23, 1934, at Ramsey Town, Va.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NICK GRUYICH

The Clerk called the next bill on the Private Calendar, H. R. 520, for the relief of Nick Gruyich.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Nick Gruyich, of Lackawanna, Erie County, N. Y., the sum of $1,000, in full satisfaction of his claim against the United States for the loss of a bond in that amount to secure the appearance of an alien, one Dusan Petrovich, which bond was declared breached and forfeited by the Department of Labor, although the said alien was in fact delivered at Buffalo, N. Y., on June 21, 1929, in accordance with its terms by the said Nick Gruyich: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The SPEAKER pro tempore. Is there objection?

Mr. HANCOCK of New York and Mr. CLARK of Idaho objected. Under the rule, the bill was recommitted to the Committee on Claims.

DEAN SCOTT

The Clerk called the next bill on the Private Calendar, H. R. 545, for the relief of Dean Scott.

The Clerk read the bill, as follows:

Be it enacted, etc., That the limitations of time in sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Dean Scott, of Winchester, Mass., and the United States Employees' Compensation Commission is hereby authorized to receive and consider his claim, under the remaining provisions of said act, for injury to his right elbow, right side, and his head, alleged to have been sustained while a civilian employee of the United States Army transport *Tacony* on or about December 19, 1919: *Provided*, That claim hereunder shall be made within 6 months after the approval of this act: *Provided further*, That no benefits shall accrue prior to the approval of this act.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CATHERINE WARD

The Clerk called the next bill on the Private Calendar, H. R. 548, for the relief of Catherine Ward.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Catherine Ward, of Lowell, Mass., the sum of $100. Such sum shall be in full settlement of all claims against the United States on account of the injury sustained by the said Catherine Ward as the result of a fall on the steps of the post-office building at Newark, N. J., on February 21, 1932: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

There being no objection, the bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES A. HENDERSON

The Clerk called the next bill on the Private Calendar, H. R. 568, for the relief of James A. Henderson.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any funds in the Treasury not otherwise appropriated, the sum of $5,000 to James A. Henderson in full settlement of all claims against the Government on account of injuries sustained by the said James A. Henderson on June 10, 1931, while riding in a truck on a Government road in

Cherokee National Forest because of negligent construction and maintenance of said road.

Mr. HANCOCK of New York and Mr. CLARK of Idaho objected and, under the rule, the bill was recommitted to the Committee on Claims.

J. P. HARRIS

The Clerk called the next bill on the Private Calendar, H. R. 588, for the relief of J. P. Harris.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. P. Harris, Mystic, Iowa, the sum of $10,000, such sum to be in full settlement of all claims against the United States for damages sustained by the said J. P. Harris as the result of personal injuries received when struck by a Federal Civil Works Administration truck on December 20, 1933, in Mystic, Appanoose County, Iowa.

With the following committee amendments:

On page 1, line 6, strike out "$10,000" and insert "$3,500."

Page 1, line 11, insert "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A. S. KOYER

The Clerk called the bill (H. R. 600) for the relief of A. S. Koyer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to A. S. Koyer the sum of $500 in full settlement of his claim against the United States for reimbursement for the use of certain equipment in the San Pedro, Calif., post office during the period beginning August 14 and ending November 5, 1924: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$500" and insert "$300."

The amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

EDNA M. CALLAHAN AND ANNA SCOTT

The Clerk called the bill (H. R. 601) for the relief of Edna M. Callahan and Anna Scott.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edna M. Callahan the sum of $10,000 and to Anna Scott the sum of $3,000. Such sums shall be in full settlement of all claims against the United States on account of injuries sustained by the said Edna M. Callahan and Anna Scott on or about the 10th day of October 1932 while aboard a boat provided by the Navy Department of the United States plying between the Fifth Street Landing at San Pedro, Calif., and the U. S. S. *Relief*, lying in the harbor of San Pedro at San Pedro, Calif.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$10,000" and insert "$3,500", and on line 7, strike out "$3,000" and insert "$1,500."

The committee amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

MARY DALEY

The Clerk called the bill (H. R. 635) for the relief of Mary Daley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary Daley, of Syracuse, N. Y., the sum of $225 in full satisfaction of all claims against the United States for personal injuries sustained by her as a result of a collision of a Civilian Conservation Corps motor vehicle with her automobile on Highbridge Road near Lyndon, N. Y., August 19, 1935: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ELBERT ARNOLD JARRELL

The Clerk called the bill, H. R. 703, for the relief of Elbert Arnold Jarrell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elbert Arnold Jarrell the sum of $8,211 in full settlement of all claims against the United States for damages suffered by reason of being struck and seriously injured by a Government truck which was driven by an enrollee of the Civilian Conservation Corps, and the result of which has resulted in his being unable to provide for himself, his wife, and his six children: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 9, strike out "and the result of" and insert "on March 16, 1934, near Friendship, Ohio."

The committee amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

JOSEPH M. CLAGETT, JR.

The Clerk called the bill (H. R. 730) for the relief of Joseph M. Clagett, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the guardian of Joseph M. Clagett, Jr., the sum of $15,000, in full settlement of all claims against the United States for injuries sustained by him on December 27, 1934, caused by a fall down an open elevator shaft in a building in Philadelphia, Pa., owned by the United States Government and under the jurisdiction of the Treasury Department, Procurement Division: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. COLLINS. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. COLLINS: Page 1, line 6, strike out "$15,000" and insert in lieu thereof "$10,000."

The amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH PETHERSKY

The Clerk called the bill (H. R. 734) for the relief of Joseph Pethersky, of Port Deposit, Md.

Mr. HANCOCK of New York and Mr. HOPE objected, and the bill was recommitted to the Committee on Claims.

JAMES LUKER, SR.

The Clerk called the bill (H. R. 824) for the relief of James Luker, Sr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James Luker, Sr., father of George De Witt Luker, late an enlisted man in the Navy, who was killed as a result of a powder explosion on board the U. S. S. *Trenton* on October 22, 1924, the sum of $———, being a gratuity equal to 6 months' pay at the rate received by George De Witt Luker at the time of his death.

With the following committee amendments:

Page 1, strike out all of lines 3, 4, and 5, and insert "That the Secretary of the Navy is hereby authorized and directed to pay, out of the current appropriation of the Navy Department for awards of 6 months' gratuity to beneficiaries of deceased enlisted men of the Navy."

Page 2, line 2, insert "324."

Page 2, line 4, strike out the period, insert a colon and the following: "*Provided*, That James Luker, Sr., shall first establish to the satisfaction of the Secretary of the Navy that he was actually dependent upon said George De Witt Luker at the time of the latter's death."

The committee amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ROBERT COATES

The Clerk called the bill (H. R. 854) for the relief of Robert Coates.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the limitations of time in sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Robert Coates, of Glass, Gloucester County, Va., and the United States Employees' Compensation Commission is authorized to receive and consider his claim, under the remaining provisions of said act, for tuberculosis alleged to have been contracted as a result of his employment on ships of the Reserve Fleet Division of the United States Shipping Board Merchant Fleet Corporation during the months of October, November, and December 1921; October and November 1923; and October 1924: *Provided*, That claim hereunder shall be filed within 6 months from the approval of this act: *Provided further*, That no benefits shall accrue prior to the approval of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ROLAND P. WINSTEAD

The Clerk called the next bill, H. R. 855, for the relief of Roland P. Winstead.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes" approved September 7, 1916, as amended, the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider, when filed, the claim of Roland P. Winstead for disability alleged to have been incurred by him during the month of February 1922 while in the employment of the Post Office Department as a driver of a mail truck operating between Fredericksburg and White Stone, Va., and to determine said claim upon its merits under the remaining provisions of said act: *Provided*, That no benefits shall be held to have accrued prior to the approval of this act.

With the following committee amendment:

Page 2, line 7, after the word "act", insert the following: "*Provided further*, That claim hereunder shall be filed within 6 months from the approval of this act."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FIRST LT. R. G. CUNO

The Clerk called the next bill, H. R. 856, for the relief of First Lt. R. G. Cuno.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to First Lt. R. G. Cuno, retired, formerly second lieutenant, Air Corps, Langley Field, Va., out of any money in the Treasury not otherwise appropriated, the sum of $1,419.35, such sum to be in full settlement of all claims against the United States on account of damage to and destruction of personal property of the said Lt. R. G. Cuno stored by the quartermaster in the quartermaster warehouse at Langley Field, Va., the said damage to and destruction of said property having resulted from the flooding of said warehouse during the storm of August 23, 1933, without fault or negligence on the part of the said Lt. R. G. Cuno and while he was a patient, sick in line of duty, at Walter Reed Hospital and unable to protect his interest in said property: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 7, strike out "$1,419.35" and insert in lieu thereof "$851.61."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN M'SHAIN, INC.

The Clerk called the next bill, H. R. 906, for the relief of John McShain, Inc.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BARDEN and Mr. CLARK of Idaho objected, and the bill, under the rule, was recommitted to the Committee on Claims.

LEWIS CLARK AND FREDA MASON

The Clerk called the next bill, H. R. 911, for the relief of Lewis Clark and Freda Mason.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lewis Clark and Freda Mason, of Bayard, W. Va., the sums of $89 and $65, respectively,—in all, $154—in full satisfaction of their claims against the United States for the destruction of a safe and for the use of a bloodhound in the apprehension of suspects, resulting from the burglary of the post office at Bayard, W. Va., on January 25, 1929: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FLOYD GATTON

The Clerk called the next bill, H. R. 941, for the relief of Floyd Gatton.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Floyd Gatton, the sum of $900, under an agreement by which the Government exercised an option to rent certain property to be used as a landing field, although the project was abandoned by the Government, and this sum as accrued rental recommended by the Department of Commerce for payment.

With the following committee amendment:

Page 1, line 6, after the word "of", strike out the remainder of the line and all of lines 7, 8, 9, and 10, and insert the following: "$500, in full settlement of his claim against the United States for losses suffered under a lease with the Lighthouse Service, Department of Commerce, dated June 13, 1930, for certain property at Butler, Ohio, to be used as an intermediate landing field site, which lease was later abandoned by the Government on its decision to locate the landing field at a different site: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. LOUIS ABNER

The Clerk called the next bill, H. R. 1065, for the relief of Mrs. Louis Abner.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the United States Government, the sum of $500 to Mrs. Louis Abner, of Loogootee, Ind., for injuries sustained by being struck by a United States Government truck driven or operated by a member of the Civilian Conservation Corps on September 29, 1934: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WEYMOUTH KIRKLAND AND ROBERT N. GOLDING

The Clerk called the next bill, H. R. 1086, for the relief of Weymouth Kirkland and Robert N. Golding.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Weymouth Kirkland the sum of $2,000, and to Robert N. Golding the sum of $3,155.70; in all, $5,155.70, in full settlement of all claims against the United States, for legal services rendered to the Railroad Labor Board under the direction and approval of the Department of Justice: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LUCRETIA NORRIS

The Clerk called the next bill, H. R. 1087, for the relief of Lucretia Norris.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lucretia Norris the sum of $600, in full settlement of all claims against the United States for injuries sustained when she was struck by a vehicle operated by an employee of the Government and in the service of the Post Office Department, in Baltimore, Md., on January 1, 1931: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BAKER-WHITELEY COAL CO.

The Clerk called the next bill, H. R. 1088, for the relief of the Baker-Whiteley Coal Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to extend to the Baker-Whiteley Coal Co., of Baltimore, Md., the provisions and benefits of the act entitled "An act to provide relief to Government contractors whose costs of performance were increased as a result of compliance with the act approved June 16, 1933, and for other purposes", approved June 16, 1934, with respect to its contract, no. Tpr–40, entered into on August 10, 1933, for the furnishing of coal to the Government fuel yards at Washington, D. C., to the same extent and in the same manner as if said contract had been entered into prior to August 10, 1933.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES M. PERKINS

The Clerk called the next bill, H. R. 1089, for the relief of Charles M. Perkins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the account of Charles M. Perkins, former postmaster at Seattle, Wash., with the sum of $14,987.66, representing the amount of postal funds lost in the robbery of said post office on December 23, 1931, and now charged to the account of the former postmaster.

SEC. 2. That the Comptroller General of the United States be, and he is hereby, authorized and directed further to credit the account of Charles M. Perkins, former postmaster at Seattle, Wash., with the sum of $1,100, representing the amount of postal funds embezzled by Edgar A. Chitwood, former assistant postal cashier of said post office, between June 6 and June 10, 1932, and now charged to the account of the former postmaster.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN DISBURSING OFFICERS, VETERANS' ADMINISTRATION

The Clerk called the next bill, H. R. 1090, for the relief of certain disbursing officers and former disbursing officers of the United States Veterans' Administration.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of the following-named disbursing officers of the United States Veterans' Administration of any and all sums standing as disallowances in said accounts on the books of the General Accounting Office where such disallowance is based upon overpayment of 50-percent loans on adjusted-service certificates as described herein: *Provided*, That this act shall not be interpreted to waive collections by the United States Government of loans on adjusted-service certificates and interest thereon.

1. J. B. Schommer, former disbursing clerk, Veterans' Administration, Washington, D. C., in the sum of $1,849 (symbol 99220), which amount he expended during the period from March 1, 1931, to August 31, 1931; also, the sum of $92.57 (symbol 99234), which amount he expended while acting as disbursing officer at Veterans' Administration regional office, Hartford, Conn., during the period March 11 to 31, 1931.

2. C. A. Wood, former disbursing officer at Veterans' Administration regional office, Atlanta, Ga., in the sum of $307.59 (symbol 99102), which amount he expended during the period April 1, 1931, to September 30, 1932.

3. H. H. Barraclough, former disbursing officer at Veterans' Administration regional office, Boston, Mass., in the sum of $678

(symbol 99106), which amount he expended during the period March 1, 1931, to November 30, 1931.

4. W. A. Birmingham, former disbursing officer at Veterans' Administration regional office, Buffalo, N. Y., in the sum of $885 (symbol 99107), which amount he expended during the period April 1 to 30, 1931.

5. Ivan Carrico, disbursing officer at Veterans' Administration Facility, Huntington, W. Va., in the sum of $200 (symbol 99110), which amount he expended during March 1931.

6. Cary Dawson, disbursing officer at Veterans' Administration Regional Office, Cincinnati, Ohio, in the sum of $1,166 (symbol 99113), which amount he expended during the period March 1 to April 30, 1931.

7. Loren W. Looker, former disbursing officer at Veterans' Administration regional office, Cleveland, Ohio, in the sum of $359.02 (symbol 99114), which amount he expended during the period March 1 to April 30, 1931.

8. Charles S. Gawler, former disbursing officer at Veterans' Administration Facility, Columbia, S. C., in the sum of $265 (symbol 99115), which amount he expended during the period March 1 to 31, 1931.

9. R. E. Waters, former disbursing officer at Veterans' Administration regional office, Dallas, Tex., in the sums of $150 (symbol 99230) and $350 (symbol 89839), which amounts he expended during the period March 1, 1931, to January 31, 1933.

10. Marsden V. Bates, disbursing officer at Veterans' Administration regional office, Detroit, Mich., in the sum of $766.50 (symbol 99119), which amount he expended during the period March 1, to May 31, 1931.

11. E. J. Cooper, disbursing officer at Veterans' Administration Facility, Fort Harrison, Mont., in the sum of $218 (symbol 99122), which amount she expended during the month of March 1931.

12. W. Weldon, former disbursing officer at Veterans' Administration Facility, Hines, Ill., in the sum of $768 (symbol 99231), which amount he expended during the period March 1 to November 30, 1931.

13. T. A. Dillon, disbursing officer at Veterans' Administration regional office, Indianapolis, Ind., in the sum of $140 (symbol 99226), which amount he expended during the period March 1 to December 31, 1931.

14. Edna D. Duncan, disbursing officer at Veterans' Administration regional office, Little Rock, Ark., in the sum of $260 (symbol 99128), which amount she expended during the period March 1 to 31, 1931.

15. Nina B. Harrison, former disbursing officer at Veterans' Administration Facility, Los Angeles, Calif., in the sum of $896.98 (symbol 99129), which amount she expended during the period April 1, 1931, to June 30, 1933.

16. James J. Gallagher, former disbursing officer at Veterans' Administration Facility, Lyons, N. J., in the sum of $1,269.54 (symbol 99136), which amount he expended during the period March 1, 1931, to August 31, 1932.

17. T. H. Daley, former disbursing officer at Veterans' Administration regional office, New Orleans, La., in the sum of $400 (symbol 99137), which amount he expended during the period March 1 to April 30, 1931.

18. Don Iler, former disbursing officer at Veterans' Administration regional office, New York, N. Y., in the sum of $180 (symbol 99138), which amount he expended during the period March 1, 1931, to June 30, 1933.

19. M. L. Morris, disbursing officer at Veterans' Administration regional office, Oklahoma City, Okla., in the sum of $875 (symbol 99139), which amount he expended during the period March 1 to May 31, 1931.

20. Esther I. Rebman Davis, disbursing officer at Veterans' Administration regional office, Phoenix, Ariz., in the sum of $50 (symbol 99191), which amount she expended during August 1932.

21. James B. Lappin, former disbursing officer at Veterans' Administration Facility, Togus, Maine, in the sum of $50 (symbol 99144), which amount he expended during the period March 1 to 31, 1931.

22. Joseph A. Walker, former disbursing officer at Veterans' Administration regional office, Pittsburgh, Pa., in the sum of $855.20 (symbol 99210), which amount he expended during the period March 1 to August 31, 1931.

23. Teresa A. Orser, former disbursing officer at Veterans' Administration regional office, Providence, R. I., in the sum of $126.09 (symbol 99146), which amount she expended during the period March 1 to April 30, 1931.

24. Harry F. Heisey, former disbursing officer at Veterans' Administration regional office, Richmond, Va., in the amount of $100 (symbol 99148), which amount he expended during March 1931.

25. March B. Norvell, disbursing officer at Veterans' Administration regional office, San Antonio, Tex., in the amount of $434.50 (symbol 99222), which amount she expended during the period April 1, 1930, to August 31, 1932.

26. Lucile S. McCracken, disbursing officer at Veterans' Administration regional office, San Francisco, Calif., in the sums of $100 (symbol 99151) and $100 (symbol 89881), which amounts she expended during the period March 1, 1931, to September 30, 1933.

27. Warren A. Minnis, former disbursing officer at Veterans' Administration Facility, Bay Pines, Fla., in the sum of $218 (symbol 99126), which amount was expended by him during the period April 1, 1931, to August 31, 1932.

28. George W. Wagner, former disbursing officer at Veterans' Administration Facility, Wichita, Kans., in the sum of $145 (symbol 99155), which amount he expended during the period March 1 to May 31, 1931:

Provided, That the General Accounting Office shall not hereafter charge the disbursing officers herein named with the amounts credited to them pursuant to this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CAPT. J. H. MERRIAM

The Clerk called the next bill, H. R. 1091, for the relief of Capt. J. H. Merriam, Supply Corps, United States Navy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of Capt. J. H. Merriam, Supply Corps, United States Navy, with the sum of $734.42, representing payments made by him to Thomas Cook & Son, Ltd., of Shanghai, China, for the cost of transportation furnished Lt. (Jr. Gr.) Malcolm A. Hufty, United States Navy, and Lt. (Jr. Gr.) Lewis R. Miller, United States Navy, in accordance with orders issued to these two officers by the commander in chief, United States Asiatic Fleet, which payments were disallowed by the Comptroller General.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAY HOWARD BLOEDORN

The Clerk called the next bill, H. R. 1092, for the relief of May Howard Bloedorn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to May Howard Bloedorn the sum of $4,500 in full settlement of her claim against the United States for the destruction of certain houses situate in lots 950 and 962, square 5869, at Anacostia, D. C., by the so-called bonus marchers in 1932; said houses having been loaned, at the request of an officer of the Metropolitan Police Department of Washington, D. C., for the shelter of certain sick marchers by the said May Howard Bloedorn: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLEVELAND L. SHORT

The Clerk called the next bill, H. R. 1093, for the relief of Cleveland L. Short.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Cleveland L. Short, the sum of $1,572.50, in full settlement of all claims against the United States for permanent injuries sustained by him on June 14, 1909, while employed by the Isthmian Canal Commission: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLARK F. POTTS AND CHARLES H. BARKER

The Clerk called the next bill, H. R. 1094, for the relief of Clark F. Potts and Charles H. Barker.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Clark F. Potts, chief boatswain's mate (L), United States Coast Guard, the sum of $150.26, and to Charles H. Barker, surfman, United States Coast Guard, the sum of $125.73, in all $275.99, in full settlement of their claims

against the United States for loss or destruction of, or damage to, personal property and effects as a result of the fire which occurred at the Big Sandy Coast Guard Station, Woodville, N. Y., on November 3, 1935: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEXTER P. COOPER

The Clerk called the next bill, H. R. 1095, for the relief of Dexter P. Cooper.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dexter P. Cooper the sum of $792 in full settlement of his claim against the United States for expenses incurred in the operation of a personally owned motorboat during the period from December 1, 1934, to June 30, 1935, while employed by the Public Works Administration as a consulting engineer in connection with the Passamaquoddy power project, Washington County, Maine: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MICHAEL E. SULLIVAN

The Clerk called the next bill, H. R. 1096, for the relief of Michael E. Sullivan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of Michael E. Sullivan, postmaster at Park Ridge, Ill., with the sum of $14,679.29, representing the amount of public funds and property lost in the burglary of the post office at Park Ridge, Ill., on March 6, 1935, such loss having resulted from no fault or negligence on the part of said postmaster, as determined by the Postmaster General under a provision in title 39, United States Code, section 49.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM L. JENKINS

The Clerk called the next bill, H. R. 1098, for the relief of William L. Jenkins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $481.50 to William L. Jenkins, formerly American consul at Trebizond, Turkey, in full settlement of his claim against the United States for his failure to receive a like amount appropriated for his relief in Public Law No. 519, approved July 3, 1930 (46 Stat. 886), such sum representing the value of personal property lost by him during 1919 as a result of civil disturbances at Trebizond, and which sum was used by the General Accounting Office as a set-off against his then existing indebtedness to the United States in the amount of $2,000, but subsequently credited to his accounts by authority of Private Law No. 30, approved May 6, 1935: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN OFFICERS AND EMPLOYEES OF THE FOREIGN SERVICE OF THE UNITED STATES

The Clerk called the next bill, H. R. 2924, for the relief of certain officers and employees of the Foreign Service of the United States who, while in the course of their respective duties, suffered losses of personal property by reason of war, catastrophes of nature, and other causes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the following sums of money:

To William H. Hunt, formerly American consul at Pointe à Pitre, Guadeloupe, French West Indies, the sum of $1,080.50, such sum representing the value of reasonable and necessary personal property lost as a result of the cyclone at Pointe à Pitre, September 12, 1928.

To the estate of the late J. Frank Points, formerly American vice consul and clerk at Nassau, Bahama Islands, the sum of $312, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Nassau, Bahama Islands, September 16, 1928.

To Charles C. Broy, formerly American consul at Nassau, Bahama Islands, the sum of $294, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Nassau, September 25 and 26, 1929.

To Many Jane Porter, formerly American consular clerk at Nassau, Bahama Islands, the sum of $210.50 and $657.41, respectively, making a total of $867.91, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricanes at Nassau, Bahama Islands, September 16, 1928, and September 25 and 26, 1929.

To Grace W. Williamson, American consular clerk at Nassau, Bahama Islands, the sum of $264.50, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Nassau, Bahama Islands, on September 25 and 26, 1929.

To Charles B. Curtis, formerly American Minister at Santo Domingo, Dominican Republic, the sum of $1,835.11, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.

To John M. Cabot, formerly secretary of American Legation at Santo Domingo, Dominican Republic, the sum of $663.88, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.

To Bernard Ramirez, clerk in American Legation at Santo Domingo, Dominican Republic, the sum of $193.50, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.

To Victor E. Medina, clerk in American Legation at Santo Domingo, Dominican Republic, the sum of $158, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.

To Reed Paige Clark, formerly American consul at Santo Domingo, Dominican Republic, the sum of $1,720, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.

To Albion W. Johnson, American vice consul at Santo Domingo, Dominican Republic, the sum of $221.25, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.

To Pedro A. Marrero, formerly American consular clerk at Santo Domingo, Dominican Republic, the sum of $340.50, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.

To Mrs. Aurora Albert Dopico, nee Aurora Menendez, American consular clerk at Santo Domingo, Dominican Republic, the sum of $226, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.

To Angel Rafael Marrero, American consular clerk at Santo Domingo, Dominican Republic, the sum of $55, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.

To Emilio Jimenez-Gil, American consular clerk at Santo Domingo, Dominican Republic, the sum of $93, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.

To Ismael J. Guantés, American consular messenger at Santo Domingo, Dominican Republic, the sum of $100, such sum

representing a donation in order to enable him to obtain a partial reimbursement of the reasonable value of necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.

To the estate of the late Robert M. Ott, formerly American vice consul at Belize, British Honduras, the sum of $115.95, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Belize, September 10, 1931.

To Culver Gidden, American consular clerk at Belize, British Honduras, the sum of $101.75, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Belize, September 10, 1931.

To Lilian A. Hood, American consular clerk at Belize, British Honduras, the sum of $200, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Belize, September 10, 1931.

To C. E. Griffith, American consular clerk at Belize, British Honduras, the sum of $60.95, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Belize, September 10, 1931.

To A. C. Odendahl, formerly American consular clerk at Belize, British Honduras, the sum of $162, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Belize, September 10, 1931.

To Henry Gardiner, American consular messenger at Belize, British Honduras, the sum of $60.05, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Belize, September 10, 1931.

To John A. Lehrs, formerly American vice consul at Moscow, Russia, the sum of $4,016, such sum representing the value of reasonable and necessary personal property lost as a result of the seizure of government power in Russia.

To Henry L. Palmer, formerly American vice consul at Ekaterinburg, Russia, the sum of $3,352.85, such sum representing the value of reasonable and necessary personal property lost as a result of the seizure of government power in Russia.

To Ernest L. Harris, formerly American consul general at Irkutsk, Siberia, the sum of $1,899, such sum, in addition to the sum heretofore appropriated, representing the value of reasonable and necessary personal property lost as a result of warlike conditions in Russia in 1918 and 1919.

To Edwin S. Cunningham, American consul general at Shanghai, China, the sum of $115, such sum representing the value of reasonable and necessary personal property lost as a result of warlike conditions at Shanghai, China, January 28 and 29, 1932.

To Carl O. Spamer, formerly American consul at Shanghai, China, the sum of $33, such sum representing the value of reasonable and necessary personal property lost as a result of warlike conditions at Shanghai, China, January 28 and 29, 1932.

To Vivian E. Hooper, formerly American consular clerk at Shanghai, China, the sum of $17.50, such sum representing the value of reasonable and necessary personal property lost as a result of warlike conditions at Shanghai, China, January 28 and 29, 1932.

To Oscar S. Heizer, formerly American consul general and interpreter at Constantinople, Turkey, the sum of $456, such sum representing the value of reasonable and necessary personal property lost as a result of warlike conditions in Turkey between the years 1915 and 1918.

To Harry D. Myers, formerly American vice consul at Buenaventura, Colombia, the sum of $182.50, such sum representing the value of reasonable and necessary personal property lost as a result of a fire which destroyed the American consulate at Buenaventura on January 26, 1931.

To Harry A. McBride, formerly American consul at Warsaw, Poland, the sum of $377.25, such sum representing the value of reasonable and necessary personal property lost as a result of breakage and theft in transit from Warsaw to the United States.

To Paul Dean Thompson, formerly American vice consul at St. Michael, Azores, the sum of $55.50, such sum representing the value of reasonable and necessary personal property lost as a result of theft in transit about November 2, 1931, incident to his transfer under orders from Plymouth, England, to St. Michael, Azores.

To T. Brooks Alford, formerly vice consul at Moscow and other posts in Russia, the sum of $276.01, such sum representing the value of reasonable and necessary personal property lost as a result of warlike conditions in Russia between the years 1916 and 1918.

To Thomas M. Powell, American vice consul at Nogales, Sonora, Mexico, the sum of $268, such sum representing the value of reasonable and necessary personal property lost as a result of a fire which destroyed the American Consulate at Nogales on October 10, 1935.

Provided, That no part of the amount appropriated in this act in excess of 10 percent of any claim thereof as allowed shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with any such claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated for any claim in this act in excess of 10 percent of such claim as allowed on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000. The aforesaid amounts shall be considered in full settlement of the aforesaid claims.

SEC. 2. That if the Secretary of State shall find that any payment on account of any individual loss herein set forth has been made to or on behalf of any of the claimants herein named by any foreign government, the amount of such payment shall be deducted from the amount herein authorized to be paid to such claimant: *Provided*, That any payment which hereafter may be made on account of any of the aforesaid losses, to or on behalf of any of the aforesaid claimants by any foreign government through the Department of State, in an amount not to exceed the amount actually paid to any of the aforesaid claimants shall be paid into the Treasury of the United States.

With the following committee amendments:

Page 2, strike out lines 1, 2, 3, 4, and 5.
Page 2, line 13, strike out the figures "$657.41" and insert "$607.41."
Page 2, line 13, strike out the figures "$867.91" and insert "$817.91."
Page 2, line 24, strike out the figures "$1,835.11" and insert "$1,669.11."
Page 3, line 5, strike out the figures "$663.88" and insert "$554.25."
Page 4, strike out lines 23, 24, and 25.
Page 5, strike out lines 1, 2, 3, 4, 5, 6, 7, and 8.
Page 6, line 7, strike out the figures "$4,016" and insert "$3,816."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JANET HENDEL

The Clerk called the next bill, H. R. 3334, for the relief of Janet Hendel, nee Judith Shapiro.

Mr. BARDEN, Mr. CLARK of Idaho, and Mr. HANCOCK of New York objected.

Under the rule the bill was recommitted to the Committee on Immigration and Naturalization.

LENA HENDEL

The Clerk called the next bill, H. R. 3335, for the relief of Lena Hendel, nee Lena Goldberg.

Mr. BARDEN and Mr. HANCOCK of New York objected.

Under the rule the bill was recommitted to the Committee on Immigration and Naturalization.

ISSUANCE OF PERMIT TO SEKIZO TAKAHASHI

The Clerk called the joint resolution (H. J. Res. 141) to authorize the issuance to Sekizo Takahashi of a permit to reenter the United States.

Mr. BARDEN objected.

There being no further objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the Secretary of Labor be, and he is hereby, authorized and directed to issue to Sekizo Takahashi a permit to reenter the United States after a temporary visit to Japan, notwithstanding his ineligibility for admission for permanent residence, and to readmit him if he applies for readmission during the validity of the permit to reenter.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RALPH C. IRWIN

The Clerk called the next bill, H. R. 3112, for the relief of Ralph C. Irwin.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the appointment of Ralph C. Irwin as regular village letter carrier at Brea, Calif., on the 16th day of March 1929 shall hereafter be held to have been regularly and duly made as of that date, and he shall be entitled to compensation from that date in accordance with the laws and postal regulations governing appointments and promotions for length of service.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CANAL DREDGING CO.

The Clerk called the next bill, H. R. 986, conferring jurisdiction upon the United States Court of Claims to hear the claim of the Canal Dredging Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States Court of Claims to hear the claim of the Canal Dredging Co., a corporation under the laws of Illinois, with its principal office in the city of Memphis, Tenn., and to determine and report to Congress the amount of additional compensation,

if any, that said Canal Dredging Co. may be justly entitled to for the excavation of rock exceeding the percentage represented in and by the specifications, profiles, and other data relating to the work and for its loss on account of its preparation for doing the work which it was to do in the State of Florida along the south shore of Lake Okeechobee in the area known locally as South Bay between the Miami Canal and Bacom Point, under the contract entered into on the 5th day of August 1932 between the United States and itself designated as "Contract W. 436-eng-3071", and supplemental agreement modifying the same between said parties, approved by the Chief of Engineers, United States Army, on the 13th day of July 1933, terminated by supplemental agreement entered into between said parties on the 14th day of June 1934, and for the best interests of the Government, because of the discovery of rock to be excavated in excess of that represented and contemplated as aforesaid, entitling said Canal Dredging Co. to a material increase in the contract price, in order that the Government might construct said work by Government plant and hired labor of a materially different design as more efficient for the purpose intended and at a less cost to the Government, to which said Canal Dredging Co. consented.

SEC. 2. Such claim may be instituted at any time within 1 year after the passage of this act, notwithstanding the lapse of time or any statute of limitations.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BROOK HOUSE, LTD.

The Clerk called the next bill, H. R. 1097, for the relief of Brook House, Ltd., of Sydney, Australia.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture be, and he is hereby, authorized and directed to pay to Brook House, Ltd., of Sydney, Australia, from the appropriation "34303—Salaries and expenses, Bureau of Agricultural Economics, 1934", a sum equivalent at the rate of exchange current at the time of payment to 101 pounds, 8 shillings, Australian currency, in full settlement of its claim against the United States on account of rental of space for the period of July 1 to December 31, 1933, inclusive, in connection with a lease of quarters to the agricultural commissioner of the United States at Sydney, New South Wales, Australia, said lease dated April 17, 1931.

With the following committee amendments:

Page 1, line 5, after "Australia", strike out the remainder of the line, all of line 6, and "1934" in line 7.

Page 2, line 4, after "1931", insert the following: "and there is hereby reappropriated for the purposes of this act so much of the unexpended balance as may be necessary, of the appropriation "34303—Salaries and expenses, Bureau of Agricultural Economics, 1934", which has heretofore been covered into the surplus fund of the Treasury."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NEW YORK & BALTIMORE TRANSPORTATION LINE, INC.

The Clerk called the next bill, H. R. 1099, for the relief of the New York & Baltimore Transportation Line, Inc.

Mr. BARDEN, Mr. CLARK of Idaho, and Mr. HALLECK objected.

Under the rule, the bill was recommitted to the Committee on Claims.

FIELDS B. ARTHUR AND OTHERS

The Clerk called the next bill, H. R. 1120, for the relief of Fields B. Arthur and Arthur L. Allen, copartners, Colorado Culvert & Flume Co.; Glen Haller, Kenneth Austin, A. B. Hoffman, J. W. Jones, and Lloyd Lasswell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to settle and adjust the following claims of creditors who furnished services or supplies to E. M. Harris & Sons, Sugar City, Colo., under their contract, Als-3951, dated July 18, 1929, for the construction of the Blue Lake Road, extension no. 584, within the San Isabel National Forest, Huerfano County, Colo., and who were prevented from bringing a timely suit under the provisions of the act of August 13, 1894, as amended (33 Stat. 811), against the surety of said E. M. Harris & Sons, after their default in the performance of said contract, by the Government's failure to notify them of the final settlement date of said contract:

(1) Fields B. Arthur and Arthur L. Allen, copartners, doing business as Arthur & Allen, in a sum not exceeding $1,004.67;

(2) Colorado Culvert & Flume Co., in a sum not exceeding $596.51;

(3) Glen Haller, in a sum not exceeding $247.60;

(4) Kenneth Austin, in a sum not exceeding $110;

(5) A. B. Hoffman, in a sum not exceeding $66.35;

(6) J. W. Jones, in a sum not exceeding $43; and

(7) Lloyd Lasswell, in a sum not exceeding $22.

SEC. 2. There is hereby appropriated out of any money in the Treasury not otherwise appropriated, the sum of $2,090.13, or so much thereof as may be necessary to pay said claims.

SEC. 3. No part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN MUNROE

The Clerk called the next bill, H. R. 1231, for the relief of John Munroe.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,500 to John Munroe, of Crary, N. Dak., in full satisfaction of his claim against the United States for permanent injuries sustained between November 22 and 30, 1933, while being moved from Devils Lake to Fargo, N. Dak., and return, to attend the United States district court as a necessary and material witness in the case of *United States* v. *Goldie Nolan*, who was convicted largely on the testimony of the said John Munroe: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MALINDA J. MAST AND WILLIAM LEE MAST

The Clerk called the next bill, H. R. 1245, for the relief of Malinda J. Mast and William Lee Mast.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Malinda J. Mast and William Lee Mast, of McKinley, Oreg., the sum of $350 in full satisfaction of their claim against the United States for damages for personal injuries suffered on May 19, 1934, about 1 mile north from where the Norway-Lee County Road leaves the Coquille-Myrtle Point State Highway, in Coos County, Oreg., when the automobile in which said Malinda J. Mast and William Lee Mast were riding was struck by a motor truck owned by the United States and driven by Lem Reynolds, an employee of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, after the word "Treasury", strike out the remainder of line 5 and all of line 6 and insert "not otherwise appropriated."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

L. M. CRAWFORD

The Clerk called the next bill, H. R. 1249, for the relief of L. M. Crawford.

Mr. HANCOCK of New York and Mr. HOPE objected.

Under the rule, the bill was recommitted to the Committee on Claims.

ELLEN KLINE

The Clerk called the next bill, H. R. 1252, for the relief of Ellen Kline.

Mr. CLARK of Idaho and Mr. HOPE objected.

Under the rule, the bill was recommitted to the Committee on Claims.

E. G. BRISENO

The Clerk called the next bill, H. R. 1258, for the relief of E. G. Briseno.

Mr. HALLECK and Mr. CLARK of Idaho objected; and, under the rule, the bill was recommitted to the Committee on Claims.

SARAH L. SMITH

The Clerk called the next bill, H. R. 1275, for the relief of Sarah L. Smith.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,000 to Sarah L. Smith in full settlement of all claims against the United States for personal injuries sustained in a fall in the United States post office at Niagara Falls, N. Y., on July 18, 1933: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM HAYES

The Clerk called the next bill, H. R. 1277, for the relief of William Hayes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of $700 to William Hayes in full settlement of all claims against the United States for personal injuries sustained by being struck by an automobile driven by Customs Patrol Inspector Herbert R. Bowen on August 31, 1928, in the city of Niagara Falls, N. Y.: *Provided*, That the Secretary of the Treasury is hereby authorized and directed to transfer to the miscellaneous receipts fund of the Treasury the sum of $75 appropriated in the First Deficiency Act of March 26, 1930 (46 Stat. 124), for the benefit of William Hayes, as set forth in the schedule of claims contained in House Document No. 243, Seventy-first Congress: *Provided further*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

W. J. NOLAN AND OTHERS

The Clerk called the next bill, H. R. 1315, to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of W. J. Nolan, L. Jacobson, J. A. Higuera, C. H. Damsted, R. Galleguillo, F. G. Grigsby, K. H. Johnson, R. Dupouy, C. J. Degen, W. L. Nolan, R. C. Jensen, M. J. Roderick, L. K. Moore, C. Lederer, M. Kelley, R. Dinkel, A. J. Mouchou, C. R. Taylor, M. Knull, S. W. Ligon, C. C. Johnson, W. P. Brennan, C. F. Siebert, and J. T. Weeks.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, and render judgment upon the claims of W. J. Nolan, L. Jacobson, J. A. Higuera, C. H. Damsted, R. Galleguillo, F. G. Grigsby, K. H. Johnson, R. Dupouy, C. J. Degen, W. L. Nolan, R. C. Jensen, M. J. Roderick, L. K. Moore, C. Lederer, M. Kelley, R. Dinkel, A. J. Mouchou, C. R. Taylor, M. Knull, S. W. Ligon, C. C. Johnson, W. P. Brennan, C. F. Siebert, and J. T. Weeks, all of Vallejo, Calif., for extra labor over and above the regular day of 8 hours performed at Mare Island Navy Yard, Calif., in accordance with the order of the Secretary of the Navy dated December 1, 1920: *Provided*, That the action in the Court of Claims to establish such losses and damages may be instituted within 1 year from the date of the approval of this act, and the same right of appeal to the United States Supreme Court from the judgment of the Court of Claims shall be had as in other causes in that court.

With the following committee amendments:

Page 2, line 7, strike out "regular day of 8 hours" and insert "16-hour period of duty per day required to be."

Page 2, line 9, after the word "California", insert "which extra labor over said period was not."

Page 2, line 15, after the word "act", strike out the remainder of line 14 and all of lines 15 and 16 and insert "without regard to any statute of limitations."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES M. WINTER

The Clerk called the next bill, H. R. 1346, for the relief of James M. Winter.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the limitations of time in sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of James M. Winter, a former employee of the Army Transport Service, for disability alleged to have been incurred between September 16, 1918, and June 30, 1920, and the United States Employees' Compensation Commission is hereby authorized to receive and consider his claim under the remaining provisions of said act: *Provided*, That claim hereunder shall be made within 6 months after the approval of this act: *Provided further*, That no benefits shall accrue prior to the approval of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANK GEDNEY

The Clerk called the next bill, H. R. 1347, for the relief of Frank Gedney.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the limitations of time in sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Frank Gedney, of Newburgh, N. Y., and the United States Employees' Compensation Commission is authorized to receive and consider his claim, under the remaining provisions of said act, for disability (powder poisoning) alleged to have been incurred by him between 1917 and 1920 while a civilian employee of the United States Naval Ammunition Depot, Iona Island, N. Y.: *Provided*, That claim hereunder shall be filed within 6 months after the approval of this act: *Provided further*, That no benefits shall accrue prior to the approval of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATHAN A. BUCK

The Clerk called the next bill, H. R. 1357, for the relief of Nathan A. Buck.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, to Nathan A. Buck, of Chatham, Mass., the sum of $300 in full compensation for damage caused to his oyster beds in Oyster Pond River, in said Chatham, in the fall of 1931 by a boat belonging to the United States Coast and Geodetic Survey, Department of Commerce.

With the following committee amendments:

Page 1, line 6, strike out "compensation" and insert "settlement of all claims against the Government of the United States."

In line 11, after the word "Commerce", insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered

to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDITH M. POWELL

The Clerk called the next bill on the Private Calendar, H. R. 1382, for the relief of Edith M. Powell.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edith M. Powell the sum of $2,000, together with interest thereon at the rate of 6 percent per annum from July 27, 1933, until the enactment of this act, in full compensation and settlement for all claims and demands of Edith M. Powell growing out of, or arising from, injuries suffered in an accident on Government property near Newport in Lincoln County, Oreg., on or about August 2, 1926.

With the following committee amendments:

On page 1, line 6, strike out "$2,000, together with interest thereon at the rate of 6 percent from July 27, 1933, until the enactment of this act", and insert "$1,000."

On page 2, line 1, after the figures "1926", insert: *"Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRUCE BROS. GRAIN CO.

The Clerk called the next bill on the Private Calendar, H. R. 1758, for the relief of Bruce Bros. Grain Co.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $279.90 to the Bruce Bros. Grain Co. in full settlement of all claims against the Government of the United States to cover loss sustained by said company on a car of wheat, car no. 96110, Chicago, Burlington & Quincy, shipped from St. Joseph, Mo., July 15, 1921, to Minneapolis, Minn.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The SPEAKER pro tempore. Is there objection?

Mr. HOPE and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Claims.

MARCELLINO M. GILMETTE

The Clerk called the next bill on the Private Calendar, H. R. 1794, for the relief of the estate of Marcellino M. Gilmette.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Matheus M. Gilmette, duly appointed administrator of the estate of Marcellino M. Gilmette, the sum of $110, representing wages due to said Marcellino M. Gilmette, who died at sea on April 1, 1924.

With the following committee amendments:

Page 1, line 7, after the figures "$110", insert "in full settlement of all claims against the Government of the United States."

On page 1, line 10, insert after the figures "1924": *"Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE HOUSTON

The Clerk called the next bill on the Private Calendar, H. R. 1838, for the relief of George Houston.

The Clerk read the bill, as follows:

Be it enacted, etc., That the limitations of time in sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1934 ed., title 5, secs. 767 and 770), are hereby waived in favor of George Houston, who is alleged to have sustained an injury on February 4, 1931, while employed as a rural mail carrier from the post office at Wood Lake, Minn., which resulted in permanent physical disability, and his case is authorized to be considered and acted upon under the remaining provisions of such act, as amended, if he files a claim for compensation with the United States Employees' Compensation Commission not later than 6 months after the date of enactment of this act: *Provided*, That no benefits shall accrue prior to the approval of this act.

There being no objection, the bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

W. D. DAVIS

The Clerk called the next bill on the Private Calendar, H. R. 1851, for the relief of W. D. Davis.

The Clerk read the bill, as follows:

Be it enacted, etc., That W. D. Davis, of Fort Worth, Tex., as successor to the firm of W. D. & M. L. Davis, statutes of limitations being waived, is authorized to enter suit in the United States District Court for the Northern District of Texas for the amount alleged to be due from the United States on account of loss sustained by the firm arising out of action of inspectors of the Bureau of Animal Industry of the United States Department of Agriculture during 1917 and 1918 in driving cattle infested with Texas fever ticks, or having such cattle driven under their direction or supervision, over the land of the firm, or using the firm's dipping vats for dipping such tick-infested cattle. For the purposes of such suit said W. D. Davis shall have all rights of the firm.

SEC. 2. Jurisdiction is hereby conferred upon said United States District Court for the Northern District of Texas to hear and determine such claim without the intervention of a jury. The action in said court may be presented by a petition making the United States party defendant and shall set forth all the facts upon which the claimant bases his claim, and the petition may be verified by the agent or attorney of said claimant; official letters, reports, and public records, or certified copies thereof, may be used as evidence; and said court shall have jurisdiction to hear and determine said suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found due from the United States to said claimant by reason of the alleged action, upon the same principles and under the same measure of liability as in like cases between private parties, and the Government hereby waives its immunity from suit. And said claimant and the United States of America shall have all rights of appeal or writ of error or other remedy as in similar cases between private persons or corporations: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of said court, and upon such notice it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That such suit shall be begun within 6 months of the date of the approval of this act.

There being no objection, the bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. CLARK of Idaho. Mr. Speaker, I think that is as far as some of the members of the Committee are prepared to go today.

INDEPENDENT OFFICES APPROPRIATION BILL, 1937

Mr. WOODRUM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4064, the independent offices appropriation bill. Pending the consideration of that motion, I ask unanimous consent that general debate continue throughout the afternoon,

to be equally divided and controlled by the gentleman from Massachusetts [Mr. WIGGLESWORTH] and myself.

The SPEAKER pro tempore. The gentleman from Virginia moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the independent offices appropriation bill, and pending that asks unanimous consent that general debate continue throughout the day, to be equally divided between himself and the gentleman from Massachusetts. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Virginia.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4064, the independent offices appropriation bill, with Mr. BOLAND of Pennsylvania in the chair.

The Clerk read the title of the bill.

Mr. WOODRUM. Mr. Chairman, I yield 20 minutes to the gentleman from West Virginia [Mr. RAMSAY].

Mr. RAMSAY. Mr. Chairman, during the last few days two gentlemen—one from Massachusetts and the other from Georgia—have attempted to defend not only the recent action but all former actions of the Supreme Court of the United States in setting aside acts of Congress.

The arguments of the gentleman from Georgia are most remarkable in this, that he admits that Chief Justice Marshall exercised this power in the Marbury case without any grant found in the Constitution, and that the decision would not have been made if it had not been for a political exigency.

He admits, to sustain this power, there is no grant in the Constitution authorizing such action by the Supreme Court, but he believes "it was a necessarily implied power."

This is, indeed, strange argument, when you consider that Chief Justice Marshall himself, in arguing this very question before the Supreme Court as a lawyer in the case of Ware against Hylton, found in Dallas Third, page 212, declared that—

> The legislative authority of any country can only be restrained by its own municipal constitution. This is a principle that springs from the very nature of society; and the judicial authority can have no right to question the validity of a law unless such a jurisdiction is expressly given by the Constitution.

And note—the gentleman from Georgia, who believes that the great Chief Justice was infallible, expresses the opinion now that the Court should take such power because of implication, while this great judge himself declared that the Supreme Court could not exercise such power unless expressly granted.

I gather from the remarks of the gentlemen who believe that the Supreme Court may exercise power to set aside acts of Congress by implication that Congress cannot exercise power to pass legislation unless by express authorization.

Of course, this view can well be entertained by men who believe that "Mr. Jefferson was an ambitious man, craving popularity and power, and knew how to reward his friends and punish his enemies."

Thomas Jefferson needs no defense now. His place in the history of his country as a statesman, patriot, and citizen is far above the attacks of present-day followers of the Essex Junto, and his name is as secure as any in the history of the world.

But why this attack on Jefferson at this late date? Because he was the first to expose the fake front of the Marbury case, and the first to deny the right of the Court, under the Constitution, to set aside the acts of Congress.

The whole argument developed by these two gentlemen is that the Supreme Court, by implication, has the right under the Constitution to set aside acts of Congress, although this power by implication was denied by the very judge who wrote the first opinion assuming such power; and, if not by implication, then because of constant usage and the fact that the Court has exercised this power for over 100 years should give to the Court the right to set aside acts of Congress, regardless of whether or not the Court ever had such power or whether or not such power was ever intended to be given to this Court under the Constitution.

In other words, the continued violation of the Constitution by the Court is presumed to give the Court jurisdiction to set aside acts of Congress. This would be equivalent to a man driving an automobile over a highway at an excessive rate of speed, violating speed regulations for a long-continued period of time, and then, when finally apprehended and brought to justice, defend his action by saying, "Yes; I knew this was a violation of the law, but I have been violating it for the last 10 years, so nothing can be done with me now; I have a right to violate the law."

It is also contended by these men that Congress is a political body but our great Court is not a political body at all. At least one of the gentlemen says "the Court is presumed not to be a political body"; yet in his argument he admits the Chief Justice rendered the Marbury decision "because he was seeking a political advantage." And then it is asked, "When has the Court exercised any political views in passing upon these questions?"

I imagine none are so well able to judge upon this question as the members of the Court themselves. The minority opinions in the cases setting aside acts of Congress are replete with the assertions of able judges that the Court was not exercising a judicial function in setting aside acts of Congress, but were so deciding because they did not believe in the political theory or the economics expressed by the bill they were seeking to nullify.

In the case of Adkins against Childrens Hospital, Chief Justice Taft said:

> It is not the function of this Court to hold congressional acts invalid simply because they are passed to carry out economic views which the Court believes to be unwise or unsound.

In the case of the Standard Oil Co. against the United States, Justice Harlan declared that—

> The Court by its decisions, when interpreted by the language of its opinion in this case, has not only upset the long unsettled interpretation of the Sherman Antitrust Act, but has usurped the constitutional functions of the legislative branch of the Government.

Continuing further he declares:

> There is a harmful tendency in the Court to bring about the amendment of constitutions and legislative enactments by means alone of judicial construction.

I again call your attention to the title of this case—Standard Oil against United States.

Justice Harlan again declared in the case of Pollock against Farmers Loan & Trust Co. that the Court by its prevailing opinion in that case had rendered it necessary to amend the Constitution to secure principles of right and justice, and the Court had enforced its economic consideration rather than law.

If the gentlemen have any further doubt about the exercises of the Court of its political views rather than the real expressions of law, let them further read the dissenting opinions of Justice Holmes and other Judges who sat on the bench, who knew the political views of the various Judges, and certainly knew what actuated them in their decisions.

But the gentlemen say, "If the Court cannot set aside acts of Congress, who is to decide?" Who but the people should decide in a "government of the people, by the people, for the people"? This is not a monarchy of despotic powers. This is a republic which is controlled by the views of the majority. The views of the majority cannot be heard and cannot prevail if any department—regardless of how small or large—can say that the will of the people is wrong and the will of the people shall be destroyed.

During the 150 years of our Government not one case passing upon an act of Congress can be cited to as a willful attempt by Congress to subvert the Constitution. Most of the important cases passed upon by the Court on this question were by divided opinion, clearly showing there was a question about it, and that somebody was wrong. Can it be that one member of a court who swings the majority of opinion of

such court can always be right, and the majority of the American people wrong?

I believe it was the intention of the founders of this Government that the question of the constitutionality or unconstitutionality of laws was to be finally decided by the people in the election of their Representatives to Congress. I believe the people of the United States can be trusted to defeat any party or any Member of Congress who would dare attempt to upset, overrule, and destroy their great Constitution. Holding these views, of course, I believe the people alone have the final right to determine whether or not an act passed by the Congress of the United States is right or wrong.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. RAMSAY. If the gentleman will wait until I get through I shall be very glad to yield for any question he wishes to ask.

I believe there is some ground for the argument that probably the Court, after a full hearing, would be in a better position to determine whether or not an act of Congress is in contravention of the Constitution. But I believe if such act is in contravention of the Constitution it would necessarily be so plain that every man who is qualified to sit as a member of the United States Court would be able to observe and detect that violation, and that it should not be so determined by a vote of 5 to 4 or 6 to 3.

The Court has laid down in a thousand cases a rule to be followed by it, when setting aside acts of legislature, that all doubt must be resolved in favor of the act of legislature, and if there is any doubt in the minds of the Court, whether or not the act is constitutional or otherwise, that doubt shall be resolved in favor of the act of the legislature. Yet in the same case, in the very next breath—by a decision of 5 to 4—the Court creates the greatest doubt possible about the validity of the act.

Personally, I do not believe it is necessary to pass any constitutional amendment to correct this obvious unsound principle of decision.

Section 2 of article 3 of the Constitution provides:

> That in all appellate cases the Supreme Court shall have appellate jurisdiction, both as to law and fact, under such exceptions and regulations as the Congress shall make.

True, Congress, under this provision, would have no right to disturb the original jurisdiction of the Court, and would also permit any State of the Union to bring before the Court any act of Congress of the United States which interferes with its State regulations and powers.

But I take it Congress has the right to regulate the manner in which a decision in appellate cases could be had. If this be true, then why not remove this doubt; also the fear of the American people that the Supreme Court of the United States does not act in a judicial capacity, but acts in a political capacity when it divides, according to its economic opinions, when passing upon acts of Congress.

Let us do our duty; let us protect the American people and the Constitution of the United States, and by statute require the Court to agree by unanimous vote, or at least by a 7 to 2 vote, before it can destroy and set aside the acts of this great body.

For more than a hundred years the Congress of the United States has exercised such power. It has fixed by judicial act that six judges shall constitute a quorum, and that one judge may issue certain orders or writs of the Court. Did the Congress of the United States trespass upon the powers and privileges of the Supreme Court when it made such regulations? I think not, and if it did not, then clearly the Congress of the United States have the right to require a preponderance of the views of this Court before it destroys the acts of this body.

The provision giving to Congress the right to make exceptions and reservations as to the appellate powers of the Supreme Court has always been in the Constitution.

The Congress of the United States have been negligent in not passing before this time some act regulating the appellate jurisdiction of the Supreme Court.

It is clearly the duty of Congress to enact legislation to bring into power these provisions of the Constitution. First, so that we may be able to enact laws expressed by the majority of the people; and, secondly, so we may bring about a better feeling and restore confidence among the people in the belief that the Supreme Court of the United States is not always seeking to destroy the acts of Congress which the people are demanding.

We know that within the last 10 years the belief in the infallibility of the Supreme Court has been losing caste among the people.

Let us, by a mere simple act of Congress, restore to the Congress of the United States its prerogative and its powers to enact legislation and at the same time restore to the American people the full confidence and love of our American institutions.

Mr. COX. Mr. Chairman, will the gentleman now yield?

Mr. RAMSAY. Yes.

Mr. COX. The gentleman has made a very interesting speech, presenting views that I know a very respectable element of the country hold, but with which I do not agree. The gentleman stated that it is his opinion the validity of acts of Congress, so far as constitutionality is concerned, should be passed upon by the people, and in this connection I would like to know by what means would the gentleman submit to the people the question of the constitutionality of every act that Congress may pass that is questioned upon that grounds?

Mr. RAMSAY. I thought I had made myself clear on that.

Mr. COX. I regret that the gentleman was not entirely clear to me on that point.

Mr. RAMSAY. I said by the election of their representatives to Congress.

Mr. COX. Very well. Congress adopts an act, and a question as to its validity is raised——

Mr. RAMSAY. Yes; that is always done.

Mr. COX. How would the gentleman submit it? Would he submit to the people the question of passing upon the legality of an act of Congress?

Mr. RAMSAY. No; I would submit it in this way. If I vote for a law that is clearly unconstitutional, when I go back home that question is going to be raised, and if I do that I know that I am not coming back.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. RAMSAY. Yes.

Mr. MICHENER. It would seem to me that that would be a most unsafe procedure, because many issues enter into every election. For instance, in the old days the tariff might have been the controlling factor in a particular district, and then in these troublous days the question of strikes and labor might be the real question on which a Member is elected or defeated, and incidentally there will be no way of determining what the people think about the particular act in question. Let us take the gentleman's own district. He is very much beloved by all of his people, and rightfully so. I imagine they would elect him to Congress regardless of whether he is for the Supreme Court or against it.

Mr. RAMSAY. I do not think so.

Mr. MICHENER. Could we get a fair appraisal of what the people think of the Constitution when personalities as in the gentleman's own district enter into the election?

Mr. RAMSAY. We usually get the response of the people upon any legislation or upon any theory of legislation. That is what we submit in the general election. We submit a platform and the gentleman from Michigan, I suppose, has had to contend with the fact that he supported this bill or opposed this measure, and he went before his people on that question.

Mr. MICHENER. Yes; but it seems to me that deciding whether a law is constitutional is of such vital importance to the structure of our Government that it should be passed upon by itself without other influences intervening.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. WOODRUM. Mr. Chairman, I yield the gentleman 5 minutes more.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr RAMSAY. Yes.

Mr. COX. I take it that the gentleman voted for most if not for all the legislation which has been upset by the Supreme Court in the past 2 years.

Mr. RAMSAY. Not all, but mostly all.

Mr. COX. Did the gentleman vote for N. R. A.?

Mr. RAMSAY. Yes.

Mr. COX. That legislation came before the House prior to the last general election in which the gentleman was a candidate?

Mr. RAMSAY. Yes.

Mr. COX. The Supreme Court held the N. R. A. unconstitutional and still the gentleman is back here.

Mr. RAMSAY. That is right.

Mr. COX. In view of what the gentleman has said by way of appreciation of so-called progressive members of the Supreme Court, is the gentleman now contending that the N. R. A. was in fact constitutional?

Mr. RAMSAY. I am not contending that it was or was not. I do not think the trouble arose with the N. R. A. about the passage of the act. I think the trouble with the N. R. A. was the enforcement of the act in undertaking to extend it too far by the enforcement officers.

Mr. COX. Did the gentleman's violation of the Constitution in voting for N. R. A. have any influence whatever in the last general election in which the gentleman was a successful contender?

Mr. RAMSAY. That I could not tell. I know they fought me on that question. They raised this question on me, and my reply to that was, and my reply to it now is, that I am in favor of the principles that were set forth in the N. R. A.

Mr. COX. Does the gentleman mean to state to this committee seriously that he is in favor of pushing Federal power to the point of complete control of production?

Mr. RAMSAY. I am in favor of pushing Federal power to control commerce where it interferes with interstate commerce.

Mr. COX. But the question of production control reaches every activity of life. Does the gentleman not appreciate the fact that to extend Federal power to that point will mean that Congress has Federalized not only the property of the people, but their lives as well?

Mr. RAMSAY. No. I do not appreciate that at all. I believe that the production of coal and the production of steel, among these great industries, which goes into every State in the Union and affects their trade and commerce, ought to be under the control of the Federal Government.

Mr. COX. Let me take the gentleman back to the proposition which he announced, which was that the constitutionality of acts of Congress should be passed upon by the people. The gentleman said that that question would be raised when Members came up for reelection.

Mr. RAMSAY. That is right.

Mr. COX. Does the gentleman think that his people returned him by an enlarged majority upon the position which he took upon that particular measure?

Mr. RAMSAY. I do not know why they returned me, but let me answer the gentleman. The gentleman is attacking the theory that in this country the people govern. I presume the gentleman is acquainted with the Ogden case, the first case that was written by Chief Justice Marshall, on interstate commerce. The attorneys in that case made the same objection that the gentleman is making, and Chief Justice Marshall said:

> You must remember that this is a republic and that the Court cannot always act; that certain questions in this country, like in any republic, must be finally submitted to the people in the return of their Members to the Congress of the United States.

Mr. COX. Now, what, in the opinion of the gentleman is "commerce"?

Mr. RAMSAY. I do not have time to discuss that now. I will discuss that matter at some other time if the gentleman desires. I have my views about it. [Applause.]

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. WIGGLESWORTH. Mr. Chairman, I yield 20 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Chairman, I would not inflict myself again upon the House except there seems to be plenty of time for discussion this afternoon.

I am to talk on a subject about which you or I—you will probably agree—know but little. It is generally agreed that few, if any, of us know much about money problems.

The gist of these few remarks will relate to the great necessity of balancing the Budget. The President recently gave us a Budget message, in which he set forth the probable receipts and expenditures for the next 18 months. One new Member, when asked about it, said he did not understand it, but was told the figures were only guesses and would soon be forgotten. I do not intend that the recent Budget guesses shall be forgotten.

I should like to erect a scarecrow calling attention to the necessity of balancing the Budget. You on the Democratic side dress the scarecrow up so beautifully that it seems not to frighten the Nation particularly.

A farmer asked his wife if she had not some proper clothes for a scarecrow that he wished to erect. She said, "Take Johnny's plus-fours." He said, "I want to scare the crows. I do not want to make them laugh." [Laughter.]

A little less than 2 years ago, during the banking discussion of 1935, Governor Eccles was before the Committee on Banking and Currency. Less than 2 years ago in a meeting of that committee I said to Governor Eccles:

> You have no particular fear of a $40,000,000,000 national debt?

He replied:

> I have no fear of a $40,000,000,000 national debt.

I said:

> Your answer staggers me. I have.

A little later Governor Eccles said:

> The budget of any government must be balanced over a period of time. There is no question about that.

I then asked:

> Would you suggest 5 years?

And he replied:

> I would say it might be desirable over a 5-year period, but it would not be necessarily fatal over a 10-year period.

Then he went on to discuss, if you please, the taking of recoverables into account. When the debt was only $28,000,000,000 at that particular time, he reminded us of the billion and a half cash on hand and our equities in the capital stock and securities of the governmental organizations which we had set up. I wish to remind you that we have now a $35,000,000,000 debt. All of the $10,000,000,000 that we appropriated last year probably has not yet been spent, although it has been obligated. It is not really a $35,000,000,000 debt; it will be much more. It will probably be quite a great deal more. I recently suggested, after reading the President's statement of recoverables, that you analyze them.

Although the Treasury statements inform you that we have $5,000,000,000 in recoverables, we do not actually have even $3,000,000,000. Also we have a contingent debt of about $5,000,000,000. We can be sung no lullaby about that. Those are the facts. The Treasury carries book value only in their reports and not the true value of many of those so-called assets. No plus-fours on this scarecrow this afternoon!

I do not wish you to feel that I am too badly wrought up over it, because I am today rejoicing with you that Governor Eccles seems now to have awakened to the very grave danger that impends. Instead of complacently waiting for a 10-year period in which to balance the Budget, he now demands a balanced Budget in 1938 or taxes enough to make unnecessary any further borrowing.

In the last few days he has issued the order that in March, and not later than May, the excess reserves of member banks

shall be frozen to the limit provided by law and that they shall not be allowed to be used for purposes that might lead to inflation.

Is he frightened? I hope that he is. I rejoice that he has finally awakened to the gravity of the situation. He has gone the limit of the power given him by Congress to freeze those reserves. He tells you, however, not to be worried; that they may resort to open-market operations sufficient to control conditions. Enough securities will be placed on the market to absorb future excess reserves. And as a last resort the Board will raise interest rates, which would probably be effective. But this last instrumentality of control would be one of doubtful favorable results.

When I came here in 1922 gentlemen from Alabama, Iowa, Nebraska, and other States complained that the Federal Reserve Board's action in contracting credit, calling loans made during the war, and raising interest rates had practically ruined their section of the country. The Federal Reserve Board had power in those days, but in 1935 we gave them enormous power, and they are now using it. How many of us understand the workings of the Federal Reserve Board, I wonder? They are proceeding to free $1,500,000,000 more money of their member banks. What are they going to do with that money? What amount of Federal securities do they already have in their portfolios? I think it is about $2,400,000,000.

Can the Board force member banks to purchase Government securities in these open-market operations? The question is rather interesting, is it not? But we know that the Federal Reserve member banks today have 69 percent—the gentleman from Texas [Mr. PATMAN] yesterday said 60 percent—of their investment in United States securities or those which have been guaranteed by the Federal Government.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. Gladly.

Mr. PATMAN. Does the gentleman mean to say that 69 percent of the Government bonds are held by member banks of the Federal Reserve System?

Mr. GIFFORD. No, indeed; I will quote the gentleman my authority. I do not want to give a definite answer unless I have authority for it.

Mr. PATMAN. The gentleman made the statement.

Mr. GIFFORD. I will quote it for the gentleman; I am looking for my authority.

The gentleman from Texas yesterday made the statement that he was surprised that the big bankers had come to the Republican Party and demanded something. He was "surprised" they did it. He did not say they had come, but that is his method of making an assumption appear as a fact.

Mr. PATMAN. I hope the gentleman will answer my question.

Mr. GIFFORD. I do not like to say a thing without authority. I will read my authority. I called the Federal Reserve Board this morning. One of their representatives came up to my office and we checked up on all of this.

Mr. PATMAN. That 69 percent of the Government bonds are held by member banks with the Federal Reserve System?

Mr. GIFFORD. No. That member banks of the Federal Reserve System hold Government bonds to the amount of 69 percent of their investments.

Mr. PATMAN. That is different.

Mr. GIFFORD. That is exactly what I said.

Mr. PATMAN. Did not the gentleman say that the member banks of the Federal Reserve System owned 69 percent of the Government bonds?

Mr. GIFFORD. No. Sixty-nine percent of the investments of the member banks are in United States securities and securities guaranteed; and 42 percent of their loans and investments are in United States securities.

Mr. PATMAN. That is not the way I understood it.

Mr. GIFFORD. Now, Governor Eccles seems to be frightened. As I stated, this is somewhat reassuring. What, however, will happen to some of our small member banks that will be obliged to carry so much idle money with the Reserve bank? The other day I saw reports of a large Washington bank showing, as I recall it, that 66 percent of their assets were in United States bonds. And the gentleman from Texas said the other day that they were doing no business except for trading in such securities.

Mr. PATMAN. Mr. Chairman, will the gentleman yield for a question?

Mr. GIFFORD. I yield.

Mr. PATMAN. I think the gentleman and I are talking about different things. I said that about 60 percent of the Government bonds are owned by the banks of the country. The gentleman is talking about the investment of banks and not the percentage of bonds that are owned by all banks.

Mr. GIFFORD. Exactly. I am talking about member banks at the moment, member banks of the Federal Reserve System. I wonder if the gentleman will agree with me that the Reserve banks have such control over the member banks as to force them to buy United States securities in open-market operations? In my section the banks are very careful not to carry such large percentages of United States securities. Pressure apparently has not been exerted upon them; but what I do desire to know is: Can pressure be exerted upon them to make them buy something they do not wish to acquire? Presumably force could not be used but it would probably be "just too bad" if they did not cooperate.

Mr. PATMAN. Mr. Chairman, will the gentleman yield for a question?

Mr. GIFFORD. I yield.

Mr. PATMAN. Is it not a fact that the banks are anxious to obtain these bonds, that they do not have to exert pressure upon banks to take the bonds, but that it is a question of the banks' being so anxious for them that in order for the Treasury to keep from favoring one over another they must allocate the bonds to the various banks?

Mr. GIFFORD. The banks in my vicinity do not want them in such great quantities. They seem to have refused to become overloaded with them. I observe in their reports that they have a small percentage as compared with what the larger banks in the cities seem to have.

It is well known that many large business corporations do not need again to depend on the banks to finance their operations.

Mr. FITZPATRICK. Will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from New York.

Mr. FITZPATRICK. What is the present condition of the banks as compared with March 4, 1933, and the confidence of the people?

Mr. GIFFORD. The banks at present seem to have the confidence of the people, unquestionably. But I wish to heaven that we knew what the amount of the Government debt will continue to be. If our Government will remain stable and those bonds which represent only debt will continue to hold the confidence we still have in the Government, apparently we are to be safe. But that 69 percent of investment is really only evidence of debt. If a bank lends you money for a year you are expected to pay it back out of business operations. If you lend your Government money, you know it must borrow again to pay it, unless it uses the taxing power to provide the necessary funds, which we hesitate to do. You cannot collect and you know the Government cannot procure the money except through its power to borrow again, or to inflict excessive taxes on the people.

Mr. PATMAN. Will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Texas.

Mr. PATMAN. Is it not a fact you can determine confidence by price, so compare the price of Government bonds today with the price of Government bonds in 1933?

Mr. GIFFORD. No; you cannot do that when money is so eager for investment. If my banker lends me a hundred thousand dollars, my note is carried as an asset in that bank and as a deposit. I spend the money and most of it is in turn deposited by others. The bank still has my note, and it also has the money that has been redeposited. Then the bank takes my hundred-thousand-dollar note to the Federal Reserve, discounting it, and has $100,000 to loan again.

If my credit is still believed to be good it will be willing to loan me this second $100,000. This process can be followed indefinitely, so long as my credit is regarded as satisfactory.

Thus with Government operations, more and more reserves created by debt and banks desirous to have the Government keep borrowing. Government credit must be kept good, even if artificial means are used to "rig the market." There is a limit, however. Are we reaching it? Many a banker might well be loath to inform his depositors regarding the amount of Government debt which has been assumed with their money.

Governor Eccles says we have now exhausted the provisions of the law to freeze these reserves and, when necessary, will try open-market operations. But he asserts that we must balance the Budget in 1938, because further borrowings will add to the inflation base, which he now regards as dangerous. In view of what he said early in 1935, what a change there has been in less than 2 short years. What a change in his statement of recoverables, when we now must fully realize they are less than $3,000,000,000.

However, the President estimates that in 1938 we are to have receipts of $7,000,000,000, and he states how all of it must be spent. I tried to show you the other day that the $7,000,000,000 was for a Government Budget permanently established. The gentleman from New York [Mr. WADSWORTH] on yesterday reiterated that statement. The President says he can balance the Budget in 1938, except that some $1,500,000,000 must be used for relief and recovery. That would take all in excess of the regular expenses of the Government, leaving $400,000,000 to be found for reduction of the debt under the existing law. He made as good a guess as is possible as to receipts and expenditures. I dread to think, however, what other appropriations will be made by the Congress before June 30, 1938, to upset even that $7,000,000,000 estimate.

Let me call attention to one item in the Budget: $806,000,000 to be taken in under the operations of the Social Security Act and only about $400,000,000 to be paid out. This difference is already placed in the expenditure column and not set aside for the fund. Is not that interesting to you? Is that the policy to be adopted permanently? Yet some of you criticize us on this side of the House for saying that this money ought to be "nailed down" for that particular fund. As William Green says, "It ought to be nailed down." He evidently does not trust us with the spending of it for ordinary expenses. But your President has already provided in his Budget to spend it for such purposes.

Mr. MAY. Will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Kentucky.

Mr. MAY. Does the gentleman know just what percentage of the outstanding deficit of the Government is accounted for in the relief activities of the Government?

Mr. GIFFORD. No.

Mr. MAY. And what percentage in the regular establishments of the Government?

Mr. GIFFORD. I know that in 1930 the debt was the lowest since 1917—namely, $16,000,000,000—and when Mr. Hoover retired from the Presidency it was only twenty-two and a half billion dollars with $2,000,000,000 acknowledged as recoverables. In 4 short years it has gone to $35,000,000,000, with possibly three billions in recoverables.

Mr. Chairman, I want to take up another matter. A new method has been devised by the Federal Reserve Board. As gold has been coming into the country it has added much to the dangerous reserves and there is a new process now being worked out. It will add only once and not 12 times to the inflation base. But, nevertheless, we have to issue bonds, which means additional debt, in order to buy the gold. The President warned us that the debt would be increased if this plan were carried out. Of course, that adds somewhat to the inflation base.

I hope the country will be aroused to this situation. I can quote many authorities who are greatly disturbed over it. You might naturally not believe me. Would you listen to them? Our good friend Lewis Douglas fled the Treasury and told you what must surely happen. But you have gone three times as far on that road as even he probably expected you would go when he retired, refusing to be a party to the proceedings. Then Mr. Coolidge took hasty leave of the Treasury. He departed and made speeches carrying warnings to the same effect. He even left the Democratic Party. He warned us that Government borrowings must stop. Where is Professor Sprague, and others, who formerly advised the Treasury? Who are advising now? Whoever is there must apparently carry out the will of one man, and that man is the President of the United States. I would not weary you this afternoon, but you must not forget those speeches that the President made in 1932 telling you that if the banks had to continue to take over further debt it would ruin them. He also told you how dreadful it would be to add any more taxes, which were paid "in the sweat of every man's brow."

We should reread the speeches he made in 1932 on these subjects. We might then well be forced to make up our own minds that he knows little or nothing about money. On the contrary, he has some ideas that seem so absolutely wrong that he is not to be trusted in monetary matters. You cannot read those speeches and then observe what he has afterward done and accept the one excuse, "to save a starving people." All of this money has not been spent for starving people. We will take time some day to recite to you how the money has been spent, and we will show you that in reality not a large proportion thereof has been spent for starving people. Of course, a portion of it has been spent for that purpose.

Mr. Chairman, I am not criticizing the action of the Federal Reserve Board. I approve. I am glad they are awake to the conditions. However, it is a recent awakening. I hope it is not too late. I desire here this morning in making these remarks is to plead with you to stop this lavish spending of money. We have to balance that Budget or suffer severe consequences. Even Governor Eccles admits we must do that. If we do not, certainly there is grave danger ahead. What we have already done in passing legislation allowing the Federal Reserve some control is not enough. Our actual receipts and expenditures must be brought into balance.

[Here the gavel fell.]

Mr. WOODRUM. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the parading of the gentleman's "scarecrow", and the repetition of his campaign speech, typical of thousands of similar campaign speeches made during the last election, would not have caused me to come to the Well of the House, but so long as I am a Member of this body and so long as the present Chief Executive is in the White House, no Member can stand in this Well and say that the President cannot be trusted, as long as I have a voice to protest against it. [Applause.]

If the gentleman from Texas was surprised when the bankers went to the Republican leaders, I want to say to my genial and amiable and personable friend from Massachusetts that I am shocked and distressed that a distinguished and able Member of this body, in view of the mandate of the people which is still playing its requiem in his ears, should stand in the Well of this House and say that the President of the United States cannot be trusted. Who cannot trust him? I do not believe there are many Members in the small remnant that remains on the other side of the Chamber who would rise from their seats and say they cannot trust Franklin D. Roosevelt.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. Of course I yield.

Mr. GIFFORD. Cannot trust him in what? Will the gentleman continue the statement?

Mr. WOODRUM. I am willing for the gentleman to say that.

Mr. GIFFORD. I stated it, but the gentleman is not repeating my statement. I said he could not be trusted in these monetary matters; that he did not seem to know anything about them.

Mr. WOODRUM. Cannot be trusted in monetary matters!

Mr. GIFFORD. I stand on that.

Mr. WOODRUM. That is about the most important thing about which you have to trust the President of the United States.

Cannot trust him in monetary matters! Why cannot you trust him in monetary matters? Are you afraid of graft and corruption? You are just afraid of ignorance—that he does not know anything about them.

Let us see, Mr. Chairman, whether he knows anything about monetary matters. In the days of Mr. Hoover we had then the "better minds" in control of the Government. They did not call them "brain trusters" then. We had a Congress under the control of the Republicans that would appropriate money to feed mules and horses and chickens and cows but not a dollar to feed starving human beings, and yet with that sort of budget balancing, the Government ran in the hole to the tune of $3,000,000,000.

What has happened now under this leader who does not know anything about money and cannot be trusted in monetary matters? We have spent a few billion dollars in trying to rehabilitate a country stricken by those years of misconception of government. This job has been done. It has been done splendidly and magnificently and to the satisfaction of practically all of the American people, and with a degree of unanimity never before witnessed. Two States in the Union could not trust the President. The great State of Massachusetts had no trouble about trusting him in 1936.

Under this leader, who knew nothing about monetary matters, who cannot be trusted, what has happened? With the spending of a few billion dollars we have relieved the American people, rehabilitated business and industry, opened closed banks, and saved the depositors who had lost their money under the gentleman's prior administration. We have fed hungry people, we have put people to work, and what else has happened? Our national wealth, while our Government debt was increasing a few billion dollars, has gone from $25,000,000,000 to $60,000,000,000. The national income of the country has trebled while the national debt was piling up a little bit, and now increased incomes and increased revenues pouring into the Treasury are bringing us rapidly to the point where there can be a balanced Budget, if that is possible. I do not know what day this can be accomplished. As one Member of the Congress, I am not willing to accomplish it today or tomorrow if it means the bringing of suffering to the American people. I do not believe any vast number of American people want this done, but I do think there is a duty devolving upon this Congress to drive to that end, in order that we may bring our expenditures down as fast as this can be done; and this is being done in every department and in every branch of the Government.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. I yield to the gentleman from Kentucky.

Mr. MAY. Would my friend the gentleman from Virginia care to have me suggest that under the "bad management" of the present President of the United States our gold reserve is the largest it has ever been in history, and Government bonds sell more readily on the market and at a higher premium than ever before?

Mr. WOODRUM. Yes; everybody knows we have prospered and we have progressed and we have recovered except my friend from Massachusetts and, perhaps, one or two of the gentlemen who applauded his remarks. [Laughter.] Everybody else knows it. Everybody else is happy and satisfied. Business has prospered and there is now a new song in the hearts of the people. All of this has been done under the leadership of a man "you cannot trust in monetary matters."

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. The gentleman has referred to political speeches that I, perhaps, made. I simply wish to say that this is the same lullaby that you and others have been making during all this time. It is nothing but a lullaby. We know what these reserves are and they are debts—Government debts. They are your reserves.

Mr. WOODRUM. When my good friend stands before the American people today and tells them they cannot trust Franklin D. Roosevelt, he is as one crying in the wilderness.

Mr. GIFFORD. On monetary matters.

Mr. WOODRUM. On anything. You may disagree with him.

I have disagreed with him. Disagree with him all you please, but do not let that stay in the RECORD. Where you tell us that you do not trust him, it has a bad effect. I would not dare to stand in the Well here and say that I would not trust the President of the United States.

Mr. GIFFORD. Will the gentleman yield?

Mr. WOODRUM. Yes.

Mr. GIFFORD. What words would the gentleman suggest that would please him?

Mr. WOODRUM. The gentleman might say that he disagreed with the economic or monetary policies of the President. That would be a dignified remark.

Mr. GIFFORD. I might say that I am very fearful of his policies.

Mr. WOODRUM. I think that would be very much better.

Mr. GIFFORD. Then I shall gladly change it. [Laughter.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield 15 minutes to the gentleman from Hawaii [Mr. KING].

Mr. KING. Mr. Chairman and Members of the Committee, I have thus far hesitated to take up the time of the House on a matter which is of vital importance to the people of the Territory of Hawaii while the House has been engaged in the consideration of urgent legislation of national import. But I feel it is due to the people of my district to call your attention to the results in Hawaii of the maritime strike on the west coast that has now been in existence for over 3 months, but which happily seems about to end. Our difficulties are proportionately greater than that of other communities affected, because of our isolation and entire dependence upon ocean-borne commerce for our trade with the mainland of the United States and the rest of the world.

We are quite properly included within the provisions of the coastwise navigation laws. Neither freight nor passengers may be carried between Hawaiian and other American ports by foreign vessels, except upon the payment of very heavy penalties. The tariff laws of the United States naturally extend to include Hawaii, so that importations from foreign countries pay the usual customs duties.

Hawaii as an incorporated territory is completely a part of the American domestic economy, and its trade and commerce are on exactly the same basis as that of any other part of the United States. Our location, however, some 2,091 nautical miles from San Francisco, carries with it special burdens and problems when American shipping is for any reason not available. With the American Flag practically driven off the Pacific Ocean, and with no alternative means of transportation such as are ready at hand to mainland communities, we have indeed been strikebound, and would have literally starved to death had it not been for foreign shipping.

Since the commencement of the strike on October 28, 1936, there has been an almost complete dislocation of our closely knit business relations with the mainland. We have been forced to import the greater amount of our foodstuffs, in which we are not selfsufficient, from foreign sources. Between November 1, 1936, and January 19, 1937, approximately 45,000 tons of merchandise have been so imported. Thirty-six thousand tons came from Japan and China, 8,400 tons from Canada, and 600 tons from Australia. These importations were principally of necessary foodstuffs, with a small amount of emergency merchandise. As foreign goods they were required to pay the regular tariffs on the respective commodities, amounting to approximately $800,000 for the period named, more than double the normal customs receipts for a like period. Naturally this increase of approximately a half million dollars has been passed on to the consumer, causing a tremendous increase in the cost of living.

A survey of the present costs of staple goods prepared by the University of Hawaii shows a range of increase of from 15 to 215 percent since the beginning of the strike. To

illustrate, a wire from the Board of Supervisors of the County of Hawaii states that onions are selling at 25 cents per pound; rice at $9 per bag, the usual price being about $4; and Irish potatoes also at $9 per bag, the usual price being $3 or less.

Naturally the greater hardships brought about by this increase in the cost of living bears heaviest on those least able to afford it. As to luxuries, there are none. Oranges and lemons are selling at 10 cents apiece or more, and many fruits and vegetables are simply not on the market.

Many foods essential for convalescents or patients in hospitals cannot be obtained, to the detriment of the health of infants and the sick.

A serious shortage of feed for livestock and poultry, which we normally import, has decreased the milk supply and, I am informed, has caused the slaughter of many small herds and poultry flocks. Here again the loss is borne by those who were just building up small dairy and chicken ranches.

While these conditions are of more immediate consideration, the disruption of trade in general is of a character that may have lasting effects. We have in the past bought practically all of our merchandise from the mainland. We have purchased annually an average of nearly three-quarters of a million dollars of American cement, at a greater cost than similar cement could be bought from foreign sources even with the tariff added to the price. We buy our fertilizers entirely through American firms, a business amounting to $6,000,000 annually, the greater part of which is for American-produced ingredients, even when some of the same ingredients could be obtained from foreign countries at less cost. The necessity of importing these articles, and many others that might be enumerated, from foreign countries because of the strike may lead to a permanent diversion of this business from American industry.

On the other hand, American merchandise in which there is no foreign competition has been available in only small quantities from east coast ports, a few vessels having been able to clear from the east coast for Hawaii through the Panama Canal during the strike. Naturally these imports have had to bear higher freight rates. In some cases west coast business houses have shipped their goods by rail across the continent for transfer to such vessels destined for Hawaii in order to hold their Hawaiian business, requiring a routing of 10,000 miles in place of the normal 2,100.

We had been experiencing up to the commencement of the strike a very real revival of building, including a healthy increase in small-home construction. The strike is hampering and delaying this revival because of the lack of building materials. I am in receipt of wires which state that major public and private construction jobs will be halted for the same reason. A direct result will be the laying off of hundreds of men engaged in building and construction jobs. A corollary of our inability to bring in the foods and goods we need is a total stoppage of our exports. The principal source of livelihood of our population comes from the sale of our two principal products, sugar and pineapples, to which may be added many smaller commodities that support smaller groups of people. Because no American ships were leaving Hawaii for the last 2 months of 1936, we had 26,482 tons deducted from our sugar quota for that year, meaning a loss to us of approximately $2,000,000. In the meanwhile thousands of tons of sugar and thousands of cases of pineapples are awaiting shipment on our wharves. The manufacture of fiber board from bagasse is one of our promising smaller industries. The lack of ships on which to export its goods will soon cause, if it has not already caused, the factory producing this fiber board to close down and throw its entire force of some 200 men out of work. Any longer continuation of the maritime strike will threaten the livelihood of the entire community, so dependent upon the steady flow of goods by water.

Under the coastwise navigation laws, devised for the protection of American shipping from the competition of foreign vessels in the trade between American ports, those who were under the necessity of traveling to or from Hawaii since the tie-up have been forced to use such foreign vessels. In doing so they have incurred the fine or penalty of $200, in addition to the regular fare, charged for each passenger carried by a foreign vessel between American ports. Some 270 persons have paid $54,000 in fines. This number includes many visitors vacationing in Hawaii, who could only return to their mainland residences on foreign ships; and many island people, marooned on the mainland and unable to get back except by the same means. Among the latter was the chief justice of the Supreme Court of Hawaii; and likewise several people of quite moderate means, to whom the penalty was a very severe financial burden. Surely a fine imposed for the protection of even a temporarily nonexistent American merchant marine can hardly be justified.

Of course, the lack of American shipping has practically ruined our tourist business for this season. Hawaii is both a winter and a summer resort. Hundreds had planned to spend some portion of this winter in Hawaii and have been forced to make other arrangements because of the strike. Our local tourist bureau estimates the loss will exceed $2,000,000.

I speak more particularly for the community I represent in the effort to paint the picture of how this strike has hurt us. Greater aggregate losses have been experienced by west coast communities, but perhaps no greater in proportion, and a substantial part of these losses comes directly from the interruption of the close economic relations between Hawaii and the west coast.

The Territory of Hawaii's buying power is estimated at $80,000,000 to $90,000,000 a year, nearly all of which is spent on the mainland. Most of this money is spent on the Pacific coast, though much of it goes for eastern manufactured goods purchased through Pacific coast firms.

Our normal requirements of a few of the principal foodstuffs, which we usually purchase from California, amounts for the items for which I have procured estimates to a total in dollar value of $910,233 a month. Since the strike has been in progress for more than 3 months, the loss in these items alone already amounts to more than $2,750,000. Additional items other than those for which I have obtained approximate figures would greatly increase this loss to the farmers and merchants of California.

I am in receipt of a wire from San Francisco which states that the approximate shipments to Hawaii during the 3-month period from November through January in 1935 amounted to 69,000 tons, valued at $4,500,000, exclusive of petroleum products; and that imports from Hawaii for the same period totaled 190,000 tons, valued at $11,800,000. The whole of this trade has been stopped by the strike. A similar wire from Los Angeles states that a conservative estimate of the nonrecoverable losses of consumable merchandise borne by southern California firms through inability to make shipments of foodstuffs to Hawaii exceeds $2,000,000. Our volume of business with Oregon and Washington is not as great as that with California. However, we do depend upon the Northwest for most of our lumber and a considerable amount of our foods, some of which are shipped through San Francisco and some directly through Seattle and Portland. A wire from Portland states that it has lost approximately $250,000 of business with Hawaii because of the strike. I have no data on the losses incurred by Seattle.

California manufacturers have taken and are taking heroic measures to hold their rich trade with the islands. They fear that if their brands once get off the shelves and their customers become accustomed to some other brands it will be very difficult to win them back. With this in view, one large San Francisco paint manufacturer recently shipped two cars of paints by rail to Baltimore for reshipment by boat through the Panama Canal to Honolulu. One California spice and baking manufacturer has shipped three cars of his goods by rail to New York for reshipment to Honolulu, and a San Francisco chocolate manufacturer shipped one car of his goods by the same 10,000-mile route.

Because of the stoppage of raw-sugar shipments the two big California cane-sugar refineries, one of them the largest refinery in the world, are closed down, thus throwing 2,700 persons out of employment in San Francisco and Crockett.

The latter town of 5,000 persons is almost solely dependent on the big California and Hawaiian refinery for its economic existence. Due to the cessation of shipments, supplies of canned pineapple and canned pineapple juice in California are very low, and it will soon be necessary, if these goods are to be kept on San Francisco grocery shelves, to ship the canned pineapple from Honolulu, through the Canal, to New York and bring them back across the continent by rail. This means an extra cost in haulage alone of about 35 cents a case, or a cent and a half a can.

Cutting off of Hawaiian tourist business naturally means a terrific loss to California hotels, restaurants, and taxicab companies catering to this business while in transit through Californian ports—a loss which runs into many thousands of dollars a month, for which no figures are available.

The whole story, of course, is told in the export and import figures for Hawaii. Hawaii imported $78,924,776 worth of goods from the mainland and exported $98,695,969 worth of its products to the mainland in 1935. While some business is now being transacted through New York, Baltimore, New Orleans, and Canadian ports, it is a mere bagatelle compared with the normal flow of traffic between the mainland and the islands.

These partial estimates of the losses incurred by the people of Hawaii will, when more accurately determined, exceed $10,000,000. At the same time the American farmers and businessmen of the west coast irrevocably lost almost an equal sum through the disruption of its trade with Hawaii. Unfortunately, the beneficiaries of the strike have been foreign merchants and foreign shipping. By necessity we have had to spend our money in foreign markets for the primary purpose of obtaining food and to as little degree as possible to provide ourselves with other urgently needed commodities.

I have not discussed the direct losses to the shipping industry itself, nor the great losses suffered by American industry as a whole, estimated to exceed three-quarters of a billion dollars, but have restricted myself to the disastrous effects on Hawaii and to those who have close relations with the islands.

When a community has experienced a serious disruption of its normal life the reaction affects all human endeavor. My emphasis on figures is only because these data are a measure of the distress and suffering of our people and not because the statistics themselves are necessarily important. I bespeak your consideration of the human element behind these figures for a people faced by a situation over which they have no control and enduring a plight becoming every day more urgent.

If the very encouraging news as to the probable termination of the strike within the next few days should prove premature, I ask that Congress consider some immediate relief for Hawaii to keep the cost of living within the reach of the mass of our people and to provide transportation for those required to travel to and from the islands. In any case I urge that the penalties collected from those forced to use foreign vessels during this emergency be remitted. I have introduced a bill for that purpose, which is now before the Committee on Merchant Marine and Fisheries.

The intolerable situation in which Hawaii has been placed has greatly alarmed our community. I believe legislation that will grant discretionary power to the President of the United States, applicable to the incorporated Territories of Alaska and Hawaii and to the noncontiguous Territories, to prevent the recurrence of this condition, should be enacted into law by this Congress. Existing emergency powers do not quite cover this kind of a situation. Future controversies between operators and maritime unions may isolate not only Hawaii but also Alaska, which, indeed, has been equally affected by the present strike, or Puerto Rico and the smaller communities under the American flag. [Applause.]

Mr. FITZPATRICK. Mr. Chairman, I yield 20 minutes to the gentleman from Ohio [Mr. LAMNECK].

Mr. LAMNECK. Mr. Chairman, ladies and gentlemen of the Committee, I was very much interested this afternoon in most, if not all, of the speeches. I wish it were possible in the next 4 or 6 weeks to require the attendance of every Member of the House of Representatives in this Hall and not permit the consideration of any detailed legislation at all, but to talk about the things that we ought to talk about, that are of vital interest to the welfare of this country.

I am not as optimistic as some of the gentlemen I have heard talk, who say that our troubles are all over and that we have finally passed the danger point. I think there are a lot of things that have not yet been worked out. If we spent the next 6 weeks in talking over these things, I think it would be helpful.

I was much interested in the talk by the gentleman from West Virginia [Mr. RAMSAY] as to what his attitude of mind was on some of the great problems before this country.

I do not know whether you agree with him or not, but I, for one, do not. Whenever you say you want the Congress of the United States to pass any kind of a bill it wants to, and one that will not be subject to review by the United States Supreme Court, I cannot go along. [Applause.]

I do not want to get off onto any other subject, but I want to talk about something else that has been of vital concern.

I intend to discuss today a subject that has been before you and the country on many occasions. I am bringing it to your attention again because I believe it will be a live issue before us in the near future. I noted the other day that our French Ambassador was in conference with the French Government or its representatives, and it was hinted that one of the subjects discussed was the French debt to the United States. Some time ago I noticed an article in the public press which indicated that France was very anxious to have the debt question taken up again. Her object being, of course, to pay as little as possible.

It is for these reasons that I am again bringing this matter to your attention, and in order to present the question clearly it is necessary that I review the history of the war-debt situation, so that you may have a clear picture of the actual facts.

The debts were created because the Allies were unable to supply their needs in the conflict with Germany, and they naturally came to the United States to buy food, ammunition, clothing, and supplies for the Allied Armies. They had no money with which to pay for these supplies at that time, so decided that in lieu of money they would make a promise to pay at some future time.

After the United States became involved, we undertook to handle all their purchases, and in doing so extended credit and specified that they should pay us 5-percent interest.

When the war was over, the United States found herself with outstanding accounts against all the Allied Nations. In order to raise the money to pay for the supplies for these countries it was necessary for us to float Liberty bonds.

In the case of Great Britain, at the close of the war it was disclosed that she owed the United States $4,600,000,000.

Under an act of Congress enacted February 1922, we provided for the World War Foreign Debt Commission, and under this act it was provided that England should pay her debts over a 25-year period with an interest rate of 4¼ percent, which was an interest reduction from the original agreement.

Bonds were issued to the United States Government covering the amount and are now held by the Treasury Department of the United States.

The above-mentioned act was amended February 28, 1923, providing that the interest rate should be reduced from 4¼ to 3 percent from December 1922 to December 1932, and thereafter at the rate of 3½ percent. The payments as to principal and interest to begin in 1923 and to end in 1984, which would mean, if the British Government met its obligations, they would have paid the United States during this period $4,600,000,000 in principal and $6,505,965,000 in interest by the end of the 62-year period.

This is a typical illustration of the debts of all the Allies, except that some of the money was loaned for rehabilitation purposes. The schedule of the debts as applied to all nations will be found in the following table:

Total principal and interest to be paid to the United States by 13 war debtors

Country	Principal	Interest	Total	Average interest rate (approximate) over the whole period of payments, per cent
Great Britain	$4,600,000,000	$6,505,965,000.00	$11,105,965,000.00	3.3
Finland	9,000,000	12,695,055.00	21,695,055.00	3.3
Hungary	1,939,000	2,754,240.00	4,693,240.00	3.3
Poland	178,560,000	257,127,550.00	435,687,550.00	3.3
Estonia	13,830,000	19,501,140.00	33,331,140.00	3.3
Latvia	5,775,000	8,183,635.00	13,958,635.00	3.3
Lithuania	6,030,000	8,501,940.00	14,531,940.00	3.3
Czechoslovakia	115,000,000	197,811,433.88	312,811,433.88	3.3
Rumania	44,590,000	77,916,260.05	122,506,260.05	3.3
Belgium	417,780,000	310,050,500.00	727,830,500.00	1.8
France	4,025,000,000	2,822,674,104.17	6,847,674,104.17	1.6
Yugoslavia	62,850,000	32,327,635.00	95,177,635.00	1.0
Italy	2,042,000,000	365,677,500.00	2,407,677,500.00	.4
Total	11,522,354,000	10,621,185,993.10	22,143,539,993.10	

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. LAMNECK. Yes.

Mr. REED of New York. Purely to keep the record straight, as I understand it, Finland owed a small amount and has paid up.

Mr. LAMNECK. Yes. It will be noted that the interest rates were on an average of 3.3 percent for nine nations, and in the case of Belgium, 1.8 percent; France, 1.6 percent; Yugoslavia, 1 percent; and Italy, 0.4 percent.

When the original act was amended providing for a lowering of the interest rate, we canceled in effect 29.8 percent of Finland's debt, 30 percent of Hungary's, 30 percent of Poland's, 29.9 percent of Estonia's, 29.8 percent of Latvia's, 30.5 percent of Lithuania's, 37 percent of Czechoslovakia's, 37.1 percent of Rumania's, 60.3 percent of Belgium's, 60.3 percent of France's, 75.9 percent of Yugoslavia's, 80.2 percent of Italy's, and 30.1 percent of Great Britain's.

The average cancelation of all debts is 51.2 percent, based on the original agreement.

During the last session of Congress we passed a bill revaluing the gold content of the dollar, reading as follows:

The President is authorized by proclamation to fix the weight of the gold dollar in grains nine-tenths fine, and also to fix the weight of the silver dollar in grains nine-tenths fine at a definite fixed ratio in relation to the gold dollar at such amounts as he finds necessary from his investigation to stabilize domestic prices or to protect the foreign commerce against the adverse effect of depreciated foreign currencies, and to provide for the unlimited coinage of such gold and silver at the ratio so fixed, or in case the Government of the United States enters into an agreement with any government or governments under the terms of which the ratio between the value of gold and other currency issued by the United States and by any such government or governments is established, the President may fix the weight of the gold dollar in accordance with the ratio so agreed upon, and such gold dollar, the weight of which is so fixed, shall be the standard unit of value, and all forms of money issued or coined by the United States shall be maintained at a parity with this standard, and it shall be the duty of the Secretary of the Treasury to maintain such parity, but in no event shall the weight of the gold dollar be fixed so as to reduce its present weight by more than 50 percent.

The President created a dollar which would permit any of the countries now indebted to us to pay 100 cents of their debt with 59 cents. When this is taken into consideration, Finland can pay her 70 percent of debt remaining with about 42 cents on the dollar. The same applies to Hungary, Poland, Estonia, Lithuania, and Great Britain. Czechoslovakia can pay her 63 percent with about 37 cents on the dollar. The same percentage applies to Rumania. Belgium can pay her 40-percent debt with 24 cents on the dollar; France can pay her 24 percent with 14 cents on the dollar; and Italy can pay her 20 percent with 12 cents on the dollar.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. LAMNECK. Yes.

Mr. GIFFORD. Of course, they have not paid their debt. The people do not realize it, but during the last 2 or 3 years, because of deflation, Germany has paid a debt and gained on the payment $1,000,000,000.

Mr. LAMNECK. They now expect the United States to make a further reduction. The facts of the matter are, they expect to pay very little, if anything.

This attitude is causing some embarrassment as a result of Senate bill 682, Seventy-third Congress, approved April 13, 1934, reading as follows:

Be it enacted, etc., That hereafter it shall be unlawful within the United States or any place subject to the jurisdiction of the United States for any person to purchase or sell the bonds, securities, or other obligations of any foreign government or political subdivision thereof, or any organization or association acting for or on behalf of a foreign government or political subdivision thereof, issued after the passage of this act, or to make any loan to such foreign government, political subdivision, organization, or association, except a renewal or adjustment of existing indebtedness while such government political subdivision, organization, or association is in default in the payment of its obligations, or any part thereof, to the Government of the United States.

What a godsend that bill has been to the people of this country!

I warn the country and the Congress that to cancel these war debts will positively involve us in another world war. First, because they will again ask for credit, and I am sure we will be gullible enough to extend it. When they refuse to pay a second time, we might be inclined to force collection.

What assurance have we that if we cancel the debts they will pay any future obligations? None, whatsoever.

I am not so sure that our stabilization program with Great Britain and France will not involve us. There has been no public pronouncement as to what our policy is. Do any Members of Congress know anything about our plans to stabilize the currency of the world?

Mr. CULKIN. Mr. Chairman, will the gentleman yield?

Mr. LAMNECK. Has the gentleman any information on that subject?

Mr. CULKIN. I think I have. A story is current in Europe and in this country that the Secretary of the Treasury is now buying French paper francs and paying for them in American gold. The story is well accredited, and I agree with the gentleman that that procedure contains within it the seed of war.

Mr. LAMNECK. Not long ago, you will recall, we used our stabilization fund to protect the British pound that Russia offered on world market. What business is it of ours what happens to the British pound if our money is sound? I am sure they do not care what happens to the American dollar and never lose an opportunity to embarrass us any way they can.

I have information, which I consider reliable, indicating that England and other countries are now making heavy investments in American securities. Have you ever thought what would happen in 10 years from now if the European countries some bright sunny morning would dump these securities on an open market; what it would be necessary for us to do in order to protect American securities and American dollars? We would have to use every dollar of American gold to protect the citizen in my humble judgment.

This is England's plan in the future to secure American gold. If we cancel the war debts we will make her job much easier.

A couple of months ago I went to Kentucky to see the place where we are burying the American gold we have on hand, and I was impressed with the thought that the gold, so far as doing humanity any good, is just as worthless as the same tonnage of clay would be from my own State.

The gold does not belong to the United States Government but belongs to the Federal Reserve banks. It is not used for monetary purposes whatsoever. It is not used as a security for currency and it is not being used to promote world trade.

I have said on previous occasions, and I repeat now, that we must eventually settle the monetary question of this country on a sound basis. We must again return to a metal base as a security for currency. We must resume specie payment. We must work out some plan to redistribute the gold throughout the world that will protect American interests. We are becoming so involved in this European in-

trigue that I am fearful of the results. If you want another war, cancel the war debts, extend credit to defaulters in Europe, and try to protect England's printing-press money in world exchange.

In times past the money systems of the various nations of the world were based upon gold but that has all been changed now. Gold was the common denominator of all currencies and kept the same, with some management of gold, as between themselves, with very little fluctuation. That is to say parities were maintained because of the firm foundation of gold. What is the basis of world currencies today? Government credit with parities maintained, or attempted to be maintained, by a device known as a stabilization fund. To be more specific, the principal money of the world today is the British pound, based upon government credit, with the dollar and the franc also based upon government credit, as satellites revolving around the British pound, and kept in their places by the operation of the stabilization funds of these nations. Up to now under this new device there has been little strain upon these funds, because of the policy of inflation, or let us say reflation, that has been the policy of the principal nations of the world led by Great Britain. But let us suppose that because of war, or threatened war, these stabilization funds would then be called upon to do a real job. It is not a far stretch of the imagination to figure out what might happen to us. Not because of an altruistic motive on our part but from sheer necessity of economic defense, we might not only have to support them with our gold, but support them with military force in order to protect our own economic situation. The reason for our entry in the last war was the threat to our economic situation, and that may happen again. In fact, it is more likely to happen because of great pools of government credit, our own included, which must be supported, otherwise chaos is bound to ensue.

And so it must be apparent that our stabilization fund is not a national institution but an international institution, operating as it does to support and defend the pound and the franc so that the dollar may in turn be protected in foreign exchange. Of course, the pound and the franc operate in the same way upon the dollar so that the pound and the franc may be protected. These may be said to be reciprocal operations, but at the same time they tie us into world currents that the American people have expressed themselves most emphatically that they would like to be free of.

If the American people really understood the implications, ramifications, probabilities, and possibilities of this tie in leading us into war, they would immediately and vigorously insist upon its abatement. Because of lack of understanding we are in the swirl of dangerous world currents held back by a dam that is sure to break, as every informed person believes, and when this happens we shall be carried along with the current whether we want to or not.

The question presents itself whether we can untie ourselves of these financial operations and disconnect ourselves from the swirl of these currents. My answer is unhesitating yes, and I believe very simply, too.

Let us repeal the stabilization fund law and go back to specie payments. With specie payment the dollar will take care of itself in any market of the world, and the stabilization fund with its entangling alliances will be unnecessary. But how could we go back to specie payments? By so managing gold to give it a value fair to producers and consumers, debtors and creditors, and then stabilizing it at that value. You may do this by the use of a gold value equivalent. Let us use a gold equivalent in our monetary base as its gold value, or its world gold equivalent value, in such an amount as will give us a value of gold that is consistent with our own natural interests. Then we could safely redeem either in gold or in gold value equivalent according to the tenor of the contract.

During the past three Congresses, bills have been pending here to accomplish this objective. If the principle contained in these bills had been enacted into law, the Congress would have acted in accordance within its constitutional duty, to coin money and regulate the value thereof, and obviated the necessity of the stabilization fund and our revalution of gold devices promulgated and proclaimed by the international bankers to regulate the value of money instead of the Congress of the United States; devices to protect the printing-press money of the international bankers and involve us when they get into war to come to their rescue in order to save ourselves; devices so geared in their good time to get us to settle the war debts at 10 or 15 cents on the dollar, so that they can again come into this market and float their printing-press bonds. By all means let them pay their debts, which have already been greatly scaled down; and if they do not pay let us hold the bonds and forego their measly payments, as an insurance against war, until we may by proper monetary practices escape the involvement in their intrigue which are leading the world into war and chaos as sure as the sun rises and sets in the heavens.

For what is now becoming to be a part of three administrations, we have seen emergency laws enacted. These laws cannot be claimed to go to the cause of our economic ills. They have merely alleviated the symptoms that trouble us. They leave heavy debts, burdensome taxes, and continued unemployment.

Congress has not appointed these advisers to the administration past and present. Congress has had no voice in nominating these men to draft the laws that Congress has had to vote on for nearly 6 years. These laws have been forced upon us by circumstances while we lacked the time for a proper study and consideration of our situation. Congress has acted under the duress of acute depression and the Constitution has been forgotten.

I refer now to the provision of the Constitution which is designed to protect the people from the very form of legislation which we have passed. It might be called special legislation, because these laws were drafted by specialists. They were not drafted by the constituted representatives of the people. And because some of them are popular for the time being, it does not follow that their popularity will endure.

Under our Constitution, Congress is specifically empowered for legislative work. And the three departments of government are to be kept separate and independent of each other. I believe that I voice the sentiment of the Members of this House when I say that the time is come when Congress must assume the obligations and privileges which rest with it under its oath to maintain, support, and defend the Constitution of the United States. And when we face the debt question that is a good place to start in.

Members of the House of Representatives, foreigners who are agents of foreign governments have come to the United States and are now here, or recently have been, to hold private conferences with economic advisers unknown to the Congress, who will formulate plans that will control the economic destiny of the people of this great Nation, when we all know that Congress is the only authority that has been endowed with such responsibility under our laws.

Under the plan of this Government, open meetings of committees, where questions are asked and answered, where cross-examination is possible, is the wisely conceived program for giving birth to such legislation. Have we surrendered forever the form of government our forefathers set up? Have we repudiated it by nullification? Why cannot this form of government be again assumed? What becomes of our oath of office if we do not live up to it and what better place is there to start with than to consider the problem of debts due the United States from foreign nations, with the resolve to go to the bottom of this economic problem.

We have evolved plan after plan to alleviate our economic ills; we need to take the time to cure them. We have attempted to soften the blow which falls upon us as a result of economic blunders in the past which have unloosed forces which we, as a Congress, should control, and I believe I voice the feeling of every truly patriotic citizen in this country when I say we must now devote ourselves wholeheartedly to

the duties of the Congress under the Constitution in this terrible situation.

In the 6 years that have passed since the depression we have drifted far enough afield to be able to see, without the need of chart or compass, the direction in which we are going. This Nation faces disaster unless we formulate a sound economic basis. Our present prosperity is temporary; it is costing billions in increasing debts and taxes. While time yet permits we must put concrete under our foundations to hold up the weight of all this superstructive we have created in these alleviative measures.

I have analyzed for you in brief the seriousness of our situation. I submit to the House of Representatives that the time for action has arrived and that at the beginning of this Congress the House should take action. I propose that a committee of eleven be constituted by the House of Representatives to study the debt question and the economic factors relating thereto—namely, the restoration of commerce, the resoration of foreign markets, and through that means the restoration of employment.

I propose that this committee shall be charged with the study of the fundamental aspects of this problem, that it shall not any longer concern itself with alleviating the symptoms of our economic disaster, but shall devote itself to first causes and to curing the basic cause of all the trouble, and in accordance with this I will offer for your consideration a bill providing for a committee referred to above. Thanks. [Applause.]

Mr. SCOTT. Mr. Chairman, will the gentleman yield?

Mr. LAMNECK. Yes.

Mr. SCOTT. I am sorry that I cannot agree with everything that the gentleman has said, but I did like the remarks he made at first, saying that there is a tendency to figure that we are completely over our economic difficulty. It reminds me of the remark of Dr. Coué when he came to the United States with his formula that day by day in every way we are getting better and better. He said that did not work very well in the United States, because the American people always wanted to shorten things, to cut them down, and they would not say the whole thing, but were content just to say, "Oh, hell, I'm well."

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. LAMNECK. Yes.

Mr. DIRKSEN. I have listened with interest to the gentleman's scholarly analysis of the whole debt set-up, and I take it the gentleman's thesis is that, first of all, the American people will not permit the cancelation of the debts, and, secondly, that it would be better to forego the payment rather than to become embroiled in war. Does the gentleman feel that we can continue as a creditor nation with from $11,000,000,000 to $12,000,000,000 of gold to our credit without ultimate disastrous effect upon the entire people of the world?

Mr. LAMNECK. As a matter of fact, there is not very much difference in our world commerce today with exports and imports; they are almost balanced, and I am not sure but that it will be only a short time before we are an importing nation instead of an exporting nation.

Mr. DIRKSEN. Does the gentleman take the position that something ought to be done to collect the war debt? I think where the whole thing has fallen down is in the method of payment.

Mr. LAMNECK. I say to the gentleman that my judgment is that if there is anyone who ought to determine in this connection what the effect of cancelation of the war debt will be on America, it should be the Congress and not some foreigner from France or England or anywhere else.

Mr. DIRKSEN. I want to know whether the gentleman has in mind some method by which payment can be made. I believe the gentleman will agree that it cannot be paid in gold, inasmuch as we have most of the gold of the world. It cannot be paid in dollar credit, because we cannot set up dollar credit on this side, because in view of our large unemployment situation we cannot permit an unrestricted importation of goods whereby dollar credits could be set up. If those two are out of the window, what method shall we employ or shall they employ to pay us?

Mr. LAMNECK. Suppose we canceled the war debt——

Mr. DIRKSEN. But according to the gentleman's theory they could never pay it and I am interested in the gentleman's theory.

Mr. LAMNECK. I want Congress to investigate what we should do about the war debts and not somebody else.

Mr. DIRKSEN. Has the gentleman at present a definite idea of how it should be done?

Mr. LAMNECK. I do not know how it can be done, but I do not want somebody from Europe telling us how.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. LAMNECK. Yes.

Mr. GIFFORD. I did not intend to speak on this subject but if the gentleman will permit me I have something here which seems very apt and I want to read this into the RECORD:

> "We're poor and, besides", Mussolini explains,
> "We'd much rather spend on aggressive campaigns."
>
> "We haven't a pfennig", the Germans contend,
> "Except what for armies and cannon we spend."
>
> And the British of course contrive for a way
> To talk about honor but not about pay.
>
> And the French are so charming—so charming and thrifty
> They find it convenient to be a bit shifty.

Mr. WOODRUM. Mr. Chairman, I yield 3 minutes to the gentleman from Washington [Mr. HILL].

Mr. HILL of Washington. Mr. Chairman, may I say, with reference to the war debt, this is my stand: Let the war debts stand as an everlasting monument to the folly of going to war. [Applause.] I do not care whether they are ever paid. We will never go across the Atlantic or the Pacific to fight other nations' battles for them.

The gentleman from Ohio [Mr. LAMNECK] made the observation that he wished he could compel the membership of this House to come here for a month, I believe. I wish here to make the statement that voluntarily and without previous agreement, five of the six Members from the State of Washington have been sitting here during this discussion—Mr. SMITH, Mr. WALLGREN, Mr. LEAVY, Mr. COFFEE, and myself. Five of the six Members of the Washington delegation. I challenge any other State to make a record of that kind, except that I see the gentleman from New Mexico [Mr. DEMPSEY] present, and when he is here the whole delegation is here. [Laughter and applause.]

I want to speak this afternoon for 3 or 4 minutes about the distressing strike we have been having on the Pacific coast. It has lasted for about 100 days. Like all other strikes, there are three interested parties—the employers, the employees, and the innocent suffering public. We Members from the three States on the Pacific coast have been hearing from that third party, the innocent suffering public. So we met about 2 weeks ago and a committee of three was chosen to go and call on the Labor Department. I was made chairman of that committee. The other members of the committee were the gentlewoman from Oregon [Mrs. HONEYMAN] and the gentleman from California [Mr. DOCKWEILER]. We called upon Mr. McGrady about 2 weeks ago. Later on we called upon the Secretary of Labor, Miss Perkins, and had a conversation with her which lasted about 1 hour. It has taken a long time to get any kind of agreement, but her special assistant has been in contact with my office.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield the gentleman 4 additional minutes.

Mr. HILL of Washington. It has been a rather long, drawn-out affair, but I am glad to state to the House at this time that just a few minutes ago I received this telephone message from Mr. Stehlman, special assistant to the Labor Department. He said that voting by longshoremen whether they wished to continue the strike or end it was now in progress throughout the length of the coast. The vote has been on in San Francisco and San Pedro, Calif. The vote

scheduled to start simultaneously in Portland, Tacoma, and Seattle was halted because of inclement weather. The results of the voting are due tomorrow night. Contact men in strategic points have reported on the attitude of the strikers, the vote signifying a return to work by Thursday is expected.

Let Michigan take note of that and go and do likewise. I think this proves three things: First, that the Labor Department is not the inefficient department that some would have it, by their criticism here. Secondly, that public opinion by its pressure very often brings contending parties together around the table, and, third, that these things can be settled amicably as they should be if both sides are willing to sit down and reason things out, intsead of fighting them out. [Applause.]

Mr. CULKIN. Mr. Chairman, will the gentleman yield?

Mr. HILL of Washington. I yield, if I have the time.

Mr. CULKIN. The gentleman, of course, refers to the maritime strike on the coast?

Mr. HILL of Washington. On the Pacific coast; yes.

Mr. CULKIN. Those strikes have occurred repeatedly in the past 3 or 4 years, have they not?

Mr. HILL of Washington. That is true.

Mr. CULKIN. And they have been very disastrous to shipping?

Mr. HILL of Washington. That is true.

Mr. CULKIN. It has been suggested that the Railroad Labor Act, which applies to the employees of railroads, and which has been very efficient in curing this strike situation, be applied to the maritime situation, creating a board whereby the men are represented, the operators are represented, and declaring as a matter of public policy that men have the right to collective bargaining and the right to be represented.

Mr. HILL of Washington. That has been suggested at our meetings, and I am heartily in favor of it.

Mr. CULKIN. Does not the gentleman think that would be desirable legislation, so that both sides would have a tribunal where they might go to adjust these differences without going into a long, distressing strike?

Mr. HILL of Washington. I certainly am in favor of it.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. HILL of Washington. I yield.

Mr. DONDERO. Is it not a fact that it took 4 months on the Pacific coast, at a cost of hundreds of millions of dollars to get the striking seamen to a point where they would vote?

Mr. HILL of Washington. I would not say the seamen alone; the shipowners also. They were both at fault. I think we should look at it from both sides instead of from one side.

Mr. DONDERO. If we could do it in Michigan in the same length of time, we still have 3 months to run.

Mr. HILL of Washington. Well, see that you do it in the next 3 months.

Mr. MAVERICK. Mr. Chairman, will the gentleman yield?

Mr. HILL of Washington. I yield.

Mr. MAVERICK. The General Motors Co. is the one who sat down on this thing, particularly Mr. Sloan. The General Motors have gotten out injunctions against the Labor Board to prevent them even having hearings on whether these people can have an election.

Mr. DONDERO. But is it not a fact that not a single effort has been made to bring the warring factions to a point where they are willing to take a vote in the Michigan plants?

Mr. MAVERICK. The people in Michigan, the automobile workers, large numbers of industrial workers, have been prevented from even having an election to determine who is to represent them.

The unions are willing to settle with the automobile manufacturers now. It is Mr. Sloan who is not willing.

Mr. DONDERO. The gentleman from Texas is entirely mistaken on that point.

Mr. HILL of Washington. That is a matter of opinion, but both sides should get together and the arbitration board should settle it.

Mr. MAVERICK. I think they should get together, of course. But the fault is the action of Mr. Sloan.

Mr. DONDERO. I think the gentleman is mistaken on that.

HANDS OF GENERAL MOTORS CORPORATION NOT CLEAN

Mr. MAVERICK. Oh, no! I repeat, the General Motors has refused to even let elections be held to determine labor's representatives, or to meet the representatives of labor in order to mediate. Please get the difference of arbitrate and mediate. They have refused the aid of the Government. In other words, the General Motors Corporation will not even discuss the matter. Their hands are not clean.

GENERAL MOTORS SPIES LIKE OGPU OF RUSSIA

Who brought on this strike? For 2 or 3 years the General Motors have had labor spies, an espionage system worse than the Ogpu of Russia. They have used as spies men with criminal records, rascals, and racketeers.

They have a private army, their own tear-gas bombs, and armament. Mr. Sloan comes to Washington and he double-crosses the Secretary of Labor, Miss Perkins. The General Motors treat with contempt the Federal Government, except they use the judicial branch to get out dilatory injunctions.

Like Bourbons who never learn anything, they add insult to injury and declare a dividend, when production has stopped and during the bitterest strike in American history. This is on top of two big dividends late last year. This action is taken to make the American people believe that prosperity has returned because dividends are declared, to bribe the American people, and make them believe the employees in the automobile plants are wrong.

GENERAL MOTORS CORPORATION SCAR WILL NOT HEAL

Mr. Chairman, the automobile, steel, and big industrial groups may win this strike. They may, by force, beat down opposition. But they are leaving a scar that will not heal. For they are acting in face of the last election, which demanded fairness, decent working conditions, and progress. Possibly they will go on with their speed-up, make a lot of money.

But the action of Mr. Sloan and his directors is not even sensible. It will lead to disaster. In the end their action will be soundly repudiated. And if there comes violence, it will be the fault of the industrial leaders and not that of labor.

Mr. DIRKSEN. Mr. Chairman, I yield myself 30 minutes.

Mr. Chairman, I have been rather intrigued and informed by the discussions that have taken place in the Well today and yesterday on the fiscal affairs and the administrative operations of our Government. I am sure there is not a Members in this Chamber, and for that matter I am sure there is not a Member of the House of Representatives, who in going forth to seek votes and to become a Member of this body has not at some time or other given public assurance that he stands for efficiency and economy in government. It is one of those things that we do in the course of a campaign because we realize that people, after all, are interested in economy and retrenchment in the fiscal affairs of our country so that it may remain upon a solvent basis. But despite all the protestations we have made to our constituencies the Government of the United States grows and continues to grow, and I am satisfied that everybody in this Chamber has at some time or other been rather troubled by this condition, wondering what the ultimate outcome will be.

In approaching this problem we ought to bring to it a high degree of intellectual honesty, a species of courage, and a degree of discernment. I believe I could give assurances here today that I am not going back to my people any more and stand on the platform day after day and talk about economy in government, except as this remark shall be qualified because of the very nature of government and the demands that are being made upon it. The expenditures of the Government today are enormous, and there must have come to your mind the question as to whether or not we are going to be able to shrink this great, ponderous Government machine back into the pattern of 1929 when the expenditures for the regular departments

probably did not exceed $3,000,000,000. Our regular expenditures in 1938 will exceed those of 1929 by about two and one-third billion. Without relief and without some of the emergency expenditures, we can say, in a general way, that today we are in the $6,000,000,000 class; and the question that is very precipitous right now is whether or not we are going to continue as a $6,000,000,000 government.

My own personal answer to the question is that I believe we are. I do not believe that there is going to be a material recession from the high levels that we have reached today. It seems to me that the former Senator from Utah, Reed Smoot, who served with distinction at the other end of the Capitol for so many years and who had an acute knowledge of the fiscal affairs of this Government, was correct in his recent conclusion that as we progressively reach these higher levels we stay there and never go back.

As one contemplates a $6,000,000,000 expenditure it is rather interesting to go back to the first appropriation bill introduced in the first Congress, in 1789. This was at that time only a simplified, skeletonized government. It must have been intriguing to be in Philadelphia 150 years ago when Washington, Jefferson, and Hamilton probably could walk arm in arm under the trees and settle some of the great and weighty affairs of state.

In those days our Government consisted of a Congress of 65 Members, a parchment copy of the Constitution that had not been interpreted as yet, and the President of the United States, George Washington. Jefferson stated that when he took charge of the Department of State he had two clerks. The first appropriation bill, if I remember the figures correctly, provided $91,000 in pensions, $127,000 for the War Department, about $130,000 to take up some warrants that had been issued and were due against the Treasury of the United States—altogether an appropriation bill that probably did not exceed $600,000 or $700,000. It is a far cry from a $600,000 appropriation bill in 1789, when less than 100 people operated the Government of the United States, to the enormous appropriation bills of 1936, with 841,000 civil servants, if you please, on the Government pay roll, and a Government whose functions reach into every metropolis, hamlet, and village from one end of the country to the other. It is a rather staggering growth; and yet as one looks back over the development of this country it is not so surprising after all.

When Washington was the President of the United States we had no automobile; today we have 26,000,000 motor cars traveling from one end of the country to the other, and as a result of highway and motor-car development, all sorts of functions of government were brought into play. When Washington was President I think we had 8 towns with a population in excess of 6,000; today we have over 1,200 towns with a population in excess of 6,000, some of them in the millions bracket. There were no hard roads in 1789, but today the country is girded with surfaced highways. There were no filling stations and hot-dog stands in George Washington's day, but today they are flung over the country from coast to coast.

When Washington was the President we had no steamships to ply the oceans, and today the *Queen Mary* makes the ocean voyage in 62 hours. When Washington was the President there were few machine processes in the early industries of the country, and today cigarettes, newspapers, automobiles, and what not are ground out in enormous quantities by machinery that is a marvel of ingenuity. Today we even milk cows by machinery.

When Washington was the President ours was a sweet and pristine civilization, but today we have radios and telephones and movies and air conditioning and Mickey Mouse and night clubs and liquor and electricity and comic papers and what not, and somehow each and all of them repose new demands upon government.

There has been an amazing development in this country; and as we have grown from scarcely 4,000,000 population to 130,000,000, with many diverse things that occupy the minds of people and the strange enterprises we have built up in this country, it is not at all surprising that such growth should be reflected in the growth of the governmental machine.

It is a question, of course, as to whether or not we are going to be able to whittle the thing down so as to shrink it into the pattern of 1929. It is also a question as to whether we should whittle it down, as a matter of fact. I can appreciate that government grows in proportion to the demands upon government. If you are students of history, you remember that in the period immediately before the Civil War and after the Civil War we had a gradual development of paternalism in this country. Who were the ones who first articulated that paternalistic cry? I would say it was the railroad companies and the canal companies. They were the first to come to the Federal Government asking for a hand-out. So it is not surprising that when the great windrows of soldiers began to come back to their homes in the North and in the South they felt the appeal of that cry to "Get yourself a homestead."

Mr. Chairman, a homestead organization was developed in this country, probably one of the first propaganda organizations we had. Its slogan was "Vote yourself a farm." The people back home then decided they could vote for those people and put them in office who were willing to see that a homestead law went on the books. They were looking to the Nation's Capital for some kind of an opportunity. So gradually there has been a growth of that paternalistic feeling in this country, and it is not surprising at all that it is translated in terms of governmental demands which cost money.

I was rather intrigued this summer when I received a letter from the magazine Delineator. They wanted to know what attitude one would take upon the broad subject of "indefensible spending." That magazine contained a beautifully printed request which one's constituents could clip out and send, in which they exhorted their Representatives to resist all sorts of indefensible spending. Well, I got to pondering over that, and I thought "Where are you going to draw the line between defensible and indefensible spending?"

When we speak of this in terms of the whole country, it is not so easy to see it. Many people think we ought to have a lot more schools. Others believe we ought to have a lot more hospitals. Still others believe we should have more playgrounds and parks. This all costs money, and those who cling to the public purse strings say "It costs money. It will raise the tax rate. It will continue to maintain an unbalanced Budget, and we ought to stop it." But this constant, unrelenting demand for improvement in this country has made this the greatest country in the world. Therefore you have to be pretty careful where you are going to place the line that constitutes the difference between defensible and indefensible spending.

One might take any State in the Union and point to surfaced highways and tuberculosis sanitariums and hospitals and colleges and parks and swimming pools and railroad grade separations and clinics for crippled children and a host of other things which contribute to the well-being, the health, the comfort, of the people and say that those things sprang into being only because a few people began to create sentiment for such things and in a little while there came a swelling demand for them. The people then submitted to general or special taxation that such things might exist. At the time they were contemplated there were those who opposed them, no doubt, on the ground that it would raise the tax rate and that it would cost a lot of money. And so they would. And so they did. We must fully appreciate the fact that you cannot build these United States into the most glorious place in all the world except at a sacrifice, and that sacrifice is money.

Mr. Chairman, I want to get down to some of the provisions in the pending bill to show just how we have grown.

There is the Civil Service Commission, for which we appropriate in this bill two and one-third million dollars, not considering the retirement fund, with a personnel of 1,100 people to administer the law. Let us journey back to 1881, when an assassin's bullet took the life of President Garfield.

There were a few people in the country at that time agitating for civil-service reform. Senator Conklin, of New York, referred to them as "man milliners" and "carpet knights." He believed in the old spoils system. I recall from the history books that they sent a man out to lecture in the Coliseum in Chicago, and it is recorded that only three people went to this lecture on civil-service reform. But when the assassin's bullet, fired by a disappointed office seeker, took the life of a President of the United States there was a great demand for civil-service reform.

You cannot articulate civil-service reform unless you have an agency with which to do it. So you set up the Civil Service Commission. Now you cannot operate the Civil Service Commission unless you have a personnel. They have to be on the pay roll. In a little while you will find an expenditure has crept in because the people have demanded a certain reform or the extension of a certain function of Government. Therefore we have today as the reflected shadow of a movement that started in 1881 two and one-third million dollars in this bill for the administrative functions of the Civil Service Commission.

That is not hard to understand. This indicates just how the Government grows.

We have another provision in this bill involving two and a third million dollars for railroad retirement. You remember in previous Congresses the contentions made for the railroad-retirement bill. It was shuffled back and forth and finally got upon the law books of the Nation. Obviously, when you consider that it applies to 200,000 railroaders in this country who are of retirement age, you have to have a bureau; you have to have an administrative agency to administer the provisions of the bill. It takes people; it takes stationery; it takes money; it takes supplies; it takes all of those things that we interpret in terms of dollars and cents. So today we have a Railroad Retirement Board, with 672 people, and for their functions we are asked to appropriate two and one-third million dollars.

You will see that behind the law there was a public demand, and after it gets on the law books we have to translate it into terms of administrative personnel, supplies, and money. Therefore, you add it to the previous demands made upon the Government.

You who served in the Seventy-third and Seventy-fourth Congresses remember the great hue and cry that was made for a Securities Exchange Commission after the debacle of 1929, when so much of the value went out of these securities that flooded across the tables of the exchanges. There was a great demand for reform in this country at that time. Today we have a Securities Exchange Commission. It is taken care of in the pending bill. We have some 1,129 people down there to administer it. Is there anyone who will begrudge the three and one-third million that is being appropriated for the administration of the Securities Exchange Commission and the 1,129 people that are necessary in order to carry the will of this Congress into effect for the benefit of the people of this country?

There is another demand that found its way upon the statute books of the country and one more that has to be translated into terms of money which is reflected in the operating expenses of the Government.

We have an item in here for the Smithsonian Institution. According to the facts adduced before the committee, there was a 12-year period starting in 1846 during which time not a dollar was appropriated by the Congress for the Smithsonian Institution. It started out as an endowed institution through an endowment, not by one of our own people but by an Englishman named Smithson.

Today it represents a value of $130,000,000, but little by little it has grown. The Smithsonian has gone into radio, they have gone in for international exchanges, they have gone in for astrophysical observatories, and all that sort of thing. These things are necessary, I should say, and nobody begrudges them, but they cost money and they require additional people. So once more this is reflected in the Nation's balance sheet.

Then let us consider, for instance, the veterans. You know this is an amazing growth in our Government. Go back to 1789, when we appropriated $91,000 for veterans. How much are we appropriating now? For domiciliary and hospital care, for administrative expenses, and for pensions, about $585,000,000. We have several on the pension rolls from 1812, for whom we appropriate $840. We have a number of dependents on the pension rolls who go way back to the war of 1847, the Mexican War. I think some $30,000,000 or more is for the dependents and veterans of the Civil War. So we have accumulated 848,000 people, veterans and dependents, of all wars, going back 125 years, and this costs us today $585,000,000, and is an annual expenditure.

There is not going to be any freedom from this expenditure. General Hines came before the committee, and I think our very distinguished chairman will bear me out that he said that within the next 10 years another 10,000 beds will be required for neuropsychiatric cases. Think of that! World War veterans whose minds have failed to come back, but whose bodies have come back; war veterans in whom that slender cord of memory that holds the past to the present and the present to the future is going to be snapped within the next 10 years, and then we will have to have 10,000 additional beds.

This is a recurring expense of war, and if there is anything that ought to be an inspiration to the American people to keep this country out of war, it should be this $585,000,000, for if there is any place where the hard-headed people of this country are vulnerable, it is in the pocketbook. When love and fear and all the other emotions can no longer be appealed to, you can still appeal to them with the dollar sign. It is such a vulnerable spot. This $585,000,000 is a continuing annual expense, and this is not all for the Veterans' Administration. There are additions to this, but this serves to show how far we have come and what we have implanted in the Nation's balance sheet by way of an annual demand and an annual need that has added to the cost of government and has put this country in the $6,000,000,000 class.

I want to say a word about the Home Owners' Loan Corporation, that comes within the purview of the committee because of the provision that was put in the deficiency bill last year.

We are providing about $31,000,000 for the administrative expenses of the Home Owners' Loan Corporation. They have done a big work. They have made about 1,003,000 mortgages, the average amount of which is $3,020. Of course, it was to be expected that there were going to be foreclosures. You cannot help this in the very nature of things. When you try to lift people out of their difficulties and distress through the instrumentality of an emergency Government agency, there comes a time when you are going to have the same experience that a building and loan or a bank or any other financial institution has, and that is exactly what is on the doorstep of the Home Owners' Loan Corporation today. They have authorized 62,000 foreclosures, if I recall the figures correctly, and they estimate they will authorize 100,000 more. This means a lot of foreclosures. It means also you have got to have a lot of lawyers on the pay roll. You have to check a lot of records. You are looking after the people's money, and therefore it takes a lot of people. Even though the Home Owners' Loan Corporation today is in a kind of liquidation, you still have to have somewhere around 16,000 people to administer its affairs.

You will see that this is the way we arrive at the total of 841,000 people on the civil pay rolls—16,000 here, 1,500 there, 1,100 there, and 1,200 there. It does not take very long in the normal course of things to build up a staggering personnel.

We sometimes wonder at the total amounts involved, and yet this is not so surprising.

I want to refer to one other agency in this bill, the Federal Communications Commission, which illustrates so well how these expenditures climb up and how the personnel grows.

Last year we signed a so-called convention for safety at sea with other nations, which requires the inspection of ships by the Federal Communications Commission so far as the radio apparatus is concerned. I do not believe the Congress of the United States had anything to do with it, as a matter of fact, but since we have signed that convention it means they have got to inspect these ships. They need an extra $100,000, they need an extra 11 people, and so you have just added another Government function which requires both money and personnel.

I now desire to bring out what the very distinguished chairman of this subcommittee, the gentleman from Virginia [Mr. WOODRUM], has said over and over when, perhaps, the Committee on Appropriations has been reproached for being too generous. Demands have been made that the committee should arbitrarily slice the appropriations 25 percent, which you cannot do. I may say the trouble does not arise in the Appropriations Committee. It arises right here on the floor of the House in the form of authorization bills for appropriations. You place a bill in the hopper that calls for $100,000 or $1,000,000 and the House passes it. This is virtually a mandate to the Appropriations Committee. The damage has been done when the money has been asked for, and I think it is a kind of disease of pecuniosity that is common to every Member of this House, including myself.

Let me recite some of the bills that have been introduced. My friend from New York [Mr. CULKIN] has introduced a bill to set up a so-called motion-picture commission. There are to be five or seven members drawing $9,000 a year. They are to supervise and censor most all the pictures that come into interstate commerce.

I got quite a kick out of reading that bill and as to what would constitute an acceptable motion picture, and what pictures would be banned. One of many restrictions recited in his bill was any motion picture in which there was a prolonged expression of passionate love. When you take the clerks, stenographers, censors, and artists that would be necessary to administer it, the salary of the five members of the commission would be as nothing, because later you would have a huge number to administer it and they would be asking for one or two million dollars to carry out this censorship.

Then there is the gentleman from New York [Mr. BEITER], who has introduced a bill to erect a huge congressional dormitory. Maybe it is all right. It is to cost $6,000,000. But ultimately it will cost probably $10,000,000, as it becomes a continuing expense on the Government of the United States. I also direct your attention to the demand for a $3,000,000 auditorium, all due to the blizzard on Inauguration Day.

Our good friend, Mr. CELLER, of New York, wants a national radio, a radio station built in Washington, to cost $750,000. If it stopped there perhaps it would not be so bad. But you would have to have a director for that radio station and an assistant director and all the clerks and stenographers and others to administer it on the part of the United States.

It is interesting to consider these proposals, because it throws much light on the growth and evolution of governmental agencies. We might have a censor of cosmetics for the glamorous and glorious ladies of this country. I was thinking of it the other day in the light of all the functions undertaken by the Federal Government and often wondered how it had ever been overlooked.

But I thought some day that I would introduce a bill myself, just to see how this works, to set up a chief cosmetologist for the Federal Government. He would become then the Federal cosmetologist or cosmetician, and he would have to have an assistant. Then he would have to have two or three others in an administrative capacity and some clerks and some stenographers. Then here is the way it would work: He would at once ask for an appropriation of $200,000 for the purpose of investigating the question of why we do not have more "schoolgirl complexions" and "skins you love to touch." That would be his particular function as a bureau head, and then in a little while he would ask for two or three hundred thousand dollars more to send scientists to the old country to engage in research. They would go into the dusty byways of the Nile and try to find out all the creams and lotions and astringents that made Cleopatra such a wondrous, historic beauty. Naturally they would want to make long and sustained inquiry into the secrets by which the Queen of Sheba became such a charmer. They would want to know whether it was a peachblow complexion by which Heloise wove her spell over Abelard. And having dug all the beauty secrets from the files of the ancient Alexandrian library and from other sources, they would return to give us the benefit of their researches by issuing pamphlets and statements and circulars on the arts of beauty culture and cosmetics.

In a little while these scientists would come back and a lot of monographs would go through the Government Printing Office, and the chief cosmetologist would go on the radio and pretty soon we would hear that the lowly pimple is a national menace, and there would be a crusade against the blackhead, which is also a menace to civilization. Surely, the Bureau would reach the place where grants-in-aid would be provided to different States to aid in promoting complexions that had a certain Federal standard of allure.

That is the way Government bureaus grow, once they get a start, and it is a rather intriguing thing, and we help it every day. I do not see my good friend from Missouri [Mr. COCHRAN] on the floor, but I call attention to a bill which he introduced. You know we have some rather historic naval vessels, with lots of tradition behind them. He wants to bring them here to Washington and anchor them in the Potomac River, and there they would become museums, and all the school children of the country could come here and look in and around them and visitors would come and drink to their heart's content of the traditions and lore that surround these cruisers of the sea. The bill does not carry any appropriation. Oh, no; it is just an authorization bill. The appropriation will come later. If and when we get those vessels up here they will have to be fixed up; you would have to put up some guardrails and a lot of painting will have to be done on the inside and the outside and you will have to decorate them with pictures and you will have to make them presentable and palatable to the taste of the American people, and in a little while you will have guides and guards and attendants galore, who will be necessary to take the visitors over these ships and show them all about the *Olympia* and the *America* and all of the others that we have anchored down here in the Potomac, and then we would have set up another agency and we would have added to the personnel and to the administrative expenses of the Government.

It is an amazing thing, and I have often wondered over a proper philosophy of approach to that problem. Can you conscientiously go out and say to your people in Missouri or Michigan or Massachusetts or anywhere else that you believe in economy, that you believe in retrenchment, when, as a matter of fact, you may come here and suddenly find yourselves voting for a bill that calls for increased expenditures and for more people on the pay roll? There ought to be some other approach to it, and I think I found the approach when I served in the capacity of humble commissioner of finance in my home town in Illinois. I used to sit around the house on Sundays and Saturdays, digging around in books, and wondering why expenditures always seemed to exceed revenues and where it would stop, because cities and counties and States have exactly the same experience as the Federal Government in that they grow, and their money requirements and their personnel grow. At that time I came upon this rather happy incident. I noticed the difference between the death rate in Minneapolis and in Kansas City. I discovered suddenly that they spent twice as much per capita for health in Minneapolis as in Kansas City. I thought, "There is the formula." Let us not be too much concerned about questions of amount, although you have to keep them in mind, but let us give emphasis, more emphasis, and more emphasis to the question of what we get for our money. The fact that the per-

capita expense for health in one city is twice that of another city of comparable size is not nearly so important as the fact that the number of people who die is one-half that of the city with the low per-capita cost. In other words, it is a question of value. It is not always the fact that we are a $6,000,000,000 Government that makes so much difference. It is the question of whether we get $6,000,000,000 worth of value for the people of the country in return for the expenditure that is made.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. DIRKSEN] has expired.

Mr. DIRKSEN. Mr. Chairman, I yield myself 5 additional minutes.

It seems to me that more and more we can place emphasis upon that matter of getting our money's worth and at the same time have proper regard for the aggregate size of the expenditure.

It comes back to a statement that Gladstone once made to some statesman in England, who said, "In Heaven's name, Mr. Premier, why don't you let England live like a gentleman?" Gladstone looked at him quizzically and said, "Because it costs five times more than it ought to to let the country live like a gentleman."

What he meant was that if you are going to raise the country to the gentlemanly stage and you have to do it through ponderous governmental machinery, it was going to cost more than it should. I think that is true. I hope the chairman of the subcommittee [Mr. WOODRUM] talks a little more on the bill this afternoon to say something about an idea he had in mind about setting up some kind of an agency as an arm of the Congress, so that we can find out just what the people are going to get for their money.

These people from time to time come before the committee. We ask them questions and they answer the questions very freely but that is about as far as it goes. We do not know overly much about what is going on down at the other end of the Avenue. We do not know a great deal about the operations of the Home Owners' Loan Corporation, the Federal Housing Administration, or the Reconstruction Finance Corporation. For the most part, we take their word for it. I thoroughly agree in the sort of informal proposition which the gentleman from Virginia [Mr. WOODRUM] has in mind, namely, some adjunct of the Congress so that we can send experienced auditors and investigators down there and see precisely what we are getting for our money. Until that is done, let no one hope there is going to be any great recession from this $6,000,000,000 or $7,000,000,000 level we have reached; because these bureaus and commissions become entrenched, and they will continue, and we have no way of evaluating the necessity for their functions, and until we do, we will be in something of a difficulty.

It seems to me, then, that as a thesis for these informal remarks which I have made this afternoon, both sides of the aisle can give a little more thought and emphasis to the question of getting our money's worth while we are also thinking of the aggregate amount of money that is being spent.

With that in mind I am going to utter one little defense for politicians. I suppose in a personal way we all own to the fact that we are politicians. We are subject to the slings and arrows of outrageous fortunes, as Shakespeare used to say. When they cannot think of any other protest, it is always easy to stoop down and get half a brick and throw it at the gentry known as politicians. I want to utter a little defense for them right now, because I believe it is the politician as a class who has lifted this country up, who has harmonized its adverse factions and sought to satisfy all sides. If it had not been for the politician to throw the oil of harmony here and there, you would have two bickering sides to almost every controversy, both of whom would insist they were right, both of whom would not budge 1 inch, with the result that the growth of this country would have been steadily retarded. I think we have served a very useful purpose in somehow ironing out those controversies, bestowing a little here and bestowing a little there, and gradually bringing progress to the country. We can continue to do that. Let us refine our desires and be a little more discerning when it comes to this matter of expenditure. Let us put the emphasis upon the value received as much as upon the aggregate expenditure, and I think it will be rather healthy for the country as a whole. [Applause.]

Mrs. O'DAY. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mrs. O'DAY. Does the gentleman agree with me that one step in the direction which he has indicated would be the speedy passage of the pure food and drug bill, and thus obviate the necessity for a national cosmetician? [Laughter.]

Mr. DIRKSEN. I will say to the lady from New York that I have been heartily in favor of the pure food, drug, and costmetics bill.

Mrs. O'DAY. I am getting many letters asking for its speedy passage.

Mr. DIRKSEN. I was only indulging in a little levity this afternoon for the purpose of showing how, in my judgment, bureaucracy grows, and how necessary it is for us to constantly examine these functions to find out whether they are necessary.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. MICHENER. Does that bill which the gentleman favors require another agency?

Mr. DIRKSEN. Does the gentleman mean the cosmetician?

Mr. MICHENER. No, no. I mean the pure food and drug bill. Does that require another one of those boards?

Mr. DIRKSEN. No. It will be administered partly in the Federal Trade Commission and partly in the Department of Agriculture, where they are already administering such laws as are already on the books with reference to pure foods and drugs. They may have to employ other personnel a little, but I do not know.

Mr. MARTIN of Colorado. May I ask the gentleman without embarrassing him which pure food and drug bill he is for?

Mr. DIRKSEN. I will say to the gentleman from Colorado that if he has introduced one I am for that. [Laughter.]

Mr. MARTIN of Colorado. I have not introduced one, but I am a member of the committee that is to consider one.

Mr. DIRKSEN. I will be over to the gentleman's office this evening. [Laughter.]

It would appear that my remedy for bureaucracy is more bureaus. The answer is that bureaus spring from public demand for an extension of the functions of government and that our duty is to keep them within bounds. It would appear that the people of this Nation are pretty much reconciled to the agencies of government and that our hope is to keep the number down and give more attention to securing efficient administration from those we have. On that basis another agency, strictly under the control of Congress, to investigate existing agencies and ascertain where there is waste and inefficiency and duplication and overlapping would actually result in a great saving to the people. When an agency of the Government comes before the Appropriations Committee with its justification for administrative expenditures and informs the committee what it has to do, how many people it needs to carry on its functions, there is little else for the committee to do except to accept that justification, because we now have no means or method by which we can learn where economies might be effected and efficiency promoted. I venture the opinion that such a legislative bureau would save 20 times its cost every year.

If perchance the commerce clause of the Constitution should be expanded in its purport, either by constitutional amendment or otherwise, to embrace the broad subject of wages and hours, the number of agencies of Government and the personnel to administer them will be greatly expanded. If health insurance becomes a part of the security program of the Nation, there will be an increase in personnel and

functions. If crop insurance or a farm tenancy program is written into the law, it means more people and more Federal agencies. The number of people working for the Federal Government and the number of agencies will in the last analysis be determined in this democracy not by the Congress but by the people, and hence the task of securing maximum efficiency and minimum expense assume even larger proportions. Not only what we spend in the aggregate for the operations of government but what we get for the expenditure should be kept constantly in mind.

[Here the gavel fell.]

Mr. WOODRUM. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. CONNERY].

Mr. CONNERY. Mr. Chairman, we shall start reading this bill, I understand, tomorrow. I intend to offer a few amendments. They are very simple. Every place where the phrase "labor-saving devices" appears I am going to move to strike it out.

The United States Government has been telling the industries of the Nation that they should not use labor-saving devices, thereby throwing thousands of people out of employment, yet in this bill we provide in six or seven different places for the use of labor-saving devices by these different independent agencies of the Government.

When I realize that the Government's use of these labor-saving devices will benefit primarily concerns like the Remington-Rand Corporation, the great enemy of organized labor, the manufacturing establishment, one of whose owners, Mr. Rand, ran a school for strikebreakers on a train running from New York to Hartford, telling the strikebreakers how they were to handle the pickets when they reached the Remington-Rand plant and offering $5 for every man who would break through the picket line, I do not think the Government should go very far toward helping such an organization. I would start by striking from the independent offices appropriation bill labor-saving devices as a protest against a company which is against decent working conditions, an organization which refuses to bargain collectively with its workers. They are going to benefit tremendously, as they have benefited in the past, through sale of labor-saving devices.

So wherever the phrase "labor-saving devices" appears in the bill I am going to move to strike it out for two reasons: One, that we may stop giving millions of dollars of Government money to an organization that is trying to strangle labor; and, two, that the United States Government may set an example for industry in this country, the example of keeping people at work instead of throwing them out of work.

Only a few minutes ago I was informed by a newspaperman that the United States Civil Service Commission is just getting ready to fire 130 employees because they have a new electric eye which is going to read papers. While we are not against invention, while we are not against anything which is going to save time, still, if this is followed to its logical conclusion it has terrible possibilities. Suppose, for instance, there were a machine that would make all the cigars in the Nation, a machine to make all the hats in the Nation, and so on and so forth, where, under such conditions, would there be purchasers to buy these products, with no human workers obtaining wages to buy?

Now, this sounds far-fetched, but if you inquire in industry you will find one big machine that throws not 10 people out of employment, not 20 people out of employment, but 50 and 100 at a time. The Social Security Act, through its unemployment insurance feature, is supposed to take care of such situations, but I do not believe that the United States Government should tell industry not to throw people out of work, not to install labor-saving devices without the Government itself setting the example.

Mr. WOODRUM. Mr. Chairman, will the gentleman yield?

Mr. CONNERY. I yield.

Mr. WOODRUM. Referring to the gentleman's statement about the Civil Service Commission, I will relieve the gentleman's mind on that by telling him that we are giving the Civil Service Commission more money and more personnel this year.

Mr. CONNERY. But I understand they are going to fire 130 of their employees.

Mr. WOODRUM. I fail to see why they should reduce their personnel when in this bill we are providing them more money and more personnel than they had last year.

Mr. CONNERY. I come now to my next amendment, and I hope it will not be stricken out on a point of order because it is of tremendous importance, I think, to the Government workers and also to the people. My amendment relates to page 56 of the bill, and if my amendment is adopted that portion of the bill will read as follows:

SEC. 4. None of the funds herein appropriated for any executive department or other executive agency shall be available to pay any compensation for any pay period to the heads of those executive departments or other executive agencies who for any part of such period require or permit any officer or employee of such department or agency to work more than 39 hours per week without compensation at the rate of time and a half for time in excess of such 39 hours per week unless such work in excess of 39 hours per week without compensation at such rate is specifically required by Congress, or any compensation—

And so forth, continuing the language now in the bill.

That is very plain. You read in the paper last night that in 6 months the Government workers put in overtime to the extent of 14,000,000 hours without any extra pay from the United States Government. This Government is saying to industry: "You should go on shorter hours. You should increase the pay of your workers in order that the people of the United States may have a buying power to buy the products of manufacturers and the products of the farm." Yet the Government is working its own employees 14,000,000 hours overtime with no pay for a period of 6 months. The number of hours indicated above would take us back 600 years, long before the dawn of the American Republic and away back into history.

Mr. Chairman, we Members of Congress work long hours, but we do not have to work long hours unless we want to. However, down in a Government department they inform a clerk nicely and gently: "Well, you do not have to stay until 10 o'clock tonight working like a dog unless you want to, but if you do not stay until 10 o'clock tonight you will not fit as well in this organization as before it was suggested to you that it might be nice to stay until 10 o'clock tonight."

Mr. McCORMACK. Will the gentleman yield?

Mr. CONNERY. I gladly yield to my colleague from Massachusetts, who is the author of the 5-day, 6-hour bill for Government workers, and I congratulate him heartily on his efforts in that direction.

Mr. McCORMACK. I thank the gentleman. It is pleasing coming from the distinguished gentleman from Massachusetts. I believe it is wrong to work employees overtime without extra compensation.

Mr. CONNERY. Absolutely.

Mr. McCORMACK. It is a very poor example for the Government to set, when we are trying to meet the problems of our day. The Government sets an example and at the same time tries to convince private industry they should not work employees overtime without compensation; when we expect private employment to compensate their employees for extra hours, and particularly to compensate them more than the regular pay.

Mr. CONNERY. Even the worst of the corporations, those that will not bargain collectively with their workers, that think the workers are in the class of slaves, pay their workers time and a half when they work overtime, because no one but a slave works overtime for nothing. The Government of the United States should be the last in the world to ask its employees to work overtime and, as the gentleman from Massachusetts stated, should set an example to the Nation. We say to industry, "We do not want you to work your employees overtime without pay"; yet that is just what the Government does. I hope the bill of my distinguished friend from Massachusetts [Mr. McCORMACK] will be reported soon,

which puts the Government workers on a 5-day week, 6-hour day.

Mr. CRAWFORD. Will the gentleman yield?

Mr. CONNERY. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Does the gentleman agree with me that all wage dollars and tax dollars must come from production?

Mr. CONNERY. I would not say they must come absolutely from production. I think in general the theory is correct.

Mr. CRAWFORD. Let us proceed to the gentleman's thought with reference to the machine. Assuming that all of this activity now performed by human hands does eventually gravitate to a machine, the machine turns out the production, and that production is converted into dollars?

Mr. CONNERY. How? Who is going to buy it?

Mr. CRAWFORD. Who buys the production that is turned out now?

Mr. CONNERY. If it is to be all turned out by machines, who will have any money with which to buy anything?

Mr. CRAWFORD. All the people who have money to spend.

Mr. CONNERY. Where do they get the money?

Mr. CRAWFORD. Through their efforts.

Mr. CONNERY. What efforts?

Mr. CRAWFORD. Through the production of foodstuffs and other material.

Mr. CONNERY. Then only the farmers would be able to buy. Is that the premise of the gentleman? I am trying to follow him right along.

Mr. CRAWFORD. From manufactured goods and services.

Mr. CONNERY. There will be no money from manufactured goods in wages because nobody will be working, the machines will do the producing.

Mr. CRAWFORD. The gentleman asked me who got the dollars at the present time and I am telling him. Let us assume that the machine does the work. Now, why not tax the production which the iron machine turns out just as you tax the production which the human machine turns out? It is all converted into dollars.

Mr. CONNERY. To use a slang expression, the gentleman is talking right down my alley, because I intend to offer a bill to tax the power used by these machines, using that money for unemployment insurance.

[Here the gavel fell.]

Mr. WOODRUM. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. CONNERY. The gentleman and I agree that the money should come from a power tax rather than through a tax on the machine itself.

Mr. CRAWFORD. It is immaterial.

Mr. CONNERY. May I ask the gentleman this: Where are the people going to get the money to buy hats, shoes, or anything else if the machines make it all?

Mr. CRAWFORD. Suppose we convert the production of the machines into dollars, as we do at the present time.

Mr. CONNERY. You cannot, because there is no one to buy the production of the machines. There is just one man running the factory.

Mr. CRAWFORD. Well, we may hire ladies to come in and pack the goods. We may hire somebody to go and find girls on the streets and in the homes who desire beautiful gowns and shoes to take the production of the machines. That is what we are doing at the present time.

Mr. CONNERY. You would only have the goods. You would have no money. With no workers obtaining wages, you would have to take money out of the air to give it to people to buy something that a machine is producing. I do not follow the gentleman economically. The Committee on Labor has been through all this for 14 years, and we have come to the conclusion that the answer is shorter hours, increased wages, and taxing the power that goes into these labor-saving devices to employ those who are thrown out of work by these labor-saving devices.

Mr. CRAWFORD. Does the gentleman expect to increase production that way?

Mr. CONNERY. Yes; you can put on five shifts per week if you want to, and five men will have work where one man was working before, and these four extra workers will have a buying power which they did not have before. Multiply these four by a few million workers in all industry and you will have a tremendous new buying power to purchase the products of farm and industry.

Mr. WOODRUM. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BOLAND of Pennsylvania, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 4064, the independent offices appropriation bill, had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BURCH (at the request of Mr. BLAND), for today, on account of death in family.

To Mr. FARLEY, indefinitely, on account of illness.

To Mr. KLEBERG, indefinitely, on account of illness.

To Mr. PLUMLEY, for today, on account of illness.

To Mr. SABATH, for 2 days, on account of illness in family.

To Mr. SWEENEY (at the request of Mr. FLEGER), indefinitely, on account of illness.

To Mr. SPARKMAN, for 3 days, on account of important business.

EXTENSION OF REMARKS

Mr. DIRKSEN asked and was given permission to extend his remarks in the RECORD.

Mr. THURSTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a brief letter from a National Farm Loan Association, with a brief petition attached thereto.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. COLMER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein a copy of a resolution received from the Legislature of the State of Mississippi, together with a chart, bearing upon old-age pensions.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. VOORHIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a statement by a number of Members of the House on the subject of neutrality.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

ENROLLED JOINT RESOLUTION SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H. J. Res. 81. Joint resolution to create a Joint Congressional Committee on Government Organization.

ORDER OF BUSINESS

Mr. WOODRUM. Mr. Speaker, I ask unanimous consent to proceed for 1 minute to make an announcement.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WOODRUM. Mr. Speaker, it is the hope of the committee tomorrow, immediately following the reading of the Journal, to continue the consideration of the independent offices bill, and after two brief addresses explaining the bill, one by the gentleman from Massachusetts [Mr. WIGGLESWORTH] and one by myself, to begin reading the bill under the 5-minute rule. We hope to complete the consideration of the bill tomorrow.

ADJOURNMENT

Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 50 minutes p. m.) the House adjourned until tomorrow, Wednesday, February 3, 1937, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

327. A letter from the Secretary of the National Institute of Arts and Letters, transmitting a report of the activities of the National Institute of Arts and Letters from January 31, 1936, to January 31, 1937; to the Committee on the Library.

328. A letter from the president, Washington Gas Light Co., transmitting a detailed statement of the business of the Washington Gas Light Co., together with a list of stockholders for the year ended December 31, 1936; to the Committee on the District of Columbia.

329. A letter from the Chairman, Federal Trade Commission, transmitting the interim report of the Federal Trade Commission entitled "Interim Report on Fruits and Vegetables, Agricultural Income Inquiry"; to the Committee on Interstate and Foreign Commerce.

330. A letter from the Secretary of the Interior, transmitting a proposed revision of the Helium Act of March 3, 1927, that would authorize sale by the Bureau of Mines of surplus helium for commercial use; to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. BLOOM: Committee on Foreign Affairs. H. R. 2917. A bill authorizing an appropriation for the payment of the claim of Gen. Higinio Alvarez, a Mexican citizen, with respect to lands on the Farmers Banco in the State of Arizona; without amendment (Rept. No. 167). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. JOHNSON of Texas: Committee on Foreign Affairs. H. R. 2978. A bill for the relief of Mrs. M. N. Shwamberg and others; without amendment (Rept. No. 168). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 2945) for the relief of James Richard Garrigan; Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 542) for the relief of Joseph Edward Richards; Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 2640) for the relief of Frederic R. Leland; Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 2098) for the relief of Agnes Ewing Harter; Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 1337) for the relief of Theodore John Campbell; Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 880) to correct the military record of Edward Reidell; Committee on Military Affairs discharged, and referred to the Committee on Merchant Marine and Fisheries.

A bill (H. R. 2946) for the relief of John W. Reardon; Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 3553) for the relief of Irving Kilburn Bills; Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 2976) authorizing the President to present, in the name of Congress, a Distinguished Service Cross to Hal N. Potter; Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CITRON: A bill (H. R. 4181) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. COFFEE of Washington: A bill (H. R. 4182) to revive and reenact the act entitled "An act to extend the times for commencing and completing the construction of a bridge across Puget Sound at or near a point commonly known as 'The Narrows', in the State of Washington", approved May 28, 1934; to the Committee on Interstate and Foreign Commerce.

By Mr. ENGLEBRIGHT: A bill (H. R. 4183) to enable the Secretary of Agriculture to control emergency insect infestations on the national forests; to the Committee on Agriculture.

By Mr. DOUGLAS: A bill (H. R. 4184) to authorize the coinage of 50-cent pieces in commemoration of the one hundred and fiftieth anniversary of the founding of the village of Clinton, N. Y.; to the Committee on Coinage, Weights, and Measures.

By Mr. CHURCH: A bill (H. R. 4185) to amend section 4898 of the Revised Statutes; to the Committee on Patents.

By Mr. ROBINSON of Utah: A bill (H. R. 4186) to authorize the Secretary of the Interior to accept from the State of Utah title to a certain State-owned section of land and to patent other land to the State in lieu thereof, and for other purposes; to the Committee on the Public Lands.

By Mr. REILLY: A bill (H. R. 4187) to provide for the examination and survey of Miller Bay on the west shore of Lake Winnebago, Wis.; to the Committee on Rivers and Harbors.

By Mr. REED of Illinois: A bill (H. R. 4188) to amend section 907 of the Code of Law for the District of Columbia, approved March 3, 1901, as amended, up to and including June 7, 1924; to the Committee on the District of Columbia.

By Mr. RABAUT: A bill (H. R. 4189) to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Michigan as one of the United States; to the Committee on Coinage, Weights, and Measures.

By Mr. SUMNERS of Texas: A bill (H. R. 4190) to amend section 191 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary", approved March 3, 1911; to the Committee on the Judiciary.

By Mr. RAMSPECK (by request): A bill (H. R. 4191) to amend the Communications Act of 1934, approved June 19, 1934, for the purpose of promoting safety of life and property at sea through the use of wire and radio communications, to make more effective the International Convention for the Safety of Life at Sea, 1929, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. McGROARTY: A bill (H. R. 4192) providing for certain deductions from the retired pay of retired officers and enlisted men in the Army, Navy, Marine Corps, and the Coast Guard who are required by any court to support their wives and minor children; to the Committee on Military Affairs.

By Mr. PEARSON: A bill (H. R. 4193) to create United States Civil Service Board of Appeals; to the Committee on the Civil Service.

By Mr. POWERS: A bill (H. R. 4194) to authorize a preliminary examination of the Delaware River with a view to the control of its floods; to the Committee on Flood Control.

By Mr. RAMSPECK (by request): A bill (H. R. 4195) to amend Revised Statutes 4131 (46 U. S. C. 221), and for

other purposes; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 4196) authorizing the Secretary of War to appoint cadets to the United States Military Academy from the honor graduates of "honor schools" designated by the Secretary of War in which Junior Reserve Officers' Training Corps units are conducted; to the Committee on Military Affairs.

By Mr. HILDEBRANDT: A bill (H. R. 4197) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. SNYDER of Pennsylvania: A bill (H. R. 4198) to provide for the location, survey, and building of a system of three transcontinental and six north-south highways; to the Committee on Roads.

By Mr. CROSBY: A bill (H. R. 4199) to provide for and promote the general welfare of the United States by supplying to the people a more liberal distribution and increase of purchasing power, retiring certain citizens from gainful employment, improving and stabilizing gainful employment for other citizens, stimulating agricultural and industrial production and general business, and alleviating the hazards and insecurity of old age and unemployment; to provide a method whereby citizens shall contribute to the purchase of and receive a retirement annuity; to provide for the raising of the necessary revenue to operate a continuing plan therefor; to provide for the appropriation and expenditure of such revenue; to provide for the proper administration of this act; to provide penalties for violation of the act; and for other purposes; to the Committee on Ways and Means.

By Mr. DIRKSEN (by request): A bill (H. R. 4200) to amend the District of Columbia Alcoholic Beverage Control Act to permit the serving of spirits at bona-fide lunch counters; to the Committee on the District of Columbia.

By Mr. DIES: A bill (H. R. 4201) to amend section 4414 of the Revised Statutes of the United States to include Port Arthur, Tex.; to the Committee on Merchant Marine and Fisheries.

By Mr. MAVERICK: A bill (H. R. 4202) to take the profit out of war and to prevent profiteering in time of war and to equalize the burdens of war and thus provide for the national defense and promote peace; to the Committee on Ways and Means.

By Mr. McFARLANE: A bill (H. R. 4203) to increase the revenues, and for other purposes; to the Committee on Ways and Means.

By Mr. McGEHEE: A bill (H. R. 4204) authorizing reimbursement for damages to certain lands by reason of flood-control works on the lower Mississippi River; to the Committee on Flood Control.

Also, a bill (H. R. 4205) to authorize the attendance of the Marine Band at the United Confederate Veterans' 1937 reunion at Jackson, Miss., June 9, 10, 11, and 12, 1937; to the Committee on Naval Affairs.

Also, a bill (H. R. 4206) to aid in furnishing training in flying at the several land-grant colleges, and for other purposes; to the Committee on Military Affairs.

By Mr. O'LEARY: A bill (H. R. 4207) to amend section 704 of the Merchant Marine Act of 1936 (49 U. S. Stat. L. 2008–2009); to the Committee on Merchant Marine and Fisheries.

By Mr. PARSONS: A bill (H. R. 4208) to provide for a permanent system of flood control and for other purposes; to the Committee on Flood Control.

By Mr. EICHER: A bill (H. R. 4209) to amend the Banking Act of 1935; to the Committee on Banking and Currency.

By Mr. DUNN: A bill (H. R. 4210) to provide $2,500,000,000 for flood control; to the Committee on Appropriations.

By Mr. MICHENER (by request): A bill (H. R. 4211) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. McCLELLAN: A bill (H. R. 4212) to provide for a duty on titanium ore or concentrates; to the Committee on Ways and Means.

By Mr. BROWN: A bill (H. R. 4213) to amend the Inland Waterways Corporation Act, approved June 3, 1924, as amended; authorizing the Secretary of War to extend the services and operations of the Inland Waterways Corporation to the Savannah River; to the Committee on Interstate and Foreign Commerce.

By Mr. COLMER: A bill (H. R. 4214) to regulate sales in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. EICHER: A bill (H. R. 4215) to amend the Banking Act of 1935; to the Committee on Banking and Currency.

By Mr. HILDEBRANDT: A bill (H. R. 4216) to authorize the city of Pierre, S. Dak., to construct, equip, maintain, and operate on Farm Island, S. Dak., certain amusement and recreational facilities; to charge for the use thereof; and for other purposes; to the Committee on the Public Lands.

By Mrs. NORTON: A bill (H. R. 4217) to provide for the erection of a building to be used exclusively for the recorder of deeds; to the Committee on the District of Columbia.

By Mr. WEARIN: A bill (H. R. 4218) to amend the Banking Act of 1935; to the Committee on Banking and Currency.

By Mr. WILCOX: A bill (H. R. 4219) authorizing the construction and equipment of a marine hospital in or near the city of Miami in the State of Florida; to the Committee on Merchant Marine and Fisheries.

By Mr. WOOD: A bill (H. R. 4220) to provide homes and farms for the tenant farmers and sharecroppers of the United States, and for other purposes; to the Committee on Agriculture.

By Mr. FISH: Resolution (H. Res. 107) providing for the printing of certain photographs of national cemeteries in France; to the Committee on Printing.

By Mr. KOPPLEMANN: Joint resolution (H. J. Res. 184) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN: A bill (H. R. 4221) for the relief of John M. Fuller; to the Committee on Claims.

By Mr. CHURCH: A bill (H. R. 4222) for the relief of Mary Kane, Ella Benz, Muriel Benz, John Benz, and Frank Restis; to the Committee on Claims.

Also, a bill (H. R. 4223) for the relief of James Anderson, Jr.; to the Committee on Claims.

Also, a bill (H. R. 4224) granting a pension to Louise O. Bowman; to the Committee on Invalid Pensions.

By Mr. DEMPSEY: A bill (H. R. 4225) for the relief of Thomas W. Seay; to the Committee on Claims.

By Mr. DISNEY: A bill (H. R. 4226) for the relief of Bell Oil & Gas Co.; to the Committee on Claims.

By Mr. DIES: A bill (H. R. 4227) for the relief of Mrs. R. A. Smith; to the Committee on Claims.

By Mr. DIRKSEN: A bill (H. R. 4228) granting a pension to Sophia Finley; to the Committee on Invalid Pensions.

By Mr. ENGLEBRIGHT: A bill (H. R. 4229) for the relief of Clifford Belcher; to the Committee on Claims.

Also, a bill (H. R. 4230) granting a pension to Julie Allen; to the Committee on Invalid Pensions.

By Mr. FORD of California: A bill (H. R. 4231) for the relief of Bernard Gallagher; to the Committee on Military Affairs.

By Mr. HARTLEY: A bill (H. R. 4232) for the relief of Barber-Hoppen Corporation; to the Committee on Claims.

By Mr. HAVENNER: A bill (H. R. 4233) for the relief of Annie E. Hyland; to the Committee on Claims.

By Mr. HEALEY: A bill (H. R. 4234) for the relief of Eugene Michael Doran; to the Committee on Naval Affairs.

By Mr. JACOBSEN: A bill (H. R. 4235) reviving and renewing Patent No. 1330272, serial no. 255911; to the Committee on Patents.

By Mr. KEOGH: A bill (H. R. 4236) for the relief of Emil John Geiser; to the Committee on Naval Affairs.

By Mr. KRAMER: A bill (H. R. 4237) granting a pension to Pearl Bouchie; to the Committee on Pensions.

By Mr. LAMNECK: A bill (H. R. 4238) granting an increase of pension to Sarah J. Blair; to the Committee on Invalid Pensions.

By Mr. LORD: A bill (H. R. 4239) granting an increase of pension to Emma R. Pettie; to the Committee on Invalid Pensions.

By Mr. LUDLOW: A bill (H. R. 4240) for the relief of Thomas Bemis, Sr.; to the Committee on Claims.

By Mr. McREYNOLDS: A bill (H. R. 4241) granting a pension to Sarah Hall Swafford; to the Committee on Invalid Pensions.

By Mr. McGEHEE: A bill (H. R. 4242) for the relief of V. P. Johnson; to the Committee on Claims.

Also, a bill (H. R. 4243) for the relief of F. L. Applewhite, Sr.; to the Committee on Claims.

Also, a bill (H. R. 4244) for the relief of Daniel Yates; to the Committee on Military Affairs.

Also, a bill (H. R. 4245) to confer jurisdiction upon the United States District Court for the Southern District of Mississippi to hear, determine, and render judgment upon the claim of L. S. Pitts; to the Committee on Claims.

By Mr. MERRITT: A bill (H. R. 4246) for the relief of N. C. Nelson; to the Committee on Claims.

By Mrs. O'DAY: A bill (H. R. 4247) for the relief of Rose Hausman Weidman (nee Reisla Hausman); to the Committee on Immigration and Naturalization.

By Mr. O'NEAL of Kentucky: A bill (H. R. 4248) for the relief of James W. Myers; to the Committee on Military Affairs.

Also, a bill (H. R. 4249) for the relief of Frank Miklos; to the Committee on Military Affairs.

By Mr. RAYBURN: A bill (H. R. 4250) for the relief of Frank W. Childress; to the Committee on Claims.

By Mr. REED of Illinois: A bill (H. R. 4251) for the relief of Eva C. Netzley; William G. Stuff; Lois Greenawalt Stuff; William G. Stuff, administrator of the estate of Sarah C. Stuff, deceased; Eva C. Netzley, Clyde M. Netzley, and Dolores Netzley, widow and children and sole heirs at law of Clyde C. Netzley, deceased; and Harry E. Ridley; to the Committee on Claims.

By Mr. RICH: A bill (H. R. 4252) granting a pension to Thomas W. Cook; to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 4253) for the relief of Howard Fuqua; to the Committee on Claims.

Also, a bill (H. R. 4254) for the relief of Edna Lee Fuqua and Vernedia Eggleston Fuqua; to the Committee on Claims.

Also, a bill (H. R. 4255) for the relief of the estates of Cleoney Fuqua and Miles Moore; to the Committee on Claims.

By Mr. TOLAN: A bill (H. R. 4256) conferring jurisdiction on the United States District Court for the Northern District of California to hear, determine, and render judgment upon the suit in equity of Theodore Fieldbrave against the United States; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 4257) for the relief of H. A. Montgomery; to the Committee on Claims.

Also, a bill (H. R. 4258) for the relief of Barbara Jean Matthews, a minor; to the Committee on Claims.

Also, a bill (H. R. 4259) for the relief of Ralph P. Kellogg; to the Committee on Claims.

Also, a bill (H. R. 4260) for the relief of C. J. Murrill; to the Committee on Claims.

By Mr. WELCH: A bill (H. R. 4261) for the relief of Nicholas Aloysius Lopina; to the Committee on Naval Affairs.

Also, a bill (H. R. 4262) granting an increase of pension to Ned Mitchell Harrison; to the Committee on Pensions.

By Mr. WHITE of Ohio: A bill (H. R. 4263) for the relief of Benjamin F. Cummings; to the Committee on Military Affairs.

Also, a bill (H. R. 4264) granting a pension to Mary Miller; to the Committee on Invalid Pensions.

By Mr. WOLCOTT: A bill (H. R. 4265) for the relief of the estate of Grace M. Moore, deceased; to the Committee on Claims.

By Mr. WOLVERTON: A bill (H. R. 4266) for the relief of Louise D. Goldsberry; to the Committee on Claims.

By Mr. ZIMMERMAN: A bill (H. R. 4267) for the relief of Myrtle Anderson; to the Committee on Claims.

By Mr. BLAND: Joint resolution (H. J. Res. 185) to authorize Capt. Harry G. Hamlet, Capt. Edward D. Jones, Lt. Comdr. Louis W. Perkins, Lt. Comdr. Frank T. Kenner, and Lt. Dwight H. Dexter, United States Coast Guard, to accept certain foreign decorations and diplomas; to the Committee on Merchant Marine and Fisheries.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

187. By Mr. ANDREWS: Resolution by the Assembly of the State of New York, memorializing the Congress to pass the Wagner bill relating to slum clearance; to the Committee on Banking and Currency.

188. By Mr. BUCKLER of Minnesota. Petition of R. H. McFarlin and Herman Knutson, both of Crookston, Polk County, Minn., chairman and secretary, respectively, of the Polk County petroleum industries committee, praying that their State Senators and Representatives be requested to oppose all added taxes on the motorists, and business concerns handling motoring necessities, and support measures intended to equalize Minnesota taxes on these products and individuals with that of the average prescribed for the State, to the end that this class of Minnesota citizens and businessmen will not continue to be penalized; to the Committee on Interstate and Foreign Commerce.

189. By Mr. CULLEN: Petition of the Assembly and Senate of the State of New York, urging Congress to pass the Wagner bill relating to slum clearance at the earliest possible moment; to the committee on Banking and Currency.

190. By Mr. CURLEY: Resolution of the Assembly of the State of New York, memorializing Congress to pass the Wagner bill relating to slum clearance; to the Committee on Banking and Currency.

191. By Mr. JOHNSON of Texas: Resolution of the House of Representatives of the Legislature of Texas, urging the establishment in Texas of a Cotton Research Institute; to the Committee on Agriculture.

192. Also, petition of A. W. Birdwell, president, Texas State Teachers' Association, Nacogdoches, Tex., favoring Senate bill 419, to promote the general welfare through the appropriation of funds to assist the States and Territories in providing a more effective program of public education; to the Committee on Education.

193. By Mr. KRAMER: Resolution of the American Federation of Labor, at their convention, relative to national and international expositions, etc.; to the Committee on Labor.

194. By Mr. MASON: Petition of the Grundy County National Farm Loan Association, of Morris, Ill., asking the Congress to enact legislation providing for the continuance of the 3½-percent interest rate on Federal land-bank loans and to extend the 10-year land-bank Commissioner loans to 20 years or more; to the Committee on Agriculture.

195. Also, petition of social workers, officers of the county court, State's attorney's office, representatives of the Rockford Town Board, members of the county board of supervisors, and other citizens of Rockford, Winnebago County, Ill., asking that there be included in any new legislation establishing Civilian Conservation Corps a provision for camps to which neglected and underprivileged boys may be admitted; to the Committee on Appropriations.

196. By Mr. SMITH of West Virginia: Concurrent resolution of the Legislature of the State of West Virginia, memorializing Congress to appropriate funds for a survey in connection with the flood conditions in the Ohio Valley; to the Committee on Flood Control.

SENATE

WEDNESDAY, FEBRUARY 3, 1937

(Legislative day of Monday, Feb. 1, 1937)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, February 2, 1937, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that the President had approved and signed the following acts:

On January 23, 1937:

S. 416. An act to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised.

On January 26, 1937:

S. 415. An act to continue the functions of the Reconstruction Finance Corporation, and for other purposes.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Clark	King	Pittman
Andrews	Connally	Lee	Pope
Ashurst	Copeland	Lewis	Radcliffe
Austin	Davis	Lodge	Reynolds
Bachman	Dieterich	Logan	Robinson
Bailey	Duffy	Lonergan	Russell
Barkley	Ellender	Lundeen	Schwartz
Bilbo	Frazier	McCarran	Schwellenbach
Black	George	McGill	Sheppard
Bone	Gerry	McKellar	Thomas, Okla.
Borah	Gibson	McNary	Thomas, Utah
Bridges	Gillette	Maloney	Truman
Brown, Mich.	Glass	Minton	Tydings
Bulkley	Guffey	Moore	Vandenberg
Bulow	Harrison	Murray	Van Nuys
Burke	Hatch	Neely	Wagner
Byrd	Hayden	Norris	Walsh
Byrnes	Hitchcock	Nye	Wheeler
Capper	Holt	O'Mahoney	White
Caraway	Hughes	Overton	
Chavez	Johnson, Colo.	Pepper	

Mr. LEWIS. I announce that the Senator from Ohio [Mr. DONAHEY] is still detained at his home by illness. I further announce that the Senator from Alabama [Mr. BANKHEAD], the Senator from California [Mr. MCADOO], and the Senator from Indiana [Mr. VAN NUYS] are unavoidably absent, and that the Senator from New Hampshire [Mr. BROWN], the Senator from Iowa [Mr. HERRING], and the Senator from South Carolina [Mr. SMITH] are detained on important public business.

Mr. DUFFY. I announce that my colleague [Mr. LA FOLLETTE] is detained from the Senate by illness. I ask that the announcement stand for the day.

Mr. GERRY. I announce that my colleague [Mr. GREEN] is absent, attending the induction into office of the new president of Brown University. I ask to have this announcement stand for the day.

Mr. MCNARY. I announce that the senior Senator from Minnesota [Mr. SHIPSTEAD] is absent because of illness, and that my colleague the junior Senator from Oregon [Mr. STEIWER] and the Senator from Delaware [Mr. TOWNSEND] are necessarily absent.

The VICE PRESIDENT. Eighty-two Senators have answered to their names. A quorum is present.

EXPENSES OF PARTICIPATION IN WORLD'S DAIRY CONGRESS, BERLIN

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, as follows:

To the Congress of the United States:

I commend to the favorable consideration of the Congress the enclosed report from the Secretary of State, to the end that legislation may be enacted to authorize an appropriation of $10,000 for the expenses of participation by the United States in the Eleventh International Dairy Congress, to be held in Berlin, Germany, in August 1937.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *February 3, 1937.*

PUBLIC WORKS PLANNING—NATIONAL RESOURCES COMMITTEE

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, and, with the accompanying document, referred to the Committee on Education and Labor as follows:

To the Congress of the United States:

During the depression we have substantially increased the facilities and developed the resources of our country for the common welfare through public works and work relief programs. We have been compelled to undertake actual work somewhat hurriedly in the emergency. Now it is time to develop a long-range plan and policy for construction, to provide the best use of our resources, and to prepare in advance against any other emergency.

In a previous message I have suggested a permanent planning agency under the Chief Executive in order that, among other things, all public works proposals may filter from the many individual departments and bureaus to a central planning place and thence to the President.

I have also suggested to the Congress that following this course of planning the President will annually submit to the Congress a list of projects which have been studied and approved and, at the same time, inform the Congress, through the Budget, of the total amount of Federal funds which, in his judgment, should be appropriated for public works during the following fiscal year.

The list of public works submitted by the President in the Budget message would, of course, be wholly advisory for it is within the discretion of the Congress to eliminate projects from this list, to alter the scope of projects, or to add other projects.

The report of the National Resources Committee on public works planning which I submit today should, of course, be read in conjunction with the recommendations for highways, bridges, dams, flood control, and so forth, already under construction, estimates for which have been submitted in the Budget, and also should be read in conjunction with other special reports, such as the report of the Great Plains Committee which I expect to submit to the Congress in a few days.

The National Resources Committee submits a 6-year program based on selection and priority of public works. The period of 6 years is arbitrarily chosen and can, of course, be made to fit into annual future appropriations made by the Congress.

The report also contains recommendations on the timing of public works and division of costs in their relation to the necessary organization of future continued planning. I have already referred to this in my message relating to the reorganization of the executive branch of the Government.

As an example of the kind of reservoir of projects constituting the 6-year program, a drainage-basin study is included in the report. This summary list of projects involving the uses of water is not to be regarded as fixed or final, as the report itself notes, but rather indicates a great forward step in the development of the planning process, considering not one project alone but the relationships between a great group of projects dealing with water use and control.

Through the formulation and annual revision of a program of all types of construction, revision, and adoption of the program by Congress and appropriations under regular budgetary procedure timed in part in relation to economic needs we can provide for the orderly development of our resources and the provision of needed facilities for our people.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *February 3, 1937.*

INDIANS OF TAOS PUEBLO, N. MEX.

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting a draft of proposed legislation to amend section 4 of the act of May 31, 1933, enacted to safeguard the interests and welfare of Indians of the Taos Pueblo, N. Mex., in certain lands within

the Carson National Forest, which, with the accompanying paper, was referred to the Committee on Indian Affairs.

SALE OF SURPLUS HELIUM FOR COMMERCIAL USE

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting a draft of proposed legislation to amend the act entitled "An act to amend the act entitled 'An act authorizing the conservation, production, and exploitation of helium gas, a mineral resource pertaining to the national defense, and to the development of commercial aeronautics, and for other purposes' ", authorizing the sale by the Bureau of Mines, under certain conditions, of surplus helium for commercial use, etc., which, with the accompanying paper, was referred to the Committee on Military Affairs.

CESSION OF LANDS WITHIN HOT SPRINGS NATIONAL PARK, ARK.

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting draft of proposed legislation to accept the cession by the State of Arkansas of jurisdiction over all lands now or hereafter included within the Hot Springs National Park, Ark., and for other purposes, which, with the accompanying paper, was referred to the Committee on Public Lands and Surveys.

WELFARE OF GAME ANIMALS, YELLOWSTONE NATIONAL PARK

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting a draft of proposed legislation to repeal the proviso (requiring the use of private funds to match Government appropriations) of the act of May 18, 1928 (ch. 626, 45 Stat. 603), making additions to the Absaroka and Gallatin National Forests and improving and extending the winter-feed facilities of the elk, antelope, and other game animals of Yellowstone National Park and adjacent land, and for other purposes, which, with the accompanying paper, was referred to the Committee on Public Lands and Surveys.

REPORT OF WASHINGTON GAS LIGHT CO.

The VICE PRESIDENT laid before the Senate a letter from the president of the Washington Gas Light Co., transmitting, pursuant to law, a detailed statement of the business of the company, together with a list of stockholders for the year ended December 31, 1936, showing the results of operations of that company and the Georgetown Gaslight Co. on a consolidated basis, which, with the accompanying papers, was referred to the Committee on the District of Columbia.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the petition of the Pacific Traffic Association, of San Francisco, Calif. (consisting of 403 members), praying for the prompt enactment of legislation looking to the prevention of future strikes of maritime and longshore labor, either by giving the United States Maritime Commission power to adjudicate disputes or granting such power to a new board or commission, which was referred to the Committee on Education and Labor.

Mr. DIETERICH presented resolutions adopted by the borrowers of the National Farm Loan Associations of the counties of Adams, Cass-Schuyler, Du Page-Cook, Edgar, Henderson, Kane-Kendall, Jasper, Knox, McDonough, Morgan, Scott, Stephenson, Tazewell, and Yates, and of Casey, First Easton, Macomb, Neoga, Stronghurst, Toledo, Williamsfield, Waverly, Victoria, and Yates City, all in the State of Illinois, praying for the enactment of legislation to continue the 3½-percent interest rate on Federal land-bank loans, and the extension or reamortization of the 10-year land-bank loans to 20 years or more, which were referred to the Committee on Banking and Currency.

Mr. WALSH presented a resolution adopted by the City Council of Newburyport, Mass., favoring the making of a study and investigation of the Merrimack River with the view to the improvement of navigation conditions, which was referred to the Committee on Commerce.

He also presented a resolution adopted by members of the Luther League, of Boston, Mass., protesting against militarization of the Civilian Conservation Corps, which was referred to the Committee on Military Affairs.

Mr. COPELAND presented petitions of sundry citizens of New York and vicinity, New York, praying for the continuation of Federal arts projects under the Works Progress Administration, which were referred to the Committee on Education and Labor.

DEPARTMENT OF PUBLIC WORKS—WORKS PROJECTS

Mr. COPELAND. Mr. President, I present a resolution adopted by the Monroe County Chapter of the New York State Society of Professional Engineers, Rochester, N. Y., favoring the creation of a Federal Department of Public Works, and so forth, and I ask that it be printed in the RECORD and appropriately referred.

There being no objection, the resolution was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

MONROE COUNTY CHAPTER OF THE
NEW YORK STATE SOCIETY OF PROFESSIONAL ENGINEERS,
Rochester, N. Y., January 27, 1937.

Hon. ROYAL S. COPELAND,
Senate Office Building, Washington, D. C.

DEAR SIR: At the annual meeting of this chapter on January 25 the following resolution was adopted:

"*Resolved*, That the Monroe County Chapter of the New York State Society of Professional Engineers approves in principle the recommendations of the President of the United States for the creation of a Federal Department of Public Works as outlined in his message to the Congress on January 12, 1937; be it further

"*Resolved*, That since grants of Federal aid to non-Federal public-works projects under the Federal Public Works Administration have proved to be of substantial value in reviving and maintaining employment in the engineering profession and in industries dependent upon construction activities, it should not be discontinued but absorbed within the proposed Federal Department of Public Works, so as, first, to provide for a proper and logical transition from emergency conditions to the period when local governments are financially able to resume the full load of public-works construction for immediate requirements and, second, to provide for long-range planning and development of projects to take care of future emergency conditions in the engineering profession and construction industries; be it further

"*Resolved*, That the secretary of the Monroe County chapter transmit a copy of this resolution to the New York State Society of Professional Engineers, to the United States Senators from the State of New York, and to the Congressmen from the county of Monroe."

Respectfully submitted.

JOHN HURLBUT, *Secretary.*

INVESTIGATION OF RIGHT OF FREE SPEECH, ASSEMBLY, ETC.—LIMIT OF EXPENDITURES

Mr. THOMAS of Utah. Mr. President, a day or two ago I submitted, on behalf of the Senator from Wisconsin [Mr. LA FOLLETTE] and myself, Senate Resolution 70, increasing the limit of expenditures of the Special or Subcommittee on Civil Liberties. The resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate. For the information of the Senate I should like to state that the entire Committee on Education and Labor considered and approved the resolution.

REPORTS OF COMMITTEE ON EDUCATION AND LABOR

Mr. BLACK, from the Committee on Education and Labor, to which was referred the resolution (S. Res. 36) creating a Special Committee to Investigate Unemployment and Relief (submitted by Mr. HATCH Jan. 6, 1937), reported it without amendment and submitted a report (No. 29) thereon, and the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. LEE, from the Committee on Education and Labor, to which was referred the bill (S. 530) to repeal a proviso relating to teaching or advocating communism in the public schools of the District of Columbia, and appearing in the District of Columbia Appropriation Act for the fiscal year ending June 30, 1936, reported it without amendment and submitted a report (No. 30) thereon.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ASHURST:

A bill (S. 1344) providing for relief in cases of desert-land applications or entries of lands within Verde River irriga-

tion and power district, Arizona; to the Committee on Public Lands and Surveys.

By Mr. O'MAHONEY:

A bill (S. 1345) to provide for the extension of certain prospecting permits, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. SCHWELLENBACH:

A bill (S. 1346) for the relief of Stillwell Bros., Inc.; to the Committee on Claims.

By Mr. THOMAS of Oklahoma:

A bill (S. 1347) for the relief of John Hamilton; and

A bill (S. 1348) authorizing Maj. Frederick D. Sharp, United States Army, to accept and wear the decoration tendered him by the Bolivian Government; to the Committee on Military Affairs.

By Mr. NEELY:

A bill (S. 1349) granting an increase of pension to Mack C. Ratcliff; to the Committee on Finance.

By Mr. RUSSELL:

A bill (S. 1350) to amend the Inland Waterways Corporation Act, approved June 3, 1924, as amended, authorizing the Secretary of War to extend the services and operations of the Inland Waterways Corporation to the Savannah River; to the Committee on Commerce.

By Mr. WALSH:

A bill (S. 1351) to amend the Packers and Stockyards Act, 1921, as amended, and for other purposes; to the Committee on Agriculture and Forestry.

A bill (S. 1352) to exempt fraternal societies from the tax on employers under the Social Security Act; to the Committee on Finance.

(Mr. WALSH introduced Senate bill 1353, which was referred to the Committee on Interstate Commerce and appears under a separate heading.)

By Mr. COPELAND:

A bill (S. 1354) to regulate the election of delegates representing the District of Columbia to national political conventions; to the Committee on the District of Columbia.

A bill (S. 1355) to promote the general welfare through the appropriation of funds to assist the States and Territories in providing more effective programs of public pregrade education; to the Committee on Education and Labor.

By Mr. LONERGAN:

A bill (S. 1356) to amend paragraph (1) of section 4 of the Interstate Commerce Act, as amended February 28, 1920 (U. S. C., title 49, sec. 4); to the Committee on Interstate Commerce.

By Mr. BYRD:

A bill (S. 1357) granting a pension to Edna P. Welsh; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 1358) to amend the Tariff Act of 1930, as amended, and the act of June 12, 1934, relating to reciprocal trade agreements; to the Committee on Finance.

By Mr. REYNOLDS:

A bill (S. 1359) to exempt the real property of the American War Mothers from taxation; to the Committee on the Judiciary.

By Mr. COPELAND (for himself and Mr. WAGNER):

A joint resolution (S. J. Res. 61) providing for the participation of the United States in the world's fair to be held by New York World's Fair 1939 Inc., in the city of New York during the year 1939, and for other purposes; and

A joint resolution (S. J. Res. 62) making an appropriation for certain improvements in the East River, New York City, and on site of New York World's Fair, 1939, and for other purposes; to the Committee on Commerce.

AMENDMENT OF COMMUNICATIONS ACT OF 1934

Mr. WALSH. Mr. President, I ask unanimous consent to introduce a bill for appropriate reference. I also ask that a letter I have received in connection therewith be printed in the RECORD.

The VICE PRESIDENT. Without objection, the bill will be received and appropriately referred, and the accompanying letter will be printed in the RECORD.

The bill (S. 1353) to amend section 318 of the Communications Act of 1934 was read twice by its title and referred (with the accompanying paper) to the Committee on Interstate Commerce.

The letter presented by Mr. WALSH in relation to the matter is as follows:

THE PHYSICS LABORATORIES,
HARVARD UNIVERSITY,
Cambridge, Mass., February 3, 1937.

Hon. DAVID I. WALSH,
Senate Office Building, Washington, D. C.

DEAR SIR: The Cruft Laboratory of the department of physics at Harvard University maintains a research radio station for the purpose of investigating the physics of the upper atmosphere. The results of this investigation are important not only to the interests of pure science but also to the development of the art of communication engineering. This radio station is completely automatic in its operation and is not engaged in point to point communication of any kind.

The station operated successfully until June 1934, when it was shut down by order of the Federal Communications Commission because the university did not maintain a continuous operator watch as required by section 318 of the Communications Act of 1934, a copy of which is attached hereto. Such a continuous operator watch would entail a cost of approximately $6,000 per annum, which the university cannot afford, especially as there is no work for such operators to do. Since June 1934 the experimental aspects of our ionosphere research program have been completely interrupted.

The Federal Communications Commission and various signal officers of the United States Army and Navy have expressed themselves as deeply regretting this situation, because the results of our research are of such great value to these governmental agencies. However, the Federal Communications Commission can render no assistance until section 318 of the Communications Act is amended by the Congress.

To this end the Commission have suggested an amendment to section 318 which has already been introduced in the House of Representatives as bill no. H. R. 3898, copy of which is attached hereto.

The staff of Cruft Laboratory respectfully requests your assistance in the passage of this bill by the Senate in order that our research program may be resumed as soon as possible.

Respectfully yours,

HOWARD AIKEN,
Instructor of Physics and Communication Engineering.

P. S.—The present law is as follows:

"OPERATION OF TRANSMITTING APPARATUS

"SEC. 318. The actual operation of all transmitting apparatus in any radio station for which a station license is required by this act shall be carried on only by a person holding an operator's license issued hereunder. No person shall operate any such apparatus in such station except under and in accordance with an operator's license issued to him by the Commission."

CHANGE OF REFERENCE

Mr. O'MAHONEY. Mr. President, on January 28 the House of Representatives passed House bill 1531, dealing with the appointment of postmasters under the civil-service law. There was introduced in the Senate a bill (S. 49) to extend the classified civil service to postmasterships of the first, second, and third classes, and for other purposes, dealing with the same subject, which was referred to the Committee on Post Offices and Post Roads. The bill passed by the House has been referred to the Civil Service Committee. I ask that Senate bill 49 be withdrawn from the Committee on Post Offices and Post Roads and that it be referred to the Committee on Civil Service.

The VICE PRESIDENT. Without objection, it is so ordered.

ARMY DAY

Mr. SHEPPARD submitted the following concurrent resolution (S. Con. Res. 5), which was referred to the Committee on Military Affairs:

Resolved by the Senate (the House of Representatives concurring), That April 6 of each year be recognized by the Senate and House of Representatives of the United States of America as Army Day, and that the President of the United States be requested, as Commander in Chief, to order military units throughout the United States to assist civic bodies in appropriate celebration to such extent as he may deem advisable; to issue a proclamation each year declaring April 6 as Army Day, and in such proclamations to invite the Governors of the various States to issue Army Day proclamations: *Provided*, That in the event April 6 falls on Sunday the following Monday shall be recognized as Army Day.

J. C. RUARK—WITHDRAWAL OF PAPERS

On motion by Mr. SCHWELLENBACH, it was

Ordered, That the papers filed with the bill (S. 130) granting a pension to J. C. Ruark (73d Cong.) be withdrawn from the files of the Senate, no adverse report having been made thereon.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its reading clerks, announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 327. An act for the relief of Henry H. Carr; Robert E. Wise, Stanley Wise Ellis, and Peyton L. Ellis; and Hilory Wise and Flora A. Wise;

H. R. 357. An act for the relief of Albert W. Wright;

H. R. 419. An act for the relief of Edward L. Gockeler;

H. R. 447. An act for the relief of Alpha Vint;

H. R. 448. An act for the relief of C. C. Young;

H. R. 449. An act for the relief of Earl Hill;

H. R. 456. An act for the relief of Ernest and Lottie Dunford;

H. R. 545. An act for the relief of Dean Scott;

H. R. 548. An act for the relief of Catherine Ward;

H. R. 588. An act for the relief of J. P. Harris;

H. R. 600. An act for the relief of A. S. Koyer;

H. R. 601. An act for the relief of Edna M. Callahan and Anna Scott;

H. R. 635. An act for the relief of Mary Daley;

H. R. 703. An act for the relief of Elbert Arnold Jarrell;

H. R. 730. An act for the relief of Joseph M. Clagett, Jr.;

H. R. 824. An act for the relief of James Luker, Sr.;

H. R. 854. An act for the relief of Robert Coates;

H. R. 855. An act for the relief of Roland P. Winstead;

H. R. 856. An act for the relief of First Lt. R. G. Cuno;

H. R. 911. An act for the relief of Lewis Clark and Freda Mason;

H. R. 941. An act for the relief of Floyd Gatton;

H. R. 986. An act conferring jurisdiction upon the United States Court of Claims to hear the claim of the Canal Dredging Co.;

H. R. 1065. An act for the relief of Mrs. Louis Abner;

H. R. 1086. An act for the relief of Weymouth Kirkland and Robert N. Golding;

H. R. 1087. An act for the relief of Lucretia Norris;

H. R. 1088. An act for the relief of the Baker-Whiteley Coal Co.;

H. R. 1089. An act for the relief of Charles M. Perkins;

H. R. 1090. An act for the relief of certain disbursing officers and former disbursing officers of the United States Veterans' Administration;

H. R. 1091. An act for the relief of Capt. J. H. Merriam, Supply Corps, United States Navy;

H. R. 1092. An act for the relief of May Howard Bloedorn;

H. R. 1093. An act for the relief of Cleveland L. Short;

H. R. 1094. An act for the relief of Clark F. Potts and Charles H. Barker;

H. R. 1095. An act for the relief of Dexter P. Cooper;

H. R. 1096. An act for the relief of Michael E. Sullivan;

H. R. 1097. An act for the relief of Brook House, Ltd., of Sydney, Australia;

H. R. 1098. An act for the relief of William L. Jenkins;

H. R. 1120. An act for the relief of Fields B. Arthur and Arthur L. Allen, copartners, Colorado Culvert & Flume Co.; Glen Haller, Kenneth Austin, A. B. Hoffman, J. W. Jones, and Lloyd Lasswell;

H. R. 1231. An act for the relief of John Munroe;

H. R. 1245. An act for the relief of Malinda J. Mast and William Lee Mast;

H. R. 1275. An act for the relief of Sarah L. Smith;

H. R. 1277. An act for the relief of William Hayes;

H. R. 1315. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of W. J. Nolan, L. Jacobson, J. A. Higuera, C. H. Damsted, R. Galleguillo, F. G. Grigsby, K. H. Johnson, R. Dupouy, C. J. Degen, W. L. Nolan, R. C. Jensen, M. J. Roderick, L. K. Moore, C. Lederer, M. Kelley, R. Dinkel, A. J. Mouchou, C. R. Taylor, M. Knull, S. W. Ligon, C. C. Johnson, W. P. Brennan, C. F. Siebert, and J. T. Weeks;

H. R. 1346. An act for the relief of James M. Winter;

H. R. 1347. An act for the relief of Frank Gedney;

H. R. 1357. An act for the relief of Nathan A. Buck;

H. R. 1382. An act for the relief of Edith M. Powell;

H. R. 1794. An act for the relief of the estate of Marcellino M. Gilmette;

H. R. 1838. An act for the relief of George Houston;

H. R. 1851. An act for the relief of W. D. Davis;

H. R. 2924. An act for the relief of certain officers and employees of the Foreign Service of the United States who, while in the course of their respective duties, suffered losses of personal property by reason of war, catastrophes of nature, and other causes;

H. R. 3112. An act for the relief of Ralph C. Irwin; and

H. J. Res. 141. Joint resolution to authorize the issuance to Sekizo Takahashi of a permit to reenter the United States.

RECIPROCAL-TRADE AGREEMENTS

Mr. CAPPER. Mr. President, I wish to bring to the attention of the Senate three resolutions adopted by three important agricultural groups within the last 2 weeks with respect to the reciprocal-trade agreements. One is the resolution of the National Grange, adopted at the annual convention in Columbus, Ohio, on November 11, 1936, to this effect:

> If the Reciprocal Tariff Act is to be renewed, there should be a provision requiring that all trade agreements or treaties made thereunder be ratified by the United States Senate before becoming effective. Such treaties should not contain the unconditional most-favored-nation clause, under which policy we gain concessions from one nation while making concessions to all nations producing and exporting any given commodity.

Another resolution was adopted by the Kansas State Board of Agriculture at its annual meeting in Topeka on January 15, 1937, to this effect:

> We believe the act authorizing reciprocal trade treaties should be amended to require ratification by the United States Senate, and also recommend the elimination of the most-favored-nation clause. Countries enjoying wide outlets in the American market of commodities on the free list should be required to take in exchange commodities produced in the United States which they need.

Resolutions were adopted at the fortieth annual convention of the American National Livestock Association, held on January 12 of this year at El Paso, Tex., at which nearly a thousand stockmen from 17 Western States were present. The resolutions read as follows:

> Whereas the reduction in the tariff on cattle in the Canadian reciprocal trade agreement and the extension of the same reduction to imports from Mexico has been one of the major factors in causing a sharp decline in cattle prices, as a careful examination of official Government market reports clearly indicates; and
>
> Whereas the tariff on agricultural products has been reduced to increase the export of industrial products; and
>
> Whereas these imports have been received in such manner as to effect a decline out of all proportion to the actual numbers involved: Therefore be it
>
> *Resolved*, That we urge that the Reciprocal Trade Act be repealed, or that all treaties negotiated under it be subject to ratification by a two-thirds vote of the United States Senate; and be it further
>
> *Resolved*, That we request that, until the act is repealed or the Canadian agreement is nullified or expires, the imports of cattle under this agreement should be placed on a weekly or monthly quota for 1937, in order to prevent dumping of large numbers on our markets in a short period, as was done in the spring of 1936.

Mr. President, I feel that the principle of equality of treatment toward foreign countries is not only desirable but also is essential to the maintenance of a sound foreign-trade policy. With the objectives of the trade-agreement program of the administration, as enunciated by Secretary of State Hull, namely, the increase of American and world commerce and the freeing of world trade from discriminatory barriers, I am in full sympathy.

The changes I am proposing, in my judgment and in the judgment of many others who desire to offer only constructive criticism, would perfect the administration of a policy with whose fundamental objectives I certainly would not quarrel.

I feel that the act as it has been administered to date has enabled countries which continue to discriminate against American commerce, and with which we have not made the trade agreements, to obtain the benefits of the concessions we have made in 14 trade agreements, without these nations outside the 14 making reciprocal concessions to our products. If I am wrong in this belief, I should be glad to be set right.

In short, Mr. President, the foregoing is the reason why I believe the act should be so amended as to withhold from most-favored-nation treatment the commerce of those countries which continue to discriminate against American commerce or which in fact do discriminate against American commerce.

Mr. President, I am offering today two proposed amendments to the Reciprocal Trade Agreement Act of 1934.

One of these would restrict the provisions of such agreements dealing with imports into the United States to apply "only to articles the growth, produce, or manufacture of the foreign country with which the agreement is entered into."

The other amendment would require ratification of the Senate of the United States, by two-thirds vote, before the agreement could become effective.

I believe the purposes of the two amendments are perfectly clear. It is to limit the President and the State Department to the making of bilateral agreements and place such agreements in the same status as treaties, requiring Senate ratification before they become effective.

These amendments are proposed for the purpose of strengthening the Reciprocal Trade Agreements Act, not for the purpose of weakening it. I desire at this time to express my hearty sympathy with and complete approval of the doctrine of reciprocity. I would make the doctrine of reciprocity effective by requiring reciprocal agreements only. The United States, under my proposal, would make certain concessions to some other nation in the way of import restrictions; that nation would reciprocate by making us certain concessions.

I also am of the opinion that as the act now stands it grants too much legislative power to the Chief Executive. It is, in fact, a delegation to the President of the treaty-ratification powers reserved to the Senate by the Constitution. Under this act the Executive negotiates the treaty, called a "trade agreement", signs the treaty, called a "trade agreement", and then puts it into effect, just as if the Senate had ratified it by a two-thirds vote.

If it is desired by an amendment to the Constitution to give the President full power to make treaties, without requiring Senate ratification, that is one thing. But to give the President this power, which the Constitution places in the Senate, by act of Congress instead of by amending the Constitution is another thing. I am aware that there are court decisions which are asserted to declare that trade agreements are outside the category of treaties. Even so, I believe it would be better to adhere to the spirit and letter of the Constitution, and to return to the Senate the constitutional powers of the Senate, before extending the Trade Agreements Act another 3 years, or any other length of time.

NEUTRALITY—NEW YORK TIMES EDITORIAL AND ARTICLE

[Mr. POPE asked and obtained leave to have printed in the RECORD a communication from James Wallace, president of Macalester College, St. Paul, Minn., entitled "Standardized Neutrality", published in the New York Times of Jan. 27, 1937, and also an editorial published in the same issue entitled "Neutrality Again", which appear in the Appendix.]

BANK-RESERVE REQUIREMENTS

[Mr. NYE asked and obtained leave to have printed in the RECORD an editorial from the Philadelphia Record of Monday, Feb. 1, 1937, entitled "The Money Changers Are In Again", which was ordered to be printed in the RECORD.]

THE SUPREME COURT—ADDRESS BY SENATOR BORAH

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD an address by the senior Senator from Idaho [Mr. BORAH] on the Supreme Court, delivered Monday night, Feb. 1, 1937, which appears in the Appendix.]

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred as indicated below:

H. R. 327. An act for the relief of Henry H. Carr; Robert E. Wise, Stanley Wise Ellis, and Peyton L. Ellis; and Hilory Wise and Flora A. Wise;

H. R. 357. An act for the relief of Albert W. Wright;

H. R. 419. An act for the relief of Edward L. Gockeler;

H. R. 447. An act for the relief of Alpha Vint;

H. R. 448. An act for the relief of C. C. Young;

H. R. 449. An act for the relief of Earl Hill;

H. R. 456. An act for the relief of Ernest and Lottie Dunford;

H. R. 545. An act for the relief of Dean Scott;

H. R. 548. An act for the relief of Catherine Ward;

H. R. 588. An act for the relief of J. P. Harris;

H. R. 600. An act for the relief of A. S. Koyer;

H. R. 601. An act for the relief of Edna M. Callahan and Anna Scott;

H. R. 635. An act for the relief of Mary Daley;

H. R. 703. An act for the relief of Elbert Arnold Jarrell;

H. R. 730. An act for the relief of Joseph M. Clagett, Jr.;

H. R. 854. An act for the relief of Robert Coates;

H. R. 855. An act for the relief of Roland P. Winstead;

H. R. 856. An act for the relief of First Lt. R. G. Cuno;

H. R. 911. An act for the relief of Lewis Clark and Freda Mason;

H. R. 941. An act for the relief of Floyd Gatton;

H. R. 986. An act conferring jurisdiction upon the United States Court of Claims to hear the claim of the Canal Dredging Co.;

H. R. 1065. An act for the relief of Mrs. Louis Abner;

H. R. 1086. An act for the relief of Weymouth Kirkland and Robert N. Golding;

H. R. 1087. An act for the relief of Lucretia Norris;

H. R. 1088. An act for the relief of the Baker-Whiteley Coal Co.;

H. R. 1089. An act for the relief of Charles M. Perkins;

H. R. 1090. An act for the relief of certain disbursing officers and former disbursing officers of the United States Veterans' Administration;

H. R. 1091. An act for the relief of Capt. J. H. Merriam, Supply Corps, United States Navy;

H. R. 1092. An act for the relief of May Howard Bloedorn;

H. R. 1093. An act for the relief of Cleveland L. Short;

H. R. 1094. An act for the relief of Clark F. Potts and Charles H. Barker;

H. R. 1095. An act for the relief of Dexter P. Cooper;

H. R. 1096. An act for the relief of Michael E. Sullivan;

H. R. 1097. An act for the relief of Brook House, Ltd., of Sydney, Australia;

H. R. 1098. An act for the relief of William L. Jenkins;

H. R. 1120. An act for the relief of Fields B. Arthur and Arthur L. Allen, copartners; Colorado Culvert & Flume Co., Glen Haller, Kenneth Austin, A. B. Hoffman, J. W. Jones, and Lloyd Lasswell;

H. R. 1231. An act for the relief of John Munroe;

H. R. 1245. An act for the relief of Malinda J. Mast and William Lee Mast;

H. R. 1275. An act for the relief of Sarah L. Smith;

H. R. 1277. An act for the relief of William Hayes;

H. R. 1315. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of W. J. Nolan, L. Jacobson, J. A. Higuera, C. H. Damsted, R. Galleguillo, F. G. Grigsby, K. H. Johnson, R. Dupouy, C. J. Degen, W. L. Nolan, R. C. Jensen, M. J. Roderick, L. K. Moore, C. Lederer, M. Kelley, R. Dinkel, A. J. Mouchou, C. R. Taylor, M. Knull, S. W. Ligon, C. C. Johnson, W. P. Brennan, C. F. Siebert, and J. T. Weeks;

H. R. 1346. An act for the relief of James M. Winter;

H. R. 1347. An act for the relief of Frank Gedney;

H. R. 1357. An act for the relief of Nathan A. Buck;

H. R. 1382. An act for the relief of Edith M. Powell;

H. R. 1794. An act for the relief of the estate of Marcellino M. Gilmette;

H. R. 1838. An act for the relief of George Houston; and

H. R. 1851. An act for the relief of W. D. Davis; to the Committee on Claims.

H. R. 2924. An act for the relief of certain officers and employees of the Foreign Service of the United States who, while in the course of their respective duties, suffered losses of personal property by reason of war, catastrophes of Nature, and other causes; to the Committee on Foreign Relations.

H. R. 824. An act for the relief of James Luker, Sr.; to the Committee on Naval Affairs.

H. R. 3112. An act for the relief of Ralph C. Irwin; to the Committee on Post Offices and Post Roads.

H. J. Res. 141. Joint resolution to authorize the issuance to Sekizo Takahashi of a permit to reenter the United States; to the Committee on Immigration.

FIRST DEFICIENCY APPROPRIATIONS

The Senate resumed consideration of the bill (H. R. 3587) making appropriations to supply deficiences in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes.

The VICE PRESIDENT. The question is on the adoption of the amendment offered by the Senator from North Carolina [Mr. BAILEY], and the Senator from North Carolina is entitled to the floor.

Mr. BONE. Mr. President, will the Senator from North Carolina yield to me for a moment?

Mr. BAILEY. Certainly.

Mr. BONE. My attention has been called to a statement by Mr. Hopkins which has a bearing on the W. P. A. situation. With the consent of the Senator from North Carolina, I should like to read it into the RECORD because it is illuminating, and expresses Mr. Hopkins' viewpoint more clearly, perhaps, than I was able to express it, or other Senators were able to bring it to the attention of the Senate. This was part of his testimony before the Senate Appropriations Committee. The statement is as follows:

Mr. HOPKINS. Mr. Chairman, I should like first to present this general statement:

With a deficiency appropriation of $790,000,000, it is contemplated that $655,000,000 would be made available for the Works Progress Administration, including the National Youth Administration. With this amount it would be possible to employ 2,200,000 workers on Works Progress Administration projects in February, 2,150,000 in March, 2,000,000 in April, 1,800,000 in May, and 1,600,000 in June. In terms of dollars, the monthly obligations are estimated as follows: February, $151,700,000; March, $146,000,000; April, $134,500,000; May, $120,000,000; and June, $103,000,000.

The employment schedule, involving a reduction of 600,000 workers between February and June, anticipates a large and widespread increase in private employment over the period. Normally, there is a seasonal increase of about 800,000 in private jobs during these 5 months; but an increase of from 1,200,000 to 1,500,000 private jobs will probably be necessary to remove 600,000 persons from the W. P. A.

Viewing the situation from another angle, our studies of the seasonal variation in relief show that the number usually declines about 15 percent from February to June. This would mean that starting with 2,200,000 Works Progress Administration workers in February, we should ordinarily expect a decline of about 340,000 workers, leaving 1,860,000 on Works Progress Administration projects during June. To reduce Works Progress Administration employment to 1,600,000 workers, therefore, it will be necessary for 260,000 Works Progress Administration workers to find jobs over and above usual seasonal expectations.

These estimates are based on studies of our past experience during periods of reemployment, which indicate that the creation of two to two and one-half new jobs in private industry results in the removal of one family head from relief or from the W. P. A. On this basis, private employment will have to increase to the extent of 500,000 to 650,000 more than seasonal expectations if Works Progress Administration employment is to be reduced to 1,600,000 in June.

* * * * * * *

The whole Government program, as well as the W. P. A., has dropped. I should like to point out that at the present time W. P. A. employment has already declined by almost 900,000 from the maximum reached in February 1936. I should also like to call attention to the fact that between 300,000 and 500,000 employable workers have been receiving direct relief from State and local agencies outside the Works Program. These employable workers are also in the market for the new jobs created by the expansion of business or for W. P. A. jobs.

It is obvious that we could not foresee the recurrence of flood or drought disasters when these forecasts were made. For example, we now have thousands of workers engaged in rescue and relief work in the flood areas, but I do not believe we can accurately predict at this time the total increase in our costs which our relief and reconstruction activities in the afflicted areas will involve. The predictions we have made here are based on our experience in the past, and on the assumption of a sustained trend of rapid reemployment. Emergencies which arise as a result of floods, storms, drought, or any other factor which affects the need of workers, will, of course, change the picture.

Another important consideration in forecasting our costs is that we are requiring sponsors of Works Progress Administration projects to provide a larger share of project costs than they have in the past, in order to obtain the most effective use of our funds in terms of the amount of employment provided.

Mr. BYRNES. Mr. President, will the Senator from North Carolina yield to me?

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from South Carolina?

Mr. BAILEY. I yield.

Mr. BYRNES. I have requested the Senator from North Carolina to yield to me for the purpose of asking unanimous consent for the consideration at this time of an amendment which is made necessary by reason of the action of the Senate just before it recessed yesterday. By the adoption of the amendment offered by the Senator from Washington [Mr. BONE] the proviso on page 2, lines 16, 17, and 18, having to do with the limitation of $3,600 for personal or professional services was eliminated from the bill.

The disbursing officer of the Senate has on hand at this time approximately $40,000 to which the limitation applies. The amount of money carried by the bill would have no such limitation applicable to it. The elimination of that provision makes it very difficult for the disbursing officer to disburse the funds now on hand. I desire, therefore, to offer an amendment removing the limitation on the funds now in the hands of the disbursing officer of the Senate. I ask that the vote by which the committee amendment, as amended, was agreed to may be reconsidered.

The PRESIDENT pro tempore. Without objection, the vote agreeing to the amendment of the committee, as amended, is reconsidered. The amendment of the Senator from South Carolina will be stated.

The CHIEF CLERK. It is proposed to add, at the end of the committee amendment, the following proviso:

Provided, further, That any money heretofore appropriated and now unexpended for inquiries and investigations of the Senate shall not be subject to the limitation of $3,600 per annum for personal or professional services.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. BAILEY. Mr. President, I desire to call attention to the terms of my amendment. At the proper place in the bill I propose to insert the following proviso:

Provided, That no part of the sum of money hereby appropriated or authorized to be appropriated shall be allocated, paid, or expended for any State, city, or county project or a project of any other governmental subdivision or agency unless and until such State, city, county, governmental subdivision, or agency shall have filed with the President of the United States a certificate of necessity, showing that such State, city, county, governmental subdivision, or agency has exhausted its resources to provide for the employment of its unemployed; such showing to set out the tax rate, the income, the indebtedness, the budget of such State, county, city, governmental subdivision, or agency, and the number of unemployed therein; and thereupon a finding by such authority as the President shall designate that such State, county, city, governmental subdivision, or agency is in actual need of the aid of the Federal Government to provide for its unemployed.

Mr. President, I submit that the terms of the amendment are thoroughly reasonable. They do not deprive any unemployed man or woman of his or her opportunity to be employed. They do not deprive any State, county, city, or municipal or political subdivision of Federal aid. The amendment operates only to place upon the local authority—that is, the State or the county or the city or the political subdivision—the responsibility to do what it is found to be able to do. I think no one will contend that that is an unreasonable proposition.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

Mr. BAILEY. I yield to the Senator from Nebraska.

Mr. NORRIS. I interrupt the Senator with no controversial idea in my mind. I think his statement is a very reasonable one, but I am somewhat worried. I am not sure that my worry is well founded, and that is the reason why I am propounding this question to the Senator.

His amendment reads, in part:

No part of the sum of money hereby appropriated or authorized to be appropriated for relief shall be allocated, paid, or expended.

Suppose a project were an irrigation project. It might extend through parts of several different counties, chiefly in the country. Before the water could be used, perhaps it would have to flow through a part of a county that would

have no use whatever for the water; but it would be necessary to go far enough upstream to divert the water in order to irrigate lands in a different county. What would the Senator say about such a project?

Mr. BAILEY. I should think that under the amendment as it is written the finding authority provided for in the amendment would simply have to ascertain the financial competence of the counties involved. The amendment is written, probably, in the singular, but a fair interpretation would apply it to the plural; and if there were a project, say, for four counties, the amendment would apply accordingly.

Mr. NORRIS. Let me now call the attention of the Senator to a case that I happen to know about, where the project involves the irrigation of certain lands in a certain county.

The county where the dam is built, as far as I can see, will get no benefits whatever from it. Most of the land through which the diverting canal will have to be constructed is likewise in the county which will not have any of its land irrigated, but in that particular case the real benefit goes to the farmers in a third county. There would not be any way of getting water down there, if a project of that kind were contemplated, except through the use of the land in the county where the dam was located and where the canal would be chiefly built—a county which would get no benefit whatever from the project.

Mr. BAILEY. I think I can clear the Senator's mind on that question. Such a project as he describes would not be a county or State or municipal project. The amendment relates to projects put forward by the several political subdivisions mentioned in the amendment. The project of which the Senator speaks would be a Federal project and would not come within the terms of the amendment.

Mr. NORRIS. When I looked at the wording of the amendment I was not sure that it would apply to such a case as I have mentioned. I am not yet sure, but the amendment says "authorized to be appropriated for relief."

Mr. BAILEY. That is descriptive of the sum appropriated. It is not descriptive of the money going to the project. That is the whole sum appropriated in the bill.

Mr. NORRIS. But it would require that showing, that investigation to be made.

Mr. BAILEY. Not if it were a project espoused and put forward by the Federal Government. The distinction here is the difference between a Federal project and a local or a State project. My amendment relates wholly to the projects put forward by States, counties, cities, and other political subdivisions. It has no relevancy whatever to a distinctively Federal project.

Mr. NORRIS. "Other governmental subdivision", I think, would cover that kind of a project.

Mr. BAILEY. That would mean other than the United States. I do not think my amendment would be subject to that construction at all. "Other governmental subdivision" necessarily must mean subdivisions of that class; but, if the Senator wishes, I should readily accept an amendment saying "exclusive of Federal projects." We should have no trouble on that score.

Mr. LOGAN. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Kentucky?

Mr. BAILEY. Yes, sir.

Mr. LOGAN. If the Senator desires to go ahead with his amendment without being interrupted, I shall wait until later, but I desire to call his attention to this provision:

> A certificate of necessity, showing that such State, city, county, governmental subdivision, or agency has exhausted its resources to provide for the employment of its unemployed.

Has the Senator in mind a concise definition of what he means by having "exhausted its resources"? If so, I should like to know just what the Senator has in mind.

Mr. BAILEY. Yes; I have a perfectly definite conception of it—that the State, city, county, governmental subdivision, or agency has done all it can do—all it should do.

Mr. LOGAN. Let me ask the Senator another question. A county, we will say, may levy a tax of 50 cents on $100, the constitutional limit in some of the States. It has actually levied a tax of 40 cents. It has not done all that it could do. If that county should apply, would it be entitled to receive an allocation under this amendment?

Mr. BAILEY. That question would be a matter for the sound discretion of the authority designated by the President; and, of course, we could not fix the rule here because the rule would vary throughout the country.

Mr. LOGAN. But I am thinking about the floods we have down in our section of the country just now. Here is a county that has no need for a levy, say, above 40 cents. It did not have such need at the time the levy was made. It perhaps has not exhausted its resources, but the flood comes on and destroys its courthouse and its other public buildings. It is necessary for the county to go to the Federal Government and ask an allocation of funds so that it may carry on its work. If the Senator's amendment should be adopted, would not the Senator, or any other good lawyer, if he were representing the President, say, "That county has not exhausted its resources; consequently it can receive no relief"?

The county, we will assume, has already made its levy for 1 year. Perhaps it cannot make another levy until a year later. If it should be held that the county has not exhausted its resources, would it not be barred from receiving any help at all when it most greatly needed it?

Mr. BAILEY. On the Senator's own statement, if the county could not make a levy and had no money in its treasury, the conclusion would be inevitable that for the time being, at least, the county had exhausted its resources.

Mr. LOGAN. Then if for the time being the county has exhausted its resources, its resources have been exhausted—so thinks the Senator?

Mr. BAILEY. On the Senator's statement that it had exhausted its levy, or had made its levy and could not make another, its resources are out, because the levy is the one resource.

Mr. LOGAN. There is another thing I should like to ask the Senator while I am on my feet.

The State of Kentucky—speaking of my own State—has no limitation as to the amount of taxes which may be imposed for State purposes. There is a limitation on the amount of money the State may borrow. If the State of Kentucky should make an application, it could be very readily said that it has not exhausted its resources, because it has not imposed a tax rate sufficient to raise the funds to do the work itself. Would the State of Kentucky automatically be barred from receiving any funds unless it should increase its tax rate so as to take care of the project itself?

Mr. BAILEY. Mr. President, there is nothing whatever automatic about the amendment. It is in the discretion of the authority appointed by the President. There is nothing rigid about it.

Mr. LOGAN. The determination as to whether or not a State or a county has exhausted its resources, then, is to be left to the President, or someone designated by him. Would not the question of whether or not it has exhausted its resources be determined by the laws of the State itself?

Mr. BAILEY. No, Mr. President. The amendment provides:

> And thereupon a finding by such authority as the President shall designate that such State, county, city, governmental subdivision, or agency is in actual need of the aid of the Federal Government to provide for its unemployed.

It is very simple. We do not propose to appropriate money for a local project sponsored by a State or county or city or local subdivision unless there is a finding, upon a proper showing, that there is actual need of it. I am glad the Senator asked me the question, because it enables me to clear a misapprehension here which is without any foundation whatever.

Mr. BARKLEY. Mr. President——

Mr. BAILEY. Before I yield to the other Senator from Kentucky I desire to say that the junior Senator from

Kentucky is predicating his question upon the flood. There will be no State projects that I know of with respect to the flood in Kentucky. That will be Federal.

I now yield to the senior Senator from Kentucky.

Mr. LOGAN. Before the Senator yields to my colleague, will he yield to me further?

Mr. BAILEY. I yield.

Mr. LOGAN. Not necessarily was I predicating my questions as to relief upon the flood, because I assume that the Senator's amendment has nothing to do with flood relief or drought relief. That is my understanding.

Mr. BAILEY. It has nothing whatever to do with Federal projects.

Mr. LOGAN. Not at all; but the State of Kentucky, we will say, has made application for help in erecting certain buildings which it says it cannot itself erect. The Senator's amendment would leave it to the judgment of someone designated by the President to determine whether or not Kentucky had exhausted its resources. That is such an elusive term, and it is subject to so much resiliency or fluctuation, that I do not know just what the Senator has in mind when he says a certain thing shall be done when a State or a county has "exhausted its resources."

Mr. BAILEY. I wish the junior Senator from Kentucky would read the amendment. It does not say that the President shall find that any county or city or State has exhausted its resources. It says that the State, city, county, governmental subdivision or agency shall have filed with the President a certificate that it has done so. The matter of judgment there is with the local subdivision, and not with the national authority.

Mr. LOGAN. Then may I ask the Senator who is going to determine whether the State, county, or other subdivision has exhausted its resources? I understood the Senator a while ago to say that that would be determined by the President, or someone designated by him. Now, I understand the Senator to say that I misunderstood him.

Mr. BAILEY. No; it is not a question of misunderstanding.

Mr. LOGAN. Now, the question is, Who is going to determine when such a State or political subdivision has exhausted its resources?

Mr. BAILEY. Let me answer the question very plainly. The city or county or State filing the statement determines that.

Mr. ROBINSON. Mr. President, will the Senator yield at that point?

Mr. BARKLEY. Mr. President——

Mr. BAILEY. I promised to yield to the senior Senator from Kentucky. I yield to the Senator from Arkansas, however.

Mr. ROBINSON. It was on the point immediately under discussion that I wished to call the Senator's attention to the language in his amendment. The political subdivision or agency proposing the project has first to file a certificate that it has exhausted its resources to provide for unemployment, and in connection with that statement there must be set out the tax rate, the income, the indebtedness, the budget of such political subdivision or agency, and the number employed therein.

That is not conclusive, I respectfully submit to the Senator from North Carolina, and I suggest that the interpretation of the junior Senator from Kentucky [Mr. LOGAN] is well sustained by the language employed, for the reason that the following language in the amendment is attached to the words which require the filing of the statement:

> And thereupon a finding by such authority as the President shall designate that such State, county, city, governmental subdivision, or agency is in actual need of the aid of the Federal Government to provide for its unemployed.

I suggest to the Senator from North Carolina that the only legal interpretation that can be made of the amendment as a whole is that two proceedings are necessary in order to qualify a project sponsored by a State or one of its political subdivisions, and those two are, first, the certificate of the political subdivision applying that it has exhausted its resources, to which is attached evidence in support of the same. When that certificate has been filed, and when the evidence has been supplied, before the project can be proceeded with it is necessary for the agency to be set up by the President under the amendment to pass upon and reach a quasi-judicial decision as to whether the facts set out in the certificate are supported by the evidence, and upon that finding, and not until the finding has been made, will the project be proceeded with, according to the language of the amendment itself.

The Senator is kind in yielding, and I realize he has not even begun the main portion of his speech, he has been interrupted very often, and I do not intend to interrupt him further. But I point out that language to him, and I maintain that not only is the construction given by the junior Senator from Kentucky correct but I also insist that it is the only construction which may be placed upon the amendment as a whole. It is not only necessary that the certificate be supplied but it is also necessary that the evidence supporting it be passed upon by a quasi-judicial body set up by the President, and until a favorable decision has been reached by that body the project cannot be proceeded with.

While the Senator has yielded to me, I should like to ask him a question not directly related to the interpretation of the amendment on the point we have been discussing. I should like to ask him whether it is his intention to make the provisions of the amendment applicable to such W. P. A. projects as have already been commenced and on which already there has been the expenditure of Federal funds, or whether it is his intention to limit the application of the amendment to projects hereafter to be proceeded with.

Mr. BAILEY. Mr. President, I will respond to the latter question first. The amendment relates to all money appropriated for relief in the pending legislation. That would take in all the projects.

With respect to the other matter, I am very glad to have had the discussion as to the meaning of the language. I will review it briefly, and then proceed as far as I may be permitted.

The junior Senator from Kentucky raised the question as to the authority created by the amendment finding that the resources of a political subdivision had been exhausted. My answer to that was that that is not in the amendment. The political subdivision files a statement, its certificate of need. It finds that fact. The authority created by the President reviews the showing made, and then finds actual need prior to allocating the money. I am glad we have that clear.

Mr. LEWIS. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. LEWIS. At this point may I be permitted to interpolate a matter which I am sure is related to the very subject just now defined by the Senator? I am addressing my query to the situation of the opulent city of Chicago, and ask, when the Senator speaks of resources being exhausted, does the able Senator mean the resources which can be applied for relief, or does he mean all resources, many of which are needed for the police and fire departments, and the maintenance of the city government generally?

Mr. BAILEY. Mr. President, of course I meant the resources applicable to relief. That is all we are discussing.

I was saying that the amendment is reasonable. What is the basis of this relief in our country? Where does the primary responsibility lie? It has always rested upon the localities. The duty of the State of North Carolina—and I can speak for my State—is prior to the duty of the United States to look after the social welfare and the civil rights of the citizens. The Federal Government's obligation is secondary. I intend before I take my seat to show the Senate just what will be the consequences of the inversion of that order and that responsibility. It is the inversion of that order which is causing the trouble in the United States today with the whole relief problem.

Now I shall make my point. My position is Democratic. It was the Democratic Senate in 1932 which took precisely this position. I recall the facts very distinctly, and I am

going to give that history this morning, too. I do not wish to go into that at this point, but I shall do so before I conclude.

This amendment is in accord with the attitude and the express words of the President of the United States, too. He said, and has said more than once, that the primary obligation in this matter of relief is upon the States and the local subdivisions. Of course he is right.

I shall not go at any great length into these relationships, but I have mentioned the reasonableness of the proposition, and have also mentioned the policy pursued by our party right in this Chamber as exemplified in the first act in 1932. I have also mentioned the fact that the President of the United States has taken the precise view I have undertaken to put into the statute here, that we must look to the localities primarily.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. WHEELER. The Senator from Illinois asked the Senator from North Carolina a moment ago what he meant by an inquiry into whether or not an agency had exhausted its resources, and the Senator from North Carolina stated that he meant the resources which were applicable to relief. But that may mean that it has exhausted all of its resources, as a matter of fact, under the wording of the amendment.

Mr. BAILEY. There is no use having a lot of casuistry about the matter. Insert in the amendment the words "all the resources for relief" and I will agree to it.

Mr. WHEELER. Very well. I wish to ask the Senator what he means by "governmental subdivision or agency." Does he mean a State?

Mr. BAILEY. Counties, townships, cities—anything that comes within the legal definition of a political subdivision; and that term is well defined.

Mr. WHEELER. The Senator means a political subdivision of a State?

Mr. BAILEY. A school division is a political subdivision; a county is a political subdivision; a township is a political subdivision.

Mr. WHEELER. I wish to call the attention of the Senator to the fact that I am not at all sure but that his proposition is correct. I am merely asking for information and enlightenment with reference to some of the provisions which might be misinterpreted, in my judgment, unless they are clarified.

Mr. BAILEY. Mr. President, I will clear that at once. I am not insisting on any special language. If any Senator wishes to make a suggestion which will help the amendment, consistent with the principle in view, he will have no trouble with me; I will accept his suggestion.

Mr. LOGAN. Mr. President, will the Senator yield? I desire to make such a suggestion.

Mr. BAILEY. I yield.

Mr. LOGAN. I would suggest, then, that the Senator strike out the words "has exhausted its resources" and substitute the words "is unable."

Mr. BAILEY. I will very gladly accept the amendment. Let the words "is unable" be written into the amendment at the desk.

Mr. LOGAN. Mr. President, with the consent of the Senator from North Carolina, I suggest that his amendment be amended by striking out, in line 1 on page 2, the words "has exhausted its resources", and substituting in lieu thereof "is unable."

Mr. BAILEY. Mr. President, I am delighted to have that done. I do not know that there is a great difference in the language. I shall not debate that point. I desire to go ahead with the argument.

Let us see where we stand, Mr. President. In 3 years and 10 months the Congress of the United States has appropriated nine and one-half billions of dollars for relief. Nine hundred and fifty thousand millions of dollars appropriated for relief in 3 years and 10 months! I shall give the Senate the data in detail. In the same period we have appropriated for relief and recovery combined $14,000,000,000. Here we are in the middle of the fiscal year, not providing for a further period, but providing for a period which we understood we had provided for, called upon to appropriate $755,000,000 to run us 5 more months. That sum is a sum greater than was required to run the entire Government in 1913.

Let us think about that a moment. Let us think at what a headlong rate we are going. It would be a different matter if we were beginning a new fiscal year, but we are trying to carry through a year that we provided for, as we thought, and we are adding $775,000,000 to nine and one-half billions, and that is at the rate of $155,000,000 a month.

Senators, hear me. That is precisely the same rate that we were running at last August. Does that go home to Senators? That is the progress we are making. We propose to spend in May 1937 just as much as we spent in August 1936.

Worse than that, this bill is being tolerated on the floor today upon the promise that within 6 weeks there will be another bill here; and we all know that too. There is a promise outstanding, made in public in the debate here, that another bill shall come in to the Senate, and that that bill shall contain provision for not less than one-half billion dollars. There is the picture and there are the facts. I take it they will give every Senator pause. I take it they are not new. However, I suspect there are very few of us who really can comprehend the import of such facts.

Mr. President, here is the point: We are making no progress whatever in the direction of reducing relief expenditures. There are the facts. February 3, 1937, we are spending more money than we were spending in February 1932, when we were in the trough of the depression; we are now spending more money than we were spending in February 1933, when the banks and the business structures were falling like pines under the force of a tornado.

We are spending more today than we spent when the number of the unemployed, according to the count of the American Federation of Labor, was 9,000,000 more than it is at this hour. Today we are spending at the rate of $155,000,000 a month, notwithstanding we boast that from 7,000,000 to 9,000,000 persons have returned to work, and the director of relief, Mr. Hopkins, tells us that he expects 600,000 more to return to work in the remaining 5 months of the fiscal year.

Senators, there is the situation. This situation cannot be squared with the facts. It cannot be reconciled with the past actions of the Senate. It cannot be explained in any way except this, that we have caught the disease of public expenditure, and it is sweeping our people and ourselves, our States, and our political subdivisions like the black plague itself.

Mr. BARKLEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Kentucky?

Mr. BAILEY. I yield.

Mr. BARKLEY. The Senator has referred to February 1932 and February 1933. The Senator knows that we did not even begin to expend money for relief purposes either in February 1932 or in February 1933.

Mr. BAILEY. I am going to come to that history.

Mr. BARKLEY. Does not the Senator also know that in the last Congress we appropriated $1,400,000,000 for relief on the theory that it would be sufficient for the fiscal year, but that the $1,400,000,000 has now been exhausted during the first 6 months of that period, and that the bill now before us calls for only $790,000,000 for the rest of the fiscal year, which is a considerable reduction below the $1,400,000,000 of the previous 6 months?

Mr. BAILEY. No, Mr. President; I think I shall show the Senate before I take my seat that my statement is good. I am going to give the whole detail of it; that we are appropriating and spending more now than we ever did before, and the very fact that the bill before us calls for $155,000,000 a month is sufficient evidence of that. We did spend a slightly greater amount than that for a month or two. However, I have the data here, and I am going to read them into the RECORD. I have had the averages made.

I am going to pass by this portion of my argument with the following statement: My point is that notwithstanding we fill the air with the music of "prosperity", have our banquets and sing Happy Days are Here Again; notwithstanding our great political convention at Philadelphia, when nothing else on earth but that could be heard—and those who were there will bear me witness that that is the fact—notwithstanding 9,000,000 men, according to the statistics of the American Federation of Labor which I have on my desk, have returned to work; notwithstanding there is a great measure of recovery, of which we are both proud and glad; notwithstanding the industrial output is as great today as it was at the end of the year 1929—and if Senators wish to get evidence on that point they can refer to the index printed in the Analyst for the New York Times—notwithstanding that the national income has been lifted from $38,000,000,000 to about $60,000,000,000—and the Department of Commerce tells us that this year we have a right to hope that the national income will be further lifted to $66,000,000,000 or $68,000,000,000—notwithstanding all that, the demand for money and the disposition to appropriate money is as strong today as it was in the days of 1933 and 1934, when the whole country was destitute. There is the situation.

Mr. President, I have brought out these facts——

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. BAILEY. If the Senator will let me finish my statement, I shall be glad to yield.

I have brought out these facts, Mr. President, by way of calling to the attention of the Senate and, I hope, to the attention of some people in the country, the simple fact that we have fallen into a system which will inevitably increase the demand and inevitably make it impossible for Senators and Members of the House of Representatives to resist those demands. I am going into that subject.

I now yield to the Senator from Montana.

Mr. WHEELER. Assuming for the sake of argument that what the Senator has said is true—that is, that there are only a few of us in the Senate who are able to comprehend his point of view—nevertheless the Senator's amendment will not change the situation, as I see it.

Mr. BAILEY. I am glad the Senator raised that question. My amendment will, as I shall undertake to show—and I am giving the background of the amendment now—my amendment will at least tend to place the responsibility back upon the local subdivisions and take it off the Federal Government, and I intend to show that so long as this responsibility rests upon the Federal Government there is not a chance of balancing the Budget, there is not a chance of arresting the tide which is now flowing. That is just the point.

Mr. President, I am now going into the history of this question very briefly, but I think it is worth our while to do so. On the 22d day of December 1931, the senior Senator from Wisconsin [Mr. LA FOLLETTE] introduced his famous bill to appropriate $5,500,000,000 for relief. That was at the end of 1931, and things were dark then. Fourteen or fifteen millions of men were helpless in America. We defeated the bill, and that is not without significance.

Then came along the bill that was known in the other House as House bill 12445, famous as the Garner bill. We passed the bill; the President of the United States vetoed it. That bill was introduced June 3, 1932.

Then again the Senator from Wisconsin introduced, as a substitute for the Garner bill, his public-works bill, calling again for an appropriation of five and one-half billion dollars. We Democrats defeated it. Five billion five hundred million dollars was entirely too much then. And that was for public works.

Then in the summer, as I recall, of 1932, just as the Congress was about to adjourn, a bill was introduced, being Public Law No. 302, Seventy-second Congress, appropriating $300,000,000 to be loaned to States for the relief of the destitute. That was a Democratic bill. We asserted then the principle of primary State responsibility, and that was the right principle. That bill passed, and included in it there was an additional appropriation of $322,224,000 for emergency public works.

In the summer of 1932—and if there ever was a dark time in America that was the dark time; conditions were probably worse in February 1933, but not greatly worse—the Democratic Party had not quite a majority in the Senate, the parties being about evenly divided, as I recall, but the Democratic leadership and a Democratic House thought that $622,224,000 was sufficient; three hundred million of it as loans to States and $322,224,000 for public works.

There were twice as many unemployed then as there are now; there was more destitution and there was no hope whatever. We thought $150,000,000 less than we are called upon today to appropriate as a supplement to the existing appropriation was sufficient, and it proved to be sufficient.

I never heard that anybody starved in America in 1932 and 1933; I did not hear that any State failed to take care of its people; I did not hear of any city that lay down on the job. O Mr. President, we gave to the city of New York last year more money than we were willing to loan to all the States in 1932. I am showing how the thing grows.

Then the senior Senator from Wisconsin [Mr. LA FOLLETTE] in December 1932 when the Congress resumed its deliberations introduced a bill providing for $500,000,000. The Democratic House defeated that measure. Nobody starved; nobody suffered; and the Democratic Party went into the election of 1933 with that record of having defeated the bill, and we did not hesitate to proclaim that we had done so.

Then, in 1933, the first relief measure passed appropriated $148,000,000 for the Civilian Conservation Corps, and reforestation. That bill was introduced on March 21, 1933. We followed that on April 4, 1933, with an appropriation of $500,000,000, and the act authorized the Reconstruction Finance Corporation to make that sum available for emergency relief to be spent by the Federal Emergency Relief Administration. That was the first time the principle of Federal responsibility for direct relief was written into the law, and in that instance the appropriation was only $500,000,000. Here we are today, after having appropriated nine and a half billion dollars for relief, called upon in the middle of the fiscal year to appropriate more to supplement the existing appropriation than we appropriated for a whole year in April 1933.

In March 1933, Mr. Doughton introduced in the House of Representatives the national recovery measure to foster fair competition, and so on, which carried a $3,300,000,000 appropriation for the construction of certain useful public works. That was for building and construction by the Federal Government, and, of course, there is quite a difference between that and relief.

Then, in the relief act of 1933, for the continuation of the civil works program, we appropriated $950,000,000.

Then, on June 30, 1934, in the bill to supply deficiencies in certain appropriations, Congress appropriated $1,225,000,000, of which some $500,000,000 was for public works, $525,000,000 for drought and farm relief, $119,000,000 for roads and forest work, and $65,000,000 for public buildings. Mr. President, I hope the Senate will appreciate the point that the appropriation in that instance for relief was only $500,000,000. And that was in June 1934, when "happy days" were not here again.

Then, on January 23, 1935, a measure introduced in the House, House Joint Resolution 117, appropriated $4,000,000,000, to which the Senate added $800,000,000 of the funds of the R. F. C. which had not been used and which represented unexpended balances.

Then, in 1936, on May 7—that was the date of the introduction of the measure—we added to all the previous amounts the sum of $2,375,281,000, of which $1,425,000,000 was for relief.

Mr. President, there are the facts. Facilis descensus averni—easy the road to ruin.

Mr. LEWIS. Easy the road to hell.

Mr. BAILEY. The Senator from Illinois gives a more literal interpretation, but I did not care to read it that way into the RECORD. It is easy to make appropriations; it is easy not to resist; it is easy to disregard the obligations to maintain the currency of the country; it is easy to

expand our own sense of our benevolence; it is easy to speak of the greatness of our hearts at the public expense; but where are the hearts to guard the welfare of their country; where are the hearts to resist the menace the seeds of which we ourselves have sown? Mr. President, there is the story.

Mr. BULKLEY. Mr. President, does the Senator concede that present relief funds are practically exhausted and that the continuation of relief will have to depend upon a new appropriation made now?

Mr. BAILEY. That is my understanding; otherwise, why are we called upon to make the appropriation?

Mr. BULKLEY. Exactly. Referring again to the answer the Senator recently made to the Senator from Arkansas, if his amendment is adopted, all the funds which we are now about to appropriate and authorize will be tied up until the necessary certificate shall have been made and passed upon by some Federal authority.

Mr. BAILEY. Oh, no.

Mr. BULKLEY. What then will be the situation?

Mr. BAILEY. The whole Federal works projects would go on; the whole Federal relief would go on. The amendment relates only to State, county, city, and local subdivision projects—a little dam at the head of the stream. My amendment would not stop relief, and I would not be here to stop it. I am sorry the money is exhausted, but it is exhausted; and I know that I have got to vote for the appropriation. I am trying, however, to apply a little brake or impose a little restraint by way of saying to the counties and the cities and the States, "The Federal Government has gone far enough, God knows; you have been rescued; your credit is restored. So, when you have a project, will you not be good enough to say to the Government of which you ask the money whether or not you are able to carry it on?" That is my entire proposition. I do not intend to stop the business. I could not do so if I wished.

Mr. BULKLEY. Perhaps I was only half right in my assumption then, but certainly the projects sponsored by local subdivisions call for a very large proportion of the money that is now being expended by the W. P. A.; and, as I understand, the Senator's amendment would halt all of them instanter until the requirement proposed by his amendment had been complied with.

Mr. BAILEY. It would not take 10 days.

Mr. BULKLEY. To review all the projects in the United States?

Mr. BAILEY. Let us assume the Senator has a project in his State——

Mr. BULKLEY. But there are many projects under way already, and I take it that under the Senator's amendment no money could be expended on any of them until all of these facts should be determined and passed upon by a Federal authority.

Mr. BAILEY. Yes.

Mr. BULKLEY. I am frank to say I do not think that is practicable.

Mr. BARKLEY. Mr. President, will the Senator yield at that point?

Mr. BAILEY. Certainly.

Mr. BARKLEY. In other words, if a schoolhouse is half finished, being sponsored by a city or school district, or a highway, sponsored by a State or highway commission, or a sidewalk, sponsored by a city, or any other thing that is now being done sponsored by any subdivision of the State or by the State itself, it would have to be held up until the authority designated in the Senator's amendment had a chance to pass upon whether that State, county, city, or district had done its full share in contributing to that enterprise.

Mr. BAILEY. I realize the force of what the Senator has said. I realize that is what will be said next year when we try to do this same thing, and it is what will be said the year after that and the year following that. It is a very good argument to carry on the policy, but what do we say to the simple proposition? Grant there will be some delay. Grant there will be some disturbance. Here is a city with its project. We simply say to the city, "Show the need, otherwise you do not get any money." If the city has not the need, we tell them to get the money. If they have it, we tell them to go ahead and continue the project.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. BAILEY. In just a moment. The Senator from Kentucky refers to a city building a sidewalk. That is one of the things going on in the country now. There is not a city in America that cannot build its own sidewalks. Cities are building swimming pools and country clubs with Federal money. I know all about that. I see it everywhere I go. The city that cannot build its own jail ought not to be a city. The city that cannot pave its own streets has not any business being a city. We have people down in my State indexing city records. If a city cannot index its own records it had better go out of business.

I am talking perfectly plain and possibly may make some enemies, but that is all right. We have reached the point where the subdivisions are lying down on the United States all over America, and I am trying to stop it. I am going to say something about some of the cities before I get through.

I yield now to the Senator from Maryland.

Mr. TYDINGS. I should like to invite the Senator's attention to the fact that very shortly a bill for flood relief will be introduced in Congress, as it probably should be, because flood relief is a national catastrophe. The Congress, I am sure, will deal very liberally as far as concerns the unfortunate people distressed by the flood. However, in the expenditure of that money it will not be spent in Maine or in New Mexico or in Florida. It will be spent only where the need exists. Therefore, it seems to me, if we can expend money for flood relief where the need exists, the principle might well be applied to other places in the country, so that no city or town or State which can take care of itself may come to Congress and get any money. Certainly we are applying that principle in flood relief, and I do not see why it should not be applied everywhere, because it is not our mission to help cities which are already able to help themselves, but we should help those which are not able to help themselves.

Mr. BAILEY. I thank the Senator.

Mr. BARKLEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Kentucky?

Mr. BAILEY. Certainly.

Mr. BARKLEY. I wish to submit a question of interpretation of the Senator's amendment. Under the P. W. A. certain projects are applied for by cities or counties or States or other subdivisions where there is a grant of 45 percent and a loan of 55 percent on the theory that the State or the county or the city can put up 55 percent of the amount required to complete the project and that the Government will make a grant of the other 45 percent, the 55 percent to be repaid according to the terms of the contract.

What effect would the Senator's amendment have upon the ability of the P. W. A.? In the event any of these funds should be allocated, as the President might do, to the P. W. A. for that purpose, would his amendment require that the certificate should show that the State or the county or city was unable to do all the project or any part of it? What would be required under the provisions of the Senator's amendment? If they were able to do a part of it, but not all of it, would they still be barred?

Mr. BAILEY. The Senator sets up a hypothesis. He wants to know what would happen if some of this money went to the P. W. A. The truth of the matter is if that is the way it is going, the whole thing is out the window. Mr. Hopkins came to us and said he wanted it for the W. P. A. I think he told the truth. I shall discuss that point if the Senator from Kentucky wishes me to do so. If any of this money is going to the P. W. A., I would not suggest the United States Government impairing the obligation of its contract even if it could. I am willing to have an amendment inserted providing that my amendment shall not be authority to anybody for the United States Government to impair the obligation of existing contracts.

Mr. President, there was some reason in 1933 for the Government to plunge into the business of relief. I think in the summer of 1933 the credit of the States was pretty well exhausted. I think most of the cities were prostrate, and the counties likewise. The people were not paying their taxes. Bonds were being defaulted. I am not criticizing the policy of Federal aid when Federal aid was needed, but I am arguing here that now that there is a great measure of recovery, now that cities and States and counties and townships do collect their taxes, now that they can sell their bonds in Wall Street bearing 2½ to 3 percent interest, now that they are restored, as they are restored, practically throughout the country, they should get out of the psychology of dependence and out of the begging attitude which was necessary in 1933 and stand upon their own feet, assume their responsibilities, and do their duty.

Mr. TYDINGS. Mr. President, will the Senator yield further?

Mr. BAILEY. I yield.

Mr. TYDINGS. I should like to point out to the Senator, assuming there is a State or county or city financially able to take care of its unemployed, that there is no inducement for the county or city to do that, because as long as everybody else is getting a share of Federal money, the county or city or State is likewise forced to come in to protect itself. There will never be any elimination of counties or cities or States which are able to take care of their own unemployed so long as funds are appropriated in the fashion that is now being done, because those cities and towns have to pay it all off anyhow and why should not they come and get some of it as long as it is going around?

If the Congress of the United States wants to squander billions from the National Treasury, which have to come from taxes, in a fashion like that where it is not needed, then all this talk about balancing the Budget and making our income and outgo meet is just so much wasted effort. I do not believe we are ever going to balance the Budget unless we appropriate only upon the basis of need.

Mr. BAILEY. The Senator has anticipated what I was about to say, and I am very much obliged to him. That is just the fatality in the policy of exclusive Federal responsibility. It results in setting up a competition amongst the States. I am going into that matter, and I am going to give the data; and the Senator will be amazed to see what is happening in this competition.

I am not going to quote anybody by name. I am not going to tell any secrets; but I am not the only man in the Congress who has heard other Members of the Congress say that they had to demand relief for their States as a matter of self-defense. I do not mean personal self-defense, either. I am not equal to the degree of heroism which would be required if I should sit here and let New York State take all the Federal money, knowing very well that the hour will come when 3,400,000 of my constituents in my State will have to pay the bill. We have to get our share in order to save our States.

Let me take an illustration of North Carolina. Last year North Carolina got about $18,000,000 of W. P. A. funds. What will North Carolina pay for that $18,000,000? North Carolina will pay $2 for every dollar she got. Is it my duty to reduce that proportion, or to let the people of my State be put in a position where they will have to pay $3? There is the computation. I would not say anything that would wound the feelings of my fellow Senators, but it is a dead race in American politics today as to who can get the most money.

Mr. BARKLEY. Mr. President, will the Senator yield there?

Mr. BAILEY. I yield.

Mr. BARKLEY. In what way does the Senator say that North Carolina will pay back $2 for every dollar she got?

Mr. BAILEY. I will show the Senator. North Carolina's share of this fund, when it comes to pay day, will be three times what she got; and Kentucky's share will, too, for that matter, I am glad to tell the Senator from Kentucky. The money is not going to Kentucky, and it is not going to North Carolina, and it is not going out West, either. I have the data here, and if Senators will listen to me I will tell them exactly where the money is going. It is not going for the drought, either. There was not any drought in New York City. I will show you where it is going. Now, let us find out where the taxes go, and who pays the bill in America. There never has been any doubt in my mind about that.

Mr. WHEELER. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Montana?

Mr. BAILEY. I do.

Mr. WHEELER. The Senator does not mean to say that all this relief money is going into New York City, does he?

Mr. BAILEY. I will show the Senator where it is going. Seventeen percent of it went to New York State; 35 percent of it went to three States; 50 percent of it went to six States. Those are the facts that are in the RECORD, and I will give the Senator the figures.

Mr. WHEELER. A few years ago, when we were asking for drought relief, I remember some of the New York Senators standing on their feet and saying that "New York would take care of her own"; that they did not want any help from the Federal Government.

Mr. BAILEY. Well, New York has taken care of her own. [Laughter.]

Mr. COPELAND. Mr. President——

Mr. BAILEY. I am not going to reflect on the Senator's State. I am going to tell the facts; and when I said New York took care of her own, if the Senator feels that I was saying something wrong, I will take it back.

Mr. COPELAND. Will the Senator yield?

Mr. BAILEY. Yes.

Mr. COPELAND. I think I said something like the Senator from Montana has said. I am not willing to have my State given any money if the State itself can pay the bill.

Mr. BAILEY. That is just what my amendment provides, and I thank the Senator. I am in the same situation. I will walk out of this relief business tomorrow morning and take the responsibility in the Commonwealth of North Carolina if the rest of America will, and by so doing I will make $2 for every one my Commonwealth now gets.

Mr. WHEELER. But, if I may interrupt the Senator again, the time did come when the city of New York—the greatest and the wealthiest city in the United States, if not in the world—came to the Congress of the United States for appropriations out of the Treasury of the United States, stating that they were unable to handle the relief situation in that great city, the richest city in the United States, if not in the world. That is true.

Mr. COPELAND. Mr. President, will the Senator from North Carolina yield again? I am sorry to break in on his remarks.

Mr. BAILEY. Yes; I yield.

Mr. COPELAND. We have, of course, in New York City not only the greatest wealth in the country but the greatest poverty. I have no question at all that New York City, as a city, did generously as a municipality and from private charity. It may well be that it was necessary to have some outside funds.

I do not want any poverty in my city to go to the extent of hunger; and when I see queues in front of employment bureaus on Sixth Avenue, and know that the persons in those queues cannot secure any employment, I realize that aid must come from some source.

So in time of extremity, yes; help must come from some outside source; but, I repeat, I do not want my State to be given any money from the Federal Treasury so long as my State is able to make the contributions necessary to take care of its own citizens.

Mr. BAILEY. Mr. President, I have been in the Senate now for 6 years, and I have never refused to yield, and I am always going to yield when I can. I think the debate has been valuable, and I am glad I have yielded up to this time; but, while I dislike to say so, I am not able to stay

on my feet much longer. I have not been well for at least 2 weeks, and therefore I shall ask Senators to let me conclude without yielding further.

Mr. COPELAND. I apologize to the Senator for interrupting him.

Mr. BAILEY. I know the Senator from New York would not on any occasion interrupt me except on good grounds. I am not complaining, and I should not say what I am saying but for the fact that I wish to finish. I would not run away from a debate, and I would not let anybody think I would not be willing to answer questions; but I am not able to hold the floor much longer. That is my difficulty.

I wish to respond to what was said by the Senator from Maryland [Mr. TYDINGS] as to who pays the taxes. Now let us discuss that question.

A tax is put on a power company. Who pays the tax? The consumer pays the tax. The tax does not come out of the capital structure. It comes out of the profits. Probably all taxes other than inheritance or estate taxes filter on down to the man who works and produces the raw material. The income tax of the corporation comes out of the consumer; or, when it does not come out of the consumer, it comes out of the employee through reducing his wages. Even the income tax of individuals to a large extent filters down. The more I get by way of a big income, the less some consumer gets, or the less some merchant gets. All taxes are passed on, and the United States Government tax system is based on that principle. It is indirect taxation. It is purposely built on that foundation. Under our system we cannot have direct taxes. We have indirect taxes, with a view to having them passed on.

Here we come to pay this bill of nine and a half billion dollars. When we pass this appropriation bill it will be $10,000,000,000. Who pays the bill? Does New York City pay it? Does some millionaire sitting back in a bank, indulging in the luxuries of a great palace, pay it? No; he never has, and never will. He writes the check; but the worker, the farmer, the laborer, the consumer, pay the bill. There is not any better way on earth to impoverish your population than to grind them down to the earth with taxes imposed in the first instance upon people other than themselves. It is the surest way to exterminate them.

Here we are today, with $8,000,000,000 in 1936 and $8,000,000,000 in 1937 in our National Budgets; and take it from me, if you will read the Budget message of the President, there is $8,000,000,000 predicated again in the 1938 Budget. There is not a chance of reducing the tax structure. Figure that. It is 13 percent of the national income this year. Add to that the expenses of the counties and the States, at least twelve or thirteen billion dollars more. The total is 25 percent of the earnings of the workers of America, of the farmers in the field, of the dwellers in the little homes—25 percent! Whether they know it or not, whether they sleep or whether they eat or whether they put on clothes, they pay the bill.

Now I will divide it pro rata. Take North Carolina. The population of North Carolina is, in round numbers, one-fortieth of that of the entire American Union. I am not going into the taxes that we appear to pay, because that would be a one-sided comparison. We pay $300,000,000 by way of transmission to Washington, though not actually. But divide it by 40. North Carolina's taxes, on the per capita basis, are $250,000,000, to liquidate that indebtedness—probably long after we all have died—at the rate we are paying will take 90 years. Look at the Budget. What are we doing today? Sooner or later it will come home to the wages of workers, either in increased cost of living or in decreased wage. It will come home to the reward of the farmer, either in higher prices for what he buys or in lower prices for what he sells. We cannot have such taxes incorporated in our economic system without having them impinge upon the wage and the reward of the farmer and the worker.

North Carolina stands to pay out $250,000,000. What will she get? She has so far gotten, I think, about $60,000,000. I read one statement indicating that the amount was about $72,000,000. Put it down. I said she would lose $2 for every dollar she got. There is my statement. Now apply it to your own State.

Do not be misled. The theory that North Carolina is not paying for this is ridiculous. Who else pays for it if we do not? Do we fancy to ourselves, because we lift the rates in the higher brackets, that we are getting the money from the rich? Look at the returns. We get our money from the people of low income, to begin with. But, even if we did not, who pays the tobacco tax of the United States—6 cents on a pack of cigarettes? The man on relief pays his part; the people on the streets pay their part. That amounts to about $400,000,000. The tobacco farmer pays his part, too, because it depresses the price. That is my point about that.

Now let us get into something else. The first reason for my amendment is that the counties, the cities, and the States have been delivered from a burden. Will they go ahead and resume their duty?

I stated just now, in passing, that the plan now in operation brings every delegation in the Congress, every State in the Union, to the point of competition for funds. I believe I will make a statement on the floor here in the Senate of a personal character. One of my opponents in the primary last May heralded all over the State that I was not fit to be in the Senate because I had not gotten more money for the State of North Carolina; but I defeated him. Every Senator here knows that that may be his experience; every Member of the House of Representatives knows it may be his. I cannot consent that my Commonwealth shall be ruined. I cannot consent that all this money shall be drained out of North Carolina. I do not know that I can consent that my Commonwealth shall be taking care of the poor in New York State. I would do it in a great emergency; I would forget all about the localities and all about the States and think in terms of the national necessity and the national welfare. But the time for that has passed.

Mr. President, as long as that competition is maintained we are going to have increasing appropriations. That is my point. The moment we go back to local responsibility we will have reduced appropriations. The only way to stop this thing is to reassert in America the sense of local obligation and of local responsibility; and when I say that, I am standing on historic ground. That is America. That is the Constitution. That is the character of the great Republic.

The way we are going the Republic will be burned down. That is what is going to happen. I am not an alarmist, but we cannot go on spending money at the present rate; we cannot go on with an unbalanced Budget forever. We have gone on for 6 years with the Budget unbalanced, and we cannot go on spending $8,000,000,000 a year with a revenue of five and a half. We cannot keep on accumulating debts without wrecking the currency and wrecking the whole economic system.

Our great country having saved the States and the counties and the cities, having saved the unemployed, having saved the destitute, in order that it may save itself, should now, by way of my amendment, make a modest gesture and say to the counties, the States, and the cities, "In the time of need the great Republic did its duty at great cost and without flinching, but now that you are on your feet, go back to your duty, go back to your obligation, and stand with us while we undertake to save the Republic from the wreck and the ruin of a constantly unbalanced Budget." I shall not discuss the effect of that.

I wish to show in the next place, Mr. President, how this system of national responsibility works injustice, and I am going to give some facts and figures. I shall compare New York and North Carolina according to the tables submitted to me by the Works Progress Administration.

North Carolina gets eight-tenths of 1 percent of the W. P. A. funds; New York gets 17 percent—more than 17 times as much in percentage.

New York gets $4 per capita every time North Carolina gets $1 per capita. Three States in the United States—New York, Pennsylvania, and Illinois—get 35 percent of the total fund; and I will print a table showing that.

New York gets more than all the Southern States together, and I include Maryland and Kentucky and Tennessee, the border States. Do Senators get the force of that? New York is rich and great. The per-capita wealth in New York is three times the per-capita wealth in North Carolina, but North Carolina, under the present system, is contributing to the destitute and the unemployed in New York.

The per-capita income in New York in the year 1933—and I will put the data in the RECORD to show this also—was three times the per-capita income in North Carolina. Rich and great New York gets 17 percent of the W. P. A. funds and North Carolina gets eight-tenths of 1 percent.

My State is not singular; Senators can go to the Mississippi River and look all the way across the great empire of the West and can put all those States together, and they will find that New York gets more than all of them.

I want to make myself perfectly safe about that. Count Illinois as in the East, and leave off California; then take all the rest of the western part of the country, and it will be found that New York State gets more than all the other States put together. New York, Pennsylvania, Illinois, Ohio, Michigan, and Massachusetts get half the money.

It is said the money went for drought relief and that we lost it on the drought. We did not do any such thing. Consider the drought-stricken States, and it will be seen they did not get the money.

Half of the whole sum goes to six States. Seventy percent of the whole sum goes to 12 States. That is what is going on in America. That is the inevitable consequence of the system of national aid without local responsibility.

Hear me, Senators! The W. P. A. wage in New York State is $65 a month. It is $27 a month in North Carolina. When our industrialists came to Washington under the N. R. A. and humbly begged for a differential of 10 percent on account of climate and freight rates they were denied; but when the time comes to distribute the national money an unemployed man working in New York gets $65 a month, and an unemployed man working in North Carolina gets $27. The same applies to other Southern States.

Another thing, in North Carolina the local project sponsors, the counties and cities, are required to put up 20 percent. They put up 6 percent in New York. Remember, that is the Empire State, the richest State in the American Union. In that State is the greatest city on earth. I have the data here showing its wealth. It is the wealthiest city in the world. Walk its streets, and it will be seen that its wealth crowds the skies themselves; and the sponsors of projects in that State put up 6 percent, while in my State they put up 20 percent. They get 17 percent of the money; the sponsors in my State get eight-tenths of 1 percent.

Mr. President, these are facts, and they cannot be controverted. I am going to put these data in the RECORD; and if anyone in the administration raises a question as to the figures, he will raise a question as to the administration's own data. I got them from Mr. Hopkins' office and the Department of Commerce. I have not made up anything. These are the facts.

There is the situation. The Senate can adopt my amendment if it desires, and it will put some brakes on this thing, or the Senate can defeat my amendment and then we can go on down the road and see where in some States 20 percent must be put up locally while New York puts up 6 percent, and those States will get 3 percent or 2 percent or less than 1 percent while New York gets 17 percent, and I will tell Senators what the fate of their States will be. Their States will be destroyed by the constant drain of taxes out of the State.

Where is the money coming from? And to whom does it go? We talk about relieving the unemployed and the poor. Every dollar of this money goes to merchants. Sixty-five dollars is paid in New York, or $27 is paid in North Carolina as an average monthly wage to an unemployed man. Do not think for one moment that money rests in his pocket beyond the time that he can get down to the grocery store. That money goes into the hands of the merchants. From the merchants it goes to the jobber. From the jobber it goes to the wholesaler. From the wholesaler it goes to the manufacturer, and then to the bank. It never stops until it comes into the hands of somebody who is able to save it. There it goes. We are pouring billions of dollars into these three States or these five States, into these great cities. It is being drained out of our local situation. We do not realize it because the first impression of money expended, when it is borrowed, is that of wealth, and the impression of poverty never comes until the creditor calls for the payment of his note.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Idaho?

Mr. BAILEY. I yield.

Mr. BORAH. Do I correctly understand the Senator to say that the wages paid in New York are $65 a month?

Mr. BAILEY. Yes, Mr. President; that is in the hearings.

Mr. BORAH. And that in North Carolina the wages are $27 a month?

Mr. BAILEY. Yes.

Mr. BORAH. Has the Senator any further comparison between the States?

Mr. BAILEY. The average of monthly wage rates of all the States is contained in the table printed in the hearings before the subcommittee of the Committee on Appropriations of the House.

Mr. BORAH. And that will be printed in the RECORD?

Mr. BAILEY. That is in the report which I have on my desk. The table in question is contained in the printed hearings before the subcommittee of the Committee on Appropriations of the House of Representatives in charge of deficiency appropriations. I shall be glad to show the table to the Senator. The table is headed "Average assigned monthly wage rate and average hourly earnings of persons employed on Works Progress Administration projects, by States." I will give the figure relating to the State of Idaho. In Idaho the average assigned monthly wage rate is $48.65. In Georgia it is $31.44. In Florida it is $31.40. In Maine it is $50.35. In Massachusetts it is $66.94. I said the wage rate for New York was $65. In New York City it is $75.33, and in New York—exclusive of New York City—it is $63.18. This table appears on page 110 of the House hearings.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. GEORGE. I call the Senator's attention to the fact that a wide differential is made, even within the States, between the cities within the States and smaller towns and villages in the States. There is a very wide differential in the actual wages paid; and I think the Senator from North Carolina very properly called attention to the fact that when the Government is fixing wages on the basis of the actual value of the wage paid, not even 10 percent in wage differential between the highest wage areas under Mr. Hopkins' administration was permitted to communities and sections that were suffering from the most disadvantageous freight rates and most illogical and unjust charges that were ever imposed upon a section.

Mr. BAILEY. Mr. President, I shall now move on. I am going to make the next point, which is that the system of national responsibility will not only bring on this competition and this expenditure, but it will inevitably bring on an unpreventable extravagance. What did it cost as overhead to run the W. P. A. last year? It cost $99,000,000, in round numbers—almost $100,000,000 a year. I am not going to criticize Mr. Hopkins. If there is placed in one man's disposition that amount of money it would be a miracle if there were no extravagance. I suppose there never was a nobler man in the world than Prof. Rex Tugwell. He was a paragon of virtue. We gave him $100,000,000. [Exhibiting document.] He left us a memorial. [Laughter.] I shall not blame Mr. Tugwell. I do not know but that I might do the same thing if I were given that amount of money to spend. I have never been tempted. There is his memorial. It was said on the floor yesterday that it would cost $1.05, is worth about 5 cents, but it sells for 40 cents.

Mr. BYRNES. Mr. President, is the Senator referring to the statement I made?

Mr. BAILEY. I heard some of it; yes.

Mr. BYRNES. The statement I made was that the $1.05 was only for the cost of the map on the last page.

Mr. BAILEY. The map on the last page cost $1.05, but the whole thing sells for 40 cents. That is business! I will tell the Senate now that that kind of business is not going to work in the molasses trade. [Laughter.] I am glad Mr. Tugwell has gone into molasses. [Laughter.] It was the very thing he needed. After he has been in molasses about 5 years he may make a pretty good public servant and add all his practical experience to his theories.

I read the other day that Mr. Hopkins is about to get a job at an immense salary with a great mail-order house. The best thing that could happen to this country would be for him to get that job. I would be glad if we were to give him $25,000 a year just for the money we would save by his going into that business. [Laughter.] He needs practical experience. I am not going to criticize him. These men who spend the public money ought to have some experience in the difficulty of making a dollar.

I think the document I have exhibited is a great symbol. It is not simply a book—it is a symbol. There is a map of the United States, and, Senators, observe its color! Dr. Tugwell has painted the whole country over with molasses. [Laughter.] He knew what he was doing by way of telling us good-bye. I also observe the Christmas trees. The only thing I could criticize about the whole business is that in placing his illustration on the portion of the map representing Virginia, he has a picture of a bowlegged man riding a pig. I do not know which of the Virginia Senators he is referring to, but I have my idea. [Laughter.]

Mr. President, $99,000,000 is the amount spent for overhead. Let us take the item of traveling expenses. What do Senators suppose was spent on traveling expenses last year by this organization? Five million four hundred and ninety-five thousand dollars. I wonder where on earth they could have been going. Five million four hundred and ninety-five thousand dollars for traveling expenses! They were going somewhere, but where they got to I do not know.

The item of communications, telephone and telegraph, $2,328,000. Two million three hundred and twenty-eight thousand dollars for talking! Can Senators imagine that? They had the free franking privilege. They must have sat up all night talking over the long-distance telephone, and they must have kept the typewriters busy typing messages for the Western Union and the Postal Telegraph. Two million three hundred and twenty-eight thousand dollars! That is what we get by appropriating this tremendous sum and putting it into the hands of one man and telling him to go through it. I am not blaming him. I myself have never been tempted in that way.

Senators, if the matter of administration of relief is returned, is given back to the States, the counties, and the cities and the towns, if my little amendment, which is just a modest little stopper in the most tentative sort of way, shall be adopted, we shall get rid of this extravagance. The principle of local self-government and local accountability will stop such extravagance where we are perfectly helpless, and we know we are helpless.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. CLARK. Does the Senator believe that such items of extravagance as those to which he has just referred are inevitably inherent in any system of lump-sum appropriations? In other words, does the Senator believe that under the ordinary budgetary plan to which we have heretofore adhered in this country, any one could have come before us with an item of more than $5,000,000 for traveling expenses for the officers of the Resettlement Administration, or an item of $2,500,000 for communications over the telephone and telegraph, in addition to the postal communications, which are frankable, and have received approval thereof? Does the Senator think that if anyone had come in here in the ordinary way with items such as that, it would have been possible to have them approved by the Senate?

Mr. BAILEY. No, Mr. President; and if Professor Tugwell had come in with items such as that I do not think he would have had them approved by the Congress. If the Resettlement Administration had come down to our city of Raleigh with any such items, it would not have received approval of them. We should have stopped any such thing. In any local community, town or city, or in any State there would not have been approval of any such expenditures. However, I say that so long as we pursue this system we are going to have increased demands and increased extravagance.

Mr. BYRNES. Mr. President, will the Senator yield to me along that line?

Mr. BAILEY. I yield.

Mr. BYRNES. A few moments ago I made the statement that my information was that the map referred to by the Senator cost $1.05. I am informed that in making that statement I was in error, that the total cost of the report was $1.05.

Mr. BAILEY. That is what I said to begin with.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. BARKLEY. Of course it is easy to pick out an item of $2,000,000 for communication over a period of a year, as a single isolated item of expenditure, and criticize it without knowing the detailed information as to the necessity for carrying on the communication in the manner in which it was carried on.

No one knows how much the War Department has spent during the last 2 weeks for long-distance telephone messages from Pittsburgh to New Orleans, down the Ohio and Mississippi Rivers and all their tributaries, on account of the flood. I do not know what the appropriation is for the War Department per annum for telephone messages; I do not know how much leeway they have with respect to such matters; but I know there is none whatever allowed for messages that Members of the Senate and House of Representatives transmit on public matters. I dread to see my own long-distance telephone bill for the last 2 weeks of January when it comes in during the present month, for I have not stopped to consider how much it would cost me to call up the mayor of a city or the Governor of a State or a city manager or somebody in the relief organization, nor have I stopped to consider how much it would cost me for them to call me up and reverse the charges in an emergency of this kind. I imagine, however, when the War Department comes here with its bill for long-distance telephone calls and telegraphic communications growing out of the emergency incident to the flood it will be entirely possible for some Senator to criticize the amount involved without knowing the necessity for it or the urgency of it.

Mr. BAILEY. The Senator from Kentucky says he "imagines." It takes a lot of imagination to explain the expenditure of $2,400,000 for long-distance telephone messages and telegrams by the W. P. A. It takes a lot of imagination to explain how they spent five and a half billion dollars.

Mr. BARKLEY. Has the Senator compared his figures with those of other departments that have similar charges?

Mr. BAILEY. I have not. I am merely dealing with this one. It may be that other departments have been doing worse; I do not know as to that.

Mr. BARKLEY. Does the Senator think it is quite fair at this point to pick out an item of expenditure by the W. P. A. for communications without making some fair comparison between it and other departments?

Mr. BAILEY. I think it is perfectly fair. I would not measure one department of the American Government by another. The fact that the Army has spent a billion dollars would not justify the Navy in spending an equal amount; the fact that the Department of State spent $5,000 would not justify the Interior Department in spending such a sum. I do not know that the standard is fixed in that way. I am merely giving the figures. If other Senators think they are all right, very well; but I think they are extravagant, and I cannot explain them.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BAILEY. Yes.

Mr. VANDENBERG. I wish to give the Senator just a bit of encouragement. It is rather microscopic, but it is encouraging. The Joint Committee on Printing this morning unanimously made it impossible for any more "bonanza catalogs" such as Dr. Tugwell edited before he left to be printed hereafter at public expense. That is all over.

Mr. BAILEY. I am glad to hear that. If a joint committee must be depended upon to stop these things of which I am complaining, we know they will never be stopped. I am making the point that the principle of the whole scheme must be reversed. We have got to go back to local expenditures. I do not think I have to elaborate on that point. Let the little city in which you live be careless in the expenditure of money and there is an immediate accountability; but let the Federal Government spend its money and the citizen down in North Carolina cannot possibly hold the Government to account. He cannot know what is going on.

Hear me, Senators—and I am going to take my seat in a moment—when I say this country is built on local self-government and local responsibility, and whenever it gets off that path it is going to mean the end of it; that is all it can mean. Every great civilization for 500 years has been based on local self-government and local accountability. It is just as wrong to centralize the expenditure of relief money in Washington as it is to centralize in Washington the control of the social and civil life of the people throughout America. It will have the same consequence; it cannot safely be done.

Mr. President, I have said about all I care to say. I am unwilling to fail to do something to turn the tide back in the direction of local responsibility. I am doing it at the right time, for the counties, the cities, the towns, and the States are restored again; they are well off. I am unwilling to sit here and see half the public moneys appropriated for relief go to six American States. I know that is unfair; I know it is not meeting the relief situation. The people in need are not concentrated in six States. I should like to think that we could solve the problem of employment by getting rid of half of it in six States.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. TYDINGS. I should like to call to the Senator's attention the fact that a bill was introduced in the Congress, and, I believe, passed by this body, permitting cities to go into municipal bankruptcy because at the time that bill was introduced and passed there were some cities in the country that had lost their credit; there were some cities that could not borrow to meet the needs of their respective communities. That is the reason that form of relief was provided on a widespread scale. But, so far as I know now, even the cities which asked for the passage of the municipal bankruptcy bill no longer ask for it; the need has passed; and now that the need has passed, it seems to me that we should use that as an additional reason for not continuing the relief which was justified at least in that widespread fashion, because at the very time we were passing the bill cities in some cases did not have any credit, which is a condition which does not exist today.

Mr. BAILEY. I thank the Senator from Maryland.

Mr. President, I am unwilling not to do my part to reassert the principle of State function and State duty. I am here to defend the rights of the States. I am here to affirm the duties of the States. I know it is an easy thing merely to pass it all up to the Federal Government, and it is the popular thing, too; but I know what the consequence will be. It will not only mean extravagance; it will not only mean ever-increasing expenditures, but it can never be stopped this side of an inflation, which would destroy the country; it can never be stopped this side of a national socialism that would repudiate the Republic.

Mr. President, I now read from the Democratic platform, not the 1932 platform, but the 1936 platform. This is not a last year's bird's nest in my judgment.

> We are determined to reduce the expenses of Government.
>
> We are determined to do it.
>
> We are being aided therein by the recession in unemployment.

That is the assurance expressed last June 1936. Those who wrote the platform were including all the expenses of Government and not merely its ordinary expenses.

> We are being aided therein by the recession in unemployment. As the requirements of relief decline and national income advances, an increasing percentage of Federal expenditures can and will be met from current revenues, secured from taxes levied in accordance with ability to pay. Our retrenchment, tax, and recovery programs thus reflect our firm determination to achieve a balanced Budget and the reduction of the national debt at the earliest possible moment.

Thus declared the Democratic platform. That is in the record. I stand on that platform. I stood before the people of North Carolina on it. It is my covenant, and I am standing on it today. My amendment is in execution of the covenant of the platform.

Mr. President, I understand the significance of this procedure; I know its difficulties; I have examined into it closely. I know that is the least popular thing to do. I know that the easy thing to do is to appropriate Federal money with the prospect of avoiding local taxation whenever it can be done. That is much better than telling the people of my State, for instance, that they should levy more taxes.

Mr. President, I can go down the hill with anybody else, though I do not wish to do so. So I have stood here today and said what I thought; I have told the truth and stated the facts. I am glad I have made my record about it. We have got to straighten up the situation in America or face the inevitable consequences. Let us carry out the platform which the people elected us to do. If there is a mandate to Congress, that is the mandate. We promised them, and they accepted the promise.

Mr. President, I shall take my seat with one further remark. When I first proposed the amendment there was a good deal of discussion about the technical meaning of this or that phrase. I tried to explain that difficulty, but I am not concerned about that. If I have not used just the best words, and any other Senator has better words, I will be delighted to have him suggest them.

Mr. BULKLEY. Mr. President——

The PRESIDING OFFICER (Mr. HATCH in the chair). Does the Senator from North Carolina yield to the Senator from Ohio?

Mr. BAILEY. I will yield in a moment. But I ask Senators in considering my amendment to inquire of themselves whether or not it is not proper and opportune that, in this simple, modest, and restrained way, we should make a gesture to the American people, to States, to cities, to counties, and political subdivisions by indicating that, having gone the limit of our capacity to help them when they were helpless, now that they are on their feet, we do not expect them to reach their hands into a strained Public Treasury until it has been found that they actually are in need of the money.

Mr. President, I shall yield, and then I desire to introduce some documents for the RECORD. I yield first to the Senator from Ohio.

Mr. BULKLEY. Mr. President, I want again to urge upon the Senator the view which I presented a few moments ago of the impracticability of making the amendment apply to projects already under way.

Mr. BAILEY. I thought I made that clear to the Senator. If he wishes to offer an amendment to that effect, I shall accept it.

Mr. BULKLEY. The Senator stated that he thought an examination could be made by Federal authorities in the next 10 days. Since that statement was made I have called the Administration and find there are 50,000 projects going on under local sponsorship today, and they do not even know the number of sponsors, but they believe there must be that many sponsors. It would be totally impossible to stop all this work as to projects which have already been put under way.

Mr. BAILEY. Let us settle that. I stated in answer to the Senator that I was unwilling to suggest that our Government should impair or think of impairing the obligation of its contracts. If the Senator will prepare an amendment, I shall be glad to adopt it.

Mr. BULKLEY. I would suggest striking out the words "paid or expended."

Mr. BAILEY. Oh, no. I would suggest an amendment to my amendment to this effect:

Provided, however, That this proviso shall not relate to any projects now authorized.

I will insert that phraseology as a part of my amendment.

Mr. BULKLEY. I think that will cover it.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BAILEY. Certainly.

Mr. BARKLEY. Even that proviso would work an unfair discrimination against any community which had not been able yet to get under the tent.

Mr. BAILEY. There is the point! [Laughter.] We have been doing this for 5 years. We are going to open the tent wide. That is the perfect argument that proves everything I have said. The whole Federal scheme will be a scheme which will be carried on until the crack of doom, until everybody gets under the tent. I thank the Senator from Kentucky. [Laughter.] I yield now to the Senator from Illinois [Mr. LEWIS], who rose a moment ago.

Mr. LEWIS. Mr. President, I propound the inquiry to the Senator from North Carolina which was suggested to me by a condition in the State which I have the honor to represent in part.

Assume a condition where there are multiple numbers of things in the large State of Illinois and the large city of Chicago. The able Senator includes Illinois among the States he named. Assume, therefore, that there is a real need, that there is poverty and distress, that there is actual necessity for relief. The local community has really no money. It has reached the point where it cannot further tax. The legislature of the State assembles and refuses to adopt the suggestion of its Governor, for reasons to itself satisfactory, and refuses to levy taxes.

Under those circumstances, where there is no tax from the State, no relief from the State, where the necessities of relief are perfectly apparent and clear, what would the able Senator then say should be the sources of relief?

Mr. BAILEY. Why, Mr. President, my amendment provides that if the authority appointed by the President should find there is actual need they would get the money.

Mr. LEWIS. Then the Senator, in his excellent views in behalf of local government, declines to recognize the local government in its expression of what it needs by turning the subject over to the Federal Government, to the Executive power, his appointees and bureaus.

Mr. BAILEY. The amendment speaks for itself. It is possible that I spoke on broader lines than the terms of the amendment, but that was not intended to interpret the amendment. I was speaking generally on the whole question and providing a background for the argument that the time had come to put just a little brake on the program of National Federal expenditure by way of asking that any State or county or city or political subdivision which could carry on a project should have the decency to do so.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BAILEY. Certainly.

Mr. BARKLEY. The Senator alluded facetiously to my metaphor a moment ago in which I used the word "tent." What I had in mind and what I want to answer specifically is this. Does not the Senator know, as we all know, that there are thousands of applications on file with the W. P. A. and with the P. W. A. and all of the emergency agencies where there has been no negligence on the part of the local community in putting forward its application for a project? For lack of funds or for lack of time or for other reasons some of those projects have not been approved and have not been begun. I am speaking of local projects, sponsored by a county or city or district. Without any fault on the part of the local community, without any official passing upon the merits of those as compared with others, they have not been able to begin those projects. The unemployment and relief situation in those communities may be as meritorious in proportion as it was in those where the projects had been begun.

What I had in mind was the fact that the amendment suggested as one he would accept, following the colloquy between him and the Senator from Ohio [Mr. BULKLEY], would put those already begun on a preferred status and bar those which had not been begun, so they would have to comply with all of this detailed certification and investigation, whereas those already begun would not have to meet that requirement. That is what I had in mind and that is what I meant when I referred to the "tent."

Mr. BAILEY. I understand what the Senator meant by everybody getting under the tent. He meant that all those should be allowed to get under the tent who had started.

Mr. BARKLEY. Oh, no; I am not attempting to say only those who had started. There may be others who are just as much ready to start as those who have already started.

Mr. BAILEY. I am not concerned about the tent. I can understand the metaphor all right. I am dealing with principles of government. Grant now that there are counties, cities, and towns that have projects. They have not brought them here and they have not been approved. If they are able to look after them, let them look after themselves. That is what I say. They should not argue that because somebody got some money last year they should have some next year. If we adopt such a principle, we will never get to the bottom of that barrel.

Mr. REYNOLDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to his colleague?

Mr. BAILEY. I yield.

Mr. REYNOLDS. It is my understanding of the amendment suggested to my colleague by the Senator from Ohio [Mr. BULKLEY] that this would not affect any projects which have been authorized, so as a result thereof I assume that would make answer to the inquiry directed by the Senator from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. Mr. President, inasmuch as the Senator is placing this whole question on a matter of principle, I suppose, of course, it is quite a concession that he is willing that the principle shall not be applied to the unfinished part of the projects which have already started, so the principle fades into insignificance.

Mr. BAILEY. Oh, no. I base that on the simple ground that even the best of principles cannot be invoked at once and applied as a rigid rule. We have gone into the business of relief. I would not think of trying to get out of it all at once. I would apply my principle considerately, reasonably, and with a view to the conditions with which we are dealing; but that does not mean that I compromise my principle.

Mr. REYNOLDS. Mr. President, will my colleague yield further?

Mr. BAILEY. I yield.

Mr. REYNOLDS. I should like to make an observation to the effect that my interpretation of the amendment submitted by the Senator from Ohio [Mr. BULKLEY] would not only apply to the projects which have already been started, but that it would likewise embody every project that has been authorized and has not been started. Is that correct, may I ask the Senator from Ohio?

Mr. BULKLEY. Mr. President, I did not offer the amendment, but I think that is correct because there is always the question as to what constitutes starting, and it is not quite clear whether it has been authorized or not.

Mr. BAILEY. Now, Mr. President, I wish to take my seat.

Mr. OVERTON. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER (Mr. MINTON in the chair). Does the Senator from North Carolina yield to the Senator from Louisiana?

Mr. BAILEY. Yes; I yield; but I am bound to sit down.

Mr. OVERTON. I desire some information from the Senator. I ask him what interpretation he places upon his amendment in a situation like the one I am about to state. Of course, the purpose of these appropriations is to relieve unemployment wherever it may exist. The purpose is to relieve distress. It is to provide work for the needy and the destitute.

Suppose that in the case of a community, say, a municipality, that is unable to finance a project, the municipality can readily furnish the certificate of necessity contemplated by the amendment of the Senator, and the best way to relieve unemployment in that community would not be through any locally sponsored project, but would be, we will say, through a State-owned project or a State-controlled project. In that event, am I to understand that if the amendment of the Senator from North Carolina should be adopted the State would have to furnish a certificate of necessity in order to relieve unemployment in that particular community?

To make my illustration more clear, what I have in mind is such a case as that of the Charity Hospital in New Orleans. Suppose New Orleans had no project whatsoever to relieve unemployment in that city which would be at all comparable to such a project as the Charity Hospital, to which I think was allotted some $8,000,000. The hospital is owned by the State of Louisiana. Under this amendment the State of Louisiana would have to furnish the certificate of necessity?

Mr. BAILEY. Yes; I think the State ought to furnish it just as readily as anybody else.

Mr. President, I offer for printing in the RECORD, first, a sheet with the title "W. P. A. Expenditures in 1936", showing expenditures of $16.11 per person in the United States, $28.38 per person in New York, and $4.83 per person in North Carolina. We get only one-fourth of the national average, and one-seventh of the amount New York gets.

Of the total amount expended in the United States, New York received 17.2 percent, and North Carolina eight-tenths of 1 percent.

On the basis of the population estimate of the United States as of 1936, 128,429,000, the population of New York is given as 12,935,000, and the population of North Carolina is given as 3,457,000. That is, we have one-fourth the population of New York, but while New York gets 17 percent of the whole we get only one-seventh as much money. They have three times the per-capita wealth that we have, and three times the annual per-capita income.

The PRESIDING OFFICER. Without objection, the statement referred to by the Senator from North Carolina will be printed in the RECORD.

The statement is as follows:

W. P. A. expenditures in 1936: $16.11 per person in the United States; $28.38 per person in New York; $4.83 per person in North Carolina.

Of total amount expended in United States New York received 0.172 or 17.2 percent; North Carolina received 0.008 or eight-tenths of 1 percent.

Based on population estimate as of 1936: United States 128,429,000; New York, 12,935,000; North Carolina, 3,457,000.

Mr. WAGNER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from New York?

Mr. BAILEY. I yield.

Mr. WAGNER. Does that statement include appropriations for public works?

Mr. BAILEY. This statement deals only with W. P. A. expenditures for last year.

Mr. WAGNER. It does not include relief money?

Mr. BAILEY. No; only W. P. A. expenditures.

Mr. WAGNER. The Senator has not the figures on relief?

Mr. BAILEY. This statement relates only to the W. P. A. I have here a letter from Corrington Gill, the Assistant Administrator of the Works Progress Administration, which I am publishing for the purpose of corroborating my statement that the overhead expenditure of the W. P. A. was $99,000,000.

The truth is, it is $99,994,132. I publish it also to corroborate my statement about the expenditure for travel, $5,495,000, and the expenditure for communication, $2,238,975.

The PRESIDING OFFICER. Without objection, the letter will be printed in the RECORD.

The letter is as follows:

WORKS PROGRESS ADMINISTRATION,
Washington, D. C., January 16, 1937.

Senator J. W. BAILEY,
United States Senate, Washington, D. C.

DEAR SENATOR BAILEY: This will acknowledge your letter to Mr. Hopkins of January 4, in which you request various types of information concerning the Works Progress Administration. The information requested is supplied herewith.

With reference to your question as to what basis is used for the allocation of W. P. A. funds to the respective States, Federal funds are allocated for State Works Progress Administration programs on the basis of the number of persons for whom employment must be provided and variations in labor and other cost from State to State. The number of persons to be employed is determined on the basis of relief and certification records, and additional information obtained by periodic surveys and reviews of the situation by regional and State officials of the W. P. A.

With reference to the amount of administrative expense, from the beginning of the W. P. A. program in the summer of 1935 through December 31, 1936, W. P. A. administrative expenditures totaled $99,994,132. This compares with a total expenditure for all purposes of $2,325,283,492. Administrative expenses thus have amounted to approximately 4.3 percent of the total W. P. A. expenditures. During the calendar year 1936 W. P. A. administrative expenditures averaged 3.6 percent.

With reference to the administrative expenses and monthly allotments which have been made to New York, Pennsylvania, Illinois, Alabama, Oklahoma, Virginia, and North Carolina, there is enclosed a table listing such expenses and allotments.

With reference to the salaries paid to the administrative staff in Washington and in the regional offices, there is enclosed a table giving this information.

With reference to the amount which has been expended for communication and travel, through November 30, 1936, the latest date for which this type of analysis is available, the United States Treasury reports that the W. P. A. had expended a total of $5,495,046.54 for travel and $2,328,975.51 for communication, out of a total of $93,868,835.93 of administrative expenditures. As of the same date total W. P. A. expenditures for all purposes amounted to $2,139,815,918.

Sincerely yours,

CORRINGTON GILL,
Assistant Administrator.

Mr. BAILEY. I also have a table of the expenditures out of funds allocated to the Works Progress Administration from the E. R. A. Acts of 1935 and 1936 in selected States: New York, $357,000,000; Pennsylvania, $221,000,000; Illinois, $140,000,000; Alabama, $20,000,000; Oklahoma, $38,000,000; Virginia, $15,900,000; North Carolina, $16,696,000. This table is offered just to support my statement that three States got 35 percent of the money.

The PRESIDING OFFICER. Without objection, the table referred to by the Senator from North Carolina will be printed in the RECORD.

The table is as follows:

Expenditures out of funds allocated to the Works Progress Administration from the Emergency Relief Administration Acts of 1935 and 1936 [1] in selected States, calendar year 1936

	Total Works Progress Administration expenditures	Works Progress Administration administrative expenditures	Administrative expense as percent of total
New York	$357,096,896.58	$9,036,624.63	2.5
Pennsylvania	221,389,942.38	5,692,797.27	2.6
Illinois	140,658,743.61	3,635,129.58	2.6
Alabama	20,986,503.66	763,705.01	3.6
Oklahoma	38,478,054.57	1,672,484.56	4.3
Virginia	15,965,316.70	821,667.09	5.1
North Carolina	16,696,538.88	1,054,903.82	6.3
Total United States	2,068,630,081.84	74,664,382.76	3.6

[1] On the basis of checks issued by the U. S. Treasury.

Number of Works Progress Administration employees in the Washington office and in the regional offices

[Half month ending Nov. 30, 1936]

Annual salary rate	Washington	Regional
Total	1,734	325
Less than $2,000	1,240	84
$2,000 to $2,999	265	54
$3,000 to $3,999	99	57
$4,000 to $4,999	71	85
$5,000 to $5,999	26	24
$6,000 to $6,999	26	17
$7,000 to $7,999		
$8,000 to $8,999	1	3
$9,000 to $9,999	5	
$10,000 and over	1	1

Mr. BARKLEY. Mr. President, will the Senator yield at that point?

Mr. BAILEY. Yes; I yield.

Mr. BARKLEY. Would the Senator be willing for me to inject at that point the statement that the three States mentioned by the Senator pay four-elevenths of the entire internal-revenue collections of the United States?

Mr. BAILEY. Yes; and when the Senator from Kentucky puts in that statement, let me say that the internal revenue paid by a State is no test on earth of State support of the Federal Government. That assertion could not come from any Senator better than from myself, because North Carolina sends to the Federal Government each year over $300,000,000. Very often I have been tempted to claim that as North Carolina's revenue to the Federal Government, but I know very well that it is not, and I know very well that the revenue collected by New York is not collected from the people of New York. It is collected from persons all over the country. The man who buys liquor, for example, is very apt to pay the internal-revenue tax to a Pennsylvania or a New York distiller. The man who buys tobacco or cigarettes is very likely to pay the internal-revenue tax to the North Carolina collector.

I think the tax bears down upon the tobacco farmers of my State. I think it is too high; but I do not think the State of North Carolina actually contributes $300,000,000 a year to the Federal Government, and nobody is ever going to hear me say that I do think so. I do not think the statement made by the Senator from Kentucky throws any light upon the question, but I am perfectly willing to have him make it for the RECORD. If he thinks North Carolina really pays $300,000,000 a year, then how can he explain the fact that we get back only eighteen or nineteen million dollars? Then the force of my argument is all the greater. In that case the other States are ruining North Carolina, and we are supporting the Union. But I am not contending that. I put North Carolina's tax on the per-capita basis. I said that if we had one-fortieth of the population, we should pay one-fortieth of the tax. I think that is a pretty fair way to do.

I will answer the Senator when I get through with these papers.

Here is a table giving the total expenditures of the Works Progress Administration for all purposes from funds allocated to the Works Progress Administration, by States, from January 1 through December 31, 1936, as per checks issued, as reported by the United States Treasury. That is the basis of a great deal of my argument, and I am going to ask Senators to check up and see what their States received, and then compare the amounts with those received by the other States. I ask to have this table printed in the RECORD.

The PRESIDING OFFICER. Without objection, the table will be printed in the RECORD.

The table is as follows:

WORKS PROGRESS ADMINISTRATION

Total expenditures for all purposes from funds allocated to the Works Progress Administration, by States, Jan. 1 through Dec. 31, 1936

[Checks issued, as reported by the U. S. Treasury]

	Amount of expenditures
Grand total	$2,068,630,081.84
Alabama	20,986,503.66
Arizona	7,905,070.39
Arkansas	17,372,380.78
California	117,115,091.59
Colorado	25,906,777.22
Connecticut	22,205,054.98
Delaware	2,117,274.19
District of Columbia	16,273,619.37
Florida	18,866,615.57
Georgia	22,840,135.06
Idaho	6,829,132.03
Illinois	140,658,743.61
Indiana	57,623,375.68
Iowa	20,436,944.02
Kansas	28,024,256.97
Kentucky	25,572,163.70
Louisiana	24,877,503.68
Maine	7,590,923.32

WORKS PROGRESS ADMINISTRATION—continued

Total expenditures for all purposes from funds allocated to the Works Progress Administration, by States, Jan. 1 through Dec. 31, 1936—Continued

	Amount of expenditures
Maryland	$15,049,722.59
Massachusetts	98,344,789.92
Michigan	71,180,456.79
Minnesota	48,937,143.84
Mississippi	16,271,348.27
Missouri	56,257,270.99
Montana	14,166,951.47
Nebraska	16,784,978.13
Nevada	1,687,333.11
New Hampshire	6,184,582.19
New Jersey	77,808,171.82
New Mexico	8,019,355.12
New York City	260,720,866.05
New York Up-State	96,376,030.53
North Carolina	16,696,538.88
North Dakota	15,032,762.75
Ohio	138,771,392.10
Oklahoma	38,478,054.57
Oregon	14,598,083.89
Pennsylvania	221,389,942.38
Rhode Island	9,878,589.20
South Carolina	14,773,182.33
South Dakota	17,736,790.98
Tennessee	21,697,280.63
Texas	45,713,470.37
Utah	9,498,249.73
Vermont	2,773,835.25
Virginia	15,965,316.70
Washington	27,626,521.84
West Virginia	32,248,680.48
Wisconsin	51,639,660.85
Wyoming	3,866,676.91
Miscellaneous [1]	−745,514.64

[1] Chiefly central textile advance account adjustment.

Mr. BAILEY. I have here a letter of January 19, 1937, from Mr. Emerson Ross, Director of the Division of Research, Statistics, and Records of the Works Progress Administration. I ask that the letter, with the tables accompanying it, be printed in the RECORD.

One table shows employment on Works program projects; and it shows that, notwithstanding the number has been reduced since last January by about 700,000, we are calling for just as much money as ever per month. The letter supports that statement.

Also attached to the letter is a statement showing employment on Works program projects in North Carolina. I am putting in that table for the information of North Carolina constituents.

I also have here a table showing the cumulative expenditures of the Works Progress Administration in the United States and North Carolina by months. I offer that table to show the accuracy of my statement that the $155,000,000 a month we are now calling for is pretty well in line with what we called for all of last year. I will make some distinctions. Last February the amount was $264,000,000; last July it was $163,000,000; last August it was $158,000,000. Now we contemplate running right through the remaining 5 months of this year at the rate of $155,000,000 a month.

I send these papers to the desk and ask to have them inserted in the RECORD.

The PRESIDING OFFICER. Without objection, that order will be made.

The matter referred to is as follows:

WORKS PROGRESS ADMINISTRATION,
Washington, D. C., January 19, 1937.

Hon. JOSIAH W. BAILEY,
United States Senate, Washington, D. C.

MY DEAR MR. BAILEY: Your recent request on the activities of W. P. A. in the United States and in North Carolina last year has been referred to this division for reply.

You will please find enclosed herewith three tables which list the total amount of funds expended in the United States and in the State of North Carolina, by months during 1936, by the Works Progress Administration; employment by months on Works program projects for the United States; employment by months on Works program projects in North Carolina.

We are also enclosing copies of reports on the progress of the Works program dated October 15 and December 15 containing general information which may be of interest.

We trust that this information will satisfy your requirements.

Sincerely yours,

EMERSON ROSS,
Director, Division of Research, Statistics, and Records.

Employment on Works program projects

UNITED STATES

Week ending	Number of persons employed			
	Total Works program	Works Progress Administration	Civilian Conservation Corps	Other agencies
Jan. 25, 1936	3,723,917	2,925,605	486,594	311,718
Feb. 29, 1936	3,850,240	3,035,852	459,461	354,927
Mar. 28, 1936	3,750,840	2,871,637	433,770	445,433
Apr. 25, 1936	3,515,888	2,570,315	391,200	554,373
May 30, 1936	3,373,496	2,339,740	409,200	624,556
June 27, 1936	3,302,193	2,255,898	381,140	665,155
July 25, 1936	3,310,255	2,249,357	403,740	657,168
Aug. 29, 1936	3,399,596	2,376,565	385,600	637,431
Sept. 26, 1936	3,472,349	2,476,740	363,300	632,309
Oct. 31, 1936	3,545,118	2,576,595	405,274	563,339
Nov. 28, 1936	3,362,880	2,477,972	388,770	496,138
Dec. 26, 1936	3,001,456	2,187,944	376,710	436,802

Employment on Works program projects in North Carolina

Week ending—	Number of persons employed			
	Total Works program	Works Progress Administration	Civilian Conservation Corps	All other agencies
Jan. 25, 1936	63,993	45,015	11,177	7,801
Feb. 29, 1936	64,743	44,374	10,442	9,927
Mar. 28, 1936	63,376	40,034	9,839	13,503
Apr. 25, 1936	60,722	36,344	9,710	14,668
May 30, 1936	55,430	31,958	8,971	14,501
June 27, 1936	51,511	27,984	8,515	15,012
July 25, 1936	51,657	29,743	9,251	12,663
Aug. 29, 1936	51,714	30,024	9,389	12,301
Sept. 26, 1936	49,218	29,280	8,816	11,122
Oct. 31, 1936	48,770	29,163	10,486	9,121
Nov. 28, 1936	46,277	28,613	9,350	8,314
Dec. 26, 1936	43,882	28,412	8,928	6,542

Cumulative expenditures of the Works Progress Administration in the United States and North Carolina, by months, December 1935 to December 1936

Date	United States	North Carolina
Through Dec. 31, 1935	$256,653,410	$1,815,302
Jan. 31, 1936	424,573,178	3,171,432
Feb. 28, 1936	588,896,736	4,629,774
Mar. 31, 1936	780,436,429	6,355,349
Apr. 30, 1936	962,996,658	7,901,971
May 31, 1936	1,136,699,047	9,564,110
June 30, 1936	1,3o6,802,580	11,977,042
July 31, 1936	1,468,672,691	12,423,245
Aug. 31, 1936	1,626,094,994	13,553,763
Sept. 30, 1936	1,791,134,003	14,689,117
Oct. 31, 1936	1,972,031,018	16,018,815
Nov. 30, 1936	2,139,815,917	17,220,199
Dec. 31, 1936	2,325,283,492	18,511,841

Source: U. S. Treasury Department, Commissioner of Accounts and Deposits.

Mr. WAGNER. Mr. President, has the Senator finished?

Mr. BAILEY. Yes.

Mr. WAGNER. I wish to ask him several questions.

First, I ask the Senator whether he has also studied the amount of need which existed in each State with reference to W. P. A. expenditures; for that, of course, is the final test as to the just distribution of funds.

Secondly, I ask whether the Senator has studied the record as to the direct relief paid by the Federal Government to the different States, and how it compares with the need requirements of the States.

Third, I ask the Senator whether he has studied the record as to how much money was appropriated to the States for public works during the same period?

Mr. BAILEY. No, Mr. President; I was dealing almost exclusively with the W. P. A.

Mr. WAGNER. The reason why I ask these questions is because last year I know we had a table from one of our colleagues on the other side which at the time I had not had a chance to examine, but upon examination I found it did not give a complete picture. It referred to the distribution of one type of funds, but did not tell us at all what money was spent for public works or what money was spent for direct relief; and if all three had been considered, the table would have presented an entirely different picture. Of course, the final test is not so much what a State pays by way of taxes but rather what is the unemployment situation in the particular State and how much is needed there to relieve that unemployment. That is true, because we are looking upon this as a national obligation, since it has gotten beyond the States; and that is the test we ought to apply in all these cases.

Mr. BAILEY. Mr. President, I am glad to hear the Senator. I was making the point that it was secondarily a national obligation, primarily a State obligation. I also made the point that three American States were getting 35 percent of the relief money, that six were getting 50 percent. It is inconceivable to me that the unemployment problem is so related to the whole population that we could dispose of it to the extent of 35 percent by handling three States, or dispose of half of it by handling six.

The Senator asks me if I have studied the situation. I will answer plainly that I have not studied it beyond the current literature and information on the subject. I have no means of going into it; and that is just my argument. If the local responsibility may be put on the localities, it will be studied locally and in detail, but the man does not live who can study it as a whole. That is my point.

Mr. WAGNER. The point I tried to convey was that the records all exist in the different departments of the Federal Government, that these were matters of report, and the facts can be easily ascertained. I was wondering whether an examination had been made so as to determine what contributions were made to the States for relief, for instance. I do not know what the facts are. I suppose that New York gave a very much larger percentage of direct relief to its citizens, and therefore exacted less from the Federal Government, and received a larger sum for W. P. A. One may balance the other.

I do believe that the moneys have been honestly handled and have been fairly distributed, and if there is a disparity it is because the need existed more in one community than in another. I think that if we could have specific cases of absolute squandering of money in one community as against another when the need did not really exist we would have something upon which a complaint could be based.

I say this in justice not to my State alone, but in justice to all of the States, because in my activities during my membership in the Senate I have never uttered a provincial word, I believe, and always have had the Nation as a whole in mind in whatever humble contribution I have made in the way of relieving the distress of the unfortunate.

Mr. BAILEY. I am glad, Mr. President, to bear witness to the truth of the statement the Senator has made. Perhaps I have at times uttered provincial words.

Mr. WAGNER. I did not say the Senator had.

Mr. BAILEY. I know the Senator would be incapable of suggesting that I had. I will make my own confession. Perhaps I have. I would not be ashamed to speak for the right of my State. If that is provincial, then I am guilty. I would not be ashamed to speak of the obligation and the duty of my State; if that is provincial, I am guilty. I owe my election to the people of North Carolina. I owe my duty to my country. But in the discharge of that duty it becomes me to consider the interests and the point of view of the

sovereign commonwealth which sent me here. I would not say that that was provincial. That may disclose a difference in conception. But I am a Senator of the United States from the State of North Carolina. I came from the people of North Carolina. To them I shall return, and to them I am accountable. They ask me to see the national scene and serve the national interest. But they also require me, in the execution of that national interest, to see that they are fairly treated, and that is my dearest duty.

Mr. President, I have here a letter from Mr. Ernest G. Draper, of the Bureau of Economic Research, containing statements as to relative income, and also a statement as to the assessed valuation of taxable property and volume of business for specific industries in New York State and New York City. I shall ask to have that printed at the conclusion of my remarks.

Mr. President, with this I am done. I should like to say, since the Senator from New York did not hear me, that the W. P. A. system requires the sponsors of the projects in New York State to put up 6 percent, and it requires the sponsors of projects in North Carolina to put up 20 percent. It allows a wage in New York City of $65 a month, and it allows a wage in North Carolina of $27 a month.

I cannot consent that that is just or that it is fair; but I am not complaining of the Senator, and I am not complaining of New York. I am complaining of the system.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. WALSH. I am sorry I have not had the opportunity of hearing all of the able speech of the Senator from North Carolina. I should like to inquire whether he is of the opinion that the Federal Government should abandon its efforts to administer relief in the several States?

Mr. BAILEY. Oh, no, Mr. President; I have never entertained such a thought or intimated such a thing.

Mr. WALSH. I have not finished my question.

Mr. BAILEY. Very well; I would like to stop it on the threshold.

Mr. WALSH. And would the Senator want the Federal Government to confine itself to appropriating and paying certain sums of money with the understanding that the States would contribute a certain percentage of the total cost and that all the administration should be handled by the several States?

Mr. BAILEY. Mr. President, at the outset of my speech I referred to the fact that the Democratic House of Representatives, and the Democrats at the time in control of the Senate, as I recall, notwithstanding they did not have an actual majority, in the summer of 1932 did set up the plan of Federal contributions and loans to the States. The Senator from New York [Mr. WAGNER] says to me aside that that was through one of his bills, and I am glad to have that in the RECORD.

I merely desire to say on that point that I am not asking for any sudden shutting off of relief. I know we could not do that. I think I would fight as hard a battle as would any Senator to prevent a thing like that happening. I know there are millions of people now dependent on what we do. I am going to vote for the pending bill; I shall vote for it without my amendment. The bill is a public necessity. I am undertaking here to put into the bill the principle of action which I think will tend to set us right and restore us to a sound policy. That is my whole argument. I welcome an opportunity to make it perfectly plain that that is what I have in mind.

I ask that the tables and letters which I have sent to the desk be printed as a part of my remarks.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF COMMERCE,
Washington, January 22, 1937.

Hon. JOSIAH W. BAILEY,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In response to your letter of January 13, the Bureau of Foreign and Domestic Commerce has compiled the available data in answer to your questions concerning the tax valuation of real and personal property, the volume of business, per-capita income and per-capita wealth in New York city and New York State, and the per-capita income and wealth in North Carolina. Recent official data are not available with respect to all of these matters; in fact, such reliable data compiled by unofficial sources cannot be found in all cases. While the private data which we are sending are the best that are available, by their nature they cannot be accurate and, in fact, we put no great confidence in most of those relating to wealth and income.

You will note that there has been no estimate of national wealth by the Bureau of the Census since 1922, due to curtailment of appropriations for that purpose. The Bureau of Foreign and Domestic Commerce has recently published estimates of the national income for 1929 to 1935, inclusive, and while these have been shown separately by industries, and also by economic classes, it has not been possible to date to show geographical or individual distribution of such income. A copy of this report on national income is being sent under separate cover.

The Division of Economic Research, of the Bureau of Foreign and Domestic Commerce, is beginning studies to determine the geographical distribution of income, but this will require some time. It has plans also for making an estimate of the national wealth, but this investigation has been held in abeyance on account of lack of funds. It is hoped, however, that Congress will provide additional funds to carry forward the income, wealth, and other studies during the present session. The Bureau of the Budget has approved part of our request for such purposes.

If we can be of further service to you at any time, please feel free to call upon us.

Yours sincerely,

ERNEST G. DRAPER,
Assistant Secretary of Commerce.

Accountable realized income—Unofficial estimates

[State data are available for 1929 and 1933 only]

	Amount (millions of dollars)		Per capita (dollars)	
	1929	1933	1929	1933[1]
United States	80,162	44,673	660	355
New York	13,343	7,700	1,074	602
North Carolina	975	682	312	205

[1] Computed by Bureau of Foreign and Domestic Commerce, using revised population estimates of the Bureau of the Census.

Source: National Income and Its Elements, published by the National Industrial Conference Board, 247 Park Ave., New York, N. Y.

National wealth—Unofficial[1] estimates

[There has been no official estimate of national wealth since 1922]

	Amount (millions of dollars)			Per capita (dollars)		
	1929			1929		
	W. R. Ingalls	National Industrial Conference Board	1932, Robert R. Doane	W. R. Ingalls	National Industrial Conference Board	1932, Robert R. Doane[1]
United States[2]	450,108	361,837	295,725	3,703	2,977	2,366
Excluding amounts not distributed by States	443,437	355,029	290,616	3,649	2,921	2,325
New York	50,844	40,708	39,606	4,091	3,276	3,108
North Carolina	6,780	5,429	3,685	2,169	1,737	1,122

[1] Per capita computed by Bureau of Foreign and Domestic Commerce, using revised Census estimates of population.

[2] Total includes value of ships belonging to the United States Navy, and gold and silver, coin and bullion, not distributed by States, as follows: 1929, Ingalls' estimate, $6,671,000,000, National Industrial Conference Board's estimate, $6,808,000,000; 1932, $5,109,000,000.

Reservations in the accompanying letter of January 22, 1937, should be considered in connection with these data.

Prepared by Division of Economic Research, Bureau of Foreign and Domestic Commerce, Department of Commerce, January 21, 1937.

Assessed valuation of taxable property and volume of business for specified industries, New York State and New York City

[All figures in thousands of dollars. For most industries data are not collected annually; where blanks occur, data are not available]

	New York State				New York City			
	1932	1933	1934	1935	1932	1933	1934	1935
Assessed valuation of taxable property:								
Real property	28,052,007	26,337,519	25,687,000	25,666,624	18,457,005	[1] 17,149,237	[1] 16,649,771	[1] 16,678,766
Personal property [2]	334,924				319,060			
Volume of business:								
Estimated gross income from farm production [3]	223,470	251,562	269,579	306,823				
Value of mineral production	50,176	42,940	54,626	(4)				
Value of fishery products	2,333	2,453		(4)				
Value of manufactured products		4,596,258		[5] 6,022,173		2,860,673		[5] 3,659,495
Motion pictures, not including projection in theaters, cost of production		15,327		16,116		[6] 15,327		16,116
Wholesale sales		[7] 7,856,469		[5] 10,517,203		[7] 6,970,720		[5] 9,279,166
Retail sales		3,739,992		4,749,708		2,245,801		2,847,332
Power laundries, receipts for work done		58,595		62,324		43,731		[5] 43,335
Cleaning and dyeing establishments, receipts for work done		11,612		13,618		6,846		[5] 6,575
Rug cleaning establishments, receipts for work done		1,754		2,535				
Service establishments, receipts		[5] 426,671		458,474		[6] 351,798		371,227
Amusement establishments, receipts		109,148		(4)		80,725		(4)
Hotel receipts		91,074		(4)		64,765		(4)
Construction contracts awarded	214,184	209,680	225,572	304,035	83,620	91,951	122,296	192,977
Broadcast stations, net revenue from sale of time				5,546				3,105
Central electric light and power stations, revenue from electric service	285,089							
Electric railways, operating revenues	169,840							
Motorbus lines operated by electric railways, operating revenues	13,910							
Life insurance written: [8]								
Ordinary	1,942,763	1,570,421	1,759,472	1,843,222				
Industrial	770,158	726,263	725,746	683,490				

[1] Including special franchises.
[2] No general property tax on personal property for 1933 to 1935.
[3] Figures exclude rental and benefit payments as follows: 1933, $75,000; 1934, $423,000; 1935, $200,000.
[4] Data not yet available.
[5] Preliminary.
[6] Includes one establishment outside of the city limits.
[7] Revised for comparison with 1935 data.
[8] Owing to changes in the classification of service industries, figures are not comparable with those for 1935.
[9] Insurance written in the State of New York by New York companies and companies of other States.

Sources: Assessed valuation of taxable property, report of the State Tax Commission, State of New York; farm income, Department of Agriculture; mineral production, Bureau of Mines; fishery products, Bureau of Fisheries; construction contracts awarded, F. W. Dodge Corporation; life insurance sales, Insurance Yearbook of the Spectator Co.; all other data, Bureau of the Census.

Reservations in the accompanying letter of Jan. 22, 1937, concerning unofficial data should be considered in connection with these statistics.

Prepared by Division of Economic Research, Bureau of Foreign and Domestic Commerce, Department of Commerce, Jan. 21, 1937.

Mr. VANDENBERG. Mr. President, very briefly I desire to present my compliments to the able Senator from North Carolina [Mr. BAILEY], and to congratulate him upon the courage and the candor and the irresistible conclusions which are inherent in his address this afternoon. While the amendment which he has offered, to my way of thinking, is probably ill-timed, because we are in midseason in respect to our relief program, and therefore we are not essentially free agents in respect to the choice of a system, yet it is wise to face the challenge in prospect. To me the challenge of his speech is a challenge to us that the system soon must be changed. That challenge, rather than finding an expression, in an effort to amend this particular appropriation measure, finds its expression in a challenge not only to the President in respect to his relief recommendations a few months hence, but equally to the Congress in respect to the responsibility of the legislature itself. It is a challenge to develop an alternative relief system which shall do justice to legitimate relief needs while also preserving the public credit.

I think it is perfectly obvious that the existing system leads straight to tragedy, and ultimately to ruin, and it seems to me that the responsibility upon the Congress to start now its study and consideration of an alternative improved plan is perfectly obvious.

Mr. President, nothing I have to say relates in any degree to emergency, life, and death necessities of relief, which, of course, Congress must meet regardless of the consideration of cost. The observation I make relates to the basic and semipermanent form of relief upon which the Government is embarked.

The able Senator from Nebraska [Mr. NORRIS] made a moving speech yesterday in describing the plight of the agriculturalist who is in need of relief as an emergency matter. The able Senator from Washington [Mr. BONE] described the emergency need of those who find themselves, because of last year's vicissitudes, stranded in his part of the Nation. The Senator from Kentucky [Mr. BARKLEY] made an impressive address respecting the emergency needs of those in the flooded areas.

Mr. President, the greater these emergency needs and the more clearly the responsibility upon us to accept and meet these emergency needs, by the same token the greater the responsibility is upon us to clear away any unnecessary expenditures so that there can be a public credit upon which the victims of disaster can dependably rely.

Who has the greatest interest in America in the preservation of the public credit? It is not the financier, it is not the man of means. They may meet unexpected situations without help from anyone. But those who are dependent on the Government alone for something to eat and something to wear and a roof over their heads, those for whom only the public credit stands against the hour of distress, have the greatest stake of all in the preservation of the public credit. So when one pleads for the preservation of the public credit, he is not pleading property advantage or special privilege; he is pleading for the maintenance of a system under which America can continue to meet its legitimate and essential emergency requirements.

Is that going to be possible much longer, Mr. President, under the existing system? I submit that the Senator from North Carolina [Mr. BAILEY] has made it perfectly plain that it cannot continue. I submit that our common knowledge sustains him. I shall not duplicate his calculations, but I shall present one brief calculation of my own bearing to the same net result.

Mr. President, the annual total relief and recovery appropriation for 1937, including the amount we are asked to appropriate today, is only $800,000,000 less than the total appropriation in 1934 when it reached its peak of nearly $4,000,000,000. As the Senator from North Carolina has said, the American status, the index of American life, has immeasurably improved, thank Heaven, since 1934. In many of our cities employment is practically back to normal. Is relief back to normal? I should say not. Despite all the recovery that has occurred, despite all the reemployment that has been brought about—and we are all happy to acknowledge that the employment index today is substantially greater than it has been for 6 years—the regular relief appropriation, excluding what is to be spent for flood sufferers

and the like, is only $800,000,000 smaller than the peak. That can only mean that our relief expenditures are being standardized at a dangerous level.

Mr. President, if the relief expenditure for this fiscal year is still well over $3,000,000,000, and is only $800,000,000 below the peak, in spite of the vast reemployment that has occurred, how is it humanly possible under the system we are following for the President to reach his contemplated purpose of spending only one and a half billion dollars for relief next year? It is perfectly obvious that he cannot do so. It is perfectly obvious that except as the system changes—if it can change—the President cannot hope to bring his relief expenditures within one and a half billion dollars next year, as he hopes and contemplates. Therefore, he cannot balance the Federal Budget.

Mr. BONE. Mr. President, will the Senator yield to me for a question?

Mr. VANDENBERG. I yield.

Mr. BONE. I think the Senator from Michigan is one of the most brilliant and able critics of the administration. The Senator has a fine mind. I have listened for a long time to his criticism of relief expenditures. I have frequently found myself wondering why the Senator and his Republican brethren, in indicting the operations of the Relief Administration, do not now propose or have not proposed over the years some standard by which relief shall be given to the individual because, after all, it is the sum total of individual payments that makes up the large sum which the Senator criticizes. If the Republican Party now, through one of its ablest spokesmen, is to indict the whole system of relief in this country, it seems to me certainly there is enough intelligence in the Republican Party to formulate some standard by which the payment of relief funds to individuals may be gaged.

Perhaps I am not treating the Senator fairly and am making some unfair suggestions, but I am wondering if the Republican Party has the nerve to do that. It is one thing to be a critic, but it is another thing to make a constructive suggestion as to how relief money shall go to the little fellows. Now, I know the Senator——

Mr. VANDENBERG. Has the Senator from Washington about finished his question, or is he now proceeding to ask another one?

Mr. BONE. I admit that I am transgressing the rules, but if the Senator will be patient——

Mr. VANDENBERG. I am not very patient with the injection of politics into this debate, because I had not the remotest thought of any such thing.

Mr. BONE. Ah, but this is not politics. The Senator is indicting a system without offering anything in exchange for it except to criticize.

Mr. VANDENBERG. I cannot possibly offer anything in exchange unless the Senator will let me have the floor long enough to do so.

Mr. BONE. If the Senator will do that, I shall be very happy.

Mr. VANDENBERG. Mr. President, as I was saying when I was interrupted by my able friend from Washington—whom I thank for his compliment, at least [laughter]—I do not believe it is possible for the existing system to continue and to bring the relief expenditure next year within gunshot of the President's estimate. I rose primarily to applaud the President's purpose. In spite of the observations to the contrary of the other side, and some rather invidious smiles in addition to the comment, I rose to applaud the President's purpose, as reported in the New York Herald Tribune this morning, to put this whole system under immediate examination and scrutiny. For what purpose? To make three major decisions:

The first: To determine what parts of the unemployed population should be accepted as a Federal responsibility. The second question: What kind of relief should be given? The third question: How should cost be distributed among the Federal, State, and local governments?

I rose to say that when the Executive addresses himself to those questions he is addressing himself to the fundamentals that are wrapped up in this problem, and that Congress itself ought to address itself to those problems and quit shadow-boxing with a potentially menacing system.

The Senator from North Carolina [Mr. BAILEY] has undertaken to address himself to those problems this afternoon, and I have undertaken merely to say that I think he has approached them through the right avenue.

The Senator from Washington [Mr. BONE] wants to know why no alternative is proposed. An alternative was proposed 1 year ago by way of restoration of State responsibility and State decision. That alternative was rejected. I introduced the bill, and those who ask me to be specific in my recommendations are answered by that bill. I have no doubt in the world that before we are through with the relief problem we shall unitedly agree that there is no escape from the unfortunate and the unhappy phases of the relief problem except to restore home rule and home responsibility and home decision and home obligations, and the policing of relief through the power of home neighborhood opinion. I think sooner or later we are going unitedly to find it inescapable that we arrive at that goal, plus, of course, Federal grants-in-aid on whatever basis common judgment agrees the necessity requires.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. CONNALLY. The Senator from Texas rises to ask the Senator from Michigan a question. The Senator keeps stressing local responsibility and local administration. Does the Senator favor remitting the whole problem to the local authorities?

Mr. VANDENBERG. No, indeed. My general theory, Mr. President, is that there should be an unemployment census which would produce real, definite, yardstick information respecting the necessities up and down this country; that on the basis of that sort of authentic disclosure the Federal grants-in-aid should be made to the States on a subsistence basis equal to the necessity as disclosed by the census, leaving it then to the States to administer on whatever basis they may deem wise, and giving them the responsibility for doing so, and to require their own funds to meet any additional burdens which State and local decisions may approve.

Mr. CONNALLY. The Senator, then, would favor the Federal Government turning this money over to the States?

Mr. VANDENBERG. That is correct.

Mr. CONNALLY. And let them administer it in any way they desire?

Mr. VANDENBERG. That is correct.

Mr. CONNALLY. What becomes of our responsibility, then, as Federal officers in not having some control of the way in which the money should be spent?

Mr. VANDENBERG. If the Senator means no control to the extent that no criteria are set up in the legislation, of course that is not what I meant. I would provide the criteria. But I mean that the primary responsibility for decision and the primary responsibility for administration must be localized, because it just cannot continue to be centralized. Perhaps there are many arguments against localizing; but my feeling is that there are so many more arguments against centralizing it that the balance inevitably ultimately falls in favor of localized responsibility.

Mr. CONNALLY. Localized responsibility is all right so long as the localized responsibility is spending local money, but when it comes to turning over Federal money to a local authority, money which the local community itself does not raise, the strands of responsibility become very tenuous and somewhat worn.

Mr. VANDENBERG. Except as it is done in cooperation. I entirely agree with the Senator, and I said I intended that there should be cooperation.

Mr. CONNALLY. The Senator makes a moving speech about local responsibility and local contribution, and then comes along and destroys it all by saying that it should be done with Federal aid and with Federal money. If the Federal Government is going to spend the money, the

Federal Government must retain some degree of control over the funds, because anyone can spend other people's money.

Mr. VANDENBERG. Mr. President, if the Federal Government were to measure the subsistence minimum necessary to keep people in this country from starving, and from going unclothed, and from going unsheltered, and then were to distribute such sum of money to the various States on the basis of unemployment census revelations, having thus discharged its responsibility to see that there is no basic want or distress in this country, I submit that when a State received its share of the distribution, that distribution would be under an intimate home discipline of public opinion which is the most fruitful sort of discipline by way of obtaining advisable and essential and legitimate net results.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. BLACK. I understood the Senator to say that he now favors local responsibility and Federal grants-in-aid.

Mr. VANDENBERG. That is correct.

Mr. BLACK. May I ask if this is the language in which he favors it:

> 1. The return of responsibility for relief administration to nonpolitical local agencies familiar with community problems.
> 2. Federal grants-in-aid to the States and Territories while the need exists upon compliance with these conditions: (a) A fair proportion of the total relief burden to be provided from the revenues of State and local governments; (b) all engaged in relief administration to be selected on the basis of merit and fitness.

May I ask if that is not what the Senator favored during the campaign last year, and if that is not the platform of the Republican Party, a platform promulgated in an election in which the Republican Party received the electoral votes of only two States?

Mr. VANDENBERG. It may have been the platform, but if it is, I have not the slightest interest in the world in it at the moment. I am trying to lay before the Senate simply the contemplation that we do probably confront a problem; I do not know what the answer is in detail. I think I do know the general principle which must be pursued.

Mr. BLACK. Will the Senator yield again?

Mr. VANDENBERG. Not at the moment; I will yield later. I do not know the answer in detail. I have not risen pretending to know the answer in detail. I have risen to say that I recognize a problem when I see it, and that the problem is at the bar of the Senate and the House as well as knocking at the White House door, and that when the President of the United States is prepared to concede that it is necessary to inquire into the whole situation, as he has, I think, the Congress should equally arm itself with an inquiry to determine what is the best answer by way of detail.

Mr. BLACK. Mr. President, now will the Senator yield?

Mr. VANDENBERG. Yes.

Mr. BLACK. As I understand, the Senator is favoring the amendment offered by the Senator from North Carolina?

Mr. VANDENBERG. On the contrary, I said I did not think it was possible at this time to change the system at all. We are not free agents in voting at the moment for this appropriation. I shall vote for the appropriation. I shall not vote for amendments at the present time. I am not free to vote for amendments, because the responsibility for administering the system has been transferred by the Congress to the President. He must have the funds and the instrumentalities necessary to administer it. All I am saying is that when we come to the time, a few months hence, when we have a chance again as free agents to pass upon the kind of system under which relief shall be administered, I hope we shall not come to it quite as devoid of effectual preparatory information as we have heretofore, but, on the contrary, that we shall approach it with some degree of conclusive study on the part of Congress as to what the correct answer ought to be.

Mr. BLACK. Mr. President——

Mr. VANDENBERG. I yield to the Senator.

Mr. BLACK. The Senator is familiar with the fact that his party favored that exact method in its platform?

Mr. VANDENBERG. Mr. President, I decline to discuss this problem on the basis of parties, and I think I ought to be entitled to discuss it not on the basis of parties.

Mr. BLACK. I understand that the Senator very greatly regrets that he ever mentioned anything that had, directly, indirectly, or remotely, a political basis.

Mr. VANDENBERG. No; I will be very happy to talk politics with the Senator at any time——

Mr. BLACK. But the Senator——

Mr. VANDENBERG. I have the floor. I will be very glad to talk politics with the Senator any time politics ought to be talked.

Mr. BLACK. Will the Senator yield?

Mr. VANDENBERG. Not at present.

The PRESIDING OFFICER. The Senator from Michigan declines to yield further.

Mr. VANDENBERG. When America confronts the type of situation which the Senator from North Carolina has described, when we confront the probability that next year's relief appropriations have got to continue to be in the $3,000,000,000 class unless we change the system under which appropriations are made, and when it follows from that fact that a continuingly unbalanced Budget will continue to flood this country with debt-backed paper money, which, in turn, means that we are proceeding squarely into an inflationary movement that can crucify the people of this country worse than any natural disaster ever did, I think I am entitled to present the subject not on the basis of any political consideration whatever but on the basis of what I believe to be the unescapable challenge of the hour.

Mr. BLACK. Mr. President, will the Senator now yield?

Mr. SCHWELLENBACH. Mr. President——

Mr. BLACK. Mr. President, will the Senator yield?

Mr. VANDENBERG. I will yield to either of the Senators. Let them shake the dice for the opportunity, if they desire.

Mr. BLACK. I am afraid the Senator would consider that to be political.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield to a very friendly inquiry?

Mr. VANDENBERG. I am sure the Senator from Alabama is entirely friendly; I cannot let that intimation pass.

Mr. SCHWELLENBACH. I should like to ask the Senator if it is not correct that, in view of the remarks he has made, the conclusion he would have us reach is that this body should adopt the resolution submitted by the senior Senator from New Mexico [Mr. HATCH], which is now before the Committee to Audit and Control the Contingent Expenses of the Senate, calling for the appointment of a committee of this body to investigate completely the question of unemployment, the causes therefor, and the methods of solution?

Mr. VANDENBERG. I would cordially concur, and I should hope, Mr. President, that by the time we reach the moment when we must decide upon the system which is to be operated next year we may have the authentic and dependable development of information which will at least give us an opportunity to choose the method on the basis of whether or not an earnest, effective effort to pay as we go may be made.

I happen to have the conviction that it is entirely possible for us to be more liberal to the legitimate victims of distress at less expense in net result if we abandon the duplicating, wasteful, often experimental, concentrated Federal control over relief and return to the basis of State authority. I think that if we could eliminate the element of experimentalism, which has been personified in the debates of the last 3 days—and everyone knows what I am talking about—if we would eliminate the element of duplication of management which is inevitable so long as the paralleling systems exist, if we would eliminate waste, if we would eliminate exploitation, if we would eliminate the elements that have no bearing whatsoever on the money or the relief that finally reaches the poor victim of disaster, I have the conviction that we would be infinitely further along toward that point to which we must soon come, as the Senator from

North Carolina has clearly demonstrated—the point where we cease to run a permanent national deficit which we pay off with bond-backed money, which inevitably accumulates itself in dangerous reserves, which, in turn, threaten an inflation that would be worse than any flood that ever heretofore has engulfed this country.

Mr. WAGNER. Mr. President——

Mr. VANDENBERG. I yield to the Senator from New York.

Mr. WAGNER. I am sure, knowing the Senator from Michigan as I do, that he would not want to make an assertion here unless he could support it with facts and evidence. But the Senator has just stated that under the present method of distribution for the relief of distress there is widespread waste and exploitation. We heard these matters discussed so frequently during the campaign that surely both the Senator and I have tired of them, but I think he ought to substantiate the serious charges he now makes by presenting facts as to exploitation and waste in his own State and in other States. The Senator will remember that Mr. Knox in his campaign speeches—the Senator from Michigan reminded me of those speeches when he was predicting the dire results that are coming within a year or so if our present policies shall be pursued—Mr. Knox predicted that the moment Mr. Roosevelt should be elected the country would collapse. The Senator from Michigan has generously put off the collapse for a year or two, but we have no evidence and no facts before us. I will support the Senator in changing the system if the charges of exploitation and waste, which he so eloquently made a moment ago, are well-founded.

Mr. VANDENBERG. Does the Senator quarrel with the President of the United States for asking his advisers to answer the three fundamental questions which I read regarding the existing situation?

Mr. WAGNER. No; I say inquiry should be made.

Mr. VANDENBERG. Exactly; and that is all I am asking.

Mr. WAGNER. But the Senator has stated here that there has been waste——

Mr. VANDENBERG. Of course there has been.

Mr. WAGNER. And that there has been widespread exploitation.

Mr. VANDENBERG. Everybody who has two eyes knows there has been.

Mr. WAGNER. Such assertions were made by the Senator and his party throughout the last campaign. I listened with attention to the addresses made, but not in one instance was there given a specific case of such waste and exploitation. The people know more than some of us think they do about what is going on in this country; they know how the distribution of relief funds has been made in their localities; and therefore the only result of the appeal of the Senator and his party was that the President was overwhelmingly reelected, because the people set aside or disregarded these generalities which had no basis of fact.

Mr. VANDENBERG. So what?

Mr. WAGNER. So sit down. [Laughter.]

Mr. VANDENBERG. I am glad the Senator is going to follow his own advice. [Laughter.] I suppose he is entitled to feel when he has illuminated a subject that the debate is over and that when he has pontificated there is nothing further to be said. I have such a high regard for him that I can almost understand why he would have that opinion of his own conclusions. But, Mr. President, the fact still remains that although there was a campaign, which I have no interest in the world in recalling [laughter], there remains something that transcends campaigns, and there ought to remain an opportunity for a Senator of the United States, regardless of his party, to rise to his feet when he is filled with the conviction that, as the Senator from North Carolina himself has demonstrated today, there is a problem knocking at the door of the American conscience and knocking at the door of the responsibility and judgment and obligation of the Congress of the United States. As the able junior Senator from Washington has indicated, if there is a committee which can bring here the type of sustained information for which the Senator from New York asks—and that is what we ought to have, sustained information—let us, by all means, have it not only mobilized but let us have some conclusive recommendations that will offer some relief for the difficult problem that we confront. That is all I rose to say.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield the floor.

Mr. BARKLEY. I wish to ask the Senator a question.

Mr. VANDENBERG. Yes, indeed.

Mr. BARKLEY. Regardless of the merits of the resolution referred to by the Senator from Washington and approved by the Senator from Michigan, with which I am in sympathy, does the Senator think there can be any accurate information as to the number and location of unemployed persons in the United States obtained by any congressional committee or by any other means except it be obtained where the unemployment actually exists?

Mr. VANDENBERG. I urge the necessity of a complete census, and I think it ought to be taken in such manner that it shall be constantly kept up to date.

Mr. BONE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the amendments which were debated yesterday proposing to increase the amount of relief funds to be appropriated in the pending bill.

There being no objection, the amendments were ordered to be printed in the RECORD, as follows:

Amendments intended to be proposed by Mr. WHEELER, Mr. BULOW, Mr. LOGAN, Mr. BONE, Mr. POPE, Mr. MURRAY, Mr. SCHWELLENBACH, Mr. LUNDEEN, Mr. SCHWARTZ, Mr. HITCHCOCK, Mr. FRAZIER, Mr. NYE, and Mr. LA FOLLETTE to the bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes, viz:

On page 5, line 6, after "thereof", insert the following: "and to provide for the relief of flood sufferers."

On page 5, line 6, strike out "$790,000,000" and insert in lieu thereof "$1,200,000,000."

Mr. HATCH. Mr. President, reference has been made to a resolution introduced by me at the present session of the Congress seeking the appointment of a special committee to study and survey the entire problem of unemployment and all the issues connected therewith. I think the Senator from Michigan [Mr. VANDENBERG] and the Senator from Kentucky [Mr. BARKLEY] will have opportunity to vote for that resolution. It is now pending before the Committee to Audit and Control the Contingent Expenses of the Senate, having been reported today, I believe, from the Committee on Education and Labor and then referred to the other committee.

However, if for any reason that privilege is denied to those Senators who have so favorably expressed themselves today, the Senator from Montana [Mr. MURRAY] and I propose, before the day is over, to introduce a joint resolution calling for the appointment of an unemployment and relief commission. It is the purpose of some of us at least that the entire subject of unemployment and relief shall be thoroughly studied by the Congress of the United States in the hope that the Congress itself will lay down its own policies and its own plan for dealing with this most tragic and perplexing problem.

Mr. AUSTIN. Mr. President, I hope the amendment proposed by the Senator from North Carolina [Mr. BAILEY] may be agreed to by the Senate. I am firmly persuaded that it presents a nonpartisan issue notwithstanding the very interesting debate which has just preceded my rising.

I think if credit could be taken by the Republican Party for the amendment it would benefit the party politically. So far as I am concerned, as a member of that party, I should like very much to claim here that the amendment embodies Republican doctrine and to see it carried through by what I regard as one of the finest bodies of men in the world.

However, I can hardly claim for it that merit. On the contrary, a study of the platforms of the two major political parties, I believe, will persuade any fair-minded man that

the amendment involves a nonpartisan matter. Really the broad general objective back of the introduction of the amendment, as stated by the learned Senator from North Carolina, ought to establish that fact beyond peradventure; but, in order to refresh our memories, I am going to take time to invite attention to both platforms in the year 1936 covering the subject matter, because I think that in principle the amendment carries out the purpose of both platforms.

The Republican platform and its plank on relief has already been referred to by the Senator from Alabama [Mr. BLACK], but I read it again:

The necessities of life must be provided for the needy, and hope must be restored pending recovery. The administration of relief is a major failure of the New Deal. It has been faithless to those who most deserve our sympathy. To end confusion, partisanship, waste, and incompetence, we pledge—

1. The return of responsibility for relief administration to nonpolitical local agencies familiar with community problems.

2. Federal grants-in-aid to the States and Territories while the need exists upon compliance with these conditions: (a) A fair proportion of the total relief burden to be provided from the revenues of State and local governments; (b) all engaged in relief administration to be selected on the basis of merit and fitness; (c) adequate provision to be made for the encouragement of those persons who are trying to become self-supporting.

3. Undertaking of Federal public works only on their merits and separate from the administration of relief.

4. A prompt determination of the facts concerning relief and unemployment.

Turning now to the plank of the Democratic platform of the same year, I read:

UNEMPLOYMENT

We believe that unemployment is a national problem and that it is an inescapable obligation of our Government to meet it in a national way. Due to our stimulation of private business, more than 5,000,000 people have been reemployed, and we shall continue to maintain that the first objective of a program of economic security is maximum employment in private industry at adequate wages. Where business fails to supply such employment, we believe that work at prevailing wages should be provided in cooperation with State and local governments on useful public projects, to the end that the national wealth may be increased, the skill and energy of the worker may be utilized, his morale maintained, and the unemployed assured the opportunity to earn the necessities of life.

Turning back to the platforms of 1932 to ascertain the attitude of the two parties at that time, I find that the nearest reference in the Democratic platform to unemployment is this:

We advocate * * * the removal of Government from all fields of private enterprise except where necessary to develop public works and natural resources in the common interest.

The Republican Party declared, on the subject of unemployment and relief, as follows:

True to American traditions and principles of government the administration has regarded the relief problem as one of State and local responsibility. The work of local agencies, public and private, have been coordinated and enlarged on a Nation-wide scale under the leadership of the President. Sudden and unforeseen emergencies such as the drought have been met by the Red Cross and the Government. The United States Public Health Service has been of inestimable benefit to stricken areas.

There has been magnificent response and action to relieve distress by citizens, organizations, and agencies, public and private, throughout the country.

To provide against the possible failure of local and State agencies, the President has urged the Congress to create an emergency relief fund to be loaned temporarily to any State on a showing of actual need and temporary failure of its financial resources.

The Republican Party indorses this record and policy and is opposed to the Federal Government entering directly into the field of private charity and direct relief to the individual.

A significant thing about this matter is that the plank of the platform which I have last read was adopted by a great concourse of people in a Republican convention on June 14, 1932; and the relief measure which has been referred to here as a Democratic measure, and which I believe is known as the Wagner Act—the act for the relief of destitution—became a law on July 21, 1932, a little more than 30 days after that declaration by the Republican Party.

The upshot of it all is, and the only use I make of these platform expressions is to indicate that this amendment is in line with the declarations and actions of both great parties, both being responsible for what they said and for what they did. So it seems possible for the Senate to deal with the question free from partisanship, viewing it with the grand objective in mind which the author of the amendment has continually and repeatedly mentioned during the course of his remarks in support of the amendment.

I could not sit here and listen to that inspiring oration dealing with fundamental things, dealing with one of the most important and essential traditions of the people of the State, which I in part represent, and remain entirely silent. I think no person whose State fought for 27 years for the recognition by Congress of the independence of its statehood, no person whose State financed itself entirely throughout the American Revolution, when it contributed much to the common cause of liberty, could listen to what has taken place here today without reaction, without expressing himself and undertaking to add as much power as he might be able to add to the arm of the author of the thought embodied in the pending amendment.

Mr. President, we of Vermont believe that a State which insists upon its independence ought always to be willing to carry the responsibility of independence; and it is but a commonplace expression of that fundamental principle to come in here and vote for an amendment to this appropriation bill which requires every State which calls upon the Federal Government for aid to be willing to give a certificate that it is temporarily embarrassed, that it is in actual need, and that for the time being it cannot find the funds wherewith to carry on the functions which independence places on its shoulders as a responsibility.

As the amendment has already been modified, it now reads:

Provided, That no part of the sum of money hereby appropriated or authorized to be appropriated for relief shall be allocated, paid, or expended for any State, city, or county project or a project of any other governmental subdivision or agency unless and until such State, city, county, governmental subdivision, or agency shall have filed with the President of the United States a certificate of necessity, showing that such State, city, county, governmental subdivision, or agency is unable to provide for the employment of its unemployed; such showing to set out the tax rate, the income, the indebtedness, the budget of such State, county, city, governmental subdivision, or agency, and the number of unemployed therein; and thereupon a finding by such authority as the President shall designate that such State, county, city, governmental subdivision, or agency is in actual need of the aid of the Federal Government to provide for its unemployed.

To my mind, that is a type of amendment to which Senators from all the States of the Union ought to be glad to subscribe. It calls upon them to do nothing more than to carry their own burden, to bear their own responsibility, and maintain their own dignity and their own independence.

Mr. CONNALLY. Mr. President, the Senator from Michigan [Mr. VANDENBERG] is always very entertaining. He paid the Senator from North Carolina [Mr. BAILEY] a great compliment, and expressed entire agreement with the Senator's amendment in philosophy and in practice, and had about convinced me that I ought to vote for it; and yet, when interrogated as to whether he was going to support the amendment of the Senator from North Carolina, he said no; he was not going to vote for it.

The Senator from Michigan then absolutely blasted by his argument the existing method of Federal relief from the very beginning. He showed how it was all wrong, how it was based upon the wrong principle, how it had been filled with waste and graft and exploitation; and yet, when pressed, he says he is going to vote for its continuance as carried in the bill.

The Senator from Michigan observed that he thought it was proper for a Senator to rise when filled with a conviction. I took down his words—"filled with a conviction." If the Senator from Michigan will tell me what that conviction is, I shall try to follow it. He is first filled with the conviction that the amendment of the Senator from North Carolina should be adopted. It is right and sound. It is on the right principle. Then the Senator from Michigan stabs the amendment of the Senator from North Carolina, perhaps not with the dagger of Brutus—because he has not been

heretofore a follower of the Senator from North Carolina—but he stabs it to the death, because I assume he will control all the votes on the Republican side. He has killed the amendment by his speech, because he is going to vote against it. He then indicts the whole system of Federal relief from the beginning. According to him, it is filled with exploitation, and he is "filled with a conviction", but nobody seems to know what the conviction is.

Mr. President, I now desire to make a few dry and desultory observations about the general subject of relief.

I grant you that if we could put into the hands of local authorities not alone the administration but part of the burden, we should have an ideal condition, because when local people found "chiselers" on the rolls there would always be a lot of local busybodies who would go around and tell the board, "You ought to cut off Bill Smith," and thus they would eliminate a great many of the "chiselers." The chief motive would be, however, that the local people would be paying part of the relief and costs, and I think the Senator from New Mexico [Mr. HATCH] is striking directly at the vitals of this problem when he seeks to set up a commission or a body to make an inquiry into a long-time permanent plan whereby there would be put into the system the idea of local contribution, because so long as the relief authorities are spending the other fellow's money they do not have much obligation of being careful about whether or not Bill Jones is entitled to some of it. If Bill Jones should be registered in Michigan and belonged to the organization, I am afraid the Senator from Michigan would not insist on his being cut off the rolls.

Mr. HATCH. Mr. President——

Mr. CONNALLY. I yield to the Senator from New Mexico.

Mr. HATCH. I concur in the remark of the Senator from Texas that whatever plan is adopted surely should include some sort of local contribution.

Mr. CONNALLY. I suggest, however, that it is not fair to require all the expense to be borne by the local authorities.

Mr. President, we have gone a long way in America since 1776. We have proceeded far in the industrial development of America. We have not now the same agricultural civilization that Mr. Jefferson helped to found, and whose independence General Washington with his sword achieved at the Battle of Yorktown. Senators talk about local contributions. Chicago and New York and Philadelphia are rolling in their wealth and their income. It does not come out of the ground of New York and Chicago and Philadelphia. The wealth which is gathered there is contributed by all the little precincts and sections throughout the United States; and when we have a national collapse in America it is just and fair that those who, during times of prosperity, during good times, have been receiving rich revenues from the "provinces", shall contribute something of their accumulations to the relief of those who, during the years, have been sending their earnings to those great centers to increase their importance and their wealth.

The Senator from Michigan is quartered yonder in Detroit, a city of great wealth because of the automobile industry; but does Michigan make the automobile industry? Every little fellow out in the hills of Montana and in the hills of California and in the parched deserts of some of the Western States, who has a little automobile that has a flat tire, who perhaps is down now in the dirt and sand jacking it up and trying to fix it, has helped to make Detroit the great center that it is. When he is in trouble should not Detroit send back a small portion of that automobile money he has been sending to Detroit all these years in order to relieve the hunger and distress of that man and his family?

I repudiate the doctrine that all these funds have to come out of the local communities. There may be a little county over in the woods, already impoverished, its industries gone, its hillsides washed away, and its population suffering a period of distress and suffering and want, and we are asked to go down there and say, "You are already starving to death, you are already destitute, and if you get any relief you have to get it from the local authority." I do not subscribe to that doctrine at all.

I hope very much that some system like that proposed by the Senator from New Mexico may be worked out. I know, as everyone else knows, that in the administration of the vast sums which have been appropriated for relief necessarily there has been waste, because the funds have been handled by human beings, and we did not have anyone else into whose hands we could put the handling of the funds. The Senator from Michigan was not in power, and we could not turn the job over to him [laughter], so we had to put it in human hands, and when we are administering funds in that way and there are such things as influence, "pull", and "drag", and lies and deceit, someone will get on the rolls who ought not to be on the rolls, and I am sure there have been such on the rolls. On the other hand, I doubt not there are many who did not get on the rolls, either because of pride or because of the regulations, who should have been on the rolls.

The organization was a new organization; it was hastily set up. No doubt the officials have had many men and women in the organization who were dreamers, who probably are professional welfare people who could not make a living to save themselves if turned into private industry, and I am sure they have "put over" much "dream stuff" which should not have been allowed; but in spite of it all, in spite of the waste and in spite of the chiseling, who is there who can now say that, confronted as we were with an emergency requiring haste, we could have done better than we have done?

I know that the Senator from Michigan, after emerging from his study and from his lecture tours and from his conferences with the press, can devise a great scheme, but he has not now any scheme. He says the present system is all wrong, and someone inquires, "Have you any proposition to submit?" He replies, "No; I have not any, but I am going to think up one."

He has been thinking up around here for about 4 years, and if his timing gear is in good order, it seems to me, he ought to get a plan and get it pretty quickly.

The Senator from Michigan is one of the most wonderful rhetoricians I have ever heard. He can fill the circumambient ether with more adjectives and more ponderous, prolix pronouncements, and more profound generalities than almost any other Senator on the floor. But he does not "pint" out. He is like the colored preacher I once heard of. There was a vacant pulpit and colored ministers were being tried out for it. So a lot of them came around and preached sample sermons. One colored preacher, with a long Prince Albert coat and a celluloid collar, had worked himself up into a perfect frenzy physically, mentally, and spiritually, and when he concluded, the deacons were consulting as to how they liked it. One colored deacon said, "Yas, sah; he is a mighty good preacher all right, I reckon; he sure do talk loud, and I like that fine loud talk."

Another deacon said, "Yas, I know he talks loud, but the trouble with him is he don't 'pint' out." [Laughter.]

Mr. President, that is the difficulty with the Senator from Michigan; he does not "pint" out. He does not tell us what to do. I should like to vote for a definite, clear-cut, well-thought-out plan, and when I saw the Senator from Michigan rise in his place with a serious look on his face and a statesmanlike twist to his general attitude, I though that we would have a solution of the problem.

Of course, the immediate question is the amendment of the Senator from North Carolina.

"Are you for it?"

"No; I am against it."

"Are you against the bill?"

"No; I am for it."

Well, what is there to discuss? He is following the leader here, the chairman of the committee. He is following Mr. Hopkins. He is applauding Hopkins every time Hopkins makes a ruling; yet he rises here and delivers himself of a broadside on the whole philosophy of Mr. Hopkins.

Mr. President, my own view is that this problem is national in its scope. If we could work out a plan, however, under which we would put a part of the burden on the local authorities, it probably would be a good plan; I am not prepared to say what the proportion should be, but some of the burden; it is not important really how much. If we put on the local authority the obligation to pay 10 cents, they will not wish to spend that 10 cents any more than they would wish to spend a quarter. If we put some of the burden on the local authorities and make them contribute out of their own funds by laying the taxes on the backs of their own constituents back home, we will very largely solve the question of administration, as to who shall be on and who shall not be on the rolls.

Then the Federal Government must recognize that in the intricate and complex civilization in which we now live, in which industrially and commercially State lines have largely vanished, there is no State that can wrap itself around with its own boundaries and say, "I am going to live unto myself. I will not contribute anything to that hungry man just across the boundary line a hundred yards from my State, although he is my customer, he buys from me, perhaps, and he makes my factory wheels turn. He feeds the men who are employed by me by the contribution of his patronage."

We cannot do that. The Federal Government must contribute a large amount to any plan we develop. I would not have the Federal Government turn over these funds to the local authorities and say they can spend them any way they desire. Our responsibility to the people of the United States requires that when we make a contribution of Federal funds we must lay down rules and regulations by which those funds shall be expended, and we cannot divest ourselves of the responsibility. There should always be an accounting to the Federal authority by whatever local agency handles the fund, in order to show that the regulations have been met.

I very much regret that the Senator from Michigan has not seen fit to honor me with his presence. I remained in the Chamber and listened to him for a considerable time, and I advised him before I began that I desired to submit some remarks in which I should take the liberty, probably incidentally, of mentioning the speech of the Senator from Michigan. But he, no doubt, finds the enjoyment of the cloakroom, or a conference with a newspaper man over the great speech which he delivered, more congenial and more pleasing to his taste than to sit in the Senate, where he is paid to sit, or is supposed to sit, and listen to the remarks which I have undertaken to make in respect to the Senator's suggestion.

I commend to the Senator the idea of giving attention to transactions in the Senate. I have always found that there are two sides to questions. We usually have one side ourselves, and someone else has another, and if the Senator would occasionally open up the windows of his soul and the windows of his mind to the thoughts and suggestions and arguments of another I am sure that some contribution would be made to the solution of the great problem with which he is now struggling, and has been struggling, no doubt, for 4 years, and with which he will continue to struggle without any apparent progress, either from a practical standpoint or from a philosophical standpoint.

Mr. President, these are some of the views which the Senator from Texas entertains with reference to the subject before the Senate.

Mr. MALONEY. Mr. President, at this late hour in the afternoon I am hesitant to delay the Members of the Senate very long. I should like to feel that I was better prepared on this, almost the first occasion I have addressed the Senate since becoming a Member of it, but I cannot allow the opportunity to pass without making a few brief remarks upon the amendment offered by the Senator from North Carolina [Mr. BAILEY].

I am glad the Senator has again displayed his courage by bringing to the Senate at this time this very important matter. He points out the direction in which I believe most of us feel we would like to go. I thought for a little while during the discussion that there might be a contest over the amendment; but, as I listened to the debate as it proceeded on the part of the able Senators who participated, I came to the conclusion that the amendment itself is probably intended only to focus attention on a problem, and that it will not be taken seriously at this time.

I am intensely opposed to the amendment. Before the debate shall come to a close this afternoon I hope the Senator from North Carolina will make an effort to secure a record vote on the amendment in order that we may know for ourselves how Senators feel about it, and that we may give to those outside some idea of the feeling we entertain on the subject of relief.

I have found myself sometimes voting favorably upon proposals to enlarge appropriations for relief, but such occasions have been rare. I said a moment ago that I felt I wanted to go in the direction pointed out by the amendment, but I agree at least with that portion of the address of the Senator from Michigan [Mr. VANDENBERG] in which he suggested that this is not the time nor is this the way to do so.

I thought that as conservative men sat in the afterglow of the last campaign and national election, probably there might be a little change of opinion on their part. I thought they might come to a realization that persons beyond the confines of Washington in all the States of the Union were concerned with what was to be done about relief and the other problems of government. As the distinguished and able and courageous Senator from North Carolina read a part of the Democratic platform, I remembered that I sat with him on the committee on resolutions in Philadelphia, and I remembered some provisions of the platform that must linger in the minds of all those who were there. I desire to read just one sentence from that platform which has been read heretofore this afternoon. It was read by the senior Senator from Vermont [Mr. AUSTIN], who favors the pending amendment.

> We believe that unemployment is a national problem and that it is an inescapable obligation of our Government to meet it in a national way.

It seems to me that language answers the point pretty well. Like the Senator from North Carolina, I endeavor to keep in mind the fact that I am a Senator of the United States from the State of Connecticut. I endeavor to keep that fact in mind all the time. I do not wish to forget, when problems like the one now before us arise, that they might require a little different treatment than ordinary problems receive. In my local campaigns and in the campaign just concluded I pointed out to the people of the State of Connecticut, who are a little better off than are the people of some other States, that the relief problem was our problem, as it was the problem of the other States. Those who took the contrary view maintained that Connecticut was paying $2 for every dollar it received; that our contributions to the total amount of moneys paid into the Federal Government were far in excess of what we could ever hope to receive in return.

What was said by those who took a view contrary to mine was true. I hope that God, in His goodness, will ever keep matters that way; that Connecticut will always pay out more than she takes back. I hope also, however, that the people of Connecticut will continue to believe, as I think they do, that their favorable situation gives them a greater burden of responsibility, and that they owe something to the people of the less fortunate States. I know that we in Connecticut pay in more than we receive because we have the other 47 States of the Union as a market place. The same thing is true of North Carolina, which contributes so much money to the Federal income. Some of the money we pay in comes from people in other places—not from Connecticut or from North Carolina.

I had not intended to speak so long, Mr. President, and I have drifted somewhat away from that which is uppermost in my mind as I read the amendment of the Senator from North Carolina. Theoretically, I presume the proposal contained in the amendment is sound. The amendment is difficult to attack. But in one sentence of the proposal is the suggestion that we should not give help to States or to

municipalities or to subdivisions thereof until they submit to the President a certificate of necessity, showing that they have exhausted their resources to provide for the employment of their unemployed. That is the part of the amendment about which I feel concerned.

Connecticut, as I have said, is better off than many other States. We could meet the requirements of the proposal contained in the amendment better than could some other States. However, I am sufficiently informed as to municipal government to ask myself, Where is the dividing line? Almost every municipality of any size can, after a fashion, and by tightening the strings and the reins and applying the whip, obtain money for relief for a time. It involves a continuing increase in local taxation, for that is the only means by which the local government can get money.

The burden falls principally on the man who owns a small home. We can go in that direction, and we can get the money there. We can insist that those who are now feeling some of the advantages of the better times that have been referred to, those who are enjoying a part of the prosperity which the Senator from North Carolina claimed we boasted about in 1936, shall pay. However, because of the fact that in the last analysis the only source of local income is the real estate of the communities, what can we do when those owning real estate are without funds? What can we do next after that? The amendment does not attack the problem at the right place. The amendment points out what is wrong; that there is prosperity in some parts of the country and distress in other parts of the country.

Mr. President, in the debate yesterday the senior Senator from Nebraska [Mr. NORRIS] most eloquently and sympathetically showed what conditions are on many farms. He told us of the misery there existing. Surely there is no prosperity there. A similar situation prevails in industrial and urban centers. People are crying for aid there also. Those are the people whom this relief bill is intended to help.

Then there are their neighbors who have partially emerged from the distress generally prevailing, or who have not been pressed down so far as to know distress at its worst. Are we going to burden the backs of those people by laying at their doors this thing which a little while ago we called a national problem?

Mr. President, this amendment simply points out the trouble. Its adoption would not effect a cure but would intensify the trouble. If adopted, it would break the people back home who, because of the wisdom and the courage of this administration, have come up from the depths of despair and now see the light. The result of adopting the amendment would be again to drive them back to where they were. There is another way to accomplish what we wish to do.

The senior Senator from Michigan [Mr. VANDENBERG] is absolutely right in his contention that Congress should give consideration to an alternative proposal, to a new system, in an effort to find the way out. It is not going to be found in the curtailment of relief moneys so long as some of our citizens are hungry and cold and many are without jobs. In spite of what some of us may have said in the campaign, it is still admitted that many persons in this country are suffering through lack of employment. If there exists a sincere desire to find a way toward balancing the Budget, to find a way toward a correction of the system of applying relief, that way can perhaps be found by a study of the several proposals now pending in committees or before the Congress dealing with those subjects.

Mr. President, I do not know whether or not the proposal of the Senator from Wyoming [Mr. O'MAHONEY] provides the way. I do not know whether or not the proposal of the Senator from Alabama [Mr. BLACK] for a 30-hour week is the way out. I share in some degree the opinion that the adoption of both those suggestions may in large part bring about a solution of the problem. I cannot put my little stamp of approval on all that is suggested by the proposals put forward by those Senators. I do not know that the 30-hour week is the proper point at which to stop. However, I believe that in a little while the Congress, heeding the admonition and the warning of the Senator from Michigan, will come to a realization that it must do something about minimum wages and maximum hours.

Those who felt a new comfort after the election, who have consoled themselves in one fashion or another, had better stop wondering which way the President of the United States is going to go; whether he is going to adopt a conservative attitude or whether he is going to lean to the left. It makes no difference which way he leans. The people of the country are concerned about another matter. Too many of our citizens for too long a time have been denied their fair share of the annual income of the country. They have not asked for much. I have often wondered at what great patience the people have, and how willing they are to do with so little for so long.

Mr. President, I hope what I have said does not sound at all demagogic, because I like to believe I am not inclined that way. I should like to say now, in order to offset any such impression I might make upon the Senate, that I do not believe in the procedure which has been adopted in Detroit. I do not believe the "sit down" strike is the right way to accomplish what is sought. I do not believe in coercion. I should like, however, to balance that statement to some extent by pointing out that those engaged in the "sit down" strike are interested in the operation of the plants. Their blood and their energy are in those plants. The question at issue is not a matter affecting the stockholders alone.

Mr. President, I apologize for taking up so much time. I was somewhat unprepared to indulge in a discussion of this important subject at this time. However, I repeat, for whatever it may be worth by way of provoking thought on the outside, that men should cease to wonder and to worry about the direction toward which the Chief Executive leans. The problem at this time is not so much that of the Congress as it is of the employers of labor. There is little desire here to force them in any direction. If they have the will they have the way, and if they will heed the warnings of the times and be not so much disturbed about relief expenditures, the country in a short while can emerge from its present difficulties.

I rose purposely to oppose the amendment offered by the Senator from North Carolina. While appreciative of its purpose and sharing the opinion of the Senator as to the desirability of promptly balancing the Budget, I am intensely opposed to his amendment, because I do not think it proposes a proper method of meeting the situation. If he believes it does, as I am sure he must, and if he thinks that a more adequate expression of sentiment can thereby be obtained, I hope he will press for a yea-and-nay vote on his amendment.

Mr. BARKLEY. Mr. President, I wish in a very few words to discuss the pending amendment which I hope will not be adopted. I realize how easy it is for men of critical disposition to find fault with any administration or any bureau or any department of any administration; I realize how easy it would be for any of us to take an itemized statement of all the expenditures of the War Department and the Navy Department and the Department of Justice and say that they had been extravagant, that they had expended too much money for messages in communicating with their agents scattered all over the United States, but I do not think such criticism has any real bearing upon the amendment which is now pending before the Senate.

I do not know whether $2,000,000 a year is more money than the Resettlement Administration or any other administration ought to expend for telephone and telegraphic communication. I imagine when we get an itemized statement of the expenses of the War Department or the Works Progress Administration during the last 2 or 3 weeks in attempting, during all hours of the night, with 24-hour shifts, to ascertain the facts with respect to the greatest disaster that ever has overcome this country, that we may find some instance where a telephone message might have been foregone or where a letter might have been written instead of a telegram sent, although a human being might have lost his life as a result of such economy. We might find it

possible to pick out some items of expense that could be criticized. So I am not going to attempt to discuss that phase of the subject, because it has no real bearing on the merits of the amendment.

What the pending amendment seeks to do, in the form in which it was submitted, is to make it impossible for any State or county or city or school district to get one dime of the $790,000,000 proposed to be appropriated without coming to Washington and making a pauper's oath and then having a committee go down to see whether they have misrepresented the situation before relief may be granted in the form of work or the adoption of projects or in any other form.

Even as changed according to the suggestion of the distinguished Senator from Ohio, to exempt from its provisions all projects that have already been begun, it would work unfair discrimination against projects not already begun; and, in view of the flood disaster which has driven a million people out of their homes in the Mississippi and Ohio River Valleys and in the valleys of their tributaries, and despite the fact that the Director of the W. P. A. is now in the valleys of the Ohio and Mississippi Rivers as the chairman of the President's commission to ascertain the extent of the damage and need for restoration and rehabilitation, the amendment offered by the Senator from North Carolina would make it impossible in such a great emergency for any State, county, or city, or any school district to obtain the money to repair its streets or its sidewalks or its highways or its schools or its waterworks or its sewer systems, upon which might depend the health and life of thousands of people in the affected areas, until there had been inaugurated and completed the process of finding out whether some State, or some isolated county here or there, or some city here or yonder might be able to repair its damage without Federal assistance.

Mr. SCHWELLENBACH. Mr. President——

Mr. BARKLEY. I yield to the Senator from Washington.

Mr. SCHWELLENBACH. The Senator speaks of discrimination. Would not the net effect of this amendment, if adopted, be to discriminate against those cities or counties or municipalities that have been careful of their money and that have saved their funds, and in favor of those counties, States, and municipalities that have been profligate of their funds?

Mr. BARKLEY. That is undoubtedly true; and not only that, but it would discriminate against those States, counties, and cities that delayed as long as they could delay coming to Washington for assistance and were not among those who rushed in at the beginning and got their projects under way. They would, under this amendment, be barred from consideration.

Mr. President, it is unthinkable to me that the Senate would adopt, in the midst of the consideration of a great relief measure such as that now before us, the amendment suggested by the Senator from North Carolina.

I am, I presume, as provincial, if I may use that term, as any other Member of the Senate. I realize that each of us comes here commissioned by a single State and that, I presume, in a sense, we ought to be loyal, first, to our families, then to our neighbors, then to our county, then to our State, and last to the Nation. It may be that that is the proper philosophy for a Member of the United States Senate to assume in regard to problems that are national—and this is a national problem. I do not wish to inject partisanship into this debate, because I care nothing about that phase of it, but, inasmuch as the Senator from North Carolina read a portion of the platform on which he states he was reelected, I think it is not entirely out of place to emphasize that portion of the platform to which the Senator from Connecticut [Mr. MALONEY] so eloquently called attention to awhile ago, that the question of unemployment, the question of relief, the question of rehabilitation, the question of restoring not only the economic ability but the economic independence of our people not only are national but the question of restoring their morale and their faith in the Government of the United States also is national, that it cannot be bound by any artificial or other boundaries that would set one State off against another or one county off against another or one city off against another.

What difference does it make if my State paid into the Treasury of the United States last year more than $80,000,000 through the collection of tobacco taxes and liquor taxes, which are indirectly ultimately passed on to those who consume those products? What difference does it make if North Carolina, according to the report of the Commissioner of Internal Revenue, paid $282,000,000 in taxes through the tax on cigarettes because the great manufacturers of cigarettes happen to be located in that State? What difference does it make if the city of New York or the State of New York paid into the Treasury $782,000,000 of the $3,500,000,000 of internal revenue collected in the United States during the last fiscal year? The sum of $782,000,000 is four-elevenths of $3,500,000,000. If it is true that New York collected from the W. P. A. 17 percent of all the money that organization expended, is it not fair also in looking upon the proposition, not from the standpoint of a county or a city or a State, to consider that that great State contributed about the same proportion to the Treasury of the United States? In looking upon it also can we decide whether one State contributed more and got less or another one contributed less and got more, in view of the fact that this is a national problem and our effort has been to place the money where it was needed?

I can very well imagine that in the crowded sections of Manhattan, where people from all over the United States have gone, where people have come from all over the world, where they have been huddled in tenements in many sections as though they were animals, there must of necessity be much unemployment and much need for relief. Is it any wonder that the proportion of unemployed, the proportion of needy, the proportion of those who are unable to work out their own destiny without help, is greater in that vast metropolis than in the rural sections of Georgia or North Carolina or Tennessee or Kentucky? Is that any criterion by which the authorities should be governed in administering relief to the people?

Mr. President, I hope the Senate will not adopt the amendment. I agree with all those who have discussed the subject that we ought at the very earliest moment try to devise a permanent long-range plan for dealing with relief and unemployment. I agree with those who have said we ought to take a scientific and exact census of unemployment in the country and find out the reason for it, the location of the unemployment, the sort of permanent need, whether by Nation or State or county or city, that must be devised to minister to the lack of employment and of security. But certainly this measure is not the vehicle upon which to attempt to do that thing. Therefore, without further remarks, I express again the hope that we may proceed to the consideration of the amendment, and that we may speedily pass the bill without embodying the amendment in it.

Mr. WHEELER. Mr. President, I am not going to delay very long a vote on the pending amendment. I have not risen to discuss the particular amendment at any length.

Charges have been made on the floor of the Senate today to the effect that there have been extravagance and waste in the administration of this particular character of legislation. I have no doubt there has been extravagance, and I have no doubt there has been waste. I should be extremely surprised if there had not been some extravagance and waste in the administration of relief funds in the United States. But I have yet to hear anybody charge on the floor of the Senate that under the Democratic administration of the relief funds there has been any corruption or crookedness.

I recall that the first relief bill which was presented to the Congress was not presented on behalf of the farmers of the country nor was it presented on behalf of the workers, but it was presented on behalf of the bankers. They were the first ones to come to the Congress and ask for relief. They were the first ones that got relief. It was the conservative Republicans and Democrats in this body who voted to give them that relief. The bankers came to the Congress and said, "Unless you give us relief, unless you

let us reach our hands into the coffers of the United States, our banks are going to close and our railroads are going into the hands of receivers." Immediately and hurriedly we passed bills permitting them to get money out of the Treasury of the United States.

Then, as the Senator from North Carolina [Mr. BAILEY] said, we denied for some time relief to the farmers and drought-stricken districts and also to the workers of the country. Those of us who asked for the relief for the workers and the farmers were at first ridiculed, and it was stated repeatedly that each locality ought to take care of its own people. We were told about the prosperity that was "just around the corner." Gradually the depression got deeper and deeper until finally, as I said, the great city of New York and the great city of Chicago came here on bended knee and said, "You will have to lend us money to take care of our schools, to keep our schools open." Right in the heart of the great financial centers of the United States arose a cry for relief to keep their schools open.

Is it any wonder that the workers and the farmers of the country are asking for relief after we have poured out millions and millions to the bankers and the railroads?

We talk about extravagance. Let me call attention to some testimony given when Mr. Jesse Jones, of the Reconstruction Finance Corporation, was before our committee. We brought out the fact that some of the banks and railroads had presented false statements. He was asked whether or not, if he had known that had been done, he would have loaned the money, and he said he might have done so. He might have done so, he said, because it was so necessary to lend money to the banks of the country and to the railroads in order to save them.

Mr. CONNALLY. Mr. President, he did not say he knew they were false statements when the loans were made?

Mr. WHEELER. Oh, no.

Mr. CONNALLY. He said had he known they were false he might have made the loans anyway?

Mr. WHEELER. Yes. He said he presumed if he had known the statements were false he might have made the loans anyway because of the necessity for saving the institutions applying for the loans.

Mr. President, I wish to call attention to a decision which has just been handed down in the District Court of the United States for the District of Columbia. I first call the attention of my Republican friends to some of the things that took place in their administration. I want to go back a few years to the time when I started an investigation, because the subject of investigation has been before the Senate recently. I think there are Members of this body and of the body at the other end of the Capitol, and many outside of the Congress, who feel that we should not expend any money whatsoever on investigations. I have always had a deep conviction that the investigating power of the United States Senate is one of the most important powers ever conferred upon the body, and that if that power were taken away, much of the effectiveness of the Senate would be lost. In my judgment very few investigations have ever been started that have not saved to the Government of the United States much more than they have cost.

I invite attention to a decision by Justice O'Donoghue, of the District Court of the United States for the District of Columbia in reference to the Société Suisse case. It was a case I investigated when I was chairman of a committee back in 1923 investigating the Department of Justice. We uncovered evidence showing that the Department of Justice had been guilty of corruption and subsequently, by reason of that investigation and the facts which were brought out, the then Attorney General of the United States was indicted in the courts of New York and was acquitted, I am reliably informed, or there was a "hung" jury, which stood 11 to 1. There was a repercussion, and the latest development is the decision of Justice O'Donoghue of the court of the District of Columbia, in which he said:

The court is going to deliver its opinion and state its conclusions of law and findings of fact, now, at the conclusion of the argument of the case.

I will state the conclusions of law first.

The court concludes that while the defendants in this case are the Attorney General of the United States and the Treasurer of the United States, that in reality the United States itself is in the position of defendant in this case.

The court concludes that the United States, as the defendant in this case, through its proper officials, cannot be estopped, cannot be held guilty of laches, and cannot be bound by any unlawful actions of any of its officers.

The case made out by the bill is answered by the answer of the defendants in their amended answer and by set-off, or counterclaim, annexed to that answer.

The real issue made by the bill and the answer to the bill is whether the plaintiff in this case was the owner of the stock of the American company.

The real issue made by the counter claim of the defendant is that the plaintiff is not the owner of the American company's stock, and that the plaintiff company obtained the proceeds from the sale of the American company's stock after this stock had been seized and sold by the Alien Property Custodian by fraud on the United States Government or its proper officials.

This court cannot be swayed by the ultimate action that the United States, through Congress, may do in disposing of property that has been seized that belonged to alien enemies. The issue really left for this court to decide is that of fraud charged by the counterclaim against the plaintiff, because that charge of fraud embraces in it the ownership of the stock of the American company.

It is undisputed that before the year 1910 the stock of the American company was owned by the two German companies. It is claimed that in 1910 the two German companies sold some of their own stock to the Swiss company, and that that transaction was evidenced by writing, by delivery of the stock, and that at the same time there was an oral warranty or oral guarantee of the value of the German stock that was sold to the Swiss company, not only as to the principal of the stock of the German company sold to the Swiss company, but also as to the dividends to be paid by that stock, and that this oral guarantee had as security for it the stock of the American company owned by the two German companies.

That appears to this court as a very unusual or improbable understanding or agreement, for companies dealing in large affairs of international importance to leave a warranty or a guarantee of such importance to a mere verbal or oral understanding.

Next we have in 1916, but especially in March of 1917, the claim made that the two German companies orally agreed with the Swiss company that "We hereby give you the stock in the American company that has been regarded as security for our guarantee to you, and from henceforth that stock is yours"; the German companies said to the Swiss company, "The stock in the American company is the property absolutely of the Swiss company, and the Swiss company orally released the two German companies from all liability or responsibility under their oral guarantee."

Now, what have we on the other side of those two improbable and unusual agreements or understandings?

We have the two German companies having nothing in their minutes with regard to any such transactions, and we have the Swiss company having nothing in its minutes, so far as this court has been shown, in regard to those two transactions, and we have the two German companies filing their annual reports of accounts, as required by law, during several years after 1910 and before 1920, there expressly indicating or impliedly indicating that the stock in the American company was still the property of the two German companies.

Next we have the two German companies entering into a formal contract for the sale of the stock of the American company, putting themselves in the position of owners of that stock, and the terms of this contract are known to the Swiss company and some of its officers, and the Swiss company asserts no claim to this stock in the American company and allows the two German companies to act as the owners of that stock in the American company.

That agreement fell through.

That was in 1918.

Next we have in 1919 the two German companies entering into a written assignment transferring or undertaking to transfer at that time the stock in the American company, or the proceeds therefrom, that were held by the Alien Property Custodian in the United States. This assignment does not mention anything about any guaranty in 1910 or 1912. It does not mention that it is a confirmation of a transfer and delivery of the American company to the Swiss company in March 1917, nor that in consideration for this assignment from the German companies to the Swiss company that the German companies were being released from their warranty.

This is the part of the court's opinion to which I wish to call the especial attention of the Senate:

Next we have in 1920 the Swiss company employing counsel located in New York city, in the United States, and informing counsel that the Swiss company became the owner of this American stock, the proceeds from the sale of this American stock, by the assignment of 1919.

There was no mention made of any guaranty in 1910 or 1912, or any transfer of the title or interest in this stock in March 1917.

Weighing all of that evidence, considering all the facts and circumstances of the case, the court concludes from those facts and as a conclusion of fact that the title of the American company's stock did not pass from the German companies to the Swiss company, and that the German companies were the owners of the stock in the American company in 1921, because the attempted assignment in 1919 could not operate on property seized and held by the Alien Property Custodian of the United States that belonged to German companies.

The Swiss company in 1921 came to the United States, through its agent and representative and official Merton—

Merton's name is very familiar to me, because we brought it out repeatedly in the hearings—

and did not this time employ a lawyer, which would be the usual and probable course, the course that was followed before, but got in touch with one King—

King at that time was the Republican national committeeman for the State of Connecticut—

and took this matter of its claim for the proceeds of the sale of the stock to the American company up with this Mr. King on the basis that he was influential as a Republican and was acquainted with the high officials in the Alien Property Custodian's office and in the Department of Justice, it being then the law that these two departments had the decision in regard to the disposing of funds seized by the Alien Property Custodian.

This court will not detail the events that took place between about April 1921 and October 1921, a period of about 6 months, except to say that the plaintiff in this case paid King over $400,000 for services not of a legal nature, because King was not a lawyer, and for services that involved work only on a few days out of those few months, and only on a few hours out of those few days.

The court cannot lose sight of the fact that this claim was presented to the Alien Property Custodian on September 20, 1921, and then was finally passed upon by the Alien Property Custodian on September 21, 1921, and was, 2 days later, on the 23d of September 1921, finally passed upon and approved by the Attorney General of the United States and orders immediately issued for the payment of the round sum of $7,000,000, or thereabouts.

The court cannot overlook the remarkable thing that the Alien Property Custodian could go to New York and have a dinner with Merton, the representative of the plaintiff, and with King, employed by Merton to represent, and with Jess Smith, the intimate and confidential friend of the Attorney General of the United States. It was a strange place, to say the least, for a public official of the United States Government to undertake to deliver two checks totaling over $6,000,000 to a foreigner whom he had met only casually and only in an official manner.

Some of the claim allowed to the plaintiff, amounting to about $500,000, was paid by delivery of United States Government bonds. From these bonds the plaintiff in the case, through Merton, turned over $391,000 to King, having previously paid him $50,000.

It is again a very strange thing that about $40,000 of these bonds are traced directly or indirectly, but with certainty, to the Attorney General, Harry Daugherty, and to the Alien Property Custodian, Miller.

The court concludes that fraud has been shown in the claim that the plaintiff made before the Alien Property Custodian and that that fraud resulted in the Government of the United States turning over the sum of about $7,000,000, approximately, to the plaintiff, and that accordingly the defendant, the United States Government, through its officials, the defendants in this case, is entitled to recover of the plaintiff the sum of approximately $7,000,000 that was paid over by the United States Government to the plaintiff on or about the 26th of September 1921, with interest of 6 percent thereon from that date.

The court concludes that the bill of the plaintiff should be dismissed.

The court concludes that the defendants have maintained their claim as set up in their counter claim and that the prayers of the counter claim should be granted.

This statement of the court is to be taken as the findings of fact and conclusions of law of the court.

Counsel may prepare a decree and submit it to the court.

Mr. President, thus ends one chapter in an investigation which took place back in 1923. I think I should call attention to the fact that at that time we had great difficulty in getting through the Senate the resolution providing for the investigation. We had great difficulty in getting money to carry on the investigation. At the beginning practically every newspaper in the United States was opposed to the investigation and almost constantly criticized those who were conducting it. The Associated Press is one of the great news-gathering agencies of the United States. When the Associated Press sent out its daily account of what took place in the committee room in the course of the investigation, each day it also sent out, at the head of its account, uncorroborated and unsworn statements by the then Attorney General of the United States denying the truth of everything that was alleged before the committee.

In addition to the fact that as a result of the investigation the Government has recovered $7,000,000, it seems to me there is a moral to be learned from this occurrence in regard to national committeemen. King was a national committeeman for the State of Connecticut. When the Republicans came into power, this Republican national committeeman came down here and was the go-between and the "fixer" for some of the departments. When the Democrats came into power, we found a lot of Democratic national committeemen flocking down to this city for various purposes. The practice is one that ought to be stopped. They ought to be forbidden to practice before any of the departments, or to appear before any of the departments in the city of Washington. I do not care whether these national committeemen are Democrats or Republicans; as long as we permit them to practice before the departments we shall have crookedness and corruption and bad government in some of the departments in Washington. I am thankful to say, however, that up to the present time, at least, whatever the Republicans may say about waste and corruption in the administration of relief, no one of them can point to a case where any of the Democratic officials took $40,000 in bonds and put it in his own pocket, and defrauded the Government out of $7,000,000.

I do not recall the figures as to the cost of this investigation of the Department of Justice; but including the men whom I borrowed from the departments—and I did borrow, even from Republican departments, a number of men who were not in sympathy with some of the things that were going on—it probably cost the Government of the United States in the neighborhood of $100,000. As the result of it, however, here is one instance alone where the Government recovered $7,000,000, when probably the transactions which were the subject of the investigation probably never would have come to light had it not been for the inquiry authorized and conducted by the Senate.

Mr. WHITE. Mr. President, although I am not satisfied with the draft of the Bailey amendment, nevertheless I shall support the amendment, because it declares two principles in which I believe, or at least it looks in two directions which I think we should follow.

The amendment, in the first instance, declares the obligation of local contribution to relief. In my opinion, that is good economics and good morals. The amendment as it is drawn in no degree and in no respect limits the obligation of the Federal Government to contribute to relief in those cases where a State government or the local political unit is unable to meet the obligation.

I assume that in every instance where a State or any unit of a State is unable fully to respond to the needs of the political unit then recourse will be had to the Federal Government and that then the Federal Government will meet the general obligation which exists, and because of that recognition of that initial and original obligation I am in favor of the amendment.

I think, too, Mr. President, that the amendment looks in another direction which has my sanction. The amendment, as I understand it, anticipates a larger degree of State and local responsibility in the administration of relief. That principle I approve, and that principle is not new. In the very first relief measure which the Congress passed, according to my understanding, that principle was incorporated, and for some time, at least, it was followed. I desire to have the Government return to that principle.

In the first relief act money was made available to be paid by the Federal Government to the States. The money was to be turned over to a State upon the application of the Governor and upon the certificate of the Governor. This is precisely the principle incorporated in the pending amendment. The language in the act was:

Upon the Governor's certificate that the resources of the State or Territory, including moneys then available and which can be made available by the State or Territory, its political subdivisions, and by private contribution, are inadequate to meet relief needs.

Then the legislation proceeded to provide that when a Governor had made such certification to the Reconstruction

Finance Corporation, the Federal Government was authorized to pay to the Governor the money authorized by the Reconstruction Finance Corporation to meet the State's needs. It provided expressly and specifically that "the amounts paid to the Governor shall be administered by the Governor or under his direction and upon his responsibility."

There was a recognition by the Congress of the obligation of the State. There was a recognition of the principle of local responsibility and of local self-government.

It is because I believe the amendment of the Senator from North Carolina looks also in that direction that I shall support it.

The PRESIDING OFFICER (Mr. MINTON in the chair). The question is on agreeing to the amendment of the Senator from North Carolina [Mr. BAILEY], as modified.

The amendment, as modified, was rejected.

The PRESIDING OFFICER. The bill is still before the Senate and open to amendment. If there be no further amendment to be proposed, the question is on the engrossing of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PROGRAMS OF PUBLIC EDUCATION

Mr. COPELAND. Mr. President, a few days ago the Senator from Mississippi [Mr. HARRISON], for himself and the Senator from Alabama [Mr. BLACK], introduced Senate bill 419, to promote the general welfare through the appropriation of funds to assist the States and Territories in providing more effective programs of public education. I desire to address the Senate briefly with reference to that measure.

In the CONGRESSIONAL RECORD of June 20, 1936, our distinguished colleague, the Senator from Mississippi [Mr. HARRISON], ably presented his views upon the need of equal opportunity for "all the children of all the people." He vividly presented the richness of opportunity in some States in contrast to the lack of opportunity in others. He reviewed the repeated instances of Federal grants of lands and moneys for the support of educational institutions. He said:

> A large part of the direct money grants to the States has been based on the principle of stimulating the States to undertake new kinds of educational work, as, for example, vocational education. * * * For the purpose of getting new and needed types of education started such policy is good and effective.

These are statements of fact so well accepted that they will probably stand through this present session of Congress without question.

Our colleague then goes on to state:

> What the States need today, however, is not stimulation to further effort but funds to pay for educational opportunities needed and wanted by our people.

For this purpose he thereupon advocated Federal appropriation on a yearly increasing scale until $300,000,000 annually is reached, and proposed that this sum be allotted to the States in proportion to the number of persons 5 to 20 years old in each. It is proposed to expend these moneys for such educational purposes as each State legislature shall direct.

In the depths of the depression financial disaster closed thousands of our schools and threw millions of children back upon the resources of the home for both instruction and physical health care normally provided by the schools. It is a sad fact that these school services have not as yet been restored to the 1930 level, and that there is an imperative need for the extension in time and the improvement in quality of these old, well-established services.

In addition, however, the depression has awakened many of our citizens to the necessity of placing new responsibilities upon our schools. Programs of vocational education appropriate for hundreds of thousands of youth from 14 to 16 must promptly be expanded, improved, and suited to the times to meet the needs of the entire youth population until they reach the minimum age of 18 and perhaps an average age of 20 or 21.

There are those who believe that an even more imperative service must be rendered to pregrade children. Through my years of service as a public-health officer, I became convinced that the greatest return of the efforts in behalf of public health comes from attention to little children. My study of crime has led me to a conclusion about crime prevention which closely parallels these conclusions about public health, namely, that the foundation of mental health, of physical health, of normal emotional living, and of a functioning pattern of good habits is laid in the first 5 years of a child's life. The efforts of those who are promoting parent education, kindergartens, and nursery schools are directed toward laying a firm foundation for character building and citizenship training during these tender years. So long as the parents, themselves often young and immature, are left unaided in their task of training the child, all too many children will enter the later period of formal education permanently handicapped. One or two percent of these grow into adults who, through crime and antisocial acts, threaten our democracy. Our churches well understand the necessity of training little children.

Moved by considerations of this sort, the National Kindergarten Association has proposed a bill to provide Federal aid for pregrade education. This bill has already been introduced in the House, and I shall presently offer it for introduction in the Senate. It is much like the Harrison-Black bill now before the committee.

It is clear to me that the period of investigation, experimentation, and demonstration has only begun in this field of pregrade education. While some general information on physical health maintenance has been generally disseminated, scarcely a beginning has been made in the investigation of emotional and mental health. Accordingly, some such Federal provision as is contemplated by this bill is both an emergency and a long-range necessity.

The value of such investigations and demonstrations in the field of education has been dramatically demonstrated during the last year and a half by the National Youth Administration. Every Member of the Congress has been made aware of the advance in understanding of the problems of stabilization of youth both as to employment and as to general conduct by the Administration's experiments with paid work projects. Previous vocational educational experiments extending over a period of 20 years have resulted in our reaching only a million and a half out of some 20,000,000 youths who should be receiving vocational training continuously.

These are but two illustrations of a long list of items in our national educational program which need specialized investigation, demonstration, and appraisal.

These considerations lead me to the conclusion that there is both an emergency need and a long-range need for financial help from the Federal Government in continuously studying the whole list of educational problems which face the local and State school officials in every division of our Nation. Funds are needed in each State with which to survey the total need, to define that need in practical terms of desired outcomes in the lives of individual boys and girls, to plan balanced programs, both State and local, to appraise scientifically the progress made, and to inform and interpret results to the parents and to the general public.

It is my conviction that a Federal consulting service should be made available to both public and private schools engaged in promising demonstrations leading to scientific surveys, planning, and appraisals of outcomes.

Since there are aspects of problems in every locality which are national, and require national support, there rests upon Congress the responsibility of seeing to it that any funds appropriated for meeting both the special and the general needs recognized by the Federal Government are used for purposes broadly specified by the Congress.

The sole responsibility rests with the State for a final definition of policies, procedures, and program of education within the State. Nevertheless, ways can be found of giving assistance to the States in more effectively training children and youth to meet the changing requirements of local citizenship, State citizenship, and national citizenship without encroachment upon the rights of the States.

Several ways of aiding without encroachment are worthy of consideration: For example, through a Federally sponsored conference of State educational officials, professional procedures and forms could be prepared through which to report to the Congress comparable statements of desired results and comparable summaries of achieved results. A fraction of a percent of the total appropriation could well be used for such a purpose and a fraction for State study, planning, and statistical appraisal. This can be done without hampering any local agency with regulations, and without coloring reports with recommendations or editorial comment from Federal administrative agencies.

The National Youth Administrator, Mr. Aubrey Williams, in spite of difficult emergency conditions, has applied to our local schools and colleges, with growing satisfaction, a policy of decentralization. Here is a going concern in which a practical demonstration may be made of acceptable procedures of Federal aid freed from objectionable forms of Federal control.

I am now introducing a bill "to promote the general welfare through the appropriation of funds to assist the States and Territories in providing more effective programs of public pregrade education", in an earnest effort to insure that the needs of little children may not be neglected. As I do so, I am registering my conviction that adequate education in America is an issue which will continue to demand attention from the Congress down the future, and that our measures of support must provide for a continuing study of the national problems of education. These things must be done in ways which will keep the Congress informed and active in the support of this, the most vital survival necessity of a democracy.

SUMMARY

There are certain factors regarding Federal aid of education that I believe should be considered in connection with any legislation in this direction.

Any bill providing Federal funds for the aid of education is not sound, in my opinion, unless Congress can receive a guaranty that such training will contribute to better citizenship. This is especially important since—

First. Citizenship training is the primary justification for such an expenditure of public funds.

Second. Conservation, or freeing for use, of human values and human resources is justification for such expenditures.

Third. The scope of such training objectives should be broad, since education to develop more effective citizens should provide for all children, starting as early as possible and continuing for all youths as long as help is needed in adjustment to adult activities and responsibilities.

Fourth. At present, essential objectives from a Federal point of view are being neglected by many schools of this country.

For example, (1) the criteria for crime prevention, (2) criteria for individual competency in employment, and (3) criteria for entrepreneur training to expand employment and socially desirable activities.

It seems, therefore, important that certain factors should be insured in any legislation granting Federal financial aid for education:

First. Federal legislation in this direction should state in broad terms the Federal requirements for citizenship training. Such a statement should leave each State free to expand the objectives of education which it will support beyond the minimum proposals emanating from the Federal Government.

The State should be completely free to develop plans and procedures for achieving these expanded objectives, and for devising and utilizing appropriate means of evaluating its progress and success in achieving them.

It should be clearly prohibited that any alternative expansion or other modification of the congressional statement should be made by any administrative personnel of the Federal Government.

Second. The Federal educational contribution to the States should include technical assistance in—

Clarifying the objectives of education in each State in terms responsive to the specialized needs of each State;

Consulting with State or local personnel wherever help is asked in improving expanded statements of objectives, in improving means of achieving these objectives, and in developing evaluating techniques.

Third. The Federal appropriation for education should include allotments for moneys specifically designated as available for use in conducting demonstrations. These should be designed to clarify the pursuit of Federal objectives of education with the State or local educational objectives.

For the purpose of conducting such demonstrations Federal consultants, when furnished, should be expected to give their best professional opinion, and should be in no way restricted in the formulation of that opinion by policies of any administrative officer of the Federal Government.

Fourth. The Office of Education should be empowered to request a report from each State covering—

(1) Objectives pursued for which Federal moneys are expended.

(2) Plans for achieving objectives.

(3) Administrative practices.

(4) Evaluation of the State program.

(5) For purposes of recommending comparability of reports, the Office of Education should be empowered to—

(a) Call a conference of the State superintendents of public instruction.

(b) Secure the recommendation of the conference on procedures of securing comparability in reports.

(c) The Office of Education should transmit to every State superintendent and should otherwise publicize the official record of recommendations of the meeting of the conference of superintendents.

(d) The Office of Education should report to the Congress annually actions taken by the conference of superintendents, including a record of the roll call on each such action; it should report to the Congress the degree to which the separate States comply with the recommendations of the conference of superintendents, and it should report a digest and summary of such reports to the States.

(e) The Office of Education should annually report upon the allocation of funds to the States, and, whenever appropriate, recommend legislative changes in the manner of apportionment of such funds.

I ask unanimous consent that the bill introduced by me today, being Senate bill 1355, may be printed in the RECORD at this point.

There being no objection, the bill (S. 1355) to promote the general welfare through the appropriation of funds to assist the States and Territories in providing more effective programs of public education, was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the sum of $10,000,000 is hereby authorized to be appropriated and apportioned annually for 5 years to the several States and Territories to be used by them for initiating and promoting pregrade education in their public schools.

SEC. 2. The amounts appropriated under authority of this act, less amounts set aside for administrative purposes under section 7, shall be apportioned among the States and Territories in the proportion which the number of their inhabitants aged 5 bears to the total number of inhabitants aged 5 of all the States and Territories. In the computation of all sums apportioned under this act to the States and Territories for the fiscal years ending June 30, 1938, 1939, 1940, 1941, 1942, the population figures shall be taken from the Fifteenth Decennial Census of the United States.

SEC. 3. The manner in which the funds apportioned to each State and Territory shall be used for the maintenance of the program of public pregrade education shall be determined by the State department of education thereof. The State or Territorial treasurer shall be designated and appointed as custodian of all funds received by said State or Territory as apportionments under the provisions of this act to receive and provide for the proper custody and disbursement of the same, such disbursement to be made upon requisition of the State department of education and in accordance with the laws of said State or Territory.

SEC. 4. It shall be the duty of the United States Commissioner of Education to compute the amount due each State and Territory and to apportion for the ensuing fiscal years such funds as said State or Territory may be entitled to receive under the provisions of this act, and to certify such apportionment or apportionments to the Secretary of the Treasury. The Secretary of the Treasury shall thereupon, through the Division of Disbursement of the Treasury Department and prior to audit or settlement by the General Accounting Office, pay to the treasurer of each State or Territory the

apportionment or apportionments so certified. The State superintendent of schools or the State commissioner of education of each State and Territory shall apportion to each school district in the State or Territory presenting a pregrade program approved by the State superintendent of schools or the State commissioner of education its adequate share of the funds provided in section 1 of this act and shall authorize the payment of the sums of money, so apportioned, by the State treasurer, in accordance with the laws of the State or Territory. The treasurer of each State or Territory shall on the 1st day of each July return to the Treasurer of the United States through the United States Commissioner of Education the unused portion in each State or Territory.

SEC. 5. The United States Commissioner of Education is authorized to prescribe plans for keeping accounts of the expenditures of such funds as may be apportioned to the States and Territories under the provisions of this act. The chief educational authority designated to represent a State or Territory receiving any of the apportionments made under the provisions of this act shall cause to be made annually, within 6 months after the close of the fiscal year in such State or Territory, an audit of such accounts by a certified public accountant: *Provided*, That no two consecutive annual audits of such accounts shall be made by the same certified public accountant. Such chief educational authority shall submit to the United States Commissioner of Education a copy of each annual audit of such accounts within 30 days after the completion of the audit. If the United States Commissioner of Education shall determine that the apportionment made to a State or Territory for the current fiscal year is not being expended for pregrade education he shall give notice of this fact to the chief educational authority and to the Governor of such State or Territory. If, after being so notified, a State or Territory continues in such failure so to expend its apportionment, the United States Commissioner of Education shall report thereon at once to the Secretary of the Interior, who shall transmit said report to the Congress.

SEC. 6. The chief educational authority designated to represent a State or Territory receiving any of the apportionments made under the provisions of this act shall annually submit to the United States Commissioner of Education a report showing the manner of distributing within the State or Territory the funds apportioned under this act and the work and improvements accomplished thereby.

SEC. 7. From the funds appropriated to carry out this act an amount not to exceed $5,000 annually is hereby made available to the United States Office of Education for the administration of this act.

SEC. 8. As used in this act—

(1) The term "State" means the several States and the District of Columbia.

(2) The term "Territory" means Alaska, Hawaii, Puerto Rico, the Virgin Islands, the Canal Zone, American Samoa, and Guam.

SEC. 9. This act shall be construed as intending to secure to the several States and Territories control of the administration of this act within their respective jurisdictions and to preserve State and local initiative in the operation of pregrade classes. No provision of this act shall be construed to delimit the States and Territories in the appropriation of funds for the support of pregrade education received through the benefits of this act; nor to restrict or define the kind of pregrade education to be supported by the respective States and Territories; nor to grant to any officer of the United States, or to any of its agencies, departments, or offices, any power or authority to approve or reject the pregrade education programs in the States and Territories; nor to confer upon any officer of the United States, or of any of its agencies, departments, or offices, any power or authority to supervise or in any way exercise management and control of the pregrade education programs of the States and Territories, it being the purpose of this act to leave all supervision, management, control, and choice of pregrade education means, processes, and programs to State, Territorial, and local governments.

GUARANTY OF DEBENTURES OF FEDERAL HOUSING ADMINISTRATION

Mr. BULKLEY. Mr. President, I ask for the immediate consideration of Senate Joint Resolution 38, dealing with debentures issued by the Federal Housing Administrator.

Mr. McNARY. Mr. President, I ask the Senator whether the joint resolution was reported unanimously by the committee.

Mr. BULKLEY. The joint resolution was unanimously reported by the committee. It provides for an extension of time for 2 years.

Mr. KING. Mr. President, I ask that the Senator in charge of the joint resolution make a brief explanation of its purpose.

Mr. BULKLEY. The Federal Housing Administrator is authorized to guarantee mortgage loans under certain conditions prescribed in the Federal Housing Act. If a loan is defaulted and a mortgage foreclosed, then, having foreclosed, the mortgagee may turn in the property to the Federal Housing Administrator and receive debentures which are guaranteed by the United States Government. The right to guarantee those debentures extends only to mortgages made and guaranteed before July 1 of this year. It is believed that in the brief period it has been in operation the Federal Housing Administration has not yet had an adequate opportunity to show what it can do, and so it is desired to extend that right for 2 more years.

Mr. VANDENBERG. Mr. President, has any experience developed with respect to loss under this guaranty?

Mr. BULKLEY. It has hardly been in operation long enough to have any experience which means anything. There has been practically no loss so far. In the case of the first mortgage that was foreclosed, the property was sold for more than the amount of the mortgage debt, and the balance was returned to the mortgagor.

Mr. VANDENBERG. Is it the Senator's opinion that under the rather well-protected set-up there is not likely to be substantial loss?

Mr. BULKLEY. There should not be a large percentage of loss. But the whole system is new, and the amount which may be loaned goes up to 80 percent. I do not think we have yet had enough experience to be absolutely confident. I ask for the present consideration of the joint resolution.

The VICE PRESIDENT. Is there objection.

There being no objection, the Senate proceeded to consider the joint resolution (S. J. Res. 38) to extend for a period of 3 years the guarantee by the United States of debentures issued by the Federal Housing Administrator, which had been reported from the Committee on Banking and Currency with an amendment, on page 1, line 5, after the word "thereof", to strike out "July 1, 1940" and to insert in lieu thereof "July 1, 1939", so as to make the joint resolution read:

Resolved, etc., That section 204 (b) of the National Housing Act, as amended, is amended by striking out "July 1, 1937" and inserting in lieu thereof "July 1, 1939."

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "Joint resolution to extend for a period of 2 years the guarantee by the United States of debentures issued by the Federal Housing Administrator."

SOCIAL INSURANCE

Mr. KING. Mr. President, I have received a large number of letters and communications in regard to suggested amendments to the Social Security Act. Most of the communications are in favor of the so-called Clark amendment, which had for its object the continuation, under proper restrictions and provisions, of private pension plans.

A large number of corporations for many years provided pension plans for their employees; and it is contended by many of the employees who have communicated with me that the benefits under the private pension plans were larger than those which would be obtained under the law which is now in force.

At the last session of Congress a committee was appointed consisting of several members of the Ways and Means Committee of the House and several members of the Senate Finance Committee for the purpose of studying the so-called Clark amendment and framing a measure that would permit private pension plans to be continued under proper Federal supervision. That committee has not made its final report. As chairman of the committee, it is my hope that within a short time it will be possible to submit a report to the Senate.

As stated, I have received a number of communications from employees of corporations where the private pension plan is in force, urging amendments to the Social Security Act.

I send to the desk and ask to have incorporated in the RECORD without reading a communication which I have received, signed by 44 employees of the Western Paper Products Co., of Salt Lake City, Utah. I shall not ask that the names of the employees be inserted in the RECORD, but ask that the communication addressed to me be printed in the RECORD at this point without reading.

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

SALT LAKE CITY, UTAH,
January 18, 1937.

The Honorable WILLIAM H. KING,
United States Senator from Utah,
Senate Building, Washington, D. C.

DEAR SIR: We are employed by a company which for some time has carried an old-age retirement plan with a large insurance company. Because of the fact that the regulations of the Social Security Act are compulsory, we find it impractical to continue our private plan.

We feel our private plan is superior to the Social Security Act for the following reasons.

1. It provides an optional retirement age.
2. It provides benefits for service prior to the enactment of the Social Security Act.
3. It provides a larger death benefit.
4. It provides for total disability benefits.
5. It provides for accidental death and dismemberment benefits.
6. It provides a cash withdrawal provision prior to retirement age.
7. It provides optional forms of pensions that will continue an income to our dependents even though our death should occur soon after we commence to receive our retirement income.
8. It provides that the retirement income is not limited as to salary. Those receiving higher salaries may still participate on an equitable basis.
9. It provides larger pension benefits in most cases than the Social Security Act.

In view of these facts we urge your support of legislation that will exempt us from the compulsory participation in the Social Security Act and enable us to keep our present plan.

Respectfully,
EMPLOYEES OF THE WESTERN PAPER PRODUCTS CO.

Signed by 44 persons.

JOINT COMMITTEE ON GOVERNMENT ORGANIZATION

The VICE PRESIDENT. Under the terms of House Joint Resolution 81, creating a Joint Congressional Committee on Government Organization, approved today, the Chair appoints as members, on the part of the Senate, of the Joint Committee on Government Organization the Senator from Arkansas, Mr. ROBINSON; the Senator from South Carolina, Mr. BYRNES; the Senator from Virginia, Mr. BYRD; the Senator from Wyoming, Mr. O'MAHONEY; the Senator from Kentucky, Mr. BARKLEY; the Senator from Mississippi, Mr. HARRISON; the Senator from Oregon, Mr. MCNARY; the Senator from Delaware, Mr. TOWNSEND; and the Senator from Nebraska, Mr. NORRIS.

EXECUTIVE SESSION

Mr. ROBINSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations (and withdrawing a nomination), which were referred to the appropriate committees.

(For nominations this day received and nomination withdrawn, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

Mr. MCKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters, which were ordered to be placed on the Executive Calendar.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the first nomination in order on the calendar.

FEDERAL HOME LOAN BANK BOARD

The Chief Clerk read the nomination of Fred W. Catlett, of Washington, to be a member of the Federal Home Loan Bank Board.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. MCKELLAR. I ask unanimous consent that the nominations of postmasters on the calendar be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

That completes the calendar.

ADJOURNMENT TO FRIDAY

The Senate resumed legislative session.

Mr. ROBINSON. I move that the Senate adjourn until 12 o'clock noon on Friday next.

The motion was agreed to; and (at 4 o'clock and 48 minutes p. m.) the Senate adjourned until Friday, February 5, 1937, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 3 (legislative day of Feb. 1), 1937

UNITED STATES CIRCUIT JUDGE

John Biggs, Jr., of Delaware, to be United States circuit judge, third circuit, to fill an existing vacancy.

PUBLIC WORKS ADMINISTRATION

Sheridan P. Gorman, of Virginia, to be State director of the Public Works Administration in Virginia.

WORKS PROGRESS ADMINISTRATION

Charles E. Miner, of Illinois, to be State administrator in the Works Progress Administration for Illinois, vice Robert J. Dunham, resigned.

PROMOTION IN THE REGULAR ARMY

First Lt. John Castle Hampson, Dental Corps, to be captain, Dental Corps, with rank from February 17, 1937.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 3 (legislative day of Feb. 1), 1937

FEDERAL HOME LOAN BANK BOARD

Fred W. Catlett to be a member of the Federal Home Loan Bank Board.

POSTMASTERS

MICHIGAN

William J. Schindehette, Bay City.
Henry H. Sibole, Breedsville.
Cleo T. Aldrich, Clayton.
John D. Campbell, Douglas.
Caroline G. Smith, Edwardsburg.
Carl H. Renbarger, Galien.
Herman Nyhoff, Hamilton.
Stella I. Briggs, Harrison.
Harold H. Mickle, Homer.
Edward J. Weipert, Ida.
Christopher C. Lerg, Lake City.
Harrison D. Sweet, Marcellus.
Ewart L. Gardiner, Midland.
Grace Stella Murray, North Branch.
Mark B. Hawes, Parma.
Carl S. Schmid, Jr., Petersburg.
Fred B. Wadsworth, Pittsford.
Gladys I. Henson, Richland.
Regina K. Bresnahan, Roscommon.
Roy A. Cutler, Stanton.
Homer Edwin Wassam, Temperance.
Lawrence G. C. Finefrock, Woodland.

MASSACHUSETTS

James E. Bellew, Mansfield.
Joseph Daniel Scully, Medfield.
Priscilla Greenfield, Monument Beach.
Kathryn C. Broderick, Petersham.

NEW YORK

C. Leon Ryel, Copenhagen.
Andrew J. Hand, Endicott.
Arthur C. Moyer, Phoenix.
Arthur D. Driscoll, Whitney Point.
William A. Quigley, Yorktown Heights.

OKLAHOMA

J. Woodrow Wright, Adair.
Wilson G. Gray, Anadarko.
Ralph E. Weir, Beaver.
Belle Williams, Braggs.

Thomas J. Hurst, Calumet.
Esther L. Hatchett, Gracemont.
Ernest F. Lyon, Hinton.
Elmer J. Solomon, Kingfisher.
Samuel M. Scholl, Lookeba.
Thomas L. Wade, Marlow.
Lee Garner, Jr., Red Oak.
Douglas Thomas, Ryan.
Floyd G. Ransbarger, Verden.
Roy C. Grable, Waukomis.
James A. Whelan, Yukon.

WISCONSIN

Allen G. Wald, Alma.
Andy J. Fogerty, Dresser Junction.
Joseph D. McGaver, Fairchild.
Christ Herman, Jackson.
Richard H. Lauson, Kiel.
Delia G. Guay, Peshtigo.
John D. Costello, Racine.
Walter J. Amend, Ripon.
Grover T. Pace, Stanley.

WITHDRAWAL

Executive nomination withdrawn from the Senate February 3 (legislative day of Feb. 1), 1937

PROMOTION IN THE REGULAR ARMY

First Lt. John Castle Hampson, Dental Corps, to be captain, Dental Corps, with rank from February 15, 1937.

HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 3, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Give unto the Lord glory and strength. Give unto the Lord the glory due unto His name; worship the Lord in the beauty of holiness. He will not suffer thy foot to be moved: He that keepeth thee will not slumber. Behold He that keepeth Israel will neither slumber nor sleep.

We pray Thee, O Lord, that Thou wilt grant Thy blessing upon us, Thy children and the servants of the Republic. Create within us deep desires to purify ourselves, to walk patiently, and to discharge our duties according to the measure of our knowledge. Be pleased to bless our President and all his advisers; may they be guided through these times, so critical and perilous. Bless every household with light and gladness. In the name of Jesus. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed a bill and joint resolution of the House of the following titles:

On January 29, 1937:

H. R. 1545. An act to provide for loans to farmers for crop production and harvesting during the year 1937, and for other purposes.

On February 3, 1937:

H. J. Res. 81. Joint resolution to create a Joint Congressional Committee on Government Organization.

EXTENSION OF REMARKS

Mr. BOILEAU. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein an address delivered by my colleague, Mr. BERNARD, of Minnesota, against war and fascism at the fourth annual New York City Conference on January 30, 1937.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. LEA. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have leave to sit during the sessions of the House while the committee is holding hearings on H. R. 1668.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

EXTENSION OF REMARKS

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two respects, restrictions on present corporation methods, and, second, a federally controlled pan-American broadcasting station.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MAVERICK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

INDEPENDENT OFFICES APPROPRIATION BILL, 1937

Mr. WOODRUM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the independent offices appropriation bill, and pending that motion I ask unanimous consent that general debate continue for such time as may be occupied by myself and the gentleman from Massachusetts [Mr. WIGGLESWORTH] on the bill, and at the conclusion the bill be read under the 5-minute rule.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. BOLAND of Pennsylvania in the chair.

The Clerk reported the title of the bill.

Mr. WOODRUM. Mr. Chairman, I yield myself 20 minutes. The independent offices appropriation bill provides appropriations for some 32 of the independent establishments of the Government. For the benefit of our new colleagues, I may say that in this appropriation bill we find groups of governmental bureaus and departments that are not directly under some Cabinet officer. They are denominated independent offices and establishments, some 32 of them, covering a variety of activities, and a wide range of governmental functions, and carrying an awful lot of money. The bill this year carries a gross amount of $1,046,000,000.

Before I proceed to discuss the bill I want to express my appreciation to the members of the subcommittee, my Democratic colleagues and my Republican colleagues. The distinguished and able gentleman from Massachusetts [Mr. WIGGLESWORTH], the ranking minority member of our committee, very graciously, at considerable inconvenience to his business affairs and to his personal comfort, came down to Washington with me and with my colleague, Mr. FITZPATRICK, of New York, early in December, and we began informal hearings on this bill in order to have it ready as early as possible in the session. I appreciate that, and except for his splendid cooperation and willingness to go ahead informally, we could not have been ready today. Also I pause to pay my respects to the clerks of the Appropriations Committee. I know of no place in the Government service where there is a more efficient, faithful crowd of fellows who are willing to lay aside their own convenience and personal comfort and work day and night to bring information and facts to the subcommittee chairmen and to the chairman of our committee for your information and guidance. Something was said yesterday about working overtime in the Government. Here is a group that is working overtime and is underpaid, and I want to acknowledge at the beginning the services they render and the services of this young gentleman who is sitting on my left, the clerk of my subcommittee.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. Yes.

Mr. SNELL. How does the total amount of this appropriation bill compare with the one for last year for I suppose practically the same services?

Mr. WOODRUM. There is a gross increase for comparable items of about $60,000,000 in this bill over what it was last year.

Mr. LEWIS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. Yes.

Mr. LEWIS of Colorado. Is it not a fact that the figures prepared by the clerks in the Appropriations Committee of the House are practically infallible? On several occasions where different opinions were expressed to me as to costs and expenditures by various departments of the Government, on full investigation the figures furnished by the clerks of your Committee on Appropriations have always been found to be correct.

Mr. WOODRUM. That is absolutely true. I thank the gentleman for his observation.

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. Yes.

Mr. FITZPATRICK. The gentleman from New York [Mr. SNELL] asked what the increase was this year over last year for the same services. It is because of increased services and new responsibilities created by Congress.

Mr. WOODRUM. I am coming to that, and I should like if I may, to proceed for a few minutes without interruption, and then I shall try to answer any questions which gentlemen care to ask. The gross amount of the bill is $1,046,757,143. Of that gross amount, $60,396,180 is not directly appropriated out of the Treasury, but consists of authorizations to establishments of the Government that finance themselves, like the Federal Housing Administration, the Home Owners' Loan Corporation, the Reconstruction Finance Corporation, and various other agencies that have the right to raise their own funds and have a revolving fund out of which they pay their own expenses; but this year for the first time we required them to come to Congress for authorization to use their own funds for administrative expenses, and of that billion-and-odd dollars, $60,396,180 is for authorization for these agencies to use that fund for administrative purposes.

The bill is $4,950,000 under the estimates of the Bureau of the Budget. That may seem to be a very small reduction. Some gentleman asked on the floor yesterday, I think the distinguished gentleman from Pennsylvania [Mr. RICH], why the Appropriations Committee did not cut something from the Budget estimate. It has been my philosophy of the duty of the Committee on Appropriations—and we are just an agency of the House—and the duty of the Congress in respect to appropriations, that that duty is twofold. First, to try to conserve public assets, to try to hold down public expenditures, and yet on the other hand there is a duty no less important and no less pressing to appropriate adequately for proper governmental operations and functioning. Of course we could take a red pencil and shut our eyes and cut millions of dollars from these bills, but we have gone into the matter carefully and painstakingly with the idea in mind of trying to conserve the public assets and yet give funds where needed to carry out the functions of the Government established by Congress. If you are sufficiently interested to read the hearings, you will find that the Bureau of the Budget did a pretty good job with the pruning knife before the bill ever got to the Congress. They cut pretty deep and hard in some places. You may be interested to know that in these estimates of the agencies which come to us this year for the first time for the authority to use their own funds for administrative expenses—for instance, the Home Owners' Loan Corporation, the Federal Housing Administration, the Reconstruction Finance Corporation, and several others of similar character—there is a reduction in the administrative expenses in 1938 of $18,898,340 from those incurred in 1937. You will find all through this bill that appropriations are being held down and in many instances reduced. You will ask how we reconcile that with the fact that every year the gross amount of the bill climbs up.

Thereby hangs a tale. The reason for that is that every year this Congress by legislative enactment sets up new bureaus and new departments. Not only that, but it gives additional functions and additional duties to bureaus and departments already set up.

Let us, in a general way, account for this $78,601,558 gross increase in direct appropriations carried in this bill. In the first place, we find we are doubling the Federal Government's contribution to the civil-service retirement fund. We have put in the bill this year $26,342,000 more for the Federal Government's contribution to the retirement fund than we had last year.

We find we have the Rural Electrification Administration this year for a direct appropriation for loans. This is the first time that agency has ever come to Congress for a direct appropriation for loans. It has received its funds for loans out of emergency allotments heretofore. This year we have $30,000,000 for loans for that agency.

We find there was an increase of $66,800,000 in the amounts allotted to the Social Security Board for grants to old-age benefits, insurance, and relief to crippled children.

So I have already accounted for well over $100,000,000 of increases.

As offsets, we find a number of agencies where the appropriations are less than last year. That table is set out on page 3 of the report, if you are sufficiently interested to look at it.

So I say the reason these appropriation bills are more each year is because we create additional functions and additional establishments. Now let us see about that for a moment.

We find in this bill the Social Security Board, set up to administer that great humanitarian purpose of the President and the administration, to look after the needy people of this country. They are just now beginning to come into full operation, January 1, 1937. The committee cut their appropriation for administrative expense $5,000,000 under what the Budget estimated. I am perfectly frank to say to you, and I want to make it a matter of record, that I am afraid we cut them pretty deep; but we hope they will be able to get through on the amount of money we have allowed them, which is $18,377,202 for administrative expenses. I have had the matter up with the Board. They have been to see me since this bill was reported. Of course, they were disturbed that the committee had cut $5,000,000 off of what the Bureau of the Budget allowed them. I went over the thing with them and pointed out that even allowing them $18,000,000, we were giving them twice as much for 1938 as they had in 1937. They splendidly and very graciously said I might state to the Congress that they would do the best they could with the funds we had allotted to them. But, of course, if we find we have cut them too deep, we will still be here to meet whatever needs they may have for appropriations. That is a new activity. The Social Security Board, I believe, is as big and as comprehensive as all the life-insurance companies in America put together. Just think of that. That is the kind of an organization we have set up. Of course, it will cost money. It will be a mounting cost of money, but we must see that there is no dissipation of funds or that there is no more appropriated than is necessary to do the job we have given them; but, having given them the job, we must pay the freight as we go along.

Mr. WARREN. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. WARREN. I note an increase of $10,000,000 for the Public Works Administration. Will the gentleman tell the committee what that is for?

Mr. WOODRUM. It is not an increase. This is the first time we have appropriated money for the Public Works Administration for administrative expenses, but the authorization is for $10,000,000 administrative expenses for the

remainder of this fiscal year. Last year they had $26,000,000. Of course, their lending powers are gone and they are winding up their program.

Mr. WARREN. No part of that appropriation goes to projects, does it?

Mr. WOODRUM. No part of it goes to projects.

Mr. WARREN. I would like to say to the gentleman, lest by my silence I may give consent, that as far as I am concerned, I never intend to vote for one more dollar for the Public Works Administration. I think it is shot through with gross discriminations and favoritisms, and, as far as North Carolina is concerned, we think we have had about the worst treatment of any State in the Union. As far as I am concerned, I intend never to vote another dollar to them.

Mr. WOODRUM. Now we come to the Securities and Exchange Commission. I doubt if there is an informed Member of the House who would be willing to vote to repeal the law setting up the Securities and Exchange Commission. It costs us nearly $4,000,000 for their administrative expenses, but we have given them very important functions to carry out. Here, again, the Government is stepping into a field of activity never before occupied by the Federal Government, a field of activity to regulate and control and clean up, if you please, the situation existing in the field of the handling, marketing, and control of securities. Undoubtedly, that is going to be a growing, expanding bureau, but rendering, if you please, great service to the American people.

Then we come to the Federal Communications Commission. A few years ago it was the Federal Radio Commission. We have enlarged the functions of this Board, giving them jurisdiction over telephone and telegraph, and set up this agency to reach out and have control of the communications systems in America. I say to you that if you will interest yourself enough to find out a little something about the job we have given those people, touching, as it does, the field of Federal communications, of radio, telephone, and telegraph, communications with vessels at sea, and so forth, you will find that we have given them a herculean job to do.

I know there has been some criticism. My colleagues, the gentleman from Massachusetts [Mr. WIGGLESWORTH] and the gentleman from Massachusetts [Mr. CONNERY], have expressed themselves critically, but we must take into consideration the magnitude of the job we have given them. They are carried in the bill for $1,604,000 for their administrative expenses, some little reduction over what they had last year.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. RAYBURN. Is it not true that before the formation of the Communications Commission the Interstate Commerce Commission, having whatever authority there was to regulate telegraph and telephone communication, found itself so busy in the exercise of its initial duty, the regulation of carriers in interstate commerce, that they had done practically nothing with reference to this matter? Is it not further a fact that since the Communications Commission has been in existence and since the investigation we authorized a year and a half ago of telegraph and telephone companies that by reason of matters brought to light by this Commission, long-distance telephone rates in the country have been reduced by $22,000,000?

Mr. WOODRUM. The American people are paying annually $22,000,000 less for their long-distance telephone calls than they were before the investigation authorized by Congress.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. MAY. As a general proposition I am very much inclined to cut down governmental expenditures everywhere and to economize as much as I can. I do not know what effect the regulation of the communications system of this country has had in recent months, but I do know that since the occurrence of these disastrous floods, radio has been about the only instrumentality of communication that could be used for days and nights in succession to relieve distress or to handle the flood situation. As a matter of fact, it superseded everything else for about 3 days and nights.

Mr. WOODRUM. There is no question about that; and the members of the Federal Communications Commission were on duty 24 hours a day supervising and looking after radio communications throughout that great disaster.

Now I shall comment on the Civil Service Commission. They are carried in the bill for $2,350,000 for administrative expenses, which is about the appropriation they had for the current fiscal year. In my judgment, when the committee comes to consider reorganization of governmental bureaus, the elimination of useless functions, and try to coordinate governmental departments for greater efficiency, that in the Civil Service Commission they will find a fertile field for consideration.

[Here the gavel fell.]

Mr. WOODRUM. Mr. Chairman, I yield myself 10 additional minutes.

Mr. Chairman, I have no fault whatever to find with the Civil Service Commission as at present constituted. I think they are doing a good job with the tools we have given them to operate with and under the laws by which they are bound; but I want to reecho what I have said before on the floor of the House; that in my judgment it should be possible by some kind of standardized examination to eliminate hundreds of thousands of these examinations that are held all over the country that mean absolutely nothing to the citizens, that hold out false hopes of employment, and that get us nowhere. The Civil Service Commission now is piled full of these examinations they have held, because they do not have the personnel to grade the papers. Some way should be found to some extent to standardize certain types of examination under which they could have information and registers that would be available for different purposes. As it is now, if the Federal Securities Exchange Commission want lawyers, the Civil Service Commission holds an examination for them; if the Federal Communications Commission want lawyers, the Civil Service Commission holds another examination for them; and so on throughout all the departments and agencies. It seems to me a standard law examination could be given and that the Civil Service Commission could have a card index there showing the lawyer's name and his various fields of endeavor. This would show the department heads whether he fitted in the department or not. Examinations could be held and indexes could be made in the same way on the clerical and stenographic forces. I think this presents a wonderful opportunity for some coordination of effort or elimination of duplication that would save a lot of money and bring about so much more efficiency in the selection of Government employees.

On the floor of the House yesterday my distinguished friend, the gentleman from Massachusetts [Mr. CONNERY], said he proposed to move to strike out the phrase "labor-saving devices" wherever the phrase appears in the bill. He added that he had been informed that the Civil Service Commission were experimenting with an electric eye for use in grading certain standard mental tests in order to save time, and that his information was that 130 people would lose their jobs. I told him I could relieve his mind, that we had appropriated sufficient money for the Civil Service Commission to carry the full complement of personnel through 1938 that they had in 1937. Knowing bureaus and departments as I know them and as I think he knows them, I think he can rest assured that if there is no work for a man at this desk the supervisory official will find a desk not far away where the man can work at something else. They need not worry about losing their jobs.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. I yield.

Mrs. ROGERS of Massachusetts. Did the gentleman's committee consider giving larger appropriations to the Civil Service Commission this year in order that they could have more personnel for the rating of examinations held to supply personnel to such large new Government agencies as the Social Security Board? I think the Civil Service Commission has found itself very greatly handicapped due to

lack of personnel, and this has been very unsatisfactory, I think, to everybody.

Mr. WOODRUM. I may say to the gentlewoman from Massachusetts, that in this appropriation bill we give the Civil Service Commission $2,350,000. Our committee felt that this amount of money would carry them through. It is not as much as they could use, possibly, but certainly it is a reasonable provision for them.

Mrs. ROGERS of Massachusetts. Did they ask for more?

Mr. WOODRUM. They always ask for more, but we think we have given them a reasonable amount with which to carry on their activity.

Mrs. ROGERS of Massachusetts. It seems to me only reasonable that we should allow them additional personnel and an increased appropriation.

Mr. WOODRUM. They feel that way about it. So you have the two divergent viewpoints.

Mr. DONDERO. Will the gentleman yield?

Mr. WOODRUM. I yield to the gentleman from Michigan.

Mr. DONDERO. I have received numerous complaints which have been made to me by people who have taken the civil-service examination to the effect they have been compelled to wait from 3 to 6 months before they were even notified what their mark or grade was. This is along the line the gentleman has just stated.

Mr. WOODRUM. Mr. Chairman, the electric eye that has been spoken of, and that we shall probably hear more about, is one of those uncanny mechanical devices that takes a set of papers, flashes them through the machine and puts down the grade which the person makes on the examination. This is done very quickly. The purpose of the contrivance is not to knock people out of jobs, but to avoid the criticisms which we have just heard. There are many of these examinations held and the business has to be expedited in some way, so that these people who are trying to secure employment and trying to get on the eligible list may have an opportunity to get there before they die of old age.

Mr. Chairman, I would like to comment briefly on the General Accounting Office and the work of the Comptroller General. I am one of the Members of Congress who do not believe we should ever give up the right to have an administrative officer who is answerable to Congress in the control of the appropriations we make. [Applause.] I say that, however, with this qualifying statement: I have upon the floor many times complimented the Comptroller General who left office just a few months ago. I think he did a good job, although not a perfect job. None of us are perfect. But I think he did a good job. It is unfortunate that he dipped his brush in venom and smeared it across the picture of the administrative efforts he made while in office. I am sorry he did that, because then he got down from the pinnacle of an administrative officer who was not hamstrung by politics to the level of some of us who throw the partisan barb occasionally.

The office of the Comptroller General is one of the most important offices in the Government service and ought to be placed on the plane and dignity of a Cabinet position. I am not saying he should be a Cabinet officer, but the office should be on that plane and it should carry that salary, based upon the importance of the duties he has to perform. He should also be given the machinery with which to function. This man gets $10,000 a year. He has upon his shoulders the responsibility of seeing that all of the billions of dollars which Congress appropriates are spent according to law. We pay him $10,000 for that. What would private industry pay a man who had comparable duties and services to perform? We ought to get a man who rates the salary. We should give him the machinery and the equipment not only to audit the claims and supervise the expenditures but to come back to Congress and show us the result of his investigations. He should be able to show us where there are overlapping functions and useless bureaus and departments. He should be answerable to the legislative body and not to the Executive.

Mr. SNELL. Will the gentleman yield?

Mr. WOODRUM. I yield to the gentleman from New York.

Mr. SNELL. May I compliment the gentleman on what he has said about the Comptroller General's office? I agree with the gentleman's statement. I think when we established that system and set-up, together with the Bureau of the Budget and everything that went with it, it was one of the most progressive steps toward efficiency in Government service that has been taken since I became a Member of this House.

Mr. WOODRUM. I agree with the gentleman.

Mr. MAY. Will the gentleman yield?

Mr. WOODRUM. I yield to the gentleman from Kentucky.

Mr. MAY. The gentleman from Virginia is always so obliging and courteous and willing to yield. He made the statement at the beginning of his remarks on this bill that be preferred to go ahead and not be interrupted. In line with that request I have made a few memoranda and I would like to propound a few questions. As I understand the phrase "administrative expense" that has reference to cost of administering a particular bureau in all of its activities?

Mr. WOODRUM. That is my understanding of it.

Mr. MAY. The gentleman has stated here that the Rural Electrification Administration has been allowed $30,000,000 in this bill for administrative expenses. Did the committee in the hearings ascertain anything about the extent to which this Administration has been able to advance money in extending rural electrification and whether or not it has spent considerably less than one-third of that much up to the present time, or lent that much?

Mr. WOODRUM. The gentleman will find in the hearings a full and comprehensive statement of the loans, together with a complete statement covering the activities of the Rural Electrification Administration.

[Here the gavel fell.]

Mr. WOODRUM. Mr. Chairman, I yield myself 10 additional minutes.

The Rural Electrification Administration had available $24,000,000 during this year for loans, which they received from the Reconstruction Finance Corporation.

We have given them $30,000,000 in here for loans and $1,450,000 for administrative expenses.

Mr. MAY. Pursuing my inquiry a little further, what amount of money, if the gentleman happens to remember from the hearings, has the Rural Electrification Administration been able to lend up to the present time? As I understand it, the bill creating this agency provided an appropriation of $50,000,000 a year for 8 years or a total authorization of $400,000,000.

Mr. WOODRUM. I do not have the details of those loans right at hand. The gentleman will find them in the hearings.

Mr. MAY. Approximately?

Mr. WOODRUM. We were concerned, of course, with the question of administrative expenses and personnel.

Mr. RAYBURN. Will the gentleman yield?

Mr. WOODRUM. I yield to the gentleman from Texas.

Mr. RAYBURN. That money was not been available. This is the first part that has been made available. The bill authorized the Congress to appropriate $50,000,000 for the first year and $40,000,000 for 9 succeeding years. The money that the Rural Electrification Administration has heretofore had was received through an allotment which the President made of $100,000,000. Later he withdrew $90,000,000. So during the term of the Rural Electrification, from the time the act was passed, including new funds, there have been $8,000,000 allotted, if I remember correctly.

Mr. MAY. That was my object in endeavoring to secure the particular information. I may say I am not criticizing at all. I believe in the activities of the Rural Electrification Administration. The point I am trying to make is this: If it has been unable to lend more than $8,000,000 in the whole year it has been at work, the possibility is it will not be able to handle $30,000,000 during the coming fiscal year.

Mr. WOODRUM. The testimony before our committee was that they could handle it and that they needed it.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield to me?

Mr. WOODRUM. Yes.

Mr. RAYBURN. It must be remembered that during the time the Rural Electrification Administration has been authorized by the President it has been busy setting up an organization throughout the country. They have been engaged with applications, sifting them and finding out whether or not they were justified. They are now about up to the point where they are able to allot money for specific projects, and have been doing this for the last 3 months. This is the reason that during the first year of the existence of Rural Electrification there was not much money paid out. They were simply setting up their administrative force and getting ready to investigate and handle the applications that were made.

Mr. MAY. Then it is entirely probable that during the coming year they will actually put in more rural-electrification activities?

Mr. RAYBURN. I presume the committee in appropriating $30,000,000, when they were authorized to appropriate $50,000,000, thinks, in all probability, $30,000,000 can be reasonably loaned.

Mr. FITZPATRICK. And, if the gentleman will permit, in many instances they were able to get private corporations to extend their lines and therefore it was not necessary to spend the money allotted. They were getting these companies to extend their lines at very reasonable rates.

Mr. RAYBURN. That has been true in many instances.

Mr. MAY. As I understand, they are merely aiding the private utilities in accommodating the rural communities, and they are advancing the money, as a matter of fact, to do this.

Mr. RAYBURN. Does the gentleman from Virginia think I am taking too much time on this question? It is a matter in which I am very much interested, because I happen to be joint author of the rural electrification bill.

Mr. WOODRUM. Go ahead; I yield.

Mr. RAYBURN. Here is what often happens. Taking a section like my own, for instance, of small towns and a very thickly populated farming area, rural electrification was practically unknown before the President made this allotment. In many instances, after a survey has been made to determine whether or not a community would take electricity, when 30 or 40 or 50 farmers signed up in a community and made the gesture that they were going to form a cooperative for the purpose of borrowing this money, the power companies have then come in and preempted the field, so there was no use in the cooperatives proceeding.

Mr. WOODRUM. On page 477 the gentleman will find a statement that will be useful in that connection.

Mr. MAY. If the gentleman will permit just one other question on another subject, in regard to the Social Security Board, for which an appropriation is being made here of $18,000,000, I believe the gentleman said this is for administrative expenses. As I understood the law when we enacted it, the levying on industry of a graduated tax that goes up to a certain point was intended not only to take care of the Social Security obligations but also to pay the administrative expenses of the Board?

Mr. WOODRUM. No; that is the unemployment insurance tax. It does not go to the Social Security Board at all. It goes to the Federal Treasury.

Mr. MAY. Then this has reference to the old-age pension system?

Mr. WOODRUM. Eighteen million dollars is for the purpose of taking care of the entire administrative expense of the Social Security Board, which administers not only unemployment insurance but old-age benefits, aid to crippled children and to the blind. The tax to which the gentleman is referring is a separate tax levied upon industry and paid into the Federal Treasury, and the Social Security Board has no control over it whatever.

Mr. MAY. How is that handled?

Mr. WOODRUM. It is handled by the Treasury Department.

Mr. SNELL. Mr. Chairman, will the gentleman yield for a question?

Mr. WOODRUM. I yield.

Mr. SNELL. I do not know just what agency it is that lends money to individuals to buy electrical appliances, and so forth, but what has been the fact with reference to the actual working out of that proposition?

Mr. WOODRUM. The gentleman refers to the Electric Home and Farm Authority. They do not come under our bill, but I may say to the gentleman that they are in liquidation, and in real liquidation and not theoretical liquidation.

Mr. SNELL. Then that agency is going to stop doing business. Does the gentleman know anything about the results of its operations?

Mr. WOODRUM. According to my information it has not been very successful, and for that reason they are folding up.

I have commented on the new fields of activity which the Federal Government has been going into that cost money. I do not know just how much the Members of the House know about The National Archives. Perhaps you have not been very much interested because you have not received letters from your constituents about it. Perhaps the only communications you have had have been from people who wanted jobs down there, but let me say to you that the building and setting up of this institution is a result, not of this administration, but a number of preceding administrations, going all the way back almost to the foundation of the Government, when recommendations were made pointing out the necessity of having some repository where important Government documents could be perpetuated and made available for public use. We passed then a National Archives bill, and I want to pass amongst you, for a moment, some of the pictures I have here so you may see some of the hundreds of different places where the important documents of our Government were being kept prior to the time The National Archives began taking care of them.

These pictures will show you where the records of these bureaus and departments have been stored. They were stored in garages, in attics; they were eaten by dust and by vermin and were in the most terrible condition that can be imagined. Most of them were in Washington, but some were scattered in other agencies.

It is the duty of The Archives department to take these records and determine, by the particular board set up, how to keep them, to perpetuate them, and to make them available for department students and others.

Now, we have many problems to meet. One is the cleaning of the documents. That is a new field of activity. There is no precedent for it. The engineers have gotten up a way to clean and fumigate these documents. I have a picture here, and they found many of these public records in a terrible state, about ready to go to pieces.

They have discovered a process for cleaning where the document is put under high pressure and something like cellophane, but more durable, is pressed on both sides of it, which not only preserves it but will carry on for succeeding generations.

There is a new field of activity. It is the setting up of a new bureau with some three or four hundred employees to man that agency.

But is there any person who will say that it is not necessary for the Government to keep and perpetuate its records?

Mr. MICHENER. Will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. MICHENER. I want to commend the activities of the Archivist. But may I hope that we who believe in genuine civil service may have the aid of the distinguished gentleman on the floor in an effort to bring about civil service in this highly technical and important department?

The Seventy-third Congress expressly provided that The Archives should be outside of the civil service. May we not

hope that we will have the assistance of the gentleman from Virginia to put this activity under the civil service and climinate politics entirely?

Mr. WOODRUM. I quite agree with the gentleman, but I want to call his attention to this fact: We have across the Plaza the Congressional Library, which has never been under civil service, and yet the Congress has withstood the importunities of both major political parties to make that a political football, and I do not think it has ever been made a political football, though sometimes some of my colleagues thought so. I remember a few years ago our distinguished colleague from Oklahoma making a great complaint about the number of the gentleman's own party who were in that organization, but I agree with the gentleman from Michigan, and I should like to see it put under civil service and put on the merit basis.

I want now to comment on two of these emergency organizations that come to us for the first time for administrative expenses, the Home Owners' Loan Corporation and the Federal Housing Administration. We have made a further cut in the appropriation for the Home Owners' Loan Corporation.

We cut them $2,000,000, and those gentlemen feel very keenly that perhaps they are going to be pinched pretty tight over that appropriation. However, I say to those of my colleagues who have expressed interest and some apprehension about the cut we made there that the Home Owners' Loan Corporation had 22,000 employees when at the peak of its lending operations, and that number was reduced to 15,000. They believe now that during 1938 they will probably have 160,000 foreclosure proceedings going on. That will require a lot of personnel, and under the bill we give them $1,000,000 more for 1938 than for 1937, which will permit the employment of nearly 1,000 additional personnel; and our committee feels that we have given them enough to run them through 1938.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. Yes.

Mr. MAY. I have been in conference with two or three of the employees of the Home Owners' Loan Corporation in the last 10 days on two different occasions, and they are boasting to me that the Government was able to borrow that money at about 3 percent or less, and that they are using it on their bonds, and that they were lending it out at 5 percent, and that the difference between the cost of the money and the amount they were getting for it would be amply sufficient to pay all administrative costs.

Mr. WOODRUM. They pay out their own fund. This money is not appropriated out of the Treasury. We authorize them to use their own funds.

Mr. MAY. In other words, this is an authorization?

Mr. WOODRUM. That is all.

Mr. DOWELL. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. Yes.

Mr. DOWELL. Numerous foreclosures are going on, as I understand it. What is the policy of the Department with reference to taking over this property, and how is this to be conducted after the Government gets the title to it, when it does get title?

Mr. WOODRUM. It is to be conducted just like any private concern would conduct it after taking the property over. It is to take it over under foreclosure. It has to be maintained, it has to be managed, it has to be repaired, and then it will be sold, if it can be sold.

Mr. DOWELL. Does that mean that it will be the policy of the Government to take over all these numerous properties and conduct them as a private individual would?

Mr. WOODRUM. The Government has to take over the property until it can dispose of it. There is nothing else that it can do, but I say to the gentleman that the Government is not taking it over if there is a possible way to get out of taking it over.

Mr. DOWELL. A great many are reported to be now under foreclosure.

Mr. WOODRUM. Undoubtedly, but there again the Government will probably get a lucky break, because so much of this property is appraised and foreclosed when the market is down, and if real estate comes back, as many people think it will, the Government in many instances will have a good, sound investment.

Mr. DOWELL. But would it not be better if we can still retain that in the possession of the owner of the property than to take it over by the Government?

Mr. WOODRUM. Very much better, but, after all, it is a loan and not a gift. If the point comes where it is obvious that the owner of the property cannot handle it or pay for it, we have to take it over.

Mr. DOWELL. I assume that the gentleman has made a careful investigation of this situation. What is the reason for such a great number of foreclosures in this agency in so short a time?

Mr. WOODRUM. The reason is that a great many people borrowed money from the Home Owners' Loan Corporation and sat down and said, "The Government has this, and I know that my Congressman or Senator will not let them foreclose the property", and they bought new automobiles or took trips around the world instead of paying for their property. That is not so in every instance; and, of course, there are some cases where adversity has come. We are now meeting new difficulties in the great flood, where people are being wiped out, and they are an unknown quantity, which we are not able to appraise, but in many instances people have not manifested the same desire to meet their obligations that they would manifest if dealing with private individuals.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. Yes.

Mr. SNELL. Does the gentleman know what proportion of the whole amount the Government will have to foreclose?

Mr. WOODRUM. Out of 1,300,000 loans made so far they have 160,000 foreclosures.

Mr. SNELL. Has there been any estimate of what the loss will be on that?

Mr. WOODRUM. They do not estimate that ultimately there will be any loss. Of course, there will be peak losses, and the foreclosures will be very heavy in the first few years, but after persons have paid on their property for a year or two they will have sufficient equity in it, with the market coming back to anywhere like normal, that the Government's liability will be small.

Mr. SNELL. Can the gentleman state what proportion are keeping up their payments?

Mr. WOODRUM. It is in the hearings, but I do not recall just now.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. GIFFORD. Has the gentleman noticed where a decree of the court has granted injunctions against foreclosure on these properties in one section?

Mr. WOODRUM. No; I had not noticed that.

Mr. GIFFORD. It seems interesting that a court should issue an injunction that would not allow them to foreclose. However, the profits derived because of the rate of interest on which money was provided as against the rate of interest paid, is the reason for expecting there will be no loss, is it not?

Mr. WOODRUM. Yes.

Now, Mr. Chairman, I feel that I have taken too much time of the Committee. My distinguished colleague from Massachusetts [Mr. WIGGLESWORTH] is going to discuss the bill and then we shall go under the 5-minute rule. I want to thank the Committee for its courtesy and patience. [Applause.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield myself 25 minutes.

I ask unanimous consent, Mr. Chairman, to revise and extend my remarks and to include one or two brief tables, together with information provided on request by the Federal Communications Commission and by the General Accounting Office.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. WIGGLESWORTH. Mr. Chairman, at the outset I want to pay my respects to the majority members of this subcommittee. It has been my privilege to serve on this com-

mittee for a number of years with the distinguished gentleman from Virginia [Mr. WOODRUM]. I have long considered him one of the outstanding members of this House. I am sure we all agree that we are very fortunate in having him in the position which he holds at this time.

I want to express to him and to my able and genial friend the gentleman from New York [Mr. FITZPATRICK] and to the other members of this subcommittee my sincere appreciation of their consideration at all times in connection with the preparation of this bill.

It is always a little difficult to compare totals carried from year to year in the independent offices appropriation bill, for the reason that the agencies covered vary considerably from year to year. I insert at this point a table which has been prepared showing a comparison of the totals this year with last year.

	1937	Budget estimate 1938	Bill for 1938	Increase (+), decrease (−) bill compared with 1937	Increase (+), decrease (−) bill compared with Budget for 1938
Regular establishments, annual appropriations	$907,759,405	$991,310,963	$986,360,963	+$78,601,558	−$4,950,000
Emergency agencies authorizations	[1] 79,294,520	61,396,180	60,396,180	−18,898,340	−1,000,000
Total	987,053,925	1,052,707,143	1,046,757,143	+59,703,218	−5,950,000
Permanent appropriations	91,993,491	93,556,255	[2] 93,556,255	+1,562,764	
Grand total	1,079,047,416	1,146,263,398	[3] 1,140,313,398	+61,265,982	−5,950,000

[1] The amount for 1937 did not require to be authorized, sec. 7 of the First Deficiency Act, 1936, being effective only for 1938 and subsequent fiscal years. The figure shown is the estimated actual expenditure.
[2] Not included in the bill. Reported here for the purpose of affording a complete Budget picture.
[3] Includes a total of $93,556,255 for permanent appropriations which are not carried in the bill, but is reported here for the purpose of affording a complete Budget picture.

While it is difficult to make an exact comparison, the trend of the totals carried is, I think, significant. If we take the totals carried in the bill for the fiscal years 1935 to 1938, inclusive, leaving out deficiency items, and limiting ourselves to items for the regular establishments, we find that the totals run something like this:

1935	$617,000,000
1936	777,000,000
1937	880,000,000
1938	986,000,000

On this basis the increase as compared with the bill a year ago amounts to about $106,000,000. Including deficiency items and reappropriations the increase on the basis of appropriations amounts to about $69,000,000, or on the basis of actual expenditure, to about $128,000,000.

The bill, as has been pointed out, represents in respect to the regular establishments a reduction as compared with Budget figures, of $4,950,000, reflecting a reduction in the salaries and administrative expenditures of the Social Security Board to the extent of $5,000,000, and an increase to the extent of $50,000 for the care and maintenance of the Executive Mansion and grounds.

The sum recommended by the Budget for the administrative expenditures of so-called emergency agencies amounts to roughly $61,000,000, or a decrease, as compared with estimated expenditure for the current year, of about $18,000,000. Your committee recommends a reduction in the Budget figures amounting to $1,000,000, reflecting a decrease for Home Owners' Loan Corporation of $2,000,000 and an increase for Federal Housing Administration of $1,000,000.

The principal items of increase and decrease appear for the regular establishments on page 3 of the report and for the emergency items on page 26 of the report.

The bill also carries permanent appropriations amounting to about ninety-three and one-half million dollars, an increase of about one and one-half million dollars as compared with the present year. The grand total, as indicated in the table, amounts to $1,140,313,398.

Mr. Chairman, the scope of the independent offices appropriation bill is always very great. It is particularly so this year because of the far-reaching character of the new items, which appear in the bill for the first time. As the chairman of the subcommittee has indicated, there are 32 agencies provided for in one way or another in this bill. Among the new items you will find such important items as the Social Security Board, the Rural Electrification Administration, the Home Loan Bank Board, the Federal Savings and Loan Insurance Corporation, the Reconstruction Finance Corporation, the Home Owners' Loan Corporation, the Federal Housing Administration, and the Public Works Administration. It is obvious that in the time available this morning any comprehensive treatment of the items carried in this bill is out of the question. All that can be done is refer in a very brief way to a few points which seem important in connection with the several agencies.

Just a few words, first, as to the items with which we are more familiar which have appeared in this bill in previous years.

I have already spoken in respect of the Federal Communications Commission, or more specifically, with respect to the Radio Broadcasting Division of that Commission. I have already called attention to transfers of broadcasting licenses approved by the Commission, which in the absence of further explanation appear to be without justification if not scandalous. I am not going to say anything further on that subject at this time. I shall, however, under permission granted insert at this point certain information furnished by the Commission on request.

CONDENSED TABLES OF TRANSFERS AND LEASES OF BROADCASTING LICENSES APPROVED BY FEDERAL COMMUNICATIONS COMMISSION

Applications for consent under sec. 310 of the Communications Act of 1934 for assignment of licenses granted by Federal Communications Commission[1] or period from July 1, 1935, to Dec. 8, 1936

Station	Location	File no.	Assignor	Assignee	Original cost fixed assets	Replacement cost of fixed assets	Total claimed value of physical and intangible assets	Period	Station earnings (net profit)	Consideration paid	Date granted by commission
								Months			
KCMO	Kansas City, Mo.	B4-AL-88	Charlotte Duncan, administratrix of estate of Wilson Duncan, deceased.	Lester E. Cox, Thomas L. Evans, and C. C. Payne.	$10,473.45	$11,141.45	$2,500.00	6	$1,347.82	$18,000.00	May 14, 1936
KFJR	Portland, Oreg.	B5-AL-139	Ashley C. Dixon, KFJR, Inc.	KALE, Inc.	6,461.72	13,500.00	19,481.80	8	1,008.97	28,500.00	Oct. 7, 1936
KFVD	Los Angeles, Calif.	B5-AL-98	Los Angeles Broadcasting Co., Inc.	Standard Broadcasting Co., Inc.	9,105.20	14,025.00	7,908.10	6	2,381.78	65,000.00	June 12, 1936
KFYO	Lubbock, Tex.	B3-AL-89	T. E. Kirksey, trading as Kirksey Bros.	Plains Radio Broadcasting Co.	11,733.58	11,351.73	21,000.00	6	1,792.82	21,000.00	Apr. 3, 1936
KIDW [2]	Lamar, Colo.	B5-AL-83	Lamar Broadcasting Co.	The Southwest Broadcasting Co. (lease only).	15,000.00	8,000.00	3,000.00	6	[1] 942.54	[3] 1,200.00	Apr. 7, 1936
KMMJ	Clay Center, Nebr.	B4-AL-97	The M. M. Johnson Co.	KMMJ, Inc.	40,934.79	39,007.30	47,143.20	6	[1] 3,037.03	60,000.00	July 2, 1935
KOIL	Council Bluffs, Iowa	B4-AL-63	Mona Motor Oil Co.	The Central States Broadcasting Co.	69,068.02	65,349.34	85,229.88	3	[1] 1,686.77	110,000.00	Nov. 12, 1935
KOMA	Oklahoma City, Okla.	B3-AL-105	National Radio Mfg. Co.	Hearst Radio, Inc.	20,966.01	21,852.00	196,000.00	6	17,597.28	171,000.00	Aug. 13, 1935
KOY	Phoenix, Ariz.	B5-AL-140	Nielsen Radio & Sporting Goods Co.	Salt River Valley Broadcasting Co.	22,010.35	13,833.12	50,000.00	6	4,833.31	50,000.00	Nov. 10, 1936
KPDN	Pampa, Tex.	B3-AL-117	Pampa Daily News, Inc.	R. C. Hoiles	11,734.79	11,734.79	10,914.56	2	1,885.46	15,000.00	Sept. 22, 1936
KRE	Berkeley, Calif.	B5-AL-87	First Congregational Church of Berkeley.	The Central Broadcasters, Inc.	14,494.05	11,250.00	6,707.44	6	101.32	16,978.23	Do.
KRQA	do	B5-AL-100	W. C. Irvin	J. Laurance Martin	5,062.11	4,047.63	14,332.39	6	[1] 869.35	15,000.00	July 2, 1936
KSO	Des Moines, Iowa	B4-AL-60	Cedar Rapids Broadcast Co.	Iowa Broadcasting Co.	27,600.00	27,600.00	134,950.00	3	[1] 6,615.00	1.00	Jan. 10, 1936
KTAT	Fort Worth, Tex.	B3-AL-103	KTAT Broadcast Co., Inc.	Raymond E. Buck	86,861.04	75,469.99	176,000.00	6	[1] 3,000.00	160,000.00	Aug. 13, 1936
KTAT	do	B3-AL-136	Raymond E. Buck	Tarrant Broadcasting Co.	86,861.04	75,469.99	160,631.22	1	1,099.39	[4] 170,000.00	Nov. 10 1936
KTSA	San Antonio, Tex.	B3-AL-95	Southwest Broadcasting Co.	KTSA Broadcasting Co.	72,355.28	78,941.47	208,000.00	6	[1] 4,000.00	180,000.00	May 4, 1936
KVOL	Lafayette, La.	B3-AL-86	George H. Thomas, R. M. Dean, L. M. Sepaugh, T. B. Lanford, doing business as Evangeline Broadcasting Co.	Evangeline Broadcasting Co., Inc.	4,970.53	4,970.53	7,492.51	3	1,915.57	[6] 7,203.82	May 21, 1936
KVOR	Colorado Springs, Colo.	B5-AL-121	S. H. Patterson	Out West Broadcasting Co.	19,848.40	19,727.00	70,629.73	6	4,621.50	80,000.00	Oct. 20, 1936
KWG	Stockton, Calif.	B5-AL-109	Portable Wireless Telephone Co.	McClatchy Broadcasting Co.	12,044.42	12,044.42	46,687.33	6	8,823.58	1.00	July 2, 1936
KYA	San Francisco, Calif.	B5-AL-59	Pacific Broadcasting Corporation	Hearst Radio, Inc.	52,968.80	27,200.00	[1] 25,658.67	3	[1] 13,740.70	1.00	Mar. 10, 1936
WACO	Waco, Tex.	B3-AL-104	Central States Broadcasting Co., Inc.	Ktsa Broadcasting Co.	14,896.12	17,965.00	62,000.00	6	6,600.00	50,000.00	Aug. 13, 1936
WATL	Atlanta, Ga.	B3-AL-40	Oglethorpe University	J. W. Woodruff and S. A. Cisler, doing business as Atlanta Broadcasting Co.	21,794.00	11,454.00	12,450.00	3	[1] 173.25	16,500.00	Oct. 22, 1935
WATL	do	B3-AL-123	J. W. Woodruff and S. A. Cisler, doing business as Atlanta Broadcasting Co.	J. W. Woodruff, doing business as Atlanta Broadcasting Co.	21,794.00	11,450.00	6,000.00	6	3,803.27	4,500.00	Oct. 27, 1936
WCHS	Charleston, W. Va.	B2-AL-141	Charleston Broadcasting Corporation.	Charleston Broadcasting Corporation.	71,942.20	145,718.04	61,680.09	6	9,426.60	200,000.00	Do.
WCOP	Boston, Mass.	B1-AL-77	Joseph M. Kirby	Massachusetts Broadcasting Corporation.	42,620.80	42,620.80	57,306.05	1	[2] 2,129.07	[3] 57,000.00	May 28, 1936
WCPO	Cincinnati, Ohio	B2-AL-70	Radio Station WFBE, Inc.	Continental Radio Co.	53,500.00	55,518.00	42,570.10	6	[1] 941.92	53,500.00	Sept. 24, 1935
WEBR [5]	Buffalo, N. Y.	B1-AL-114	Howell Broadcasting Co.	WEBR, Inc.	160,884.90	120,964.75	99,250.00	6	7,232.85	120,000.00	July 2, 1936
WEEI [5]	Boston, Mass.	B1-AL-112	The Edison Electric Illuminating Co. of Boston.	WEEI Broadcasting Co. (lease)	451,978.00	463,234.00	497,907.00	6	66,486.43	[3] 219,000.00	June 20, 1936
WELI	West Haven, Conn.	B1-AL-99	Patrick J. Goode	City Broadcasting Corporation	30,492.96	30,492.96	57,127.10	6	[1] 6,184.95	[4] 57,000.00	June 12, 1936
WEST	Easton, Pa.	B3-AL-43	Lancaster Broadcasting Service, Inc.	Associated Broadcasters, Inc.	19,000.00	19,000.00	12,750.00	3	[1] 661.78	19,000.00	Oct. 22, 1935
WQAN	Scranton, Pa.	B2-AL-84	E. J. Lynett (property the Scranton Times).	E. J., W. R., Elizabeth R., and Edward J. Lynett, Jr.	18,000.00	18,000.00	338,000.00		None	1.00	May 1, 1936
WSGN	Birmingham, Ala.	B3-AL-73	Ormond O. Black and Mary Collett Black (R. B. Broyles, trading as R. B. Broyles Furniture Co.).	R. B. Broyles, doing business as R. B. Broyles Furniture Co.		[6]				None	Dec. 17, 1935
WSGN [5]	do	B3-AL-85	See above name in parentheses; omit same as part of B3-AL-73.	Birmingham News Co. (lease)	12,000.00	12,000.00	6,784.00	7	2,592.42	[3] 6,000.00	May 14, 1936
WTAQ	Green Bay, Wis.	B4-AL-35	Gillette Rubber Co.	WHBY, Inc.	21,691.25	32,121.45	24,569.25	3	914.10	30,000.00	Aug. 27, 1935
WTAQ	do	B4-AP-7	do	do			24,569.25	3	914.10	30,000.00	Oct. 1, 1935
WWNC	Asheville, N. C.	B3-AL-126	Citizens Broadcasting Co., Inc.	Asheville Citizen-Times Co., Inc.	34,440.98	25,254.50	9,223.03	6	11,218.87	1.00	Oct. 20, 1935

[1] Deficit. [2] See supplementary information attached hereto. [3] Per annum. [4] In stock. [5] Not known. [6] Cancelation of lease.

Existing licensees operating stations under leases where assignment of license (based upon lease) was approved by Federal Radio Commission prior to July 11, 1934

Station	Location	File number	Assignor (lessor)	Assignee (lessee)	Period lease is operative	
					From—	To—
KEX	Portland, Oreg	5-AL-B-534	Western Broadcasting Co	The Oregonian Publishing Co	Sept. 3, 1933	June 14, 1938
KFDM	Beaumont, Tex	3-AL-B-437	Magnolia Petroleum Co	Sabine Broadcasting Co., Inc	June 22, 1932	June 21, 1937
KGA	Spokane, Wash	5-AL-B-533	Northwest Broadcasting System, Inc	Louis Wasmer	Sept. 4, 1933	June 14, 1943
KGO	San Francisco, Calif	5-AB-186	General Electric Co	National Broadcasting Co., Inc	Feb. 1, 1930	(6)
KJR	Seattle, Wash	5-AL-B-497	Northwest Broadcasting System, Inc	Fisher's Blend Stations, Inc	Feb. 21, 1933	Dec. 31, 1942
KOA	Denver, Colo	5-AB-187	General Electric Co	National Broadcasting Co., Inc	Feb. 1, 1930	(6)
KPO	San Francisco, Calif	5-AL-B-415	Hale Bros. Stores, Inc., and the Chronicle Publishing Co.	do	Dec. 17, 1931	Dec. 17, 1937
WAPI	Birmingham, Ala	3-AL-B-440	Alabama Polytechnic Institute, University of Alabama, and Alabama College.	WAPI Broadcasting Corporation	Aug. 1, 1932	Aug. 1, 1937
WASH	Grand Rapids, Mich	2-AL-B-398	WASH Broadcasting Corporation	Kunsky-Trendle Broadcasting Corporation [7]	Dec. 21, 1931	Oct. 15, 1935
WBNO	New Orleans, La	3-AL-B-312	The Coliseum Place Baptist Church	Samuel D. Reeks	Aug. 20, 1930	Aug. 20, 1940
WDAE	Tampa, Fla	3-AL-B-552	Tampa Publishing Co	Tampa Times Co	June 30, 1933	June 30, 1943
WFBG	Altoona, Pa	2-AL-B-464	The William F. Gable Co	The Gable Broadcasting Co	July 1, 1932	Dec. 31, 1932
WHBY	Green Bay, Wis	4-AL-B-466	St. Norbert College	WHBY, Inc	Oct. 1, 1932	Oct. 1, 1942
WMAL	Washington, D. C	1-AL-B-494	M. A. Leese Radio Corporation	National Broadcasting Co., Inc	Feb. 28, 1933	Jan. 31, 1938
WMBI	Chicago, Ill	4-AB-23	Moody Bible Institute of Chicago	Moody Bible Institute Radio Station	Nov. 26, 1928	Oct. 20, 1929
WOOD	Grand Rapids, Mich	2-AB-322	Walter B. Stiles, Inc	Kunsky-Trendle Broadcasting Corporation [7]	Oct. 15, 1930	Oct. 15, 1935
WTAM	Cleveland, Ohio	2-AL-B-288	WTAM, Inc	National Broadcasting Co., Inc	Oct. 16, 1930	Oct. 15, 1933

Station	Location	File number	Option to renew	Original cost fixed assets [1]	Replacement cost fixed assets [1]	Total claimed value of physical and intangible assets [1]	Station earnings [1]		Consideration paid (per annum) [1]	Date granted by Commission [2]
							Period (months)	Net loss or profit		
KEX	Portland, Oreg	5-AL-B-534	Yes	(3)	(3)	(3)	(3)		(4)	Oct. 28, 1931
KFDM	Beaumont, Tex	3-AL-B-437	None provided	(3)	$54,702.46	$60,000.00	3	*$3,149.09*	$3,600	July 19, 1932
KGA	Spokane, Wash	5-AL-B-533	do	(3)	26,446.00	26,446.00	3	*$6,166.97*	(4)	Aug. 25, 1933
KGO	San Francisco, Calif	5-AL-B-186	Cancelable on 1 year's notice	(3)	(3)	(3)	(3)		(4 5)	Mar. 26, 1930
KJR	Seattle, Wash	5-AL-B-497	None provided	(3)	(3)	(3)	3	*$1,461.87*	(4)	Feb. 21, 1933
KOA	Denver, Colo	5-AB-187	Cancelable on 1 year's notice	(3)	(3)	(3)	(3)		(4 5)	Mar. 26, 1930
KPO	San Francisco, Calif	5-AL-B-415	None provided	(3)	(3)	(3)	(3)		[5] 1	June 10, 1932
WAPI	Birmingham, Ala	3-AL-B-440	do	(3)	$6,500.00	40,250.00	3	199.94	9,300	Aug. 1, 1932
WASH	Grand Rapids, Mich	2-AL-B-398	do [8]	(3)	(3)	(3)	(3)		6,760	Dec. 21, 1931
WBNO	New Orleans, La	3-AL-B-312	Yes	(3)	(3)	(3)	(3)		1,200	Feb. 17, 1931
WDAE	Tampa, Fla	3-AL-B-552	None provided	(3)	14,200.00	(3)	3	308.96	1	Mar. 2, 1934
WFBG	Altoona, Pa	2-AL-B-464	Yes	(3)	24,069.00	115,609.00	3	942.02	(3)	Nov. 9, 1932
WHBY	Green Bay, Wis	4-AL-B-466	do	$34,687.96	33,323.72	29,291.26	(3)		1,200	Do.
WMAL	Washington, D. C	1-AL-B-494	None provided	55,757.61	55,757.61	37,599.32	3	*4,857.49*	36,000	Feb. 28, 1933
WMBI	Chicago, Ill	4-AB-23	Yes	(3)	(3)	(3)	(3)		1	Nov. 26, 928
WOOD	Grand Rapids, Mich	2-AB-322	None provided [6]	(3)	(3)	(3)	(3)		15,000	Mar. 24, 1931
WTAM	Cleveland, Ohio	2-AL-B-288	do	(3)	(3)	(3)	(3)		(3)	Oct. 17, 1930

[1] Rules at that time did not call for this information; subsequent rules require this information.
[2] All granted without hearing except 5-AL-B-415(KPO) and 1-AL-B-494(WMAL), which were granted after hearing.
[3] Not furnished.
[4] No monetary consideration.
[5] Although these leases provide as stated as to monetary consideration, advertising services and announcements are involved.
[6] Continues indefinitely.
[7] Kunsky-Trendle Broadcasting Corporation now King-Trendle Broadcasting Corporation.
[8] Leases have been continued by extensions of original agreement.
[9] Net income.

Italic figures indicate loss.

Applications for consent under sec. 310 of the Communications Act of 1934 to transfer control of licensee corporation, granted by Federal Communications Commission during period from July 11, 1934, to June 30, 1935

Station	Location	File No.	Licensee corporation	Transferor	Transferee	Original cost of fixed assets
KWKH	Shreveport, La	B3-TC-13	International Broadcasting Corporation	Sam D. Hunter	Times Publishing Co., Ltd	$82,200.00
WBAL [4]	Baltimore, Md	B1-TC-2	The WBAL Broadcasting Co	Consolidated Gas, Electric Light & Power Co. of Baltimore.	American Radio News Corporation	[2]
WHBU [3 4]	Anderson, Ind	B4-TC-4	Anderson Broadcasting Corporation	Citizens Bank	Leo M. Kennett	[2]
WIOD [4]	Miami, Fla	B3-TC-1	Isle of Dreams Broadcasting Corporation	Jesse H. Jay	Metropolis Publishing Co	[2]
WJBY [4]	Gadsden, Ala	B3-TC-10	Gadsden Broadcasting Co., Inc	Mr. and Mrs. Morel Montgomery	Bascom Hopson and Mrs. Kate T. Hopson	8,059.50
WKBB	E. Dubuque, Ill	B4-TC-8	Sanders Bros. Radio Station	R. W. Hoffman	Walter E. Klaner	19,300.00
WMMN	Fairmont, W. Va	B2-TC-9	A. M. Rowe, Inc	A. M. Rowe, Inc	West Virginia Broadcasting Corporation	22,976.57
WPHR	Petersburg, Va	B2-TC-3	WLBG, Inc	WLBG, Inc	J. Sanford Edge	19,228.17
WTBO [3]	Cumberland, Md	B1-TC-6	Associated Broadcasting Corporation	Herbert Lee Blye	Roger W. Clipp and Frank V. Becker	16,314.05
WTFI	Athens, Ga	B3-TC-6a	Liberty Broadcasting Co	R. R. Scales, Jr.; R. A. Forrest; Mrs. R. A. Forrest; E. Kelly Barnes; The Liberty Life Insurance Co.; and M. M. Erwin.	Norman K. Winston	$1,327.65

Station	Location	File No.	Replacement cost of fixed assets	Common stock transferred (shares)	Percent of total stock issued	Claimed value of stock transferred, including physical and intangible values	Station earnings: Period (months)	Station earnings: Net profit or loss	Consideration paid	Date granted by Commission [1]
KWKH	Shreveport, La	B3-TC-13	$109,000.00	1,000	100	$53,000.00	3	*$4,607.02*	$80,000	May 28, 1935
WBAL [4]	Baltimore, Md	B1-TC-2	146,006.02	50	100	85,000.00	3	*$2,656.48*	452,500	Jan. 8, 1935
WHBU [3 4]	Anderson, Ind	B4-TC-4	[2]	1,000	100	[2]		[2]	21,000	Jan. 29, 1935
WIOD [4]	Miami, Fla	B3-TC-1	[2]	50	100	[2]		[2]	250,000	Jan. 8, 1935
WJBY [4]	Gadsden, Ala	B3-TC-10	9,104.50	26	51	5,600.00		[2]	1,500	June 4, 1935
WKBB	E. Dubuque, Ill	B4-TC-8	15,350.00	130	56	12,000.00	3	126.35	24,500	May 21, 1935
WMMN	Fairmont, W. Va	B2-TC-9	21,438.07	650	100	16,052.67	3	1,410.48	25,000	Mar. 5, 1935
WPHR	Petersburg, Va	B2-TC-3	15,942.00	265	56	9,618.82	1	*$68.53*	4,505	Apr. 2, 1935
WTBO [3]	Cumberland, Md	B1-TC-6	16,071.05	149	60	17,206.00		[2]	10,660.00	Feb. 26, 1935
WTFI	Athens, Ga	B3-TC-6a	21,562.65	250	100	20,082.80	3	*$72.60*	20,000.00	June 4, 1935

[1] All granted without hearing.
[2] Not furnished.
Italic figures indicate loss.
[3] Sale of WHBU ordered by Department of Financial Institutions of State of Indiana upon liquidation of Citizens' Bank, transferor.
[4] The rule of the Commission at that time did not call for the information not furnished.

Supplementary information relative to assignment applications where leasing of station property only is involved

Station	Location	File number	Lessor	Lessee	Period that lease is operative	Annual rental of equipment	Option to renew	Period covered by option, if exercised	Rental per year if option to renew is exercised
WKBV [1]	Richmond, Ind	B4-AL-3	William O. Knox	Knox Radio Corporation	From Aug. 24, 1934 to Aug. 24, 2033	[2]	None	None	----------
WSGN	Birmingham, Ala	B3-AL-33	R. B. Broyles, trading as Broyles Furniture Co.	Ormond O. Black and Mary C. Black	From Mar. 5, 1935 to Mar. 5, 1940	$3,600	None	None	----------

[1] $16,000 in stock was given for a 99-year lease of the station.
[2] Stock.

Applications for consent under sec. 310 of the Communications Act of 1934 for assignment of licenses granted by Federal Communications Commission for period from July 11, 1934, to June 30, 1935

Station	Location	File no.	Assignor	Assignee	Original cost, fixed assets [1]	Replacement cost of fixed assets	Total claimed value of physical and intangible assets	Station earnings		Consideration paid	Date granted by commission [2]
								Period (months)	Net profit or loss		
KFEQ	St. Joseph, Mo.	B4-AL-52	Scroggin & Co. Bank	KFEQ, Inc.	$52,939.26	$56,479.31	$40,116.23	3	$64.83	$40,000.00	June 4, 1935
KGHI	Little Rock, Ark.	B3-AL-18	Loyd Judd Co.	Arkansas Broadcasting Co.	[3]	7,619.45	5,802.61	3	289.43	10,000.00	Dec. 11, 1934
KGNC	Amarillo, Tex.	B3-AL-46	E. B. Gish (Gish Radio Service)	Plains Radio Broadcasting Co.	16,581.88	29,176.63	25,674.43	3	349.88	40,000.00	Apr. 30, 1935
KIEM	Eureka, Calif.	5-AL-B-576	Harold H. Hanseth	Redwood Broadcasting Co., Inc.	[3]	18,403.04	18,403.04	3	1,337.34	[4] 27,000.00	Aug. 14, 1934
KOTN	Pine Bluff, Ark.	B3-AL-36	Wm. F. Chaplin	Universal Broadcasting Corporation	[3]	5,841.00	4,932.90	3	185.08	2,750.00	Mar. 26, 1935
WATR	Waterbury, Conn.	B1-AL-5	Harold Thomas	WATR, Inc.	[3]	15,814.16	12,459.99	3	1,450.73	[4] 12,459.99	Oct. 2, 1934
WCLO	Janesville, Wis.	B4-AL-10	WCLO Radio Corporation	Gazette Printing Co., Inc.	42,776.54	41,099.07	34,254.08	3	*5,668.11*	[4] 34,254.08	Oct. 23, 1934
WCOL	Columbus, Ohio	B2-AL-7	The Columbus Broadcasting Corporation	WCOL, Inc.	[3]	8,120.00	3,328.00	3	1,040.00	27,500.00	Sept. 11, 1934
WFIL	Philadelphia, Pa.	B2-AL-24	Lit Broadcasting Co.	WFIL Broadcasting Co.	[3]	77,020.40	60,094.24	3	11,529.03	[4] 60,094.24	Jan. 8, 1935
WFIL	do	B2-AL-25	WFI Broadcasting Co.	do	[3]	82,500.00	81,132.78	3	*462.88*	85,000.00	Nov. 6, 1934
WHIO	Erie, Pa.	B2-AL-11	Broadcasters of Pennsylvania, Inc.	Miami Valley Broadcasting Corporation	10,950.00	8,975.00	7,117.50	3	163.39	5,000.00	May 7, 1935
WIBG	Elkins Park, Pa.	B2-AL-15	WIBG, Inc.	Seaboard Radio Broadcasting Corporation	[3]	16,980.00	15,595.00	3	496.25	16,000.00	Aug. 28, 1934
WKBV [5]	Richmond, Ind.	B4-AL-3	Wm. O. Knox	Knox Radio Corporation (lease only)	105,670.80	94,000.00	80,000.00	3	*6,595.50*	75,000.00	Mar. 5, 1935
WLAC	Nashville, Tenn.	B3-AL-37	Life & Casualty Ins. Co. of Tennessee	WLAC, Inc.	[3]	9,827.20	7,900.00	3	1,234.25	[4] 7,900.00	May 7, 1935
WMBQ	Brooklyn, N. Y.	B1-AL-45	Paul J. Gollhofer	Metropolitan Broadcasting Corporation	[3]	66,917.61	48,233.05	3	5,025.24	[4] 48,233.05	Dec. 11, 1934
WMC	Memphis, Tenn.	B3-AL-17	WMC, Inc.	Memphis Commercial Appeal, Inc.	[3]	13,140.00	7,070.00	12	*195.75*	[4] 10,500.00	Sept. 25, 1934
WOC [6]	Davenport, Iowa	4-AL-B-547	Red Oak Radio Corporation	The Palmer School of Chiropractic	[3]	180,650.00	155,595.00	3	*2,242.68*	None	June 25, 1935
WPG [6]	Atlantic City, N. J.	B1-AL-53	WPG Broadcasting Corporation	The city of Atlantic City	[3]	[3]	53,336.92	3	2,632.53	1.00	Feb. 19, 1935
WREN [7]	Lawrence, Kans.	B4-AL-4	Jenny Wren Co.	WREN Broadcasting Co.	85,538.22	[3]	53,336.92	3	2,632.53	1.00	June 18, 1935
WREN [7]	do	B4-AP-4	do	do	85,538.22	[3]	53,336.92		2,632.53	1.00	Mar. 5, 1935
WSGN [8]	Birmingham, Ala.	B3-AL-33	R. B. Broyles, trading as Broyles Furniture Co.	Ormond O. Black & Mary C. Black (lease only)	[3]	10,833.65	7,706.65	3	1,606.31	[9] 300.00	Mar. 5, 1935
WSMK	Dayton, Ohio	B2-AL-14	Stanley M. Krohn, Jr.	WSMK, Inc.	[3]	50,745.00	52,396.49	3	2,899.48	[4] 52,396.49	Oct. 30, 1934
WSVA	Harrisonburg, Va.	B2-AP-5	Marion K. Gilliam	Shenandoah Valley Broadcasting Corporation.	19,000.00	19,000.00	19,000.00		None	[4] 23,000.00	May 14, 1935
WTRC	Elkhart, Ind.	B4-AL-1	The Truth Publishing Co.	Truth Radio Corporation	10,110.00	10,110.00	9,235.20	3	*469.81*	[4] 12,000.00	Aug. 7, 1934
WTRC [7]	do	B4-AL-41	Truth Radio Corporation	The Truth Publishing Co.	[3]	[3]	[3]	[3]	[3]	[10]	Apr. 16, 1935

[1] Where original cost of fixed assets is not furnished applicant was unable to furnish same or the rule of the Commission at that time did not call for this information; subsequent rules required this information.
[2] All granted without hearing except WOC (4-AL-B-547) which was granted after hearing.
[3] Not furnished.
[4] In stock.
[5] See supplementary statement attached regarding leases.
[6] No consideration given: license re-transferred to the city of Atlantic City upon expiration of lease June 30, 1935.
[7] Detailed information not furnished; transaction involving a parent-subsidiary relation only.
[8] Per month.

Italic figures indicate less.

Applications for consent under sec. 310 of the Communications Act of 1934 to transfer control of licensee corporations, granted by Federal Communications Commission during period from July 1, 1935, to Dec. 8, 1936

Station	Location	File no.	Licensee corporation	Transferor	Transferee	Original cost, fixed assets
KCKN	Kansas City, Kans.	B4-TC- 7	WLBF Broadcasting Co.	J. Herbert Hollister	Arthur Capper	$12,000.00
KFNF	Shenandoah, Iowa	B4-TC-37	KFNF, Inc.	Henry Field Co.	Henry Field	61,000.00
KFPY	Spokane, Wash.	B5-TC-52	Symons Broadcasting Co.	Symons Investment Co.	T. W. Symons, Jr.	26,000.00
KFRU	Columbia, Mo.	B4-TC-24	KFRU, Inc.	Nelson R. Darragh	Luther L. Hill	29,349.09
KFRU	do	B4-TC-63	do	Luther L. Hill	Star-Times Publishing Co.	29,349.09
KGFG	Oklahoma City, Okla.	B3-TC-25	Oklahoma Broadcasting Co., Inc.	Present stockholders	Hale V. Davis	12,729.90
KGFG	do	B3-TC-40	do	Hale V. Davis	Harold V. Hough	15,143.18
KGKO	Wichita Falls, Tex.	B3-TC-23	Wichita Falls Broadcasting Co.	Present stockholders	Amon G. Carter	27,412.13
KIRO	Seattle, Wash.	B5-TC-19	Queen City Broadcasting Co.	Charles M. Tomlensen Holding Corporation.	Saul H. Haas	[3]
KLZ	Denver, Colo.	B5-TC-18	The Reynolds Radio Co., Inc.	Naomi F. Bengston	E. K. Gaylord and Inez K. Gaylord	95,194.16
KNOW	Austin, Tex.	B3-TC-47	KUT Broadcasting Co.	Southwest Broadcasting Co.	Hearst Radio, Inc.	10,142.38
KNX	Los Angeles, Calif.	B5-TC-54	Western Broadcast Co.	Present stockholders	Columbia Broadcasting System, Inc.	177,192.15
WCAX	Burlington, Vt.	B1-TC-56	Burlington Daily News, Inc.	Bertha Jackson	Mary Jackson Forbes	10,816.23
WCBD	Waukegan, Ill.	B4-TC-42	WCBD, Inc.	Present stockholders	L. E. Moulds, W. F. Moss, Gene D. Dyer, E. M. Ringwald.	35,600.00
WCHV	Charlottesville, Va.	B2-TC-58	Community Broadcasting Corporation.	W. B. Brown	Present stockholders	20,318.00
WCOA	Pensacola, Fla.	B3-TC-21	Pensacola Broadcasting Co.	Present stockholders	The News Journal Co.	38,900.00
WDBJ	Roanoke, Va.	B2-TC-57	Times-World Corporation	J. B. Fishburn	Various members of family of J. B. Fishburn.	----------
WDNC	Durham, N. C.	B5-TC-59	Durham Radio Corporation	Present stockholders	Durham-Herald Co.	17,272.83
WEST	Lancaster, Pa.	B2-TC-17	Associated Broadcasters, Inc.	Steinman Hardware Co.	Mason-Dixon Radio Group, Inc.	19,000.00
WGCM	Mississippi City, Miss.	B3-TC-20	WGCM, Inc.	Grace J. Stewart	Sam Gates	6,718.22

[Footnotes at end of table]

Applications for consent under sec. 310 of the Communications Act of 1934 to transfer control of licensee corporation granted by Federal Communications Commission during period from July 1, 1935, to Dec. 8, 1936—Continued

Station	Location	File no.	Licensee corporation	Transferor	Transferee	Original cost, fixed assets
WHDL	Olean, N. Y.	B1-TC-30	Olean Broadcasting Co., Inc.	Present stockholders	Olean Times Herald Corporation	$7,320.84
WHK	Cleveland, Ohio	B2-TC-27	Radio Air Service Corporation	Plain Dealer Publishing Co.	U. B. Co.	383,628.88
WHOM	Jersey City, N. J.	B1-TC-38	New Jersey Broadcasting Corporation	Harry F. O'Melia & O'Melia Outdoor Advertising Co.	Paul F. Herron and Joseph Lang	119,294.92
WJAY	Cleveland, Ohio	B2-TC-28	Cleveland Radio Broadcasting Corporation.	Monroe F. Rubin and Ruth Rubin	U. B. Co.	(1)
WLAP	Lexington, Ky.	B2-TC-64	American Broadcasting Corporation of Kentucky.	T. C. Rush	J. Lindsay Nunn	20,303.37
WMBH	Joplin, Mo.	B4-TC-49	Joplin Broadcasting Co.	W. M. Robertson and W. H. Spurgeon	Joplin Globe Publishing Co.	14,000.00
WNBR	Memphis, Tenn.	B3-TC-44	Memphis Broadcasting Co.	Present stockholders	Memphis Commercial Appeal, Inc.	42,139.90
WOC	Davenport, Iowa	B4-TC-71	Tri-City Broadcasting Co.	Palmer School of Chiropractic	B. J. and D. D. Palmer	16,230.13
WOV	New York, N. Y.	B1-TC-68	International Broadcasting Corporation.	John, Giustina B., and Mariannina C. Iraci.	Ardie Bulova	90,321.00
WOWO	Fort Wayne, Ind.	B4-TC-43	The Main Auto Supply Co.	Present stockholders	Westinghouse Electric & Manufacturing Co.	245,781.83
WRDW	Augusta, Ga.	B3-YC-61	Augusta Broadcasting Co.	do	Arthur Lucas, W. K. Jenkins, and Frank J. Miller.	20,000.00

Station	Location	File no.	Replacement cost of fixed assets	Stock transferred (common)	Percentage of total stock issued	Claimed value of stock transferred including physical and intangible values	Period	Station earnings (net profit)	Consideration paid	Date granted by Commission
					Percent		*Months*			
KCKN	Kansas City, Kans.	B4-TC-7	$13,000.00	100	100	$15,000.00	12	$2,207.87	$18,900.00	Nov. 12, 1935
KFNF	Shenandoah, Iowa	B4-TC-37	53,793.30	250	42	25,000.00	1	326.00	37,500.00	Jan. 14, 1936
KFPY	Spokane, Wash.	B5-TC-52	26,000.00	164⅔	65⅔	29,000.00	6	17,926.50	10,193.09	July 22, 1936
KFRU	Columbia, Mo.	B4-TC-24	29,349.09	350	100	23,549.94	6	94.08	60,000.00	Sept. 24, 1935
KFRU	do	B4-TC-63	29,549.94	350	100	30,000.00	5	[1] 1,106.50	91,277.36	June 20, 1936
KGFG	Oklahoma City, Okla.	B3-TC-25	12,000.00	133⅓	66⅔	12,000.00	15	[1] 1,600.00	6,000.00	Jan. 28, 1936
KGFG	do	B3-TC-40	18,187.53	133⅓	66⅔	7,610.00	6	1,076.01	22,250.00	Sept. 29, 1936
KGKO	Wichita Falls, Tex.	B3-YC-23	17,412.13	350	100	90,000.00	6	3,602.58	105,000.00	Sept. 24, 1935
KIRO	Seattle, Wash.	B5-TC-19	25,000.00	975	38	10,000.00	5	1,158.00	12,000.00	July 30, 1935
KLZ	Denver, Colo.	B5-TC-18	58,100.00	23,400	52	45,000.00	6	24,160.18	104,000.00	Do.
KNOW	Austin, Tex.	B3-TC-47	10,006.50	10,000	100	49,000.00	6	1,100.00	45,000.00	May 4, 1936
KNX	Los Angeles, Calif.	B5-TC-54	217,237.85	1,500	100	236,520.21	12	107,933.70	1,250,000.00	July 17, 1936
WCAX	Burlington, Vt.	B1-TC-56	15,000.00	109	49	13,000.00	6	72.00	(7)	July 17, 1936
WCBD	Waukegan, Ill.	B4-TC-42	30,000.00	100	100	4,700.00	6	[1] 5,299.86	10,000.00	Sept. 22, 1936
WCHV	Charlottesville, Va.	B2-TC-58	15,565.50	1,125	28	4,300.00	6	[1] 346.77	4,500.00	Do.
WCOA	Pensacola, Fla.	B3-TC-21	25,500.00	200	200	24,000.00	6	[1] 1,036.66	37,500.00	Sept. 10, 1935
WDBJ	Roanoke, Va.	B2-TC-57		400	16				(7)	June 20, 1936
WDNC	Durham, N. C.	B5-TC-59	14,706.78	684	100	8,000.00	6	4,928.97	13,260.00	Do.
WEST	Lancaster, Pa.	B2-TC-12	19,000.00	3,500	70	8,925.00	3	[1] 661.78	22,500.00	Oct. 22, 1935
WGCM	Mississippi City, Miss.	B3-TC-20	(2)	280	100	7,000.00			[4] 9,200.00	Dec. 17, 1935
WHDL	Olean, N. Y.	B1-TC-30	7,320.84	123	33⅓	7,000.00	9	7,666.00	12,300.00	June 20, 1936
WHK	Cleveland, Ohio	B2-TC-27	[3] 63,980.80	1,000	100		6	[1] 6,000.00	(5)	May 28, 1936
WHOM	Jersey City, N. J.	B1-TC-38	19,294.92	1,875	75	80,000.00	6	[1] 5,400.00	92,750.00	May 21, 1936
							6	11,000.00		
WJAY	Cleveland, Ohio	B2-TC-28	27,560.30	666⅔	66⅔	16,000.00	6	50.00	(6)	May 28, 1936
WLAP	Lexington, Ky.	B2-TC-64	18,059.13	256	51	9,700.00	12	2,114.86	14,060.00	July 2, 1936
WMBH	Joplin, Mo.	B4-TC-49	13,000.00	90	42	14,000.00	6	5,220.58	30,000.00	Do.
WNBR	Memphis, Tenn.	B3-TC-44	32,370.81	224	100	12,000.00	6	[1] 400.95	50,000.00	Do.
WOC	Davenport, Iowa	B4-TC-71	16,230.13	100	100	16,000.00	6	3,969.50	10,000.00	Nov. 10, 1936
WOV	New York, N. Y.	B1-TC-68	85,000.00	766	100	160,000.00	6	22,501.34	239,003.73	Nov. 24, 1936
WOWO	Fort Wayne, Ind.	B4-TC-43	43,060.83	800	100	157,000.00	12	13,216.75	290,000.00	July 2, 1936
WRDW	Augusta, Ga.	B3-YC-61	18,153.90	80	100	26,000.00	6	5,063.55	25,000.00	Do.

[1] Red figures. [2] Not known. [3] Not shown. [4] In stock. [5] Consolidation. [6] Merger. [7] Gift. [8] Stock in substance.

Supplementary information relative to assignment applications where leasing of station property only is involved

Station	Location	File number	Lessor	Lessee	Period that lease is operative	Annual rental of equipment	Option to renew	Period covered by option, if exercised	Rental, per year, if option to renew is exercised
KIDW	Lamar, Colo.	B5-AL-83	Lamar Broadcasting Co.	The Southwest Broadcasting Co.	From Apr. 7, 1936, to Apr. 6, 1937.	$1,200	Yes	From Apr. 7, 1937, to Apr. 6, 1938, only.	$1,500
WEEI	Boston, Mass.	B1-AL-112	Edison Electric Illuminating Co. of Boston.	WEEI Broadcasting Co. (now Columbia Broadcasting System, Inc.).	From Aug. 16, 1936, to Apr. 1, 1943.	219,000	None		
WSGN	Birmingham, Ala.	B3-AL-85	R. B. Broyles doing business as R. B. Broyles Furniture Co.	Birmingham News Co.	From June 1, 1936, to Feb. 28, 1946.	6,000	Yes	From Mar. 1, 1946, to Feb. 29, 1956, only.	12,000

Mr. WIGGLESWORTH. The principal item in the bill is the item of about $585,000,000, the appropriation for the Veterans' Administration. This is an item in which we are always particularly interested. You will find an increase in the item for salaries and expenses amounting to about $7,000,000, an increase providing for over 10,000 additional beds to be available in the fiscal year 1938. A comprehensive report in regard to all the various activities of this great agency will be found in the hearings. The total appropriation for the administration as a whole reflects a substantial decrease as compared with other years.

I call the attention of the Committee particularly to the increase in appropriations for the Interstate Commerce Commission. This increase is explained by two items: First, an increase of about $40,000 as a result of additional duties imposed in respect to air mail; and, second, and more important, an increase of about $750,000 as a result of additional duties in connection with the regulation of the motor carriers of the country. The task of the Commission in the latter connection is very great indeed. It is estimated that some 150,000 carriers and brokers and a total of about 450,000 motor vehicles will come under the regulation of the Commission. In dealing with this problem I feel sure that the Commission will show the same ability and efficiency that it has shown in respect to other great problems in the past.

The Federal Trade Commission also reflects a substantial increase in appropriations, amounting to about $442,000. This increase is explained almost entirely by additional work which is called for under the terms of the Robinson-Patman bill. The Commission expects to have available for work in this connection a total amount of $513,163.

The Railroad Retirement Board, affecting some 200,000 workers in the great railroad systems of the country, shows an increase in administrative expenses and a substantial decrease in respect to annuities payable under this act. Both are explained by litigation pending at this time challenging the constitutionality of this legislation. In connection with this litigation the Court has held that the railroads of the country shall not be required to furnish information as to service records which it was anticipated would be furnished by the roads. As a result, the Retirement Board has been compelled to place an additional force in the field to obtain the information for itself.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. MICHENER. Does the gentleman mean that the railroads have refused to furnish the information they had?

Mr. WIGGLESWORTH. I understand the Court has held that the roads are not under obligation to furnish the information referred to at their own expense. The railroads have felt that they should not be called upon to do the clerical work in connection with furnishing the required information. I think there is no objection on their part to letting others come in and do the work.

Mr. MICHENER. I wanted to be sure it was not information which the company had in proper form but refused to give to the Board.

Mr. WIGGLESWORTH. The Tariff Commission appropriation reflects a slight decrease as compared with the present fiscal year. The record raises the question, I think, of the extent and value of the functions of the Commission under present conditions and policies. Costs of foreign production, according to the testimony of the Commission, are largely unobtainable at this time. In their place invoice prices have been used, despite the fact that they have proven unreliable in the past and in certain instances subject to Government control. The extent to which transportation costs are available is not entirely clear.

The State Department and the Committee on Reciprocity Information seem to have taken over in large measure the work of the Commission under the present policy of tariff reduction.

In the trade agreement with Cuba, for example, it would appear that the findings of the Commission were not relied upon. The duty on sugar was slashed to such a point as to impose a handicap, as I understand it, amounting to about $12 per ton on the beet-sugar growers of this country. The action taken, I believe, has imposed a burden on the Federal Treasury of something over $40,000,000 a year. It appears to have carried with it no benefit to the millions of consumers of sugar in this country. On the contrary, the price of sugar today is higher than it was before the reduction. The direct beneficiaries are apparently those importing sugar to America from Cuba, a list of whom will be found in the hearings.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. CRAWFORD. Did I understand the gentleman to say that the reduction in duty throws as a burden on the shoulders of the domestic beet producers about $12 per ton?

Mr. WIGGLESWORTH. Twelve dollars per ton; yes.

Mr. CRAWFORD. It amounts to $1.10 per bag, and there are 20 bags per short ton. This, therefore, would make a burden of $22 per short ton. In other words, the duty was reduced from $2 per 100 to 90 cents per 100 on 96° sugar.

Mr. WIGGLESWORTH. The gentleman is correct.

Mr. CRAWFORD. So it would certainly be at least $22 per ton which has been taken out of the returns of the beet growers of this country in favor of the sugar interests of Cuba.

Mr. WIGGLESWORTH. I thank the gentleman.

If present policies are to continue, it seems to me the status of the Commission should be carefully considered.

Mr. LEWIS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. LEWIS of Colorado. Will the gentleman refer to the page of the hearings on which the list of these beneficiaries appear?

Mr. WIGGLESWORTH. I shall be pleased to place that in the RECORD.

Mr. LEWIS of Colorado. I thank the gentleman; that is what I sought.

Mr. WIGGLESWORTH. The information appears on page 573 of the hearings.

Mr. Chairman, I do not want to take too much time, but perhaps I may refer briefly also to certain points in connection with some of the new agencies appearing in the bill for the first time.

The Social Security Board is, of course, of vital importance to millions of people in this country.

As a matter of fact, it expects to have between twenty-six and thirty million beneficiaries in the near future.

The total available a year ago was about $188,000,000. The committee recommendation in respect to the next fiscal year is approximately $255,000,000. Every cent requested in respect to annuities has been approved. Insofar as the expenses of administration are concerned, the committee recommends a substantial reduction as compared with the Budget figures. Nevertheless, as the chairman of the subcommittee has pointed out, the amount recommended is practically double the sum expended in the present fiscal year.

The Commission requests a force of about 8,500; 4,000 departmental; 4,500 in the field. It contemplates operations through 12 regional offices, and 289 district and branch offices, or a total of 301 offices.

Mr. MICHENER. Will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from Michigan.

Mr. MICHENER. Did those appearing before the committee on behalf of the Social Security Board express an opinion as to whether or not this force would increase from year to year, or are we presumed to have the maximum this year?

Mr. WIGGLESWORTH. I think there is special demand for an increase this time inasmuch as the provisions of title 2 are going into effect.

Mr. MICHENER. I do not think the gentleman understood me. What I intended to ask was whether or not we may figure from the statement of the members of the Board that this is the peak year so far as employment by the Board is

concerned, or will it take a larger force to administer the Social Security Act in years to come?

Mr. WIGGLESWORTH. I do not recall any specific testimony on that point. I think all previous experience indicates, however, that the size of this agency will be increased tremendously in the years to come.

The Rural Electrification Administration has also been referred to. That Administration had in the present fiscal year about $1,200,000 for administration expenses, and a total of $24,000,000 for loans received from the Reconstruction Finance Corporation. For the next fiscal year the committee recommendation is for $1,500,000 or thereabouts for administration expenses and $30,000,000 for the 1938 loan program.

The record indicates that this Administration has about 222 projects under way in 34 State, with a total value of about $32,000,000. Loans have been made on an 80-percent basis for 20 years at a rate of interest of 2.77 percent.

The Home Loan Bank Board also appears for the first time with a recommendation of $1,140,000 as compared to $1,072,212 for the past year. The record indicates a total membership of something like 3,800 in this organization.

Mr. ANDRESEN of Minnesota. Will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from Minnesota.

Mr. ANDRESEN of Minnesota. It is my understanding that the Home Loan Corporation is liquidating. Is it necessary to have so many employees for a liquidating organization?

Mr. WIGGLESWORTH. I may say to my friend from Minnesota that I was referring to the Home Loan Bank Board as distinguished from the Home Owners' Loan Corporation.

Mr. ANDRESEN of Minnesota. I misunderstood the gentleman.

Mr. WIGGLESWORTH. The committee recommendation in respect to the Home Owners' Loan Corporation is a reduction to the extent of $2,000,000 as compared with the Budget figures.

Mr. GIFFORD. Will the gentleman yield?

Mr. WIGGLESWORTH. I yield to my colleague from Massachusetts.

Mr. GIFFORD. The gentleman may perhaps refer to this later, but for fear he will not take the time, may I make this statement. I notice a reference to the R. F. C. Have they asked for more money as a liquidating corporation than they had before for servicing and expenses? I notice they claim they will need just as much money to carry on as they had before.

While the gentleman is looking that up may I read this rather startling statement which I find in the RECORD, because we have heard so much about the solvency of the banks?—

The proper servicing of these investments will continue to require close supervision when it is considered that an analysis recently completed indicated that 1,099 banks—

About one-third of the banks that have been helped—

have less sound common stock today than they had upon the injection of our money.

I notice in the R. F. C. report of their assets and liabilities in order to balance they are carrying nearly two and one-half billion dollars paid for relief under the orders of Congress as assets in order to offset liabilities of over $4,000,000,000 in notes they owe the Treasury.

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield myself 15 additional minutes.

Mr. MICHENER. Will the gentleman from Massachusetts [Mr. GIFFORD] state from whose testimony he is reading in the hearings, because that is material?

Mr. GIFFORD. The R. F. C. report to the committee.

Mr. MICHENER. Give the page of the hearings.

Mr. GIFFORD. Page 957. This item of assets is $2,347,000,000 plus, which are allocations for relief previously given. I want to ask the gentleman to be a little bit plainer. Will the R. F. C., as a corporation, require an appropriation of Congress to make good those assets? Did the gentleman inquire with reference to those assets and liabilities?

Mr. WIGGLESWORTH. If the gentleman will permit, perhaps I can answer his several questions together.

Insofar as his first question concerning the amount requested by the Reconstruction Finance Corporation is concerned, it is my understanding that in the present fiscal year there was available to the Corporation a total of $11,945,308; whereas the committee recommendation in respect to the next fiscal year amounts to $9,500,000, or a reduction of about $2,400,000 on a liquidation basis.

I believe that the Corporation asked the Bureau of the Budget for about $10,800,000 on the basis of a going concern. I may say incidentally that there is reflected in the reduction a decrease in personnel from about 3,000 to about 2,400.

As to the other question which the gentleman raises and which is, of course, of great importance, the record indicates that there has been authorized a total disbursement by the Corporation amounting to $11,300,000,000, or thereabouts, of which $2,800,000,000, or thereabouts, represents allocations to other departments, or for direct relief by order of Congress and not by decision of the Corporation itself.

Of these totals, approximately $9,000,000,000 has been actually disbursed, including approximately $2,700,000,000 for allocations to other departments and for direct relief.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. GIFFORD. Is it a proper method of furnishing information to state that $2,800,000,000 are still assets, although it has been spent with nothing now to show for it? Is that a proper method of bookkeeping for the R. F. C. and the Treasury to follow?

Mr. WIGGLESWORTH. As the gentleman knows, both he and I have felt from the outset that this was not a proper method of providing the sums necessary for these departments or for direct relief. There never has been, to my mind, any reason why these sums should have been provided by the Reconstruction Finance Corporation. They are nothing more than direct appropriations and I see no justification for carrying them as assets. The gentleman has emphasized clearly the impropriety of this procedure on the floor of the House.

Now, may I say just a word as to the Home Owners' Loan Corporation. The totals available for the Corporation for the present fiscal year amount to about $29,000,000. The Budget recommendation in respect of the next fiscal year increases that figure to about $32,000,000, although, as the gentleman from Minnesota has just pointed out, the Corporation is in the process of liquidation, no loans having been possible since July 12, 1936. Your committee reduced this recommendation by $2,000,000, making available an appropriation of $30,000,000, an increase of $1,000,000 as compared with the present year. The increase is recommended in the light of testimony submitted of additional work in connection with the management of property taken over under foreclosure.

Mr. ANDRESEN of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. ANDRESEN of Minnesota. How long, approximately, is it estimated it will take to liquidate the Home Owners' Loan Corporation?

Mr. WIGGLESWORTH. I think the gentleman's guess is as good as mine in that respect. The distinguished chairman of the Appropriations Committee stated in the RECORD, I think, that, in his judgment, the Corporation would probably be here 50 years hence.

Mr. ANDRESEN of Minnesota. I noticed last year, after they started to function as a liquidating corporation, they acquired a large and expensive building and seem to have established themselves quite permanently in Washington Government society.

Mr. WIGGLESWORTH. It is fair to say there is a tremendous problem involved in the management and liquidation of the property which is coming into their hands.

Mr. TERRY. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I am pleased to yield to the gentleman from Arkansas.

Mr. TERRY. In connection with the amount by which the committee reduced the appropriation for the Home Owners' Loan Corporation, it is my understanding that the H. O. L. C. feels that on account of the increased work they will have in connection with the foreclosures that are now contemplated, they should have an additional allowance for this work. As I understand, they expect to foreclose about 160,000 additional mortgages and if they buy this property in, the Corporation will have to recondition it, they will have to have caretakers and people to examine the condition of the property, as well as take care of it, and I am advised the contention of the committee is, as evidenced by the reduction in force, they will not need any additional help. I presume the gentleman has gone into this very thoroughly and I should like to have his views on the subject if he has not already stated them.

Mr. WIGGLESWORTH. I may say to the gentleman in the first place that I think a good deal of the expenditure which he has in mind is not strictly administrative expenditure. It would, therefore, not be included within the limitation fixed by the recommendation of the Committee. Furthermore, the committee recommendation does carry with it an increase of $1,000,000 as compared with the funds available to the Corporation during the present fiscal year.

The estimated number of foreclosures as of June 30, 1938, is 160,000; the estimated dollar value is about $600,000,000. The Corporation has made about 1,000,000 loans of a total value of something over $3,000,000,000. They have been made on an 80-percent basis for 15 years at an annual charge of $7.91 per $1,000. The foreclosures estimated would amount to about 16 percent in terms of number of loans made or to about 20 percent in terms of dollar value.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield there?

Mr. WIGGLESWORTH. I yield to my colleague from Massachusetts.

Mr. GIFFORD. With respect to the $30,000,000 that we appropriate direct from the Treasury, understanding that all payments on principal have to be held to retire notes, is there any money received from the payment of interest or other things covered into the Treasury? In other words, it is stated that this goes to a revolving fund. What is that revolving fund? We can only assume that the revolving fund is kept there to take care of losses and expenses.

Mr. WIGGLESWORTH. I may say to the gentleman, if I understand his question, that the funds of the corporation go to the Treasury only upon liquidation of this activity.

Mr. GIFFORD. Then the revolving fund is going to be kept there and every year we are going to actually appropriate $30,000,000 to a corporation that is not going to lose any money. Can the gentleman give some explanation of this revolving fund, from what source the money comes to go into the revolving fund and how it is used? I find nothing in the RECORD in explanation of it.

Mr. WIGGLESWORTH. The gentleman, of course, understands that we are not making any appropriation for this activity. All we are doing is placing a limitation on the administrative expenditures which the corporation otherwise would be authorized to make in its discretion without limitation.

Mr. GIFFORD. I understand that. Then no money is going into the Treasury and then going out of the Treasury, as is usually the case, but they are to be allowed to pay this out of their own revolving fund.

Mr. WIGGLESWORTH. The Congress simply exercises its control with a view to keeping the administrative expenditures within bounds.

Mr. GIFFORD. And can the gentleman tell me exactly what the revolving fund may be at the moment and how it was obtained?

Mr. WIGGLESWORTH. I assume that what my colleague has in mind is the result of the normal receipts and expenditures of the Corporation.

Mr. GIFFORD. Any collection from principal must appear in another fund for the retirement of the bonds.

Mr. WIGGLESWORTH. May I call my colleague's attention to the balance sheet on page 665. This might be helpful in answering his question.

Mr. GIFFORD. Is the collection of interest and losses by foreclosure and expenses incident thereto all in the revolving fund?

Mr. WIGGLESWORTH. I do not think I can answer my colleague's question more specifically.

Mr. GIFFORD. I do not blame the gentleman. I have asked several and get no explanation. No explanation was given to the committee; therefore the committee would be unable to answer it.

Mr. CRAWFORD. Will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. CRAWFORD. When the Bureau ceases to function and the balance of the revolving fund is covered back into the Treasury—when that occurs it is true that such losses as may be indicated from time to time will have been absorbed and hidden or submerged, due to the way the revolving fund and the manner in which it has operated; is not that true?

Mr. WIGGLESWORTH. I think the answer to the gentleman's question depends on the result of the operations of the Corporation.

Mr. CRAWFORD. Assume that the result of the operations is a profit. Is it not true that such losses as may be covered on individual items, individual foreclosures, will be submerged?

Mr. WIGGLESWORTH. If the records are properly kept I should suppose they would show all individual transactions.

Now, I may mention in passing that the Corporation holds about one-sixth of the dollar value of all urban mortgages. It has a force of about 14,000 and maintains 54 State, 162 district, and 223 loan-service offices or stations.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WIGGLESWORTH. I yield myself 10 additional minutes.

The Federal Housing Administration authorization recommended amounts to $9,500,000 as compared with about $11,040,000 for the present fiscal year. It reflects, as has been indicated, an increase of $1,000,000 above Budget figures. The Administration has a total personnel of about 1,100 departmental, and about 1,700 in the field, and maintains 67 offices. The record indicates under title I of the Federal Housing Act, the insurance of loans to the number of 1,300,000 of a total value of $500,000,000. It indicates under title II insurance approved to the extent of about $570,000,000. There is a $20,000,000 deficit over a period of 2½ years with funds being provided by the Reconstruction Finance Corporation.

The recommended authorization for the administrative expenditure of the Public Works Administration amounts to $10,000,000 as compared with $26,000,000 available for the present fiscal year. There is a corresponding reduction in personnel from about 8,800 to about 3,100. The amount recommended is on a liquidation basis.

Now, Mr. Chairman, I want to make four observations in concluding what I have to say.

I want to say first that this bill, in my judgment, represents a real step in the direction of proper control over expenditures of the so-called emergency agencies. For several years many of these agencies have received funds for operation out of lump-sum appropriations or the issue of securities. Congress has had no control whatsoever over their expenditures. The dangers in this situation have been apparent to many of us. I have personally appealed on more than one occasion for the reestablishment of proper control.

A year ago the deficiency appropriation bill carried the following provision.

SEC. 7. (a) Notwithstanding any other provision of law, none of the establishments or agencies named in subsection (b) of this section shall, after June 30, 1937, incur any obligations for

administrative expenses except pursuant to an annual appropriation specifically therefor, nor shall any such establishment or agency continue to function after said date unless established by or pursuant to law: *Provided*, That nothing contained herein shall be construed to extend the period during which any such establishment or agency heretofore has been authorized by law to function.

(b) 1. Federal Home Loan Bank Board;
2. Home Owners' Loan Corporation;
3. Federal Housing Administration;
4. Federal Farm Mortgage Corporation;
5. Federal Surplus Commodities Corporation;
6. Export-Import Bank of Washington;
7. Second Export-Import Bank of Washington, D. C.;
8. Reconstruction Finance Corporation;
9. Electric Home and Farm Authority;
10. Commodity Credit Corporation;
11. Federal Emergency Administration of Public Works;
12. Federal Savings and Loan Insurance Corporation;
13. Reconstruction Finance Mortgage Co.

The effect of this proviso was to compel 13 of these agencies to come to Congress in respect to administrative expenses. More recently the Congress received the President's Budget message; I quote from that message:

Such of the emergency agencies and corporations as may be continued by Congress should have all their expenditure requirements made subject to the same scrutiny that is given by the Bureau of the Budget to the expenditure requirements of the regular departments and establishments, and I recommend that a provision to that effect be included in any future legislation for the continuance of any such agency or corporation.

I hope, Mr. Chairman, that we shall not again see such a condition as has prevailed in this respect during the last few years.

Two days ago the House had an opportunity to listen to a splendid address by the distinguished gentleman from New York [Mr. WADSWORTH]. He spoke on the history of the General Accounting Office, and of the vital importance of that office to Congress, and to the country as a whole. I share very keenly the sentiments which he expressed. I have pointed out on more than one occasion on the floor of the House instances where proper regulation by the Comptroller General seemed to me to be lacking. I again call the attention of the committee to the fact that there are today some 23 agencies of the National Government which do not account to the Comptroller General. A list of these agencies follows:

LIST OF ACTIVITIES WHICH DO NOT SUBMIT ACCOUNTS TO GENERAL ACCOUNTING OFFICE FOR AUDIT

Agricultural Credit Corporation (under F. C. A.).
Alien Property Custodian.
Central banks for cooperatives (F. C. A.).
Corporation of Foreign Security Holders.
Comptroller of Currency (assessments and insolvent, etc., banks).
Federal Deposit Insurance Corporation.
Federal Farm Mortgage Corporation (F. C. A.).
Federal savings and loan associations.
Federal Reserve Board.
Gorgas Memorial Institute (field audit).
Home Owners' Loan Corporation (offers to account).
Hospitals of various services.
Inland Waterways Corporation.
Insular governments' funds in Treasury, except Virgin Islands.
Merchant Fleet Corporation (local audit).
Panama Railway Co.
Panama Steamship Co.
Perry's Victory Memorial Commission (collections).
Reconstruction Finance Corporation.
Smithsonian Institution (funds, etc.).
Tennessee Valley Association Cooperatives, Inc.
Various special deposits.
Virgin Islands (partial).

There may be some good and sufficient reason why some one or more of these agencies should not account. It occurs to me, however, that the Committee on Expenditures in the Executive Departments might well inquire into the matter with a view to assuring a proper audit, insofar as possible, of all agencies charged with the expenditure of Federal funds.

The troubles of the Comptroller General are not limited, I may add, to those agencies which do not account to him. Sometime ago I became interested in a newspaper story referring to difficulties experienced in respect to rental and benefit payments under the Department of Agriculture. Under leave to extend, I insert at this point copies of two letters furnished me at my request, the first addressed to the Secretary of Agriculture, under date of July 17, 1936; the second addressed to the Comptroller General under date of August 5, 1936.

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, July 17, 1936.

The honorable the SECRETARY OF AGRICULTURE.

SIR: I have to refer to office letter dated March 16, 1934, in reply to your letter dated February 13, 1934, relative to the filing of rental and benefit contracts in this office in accordance with the provisions of section 3743, Revised Statutes. The last paragraph of letter of March 16, 1934, supra, is as follows:

"The contracts must, of course, be filed here. The law clearly so requires. As a matter of fact, an audit of payments made thereunder would be impossible without them. Inasmuch as it will be necessary to withhold approval of all such payments appearing in accounts until the original contracts are received, which will involve considerable additional work in this office, it is hoped a special effort will be made to transmit them here with no unnecessary delay."

The transmission of the contracts to this office was again requested in office letter dated July 9, 1934.

In your letter of February 13, 1934, supra, you stated that—

"* * * Only one copy of each rental and benefit contract is on file in this Department. On most of the contracts there are two payments or more extending over a period of at least 1 year. More than a year will probably elapse before we can release any of our rental and benefit contracts. For example, in the case of the cotton contracts for 1933, some of the payments will not be made until 1935. In addition to the need for having the contracts here until after final payment is made, they will be currently required for reference in connection with the audit of the 1934–35 cotton program.

"There were over 1 million contracts entered into in the 1933 cotton program. Each contract file contains at least three papers—an offer, an acceptance, and a certificate of performance. Many of the contracts contain letters and other documents. The volume of work which would be involved in preparing duplicate copies so that we could forward the original to you would be so great that, in our opinion, it would be prohibitive. Our problem in connection with other commodities is similar. By the close of the calendar year 1934 we will probably have entered into a total of 10 million or more contracts involving rental and benefit payments.

"In view of the foregoing explanation, it is requested that the General Accounting Office not press the matter of the submission of the rental and benefit contracts until such time as this Department has completed its work on them."

Almost 2½ years have elapsed since your letter of February 13, 1934, and it would appear that the Agricultural Adjustment Administration should by now have completed its work on the contracts pertaining to the 1933 and 1934–35 programs. It is therefore requested, in order that further delay in the audit of the payments made thereunder may be avoided, that the contracts be promptly turned over to this office.

Respectfully,

R. N. ELLIOTT,
Acting Comptroller General of the United States.

DEPARTMENT OF AGRICULTURE,
Washington, D. C., August 5, 1936.

The honorable the ACTING COMPTROLLER OF THE UNITED STATES.

DEAR MR. ELLIOTT: This Department is in receipt of your letter dated July 17, 1936, file A-44002, requesting that the rental and benefit contracts be transmitted to your office in accordance with the provisions of section 3743, Revised Statutes.

You are advised that this Department is currently engaged in the final checking of the corn-hog reduction contract for the 1934 crop year. When this work is completed, these contracts will be transmitted to your office.

The 1933 cotton contract is still occasionally required for reference in connection with the audit of the 1934–35 cotton contracts. It is planned to make the final check of these 1933 cotton contracts and turn them over to your office as soon as practicable after the completion of the checking of the corn-hog reduction contracts.

The other rental and benefit commodity contracts entered into by this Department cannot be released because all payments to be approved under the contracts have not been made. The wheat allotment contract, 1934–35 cotton contract, various types of tobacco contracts, 1935 corn-hog contract, sugarcane contract, sugar-beet contract, rice contract, and peanut contract all provide for payments upon proof of compliance for 1935 crop year, and at this date a large number of the final 1935 payments have not been made.

This Department is exerting every effort to complete all payments under all commodity contracts as promptly as possible, and it is planned to make a final check of contracts for each commodity and transmit the same to the General Accounting Office immediately following the completion of 1935 payments.

Sincerely yours,

H. A. WALLACE, *Secretary.*

The position of the Secretary of Agriculture is, to say the least, difficult to justify. Prompt and complete auditing of

all agencies of the Federal Government expending Federal funds seems to me essential for the protection of any administration, for the protection of Congress, for the protection of the American people.

A word as to propaganda. A number of years ago I served in the office of the Secretary of the Treasury. In those days if the Secretary or Under Secretary had something to say, he pressed a button and dictated a short release. What is the situation today? I submit that the record before your committee indicates that a situation has developed today with respect to publicity in many agencies of the National Government which is absolutely without justification. Millions of dollars of the people's money is being expended under such headings as the "Collection and Dissemination of Information", "Public Relations", "Informational Service", and so on. The service rendered is in fact in large measure propaganda by the agencies concerned.

Take the Rural Electrification Administration, for example. That activity expects to maintain a force of 45 people at a cost of $163,000 for the collection and dissemination of information. This is in addition to a force of 23 at a cost of $70,000 for "utilization" or further education. The Social Security Board expects to maintain a force of 97 persons at a cost of $233,000 for informational service. I call the attention of the committee to the fact that the record discloses that during a period of 6 months this service prepared no less than 160 press releases, 450 magazine articles, 180 speeches, 3 moving pictures, and 60 hours of broadcasting. The Federal Housing Administration contemplates a force of 120 at a cost of $500,000.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to my friend from Texas.

Mr. LANHAM. I am very much interested in what the gentleman is saying in this regard. At a previous session of Congress I called attention to the enormous quantity of printing being done. We can hardly go to our offices in the morning without finding a great deal of printed material, most of which we throw in the waste basket. It seems to me that much of our appropriation that is intended to give employment and relief is being diverted to printing and advertising agencies, to printing being done by the Government Printing Office, whereas in an annual or semiannual report these various agencies could give to the Congress or to the proper authority an account of what they are doing. They are not primarily advertising agencies, and it seems to me that much of this money has been diverted from its proper purpose to advertising their own endeavors.

Mr. WIGGLESWORTH. I agree with the gentleman thoroughly, and call his attention to the fact that the three agencies to which I have referred alone account for a total expenditure in this connection of almost a million dollars in a single year.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield briefly.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WIGGLESWORTH. Mr. Chairman, I yield myself 10 additional minutes.

Mr. GIFFORD. I want half a minute to express my own opinion as reflected in the following article in connection with that item:

> I see no reason on earth why press agents and promotion experts should be attached to a relief administration. Certainly it is not necessary to advertise Santa Claus to the relief clients. They will find the place without any high-pressure salesmanship. And why must it advertise itself to the taxpayers? He has to pay, anyhow, whether he likes it or not. His subscription is not solicited. It is collected. Yet the Relief Administration and all its branches have press agents, under one name or another, whose business is to turn out "stories" about the poor, about the nobility of the Government, and about specific cases. Photographers, ex-newspapermen, special writers, are all busy, not at administering a Government bureau but at selling that bureau's necessity, wisdom, and efficiency to the people who pay for it.

Mr. WIGGLESWORTH. I do not believe the people of this country have any conception of the amount of money which we are spending in this manner. It seems to me another example of the waste and extravagance of recent years.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. RANKIN. What were the three agencies the gentleman mentioned a few moments ago?

Mr. WIGGLESWORTH. I mentioned the Rural Electrification, the Social Security Board, and the Federal Housing Administration.

I call the attention of the Committee in this connection to a provision in a statute enacted by the Congress on October 22, 1913. You will find it in the United States Code, title V, section 54, page 38. It is very short and provides as follows:

> No money appropriated by any act shall be used for the compensation of any publicity expert unless specifically appropriated for that purpose.

Your subcommittee has recorded emphatically its disapproval of the practice which has developed. I trust that the agencies covered by this bill, and, for that matter, every other agency, will be guided accordingly.

Just one more thought, if I may, in conclusion, in respect to the housing activities of this Government. The desire to alleviate poverty and distress among the masses of our people is, of course, shared by us all, particularly in these difficult times through which we are passing. Nevertheless, I think no one can effectively deny that we have at this time too many competing, conflicting, and overlapping agencies in the National Government. The record before the committee in respect to the activities in the housing field emphasizes this fact. Here we find, among others, the Federal Home Loan Bank Board, the Federal Savings and Loan Insurance Corporation, the Home Owners' Loan Corporation, the Federal Housing Administration, the Reconstruction Finance Corporation, the Public Works Administration, and the District of Columbia Alley Dwelling Authority. In addition there is the Resettlement Administration, and other agencies, all endeavoring from one angle or another to contribute to the solution of the great problems in this field. The purpose is one that appeals to us all. I submit, however, that no one can read the record without an appreciation of the lack of coordination and direction which exists in this field as a whole. I appreciate fully the contribution which has been made by some of the agencies in this connection, but surely there is ample room for improvement in the service rendered.

The record indicates, for example, that the National Government, under title I of the Federal Housing Act, has actually placed itself in the position of guaranteeing loans to the bankers of this country, which impose on the borrowers of small income an annual interest rate to the extent of 9.72 percent.

The record also indicates in spite of all statements to the contrary, that we have not begun to cope with the problem presented by the living conditions of the poor in this country at this time.

The United States, incidentally, is becoming, if it is not already, the world's greatest landlord. It is doubtful if any agency of our Government is in a position at this time to give us an accurate picture of the extent of our investment or of the legal and moral responsibilities as a result of the billion dollars that have been spent by the various Government agencies.

Testifying before your committee, Mr. Stewart McDonald, Administrator of the Federal Housing Administration, made the following statement, which I quote:

> You have not asked me the question, but I will say that it would, of course, simplify the operation of all housing activities of the Government if they were grouped together under one head. But that is for you gentlemen in Congress to determine.

Mr. Chairman, I submit that the time has come to take account of stock. I recommend a sweeping survey of the whole situation with a view to clearer understanding, with a view to elimination of conflicting and misdirected efforts in this field which is so vital to millions of our fellow citizens.

I am sorry to have taken so much of the committee's time. I appreciate its consideration. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. WIGGLESWORTH] has expired.

All time has expired.

The Clerk read as follows:

Salaries: For personal services in the office of the President, including the Secretary to the President, and two additional secretaries to the President at $10,000 each; $133,680: *Provided*, That employees of the executive departments and other establishments of the executive branch of the Government may be detailed from time to time to the office of the President of the United States for such temporary assistance as may be deemed necessary.

Mr. COLLINS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think the committee has done a fine piece of work in bringing this bill before the House with a reduction in many items. I compliment the chairman and the other members of the subcommittee upon this splendid piece of work.

I want to discuss today one phase of this appropriation bill, and only one, not with a view of offering an amendment, but with the hope that the chairman of the subcommittee and its members will increase the estimates for this particular governmental activity after they have thoroughly gone into the items that make up this particular appropriation. I refer to the appropriation for the Home Owners' Loan Corporation.

The Home Owners' Loan Corporation has made loans to about 1,021,818 home owners, and the aggregate of the loans is in excess of $3,093,424,244. The annual administrative cost at its peak was $36,000,000. For 1936 it was slightly in excess of $31,500,000. In 1937, if the Budget estimate for an additional sum of $1,500,000,000 is forthcoming, as I understand it will be, the cost of administration will be $30,500,000. The Budget after going into the activities of the Home Owners' Loan Corporation very carefully and painstakingly, even to the extent of sending representatives into the regional, State, and district offices, submitted estimates to the Congress of $32,000,000. I submit, Mr. Chairman, that $32,000,000 should be given by the Congress to the Home Owners' Loan Corporation.

The property-management branch of the Home Owners' Loan Corporation is the only one that has not reduced costs of operation. In 1935 there were 17,000 homes that had been taken over by the Home Owners' Loan Corporation, and the expenditures for that time were approximately $872,000. During the fiscal year 1938, however, this Corporation will have under its control 160,000 homes instead of 17,000.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. I yield.

Mr. McCORMACK. How will they get these 160,000 homes?

Mr. COLLINS. By foreclosure; and the foreclosure department is separate entirely from the property-management department.

[Here the gavel fell.]

Mr. COLLINS. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WOODRUM. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. I yield.

Mr. WOODRUM. I know the gentleman wants accurate information.

Mr. COLLINS. Yes.

Mr. WOODRUM. The property management department is not limited by this appropriation. Any expense to which the Corporation is put for property management is taken out of their funds and is not included in the appropriation that we authorize in the bill. That is not an administrative expense.

Mr. COLLINS. Then, if the gentleman from Virginia is correct in his statement, certainly the Home Owners' Loan Corporation could use $2,000,000 or any necessary amount available in the expense of property management. I am confident, however, that the chairman of the subcommittee is mistaken in his statement. If the gentleman from Virginia will confer with the proper officials I am sure he will find the cost of property management is an administrative expense, and that the Home Owners' Loan Corporation cannot spend any money for this particular item except as authorized and appropriated by Congress If Congress appropriates $32,000,000 for the administrative expenses of the Home Owners' Loan Corporation, there is no authority for officials to use an additional amount of money in the cost of personal supervision of properties acquired. This administrative expense of property management, as I understand it, is for such personal service as the supervision of appraising, renting, repairing, and so forth, of acquired properties by the personnel of the Home Owners' Loan Corporation. I hope the chairman of the subcommittee will further investigate this matter and I believe he will find that my statement is correct. It is my understanding that there is a limitation on the cost of property management, said limitation being definitely determined by the appropriation made by the Congress.

Mr. WOODRUM. They can spend all the money they need for this department out of their funds. There is no limitation put on that.

Mr.COLLINS. They tell me that they are not going to spend any more money for any of these activities than the amounts allowed by the Congress as appropriations.

At $35 per month the losses would amount to around $5,000,000 per month, and I insist that it is the part of good judgment and good management to give to this Corporation in its management of property the amount that they say is necessary and that the Budget says is necessary to properly carry on this particular activity. If we do not do that, this Corporation will lose instead of gain, all of which will come from the Treasury of the United States. I submit that the chairman of this subcommittee and the other members thereof should confer still further with the management of the Home Owners' Loan Corporation. After they have done so, if they find that the Budget estimate should be given to this governmental activity, the cut of $2,000,000 should be restored. I know my friend, the chairman of this subcommittee, and I know that he will do it.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. I beg the gentleman's pardon, but my time is too limited to yield.

Mr. Chairman, there were two governmental activities created by the Congress of the United States when Mr. Roosevelt went into office that had more to do with breaking the backbone of the depression than any other two activities. They were the Home Owners' Loan Corporation and the Federal Housing Administration. Up to the time these two corporations were created there were approximately $15,000,000,000 of loans on homes in this country, one-third of them maturing each year. This meant that there had to be available each year $5,000,000,000 in order to properly finance loans on homes in this country. With the creation of these two corporations, a different policy was inaugurated and loans were made to mature in 15 years instead of 3, with the result that now it takes only $1,000,000,000 available cash to finance the loans on homes in this country, whereas heretofore it was necessary to have $5,000,000,000 each year; and $1,000,000,000 is available and will continue available because of the inauguration of this new policy. It seems to me, knowing that when this Corporation ceases business will have been self-sustaining and that there will have been no total losses as a result of its creation, that we should make available to it sufficient funds with which to operate effectively.

[Here the gavel fell.]

Mr. TABER and Mr. McCORMACK rose.

The CHAIRMAN. The Chair recognizes the gentleman from New York, a member of the committee.

Mr. TABER. Mr. Chairman, I wish to call the attention of the House and the Congress to some salient facts in connection with this appropriation, and especially to some things in connection with the emergency agencies that are provided for.

The Federal Home Loan Bank is taken care of with upward of a million dollars. The Home Owners' Loan Corporation is allowed $30,000,000.

The Home Owners' Loan Corporation has mortgages outstanding approximating $2,800,000,000. The expense for servicing those loans and taking care of the property to be taken over will amount to $30,000,000.

The Farm Loan has outstanding mortgages totaling $2,000,000,000, and their total expense, including taking care of $125,000,000 worth of property that they have had to take over, is running at the present time at the rate of approximately $11,000,000 per year, indicating that the Home Loan Board mortgages are costing much more to service and to look after than are the farm loans.

It seems to me it is absolutely ridiculous for these people not to reorganize their business and put it on a sound basis and get down to earth. Frankly, I believe that the $30,000,000 could very largely be reduced and still have more efficiency. If they would put into effect the servicing systems that are in vogue in savings and loan associations and in savings banks which handle these mortgages, and they were kept accurate and currently up to date, I believe they could get along with very much less help.

Mr. Chairman, all of these things have to be paid out of the Treasury of the United States. Until they systematize their business and put it on a sound basis we are not going to have efficiency. I hope when we get to this matter we will not appropriate more than $30,000,000 which the committee has recommended, and, if possible, I believe we should reduce this item.

There are several other items here that are extremely large.

There is an increase of a million dollars over the Budget in the case of the Federal Housing Administration. There are a great many duplications of activities in the nature of appraisers and all that sort of thing as between the H. O. L. C. and the Federal Housing Administration. There are many places where with equal efficiency the same appraisers could do the work for both organizations. There should be cooperation between the various organizations so that the expense to the Government may be reduced. If that plan were followed, we would be able to get along without allowing for this increase above the Budget estimate.

Then there is the R. F. C., with practically $2,000,000,000 of loans outstanding, most of which are in the process of liquidation.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Mr. Chairman, there is the R. F. C. with nine and one-half million dollars. This organization is practically upon a liquidating basis. Very little in the way of new loans is to be expected in the next year. It seems as if that organization could get along and function efficiently without requiring a very considerable amount of help.

Then there is the Public Works Administration with a pay roll of $10,000,000, and it likewise is under liquidation. They have not, in fact, any securities to liquidate or not a sufficient amount to justify that amount of money.

Mr. Chairman, I hope the House will proceed along the line of trying to keep the expenses of the Government down and trying to save some money for the Federal Treasury. It does not make any difference whether these funds are paid by the H. O. L. C., the P. W. A., or any other organization, the funds ultimately come out of the Federal Treasury.

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, in view of the fact that the activities of the Home Owners' Loan Corporation have been discussed, there are a few observations I feel constrained to make, not by way of criticism, because I dislike to develop the mind of a critic. What I shall state will be an expression of views which have recently developed in my mind as a result of some of the foreclosures that the Corporation has been engaged in recently.

I was amazed to hear the gentleman from Mississippi say they expected to own 160,000 homes next year. They have foreclosed on about 17,000 homes up to the present time out of mortgages approximating 1,300,000, according to his statements.

The purpose of the Home Owners' Loan Corporation in the emergency was to prevent the squeezing out through foreclosure and prevent the bringing about of a reduction in the number of homes owned in this country by individuals. Not only was it deserving and worthy legislation from the angle of the individual, but from the angle of the Government it was very important. The home owners constitute a very important element in our Government. They are an important part of our middle class. A strong middle class is one of the necessary elements of the existence of a strong stable government. The legislation creating this Corporation had as its objective not only the assistance of the individual home owner but of doing something on a broad scale which would be of invaluable assistance to the continued strength of our Government.

This Corporation has gone through one period. Now it is coming to the other part—the question of foreclosure. Those who administer the law must keep in mind that only those home owners were eligible who were unable to continue their mortgages with private banks.

From the bankers' angle they were bad risks; in any event they were faced with the danger of imminent foreclosure. That is the class of home owners this bill was aimed to assist. When it comes to foreclosure, the officials who are administering this act of Congress should remember that the act was drawn by the Congress in a spirit of humaneness, and we expect that it will be administered by those who are administering that particular law in the humane spirit that the Congress intended.

Mr. Chairman, I hope we will not have 174,000 foreclosures at the end of the next year. I hope the members of the Board and those entrusted with the administration of that act will act with humaneness, and that there will be no hasty or arbitrary action. I hope every consideration will be given to the home owners. That is what the Congress intended. True, we gave them a moratorium period, but in many cases it is not enough. The only group that could benefit from the law was a group faced with immediate foreclosure by the banks who held the mortgages. Many of these people have recently gone back to work, but they have to be given further time. Discretion under the law exists with the Board and the officials of this corporation to extend the humane consideration intended by the Congress.

I rise to speak, not from any angle of criticism, because on the evidence to date I would not be warranted in being a critic. However, I have noticed recently a tendency with respect to foreclosures which might warrant fair criticism in the near future unless caution in this respect is employed by those administering the law. I rise to urge the Corporation to use caution and judgment, and to warn them that unless they do so, criticism will follow.

Mr. ENGEL. Mr. Chairman, will the gentleman yield for a correction?

Mr. McCORMACK. I yield.

Mr. ENGEL. The gentleman stated there were 17,000 foreclosures and I wish to correct that statement.

Mr. McCORMACK. I based my statement on what the gentleman from Mississippi [Mr. COLLINS] said in that regard.

Mr. ENGEL. On page 633 of the hearings the gentleman will find a statement by Mr. Fahey to the effect that the total number of foreclosures sent to the legal department with instructions to initiate court action aggregated 62,221 cases to November 30, 1936, involving an amount of $248,688,601.

Mr. McCORMACK. I thank the gentleman for the correction.

In conclusion, I hope the officials who are administering this act will keep in mind the underlying intent and spirit of the Congress. When I voted for that bill I intended

individually, and I know my colleagues also did, that the element of humaneness should be considered and that when the time came for foreclosure those entrusted with the duty of administration would recognize such intention on the part of the Congress and hold off foreclosure as long as possible in order that as many home owners as possible would be able to retain their property. [Applause.]

Mr. WOODRUM. Mr. Chairman, we have not reached the item for the Home Owners' Loan Corporation, and there has already been 20 or 30 minutes of debate. I have no disposition to shut off Members from speaking, but I hope we can read along in the bill for a while, and I therefore ask unanimous consent that all debate on this paragraph close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

HOME SEIZURES IN THE STATE OF MAINE

Mr. BREWSTER. Mr. Chairman, while discussion of the Home Owners' Loan Corporation and its policies seems to be the matter immediately before the House, I rise, not only to express my full sympathy with what the gentleman from Massachusetts [Mr. McCORMACK] has just said regarding consideration for the borrowers by the Government, but to say also that I know that in many instances the Corporation has shown such consideration. I do not, therefore, rise to criticize their action in foreclosure or to commend it, although the record is somewhat startling when we realize that 66,000 American homes are now being seized by the Government of the United States.

The present policy of the Home Owners' Loan Corporation, however, in taking possession by court action of homes during the process of foreclosure is almost unprecedented so far as the State of Maine is concerned and is particularly unfortunate in turning people out of their homes in the middle of a Maine winter.

From the standpoint of the Government, the policy is also open to serious question, as the Government becomes accountable for the rents and profits during the months remaining to complete foreclosure. The property also suffers from lack of occupancy during the cold winter months.

LOW FORECLOSURE COSTS IN MAINE

Whether the same policy is being followed in other States I am not informed, but the State of Maine would seem entitled to some consideration from the fact that the foreclosure costs in the State of Maine are the lowest in the country, as shown by the report of the hearings on the independent offices appropriation bill, on page 656, where it appears that the—

> Total foreclosure costs vary from about $10 in Maine, which is the lowest, to approximately $300 in New York State and approximately the same in the State of Illinois. The average in the country is around $150 a case.

ONE HUNDRED AND SIXTY THOUSAND FORECLOSURES

With 66,000 homes now in process of foreclosure and with 100,000 more foreclosures in immediate prospect in the country during the coming year, it is startling to discover that the Corporation is departing from the long-established practices in Maine in cases of this character.

Within the next year the Home Owners' Loan Corporation expects to "own more individual pieces of property than were ever in a single ownership before, and these properties will be scattered throughout nearly every county in the United States."

This is a sufficient indication of the character of the problem with which we must be prepared to cope.

HALT EJECTIONS

I wish to speak of a specific matter in the State of Maine, which may exist in other States, which, I think, if it were properly considered by the Corporation would certainly be called to a halt. This concerns the procedure in foreclosure. In many instances in Maine—I do not know about other States—foreclosure which requires a period of 1 year has been commenced by the process of publication. Foreclosure by taking possession is most unusual in the State of Maine, because the mortgagee then becomes accountable for the rents and profits, so that no banks, corporations, or even loan sharks in the State of Maine, if such there be, so far as my knowledge has gone, have ever resorted to this method of foreclosure, except in most extraordinary cases. But in the State of Maine today, in repeated instances that have been brought to my attention in the past few months, the Government, after commencing foreclosure in the usual way, while the foreclosure is still in process with several months to run—in the middle of a Maine winter—has started court procedure to eject the people from possession and throw them, literally, out into the snow and cold of Maine. So far as my knowledge in 25 years in Maine goes no corporation, no individual, not even the worst loan shark, has ever resorted to such a process as is now being practiced by the Government of the United States.

I may say in justice to those in authority here that I have brought this matter to their attention and they have assured me of most sympathic consideration of whether a halt shall now be called. So far as I can discover, certain individuals in Maine, who will get some fees by starting these proceedings, have advised this process almost unprecedented in our State. The chief immediate result is to increase the costs and make the Government responsible for the care of the property and for the rents and profits. I hope that what I say here may result in suspending these evictions and that in the future the Government may follow the usual practice in the State of Maine in such cases.

The Clerk read as follows:

Total, Executive Office, $494,478.

Mr. COCHRAN. Mr. Chairman, I move to strike out the last figures.

Mr. Chairman, I would like to call the Committee's attention to the fact that you are approaching the appropriation for next year for the independent offices. I have been told by some Members of the House that I am rather excited and get too critical over some of the independent establishments. In answer to that, I have some responsibilities as chairman of the Committee on Expenditures that I am not going to shirk. I only wish the time would permit me to go into detail concerning the growth of some of the independent offices, but I express the hope the Special Committee on Reorganization will—and I think it will—look into some of these activities.

I want particularly to call your attention now to the appropriations for one of these agencies provided for in the bill, and that is for The National Archives, which provides for an additional appropriation of $135,000 over and above the amount they had this year.

I understand that while I was absent from the Chamber my good friend from Virginia [Mr. WOODRUM] produced a lot of pictures showing where the Government documents have been stored prior to the time The Archives was erected.

I know something about The Archives and the original idea was to build a small structure something like the Folger Memorial to store a few rare documents, such as the Constitution, Declaration of Independence, treaties, proclamations of outstanding interest, and so forth.

But what has been done? I am giving you an estimate, as I do not have the correct figures before me, but, believe me, I will give the minimum, not the maximum. The building and equipment has cost over $12,000,000 so far. The last allocation was for three and a half million dollars for stacks to be built in the enclosure; that might have included equipment, but I am not sure about that. There is appropriated $752,000 in this bill, an increase of $135,000 over funds available for the current year.

I quote from the report:

> This increase is not because of any added function, but represents the normal expansion necessary to man the additional stacks and files which will be available next year. This expansion will continue gradually over an estimated period of 10 to 15 years, and will reach an ultimate personnel total of 600 to 700, or thereabouts.

The space available today is the same amount available a year ago. Read the hearings. You will see the head of

The National Archives states the new stacks are not ready, will not be ready for some time, and that advertisements have not even been sent out for bids for the equipment to go into the stacks. What good are the stacks without the equipment? There is no indication they will have any additional space within a year; still they want a lot of new employees. They have more stacks now than they will be able to fill in years if only real historical documents are retained.

The organization had been in existence, paying out Government money, for over a year and never had one meeting of the council that is composed of the heads of the executive departments to find out what they should do until the committee, of which I am chairman, held hearings. We forced them to have a meeting of the council. I can prove this statement. I have copies of letters I wrote to Secretary Hull, calling his attention to the situation.

Here you have a structure costing well over $12,000,000, and as the hearings on this bill show, you are going to fill it with a lot of trash which had better be in ashes.

The first documents they took were those of the Food Administration, which the Government had housed in the White House garage. Now, if you are going to save all the records of the Food Administration as historical documents you had better start constructing some new additions. You will find a few documents of historical value, but the way the Archivist described how they are numbering these documents leads me to believe they will retain tens of thousands.

The people have invested a tremendous sum in this building. It should be used wisely. It seems to me right now is the time for the council to get together and come to a sane understanding of just what is to be the policy in the future and stay within that policy. Investigate and learn just how many records are being placed in The Archives that are already in the Library of Congress. Frankly I feel if the law had been properly drawn, this agency would have been made a part of the Library of Congress. Probably I am too critical, but the American people are going to become critical if we do not soon put the brakes on these independent agencies that keep reaching out for more and more. We owe something to the taxpayers we represent, and it will not be long until they call us to account. They do not object to relief appropriations to care for the needy, but they will object to the enlargement of Government agencies when there is no need for it.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. COCHRAN. Mr. Chairman, I ask unanimous consent to proceed for 5 minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COCHRAN. Mr. Chairman, they have 1,200,000,000 individual documents in the War Department, and these documents show the history of every man and woman who ever served in the Army. The same applies to the Navy. They have the history and individual applications of every man who ever served in the Post Office Department. They still have the papers of everyone who ever applied for a pension, whether he had a right to a pension or not. There is in the Patent Office the applications that were filed in that office since the time it was created, even those where the patents have long since run out. Throughout the Government you have a situation such as that.

Some 6 years ago I attempted to have a warehouse or a Government storage house built in this city to store these documents that are inactive but that the departments do not want to destroy. I wanted to put them in this building which could be a filing house, with a few file clerks. There would be a space for every department, and in that way release the space in the various Government agencies and departments occupied by these documents now, so that desks could be put in. I have been advised that almost one-fourth, if not more, of the space now occupied by Government offices is taken up with old files, maps, and so forth. If my idea had been carried out or is carried out, we can stop building these monumental structures in the District of Columbia. I thought I had that fight won until my friend Mr. Ickes came along and licked me; and how did he lick me? He induced the President to approve his order to put these $3,500,000 worth of stacks inside of The Archives Building. You do not know they are in there, but they are there; they are building them. I repeat, if we had a warehouse here we could take documents away from Government buildings and release the space for desk room. It could be constructed in the southwest section, not a monumental building, but a concrete building. You would not have to construct walls but use heavy wire to partition off the space. The file clerks now handling these documents could go along with them, and whenever the officials needed some of the old files they could be sent up by messenger and returned when they had served their purpose. Archives or no archives, you are going to be forced to come to this some day.

Mr. MEAD. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. Yes.

Mr. MEAD. The gentleman has given us a very apt illustration of the rapid growth of a new agency. He has brought out some very interesting information. I particularly like the suggestion he makes with regard to a storage house for ordinary documents. If the fight the gentleman made had been won and carried to consummation, it would only be necessary for us to have filing clerks in the storehouse to file away these old worth-while records. Under existing circumstances, however, in order to secure employment in The Archives, one must have had a postgraduate course at one of the large universities of the country, as well as considerable experience in some similar institution. This is necessary in order to qualify under their civil-service requirements.

Mr. COCHRAN. It depends on who you are and who is behind you.

Mr. MEAD. Except, of course, those who got in when the agency was started. The thought the gentleman has in mind is this: In having a storehouse for ordinary records we would provide work for filing clerks, while in this monumental building on the Triangle, of course, a college degree is necessary to obtain employment. There is room for both buildings. Ordinary documents could be filed in a large storehouse and valuable documents would be preserved in the archives.

Mr. COCHRAN. I am going to find out what The Archives is doing, because I am going to have them before my committee again.

Mr. WOODRUM. But the gentleman had them down there a year ago, did he not, and did he find out anything then?

Mr. COCHRAN. I found out plenty but practically nothing whatever from them.

Mr. WOODRUM. Has the gentleman been down there for a year?

Mr. COCHRAN. No. But I am going back. We have this set-up. I want to keep it within bounds, and I want to see some results. Why they are now out in the States. Why not do the job here before we go to the States? Let the State historical societies take care of those W. P. A. projects. I hope every Member of the House will go down and see this beautiful structure. You will find the offices occupied by some minor officials in The Archives Building are far more attractive than the office occupied by the President of the United States.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. MAY. Mr. Chairman, I move to strike out the last word.

Mr. WOODRUM. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 7 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WOODRUM. Will the gentleman from Kentucky yield to me for half a minute?

Mr. MAY. Yes.

Mr. WOODRUM. Just to say that I am willing to stay here and debate this bill, but we have to finish it tonight, and all the time that we are taking up now will likely take us past 6 o'clock this evening.

Mr. MAY. Mr. Chairman, I shall try to help the gentleman; I am supporting his committee, and he should not object. I propose to make just a few general observations; and if I should happen to mention the Democratic platform of 1932 and our Republican friends over here should laugh about it, I hope my Democratic colleagues will not get offended. We have the unusual spectacle this afternoon, with the very first general appropriation bill reported to the House, of the Member first moving to strike out the last word getting on the floor—and I do not mean to be critical of my good friend the gentleman from Mississippi—but just think of it; last week we passed a deficiency bill of nearly a billion dollars, and this bill appropriates more than a billion dollars, advocating an increase in an appropriation bill that already carries $1,046,000,000, and that in the face of the fact that the Home Owners' Corporation is liquidating its business. This concern gets its money through the R. F. C. at 1¾ percent and loans it to home owners at 5 percent, thereby showing a margin of 3¼ percent. With that margin on more than three billion of loans, I see no reason why they cannot operate on that vast sum. Then we are told by the distinguished gentleman from Virginia [Mr. WOODRUM], the chairman of the committee, that it is proposed to employ 1,000 more people in this one agency.

That is a good start toward a bad ending. I am not here to criticize the Home Owners' Loan Corporation. I think it has done a fine job and I think it has been far more lenient than it is being given credit for on this occasion.

I want to make this further observation—that there is only one place where this Congress will ever start to economize, and that is at the point of the pruning knife of the Appropriations Committee of the House of Representatives and nowhere else.

I was in another great body a day or two ago and I heard a distinguished statesman, with an illustrious career, standing with outstretched hands, recounting the tragedies and hardships of floods, droughts, and disaster all over this country. I heard him recount the blood-curdling stories of despair told to him by employees of some of these bureaus in Washington about the difficulties they had experienced and the human suffering they had witnessed, and as the tears rolled down his cheeks he pleaded for an increase in an appropriation bill, a deficiency bill, if you please, carrying more than $700,000,000, and just a few minutes ago that same body voted to increase that bill to more than $900,000,000.

My position is that we are trustees of an express trust, consisting of the money of the taxpayers of this country, and that just so long as we listen to the cries of the bureaucrats in Washington who intend to keep their jobs without regard to cost, we will continue to make additional appropriations. If there is anyone who thinks that is not so, I wish he would take the floor and disprove it.

The criticism has been made here that the Home Owners' Loan Corporation is a greedy, avaricious, penny-hunting foreclosure institution that is trying to rob the people of their homes. Mr. Fahey, in the hearings before the committee, said this in reference to these foreclosures, after he had shown they had more than 60,000 of them submitted to the legal department:

> We go to very great lengths in every attempt possible to avoid foreclosure.

Mr. Jones, a member of the organization, speaking of foreclosures against people whose incomes have been cut off and whose houses have been taken away from them under foreclosure, said:

> I think you will find very few cases in Oklahoma of the kind you have in mind, where there is default in case of a man whose income had been cut off by economic conditions, who has lost his home. They are carried for a long period of time.

I am fearful that we are face to face with uncontrolled inflation, the result of which means destruction of all values—and that means repudiation. There is only one alternative, and that is to impose upon all our people and upon industry and business unthinkable burdens of taxes. Who in this country is in the best position to know? Most certainly the Federal Reserve Board. And what conclusion may we draw from the fact that within the last 10 days the Federal Reserve Board has increased reserve requirements of their member banks by almost 100 percent? It can mean but one thing, and that is that that great Federal financial system sees breakers ahead. [Applause.]

Mr. DIRKSEN. Mr. Chairman, I rise only for the purpose of keeping the record straight. May I say that the question provoked by the gentleman from Missouri [Mr. COCHRAN] relative to what should go into the archives was anticipated long ago, and as a solution to that question they have formed what is known as the National Archives Council. It consists of every one of the Cabinet secretaries, plus the chairman of the House Library Committee, the chairman of the Senate Library Committee, and the Librarian of Congress. The Secretary of State is chairman. That is the body which determines what shall go into the archives. I would rather trust the judgment of that body, with its famed personnel, than the judgment of my good friend from Missouri [Mr. COCHRAN], even though I have the highest regard for him.

As to the stacks about which he talked, and the quantity of stacks now unused, may I say that for the past year they have been making a survey not only in Washington but in some 600 towns in the United States, surveying documents, surveying motion-picture films, surveying historical matter and data, and when they get it all together you will find those shelves will fill up soon enough.

I believe that answers the two propositions submitted by the gentleman from Missouri.

Mr. WOODRUM. And they will not be filled with useless documents that should be burned up either.

Mr. DIRKSEN. Indeed not.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Gladly.

Mr. MAY. Will the gentleman tell us whether or not it is a fact that The National Archives itself is publishing what is called "National Archives", that is costing about $50 a day, to advertise its business?

Mr. WOODRUM. I know of no such publication. There is no such publication in existence.

Mr. DIRKSEN. There is the Federal Digest.

Mr. WOODRUM. The Federal Register. That was put on and established by this House.

Mr. MAY. Is that not costing about as much per day as the CONGRESSIONAL RECORD?

The CHAIRMAN. The time of the gentleman from Illinois has expired. All time has expired.

Mr. COCHRAN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The Clerk read as follows:

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

For each and every purpose requisite for and incident to the work of the National Capital Park and Planning Commission necessary toward carrying into effect the provisions of the act entitled "An act for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital", approved May 29, 1930; personal services, including real estate and other technical services, at rates of pay to be fixed by the Commission and not exceeding those usual for similar services and without reference to civil-service rules and the Classification Act of 1923, as amended; travel expenses; expenses of surveys and searching of titles, purchase of options, and all other costs incident to the acquisition of land, purchase, exchange, operation, and maintenance of passenger-carrying vehicles for official use, $893,700, to be expended in carrying out the provisions of section 4 of said act, and to remain available until expended, $893,700.

Mr. WOODRUM. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Committee amendment offered by Mr. WOODRUM: On page 27, line 15, strike out the comma and "$893,700."

Mr. WOODRUM. That is simply a typographical mistake. That amount occurs twice.

The CHAIRMAN. Without objection, the committee amendment will be agreed to.

The committee amendment was agreed to.

The Clerk read as follows:

RAILROAD RETIREMENT BOARD

For salaries and expenses, Railroad Retirement Board: For three Board members and for all other authorized and necessary expenditures of the Railroad Retirement Board in performing the duties imposed by law or in pursuance of law, including rent; personal and other services in the District of Columbia and elsewhere; traveling expenses, including not to exceed $1,000 for expenses of attendance at meetings concerned with the work of the Board when specifically authorized by the Board; not to exceed $2,500 for payment of actual transportation expenses and per diem (not to exceed $10) in lieu of subsistence and other expenses of persons serving while away from their homes without other compensation in an advisory capacity to the Railroad Retirement Board; repairs and alterations; contract stenographic reporting services; office appliances and labor-saving devices; supplies and equipment (including photographic equipment); not to exceed $2,000 for law books, books of reference, newspapers, press clippings, periodicals, and for payment in advance when authorized by the Board for library membership in organizations which issue publications to members only or to members at a price lower than to the general public; operation, maintenance, and repair of motor-propelled passenger-carrying vehicles to be used only for official purposes in the District of Columbia and elsewhere; and other necessary expenses, $2,300,000: *Provided*, That the Board may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount does not exceed $50.

Mr. CONNERY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CONNERY: Page 31, lines 7 and 8, strike out "and labor-saving devices."

Mr. CONNERY. Mr. Chairman, this is the first amendment to which I referred yesterday in reference to labor-saving devices. I have other similar amendments following this, but the test will come on this amendment. In this bill there will perhaps be seven other similar amendments, but they all relate to striking out the phrase "labor-saving devices" wherever this phrase appears in the bill.

We of the Congress are continuously telling private industry not to use labor-saving devices, for by their use people are thrown out of employment. As I said yesterday there are machines used in private industry which displace as many as 100 people per machine. The increased use of labor-saving devices only means that eventually it is going to put a tremendous tax burden on the American people to pay for unemployment insurance for these people or for relief, Works Progress Administration, or whatever form the relief may take. The Federal Government should set the example and refuse to purchase more labor-saving devices which will throw people out of work and throw them onto the taxpayers.

The whole story is there. I went into this subject at length yesterday. I think the Members of the House are entirely familiar with what I am trying to do—to keep people employed and not to throw them out of work; and that it is my desire that the United States Government set the example. We can do this very readily by striking out this phrase "labor-saving devices."

Mr. KRAMER. Mr. Chairman, will the gentleman yield?

Mr. CONNERY. I yield.

Mr. KRAMER. Does the gentleman believe that by striking out "labor-saving devices" he will increase the labor of the men making these machines? There is considerable employment of labor there.

Mr. CONNERY. I do not think that treats the issue fairly. The Civil Service Commission, as I was informed yesterday, expect to fire 130 people because of the installation of the electric eye to read papers. If the gentleman was here yesterday he will remember that I said the concern which would benefit chiefly by the retention of this phrase "labor-saving devices" is the Remington-Rand Corporation, one of the greatest strikebreaking concerns in the country. Mr. Rand, on a train running between New York and Hartford, ran a school for strikebreakers and offered $5 to every man who would break the picket line.

Mr. KRAMER. I sympathize with the gentleman's viewpoint, but I would remind him that many men are employed in the manufacture of these machines. What is to become of them?

Mr. CONNERY. Not many men; probably one or two, the inventor and his assistant. They make machines that throw many people out of work.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. CONNERY. I yield.

Mr. RICH. Commenting on the gentleman's remark I may say that the number of men employed in the manufacture of these machines is very small compared with the number of people thrown out of work by the labor-saving machines. The gentleman from Massachusetts is right. I hope the gentleman from Massachusetts will go further and try to have a law enacted which would stop their excessive use not only in the Government but in all industry. Were this done, in a short time the seven or eight million people now out of work would be reemployed. I hope the Committee on Labor will consider this proposal very seriously.

Mr. CONNERY. I am glad the gentleman from Pennsylvania and I are in complete harmony on this subject.

Mr. GRISWOLD. Mr. Chairman, will the gentleman yield?

Mr. CONNERY. I yield.

Mr. GRISWOLD. I am not familiar with the part of the bill to which the gentleman offers his amendment, but I am wondering if the gentleman's amendment would not prohibit the use of such machines as dictaphones?

Mr. CONNERY. Oh, no, no; they may continue to use all these different things, typewriters and standard office equipment, but not labor-saving devices like this electric eye the Civil Service intends to use to read papers, a device which will throw 130 people out of work.

Mr. KRAMER. Mr. Chairman, will the gentleman yield further?

Mr. CONNERY. I yield.

Mr. KRAMER. Does the gentleman have in mind throwing out typewriters, comptometers, bookkeeping machines, and machines of that type?

Mr. CONNERY. No; they have those already. This relates to additional labor-saving devices which throw out of work 100 people at a time.

Mr. WOODRUM. Mr. Chairman, will the gentleman yield at that point?

Mr. CONNERY. I yield.

Mr. WOODRUM. Will not the gentleman inform the Committee what labor-saving devices the Railroad Retirement Board would employ that would throw people out of work?

Mr. CONNERY. I do not know. I have referred only to the Civil Service Commission, but all of the different departments will be throwing people out of work with labor-saving devices after this bill passes.

Mr. WOODRUM. There is not an electric eye used by the Board; and the gentleman knows it is perfectly ridiculous to talk about the Railroad Retirement Board, an organization that certainly is sympathetic with the viewpoint the gentleman is expressing, putting in any labor-saving devices that would throw anybody out of a job. The gentleman's amendment would prevent their using duplicating machines, typewriters, adding machines, and other standard office equipment that every Government establishment must have.

Mr. CONNERY. I disagree with my friend from Virginia. As amended this portion of the bill would read:

Contract stenographic reporting services, office supplies, supplies and equipment (including photographic equipment).

That is all left in. All that is taken out is the phrase "labor-saving devices."

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I shall take but 1 minute to say that in my judgment the amendment offered by the gentleman from Massachusetts is pure surplusage, because, if you will exam-

ine the bill on page 31, you will find a semicolon after "stenographic reporting services." Then you will find the words "office appliances and labor-saving devices."

Can the gentleman specify in any respect whatever how his amendment is going to have any effect at all, except to probably precipitate a question for the General Accounting Office to settle?

Mr. CONNERY. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Massachusetts.

Mr. CONNERY. I may say to the gentleman that I would be tickled to have the General Accounting Office decide what a labor-saving device is. If the Comptroller General does that, the electric eye will go out. That is what I want to stop.

Mr. DIRKSEN. The electric eye is involved in only one agency, and that is the Civil Service Commission. I may say that either the amendment will have no effect at all, or it will have precisely the effect pointed out by the chairman of the subcommittee, and we will throw overboard duplicating machines, mimeograph machines, typewriters, and everything else. It depends entirely upon what interpretation might be placed upon the language of the amendment as offered by the gentleman from Massachusetts to this bill. I do not believe he will accomplish any good at all except to provoke a question that may be rather annoying for a little while. This amendment may cause no end of trouble to one of the departments and not accomplish what he is after anyway.

Mr. CONNERY. I shall be very glad to have this question raised if it will settle just what a labor-saving device is. You may be sure if this question is brought up in the departments, they are not going to throw out typewriters or mimeograph machines. Those things are in there already and will not be thrown out. But it may serve to stop their bringing in these electric eyes and other devices of the Remington-Rand type that will throw people out of work.

Mr. MAVERICK. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Texas.

Mr. MAVERICK. May I make this observation? The amendment offered by the gentleman would stop the use of dictaphones. Does he not think it would be better to regulate the hours of labor and give the people some time for relaxation rather than to cut out labor-saving devices?

Mr. DIRKSEN. That may be the ultimate effect of the language proposed by the amendment offered by the gentleman from Massachusetts. However, I do not believe it has any effect at all. It may be found difficult for a department to supply itself with a new typewriter or any other kind of machine in order to get out literature immediately and at a time when they might have very acute and pressing need for such service. I am in full accord with the gentleman's desire to prevent labor displacement wherever possible, but his amendment will not do it.

Mr. CONNERY. The gentleman from Texas spoke about a dictaphone. You have to use somebody at the other end of that.

[Here the gavel fell.]

Mr. WOODRUM. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

INCREASE PURCHASING POWER OF PEOPLE

Mr. PATMAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I know that my good friend the gentleman from Massachusetts [Mr. CONNERY] is sincere in offering this amendment. I know he is sincerely for the cause of labor, and I am not taking issue with him on that score, but I do wonder if he is approaching it from the right angle. It occurs to me there is a better way of approach than the angle from which the gentleman seeks to approach it.

Mr. Chairman, there are 40,000,000 people in this country engaged in production. They work on the farms, on the ranches, in the mines, in the orchards, in the forests, and elsewhere. If those 40,000,000 people, including the wives, children, and hired hands of these people engaged in these various production enterprises, received a wage or a price that compared favorably with those engaged in industry generally, I believe you could invent new labor-saving devices, utilize every one we have, and still you would not be able to supply the demand for goods.

I believe the problem should be approached first from the standpoint of making it possible for those who need the comforts and necessities of life to buy them. We can do that by raising the buying power of these people who are engaged in production. Instead of cutting down production and eliminating labor-saving devices, let us make it possible for those who need these things and who are engaged in production to buy the necessities of life.

There are millions of farmers in this country who are not earning more than two or three hundred dollars a year. I may say there are millions of them. If those people received a fair price for what they produced, they would have an incentive to work, they would work, they would earn money and would use this money to buy shoes made in the gentleman's home town. Lynn, Mass., I suppose, is the largest shoe-manufacturing area in the United States. If the people to which I refer could buy what they needed, those shoe factories would continue to run. They could employ every labor-saving device they have, they could invent more, and still they would not have enough.

If the buying power of those people on the farms, in the mines, in the forests, in the orchards, and on the ranches and engaged in other production could be brought up equal to that which prevails in industry generally, we will not have to talk about labor-saving devices. For instance, we have a surplus of cotton. If the people who work on the farms and these other producers could buy the cotton goods that they actually need in order to enjoy a decent life, I doubt if there would be a surplus of cotton goods.

Mr. WHITE of Idaho. Will the gentleman yield?

Mr. PATMAN. In just a moment.

Mr. Chairman, I believe that the solution of this problem and the approach should be from the standpoint of bringing the earning power of those people who are now suffering by reason of starvation wages and starvation prices up to a higher plane. I believe we will then solve this problem. I now yield to the gentleman from Idaho.

Mr. WHITE of Idaho. In carrying out the plan that the gentleman advocates, is not one of the first requisites a good, workable, adequate money system to be adopted by this Government?

Mr. PATMAN. Yes; but I think the first consideration is a fair price for the goods which the people produce, and a sound monetary system can be helpful in that direction.

Mr. WHITE of Idaho. But it is only under an adequate money system that we can have a fair price?

Mr. PATMAN. I only have a couple of minutes, and I could not discuss a money system in that time. I hope the gentleman will excuse me, as much as I should like to discuss that question.

The gentleman from Texas [Mr. JONES] is chairman of the Committee on Agriculture. The other night he made a speech over the radio, in which he stated that the paramount question today, so far as the producers are concerned, is the question of price. I believe he will pursue this question and I believe that eventually, with the aid and assistance of his committee, will bring in a bill that will make it possible for people who are ambitious, energetic, and who are willing to work and have initiative to earn a fair annual income which will make it possible for them to buy what these labor-saving devices produce. [Applause.]

Mr. GRISWOLD. Mr. Chairman, even if the amendment of the gentleman from Massachusetts [Mr. CONNERY] prevails I do not believe you are going to stop the purchase of these labor-saving devices, and I am not one who believes like the chairman of the subcommittee of the Appropriations Committee that they will not use labor-saving devices in the Railroad Labor Board. If there is any place in the

entire Government where they will use these labor-saving devices I believe it will be in that Board just as they use them in the A. A. A. I can see no reason why they could not use the same system as the A. A. A. with their card-punching system and use it to better advantage than the A. A. A.

I believe if you strike out this language they will still purchase these things, and yet I favor the striking out of the language. I favor the striking out of the words "labor-saving devices" in the interest of consistency on the part of this House. We came out in one bill just a few weeks ago, and went on record in the last Congress and the Congress before that, in our appropriations bill, carrying out the policy that we must spend money to put men to work, and yet in the same Congress we come with this inconsistency in this bill and say that now we must increase the man-hours of production and decrease the man-units of consumption by the use of the words "labor-saving devices."

This is a march of progress, and we are going to use these labor-saving devices, whether this language is in the bill or not.

If you strike out these words the bill will read, "Office appliances, supplies, and equipment." This covers the multitude of sins in labor-saving devices, and if you strike out the language referred to in the amendment the labor-saving devices will be purchased, but they will not be purchased with you on record as backing the theory that as a Congress we are willing to purchase things to throw men out of work one day and the next day appropriate seven or eight billion dollars to put men to work.

I think the amendment of the gentleman from Massachusetts should prevail. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. CONNERY) there were—ayes 27, noes 63.

Mr. CONNERY. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

The Clerk read as follows:

RURAL ELECTRIFICATION ADMINISTRATION

Salaries and expenses: For administrative expenses and expenses of studies, investigations, publications, and reports necessary to carry out the provisions of the Rural Electrification Act of 1936, approved May 20, 1936, including the salary of the Administrator and other personal services in the District of Columbia and elsewhere; traveling expenses, including expenses of attendance of officers and employees at meetings when determined by the Administrator to be necessary in furthering the work of the Administration; contract stenographic reporting services; expert witness fees; materials, supplies, equipment, and services; rentals, including buildings and parts of buildings and garages, in the District of Columbia and elsewhere; purchase and exchange of books, law books, books of reference, directories, and periodicals; not to exceed $200 for newspapers and press clippings; financial and credit reports; purchase, rental, exchange, operation, maintenance, and repair of typewriters, calculating machines, and other office appliances; and all other expenses necessary to administer said act, $1,450,000: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Rural Electrification Administration when the aggregate amount involved does not exceed $100.

Mr. WIGGLESWORTH. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 33, line 1, after the word "act", strike out the figures "$1,450,000" and insert "$1,140,000: *Provided*, That not more than $113,000 shall be expended for the collection and dissemination of information."

Mr. WIGGLESWORTH. Mr. Chairman, this amendment is offered for the purpose of reducing to some extent the funds contemplated to be expended for publicity work by this particular agency.

I called attention this morning to the situation that seems to be developing in many Federal agencies. I called attention specifically to the fact that the funds asked for by the Rural Electrification Administration, the Social Security Board, and the Federal Housing Administration for publicity purposes when added together amount to a total of almost $1,000,000.

The Rural Electrification Administration is the first of these three agencies to be reached in the bill. It asks for $163,000 for the collection and dissemination of information; it asks for $70,000 for utilization, which is really a further educational work; in addition it asks for $70,000 for printing and binding.

My amendment would simply reduce the total of $163,000 by $50,000 as a start in the right direction. The sum of $113,000 would seem to be more than sufficient for the collection and dissemination of information.

Mr. RANKIN. Mr. Chairman, I regret very much to note the attacks made by the gentleman from Massachusetts [Mr. WIGGLESWORTH] on the Rural Electrification Administration, one of the most valuable agencies of this Government, and one that has the power, if properly used, to do more for the people in the rural sections than probably any other agency of its kind in America.

It is a little surprising to me to hear these attacks waged against the small amount provided in this bill to carry on the work of this great organization, in view of the fact that millions, if not hundreds of millions of dollars, wrung from the helpless consumers of electric energy, have been spent every year by private power companies and holding companies for propaganda purposes in order to try to destroy the power policies of this Administration and to prevent the American people from getting electricity at reasonable rates.

Private power interests are overcharging the American people more than $1,000,000,000 a year for electric lights and power. And in order to continue these overcharges, they are spending more money in 1 week for propaganda purposes than all the electric power agencies of this Government combined spend in an entire year. They want to continue to rob and plunder the helpless consumers of electric energy throughout the country, and are using every means at their command to try to strangle, stamp out, or destroy all competition.

Mr. THOMAS of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. Yes; I yield for a question.

Mr. THOMAS of New Jersey. The gentleman just made the statement that privately owned power and light companies were robbing the people in every area of the United States.

Mr. RANKIN. Yes; in overcharges.

Mr. THOMAS of New Jersey. Does the gentleman claim that in the State of New Jersey 4 cents a kilowatt-hour is an overcharge?

Mr. RANKIN. I shall put the overcharges for New Jersey in the RECORD at this point——

Mr. THOMAS of New Jersey. I am asking the gentleman a particular question.

Mr. RANKIN. I decline to yield further, but will answer the question by showing what the people of New Jersey are paying, and how they are being overcharged.

Mr. THOMAS of New Jersey. But that is not an answer to the question.

Mr. RANKIN. Mr. Chairman, I decline to yield further. If the gentleman from New Jersey is so poorly informed on this subject that he does not know that the people in New Jersey are overcharged $39,000,000 a year for electric light and power, he ought not to try to project himself into a discussion of this kind. He may not know it, but the people of New Jersey pay about the highest light and power rates of any State in the Union.

In 1934 the people of New Jersey used 1,839,677,000 kilowatt-hours of electric energy, for which they paid $76,487,173. Under the T. V. A. rates the cost would have been $37,364,173, a difference of $39,123,000. Under the Tacoma rates the cost would have been $36,924,173, a difference of $39,563,000. Under the Ontario rates the cost would have been $29,724,156, a difference of $46,763,017. Which shows that the overcharges paid by the people of New Jersey alone amount to about $40,000,000 a year.

This burden falls most heavily upon the domestic or residential consumers. The gentleman from New Jersey [Mr. THOMAS] gives as his home address the town of Allendale, and for his information I call attention to the electric light and power rates paid by the domestic consumers of Allen-

dale, which are about the average paid throughout the State of New Jersey.

In Allendale, 15 kilowatt-hours a month of electric energy costs a domestic consumer $1.35; 25 kilowatt-hours a month costs $2.25, and 40 kilowatt-hours a month costs a domestic consumer in that town $3.60, when it should cost not more than $1.20. The average domestic consumption throughout the State of New Jersey is only 40 kilowatt-hours a month, and I am sure that the consumers in Allendale, especially with these high rates, do not use above the average consumption. So, instead of paying 4 cents a kilowatt-hour, a domestic consumer in Allendale pays $3.60 for 40 kilowatt-hours, or 9 cents a kilowatt-hour. If that is not legalized robbery, then I submit that I do not know how one would go about robbing a householder in the State of New Jersey.

In order to show what electric lights and power should cost domestic consumers I insert at this point the rates charged domestic consumers in the Tennessee Valley area. These are the T. V. A. yardstick rates which the ultimate consumers in that area are required to pay:

First 50 kilowatt-hours per month, 3 cents per kilowatt-hour.

Next 150 kilowatt-hours per month, 2 cents per kilowatt-hour.

Next 200 kilowatt-hours per month, 1 cent per kilowatt-hour.

Next 1,000 kilowatt-hours per month, 4 mills per kilowatt-hour.

I shall show that these rates are not only not too low, but that they really are too high, and should be reduced. I hope every Member of the House and everyone else who reads this RECORD will get his canceled light and power bill for the last month and compare the rates he now pays with these T. V. A. yardstick rates.

During the year 1936 the American people consumed 88,883,000,000 kilowatt-hour of electric energy, for which they paid $2,059,136,000, according to the Edison Electric Institute Bulletin for January 1937. If they had paid the Ontario rates, or the rates charged by the Ontario Public Power Commission, the cost would have been $445,000,000 instead of $2,059,136,000. Therefore, according to the Ontario rates, the American people were overcharged $1,614,136,000 for electric lights and power during the year 1936.

If this power had been supplied to them at the Tacoma rates, the rates now in effect in Tacoma, Wash., where they have a public power system, the cost would have been $489,950,000, instead of $2,059,136,000, or a difference of $1,669,186,000. Therefore, the American people were overcharged last year, according to the Tacoma rates, the enormous amount of $1,669,186,000.

But the friends of the Power Trust will tell you that the Ontario Power Commission pays no taxes, that it is a public system and supplies power to the people of Ontario at cost. That is true. But let us add the taxes and see what difference that would make. A thorough investigation in the State of Washington showed that taxes paid by power companies for all purposes amounted to about 1 mill per kilowatt-hour, or a little less. Therefore, the taxes on this 88,883,000,000 kilowatt-hours consumed by the people of the United States last year would amount to not more than $88,883,000. Take that amount from the $1,614,136,000, the overcharges according to the Ontario rates, and it will still show an overcharge of $1,525,253,000 after allowing for all taxes.

Remember that the tax question does not enter into the overcharges in the Tacoma comparison, for the reason that the Tacoma power system pays taxes of about $150,000 a year. Remember, too, that the Ontario system has about $400,000,000 invested, and that these charges take care of all expenses, including interest and sinking funds necessary to liquidate their indebtedness within a reasonable time.

Remember also that the Tacoma system has $23,000,000 invested and has paid its indebtedness down to about $7,000,000. Tacoma is a city of about 106,000 people, and yet with this tremendous investment, it has the lowest light and power rates in the United States, even lower than the T. V. A. rates. It pays taxes, takes care of all the interest on its indebtedness, sinking funds, repairs and other necessary expenses, and at the same time is gradually paying its system out. In a few years it will be entirely out of debt, and then its rates will be reduced still further.

Now let's see about the T. V. A. rates. On yesterday, the contract between the Government and the Commonwealth & Southern through which the latter was purchasing T. V. A. power generated at Muscle Shoals expired, and if I can prevent it, that contract will not be renewed. The Commonwealth & Southern remains an outlaw corporation and refuses to register under the Holding Company Act. We do not treat with other outlaws, and I am not willing to make an exception of the Power Trust. Even if they should register under the Holding Company Act, I would oppose the T. V. A.'s selling them power until they dismiss their injunction suits against the T. V. A. and dismiss every other suit they now have against any agency of this Government in which they are attempting to prevent the Government from aiding municipalities and rural cooperative associations in buying or building their own distribution systems.

And even then I would oppose selling them power unless it were provided, and written into the contract, that they were to deliver it to the ultimate consumers at the T. V. A. yardstick rates. Even then I would oppose selling them this power unless they paid the same rate for it that is now being paid by the municipalities and cooperative associations in the T. V. A. area. And, in addition, I would have it written into the contract that the Commonwealth & Southern and its subsidiaries are to cease their pernicious practices of building spite lines through rural sections merely to cut the territory to pieces and prevent the development of rural electrification systems.

In other words, I would serve notice on the Commonwealth & Southern, and give reassurance to the people of this Nation that the T. V. A. is to be operated for the benefit of the people of this country, and not for the benefit of the Power Trust.

As most of you know, my home is at Tupelo, Miss., the first municipality to purchase power from the T. V. A. and to apply the T. V. A. yardstick rates. I am going to give you the results of the operation of our municipal power system during the last 12 months, under that contract. Tupelo is purchasing power from the T. V. A. at wholesale and then selling it to the ultimate consumers at the standard T. V. A. yardstick rates.

Sometime ago, Mr. Wendell L. Wilkie, president of the Commonwealth & Southern, who has come to be known throughout my section of the country as "Windy" Wilkie, made the ridiculous assertion that—

> Whenever a citizen of Tupelo, Miss., turns on the electric switch, everybody in the United States helps to pay his electric bill.

In the same statement he said:

> Our operating companies in that area could lower their rates at least 25 percent below the Tennessee Valley Authority rates if they were given the same gifts from the Federal Treasury as are given to the Tennessee Valley Authority.

Now, let us see about that. The report of the Chief of Army Engineers on the Tennessee River and its tributaries, filed on March 24, 1930, and signed by Hon. Patrick J. Hurley, then Secretary of War, states that this power can be laid down at the switchboard at 1.352 mills per kilowatt-hour, which is about one-seventh of a cent. This was said to be the sales price necessary to obtain in order to pay 4 percent on the investment. Evidently that report was correct, for the Army engineers had no reason whatsoever for coloring their report or misstating their findings. This report also showing this power could be transmitted 100 miles and sold for 1.993 mills, or approximately 2 mills per kilowatt-hour. That would be about one-sixth of a cent per kilowatt-hour. Tupelo is about 100 miles from Muscle Shoals.

On the basis of this report of the Army engineers, a contract was made by the administration then in power, for the sale of Muscle Shoals power to the Commonwealth & Southern and its subsidiaries. That contract was to last for 5 years. It has just now expired. I called on the Tennessee Valley Authority to find out how much power the

Commonwealth & Southern purchased under that contract last year, and what they paid for it, and I have a telegram from the Authority stating that the T. V. A. delivered to the Commonwealth & Southern during the year 1936, under that old contract, 556,626,670 kilowatt-hours of electric energy, for which they paid the sum of $870,238. By simple division you can see that this amounted to about 1.561 mills per kilowatt-hour, or a little less than one-sixth of a cent per kilowatt-hour.

During the same year the electric department of the city of Tupelo purchased from the Tennessee Valley Authority, under its contract, 10,312,600 kilowatt-hours of electric energy, for which it paid the sum of $50,280.22, or 4.875 mills per kilowatt-hour, or a little more than three times the price paid by the Commonwealth & Southern. The city of Tupelo paid 4.875 mills per kilowatt-hour, while the Commonwealth & Southern was buying it at 1.561 mills per kilowatt-hour. Yet Mr. Wilkie says that every time a consumer in Tupelo turns the electric-light switch the American people pay the bill. I wonder who was paying the Commonwealth & Southern's bill? No wonder he wants this contract renewed.

At the time the T. V. A. was created, the Commonwealth & Southern and its subsidiaries, the Alabama Power Co., the Mississippi Power Co., and others, were selling this electricity for which they were paying 1.561 mills per kilowatt-hour to the domestic consumers in that area at the following rates:

First 30 kilowatt-hours per month, 10 cents per kilowatt-hour.

Next 170 kilowatt-hours per month, 8 cents per kilowatt-hour.

Next 300 kilowatt-hours per month, 7 cents per kilowatt-hour.

Next 350 kilowatt-hours per month, 6 cents per kilowatt-hour.

Excess over 850 kilowatt-hours per month, 5 cents per kilowatt-hour.

Now let us make some comparisons in rates. The following table will show the comparative cost to the domestic consumers under the old Commonwealth & Southern rates and the T. V. A. rates up to 1,000 kilowatt-hours per month:

	Former power-company rates	Tennessee Valley Authority rates
First 30 kilowatt-hours	$3.00	$0.90
Next 170 kilowatt-hours	13.60	3.60
Next 300 kilowatt-hours	21.00	2.40
Next 350 kilowatt-hours	21.00	1.40
Next 150 kilowatt-hours	7.50	.60
1,000 kilowatt-hours	66.10	8.90

In other words, a householder under the T. V. A. rates pays $8.90 for 1,000 kilowatt-hours a month, which formerly cost him $66.10 under the power-company rates in effect in the Muscle Shoals area at the time the T. V. A. was created.

Ah, now we can see who pays the bill when the Commonwealth & Southern throws the switch. This 1,000 kilowatt-hours for which the Commonwealth & Southern, or one of its subsidiaries, charge the domestic consumer $66.10, costs them the sum of $1.56.

Since I have referred to the Ontario rates and the Tacoma, Wash., rates, I am here inserting the residential rates up to 1,000 kilowatt-hours a month and comparing them with the T. V. A. rates now in effect, and with the Commonwealth & Southern rates in effect in that area at the time the T. V. A. was created.

Table of comparative monthly rates

	Monthly consumption, kilowatt-hours						
	25	40	60	100	300	500	1,000
Ontario rates	$0.75	$1.02	$1.54	$1.74	$3.02	$3.92	$6.17
Tacoma rates	1.13	1.52	1.72	2.12	4.12	6.12	8.62
Tennessee Valley Authority rates	.75	1.20	1.70	2.50	5.50	6.90	8.90
Old Commonwealth & Southern rates	2.50	3.80	5.40	8.60	23.00	37.60	66.10

At the time the T. V. A. was created, the people of the city of Tupelo were paying the standard Commonwealth & Southern rates for electric energy. At that time the domestic consumers were using an average of 42 kilowatt-hours a month, for which they were paying $3.96. Today they are using an average of 156 kilowatt-hours for which they pay an average of $3.62. At that time the domestic consumers were using 15 electric ranges and 158 electric refrigerators. Today they are using 296 electric ranges and 989 electric refrigerators, which shows that the lower the rates the greater the consumption and the more liberal the use of electrical appliances.

I might call attention to the fact that in the city of New York, where the rates are tremendously high, the average domestic consumption of electricity is only 39 kilowatt-hours a month, whereas in Tupelo, where the T. V. A. yardstick rates are in effect, the average domestic consumption is 156 kilowatt-hours a month, or four times as much as it is in New York City.

Remember, too, that Tupelo is a town of less than 10,000. It has 1,400 domestic consumers of electric energy. They use an average of 156 kilowatt-hours per month, which costs them $3.62. Under the Commonwealth & Southern rates, 156 kilowatt-hours a month would have cost them $13.08, a difference of $9.46 a month, or $113.52 a year, or a total difference of $158,928 a year for these 1,400 domestic consumers.

In other words, if the domestic consumers of Tupelo were paying the same rates for electricity they were paying 3 years ago under the standard Commonwealth & Southern rates the annual cost to the domestic consumers alone in that city would be $158,928 more.

So you can see who was paying the bill when the Commonwealth & Southern threw the switch.

Remember that this was T. V. A. power, or Muscle Shoals power, which they were selling at these exorbitant rates at that time, and which they are now, or were until yesterday, selling in nearby towns at rates practically as exorbitant.

Last year the city of Tupelo bought 10,312,600 kilowatt-hours of electric energy from the T. V. A., for which it paid $50,280.22, and sold it to the ultimate consumers for $123,397. The city's electric department paid into the city treasury for taxes the sum of $9,546.64, paid interest on the city's investment of $4,390.03, set up a depreciation account of $8,089.47, paid interest on bonds of $1,906.09, and paid all maturing bonds in the amount of $5,911.39, and then made a net profit of $15,000.

I have a letter from Hon. J. P. Nanney, mayor of Tupelo, in which he says that anyone who cannot take a plant such as Tupelo's, purchase power at the T. V. A. wholesale rates, and retail it at the yardstick rates and make a profit "should not be allowed to hold public office."

Yet this same Commonwealth & Southern that has been buying its power at Muscle Shoals for less than one-third the rate paid by the city of Tupelo, has been telling the world through Mr. "Windy" Wilkie, that Tupelo was buying electricity below the cost of production. The power companies have used every means known to man to get control of the distribution systems of the cities, towns, and municipalities in that area, and are today using the Federal courts to hold the people in those towns and municipalities in economic subjugation, while they rob and plunder them through exorbitant light and power rates.

The city of Aberdeen, Miss., formerly owned its own electric plant and distribution system. When the Muscle Shoals development got under way these private power interests went throughout that section buying up municipal plants, without regard to their actual values. The people of Aberdeen voted against selling their plant, but these private power companies brought so much pressure to bear that they finally induced the board of aldermen to sell it to them, over the protest of the mayor, for $102,000. At the same time they bought the plant in Corinth, Miss., a town slightly larger than Aberdeen, and paid $750,000 for it, and attempted to buy the plant at West Point, a town similar in size to Aberdeen, and only 18 miles away, for which they offered $1,250,000.

I warned my people then that they were not merely selling their plants but were selling themselves into the bondage of the Power Trust; that they were selling the birthright of their children. We prevented them from getting the Tupelo plant.

The people of Aberdeen have attempted to put in their own distribution system or to purchase back the old one. They took a vote on the proposition and it carried by more than 10 to 1, but the private power company not only refused to sell but went into the Federal court and enjoined the city from building a system of its own. The case is now before the circuit court of appeals. Thus they have held the people of Aberdeen in subjugation now for about 2 or 3 years and have robbed them through overcharges of around $100,000 a year, denied to them a liberal use of electric energy, and prevented them from the employment of the necessary electrical appliances.

They have done the same thing at Starkville and in other towns and cities throughout that area, using the Federal courts to further their iniquitous scheme of plundering the consumers of electric lights and power, and now they have the audacity to attempt to renew their contract for the purchase of this power at the price which I have stated, and are attempting to further use the Federal courts to strangle or prevent competition.

Mr. Chairman, when I was interrupted, I had started in to discuss rural electrification, which I hope to do at length at a later date. It is the ambition of my life to see every farm home in America electrified at the T. V. A. yardstick rates, to see this Nation develop its great wealth of hydroelectric power in our navigable streams and their tributaries, and then use it for the benefit of all. In that way we can supply every domestic consumer in America and electrify every farm at the T. V. A. rates, reduce those rates as the years go by, and at the same time secure enough revenue in return to amortize our investments.

This would do more for the farmers of this country than anything else that has ever been done or attempted by this Government. It would take to the farmer every convenience that we have in the towns and cities, without the additional noise and extra taxes. It would light his home, run his radio, his water pump, refrigerator, washing machine, electric range, and all the other appliances necessary to make that home pleasant and attractive, and to relieve him and his wife and children of the great burdens of drudgery which farmers and farm women have endured since the beginning of time.

This is being done in the district which I have the honor to represent, and I know what it means. We have not been able to reach all of them yet, but we are still striving to that end. We are on our way.

It is the greatest farm relief movement this country has ever known and, if fully carried out, instead of burdening this Government with expenses, it will add billions of dollars to our national wealth and make the rural sections of this Nation the most attractive place on earth for men and women to live, rear their families, and enjoy that freedom which civilized man has always craved.

I certainly hope this House will not disturb the small amount which this bill carries for rural electrification. [Applause.]

Mr. TERRY rose.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas.

Mr. THOMAS of New Jersey. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. THOMAS of New Jersey. The gentleman from Mississippi asked unanimous consent to extend his remarks. I rose, and I wish to object.

Mr. RANKIN. Mr. Chairman, the gentleman did not get up until after the question was put and passed on.

The CHAIRMAN. Does the gentleman state that he was on his feet before the decision was rendered by the Chair?

Mr. THOMAS of New Jersey. The gentleman asked for unanimous consent.

The CHAIRMAN. The Chair did not hear any objection.

Mr. THOMAS of New Jersey. I stood on my feet and objected.

Mr. RANKIN. Mr. Chairman, that is incorrect. I was looking at the gentleman.

The CHAIRMAN. The Chair did not hear the gentleman's objection and the Chair thinks the objection comes too late. The Chair recognizes the gentleman from Arkansas for 2 minutes.

Mr. TERRY. Mr. Chairman, I do not want to get into the controversy raised by the two gentlemen who have just addressed the Chair, but I desire to address myself for a moment to the merits of this amendment.

I hope the gentleman's amendment will not be adopted. I feel that the work which the Rural Electrification Administration is doing is one of the best works the Government is now engaged in. It is a new administration. It is one that peculiarly deals with rural people, people out in the back districts, who do not have facilities for knowing what this electrification program means. It seems to me it is only meet and proper that the Rural Electrification Administration should have the right to have publicity on its program. In the rural districts the people do not know what it means. They do not know that rural electrification will bring more happiness to those people than any other program the Government is now undertaking.

I ask that the amendment be voted down. [Applause.]

The CHAIRMAN. The time of the gentleman from Arkansas [Mr. TERRY] has expired.

All time has expired.

The question is on the amendment offered by the gentleman from Massachusetts [Mr. WIGGLESWORTH].

The amendment was rejected.

The Clerk read as follows:

Printing and binding: For printing and binding for the Rural Electrification Administration, $70,000.

Mr. DIRKSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think in all fairness to the gentleman from Massachusetts [Mr. WIGGLESWORTH], I ought to say something by way of rebuttal to the statement that was made by the gentleman from Mississippi [Mr. RANKIN].

I fully appreciate the zeal of the distinguished advocate from Mississippi, but in justice to my colleague from Massachusetts, I must say that he never had in mind at any time a desire to hamstring the Rural Electrification Administration. When that bill was on the floor in the last session of the Congress I voted for it, and I am not sure but what the gentleman from Massachusetts voted for it also. We are as much interested in the rural electrification as anybody. We have no idea in mind of trying to curtail or cripple its activities, but the Rural Electrification Administration, for instance, gets out a lot of pamphlets. Some of them are called Wiring Your Farm and Home; Electrifying Farm and Home; Wiring; Lighting; Home and Farm Appliances. In addition to this, they get a monthly called Rural Electrification News. They get out a lot of blue prints and specifications that are sent around the country; and they get out a little booklet in connection with soil conservation called Little Waters.

I have no objection to these. I think they are fair and informative, and, incidentally, interesting documents that ought to go out to the country; but, in addition thereto, you will find we are making an allowance here aggregating nearly $180,000, if I read the figures correctly, for "Collection and dissemination"; not for the purpose of getting out these pamphlets particularly, but for the purpose of maintaining personnel down there to write and have mimeographed a lot of information to go out to the country newspapers and to the city newspapers to carry on sales-promotion work.

I am going to put you on notice with this statement—that if you think that sort of thing ought to go on, then every new agency that we set up ought to have provision for a sales manager to sell this function to the people of this country. With your eyes open, if you think that is a fair domain for the Government to enter, very well. I have no objection, but I do believe that a very clear distinction should be made as

between things which we endorse and things which we oppose. Sooner or later we are going to reap a great crop of evil as a result of bureaucratic set-ups that have no other purpose than to send out promotional literature and propaganda and that sort of thing. I do not know where the end is going to be, but I am going to suggest to you that if you will look at the Public Printer's annual report you will find that for the last fiscal year the publication charges charged to the Resettlement Administration by the Public Printer aggregated over $808,000. Where is the end going to be? It is your responsibility. If you are going to cooperate to make some of these departments a little more efficient, save a little money, you must give a little thought to it. I think it is the individual responsibility of every Member of this body.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. WHITE of Idaho. The gentleman will find that there are $2,072,673 for printing and binding alone contained in this bill, to say nothing of the Federal Housing Administration and the Home Owners' Loan Corporation. Why does the gentleman single out the Rural Electrification Administration and let all the rest go by?

Mr. DIRKSEN. If the gentleman had been on the floor when we had the feed and seed loan bill under consideration, he will recall that I made the same point at that time, that we are just throwing money to the birds for a lot of propaganda work, much of which could be saved.

I appreciate the gentleman's point of view, but I do say there is no use piling up tons and tons and tons of printed matter to be scattered all over the country.

Shall I remind you that the CONGRESSIONAL RECORD for the last session took over 894 tons of paper?

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. TABER. Is the gentleman familiar with the statement on page 487 of the hearings by Mr. Cooke, of the Commission, that the leaders of the power industry were in favor of this operation?

Mr. DIRKSEN. I will take the gentleman's word for it.

Mr. TABER. Well, it is there.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. DIRKSEN] has expired.

The pro-forma amendment was withdrawn.

The Clerk read as follows:

Total, Securities and Exchange Commission, $3,895,000.

The Clerk read as follows:

SOCIAL SECURITY BOARD

Salaries and expenses: For all authorized and necessary administrative expenses of the Social Security Board in performing the duties imposed upon it in titles I, II, III, IV, VII, IX, and X of the Social Security Act, approved August 14, 1935, including three Board members, an executive director at a salary of $9,500 a year, a director of the old-age benefits division at a salary of $9,000 a year, and other personal services in the District of Columbia and elsewhere; travel expenses, including not to exceed $10,000 for expenses of attendance at meetings concerned with the work of the Board when specifically authorized by the chairman; not to exceed $10,000 for payment of actual transportation expenses and not to exceed $10 per diem in lieu of subsistence and other expenses of persons serving while away from their home, without other compensation, in an advisory capacity to the Social Security Board; supplies; reproducing, photographing, and all other equipment, office appliances, and labor-saving devices, services; advertising, postage, telephone, telegraph, and not to exceed $900 for teletype news services and tolls; newspapers and press clippings (not to exceed $1,500), periodicals, manuscripts and special reports, purchase and exchange of law books and other books of reference; library membership fees or dues in organizations which issue publications to members only or to members at a lower price than to others, payment for which may be made in advance; alterations and repairs; rentals, including garages, in the District of Columbia or elsewhere; purchase and exchange, not to exceed $35,000, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles to be used only for official purposes in the District of Columbia and in the field; and miscellaneous items, including those for public instruction and information deemed necessary by the Board, $10,000,000, together with any unexpended balance of the appropriation for the same purpose contained in the First Deficiency Appropriation Act, fiscal year 1936: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase by the Board when the aggregate amount involved does not exceed the sum of $100: *Provided further*, That the Board may expend not to exceed $40,000 of the sum herein appropriated for employing persons or organizations, by contract or otherwise, for special accounting, actuarial, statistical, and reporting, engineering, and organizational services determined necessary by the Board, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), and the provisions of other laws applicable to the employment and compensation of officers and employees of the United States.

Mrs. JENCKES of Indiana. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am appealing to the House of Representatives and the Congress in behalf of a great many citizens in the Sixth Congressional District of Indiana, as well as the Nation, to protest and rise up against one of the provisions of H. R. 4064, Report No. 165.

I speak for the millions of unemployed citizens who are tramping the streets looking for an opportunity to earn an honest living. The Congress and the administration have assured these people of their right to have an opportunity to earn their livelihood. The Congress and the executive branch of the Government have appealed to industry to make jobs. The administration has spent so many billions of dollars to create jobs that our American taxpayers are groaning under the heavy financial burden that has been placed upon them, and which they are cheerfully carrying in order that their fellow citizens might have an opportunity to work.

The attention of the House of Representatives is invited to page 37 of the printed bill, H. R. 4064. I invite your attention to lines 15 and 16 on page 37. You will note that notwithstanding the fact that millions of Americans are out of work, it is proposed that this House of Representatives should appropriate money in order that "labor-saving devices" might be purchased by the Government, thereby throwing out of work many more men and women who will be forced to tramp the streets and possibly go hungry by reason of the installation of labor-saving devices. With many millions of people still on the charity rolls, this is no time for the Federal Government to invest in labor-saving devices.

If it is intended to build up a great bureaucracy and let the people starve, then it is proper and fitting that labor-saving devices be used by the Government, but as long as there are American citizens out of work by reason of the evil forces of the depression, we must not resort to machine-operated labor-saving devices.

The citizens of my congressional district are crying out for an opportunity to get off the charity rolls and go on the pay rolls, where they can retain their self-respect and not be considered as objects of municipal, State, or Federal charity.

The Federal Government must not provide money to buy machines which will create greater unemployment. I denounce the use of labor-saving devices during this time of depression, and I call on every Member of this House to arouse yourselves to a full realization of what these labor-saving devices will do to the unemployed citizens of your congressional districts who are still clinging to their meager positions.

I demand, in the name of genuine recovery, that the words in line 16, page 37, under paragraph 23, Social Security Board, "labor-saving devices" be stricken out. I make this demand in the name of millions of unemployed who will be further mired by this detestable provision.

In conclusion, please be assured that I favor the use of machines when they work to the advantage of humanity. I am for labor-saving devices when they will bring blessings to humanity, but I denounce in the strongest terms within my power this horrible attempt to throw hundreds of underpaid Government clerks out of work and force them to face unemployment through the purchasing of labor-saving devices.

We cannot overcome unemployment through using the taxpayers money to buy labor-saving devices. I appeal to you for your support. [Applause.]

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I rise in opposition to the pro-forma amendment.

Mr. Chairman, I have no intention of offering any amendment by way of reducing the sum made available in this bill for the Social Security Board. The work of this Board is too important, too vital to millions of our people. I have been in hearty sympathy with its objectives from the outset. One of the most vital matters confronting us at this time is the proper solution of the problems by which the Board is faced.

Moreover, while every cent requested has been allowed for annuity payments a substantial reduction has been recommended in the costs of administration as compared with the Budget figures. It may be that the reduction has been too great. You have heard the fine attitude of the Board presented by the chairman of the subcommittee this morning. If it proves that the cut is too deep, the way is of course always open for an increase through a deficiency item.

Just to keep the record straight, however, and to emphasize the point I have been trying to make today, I repeat what I said this morning, to the effect that the record indicates that the Board expects to maintain a force of 97 persons for informational service at a cost of over $233,000 annually; further, that the record shows that during a period of 6 months this informational service produced 160 press releases, 450 magazine articles, 180 speeches, 3 moving pictures, and 60 hours of broadcasting.

The position of the subcommittee on this general subject is clear. It is referred to in the committee report. I feel sure that the Social Security Board will do its utmost to bring its expenditure for informational service within the bounds of reason.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. MICHENER. The gentleman has recited the broadcasting, the magazine articles, and the speeches that have gone out from this agency for which the Government has paid during the last year. Now that the election is over, does the gentleman contemplate that there will be as many magazine articles, broadcasts, and press releases during the coming year in order to sell this thing to the public?

Mr. WIGGLESWORTH. I certainly hope not.

By unanimous consent, the pro-forma amendment was withdrawn.

The Clerk read as follows:

For printing and binding for the Social Security Board, $1,000,000.

Grants to States for old-age assistance: For grants to States for assistance to aged needy individuals, as authorized in title I of the Social Security Act, approved August 14, 1935, $150,000,000, of which sum such amounts as may be necessary shall be available for grants under such title I for any period in the fiscal year 1937 subsequent to March 31, 1937: *Provided*, That payments to States for the fourth quarter of the fiscal year 1937 and for any quarter in the fiscal year 1938 under such title I may be made with respect to any State plan approved under such title I by the Social Security Board prior to or during such period, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan was submitted to the Board for approval.

Mr. BURDICK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, what I am about to say upon this subject is not in criticism of the committee, because I think they have appropriated probably enough to carry out the purposes of the act; but it seems to me that now is the time to review the evidence that has been brought to the attention of Congress by the bill itself and by the printed hearings. Let me read you a few important facts from pages 499 and 500 of the hearings. We read that the Census advises us that on January 8, 1938, the estimated total number of persons 65 years of age or over in the United States will be 7,888,000.

The percentage of persons held eligible in the various States—that is, persons over 65 years of age—ranges from about 2 percent to more than 35 percent. Many States have large waiting lists of eligible applicants who have not as yet received assistance. At the present rate of increase in the number of recipients it seems entirely possible that 20 percent of the aged population will be receiving assistance by July 1938. Thus, to base the request upon the assumption that 15.7 percent will receive assistance seems conservative; just as we told you last year we thought $85,000,000 was a very conservative figure.

This question was asked by the chairman:

How many people would be receiving aid?

Mr. BANE. Approximately 1,600,000.

Mr. FITZPATRICK. That figure of $19 per person per month includes both the State and Federal contribution?

Mr. BANE. Yes; that is the gross expenditure.

Mr. Chairman, may I say that under the present social-security plan that has been provided by this Congress a very limited number of people eligible to receive pensions will receive them at all. When they do they will receive on the average in the United States 63⅓ cents per day. I do not know what the plan of the security boards of the other States is, but I know in North Dakota, under the security board appointed by the preceding Governor, the aged of our State, although they have been able in the past years to save a moderate home, some of them even a shanty, are compelled by the Social Security Board to transfer title to the Board before they may receive any money at all. I want this Congress to understand from the evidence in this record on those pages from which I have quoted that before any of the aged in America can qualify to receive this pittance of 63⅓ cents a day they must make themselves paupers or hand their property over to the Social Security Board.

Mr. WOOD. That is governed by the gentleman's State law.

Mr. WOODRUM. That is controlled by your State law.

Mr. WOOD. The State law requires the recipients to turn their property over. That is not the Federal Social Security Board.

Mr. BURDICK. I say that under the provisions of this act we have made it possible for the State to determine who is entitled to and under what rules and regulations they shall receive the money. Of course, I prefaced my remarks by saying I did not know what the situation was in the other States except North Dakota.

[Here the gavel fell.]

Mr. BURDICK. Mr. Chairman, I ask unanimous consent to proceed for an additional three minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. ENGEL. Will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Michigan.

Mr. ENGEL. I introduced a bill last year to disqualify any State from receiving Federal aid if the State required the deeding of the home as a condition of payment of an old-age pension. There is nothing in the social security law requiring the deeding of the home. The Federal law says if the States do require the deeding of the home, they shall pay to the Federal Government 50 percent of the sum realized from the sale of such home.

Mr. BURDICK. I thank the gentleman for his contribution. When this act was perfected in this Congress, we made it possible for the States to determine absolutely and under what conditions a person might become eligible. We should have exercised some jurisdiction. You have heard it said in the last Congress, and even now, that this plan known as the Townsend recovery plan is fantastic; but I want to say to you that can be defended. You cannot defend a plan which makes paupers out of the aged of this country, as the Federal Security Act does.

Mr. CRAWFORD. Will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Is it not true also that the Social Security Board, which is a Federal set-up, has the power to decline approval of these State acts which have been referred to by the two gentlemen on the other side?

Mr. BURDICK. I think the hearings disclose the fact that while the Federal Government has jurisdiction over the States to see that they properly administer the act, the Federal Government has no control over who is eligible in a State.

Mr. CRAWFORD. Is it not true that the Social Security Board must approve these State acts before they can function and receive the grants and aids?

Mr. BURDICK. That is true; but after the States start to operate it is wholly within the power of the State to eliminate everybody, as some of them have excluded worthy applicants.

Mr. CRAWFORD. May I ask this question, in all sincerity and without desiring to cast any reflection whatsoever: Has the gentleman had this matter up with his State legislature to correct the situation?

Mr. BURDICK. That is a long story. We had to change the whole administration out there in order to get anything done at all, but we did discuss that.

Mr. ENGEL. Does not the Social Security Act specify that if a State does require the deeding of the property it must pay 50 percent of the amount realized from the sale of such home to the Federal Government, and does not that fact constitute implied permission to the States to require the deeding of the home as a condition of the payment of a pension?

Mr. BURDICK. The gentleman is right. There is nothing in the Federal act to indicate that the States may perform a high-handed case of robbery as they are doing, but the Federal Government tacitly condones the act.

Mr. MICHENER. Will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Michigan.

Mr. MICHENER. As a matter of fact, the gentleman always believes in his home constituents. He has told us that time and time again. Here is a case where quite evidently his constituency is not in accord with the gentleman from North Dakota, because it is entirely up to the people of his own district and his own State to do the very thing he is objecting to.

Mr. BURDICK. No; the gentleman is misinformed about North Dakota.

Mr. MICHENER. No; the gentleman is not misinformed.

Mr. BURDICK. We had to change the whole administration out there and throw the previous one out and put a new one in in order to get anything. We will change our State social-security regulations if we can get rid of the present board. What I am speaking of in North Dakota is true in several States of the Union. In your own State there are glaring examples of injustice to the aged under your State security board with the apparent approval of the Federal Board.

Mr. MICHENER. Yes; but every State in the Union has the right to formulate its own plan.

Mr. BURDICK. That is true, but the whole Federal scheme of old-age insurance is based upon a system of doles to paupers. It provides no adequate, just, and honorable compensation for the aged of the United States.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I rise in opposition to the pro-forma amendment.

Mr. Chairman, may I call the gentleman's attention to the testimony on page 942 of the hearings. This question was very specifically raised when Mr. Bane appeared before the Appropriations Committee. I asked him about that, because a similar law is on the statute books of the State of Illinois, and for the RECORD I want to quote his exact language. He said at that time:

> Where the Board has been consulted in the matter, we have consistently recommended that the inclusion of such a provision is not practicable or advisable.

The Clerk read as follows:

> Total, Tariff Commission, $945,000.

Mr. CRAWFORD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I offer this pro-forma amendment in order to ask the chairman of the subcommittee a question with reference to some tables appearing at page 572 of the hearings. At the top of the page there is a reference to the average wholesale price of sugar f. o. b. New York. May I ask the gentleman whether or not that is the duty-paid price or the price not including the duty, as appears in the columns headed 1933, 1934, 1935, and 1936?

Mr. WOODRUM. The only information I have is contained in the table, I will say to the gentleman.

Mr. CRAWFORD. In the middle of page 572 there is another table, which shows the average retail price of sugar in 51 large cities, as reported by the Bureau of Labor Statistics. Do these prices, as set forth in columns headed 1933, 1934, 1935, and 1936 show the processing tax which was included in the retail price of sugar under those dates?

Mr. WOODRUM. I cannot answer the gentleman's question.

The pro-forma amendment was withdrawn.

The Clerk read as follows:

VETERANS' ADMINISTRATION

Administration, medical, hospital, and domiciliary services: For all salaries and expenses of the Veterans' Administration, including the expenses of maintenance and operation of medical, hospital, and domiciliary services of the Veterans' Administration, in carrying out the duties, powers, and functions devolving upon it pursuant to the authority contained in the act entitled "An act to authorize the President to consolidate and coordinate governmental activities affecting war veterans", approved July 3, 1930 (U. S. C., title 38, secs. 11–11f), and any and all laws for which the Veterans' Administration is now or may hereafter be charged with administering, $94,000,000: *Provided*, That not to exceed $3,500 of this amount shall be available for expenses, except membership fees, of employees, detailed by the Administrator of Veterans' Affairs to attend meetings of associations for the promotion of medical science and annual national conventions of organized war veterans: *Provided further*, That this appropriation shall be available also for personal services and rentals in the District of Columbia and elsewhere, including traveling expenses; examination of estimates of appropriations in the field, including actual expenses of subsistence or per-diem allowance in lieu thereof; for expenses incurred in packing, crating, drayage, and transportation of household effects and other property, not exceeding in any one case 5,000 pounds, of employees when transferred from one official station to another for permanent duty and when specifically authorized by the Administrator; furnishing and laundering of such wearing apparel as may be prescribed for employees in the performance of their official duties; purchase and exchange of law books, books of reference, periodicals, and newspapers; for passenger-carrying and other motor vehicles, including purchase, maintenance, repair, and operation of same, including not more than two passenger automobiles for general administrative use of the central office in the District of Columbia; and notwithstanding any provisions of law to the contrary, the Administrator is authorized to utilize Government-owned automotive equipment in transporting children of Veterans' Administration employees located at isolated stations to and from school under such limitations as he may by regulation prescribe; and notwithstanding any provisions of law to the contrary, the Administrator is authorized to expend not to exceed $2,000 of this appropriation for actuarial services pertaining to the Government life-insurance fund, to be obtained by contract, without obtaining competition, at such rates of compensation as he may determine to be reasonable; for allotment and transfer to the Public Health Service, the War, Navy, and Interior Departments, for disbursement by them under the various headings of their applicable appropriations, of such amounts as are necessary for the care and treatment of beneficiaries of the Veterans' Administration, including minor repairs and improvements of existing facilities under their jurisdiction necessary to such care and treatment; for expenses incidental to the maintenance and operation of farms; for recreational articles and facilities at institutions maintained by the Veterans' Administration; for administrative expenses incidental to securing employment for war veterans; for funeral, burial, and other expenses incidental thereto for beneficiaries of the Veterans' Administration accruing during the year for which this appropriation is made or prior fiscal years: *Provided further*, That the appropriations herein made for the care and maintenance of veterans in hospitals or homes under the jurisdiction of the Veterans' Administration shall be available for the purchase of tobacco to be furnished, subject to such regulations as the Administrator of Veterans' Affairs shall prescribe, to veterans receiving hospital treatment or domiciliary care in Veterans' Administration hospitals or homes: *Provided further*, That this appropriation shall be available for continuing aid to State or Territorial homes for the support of disabled volunteer soldiers and sailors, in conformity with the act approved August 27, 1888 (U. S. C., title 24, sec. 134), as amended, for those veterans eligible for admission to Veterans' Administration facilities for domiciliary care.

Mr. JOHNSON of Minnesota. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. JOHNSON of Minnesota: Page 43, line 5, strike out "$94,000,000" and insert in lieu thereof "$96,000,000."

Mr. JOHNSON of Minnesota. Mr. Chairman, I would like to have the attention of the chairman of the subcommittee, the gentleman from Virginia [Mr. WOODRUM], in order that I may call his attention and the attention of this Congress to a matter in connection with this bill, not knowing whether my purpose can be accomplished here or in another measure.

At the veterans' facility in Minneapolis we have 185 orderlies, mechanics, and cooks who work in the hospital

and its diet kitchen and in the hospital laundry. They are paid $70, $80, or $90 a month, from which is deducted each month from $22.50 to $32.50, which is called a Q. S. L. deduction for quarters, subsistence, and laundry, regardless of the fact that the employee does not receive any of the services under the Q. S. L. for which he is charged.

The fact of the matter is that these people are married men, most of them, and most of them are war veterans. They maintain a separate establishment for their own domicile, where they live with their families, and do not live at the hospital. This deduction of $32 a month by the Veterans' Administration is quite a hardship on these men and makes for starvation wages. I have taken the matter up with the Veterans' Administration and they say they have not enough money in their budget set-up to pay a living wage. The result is that at the veterans' facility at Minneapolis they are working 64 hours a week one week and 54 hours a week the next week, in staggered shifts, for the sum of $52 to $65 a month, which is not enough to keep a family on an honorable, decent American scale of living.

This is an abuse that should be corrected by this administration and is one of the idiosyncracies in the recovery program, and for this reason I have offered the amendment to increase the appropriation in order to put the issue before the House so that the situation may be corrected in this Congress by the appropriate committee if not here today.

Mr. WOODRUM. Mr. Chairman, the question raised by the gentleman from Minnesota was considered by the committee in the hearings of last year and the situation is this: It is necessary, especially at the neuropsychiatric institutions, and to some extent at all the institutions, that the type of personnel to which the gentleman has referred live on the station. Certainly, at the mental institutions, a large proportion of the orderlies and attendants have to live on the station because they are liable to be called on duty at any minute. When they accept employment they understand thoroughly that living quarters are provided for them at the station and that this deduction is to be made from their pay.

The situation to which the gentleman has referred has now arisen and there are undoubtedly many cases where men do not live on the station because they wish to live with their families, and yet the deduction is made.

The matter was called to the attention of the Administrator of Veterans' Affairs and in the appropriation bill of last year we provided a fund, and there are sufficient funds in this bill. The Administrator told the committee last year the matter would be taken up from an administrative standpoint, and wherever it was possible to grant the privilege to these people of living off the station without making any deduction that would be done. We were informed by him this year that some progress had been made. It is a difficult matter to handle for the reason that a person applies to the Veterans' Administration for a position as attendant and is informed of the circumstances and is told that he has to live on the station at a salary of so much a month with a certain deduction. He accepts the job and pretty soon he asks permission to live off the station. He is given permission to live off the station, and the next step is wanting repayment of the amount that is deducted from his pay.

Mr. BOILEAU. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. BOILEAU. The gentleman from Minnesota stated that he was told by the Veterans' Administration that the reason they could not do this was because the money had not been provided. Is the responsibility upon their shoulders or upon the shoulders of the Congress in not appropriating sufficient money?

Mr. WOODRUM. The adding of any money to the appropriation would not affect the situation one way or the other, I can assure the gentleman. We have had the matter up with General Hines and no additional funds are necessary. It is strictly a matter of administrative policy. If they want to do this they have the money to do it, I am sure.

Mr. BOILEAU. It seems strange that the gentleman from Minnesota would be informed they have not the money and that they would be willing to correct the situation if they had the funds. If this is the case they ought not to give such an excuse.

Mr. WOODRUM. The gentleman will find in the hearings last year that General Hines stated they would try to work it out, but it is a difficult problem.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Has the matter of the shortage of nurses and orderlies and doctors been taken up and has the overtime they have had to perform during the last few years been considered by the gentleman's committee? There is a great deal of overtime work by the nurses and doctors and orderlies, and their service is being made very difficult as a result.

Mr. WOODRUM. We know that in all of these hospitals, and, in fact, in all the Government institutions, overtime work is being done, I may say to the distinguished gentlewoman from Massachusetts. If we eventually establish a policy of strict hours, then instead of 800,000 employees in the Government service the number will be that many again. This is a question of Government policy.

Mrs. ROGERS of Massachusetts. I think the gentleman will find that overtime is much greater among the nurses and the orderlies and the doctors than in any other group in the Veterans' Administration.

Mr. WOODRUM. The nurses in private hospitals work 12 hours a day.

Mrs. ROGERS of Massachusetts. It seems very unfair to the medical and nursing service, and the patients do not receive the care that they would otherwise.

Mr. WOODRUM. I believe the nurses have the same hours in private hospitals.

I hope the amendment will not be adopted, because the inclusion of additional funds would not affect the matter one way or the other, although I am sympathetic with the situation as stated by the gentleman from Minnesota.

The amendment was rejected.

Mr. LUCAS. Mr. Chairman, I move to strike out the last word. I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. LUCAS. Mr. Chairman, 2 years ago when the independent offices appropriation bill was being considered in the Committee of the Whole, I offered an amendment to this section of the bill to the end that $500,000 of the proposed appropriation for the Veterans' Administration might be used for payments to State institutions caring for and maintaining veterans suffering from neuropsychiatric ailments who were in such institutions on the date of the enactment of the act.

A point of order raised by the gentleman from Virginia [Mr. WOODRUM] was properly sustained for the reason that said amendment sought to amend basic law. However, in the course of the remarks made upon that occasion the gentleman from Virginia stated that he had conferred with General Hines and that the general was thoroughly sympathetic with the situation attempted to be reached by the amendment in question and that he would in no way interfere with the policy pursued for years which involved the general welfare of these veterans located in the hospitals at Elgin and Jacksonville, Ill.

Later the same facts were presented to the Senate. It is my understanding that the parliamentary procedure in the Senate is not so rigid as it is in the House. The merits of the proposal were not questioned, so it was passed and later agreed to by the conferees of the House and the Senate.

Two years have come and gone, and these neuropsychiatric veterans remain in these respective hospitals. As a means of permanent protection to them and to the State of Illinois responsible for the hospitals, I seriously doubt the advisability of the deletion of this amendment. However, it would be an idle gesture for me to present a similar amendment at this time, as it would be subject to the same

point of order made 2 years ago while the matter was under consideration.

But, mindful of this strict parliamentary procedure, I communicated with the gentleman from Virginia to ascertain the viewpoint of General Hines, Director of the Veterans' Administration, with respect to the Government again making a contract with the State of Illinois for the purpose of keeping these neuropsychiatric veterans as wards of the State institutions on a per-diem basis rather than transferring them to Government hospitals. That letter was in turn transmitted to the Veterans' Administration for answer, and on January 21 my colleague, Mr. WOODRUM, received a reply thereto, advising him, in substance, that the situation regarding this matter had not changed, and that, after all, there was no real necessity for the inclusion of the amendment in the independent offices appropriation act, since the wording of an applicable veterans' regulation now in effect conveys any needed authority in the premises. It was further stated that the Veterans' Administration was paying the Department of Public Welfare of the State of Illinois for the care and maintenance of about 227 veterans now hospitalized in the hospitals at Elgin and Jacksonville, and that this payment would continue until there was an increase of available beds in facilities under the direct and exclusive jurisdiction of the Veterans' Administration and it became possible to transfer these beneficiaries into the Government facilities. And Mr. WOODRUM was specifically advised that such a possibility was indefinitely in the future.

I sincerely hope the time will never come when the Government will attempt to enforce such regulation. At the risk of being charged with repetition, once again I remind the Members of the House that these hospitals at Elgin and Jacksonville, Ill., were constructed by a grateful State before the Federal Government instituted its program of Government hospitalization for this type of disabled veteran. These hospitals have all of the modern facilities and equipment to handle neuropsychiatric cases. The loved ones of the veterans live in and around these respective communities. There is no better or more interested personnel in any veterans' hospital in the Nation, and the veterans' organizations of these respective communities have with pardonable pride manifested a tremendous interest in these soldiers who are mentally ill. Yes, ladies and gentleman of the Committee, these hospitals are dedicated to their care and rehabilitation.

Moral and equitable justification frequently triumphs over a strict interpretation of a so-called infallible rule or regulation. And, Mr. Chairman, may I add this: That if the time ever comes when the Veterans' Administration seeks to rigidly enforce the rule or regulation by attempting to transfer these men from the only after-the-war home they have ever known I shall use all of the force and persuasion at my command, inadequate and feeble as it may be, to attempt to nullify such an order through proper legislative action on the floor of the House. [Applause.]

Mr. ENGEL. Mr. Chairman, I rise in opposition to the pro-forma amendment. I desire to place in the RECORD a complete statement regarding the number of foreclosures about which discussion was had when the gentleman from Massachusetts [Mr. MCCORMACK] had the floor. In addition to the paragraph that I read into the RECORD at that time. I call attention to a table on page 616 of the committee hearings, placed there by a witness for the Home Owners' Loan Corporation, which shows that the estimated number of foreclosures to be authorized by June 30, 1937, was 105,901, with an additional 55,000 to be foreclosed by June 30, 1938, or a total of 160,901; 135,863 of these they expect to complete and acquire the property by June 30, 1938.

On page 651 of the hearings Mr. Russell testified as follows:

> Up to November 30, 1936, the Property Management Division had in possession only about 17,000 properties, and only about 60,000 foreclosures had been authorized. But prior to the end of the fiscal year 1938 over 160,000 foreclosures are estimated to be authorized and foreclosure will have been completed, and the property will actually be in possession of the Corporation in the estimated number of 130,000 cases. During the fiscal year 1938 the Corporation will own more individual pieces of property than was ever in a single ownership before. * * * We estimate that the properties acquired will stand on the books of the Corporation at more than $600,000,000.

This means that 160,000 homes and 20 percent, as far as the amount of money is concerned, of the $3,000,000,000 loaned, will have been foreclosed by the end of the fiscal year ending June 30, 1938. The 17,000 homes or mortgages that the gentleman from Mississippi [Mr. COLLINS] referred to were those properties which the Home Owners' Loan Corporation now have possession of, but nearly 161,000 foreclosures will have been commenced before June 30, 1938.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I move to strike out the last two words, to ask the chairman of the committee what recommendation General Hines made regarding hospitals.

Mr. WOODRUM. In what respect?

Mrs. ROGERS of Massachusetts. In additions to hospitals and in repairs.

Mr. WOODRUM. The committee was given information that they expect to bring in about 3,200 additional beds by the end of the fiscal year 1938.

Mrs. ROGERS of Massachusetts. With the money already appropriated?

Mr. WOODRUM. Yes. It will take care of the present list and the waiting list. Some mention was made yesterday that there were 28 neuropsychiatric beds that are under construction. That is not new construction, but remodeling.

Mrs. ROGERS of Massachusetts. I think in certain areas the gentleman will find there is great need for diagnostic centers, and there is a shortage of general medical and surgical beds even for service-connected cases also in certain areas. Could some of that money be used for that purpose?

Mr. WOODRUM. Yes; we have money in the bill for additions to new facilities, but nothing for new facilities.

Mr. THOMASON of Texas. Mr. Chairman, I rise in opposition to the pro-forma amendment. In view of the statement just made by the chairman of the subcommittee, Mr. WOODRUM, that no more hospitals are to be built, and in view also of the language in the next paragraph, which says that no part of the appropriation shall be expended for the purchase of any site or toward construction of any new hospital or home or for the purchase of any hospital or home, I desire to make this observation: The War Department, due to an arrangement with the Veterans' Administration, has allocated beds in Army hospitals to veterans, including the William Beaumont Hospital in my own city of El Paso, and I express the hope that inasmuch as no more hospitals are to be built there will be a more liberal use made of Army hospitals where they are not entirely occupied by Army patients. The Army has a very fine modern hospital in my city known as the William Beaumont Hospital, which has a capacity of 602 beds, and today it has 100 vacant. Likewise, the veterans' hospital at Albuquerque, 259 beds, and today has 33 beds vacant, and the tubercular veterans' hospital at Fort Bayard, N. Mex., has 450 beds, with 250 vacant. In addition to filling these veterans' hospitals, I feel that a more liberal policy should be used toward the use of vacant beds in Army hospitals. They all belong to the Government; they receive their money for support and maintenance from the same Treasury that the veterans' hospitals get theirs. Mine is a country of magnificent distances. There are a great many veterans, particularly the tubercular veterans, in my city, many of whom have lived there for a good many years and have families residing there. It is more than 250 miles to Albuquerque, N. Mex., and I contend that instead of the Veterans' Administration availing itself of the 50 beds in the William Beaumont Hospital, when there are usually a hundred or more unoccupied, they ought to at least avail themselves of the use of 100 of these beds for the reason that these are poor people, and it is not right to take the tubercular, and in some cases the mental, patients more than 250 miles, and frequently at the veteran's own expense, to Albuquerque, N. Mex., leaving his family residing there in El Paso, when there is a hospital in his own city with plenty of available beds. This would be economy as well as improve the vet-

eran's mental condition, because he would be near his family and where he could see them often.

I want to express the hope that there be a more liberal policy in this matter. It is purely a matter of administration, because they have a financial adjustment each year between the War Department and the Veterans' Administration for the use of these facilities. Colonel Pipes, commanding officer at William Beaumont, has been very fine and considerate about it. He has, in fact, been generous about emergency cases. Today there are 63 patients in the William Beaumont Hospital, but there is no reason in the world why there should not be 75 or 100, because many veterans are begging to go in there. It is not right to send them off two or three hundred miles at additional expense, when there is a Government hospital right there in their own city, whether it is an Army hospital or a veterans' hospital.

The CHAIRMAN. The time of the gentleman from Texas [Mr. THOMASON] has expired.

Mr. WOODRUM. Mr. Chairman, I rise in opposition to the amendment.

May I ask the gentleman from Texas if the hospital at El Paso is a general hospital?

Mr. THOMASON of Texas. That is a general Army hospital.

Mr. WOODRUM. Of course, this difficulty arises there, that the tubercular veterans would not be satisfied to be sent to a general hospital, nor do they have facilities to take care of them. They do not have facilities to take care of the mental cases. That is the difficulty we are having. They have plenty of available space for general cases, but it is the tubercular cases and the mental cases that require special places, special treatment, and special equipment.

Mr. THOMASON of Texas. I know they have mental patients at the William Beaumont Hospital, and I think tubercular patients, too. At Fort Bayard they have 250 vacancies. But the William Beaumont Hospital should take care of these people in El Paso, instead of sending them off up to New Mexico, 250 miles, at an additional expense, when there are plenty of vacant beds there. Our climate is specially adapted to the cure of tuberculosis. Many of our leading citizens have come there with the trouble and been cured. There would be no additional expense to the taxpayers. In fact, it would be wise economy. The facilities are not used to full capacity. I have several times urged the Veterans' Administration to let us have at least 75 of these beds, and I think 100 would not be too many. I am happy to be assured by the committee that my request will have just and fair consideration.

Mr. EDMISTON. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. EDMISTON. In the report of the investigation before the Veterans' Committee, I know it is true in my State of West Virginia that the greatest difficulty we have is with the mental cases. Is that true throughout the country?

Mr. WOODRUM. That is true throughout the country. We will have to build new hospitals for the mental cases, or equip some of the older hospitals.

Mr. EDMISTON. I know that our jails are accommodating some of the veterans.

Mr. WOODRUM. Yes.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. RABAUT. The patients that were being accommodated at the general hospital in Michigan we had transferred to the marine hospital when it was brought to the attention of the board.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. I yield.

Mrs. ROGERS of Massachusetts. Does not the gentleman think it would be a good plan to have hearings before the World War Veterans' Committee regarding hospitalization in order that the Members might be heard and give their views as to the facts in their own districts?

Mr. WOODRUM. I think it certainly would give valuable information, but the gentlewoman from Massachusetts undoubtedly knows that the Veterans' Administration is making a very thorough survey and study of the problem right now.

Mrs. ROGERS of Massachusetts. But I find the individual Members know the needs in their own districts better than the Administration, and I do not see why the Administration should be the deciding factor on that.

Mr. WOODRUM. I think that is true.

[Here the gavel fell.]

The Clerk read as follows:

No part of this appropriation shall be expended for the purchase of any site for or toward the construction of any new hospital or home or for the purchase of any hospital or home; and not more than $4,000,000 of this appropriation may be used to repair, alter, improve, or provide facilities in the several hospitals and homes under the jurisdiction of the Veterans' Administration either by contract or by the hire of temporary employees and the purchase of materials.

Mr. WOLCOTT. Mr. Chairman, I move to strike out the last word.

I should like to ask whether the prohibition of the use of this appropriation for the construction of any new hospital or home would affect in any manner the construction of the proposed new veterans' hospital at Detroit?

Mr. WOODRUM. The prohibition here is that the funds appropriated in this bill are not available for new construction—that is, for beginning new construction.

Mr. WOLCOTT. Is it the gentleman's understanding that the money which has been heretofore appropriated is now available for the construction of the hospital at Detroit?

Mr. WOODRUM. All contracts that are let, we have already appropriated the money for those projects. This does not stop that.

Mr. WOLCOTT. I do not understand that the contract has been let for the construction of the hospital.

Mr. WOODRUM. But the money has been allocated out of a previous allotment. It is not involved in this bill.

Mr. WOLCOTT. The gentleman meant when he said "the contract is let", that the money has been allocated and is still available for that use?

Mr. WOODRUM. Yes; that is true.

[Here the gavel fell.]

The pro-forma amendment was withdrawn.

The Clerk read as follows:

FEDERAL HOME LOAN BANK BOARD

For the administrative expenses of the Federal Home Loan Bank Board, established by the Federal Home Loan Bank Act of July 22, 1932 (47 Stat., p. 725), including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the act of June 3, 1926, as amended (U. S. C., title 5, secs. 821–833); printing and binding; law books, books of reference, and not to exceed $500 for periodicals and newspapers; procurement of supplies, equipment, and services; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent outside of the District of Columbia; payment, when specifically authorized by the Board, of actual transportation expenses and not to exceed $10 per diem in lieu of subsistence and other expenses of persons serving, while away from their homes, without other compensation from the United States, in an advisory capacity to the Board; use of the services and facilities of the Home Owners' Loan Corporation and the Federal Savings and Loan Insurance Corporation; and all other necessary administrative expenses, $1,140,000: *Provided*, That expenditures hereunder shall not exceed (a) the receipts derived during the fiscal year 1938 from assessments upon the Federal home-loan banks, the Home Owners' Loan Corporation, and the Federal Savings and Loan Insurance Corporation, and from other sources, and (b) the unobligated balance of such receipts during prior fiscal years: *Provided further*, That all necessary expenses (including services performed on a contract or fee basis, but not including other personal services) in connection with the sale, issuance, and retirement of, or payment of interest on, debentures or bonds, under said Federal Home Loan Bank Act, as amended, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That, except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Board shall be incurred, allowed, and paid in accordance with the provisions of said act of July 22, 1932, as amended (U. S. C., title 12, secs. 1421–1449).

Mr. WOODRUM. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Committee amendment offered by Mr. WOODRUM: On page 47, line 24, after the "$1,140,000", insert a comma and the following language: payable from assessments upon the Federal home-loan banks and receipts of the Federal Home Loan Bank Board from other sources for the fiscal year 1938 and prior fiscal years"; and strike out the language beginning with the word "that" in line 25, down to and including the word "further" in line 5 on page 48.

Mr. WOODRUM. Mr. Chairman, I have submitted this amendment to the gentleman from Massachusetts. It is simply a change in phraseology. It was discovered by the clerks of the committee. They took it up with the Budget. It is designed to accomplish the same effect, but it is a difference in phraseology. I have discussed the matter with the gentleman from Massachusetts [Mr. WIGGLESWORTH].

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

HOME OWNERS' LOAN CORPORATION

Not to exceed $30,000,000 of the funds of the Home Owners' Loan Corporation, established by the Home Owners' Loan Act of 1933 (48 Stat., p. 128), shall be available during the fiscal year 1938 for administrative expenses of the Corporation, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the act of June 3, 1926, as amended (U. S. C., title 5, secs. 821–833); printing and binding; law books, books of reference, and not to exceed $500 for periodicals and newspapers; procurement of supplies, equipment, and services; maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, to be used only for official purposes; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; use of the services and facilities of the Federal Home Loan Bank Board, Federal home-loan banks, and Federal Reserve banks; and all other necessary administrative expenses: *Provided*, That all necessary expenses (including services performed on a force account, contract or fee basis, but not including other personal services) in connection with the acquisition, protection, operation, maintenance, improvement, or disposition of real or personal property belonging to the Corporation or in which it has an interest, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Corporation shall be incurred, allowed, and paid in accordance with the provisions of said Home Owners' Loan Act of 1933, as amended (U. S. C., title 12, secs. 1461–1468).

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: Page 48, line 19, after the word "exceed", strike out "$30,000,000" and insert in lieu thereof "$29,000,000."

Mr. TABER. Mr. Chairman, this amendment is offered for the purpose of reducing this appropriation to last year's figures. This Corporation has $2,800,000,000 of mortgages as compared with the Farm Loan Administration mortgages of $1,900,000. The farm-loan banks are spending to service all their loans $11,010,000 per year. It is costing at the present time for the Home Owners' Loan Corporation much more in proportion than it is for the Farm Loan Administration. At the same proportion the Farm Loan Administration expenses would be about $18,000,000, and they are an active outfit taking new loans at large expense involved in connection with them. For instance, 17 percent of their whole work is for new loans. Now, it would seem to me with that situation they should be able to take a cut back at least to where they are operating today instead of having to have an increase for the next year.

Mr. WOODRUM. Mr. Chairman, this matter was discussed earlier this afternoon when we started to read the bill. The Home Owners' Loan Corporation at the peak of its lending activities had 2,200 people on its pay roll. When they quit taking loans they reduced their personnel to 1,500.

The question of foreclosures has now come up. It has been discussed here, and there is no question about the fact that it is going to take a lot of people to handle these intricate matters of attending to the foreclosure proceedings.

The Budget made a very great cut in their request for appropriations, and the subcommittee made a further cut of $2,000,000, bringing it down to $30,000,000. I do not believe it is safe in order to protect the Government's interest and in order to give the service to the people who have loans, to cut this amount any further. I should be very glad to see all these expenses reduced, but I do not think it is safe. They need the personnel. They think they need the rest of the personnel, the other 1,000 employees; but I for one shall be very well satisfied if they get by without deficiency.

Now comes another unknown quantity, the great flood in the Ohio and Mississippi Valleys. Undoubtedly it is going to cause the Home Owners' Loan Corporation to take over a great many properties in that area. The Corporation will have to manage these properties and handle them, so I do not believe it is safe to make any further cut.

Mr. WOLCOTT. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. WOLCOTT. Will the gentleman explain what additional expense there is to administering foreclosed properties? This expense is not chargeable against the Home Owners' Loan Corporation but is chargeable against the property, is it not? Under the law of almost all of the States it is a matter of charge at the time the sale is made which is added to the price of the property.

Mr. WOODRUM. No; I do not think it is exactly as the gentleman stated it. I think in some of the States fees are regulated and fixed by statutes. When there is a default, foreclosure proceedings are started. Then the question arises about the laws of the particular State in which the foreclosure proceeding is to be held. Then papers must be drawn, attorneys must be consulted, the management must go to see the property, and there are a thousand and one details to be looked after. I may say to the gentleman from Michigan that I was of the opinion when I first began considering it that there should be very little expense in connection with a foreclosure of property under this act; but I was surprised to hear everyone, whose opinion I respect as greater than my own, say that it is very much more expensive to collect money than it is to lend it; and this seems to be the experience they are having.

Mr. WOLCOTT. Mr. Chairman, will the gentleman yield further?

Mr. WOODRUM. Yes.

Mr. WOLCOTT. To be perfectly frank with ourselves, is not this additional appropriation necessitated by the fact that the Government is bidding in these mortgages at the sheriffs' sales?

Mr. WOODRUM. None of this money is for that purpose, not a penny of this $30,000,000 is for the purpose of purchasing any of the property.

Mr. WOLCOTT. Where is that money coming from?

Mr. WOODRUM. That will come from the revolving fund. They have the right to use their revolving fund for the purchase of property.

Mr. WOLCOTT. Then none of the money carried in this bill would be for the purpose of buying in mortgages?

Mr. WOODRUM. The gentleman is correct.

Mr. WOLCOTT. Will the gentleman explain, then, why the Government is put to the expense that a mortgagor would be put to under like circumstances?

Mr. WOODRUM. Because of the basic law that we passed, the foreclosure proceeding is at the expense of the Government. The Government ultimately becomes the owner of the property.

Mr. FITZPATRICK. Is it not a fact that if that were a private loan and there were a failure to pay taxes or interest it would be foreclosed immediately? Here they stay for a year or 2 years and see if they cannot compromise and prevent foreclosure. The gentleman should be in favor of everything to prevent foreclosure, and should favor the spending of money to make these investigations and compromises.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I move to strike out the last word of the amendment.

Mr. Chairman, I think most of the lawyers of the House have had some experience in the foreclosure of mortgages, either by representing the mortgagor or the mortgagee. If my memory serves me correctly, the laws of most of the

States provide an inadequate attorney fee, but that the cost of the sheriff's sale, the publication, and all costs of any court proceeding are added to the indebtedness and are deducted by the sheriff before any excess over and above the mortgage indebtedness is returned to the mortgagor.

It would seem to me that there is not nearly the amount of the expense involved, therefore, to the Government in the foreclosure of this indebtedness as there was in making the original loan. We set up elaborate offices throughout the United States and employed, I think the records show, a peak of 22,000 of a personnel to make these loans. The personnel has been reduced, as the gentleman from Virginia stated, because there is not so much detail involved in the foreclosure of these mortgages as there was in connection with the granting of the mortgage in the first instance. This expense, instead of being chargeable against the Government, is, under the laws of a majority of the States, chargeable against the property where it should be charged. For the life of me I cannot see why the Government should add to its loss on these homes by paying exorbitant fees to lawyers or to agents in connection with the foreclosure of these mortgages.

I think the principle of the amendment offered by the gentleman from New York in reducing the appropriations is right, and I will support it as a protest, if nothing more, to the unnecessary, unwarranted expense that the taxpayers of this Nation are put to in maintaining upon the pay roll of the Home Owners' Loan Corporation this exceedingly large personnel to foreclose mortgages. We will be called upon to maintain the Home Owners' Loan Corporation as an agency for the purpose of administering Federal-owned land and liquidating that land. All of us have had experience in connection with Government liquidation, and know how costly it is usually.

At the present time it is remarkable that the liquidators of so many of our small banks after 4 years of receiverships under the Comptroller of the Currency have been able to collect on assets only enough to pay their own salaries and the salaries of the clerks in the banks. In many instances as little as 2 percent in dividends have been paid to the depositors in these banks after 4 years of liquidation. We are approaching the same situation in respect to the Home Owners' Loan Corporation. We will be compelled to maintain an agency for the purpose of administering these receiverships, if you please, until this property is unloaded. The time to unload this property is when the sale is made.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The amendment was rejected.

The Clerk read as follows:

FEDERAL HOUSING ADMINISTRATION

Not to exceed $9,500,000 of the funds advanced by the Reconstruction Finance Corporation to the Federal Housing Administration, created under authority of the National Housing Act of June 27, 1934 (48 Stat., p. 1246), shall be available during the fiscal year 1938 for administrative expenses of the Administration, including: Personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the act of June 3, 1926, as amended (U. S. C., title 5, secs. 821–833), except employees engaged in the inspection of property may be paid an allowance not to exceed 4 cents per mile for all travel performed by motor vehicle in connection with such inspection; printing and binding; law books, books of reference, and not to exceed $1,500 for periodicals and newspapers; not to exceed $1,500 for contract actuarial services; procurement of supplies, equipment, and services; maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, to be used only for official purposes; payment, when specifically authorized by the Administrator, of actual transportation expenses and not to exceed $10 per diem in lieu of subsistence and other expenses to persons serving, while away from their homes, without other compensation from the United States, in an advisory capacity to the Administration; not to exceed $2,000 for expenses of attendance, when specifically authorized by the Administrator, at meetings concerned with the work of the Administration; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; and all other necessary administrative expenses: *Provided*, That all necessary expenses (including services performed on a contract or fee basis, but not including other personal services) in connection with the operation, maintenance, improvement, or disposition of real or personal property of the Administration acquired under authority of title II of said National Housing Act, shall be considered as nonadministrative expenses for the purposes hereof, and shall be paid from the mutual mortgage insurance fund created by said act: *Provided further*, That except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Administration shall be incurred, allowed, and paid in accordance with the provisions of said act of June 27, 1934, as amended (U. S. C., title 12, secs. 1701–1723).

Mr. WIGGLESWORTH. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. WIGGLESWORTH: Page 50, line 4, strike out "$9,500,000" and insert in lieu thereof the following: "$9,250,000, provided that not to exceed $263,000 shall be expended for public relations and educational work."

Mr. WIGGLESWORTH. Mr. Chairman, I do not think it will be necessary for me to take 5 minutes with respect to this amendment. It is designed to accomplish with reference to the Federal Housing Administration the same purpose that the amendment previously offered was designed to accomplish in respect to the Rural Electrification Administration. The record indicates that the Federal Housing Administration intends to maintain a force of 120 persons at a total cost of $513,000 for public relations and educational work, which, of course, is another name for publicity.

The record also indicates that this service in the past has been responsible for no less than 126,000 radio broadcasts, and no less than 224,000 motion-picture showings. In response to a question which I asked the Chairman of the Federal Housing Administration when he appeared before the committee, Mr. McDonald stated that he thought the item of over $500,000 could be largely discontinued in another year.

Mr. Chairman, my amendment would simply cut this large sum for publicity purposes in half, leaving over $250,000 for that purpose for the fiscal year 1938 in the hope that Mr. McDonald's prediction may be realized at the end of that time.

Mr. MASON. Will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from Illinois.

Mr. MASON. Would you say that the purpose of this amendment to reduce the amount for publicity purposes is to bring about the old, old saying that by their deeds ye shall know them rather than by the propaganda they put out?

Mr. WIGGLESWORTH. I agree with the gentleman that the functions of governmental agencies should be deeds and not words.

Mr. WOODRUM. Mr. Chairman, I am sympathetic with the general attitude of the gentleman from Massachusetts [Mr. WIGGLESWORTH] in trying to hold down the items in this bill for educational and informational services, and without a doubt the committee impressed upon each bureau or administration that came before us our attitude in this respect, and this is contained in the report. What has been said upon the floor here today, I am sure, will have its effect.

This is the first time these several agencies have been before the committee. They are using their own funds. This money is not coming out of the Public Treasury; and, so far as I was able to determine—and I believe the gentleman will bear me out in this statement—they are doing a good job and they have taken a terrific cut.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. TABER. Is it not a fact that this money comes out of funds that the R. F. C. has allocated to these people?

Mr. WOODRUM. Some of it has been allocated to take care of the work.

Mr. TABER. That is out of the Public Treasury?

Mr. WOODRUM. The Federal Housing Administration is making a good showing, and there is a very likely prospect that the Government will not lose very much because of the fine operation of the Federal Housing Administration. I expected them to lose money. I expected the Government

to have an investment at the end of it, but they are doing a good job.

We do not pay for any radio time. Let me clear that up now. However, it has been necessary with several of these organizations to have a large force for informational and educational purposes. I wish you could see the volume of letters and inquiries that come to the Federal Housing Administration and the Home Owners' Loan Corporation and one or two others seeking information and explanation. The Social Security Board is another agency which is in the same position. It has been necessary in order that the public may know what their rights are and what these services are offering that they spend what would appear to be large sums of money.

I hope the Committee will allow the appropriation to go as the committee has brought it in here at this time, and let us have a year's experience on it, and I can assure the gentleman from Massachusetts and the Committee that I shall be ready to cooperate in cutting it down as far as possible.

I hope the amendment will be voted down.

The amendment was rejected.

The Clerk read as follows:

SEC. 4. None of the funds herein appropriated for any executive department or other executive agency shall be available to pay any compensation or other expense in connection with any investigation or inquiry under a resolution of either House of Congress, except it be a concurrent resolution of the two Houses; but this shall not be construed to prohibit or limit the authority or scope of action of any such executive department or other executive agency under substantive or appropriation law.

Mr. ELLENBOGEN and Mr. MAVERICK rose.

Mr. ELLENBOGEN. Mr. Chairman, I make the point of order that section 4 is not in order.

Mr. WOODRUM. Mr. Chairman, I concede the point of order and shall offer an amendment.

The CHAIRMAN. The Chair sustains the point of order.

Mr. WOODRUM. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. WOODRUM: Page 56, line 23, after section 3, insert:

"SEC. 4. None of the funds herein appropriated for any executive department or other executive agency shall be available to pay any compensation or other expense in connection with any investigation or inquiry under a resolution of either House of Congress."

Mr. WOODRUM. Mr. Chairman, the amendment which I have offered is designed to protect the appropriation acts of Congress.

Mr. ELLENBOGEN. Mr. Chairman, I reserve a point of order against the amendment.

Mr. WOODRUM. Mr. Chairman, it is now too late to reserve a point of order against the amendment.

The CHAIRMAN. Debate has begun and the gentleman from Virginia has the floor.

Mr. WOODRUM. You will recall that in the deficiency bill there was a provision somewhat similar to this section 4, and that provision is now before the other body for consideration in an effort to compose differences and work out some suitable language.

Here is what the amendment purports to do, and I believe it will certainly have the sympathetic support of the Members of Congress. We found in examining the estimates for several of the departments—for instance, one of the major departments of the Government for which we appropriate large sums of money to carry out very important public functions—that in 18 months' time $400,000 of the money we had appropriated for that Department had been used to pay full-time personnel who were working upon an investigation ordered by the legislative body at the other end of the Capitol. This agency was before our committee complaining that it did not have enough personnel to carry on its regular functions.

And yet the startling fact developed that there were 80 or 90 members of their personnel engaged in an investigation by another body in Congress.

I am not complaining as to the merits or demerits of any investigation, but it is my idea that investigations should stand on their own merits or demerits and carry their own pay checks along with them and not camouflage by offering a resolution and saying that it carries no appropriation and then take the personnel of a department to carry it on.

Mr. MAVERICK. Mr. Chairman, I make the point of order that the Chairman did not rule on the point of order.

The CHAIRMAN. The Chair did rule and sustained the point of order.

Mr. MAVERICK. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MAVERICK. If the Chair sustained the point of order, how could the gentleman from Virginia offer an amendment to a paragraph that did not exist? The section went out on the point of order.

The CHAIRMAN. The Committee amendment was to the preceding section.

Mr. MAVERICK. Will the gentleman from Virginia yield?

Mr. WOODRUM. I yield.

Mr. MAVERICK. Did the gentleman offer an amendment to section 4?

Mr. WOODRUM. If the gentleman will read the CONGRESSIONAL RECORD in the morning, he will see what happened. [Laughter.]

Mr. MAVERICK. Well, you cannot expect me to be as wise and intelligent as the gentleman from Virginia. I asked a respectful question.

Mr. WOODRUM. The gentleman made a point of order against the section and I conceded the point of order. I offered an amendment to the bill, and the Chairman sustained the point of order. I began the debate on the amendment and then the gentleman from Pennsylvania undertook to make a point of order which was too late, debate having been started on the amendment.

Mr. ELLENBOGEN. Mr. Chairman, I wish to offer a substitute amendment.

Mr. WOODRUM. Mr. Chairman, I yield to the gentleman from Texas [Mr RAYBURN].

Mr. RAYBURN. Mr. Chairman, I think it would be well if we could get this matter straightened out. I agree with the gentleman from Virginia that there ought to be something in the bill whereby we can have a conference with the Senate. The Senate will in all probability put on the same substitute that they put on the deficiency bill. I want to say that I am in sympathy with the compromise that they put into the bill yesterday. When that bill goes to conference, as it should be tomorrow or next day, is it not the gentleman's thought that whatever is agreed upon in conference should be the provision that should go into all of these appropriation bills?

Mr. WOODRUM. Yes.

Mr. RAYBURN. It seems to me that that is the way by which we may be able to settle this thing, without debating it every time an appropriation bill comes on the floor. The House and the Senate can agree on this provision, and then the matter can come back to the House and we can have a clear vote in the House.

Mr. WOODRUM. I concur in what the gentleman says, that whatever is finally worked out between the two Houses in conference as the appropriate provision on the deficiency appropriation bill should be the provision carried on all of the bills, but I do call attention to this: If I do not get something on the subject in this bill, then we will be powerless, in conference, to put such a thing in the bill, unless the Senate chooses to initiate it in the Senate and put such a provision on the bill there. Therefore I want to see this amendment get in the bill so that we will have something to work on.

Mr. RAYBURN. I do not object to that procedure, because I think the House committee ought to have that leeway; but allow me to repeat, in order that I may not be misunderstood, that I am sympathetic to something similar to this, some compromise being worked out, because I know this to be the truth, that in investigations that have been conducted by the Committee on Interstate and Foreign Commerce, of which I was the chairman for 6 years, we could not have

gotten the money, nor could we have gotten the expert help we secured from a commission like the Interstate Commerce Commission, and we could not have done the business we did; and for that reason I want to see something worked out.

Mr. ELLENBOGEN. Mr. Chairman, I offer the following substitute amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Substitute amendment offered by Mr. ELLENBOGEN: Page 57, line 2, after "Congress", strike out "except it be a concurrent resolu-" and all of lines 3 to 6, inclusive, and insert "unless the department or agency from whose staff such person is detailed or loaned shall render to the Secretary of the Senate or the Clerk of the House of Representatives (according as the Senate or the House of Representatives shall have ordered such investigation or inquiry) a statement on or before the 10th day of each month of the number, grade, or status and monthly compensation of the persons so detailed or loaned from the staff of such department or agency during the preceding calendar month."

Mr. WOODRUM. Mr. Chairman, I make the point of order against the amendment that it is new legislation on an appropriation bill.

The CHAIRMAN. It is obviously new legislation; and the point of order is sustained.

Mr. BOILEAU. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Virginia. I call the attention of the Members of the House, and particularly of the gentleman from Virginia, to the fact that during the last session of Congress an investigating committee was appointed to investigate the activities of the American Retail Federation. I submit to you that if it had not been for the services of the employees of the Federal Trade Commission it would have been very difficult for us to start in that investigation. In other words, the Federal Trade Commission had the type of men that we needed for the purpose of assisting us in the examination necessary in that investigation. Their services were very valuable. Had the provision which the gentleman from Virginia has offered been in the law last year, the limitation upon the appropriation, those trained men would not have been able to help us.

I call the gentleman's attention to the necessity of being careful, so that we do not hamstring the committees appointed by the House and the Senate in carrying out these investigations. I think we should make available to the committee these trained men in the departments, and I do not believe that we should accept an amendment of this kind, although I do see some good reasons proposed by the gentleman from Virginia to put this into conference; and I hope that when the first appropriation bill comes back with this or similar language of this kind in the bill, we will have full opportunity to discuss the matter and decide upon a policy with reference to all the appropriation bills.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The question was taken; and on a division (demanded by Mr. ELLENBOGEN) there were—ayes 68, noes 16.

So the amendment was agreed to.

The Clerk read as follows:

SEC. 5. This act may be cited as the Independent Offices Appropriation Act, 1938.

Mr. CONNERY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I simply rose at this time to say that at the end of section 4 I had intended to offer an amendment which I read to the House yesterday. That amendment would prohibit overtime work without time and half overtime pay. On looking up the parliamentary procedure in regard to germaneness and legislation on an appropriation bill, I could not find any way in which I could get this matter before the committee without it being subject to a point of order. I tried to draw up a limitation, but evidently it would not be a limitation. It would be legislation on an appropriation. However, I have conferred with the chairman of the Committee on Civil Service, the gentleman from Georgia [Mr. RAMSPECK]. The gentleman from Georgia is also a member of the Committee on Labor. He is a great friend of labor and an advocate and a worker for labor, and as chairman of the Committee on Civil Service I know he is sympathetic with labor. He does not believe in people working overtime without being paid. From my conversation with the gentleman from Georgia I understand he will later bring in a bill to provide that these workers who work overtime will either be given leave to make up for the extra time or will be paid time and a half for overtime work. Last year he had similar provisions in a bill reported to the House. This bill passed the House, but those good provisions were stricken out in the Senate. This time I believe the Senate will be more liberal in their view of this question.

With that coming from the chairman of the Committee on Civil Service I will be glad to cooperate with him in every way possible to do away with this evil of overtime work without pay.

[Here the gavel fell.]

Mr. WOODRUM. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BOLAND, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 4064, the independent offices appropriation bill, and directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. WOODRUM. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en bloc.

The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill, as amended.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

On motion by Mr. WOODRUM, a motion to reconsider the vote by which the bill was passed was laid on the table.

ELEVENTH INTERNATIONAL DAIRY CONGRESS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

I commend to the favorable consideration of the Congress the enclosed report from the Secretary of State, to the end that legislation may be enacted to authorize an appropriation of $10,000 for the expenses of participation by the United States in the Eleventh International Dairy Congress, to be held in Berlin, Germany, in August 1937.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE.

PUBLIC WORKS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 140)

The SPEAKER laid before the House the following further message from the President of the United States, which was read, and, together with the accompanying papers, and illustrations referred to the Committee of the Whole House on the state of the Union and ordered printed:

To the Congress of the United States:

During the depression we have substantially increased the facilities and developed the resources of our country for the common welfare through public works and work-relief programs. We have been compelled to undertake actual work

somewhat hurriedly in the emergency. Now it is time to develop a long-range plan and policy for construction—to provide the best use of our resources and to prepare in advance against any other emergency.

In a previous message, I have suggested a permanent planning agency under the Chief Executive in order that, among other things, all public works proposals may filter from the many individual departments and bureaus to a central planning place and thence to the President.

I have also suggested to the Congress that following this course of planning the President will annually submit to the Congress a list of projects which have been studied and approved and, at the same time, inform the Congress, through the Budget, of the total amount of Federal funds which, in his judgment, should be appropriated for public works during the following fiscal year.

The list of public works submitted by the President in the Budget message would, of course, be wholly advisory, for it is within the discretion of the Congress to eliminate projects from this list, to alter the scope of projects, or to add other projects.

The report of the National Resources Committee on public works planning which I submit today should, of course, be read in conjunction with the recommendations for highways, bridges, dams, flood control, and so forth, already under construction, estimates for which have been submitted in the Budget, and also should be read in conjunction with other special reports, such as the report of the Great Plains Committee which I expect to submit to the Congress in a few days.

The National Resources Committee submits a 6-year program, based on selection and priority of public works. The period of 6 years is arbitrarily chosen and can, of course, be made to fit into annual future appropriations made by the Congress.

The report also contains recommendations on the timing of public works and division of costs in their relation to the necessary organization of future continued planning. I have already referred to this in my message relating to the reorganization of the executive branch of the Government.

As an example of the kind of reservoir of projects constituting the 6-year program, a drainage-basin study is included in the report. This summary list of projects involving the uses of water is not to be regarded as fixed or final, as the report itself notes, but rather indicates a great forward step in the development of the planning process, considering not one project alone but the relationships between a great group of projects dealing with water use and control.

Through the formulation and annual revision of a program of all types of construction, revision, and adoption of the program by Congress and appropriations under regular budgetary procedure timed in part in relation to economic needs, we can provide for the orderly development of our resources and the provision of needed facilities for our people.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *February 3, 1937.*

AUTOMOBILE INDUSTRY STRIKES

Mr. CONNERY. Mr. Speaker, I submit a privileged report (H. Res. 96) from the Committee on Labor.

The Clerk read as follows:

House Resolution 96

Resolved, That the Secretary of Labor be, and he is hereby, directed to furnish the House of Representatives all such information as he may possess, or which may be available in the Labor Department, and which will show or tend to show—

(a) The name, the location of any and all industrial concerns having to do with the production of motor vehicles (and any of the parts which go into the production thereof) which have been closed either wholly or in part, directly or indirectly, by so-called "sit down" strikers.

(b) The total number of employees in each plant so closed and the number of the "sit down" strikers in each of said plants so closed.

(c) The number of employees in each of said plants who desire to return to work.

(d) The number of workers in each of said plants who belong, respectively, to the Committee on Industrial Organization, to the United Automobile Workers, to the American Federation of Labor, and the number who are not members of any labor organization.

(e) The wage loss to the worker.

(f) The number of "sit down" strikers in Fisher Body Plant No. 1, Flint, Mich., who were formerly employed by that company.

(g) The number of such "sit down" strikers who were not so employed.

(h) The number of the "sit down" strikers in that plant who were not residents of Flint prior to the strike.

(i) The same information with reference to Fisher Body Plant No. 2, Flint, Mich.

(j) The number of pickets who are actively engaged in picketing in Fisher Body Plant No. 1, Flint, Mich.

(k) The number of pickets who were not employed in Fisher Body Plant No. 1, Flint, Mich., prior to the strike.

(l) The same information with reference to Fisher Body Plant No. 2, Flint, Mich.

(m) The number of pickets who are engaged in picketing the Briggs Body Plant in Detroit, Mich.

(n) The total number of persons who acted as pickets at any time at the Briggs Body Plant in Detroit, Mich.

(o) The total number of employees in said plant.

(p) The total number of pickets who are not residents of the State of Michigan.

(q) The total number of pickets who are not employees of said plant.

(r) The total number of persons who have been or who are receiving aid or relief from the Government and who were at the time of the strike dependent upon the motor industry for their livelihood.

(s) Whether the pickets at any of these closed plants previously by either contact or show of force prevent other employees of these plants from going into the plants to work.

(t) If the answer to the above is in substance that employees are prevented from working, under what provision of law, statute, Executive order, or opinion does the Department justify, if it does justify, the Government's failure to furnish protection under article 14 of the Federal Constitution?

(u) Are "sit down" strikers in possession of any industrial concerns in Michigan?

(v) If the answer be in the affirmative, under what statute, order, rule, or opinion of the Department of Labor are these "sit down" strikers in possession of such plants?

(w) Approximately how many persons who desire to work are deprived of employment by the "sit down" strikers, and how many of them will be given relief aid by the Federal or State Government?

(x) What sums, if any, are being paid to the "sit down" strikers in each plant while they are engaged in strike activities?

(y) What sums, if any, are being paid for pickets?

(z) By whom or what organization are such sums being paid, and from what source are they derived?

Mr. CONNERY. Mr. Speaker, I ask unanimous consent that the Clerk may read the report.

The SPEAKER. Without objection, the Clerk will read the report.

There was no objection.

The Clerk read the report, as follows:

The Committee on Labor, to whom was referred the resolution (H. Res. 96) requesting the Secretary of Labor to furnish the House of Representatives with all information available on the automobile strike, having had the same under consideration, report it back to the House and recommend that the resolution do not pass.

The following letter from the Honorable Frances Perkins, Secretary of Labor, is submitted for the information of the House.

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, February 2, 1937.

Hon. WILLIAM P. CONNERY, Jr.,
Chairman, Committee on Labor,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN CONNERY: I have your letter of February 1, 1937, and appreciate your calling my attention to House Resolution 96, which has been referred to your committee. The resolution directs the Secretary of Labor to furnish the House of Representatives such information as may be in my possession or which may be available to the Department regarding certain matters in connection with current and recent strikes of workers in various branches of the automotive industry, with particular reference to the labor dispute in the Fisher Body Plants at Flint, Mich., and the Briggs Body Plant at Detroit.

I hope that the House will not adopt this resolution, as it would seriously interfere with the efforts being made by the Federal and State Governments to achieve an equitable settlement of the current strikes and to lay the basis for stable labor relations in the automobile industry. This Department has no power to compel the giving of sworn testimony or to subpena books and records of any of the parties to the current dispute. Consequently, any information which I could give would simply be based on hearsay, which, as you can readily see, would be biased.

The Department of Labor is in no position to secure information on the number of sit-down strikers and pickets at any of the plants. This information can be secured only if the union saw fit to make such data public. Without interviewing each of the

strickers and pickets it would be impossible to know which were residents of Flint or of the State of Michigan. In all probability, if the Department attempted to interview such persons, they would be unwilling voluntarily to furnish their names and places of residence to the Government.

Without knowing just how many of the workers are voluntarily out of the plants it would be impossible to estimate the wage loss to the workers as requested in the proposed resolution. In other words, there are many workers who consider themselves out on strike and it is impossible to distinguish such persons from the total number who are at the moment without employment. Data on the number of persons receiving relief are not available in the Department of Labor. The information requested on this point could be answered only by the local relief authorities, the State relief authorities, and the Works Progress Administration.

To determine "who desires to return to work" or who has been prevented from returning to work would be entirely a matter of speculation, and the guess of the Department in this matter would be no better than those that have been published in the press by both sides to the controversy.

It is also clear that this resolution tends to be one-sided since it proposes an investigation into union activities by asking about the relative membership in certain labor organizations (see (d)) and the expenditures and sources of strike funds (see (x), (y), and (z)), whereas there is nothing in the resolution which is designed to secure information about the activities of employers in these strikes, particularly to the extent which intimidation has been used. The resolution further makes no provision for securing information about the basic working conditions which underlie the existing industrial difficulty. For a Federal Government to be required to secure information about the activities of only one of the parties to a dispute would completely destroy its effectiveness as an instrument of mediation and conciliation.

There seems to be some misapprehension of the part played by the Federal Government in labor disputes. I refer particularly to paragraphs (t) and (v), which seem to assume that the Department of Labor has a regulatory function or is enforcing statutes which govern the relative rights of the parties. Neither the Secretary nor the Department of Labor have any jurisdiction to pass upon the legality of either picketing or the "sit-down" strike. The action which the Department has taken with respect to these strikes has been purely mediatory pursuant to the act of March 4, 1913, authorizing the Secretary of Labor to serve as a mediator of labor disputes and to appoint conciliators whenever in the judgment of the Secretary the interests of industrial peace so require.

Sincerely yours,

FRANCES PERKINS.

Mr. CONNERY. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, I would like to yield to the gentleman from New York [Mr. REED].

The SPEAKER. The gentleman cannot do that under the rules.

Mr. REED of New York. Mr. Speaker, will the gentleman from Massachusetts yield?

Mr. CONNERY. I yield.

Mr. REED of New York. Will not the gentleman from Massachusetts be so kind as to yield me about 10 minutes?

Mr. CONNERY. I did not understand the gentleman desired time. My understanding was that I was to yield a few minutes to the author of the resolution, the gentleman from Michigan [Mr. HOFFMAN]. If it is agreeable, I will yield 3 minutes to the gentleman from New York [Mr. REED], and 3 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. SNELL. Mr. Speaker, will the gentleman from Massachusetts yield?

Mr. CONNERY. I yield.

Mr. SNELL. If this matter is brought up we certainly are entitled to some time in which to consider it. This has been a very busy day.

The SPEAKER. Let the Chair make a statement. This has been a very busy and strenuous day. It was represented to the Chair that if this matter were allowed to be called up it would consume at the utmost 5 minutes. With that understanding the Chair agreed to recognize the gentleman from Massachusetts, but that was the extent of the agreement made by the Chair.

If the disposition of this resolution is going to require additional debate or further consideration the Chair would prefer to take the matter up tomorrow. This will be the unfinished business tomorrow, because it is a privileged matter.

Mr. SNELL. That will be all right.

THE LATE FRANK GARDNER

Mr. CROWE. Mr. Speaker and Members of the House, it is with profound sorrow that I announce to the House the passing of Judge Frank Gardner, of Scottsburg, Ind., a former Member of this House.

Mr. Gardner was a Member of the Congress three terms, viz, the Sixty-eighth, Sixty-ninth, and Seventieth Congresses.

He represented the old Third Indiana District, the district which I had the honor to represent in the Seventy-second Congress. Mr. Gardner was a lovable, honest, conscientious gentleman and will be remembered as such by many Members of this House who served with him while he was in Congress. He was a plain, unostentatious gentleman, dependable and loyal and ever alert to the interests of his home, his district, his State, and his Nation.

It is with deep regret and profound sorrow that I announce to this House the passing of former Congressman Frank Gardner.

EXTENSION OF REMARKS

Mr. ELLENBOGEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio speech which I made yesterday over a national hook-up of the Columbia Broadcasting System on the subject of low-cost housing and slum clearance.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a radio address I delivered last night.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a radio speech I made last night.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

SELECT COMMITTEE ON GOVERNMENT ORGANIZATION

The SPEAKER. Pursuant to the provisions of House Resolution 60, as amended by House Resolution 106, the Chair appoints as additional members of the Select Committee on Government Organization the following: Mr. MEAD and Mr. KNIFFIN.

ORDER OF BUSINESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RAYBURN. For the convenience of the Members I make this announcement of the business to be brought up within the next few days. After the disposition of the resolution offered by the gentleman from Massachusetts [Mr. CONNERY], which will be the unfinished business tomorrow, it is intended to devote the remainder of tomorrow and all of Friday to general debate on the reciprocal trade agreement bill, to adjourn over until Monday, if possible, which will be District day, and then on Tuesday to read for amendment the reciprocal trade agreement bill. This is the program as far as I know it.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BINDERUP (at the request of Mr. LUCKEY of Nebraska), indefinitely, on account of illness.

To Mr. FITZGERALD (at the request of Mr. CITRON), indefinitely, on account of illness.

To Mr. JARRETT (at the request of Mr. WOLFENDEN), indefinitely, on account of illness.

To Mr. CASEY, indefinitely, on account of illness.

To Mr. DALY, indefinitely, on account of illness.

To Mr. NICHOLS, indefinitely, on account of illness.

To Mr. BULWINKLE, for 3 days, on account of illness.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on February 2, 1937, present to the President, for his approval, a joint resolution of the House of the following title:

H. J. Res. 81. Joint resolution to create a Joint Congressional Committee on Government Organization.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 31 minutes p. m.) the House adjourned until tomorrow, Thursday, February 4, 1937, at 12 o'clock noon.

COMMITTEE HEARING

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a continuation of the hearing before the Committee on Interstate and Foreign Commerce at 10 a. m. on February 4, 1937, on the long-and-short-haul bill.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

331. A letter from the chairman, Gorgas Memorial Institute, transmitting the report covering the work and operation of the Gorgas Memorial Laboratory for the period from November 1, 1935, to October 31, 1936 (H. Doc. No. 46); to the Committee on Foreign Affairs and ordered to be printed.

332. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill providing for the repeal of the proviso clause of the act of May 18, 1928 (45 Stat. 603); to the Committee on the Public Lands.

333. A letter from the Secretary of Commerce, transmitting a special statistical study made in accordance with the authority granted under the act of May 27, 1935 (Public, No. 74); to the Committee on Expenditures in the Executive Departments.

334. A letter from the Acting Secretary of Agriculture, transmitting the draft of a proposed amendment to the act approved August 24, 1912 (37 Stat. 487); to the Committee on Expenditures in the Executive Departments.

335. A letter from the Secretary of the Interior, transmitting the draft of a bill to amend section 4 of the act of May 31, 1933 (48 Stat. 108), enacted for the purpose of protecting the interests and welfare of Indians of the Taos Pueblo, N. Mex., in certain lands within the Carson National Forest; to the Committee on Indian Affairs.

336. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill to accept the cession by the State of Arkansas of jurisdiction over all lands now or hereafter included within the Hot Springs National Park, Ark., and for other purposes; to the Committee on the Public Lands.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. COCHRAN: Committee on Expenditures in the Executive Departments. House Joint Resolution 131. Joint resolution for the payment of certain employees of the United States Government in the District of Columbia and employees of the District of Columbia for January 20, 1937; without amendment (Rept. No. 170). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mrs. O'DAY: Committee on Immigration and Naturalization. H. R. 3645. A bill for the relief of Francesco Kovach, alias Frank Kovach, alias Joe Kalister; without amendment (Rept. No. 169). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 3753. A bill for the relief of Sol Silver; without amendment (Rept. No. 171). Referred to the Committee of the Whole House.

ADVERSE REPORTS

Under clause 2 of rule XIII,

Mr. CONNERY: Committee on Labor. House Resolution 96. Resolution requesting the Secretary of Labor to furnish the House of Representatives with all information available on the automobile strike; without amendment (Rept. No. 172). Referred to the House Calendar.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 3210) to place Harold Staats, formerly captain, Officers' Reserve Corps, on the emergency officers' retired list, and the same was referred to the Committee on Military Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LORD: A bill (H. R. 4268) to divest certain activities of their interstate character; to the Committee on Interstate and Foreign Commerce.

By Mr. LEMKE: A bill (H. R. 4269) to provide for a useful and comprehensive system for the impounding, storing, conserving, and making use of the unappropriated waters falling or emanating within the United States, and for other purposes; to the Committee on Flood Control.

By Mr. O'MALLEY: A bill (H. R. 4270) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. MURDOCK of Arizona: A bill (H. R. 4271) to amend the Social Security Act to provide for aid to Indians; to the Committee on Ways and Means.

By Mr. HEALEY: A bill (H. R. 4272) to authorize the purchase and distribution of products of the fishing industry; to the Committee on Agriculture.

By Mr. GRAY of Pennsylvania: A bill (H. R. 4273) to authorize the refund of amounts deducted from pensions of Civil War veterans and the widows and dependents of such veterans by reason of economy legislation; to the Committee on Invalid Pensions.

By Mr. ELLENBOGEN: A bill (H. R. 4274) to provide for the completion of the 12-mile spacing of the horizontal control and the 5-mile spacing of vertical control surveys in the State of Pennsylvania; to the Committee on Merchant Marine and Fisheries.

By Mr. IGLESIAS: A bill (H. R. 4275) to correct United States citizenship status of certain persons born in Puerto Rico, and for other purposes; to the Committee on Insular Affairs.

By Mrs. NORTON: A bill (H. R. 4276) to amend an act entitled "An act to create a juvenile court in and for the District of Columbia", and for other purposes; to the Committee on the District of Columbia.

By Mr. GREEVER: A bill (H. R. 4277) to provide for the extension of certain prospecting permits, and for other purposes; to the Committee on Mines and Mining.

By Mr. COFFEE of Washington: A bill (H. R. 4278) to regulate the sale of admission tickets in the District of Columbia; to the Committee on the District of Columbia.

Also, a bill (H. R. 4279) providing that in all cases filed in an inferior Federal court the court shall pass upon both questions of law and fact with the exception that no inferior court shall pass upon the constitutionality of any act of Congress; and further providing that the Supreme Court in deciding any case on appeal shall pass upon both questions of law and fact with the exception that it shall not pass in

such cases upon the constitutionality of an act of Congress; to the Committee on the Judiciary.

Also, a bill (H. R. 4280) to regulate the jurisdiction of the inferior Federal courts of the United States of America; to the Committee on the Judiciary.

By Mr. CELLER: A bill (H. R. 4281) authorizing the Secretary of the Navy to construct and maintain a Government radio broadcasting station; authorizing the United States Commissioner of Education to provide programs of national and international interest; making necessary appropriations for the construction, maintenance, and operation of the station and production of programs therefor; and for other purposes; to the Committee on Naval Affairs.

By Mr. MAPES: A bill (H. R. 4282) to promote the safety of employees and travelers upon common carriers engaged in interstate commerce by railroad by compelling such common carriers to maintain tracks, bridges, roadbed, and all permanent structures for the permanent support of way, trackage, and traffic, in safe, proper, and suitable condition; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of West Virginia: A bill (H. R. 4283) to provide for the construction of a post office at Madison, W. Va.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4284) to provide for the construction of a post office at Dunbar, W. Va.; to the Committee on Public Buildings and Grounds.

By Mr. RIGNEY: A bill (H. R. 4285) to increase the salaries of letter carriers in the village delivery service; to the Committee on the Post Office and Post Roads.

By Mr. MEAD: A bill (H. R. 4286) to provide special rates of postage on matter for the blind; to the Committee on the Post Office and Post Roads.

By Mr. WILCOX: A bill (H. R. 4287) to authorize the Attorney General to settle outstanding claims against Chapman Field, Fla., and for other purposes; to the Committee on Claims.

By Mr. McCORMACK: A bill (H. R. 4288) to authorize the purchase and distribution of products of the fishing industry; to the Committee on Agriculture.

By Mr. SCOTT: A bill (H. R. 4289) to amend the act of June 6, 1924, entitled "An act to amend in certain particulars the National Defense Act of June 3, 1916, as amended, and for other purposes"; to the Committee on Military Affairs.

By Mr. COFFEE of Washington: A bill (H. R. 4290) to authorize the acquisition of complete title to the Puyallup Indian Tribal School property at Tacoma, Wash., for Indian sanatorium purpose; to the Committee on Indian Affairs.

By Mr. LESINSKI: A bill (H. R. 4291) to extend further time for naturalization to alien veterans of the World War under the act approved May 25, 1932 (47 Stat. 165), to extend the same privileges to certain veterans of countries allied with the United States during the World War, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. SCOTT: A bill (H. R. 4292) to provide financial assistance to the States and political subdivisions thereof, to the District of Columbia or any Territory of the United States, for the elimination of slums, for the construction of decent, safe, and sanitary dwellings at low rentals for families of low income, and for the reduction of unemployment and the stimulation of business activity, and for other purposes; to the Committee on Ways and Means.

By Mr. SMITH of Virginia: Joint resolution (H. J. Res. 186) to provide for the appraisal and purchase of certain articles owned by President and Mrs. George Washington; to the Committee on the Library.

By Mr. CITRON: Joint resolution (H. J. Res. 187) authorizing the issuance of a special postage stamp in honor of Wladimir Krzyzanowski; to the Committee on the Post Office and Post Roads.

Also, joint resolution (H. J. Res. 188) to provide for the preparation, printing, and distribution of pamphlets containing the history of Brig. Gen. Casimir Pulaski, Revolutionary War hero; to the Committee on Printing.

Also, joint resolution (H. J. Res. 189) to authorize the issuance of a special postage stamp in honor of Brig. Gen. Thaddeus Kosciusko; to the Committee on the Post Office and Post Roads.

By Mr. COFFEE of Washington: Joint resolution (H. J. Res. 190) proposing an amendment to the Constitution of the United States providing that any law held unconstitutional by the Supreme Court shall be valid if approved by electorate or reenacted by Congress; to the Committee on the Judiciary.

By Mr. BLOOM: Joint resolution (H. J. Res. 191) to continue the terms of the members of the United States Constitution Sesquicentennial Commission; to the Committee on the Library.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the State of New York, in assembly, memorializing the Congress for the enactment of the Wagner bill into law; to the Committee on Banking and Currency.

Also, memorial of the State of Iowa, memorializing the Congress of the United States to amend the Federal Banking Act of 1935; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 4293) authorizing the Secretary of War to appoint Anthony J. Flynn a warrant officer in the United States Army and then place him on the retired list; to the Committee on Military Affairs.

By Mr. BREWSTER: A bill (H. R. 4294) granting an increase of pension to Dorothea Brown; to the Committee on Invalid Pensions.

By Mr. CALDWELL: A bill (H. R. 4295) for the relief of certain residents of the village of Warrington, State of Florida; to the Committee on Naval Affairs.

By Mr. CLUETT: A bill (H. R. 4296) granting a pension to Viola M. Dobbin; to the Committee on Pensions.

Also, a bill (H. R. 4297) granting a pension to Helen E. Broughton; to the Committee on Pensions.

By Mr. COLE of New York: A bill (H. R. 4298) for the relief of LaVantia H. Simmons; to the Committee on Claims.

Also, a bill (H. R. 4299) for the relief of David W. Scribner; to the Committee on Claims.

Also, a bill (H. R. 4300) for the relief of Julia N. Murrell; to the Committee on War Claims.

By Mr. COLE of Maryland: A bill (H. R. 4301) to authorize the award of a decoration for distinguished service to George J. Frank; to the Committee on Military Affairs.

Also, a bill (H. R. 4302) to authorize the Commissioners of the District of Columbia to reappoint Ralph S. Warner in the police department of said District; to the Committee on the District of Columbia.

By Mr. CULKIN: A bill (H. R. 4303) granting an increase of pension to Maria Graves; to the Committee on Invalid Pensions.

By Mr. DIMOND: A bill (H. R. 4304) for the relief of Hugh O'Farrell; to the Committee on Claims.

By Mr. DOCKWEILER: A bill (H. R. 4305) granting a pension to Beverly A. Foster; to the Committee on Pensions.

Also, a bill (H. R. 4306) granting a pension to William H. Neff; to the Committee on Pensions.

Also, a bill (H. R. 4307) granting a pension to Laura A. Garrison; to the Committee on Invalid Pensions.

By Mr. GRAY of Pennsylvania: A bill (H. R. 4308) granting a pension to Mary C. Sheaffer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4309) granting a pension to Lillie M. Scott; to the Committee on Invalid Pensions.

By Mr. GREEN: A bill (H. R. 4310) for the relief of Millard Jenkins Phillips; to the Committee on Naval Affairs.

By Mr. HARTLEY: A bill (H. R. 4311) for the relief of Hugo George Demme; to the Committee on Naval Affairs.

Also, a bill (H. R. 4312) for the relief of Lawrence Kussell; to the Committee on Immigration and Naturalization.

By Mr. JOHNSON of West Virginia: A bill (H. R. 4313) granting a pension to Henry B. Lyons; to the Committee on Pensions.

Also, a bill (H. R. 4314) granting a pension to Juna Vista Murphy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4315) for the relief of James Monroe Caplinger; to the Committee on Claims.

By Mr. KITCHENS: A bill (H. R. 4316) for the relief of Clyde P. Bogan; to the Committee on Claims.

By Mr. LORD: A bill (H. R. 4317) for the relief of Mrs. Don M. Hooks; to the Committee on Claims.

Also, a bill (H. R. 4318) granting an increase of pension to Jennette Knapp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4319) granting an increase of pension to Amanda Trafford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4320) granting a pension to Lillie Brinkerhoff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4321) granting a pension to Rose S. Wood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4322) granting a pension to Grace A. Walker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4323) granting a pension to Hortense Van Horne; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4324) granting a pension to Anna V. Peck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4325) granting a pension to Laura A. Gundlach; to the Committee on Invalid Pensions.

By Mr. MAAS: A bill (H. R. 4326) for the relief of James Darcy; to the Committee on Military Affairs.

By Mr. MAGNUSON: A bill (H. R. 4327) for the relief of Charles M. Perkins; to the Committee on Claims.

Also, a bill (H. R. 4328) for the relief of Ludwig Rose; to the Committee on Claims.

Also, a bill (H. R. 4329) for the relief of George T. Heppenstall; to the Committee on Claims.

By Mr. REECE of Tennessee: A bill (H. R. 4330) granting a pension to David C. Norris; to the Committee on Pensions.

Also, a bill (H. R. 4331) granting a pension to Rebecca Jenkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4332) to extend the benefits of the Employees' Compensation Act of September 7, 1916, to Robert Judson McGarry; to the Committee on Claims.

By Mr. REILLY: A bill (H. R. 4333) to correct the military record of Robert F. O'Neill; to the Committee on Military Affairs.

By Mr. RYAN: A bill (H. R. 4334) for the relief of G. E. Blaul; to the Committee on Claims.

Also, a bill (H. R. 4335) for the relief of Dr. C. A. Sotaaen and Marion Sotaaen; to the Committee on Claims.

By Mr. SCOTT: A bill (H. R. 4336) for the relief of Thomas Francis Burke; to the Committee on Naval Affairs.

Also, a bill (H. R. 4337) granting a pension to Katrina Rautmann; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4338) granting a pension to Mary A. Nichols; to the Committee on Invalid Pensions.

By Mr. THOMPSON of Illinois: A bill (H. R. 4339) for the relief of Frank D. Cottrell; to the Committee on World War Veterans' Legislation.

By Mr. VINSON of Georgia: A bill (H. R. 4340) for the relief of J. F. Stinson; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

197. By Mr. BARRY: Petition of the Assembly of the State of New York, urging Congress to pass the Wagner bill relating to slum clearance; to the Committee on Banking and Currency.

198. By Mr. BEITER: Petition of the Assembly, State of New York, requesting the Congress of the United States to pass the Wagner bill relating to slum clearance; to the Committee on Banking and Currency.

199. By Mr. GOODWIN: Petition of New York State Legislature, memorializing Congress to pass the Wagner bill relating to slum clearance as soon as possible; to the Committee on Banking and Currency.

200. By Mr. HART: Petition of the National Guard Association, urging enactment of legislation authorizing an allowance of $35 per month for quarters to each enlisted man of the United States Army detailed to duty with the National Guard as sergeant-instructor while on such duty; to the Committee on Appropriations.

201. By Mr. HILDEBRANDT: Petition requesting the Resettlement Administration to increase units per farmer to not less than 20; to the Committee on Agriculture.

202. By Mr. JOHNSON of Texas: Petition of E. P. Yates, vice president of the Superior Products Co., Dallas, Tex., favoring House bill 1957, to repeal section 603 of the Revenue Act of 1932; to the Committee on Ways and Means.

203. Also, petition of J. W. Glasscock, purchasing agent of the American Well & Prospecting Co., and W. A. Lang, of the Navarro Cotton Oil Co., both of Corsicana, Tex., favoring House bill 1668, the Pettengill bill, to repeal the long-and-short-haul clause of the Interstate Commerce Act; to the Committee on Interstate and Foreign Commerce.

204. By Mr. KENNEY: Petition of the National Guard Association, assembled in Providence, R. I., favoring increased allowances for enlisted men detailed to duty with the National Guard as instructors; to the Committee on Military Affairs.

205. Also, petition of the New Jersey Pharmaceutical Association, concerning the National Fair Trade Enabling Act (S. 100 and H. R. 1611); to the Committee on the Judiciary.

206. By Mr. MASON: Petition of the Kendall National Farm Loan Association of Morris, Ill., asking the Congress to enact legislation providing for the continuance of the 3½ percent interest rate on Federal land-bank loans and to extend the 10-year Land Bank Commissioner loans to 20 years or more; to the Committee on Agriculture.

207. Also, petition of the Rockford National Farm Loan Association, Rockford, Ill., asking the Congress to enact legislation providing for the continuance of the 3½-percent interest rate on Federal land-bank loans and to extend the 10-year Land Bank Commissioner loans to 20 years or more; to the Committee on Agriculture.

HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 4, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou who art ever near, to be gracious, looking, waiting, and loving men, we would be still and know that Thou art God! Bless the Congress assembled, all Governors and magistrates throughout our land. We pray that our citizens may live lives of industry, sobriety, and morality. May they cultivate self-restraint, becoming more free and aspiring to a more complete divine manhood. O Thou Master of Nazareth, bring men together by the common processes of Thy teaching; harmoniously relate them to the common life of man; keep them under Thy guidance. O King of the Eternities, sovereign in love and power, may we submit ourselves to Thee, that our joy may be fulfilled unto the glory of Thy holy name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Crockett, its Chief Clerk, announced that the Senate had passed, with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 3587. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes.

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S. J. Res. 38. Joint resolution to extend for a period of 2 years the guarantee by the United States of debentures issued by the Federal Housing Administrator.

The message also announced that the Vice President had appointed as members on the part of the Senate of the Joint Committee on Government Organization, provided for in House Joint Resolution No. 81, Seventy-fifth Congress, approved February 3, 1937, Mr. ROBINSON, Mr. BYRNES, Mr. BYRD, Mr. O'MAHONEY, Mr. BARKLEY, Mr. HARRISON, Mr. MCNARY, Mr. TOWNSEND, and Mr. NORRIS.

CREATION OF CAPITAL AUDITORIUM COMMISSION

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LANHAM. Mr. Speaker, the Committee on Public Buildings and Grounds has reported favorably the bill (S. 974) to create a Capital Auditorium Commission with an amendment. The effect of the amendment is to increase the membership of the commission from three to five, adding the ranking minority member of the Committee on Public Buildings and Grounds in each body of the Congress. I think there will be no opposition to this matter; and in the interest of dispatch of business, may I give notice that if I can get recognition in the House tomorrow I shall ask unanimous consent for the immediate consideration of the bill. I make this statement at the present time so that those interested may study the measure in the meantime. The bill provides only for an investigation and report by this commission, with no authority to act further.

CONSERVATION OF WILDLIFE RESOURCES

Mr. WARREN. Mr. Speaker, I offer a privileged resolution from the Committee on Accounts and ask for its immediate consideration.

The Clerk read the resolution, as follows:

House Resolution 97

Resolved, That the expenses of conducting the investigation authorized by House Resolution 237 of the Seventy-third Congress, and continued under authority of House Resolution 44 of the Seventy-fourth Congress and House Resolution 11 of the Seventy-fifth Congress, incurred by the special committee appointed to investigate the conservation of the wildlife resources of the United States and related questions, acting as a whole or by subcommittee, not to exceed $7,500, including expenditures for the employment of experts, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman thereof, and approved by the Committee on Accounts.

SEC. 2. That the official committee reporters shall serve said committee at its meetings in the District of Columbia.

Mr. SNELL. Mr. Speaker, may I ask the gentleman a question? As I understand, this simply continues the appropriation and allocation as already made, and there is no new money recommended at the present time?

Mr. WARREN. It allows the gentleman from Virginia, as chairman of the select committee, 3 years to expend $7,500, and this renews it for the same amount.

Mr. SNELL. That is a pretty good record so far.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

ASSISTANT CLERK TO THE COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. WARREN. Mr. Speaker, I offer a privileged resolution from the Committee on Accounts and ask for its immediate consideration.

The Clerk read the resolution, as follows:

House Resolution 108

Resolved, That until otherwise authorized by law there shall be paid out of the contingent fund of the House of Representatives the sum of $1,740 per annum, payable monthly, as compensation for the services of an assistant clerk to the Committee on Merchant Marine and Fisheries, to be appointed by the chairman of the committee; and the sum of $1,740 per annum, payable monthly, as compensation to an assistant clerk to the Committee on Labor, to be appointed by the chairman of the committee.

Mr. SNELL. Mr. Speaker, I take it that probably the members of these committees made a pretty good showing before our Committee on Accounts or they would not have received this allowance. I think where they have a real need they should have it. I know the committee would not have made this recommendation unless it was sure of the need.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

FIRST DEFICIENCY APPROPRIATION ACT

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3587) making deficiency appropriations, with Senate amendments, disagree to the Senate amendments, and request a conference.

The SPEAKER. The gentleman from Texas asks unanimous consent to take from the Speaker's table the bill (H. R. 3587) making deficiency appropriations, with Senate amendments thereto, disagree to the Senate amendments, and request a conference. Is there objection?

There was no objection.

The Chair appointed the following conferees: Mr. BUCHANAN, Mr. TAYLOR of Colorado, Mr. WOODRUM, Mr. TABER, and Mr. BACON.

PERMISSION TO ADDRESS THE HOUSE

Mr. LEWIS of Colorado. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. LEWIS of Colorado. Mr. Speaker, in colloquy yesterday with the gentleman from Massachusetts [Mr. WIGGLESWORTH], reference was made to certain testimony given by Mr. Sidney Morgan, Secretary of the United States Tariff Commission, at the hearings before the Appropriations Committee on the independent offices appropriation bill. I had understood the gentleman from Massachusetts [Mr. WIGGLESWORTH] was going to put this testimony in the RECORD in connection with his remarks. Evidently I misunderstood him, and I ask unanimous consent to insert in the RECORD at this point certain of the testimony of Mr. Morgan in regard to sugar-tariff revenue and importations of sugar from Cuba.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The matter referred to is as follows:

SUGAR REVENUES

Mr. WIGGLESWORTH. Do you know what the reduction in revenue amounts to as the result of the reduction in protection for Cuban sugar under the Cuban treaty?

Mr. MORGAN. Offhand, no, sir. I have seen that figure stated in some publication.

Mr. WIGGLESWORTH. Can you put in the record a statement showing the amount of the reduction in that duty and what that amounts to in terms of revenue to the Treasury?

Mr. MORGAN. I will endeavor to get that for you and insert it in the RECORD.

"SUGAR REVENUES

"The amount of revenue collected in duties on imports of sugar from Cuba during the period of the trade agreement with Cuba compared with the computed revenue for the same period based on the rate of duty in effect immediately preceding the agreement:

	Revenue	
	Aug. 3 to Dec. 31, 1934	Complete calendar year, 1935
Computed duty on basis of rate of duty on Cuban sugar under 1934 Presidential proclamation	$45,765,887	$60,698,730
Computed duty on present rate of duty	27,459,532	36,419,238
Difference	18,306,355	24,279,492

"Under the provisions of the Jones-Costigan Act the Cuban quota on sugar from 1936 was increased by 14.4 percent over that allowed for 1935. Assuming Cuba fills her quota allowance, the computed duties on these imports for 1936 would be as follows:

Revenue	
Computed duty on basis of rate on Cuban sugar under 1934 Presidential proclamation	$69,439,347
Computed duty on present rate	41,663,608
Difference	27,775,739

Mr. WIGGLESWORTH. Do you know whether there has been any reduction in the price to the consumer since that other reduction was made?

Mr. MORGAN. Personally I do not know.

Mr. WIGGLESWORTH. If you can get the information in answer to any of these questions, will you do that?

Mr. MORGAN. I will be very glad to submit answers.

"SUGAR PRICES

"The lowering of the rate of duty on Cuban sugar under the trade agreement probably has had little effect on the wholesale price of sugar or on the price to the consumer in the United States. The provisions of the Jones-Costigan Sugar Act restrict the imports from Cuba as well as shipments from other sources, and this limitation of the total supply to the United States market is, no doubt, the most important factor affecting domestic sugar prices. The Cuban Export Association, the official selling organization of Cuban sugar, sells its quota of sugar in the United States at prevailing prices, and the United States price fluctuates chiefly on the basis of the relation of the total domestic supply available under the quota provisions to the probable domestic consumption of sugar. The following table shows the monthly prices of raw and of refined sugar for the years 1933 to 1936.

Average wholesale sugar prices f. o. b. New York

[Cents per pound]

	Raw sugar				Refined sugar			
	1933	1934	1935	1936	1933	1934	1935	1936
January	2.72	3.20	2.79	3.27	3.86	4.21	4.21	4.61
February	2.74	3.33	2.89	3.35	3.82	4.34	4.21	4.56
March	2.86	3.11	3.03	3.54	4.01	4.41	4.30	4.65
April	3.12	2.78	3.24	3.75	4.21	4.32	4.87	4.91
May	3.31	[1] 2.78	3.28	3.72	4.41	[1] 4.10	5.15	4.90
June	3.39	2.82	3.32	3.75	4.49	4.43	5.15	4.99
July	3.54	3.17	3.25	3.71	4.57	4.66	5.05	4.73
August	3.48	[2] 3.24	3.29	3.68	4.61	[2] 4.66	5.00	4.63
September	3.60	2.88	3.30	3.62	4.57	4.66	5.06	4.61
October	3.35	2.99	3.62	3.39	4.51	4.56	5.19	4.52
November	3.22	2.94	3.42	3.66	4.43	4.45	5.16	4.63
December	3.21	2.95	3.13	.....	4.30	4.28	4.87	.....
Yearly average	3.22	3.01	3.23	.....	4.32	4.42	4.85	.....

[1] Duty on sugar reduced 25 percent under Presidential proclamation effective June 8, 1934. Effective reduction on Cuban sugar was 2 cents to 1½ cents per pound on raw (96°) sugar.

[2] Duty reduced on Cuban sugar under the Cuban trade agreement effective Sept. 3, 1934. The reduction was from 1½ cents to 9/10 cent per pound on raw (96°) sugar.

Source: Compiled from data published by Lamborn & Co.

Average retail price of sugar in 51 large cities as reported by the Bureau of Labor Statistics

[Cents per pound]

Month	1933	1934	1935	1936
January	5.1	5.4	5.4	5.7
February	5.0	5.6	5.4	5.6
March	5.0	5.4	5.4	5.5
April	5.1	5.5	5.5	5.5
May	5.3	5.4	5.7	5.6
June	5.4	5.4	5.7	5.6
July	5.5	5.7	5.8	5.7
August	5.7	5.7	5.8	5.7
September	5.7	5.7	5.8	5.6
October	5.7	5.7	5.9	5.6
November	5.6	5.6	5.9	.....
December	5.5	5.5	5.8	.....
Annual average	5.4	5.6	5.7	.....

Mr. FITZPATRICK. Assuming that there was a reduction in the amount of money paid into the United States Treasury from duties on sugar coming from Cuba, we must, must we not, take into consideration the fact that we sent millions of dollars' worth of products to Cuba from this country and those two amounts might balance each other, might they not?

Mr. MORGAN. These things are getting into a rather technical economic atmosphere.

Mr. FITZPATRICK. Is not that true, that one amount would balance the other?

Mr. MORGAN. I think there is some element of correctness in that statement.

Mr. FITZPATRICK. If you could also furnish the figures showing what we have shipped into Cuba, and the value of it, under the agreement, that would be very helpful.

Mr. MORGAN. You mean the figures showing the increase in trade under the agreement?

Mr. FITZPATRICK. Yes.

Mr. MORGAN. I think we could get that for you.

Trade of the United States with Cuba for calendar years 1929, 1931 to 1935, inclusive

Period	Domestic exports, including reexports	General imports	Excess of imports
1929	$128,909,221	$207,421,314	$78,512,093
1931	46,963,702	90,059,312	43,095,610
1932	28,764,509	58,330,270	29,575,761
1933	25,092,862	58,497,548	33,404,686
1934 [1]	45,323,374	78,928,916	33,605,542
1935	60,138,985	104,638,523	44,499,588

[1] Trade agreement with Cuba effective Sept. 3, 1934.

Source: Commerce and Navigation of the United States, 1929-35; and Monthly Summary of Foreign Commerce for December 1935.

Mr. WIGGLESWORTH. Have you a list of the principal importers of sugar from Cuba?

Mr. MORGAN. I think we have.

Mr. WIGGLESWORTH. Will you furnish such a list as you may have in that connection?

Mr. MORGAN. For the RECORD?

Mr. WIGGLESWORTH. Yes; for the RECORD.

Mr. MORGAN. Yes, sir.

(The statement above referred to is as follows:)

"SUGAR IMPORTERS

"The principal importers of raw sugar from Cuba are the United States refiners. The most important refiners are: The American Sugar Refining Co., New York City; the National Sugar Refining Co., New York City; Arbuckle Bros., New York City; Pennsylvania Sugar Co., Philadelphia, Pa.; Revere Sugar Refineries, Boston, Mass.; Savannah Sugar Refinery, Savannah, Ga.

"Importers of refined sugar from Cuba: Hershey Co., Hershey, Pa., and Lamborn & Co., New York City."

CHAIRMAN JOINT COMMITTEE ON PRINTING

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, yesterday was a red-letter day for the House of Representatives for honors. The Joint Committee on Printing, of which I have the honor to be a member, for the first time in the history of this Nation elected the gentleman from Thomasville, N. C., the ex-mayor of that town and one of our colleagues, WALTER LAMBETH, chairman of the Joint Committee on Printing. [Applause.]

WALTER LAMBETH is one of the finest men we have in the House of Representatives. He is honest, conscientious, and hard working, and I predict for him as chairman of the Joint Committee on Printing one of the best reigns as any chairman who has ever had that committee assignment, and I am sure you will be proud of the work he will do as chairman of the Joint Committee on Printing. The House of Representatives has honored him, and he in turn will be a great honor to the House of Representatives.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from New York.

Mr. O'CONNOR of New York. If I understand the gentleman correctly, this is the first time in the history of Congress that a Member of the House has been elected chairman of that committee?

Mr. RICH. This is the first time in the history of the Nation that a Member of the House of Representatives has had that honor. [Applause.]

AUTOMOBILE INDUSTRY STRIKES

The SPEAKER. The unfinished business is the report of the Committee on Labor, pending when the House adjourned yesterday, on House Resolution 96.

Mr. CONNERY. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, this resolution (a resolution requesting certain information from the Secretary of Labor with reference to the strike at Flint, Mich.) was offered for the purpose of obtaining information and not for the purpose of obtaining an investigation.

The resolution was offered in an effort to obtain from the Department of Labor, whose Secretary has had representatives in the strike area almost from its inception, facts which would enable the Congress to determine for itself whether this strike was a strike of, by, and for the workers, or a strike

incited by outsiders for some purpose other than the good of the workers, or whether the strike appeared at this particular time because of other conditions.

A disclosure as to the number of sit-down strikers who were, or who were not, employees of the company, of the number of pickets who were employees of the company, of the number of pickets who were not employees, of the number of strikers, of sit-downers, and of pickets who came from other States to take part in the strike or in demonstrations connected with it, would have at least some tendency to show whether the strike was the result of a disagreement between the employees and the employer, or whether it was a fight between labor organizations or was brought about by some other extraneous cause.

Such disclosure would throw some light on the question of whether this strike is an implement by and through which the C. I. O. expects to throttle the American Federation of Labor; whether it is a strike to guarantee to the laborer the right to work, to add to his personal right to work his property right to a job, or whether it is a fight to enable the minority, or even the majority, if it be a majority, to deprive the individual laborer of his right to sell his labor in the open market and to establish a dictator over labor.

Opposing this resolution, in her letter to the committee, Madam Secretary, after referring to the lack of power in her Department to compel the giving of sworn testimony, said:

> Consequently, any information which I could give would simply be based on hearsay, which, as you can readily see, would be biased.

In view of the fact that she has had observers upon the ground, that they are undoubtedly trained and skilled observers, it is more than remarkable that the information which she possesses or could obtain would be biased and unreliable.

She further states that the Department of Labor—

> Is in no position to secure information on the number of sit-down strikers and pickets at any of the plants. This information can be secured only if the union saw fit to make such data public.

This statement is absurd on the face of it. Her observers certainly can count and assuredly they must know the difference between a sit-down striker and a picket, and also between a picket and an innocent bystander. Nor is there any reason to believe that either the union or General Motors would refuse to give her this information did she request it in her official capacity; certainly not if she made it clear that she was acting for the President, as the President on at least one occasion in this controversy said she was acting.

Her statement—

> That this resolution tends to be one-sided since it proposes an investigation into union activities by asking about the relative membership in certain labor organizations and asking for no information about the activities of employers—

Is merely an excuse, not a reason, for denying a disclosure of the facts.

In the first place, the resolution does not ask for an investigation. It asks for information already obtained and I offered to have the resolution include a disclosure of any activities on the part of any employer.

Moreover, the Senate Civil Liberties Committee is now, and for some time past has been, making an investigation into the activities of the employers, and it is understood that, on February 8, officials of General Motors will appear before that investigating body.

It is encouraging to note the statement in her letter that—

> Neither the Secretary nor the Department of Labor have any jurisdiction to pass upon the legality of either picketing or the sit-down strike.

Newspaper reports would indicate that the Secretary has some very decided views as to the legality of the strikers' position.

A few days ago I called attention to the fact that hundreds of armed men had marched into Michigan from other States with the determination to close, and keep closed, these factories of Michigan, in which the vast majority of the workers have no quarrel with their employers.

The morning papers disclose that thousands, instead of hundreds, of such men are now in Michigan for the accomplishment of this purpose. The situation, instead of improving, has gradually grown worse, in that each side, had it been so inclined, had opportunity to increase the number of its fighters and the improvement of their armament.

Whatever the situation may have been, or may be, elsewhere, the evidence is conclusive that neither in Flint nor in Detroit has the motor industry brought in any considerable number of armed or unarmed outside men prepared to defend their property. Equally conclusive is it that the C. I. O. has followed a directly opposite course and that it has made preparations for a pitched battle.

After the question of the right to occupy these plants had been decided adversely by the circuit court, the sit-down strikers, in telegrams to the Governor, announced their intention of holding possession, this in defiance of the law.

The Governor says there must be no bloodshed, no violence. In substance and in effect, this means that the right to work, recognized by all, is forcibly denied a large percentage of the population of the city.

It further means that the Governor will not enforce the law. If the Governor said, and means what he is quoted as saying—that is, that troops would not be used to enforce the court's order—then the result is that, in Michigan, insofar as the Governor is concerned, neither the right of property nor the personal right to work will be protected by the State's chief executive officer.

This is anarchy; this is rebellion. It is receiving the tacit support, as effective in this case as active assistance, of the Federal and the State Governments.

Of what practical value is the oath to support the Constitution of either State or Nation if, by force and arms, the citizen may be deprived, first, of his property; second, of his right to work; and, last, of his means to support himself and his family; and the executive department of the two governments, by their actions, as they do in this case, sanction such procedure?

My only request is that, before a like condition comes to you and to your people, you give this situation a little thought—thought free from any political consideration—and then determine whether we are fulfilling our duty if we sit idly by until this rebellion covers the whole country.

I have called the situation to your attention. I have tried to induce action. The responsibility is yours as well as mine.

Mr. Speaker, I yield back the balance of my time.

Mr. CONNERY. Mr. Speaker, I yield 18 minutes to the gentleman from New York [Mr. REED.]

Mr. REED of New York. Mr. Speaker, I am not standing before you and addressing you in the capacity of Members of the House of Representatives. I want to talk to you individually for a few minutes.

Ever since this sit-down strike in the city of Flint occurred I have been waiting for somebody who knows something about that city and its people to take the floor and, in justice to the city, enlighten the Members with respect to the character of the people there.

Mr. Speaker, I want to give you a little picture of the type of people who live in the city of Flint and relate something about its development, so that you may judge the difficulty in which the people now find themselves.

At one time, like many other cities in that part of Michigan, the chief manufacturing of this city was wagons and buggies, but there came a time when there was an invention which we referred to then as the horseless carriage, and a plant was started as an infant industry in the city of Flint. As the horseless carriage became popular, the city grew by leaps and bounds. First, it was a small town of 15,000 people. Civic improvements could not keep pace with the city's industrial growth. The streets were unpaved and did not meet the needs of a growing city. The schools became inadequate. There were not sufficient park and recreational facilities. Men came from every part of the United States to this little growing town; they were anxious to work there and get the high wages paid. Workers even set up

tents and lived in them until they could build some kind of structure to accomodate their families. The city grew from 15,000 to 25,000, 50,000, 75,000, 100,000, and 150,000.

The citizens were determined to have a real city and to achieve this end they decided to work together. So all classes of people, men, women, labor, industrialists, professional men, and merchants joined hands in 1916 and determined to make Flint a well-rounded, planned city. Laborers by the thousand joined the forces of the other citizens to improve and beautify Flint.

The citizens of the town met frequently. They met in church and in factory and everywhere to see what they could do to build up a beautiful, happy, and contented community. I question whether any city in this country has ever shown such a spirit of cooperation as was manifested there. Every person who had a suggestion to improve the city was listened to with eagerness by the other citizens of the community.

I recall that on one occasion a young man who was an employee in the Dort automobile plant approached some of the industrialists and said, "There is an old city dump here that is infested, unsightly, and a menace to public health. It has been used for the dumping of garbage and we who labor have to walk by it every day, and our wives wheel their babies by it, and it ought to be eliminated." They said, "What can we do about it?" and he replied, "First, we ought to clean it out and then build a stadium there where all the people of the city can meet." Businessmen went down with this young man and looked at the site.

There were eight houses on part of the land which it would be necessary to acquire if they were going to have a stadium. These men, upon the suggestion of this boy, obtained these eight houses and the land on which they stood for $18,000 and paid for it. They bought the old dump or gravel pit for $5,000 and also acquired an island in the river just opposite the stadium site. Then they said to the young man, "What do you suggest next?" He said, "Well, if the people were so careless as to make of this place a city dump on which to deposit the refuse of the city, it would be an excellent civic lesson if they had to shovel it out." They said, "All right, what is your next move?" He said, "We can organize and have a field day and have everybody work." He organized a field day and at 7 o'clock one morning 5,000 people, including the workers in the factories, were there with their shovels and spades and truck. They labored diligently all day. When night came they had cleaned out the debris; and, today, there now stands in the city of Flint, one of the finest stadiums to be found west of Harvard University. The people of the community have met there from time to time throughout the years to enjoy public functions.

A survey revealed a very large number of deaths of women in childbirth. To meet this problem a maternity hospital was proposed. The citizens went out on the street and canvassed for a fund to provide a hospital. While the deaths in maternity cases had formerly been very large, after the hospital had been in operation for 2 years, 2,000 cases were handled, and of this number only 2 of the mothers lost their lives.

The citizens wanted to raise funds for the Boy Scouts. Men and women canvassed the city for funds, and in 14 hours raised $100,000 in cash. I remember when they met and made a report. A laboring man came in with a canvas bag, and he said, "You are not playing fair. You did not ask us to contribute. We have boys. I have here $5,000 in this canvas bag which the workmen in the Buick factory have contributed."

The citizens built a million-dollar high school and two junior-high schools, each costing a million dollars. The son of a laboring man can get 2 years' college work in the high school and then enter the University of Michigan, receiving credit to apply on his university course.

Cooperation has made Flint a model city. Model workmen's homes have been built. They did not come to the Federal Government for aid. The city and the industries built the workmen's homes, the roof surface of which covers an area of 42 acres.

Everything was perfect contentment in the city of Flint and the citizens were proud of their city. Other cities sent commissions to Flint to find out how the citizens had developed such a city.

These commissioners went away inspired with what they had seen. The factories paid the highest wages of any city in the world. Labor was happy and contented.

In December I talked with a young farmer boy from my district who is now employed in an automobile plant in Flint. I said, "Son, how much are you paid?" He said, "Ten dollars a day." I said, "Is everything pleasant?" He said, "Yes; everything is fine."

When the depression came the Flint industries were the ones that had the courage to face the future, to help this country fight its way out of the depression.

What has happened in recent weeks to disturb the peace, quiet, and contentment in the city of Flint? The most un-American thing that has ever happened in America has occurred in Flint. A group of outside disturbers came into Flint and by their tactics soon had that city in a perfect turmoil. It is now an armed camp. Windows were smashed, property destroyed, people injured, and men willing to work were prevented from doing so. These disturbers were outsiders who came there to rule or ruin. I repeat that the sit-down strike is un-American and violates every principle of personal liberty.

Mr. Speaker, what has already happened in Flint can be reenacted in every community in the United States if this malignant disease fastens itself upon our body politic as a general coercive practice. It may not be long before gentlemen of this House will be here appealing to Congress for relief in the interest of their respective communities suffering from violence and disorder because of a sit-down strike. I have this criticism to offer to the action taken on the resolution of inquiry. This sit-down strike is serious. Last year there was appropriated $21,000,000 for the Labor Department. This year the Secretary of Labor will ask for $24,000,000. When Congress asks information from a Cabinet officer, supported by the money of the taxpayers, I say it is the duty of that department, when called upon by Congress, not only to have the information but to lay that information before the Congress so that the Congress can meet a situation such as I have described. The Congress is entitled to the official facts upon which to act. [Applause.]

Mr. CONNERY. Mr. Speaker, first of all I want to make it very plain to the House that to the best of my knowledge—and I know that I am speaking personally, but I think I speak for every member of the committee—not one of the members of the Committee on Labor endorses sit-down strikes. [Applause.] We do not believe that any man has a right to go on the property of another and then cease work, and say "I am going to sit in this plant and not work", that plant being the property of another. [Applause.] The report of the committee reporting this resolution was unanimous. There is no partisanship in it whatever. The committee felt that if we reported this resolution favorably it would be putting the Secretary of Labor in the position of being a partisan, because everything in the resolution requested information about the strikers, about the sit-down strikers, the pickets, all about the workers, and nothing was asked relative to the attitude and activities of the management. Certainly, that would put the Secretary of Labor in the position of being a partisan, and, the Secretary of Labor under the law of the United States is supposed to be a mediator, a conciliator. With the industrial situation as it is today—you have only to read the newspapers to realize the seriousness of conditions, and it will not be helpful in the settlement of strikes for the House to interfere without full knowledge of all the facts before it. We are hopeful that there will soon be a constructive settlement of the pending strike. A resolution now before us, if reported favorably at this time, would only serve to muddy the waters and interfere with the Department of Labor in its efforts to reach a peaceful solution of this strike. That is why the committee, by a unanimous vote—Democrats, Republicans, and Progressives—voted to report the resolution adversely.

Mr. BOILEAU. Mr. Speaker, will the gentleman yield?

Mr. CONNERY. Yes.

Mr. BOILEAU. The gentleman stated that his committee is not in favor of sit-down strikes. I do not think the gentleman wants to give the House or the country the impression that in reference to this particular controversy the gentleman's committee has made any investigation or study of the facts and circumstances surrounding the strike. I do not believe the gentleman wants to give the House the impression that the strikers are at fault.

Mr. CONNERY. We have not gone into the merits of this case. It was not the function of the committee to pass on this trouble. The committee did not consider the matter of this sit-down strike. I want the House to know that while the Committee on Labor is not in favor of sit-down strikes, it is in favor of collective bargaining and the right of the worker to strike to enforce his economic demands.

Mr. BOILEAU. The Committee on Labor has not taken any position on this?

Mr. CONNERY. No; not on the strike situation itself. We have reported this resolution adversely because it would make the Secretary of Labor seem partisan, and that we do not want to do.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. CONNERY. Yes.

Mr. RICH. Is the gentleman's committee doing anything to try to correct the evil going on in the city of Flint? What is the Labor Committee doing to prohibit the strike that is going on there at the present time?

Mr. CONNERY. It is not the function of the Committee on Labor to do anything about any industrial trouble until such trouble is referred to our committee by the House.

Mr. RICH. Is the gentleman's committee trying to do anything to stop these many strikes in our country?

Mr. CONNERY. The Committee on Labor has worked unceasingly for legislation that would bring about industrial peace, and the committee is at the service of labor and the American people to do anything through legislation which will eliminate the conditions which result in industrial strife.

Mr. RICH. Will the gentleman's committee make a study as to what should be done to correct that situation?

Mr. CONNERY. Our committee is considering labor matters day after day, and we will have plenty of suggestions later in the session to offer to this House.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. CONNERY. Yes.

Mr. HOFFMAN. The gentleman said that the resolution calls for information as to the activities of one group. Is it not true that the Civil Liberties Committee has been investigating for weeks the activities of industrialists, and is it not true that the General Motors officials are to appear here on February 8 before that committee?

Mr. CONNERY. That may be true; but the gentleman's resolution did not speak about the General Motors or anything else concerning the activities of the management. It referred only to the workers in the automobile industry, and the committee felt that a favorable report would put the Secretary of Labor in a partisan position.

Mr. HOFFMAN. Did not the gentleman think I had a right to rely upon the presumption that the Senate committee would get the information?

Mr. CONNERY. No. I think this House should stand on its own feet without regard to the body at the other end of the Capitol.

Mr. Speaker, I move to lay the resolution on the table.

The motion was agreed to.

FOREIGN-TRADE AGREEMENTS

Mr. DOUGHTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 96, to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended; and, pending that motion, I ask unanimous consent that there may be 10 hours' general debate, confined to the bill, one-half to be controlled by the gentleman from Massachusetts [Mr. TREADWAY] and one-half by myself.

The SPEAKER. The gentleman from North Carolina moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 96, and, pending that motion, asks unanimous consent that there be 10 hours' general debate upon the resolution, to be confined to the resolution, one-half to be controlled by himself and one-half by the gentleman from Massachusetts [Mr. TREADWAY]. Is there objection to the request of the gentleman from North Carolina?

Mr. TREADWAY. Mr. Speaker, reserving the right to object, and I do not intend to do so, I simply want to say that the chairman has been very courteous in arranging for a division of time. The minority asked for a longer time for general debate, but that request not being granted, of course, I am perfectly agreeable to the arrangement suggested by the gentleman from North Carolina, and am willing to withdraw my reservation of objection.

Mr. SNELL. Mr. Speaker, reserving the right to object, in order to ask a question, I understood from the statement made by the majority leader yesterday that it is the intention to conclude this debate before the House adjourns tomorrow night, and then consideration of the resolution will be resumed on next Tuesday, but it will not come up on Monday?

Mr. DOUGHTON. That is my understanding.

Mr. SNELL. I think the House ought to know that.

Mr. DOUGHTON. I would like to state, in response to the statement made by the gentleman from Massachusetts [Mr. TREADWAY] about the minority desiring further time, he and I do not have the same understanding about that. I suggested 8 hours. The gentleman from Massachusetts suggested 10 hours, and we consented to his suggestion. I understood it was perfectly satisfactory and that was all the time they wanted. That is my understanding.

Mr. TREADWAY. Let me add this one statement, Mr. Speaker: There is no intention of reducing the 10 hours' time by adjourning earlier tomorrow night before the completion of the 10 hours' debate?

Mr. DOUGHTON. Oh, we hope to get through tomorrow night. We can run until midnight, as far as I am concerned, if it is necessary.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from North Carolina.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 96, with Mr. MEAD in the chair.

The Clerk read the title of the House joint resolution.

The CHAIRMAN. Without objection, the first reading of the resolution will be dispensed with.

There was no objection.

Mr. DOUGHTON. Mr. Chairman, I yield myself 1 hour, or as much of that time as may be necessary to complete my statement.

Mr. Chairman, nearly 3 years ago I introduced in this body the reciprocal-tariff bill sponsored by the Roosevelt administration. That bill was passed by the House, and finally became law on June 12, 1934. The immediate purpose of that law was the expansion or recovery of foreign markets for the products of United States industry and agriculture. Naturally, this carried with it the implication that we would in turn reduce some barriers in order to increase trade in both directions. The increase in foreign trade was one of the means by which the administration has raised the standard of living, has increased employment, and has expanded the general purchasing power.

It will be remembered that at the time this bill was originally introduced, world trade had declined with striking rapidity, and the foreign trade of the United States had decreased even more rapidly than that of the other principal commercial countries of the world, or from a share of about 14 to less than 10 percent of the world trade. Total trade of

the United States declined from more than $9,500,000,000 to less than $3,000,000,000 in 1932, or a decrease of about 70 percent.

So that evidences ample reason why it was necessary that something should be done with respect to restoration of our foreign trade, in order that recovery might be brought about.

I summarized the objectives of the original measure on March 23, 1934, as follows:

1. To round out the recovery program. This act merely gives the President the authority in foreign trade which the Congress had already vested in him in domestic commerce and trade. The recovery program cannot be fully effective without the execution of the authority granted to the President in the Trade Agreements Act.

2. To reopen the markets of the world to the products of American farms and factories, or otherwise face the prospect of adopting as permanent the policy of curtailing acreage and of reducing manufacturing capacity in many of our most efficient industries.

3. To exchange the surpluses which we have built up for surpluses which other countries have accumulated of commmodities which we do not produce in sufficient quantity to keep our industries going. Until channels of trade are developed so that these surpluses can move, normal recovery in America cannot take place.

4. To plan our commerce and industry so as to direct our labor and resources into the most profitable channels conducive to American standards of living and efficient and effective production.

5. To provide for the intelligent and enlightened application of the protective principle whereby the maximum opportunity of employment and production may be assured to our industries, large and small alike, as well as to agriculture.

In that connection I would like to read for the information of the House and for the edification of my friends on the minority side a statement contained in the Christian Science Monitor under date of January 13, 1937, and it should be good authority:

Farm report shows profit for first time in 12 years.
Farmers get more, pay less.
Price advance for agricultural products aids its victory. Two-point margin is established. Current farm prices highest since 1930.

Does that substantiate the contention of the opponents of this bill, that there has been nothing taking place under this administration which has been helpful to agriculture?

WASHINGTON, January 30.—For the first time since November 1925 the prices farmers receive have risen above the prices farmers pay. The increase, announced by the Department of Agriculture, was recorded for the month ending January 15. That date, therefore, becomes a turning point in post-depression history.

That should be very interesting to those who are interested in the welfare of agriculture.

For 4 years the Roosevelt administration has avowedly been striving toward this goal. Many and many a time, President Roosevelt has described in public speeches and at his press conference the narrowing gap between the two curves; the ascending curve of farm income, the sometimes descending curve of farm obligations.

Actually, the ascending curve of farm income has taken on a sensational spurt in the last 2 months, and passed an also rising curve of prices for the things farmers have to buy. The general index of prices paid by farmers stood at 128 in mid-January, the same as in December and six points above a year ago.

That shows the condition of the farmer under reciprocity as well as under other policies.

6. To provide for mitigation of those irritating restrictions contained in the Hawley-Smoot-Grundy Tariff Act which have antagonized the rest of the world to our serious injury.

7. To support the President in the only effective method for meeting the current international trade situation. Almost all of the nations of the earth have granted their executives authority similar to that granted the Executive of the United States. Only through reciprocity agreements can America participate in the commercial negotiations for the benefit of American agriculture and industry.

8. To rejuvenate world trade which will increase the purchasing power of foreign countries as well as our own people and thereby provide greater opportunity for the sale of American agricultural and industrial products.

For the most part these objectives are as sound today as they were when first propounded, and I recommend them for your consideration, in connection with the extension of the act.

As the President pointed out in his message to the Congress of March 2, 1934, in asking for authority to negotiate trade agreements, the loss of trade meant idle hands, still machinery, ships tied up to their docks, despairing farm households and hungry industrial families. I add that we were going through the worst epidemic of bank failures the country had ever known. Happily, these conditions have been greatly improved. We have seen our banking institutions placed on a sound and substantial foundation. We note that the prices of agricultural commodities have steadily increased and that agriculture is practically on a parity basis with other industries.

We have seen our industries resume production of the articles and commodities to which our own people and the people of the world have been accustomed. We have witnessed a steadily mounting increase in the purchasing power of the people through increased employment month by month and year by year.

The total national income of the United States has increased from $39,545,000,000 in 1932 to $60,000,000,000 in 1936. Gross farm income increased from $5,337,000,000 in 1932 to $9,530,000,000 in 1936. The foreign trade of the United States has increased from $2,934,000,000 to $4,872,000,000 between the respective years. With these notable gains in all phases of our economic system it should not be concluded that the task has been completed. In spite of the considerable improvement from the low levels of the depression, foreign trade lags behind general recovery.

This lack of complete recovery in foreign trade is not at all strange. The President realized that complete restoration of foreign trade would be a time-consuming procedure because so much ground was lost during the depths of the depression. He spoke the language of a prophet when he commented upon the procedure which he proposed to follow, with the authorization of the power granted in the act. He then said in part:

I would emphasize that quick results are not to be expected. The successful building of trade without injury to American producers depends upon a cautious and gradual evolution of plans.

Notice how cautious he proposed to be:

We must depend upon a cautious and gradual evolution of the plan.

The charge cannot be substantiated that there has been reckless or undue haste. The President said in the beginning that we must depend upon cautious procedure in order that American agriculture and American industry might be properly safeguarded.

The disposition of other countries to grant an improved place to American products should be carefully sounded and considered; upon the attitude of each must somewhat depend our future course of action. With countries which are unwilling to abandon purely restrictive national programs, or to make concessions toward the reestablishment of international trade, no headway will be possible.

In other words, with those nations which are not willing to lower their tariff walls and restrictions, it would be impossible and a useless waste of time to endeavor to negotiate trade agreements.

The exercise of the authority which I propose must be carefully weighed in the light of the latest information so as to give assurance that no sound and important American interest will be injuriously disturbed. * * *

Inasmuch as there is considerable recovery ground to be regained, the mechanism or procedure under which we have accomplished so much ought to be continued without interruption. In asking the House to consider the extension of the Trade Agreements Act there is no question as to whether or not this should be done; rather I take it that this is the occasion to give an accounting of the past 2½ years of the program under the act. In this connection I wish to call your attention to the fact that a considerable part of the emergency legislation for overcoming the worst economic depression this country has ever experienced has been extended during the present session of Congress. I refer to the extension of such acts as the Recontruction Finance Corporation, strictly a domestic measure, and the extension of the Gold Devaluation Act on the international side. In a recent letter to me regarding the extension of the Trade Agreements Act the President noted that the present act expires on June

12, 1937, and indicated, in a general way, the progress which had been made under the authority granted to him on June 12, 1934, as follows:

Through the exercise of that authority, foreign trade agreements have been concluded with 15 nations. Improved opportunities for our trade have been secured in such important markets as those of Canada, Cuba, Brazil, France, Belgium, the Netherlands, Switzerland, and Sweden. Through our policy of demanding and granting equality of treatment we have obtained removal of discriminations where they existed in the trade-agreement countries and guaranties of equal treatment in the future. At the same time our policy has served to reduce discriminatory practices in many other countries. * * *

In other words, it has been a good example, a splendid lesson, which other countries have emulated. I refer to the things we have accomplished in the case of those nations with which we have negotiated trade agreements.

Although the President pointed out in that letter that substantial and gratifying results had been accomplished by the trade-agreements program, he stated that the task was by no means complete. He stressed that emergency conditions still existed in the field of foreign trade, that barriers operating against our trade were still excessive in other countries, and that the reduction of such barriers continued to be an essential requirement for "full and balanced economic recovery." That is what we now desire most. The extension of this law will be an important step in that direction.

There is one phase of this measure which was not stressed at the time the bill was originally passed. The Secretary of State, who has a great responsibility in carrying on peaceful relations with the world emphasized this phase of the program before our committee.

I have recently received, and I suppose each Member of the House received, a letter from the National Peace Conference, signed by 1,000 leaders throughout the country, strongly recommending that the Trade Agreements Act be extended.

The President in his recent letter to me touched upon the relationship of the program to world peace in the following language:

The development of liberalized trade practices has another effect which transcends in importance even the material benefits conferred by trade improvement. Economic strife, resulting from inordinate or discriminatory trade barriers, is one of the most fruitful sources of political animosity and military conflict. A policy designed to reduce excessive trade barriers and to establish equality of trade rights is a powerful instrument of economic appeasement and stability. It thus serves to strengthen the foundations of world peace.

SECTION 11—RESULTS OF THE PROGRAM

No one claims that all trade gains between the United States and foreign countries in the last 2 years have been the result of trade agreements; other phases of the recovery program of the Roosevelt administration have contributed to these gains. Some of it has undoubtedly been brought about as a result of the trade-agreements program. I desire to submit some figures on trade between the United States and the countries with which agreements have been negotiated, but I do not intend to go into any considerable detail in my remarks. Anyone wishing details may obtain them from the Departments of State, Commerce, Agriculture, and the Tariff Commission. Many details may also be found in the testimony of the hearings before the committee and in the committee report.

If you are not satisfied with the merits of the proposed legislation extending the Reciprocal Trade Agreements Act, but desire full information and will take the time, read the hearings before our committee carefully and then read the majority committee report, and I think you will then be fully satisfied that there is every reason why this proposed bill should be enacted.

I wish to comment briefly on the trade with Cuba, because this agreement has been in effect the longest period—over 2½ years. There have been consistent gains in the trade between Cuba and the United States since the agreement went into effect. From September 1933 through August 1934 the preagreement year, exports to that country were $35,452,000. During the first agreement year, September 1934 through August 1935, exports to Cuba from the United States had increased to $56,296,000, and in the second agreement year, September 1935 through August 1936, this had increased to $64,196,000. Our opponents appear unmindful of the substantial increase in exports to Cuba since the agreement went into effect, but have taken every occasion to publicize the increases in imports from Cuba which have necessarily accompanied our increase in exports to Cuba. The purpose of the program was to increase trade, and it is axiomatic that to accomplish an increase in exports we must expect some increase in imports, too.

In other words, in the case of those countries with which we have negotiated trade agreements there has been a stimulation, an increase, of both exports and imports to a larger degree than is the case with those countries with which we have not negotiated trade agreements. It should not be forgotten, furthermore, that there have always been large importations of sugar.

Our opponents complain in the minority report, and so expressed themselves in the hearings, that the increase in imports was larger than the increase in exports. That is a matter of no serious consequence, so we increase our imports of those things which we lack—sugar, rubber, and things that are needed by our citizens in their domestic and industrial life which they can get only through importation. The increase in imports has been chiefly in coffee, rubber, sugar, and those things, none of which we produce in sufficient quantities to meet the demands of the American people.

Mr. KERR. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. KERR. An increase of exports enables this country to control the balance of trade. It would not be so if the imports exceeded the exports, would it?

Mr. DOUGHTON. That is true, of course. In order for any trade to be mutually profitable, beneficial, and helpful, its benefits must extend in both directions. A treaty which benefited but one of the parties to the transaction and was injurious to the other should not, of course, be consummated. I take it that we all realize that those who have been charged with the administration of this law—the President of the United States, the Secretary of State with his intelligent staff, Secretary of Agriculture, Secretary of Commerce, the Tariff Commission, the Treasury Department, all taking a part in the consideration and negotiation of these trade agreements—have sufficient patriotism, sufficient intelligence, and sufficient detailed facts and information to take care of the interests of the people of the United States. No one can state that they have not done this and support his statement by facts.

Furthermore, it should not be forgotten that there have always been large importations of sugar; and apparently no one appeared before our committee contending that the sugar interests of this country had been injured by this program, that they had suffered any injury. They would, of course, have appeared before our committee and made protests had they been injured; but no one representing the sugar interests of the country appeared to offer a word, a line, or a sentence of testimony that they had been injured in any way by these reciprocal trade agreements and by the large importations of sugar which have come into this country to supply the needs of American domestic consumption.

There have always been large importations of sugar and other tropical products from Cuba, because we cannot, under any reasonable circumstances, produce enough for our own consumption. The reduction in the sugar duty was related to the Jones-Costigan Act, under which domestic producers have apparently prospered. It is worth noting that no one representing the sugar producers appeared before the committee protesting against the extension of this act.

Exports to Canada for the first agreement year increased by about $50,000,000. This increase includes agricultural products—pork, lard, fruits—as well as products of industry. Here, too, we have heard much of the increase in imports. The air has been filled with exaggerations, but there is no positive evidence of serious injury to domestic agriculture and industry.

The studies which have been made show that the increases in trade of commodities on which tariff concessions have been granted have been greater than on nonconcession items.

And it is to be remembered that in the agreements thus far negotiated are some of the most important customers of the United States, as well as some of the most important suppliers of raw materials necessary for our domestic industries. Canada occupies first place as a supplier and is second only to the United Kingdom as a market for our products.

A number of witnesses before the committee represented specialized branches of agriculture. I was very much interested in some of their contentions regarding the effect of agreements on specific agricultural products. A careful examination of the facts, however, fails to disclose that trade agreements have substantially injured any particular branch of agriculture or industry. The testimony before the committee clearly shows that witnesses—and the number appearing against the extension of the act was surprisingly small—were more concerned over what might happen in the future to certain branches of agriculture.

There was no evidence before our committee. Some did appear in opposition to the resolution, but their contention was an apprehension that in the future, peradventure, some injury might be done some legitimate American industry, either agriculture or industry.

The studies which have been made show an increase of trade on those commodities on which tariff concessions have been granted.

There was no complaint whatever that agriculture as a whole had been injured. On the other hand, the evidence tended to show conclusively that agriculture as a whole had been greatly benefited; but certain branches claimed not so much that any damage or injury had come to them as an apprehension that in the future perhaps some serious injury might be done. That was the main contention of those who opposed the reciprocity program and who asked for certain amendments to the resolution.

A careful examination of the facts, however, fails to disclose that the trade agreements have substantially injured any particular branch of American agriculture or industry. On the other hand, it was generally admitted that every branch of agriculture was selling more produce today, at better prices and under better economic conditions, than before the trade-agreement program was initiated.

Concessions have been obtained on agricultural products in every one of the 15 trade agreements thus far concluded. For example, the report of the committee shows that concessions on pork products have been obtained in nine of the agreements.

In other words, nine countries have lowered their tariff walls against pork, which is, of course, one of our export products, as everyone should know. Concessions of importance have been received on scores of other agricultural products, such as citrus fruits, apples and pears, potatoes, tomatoes, wheat and wheat flour, rice, canned fruits and vegetables, tobacco, and other agricultural products. We have heard a lot about alleged injury which Florida vegetable growers had suffered as a result of the Cuban agreement. On the other hand, one opposition witness stated:

> There has also been the beneficial effect on Florida vegetables and California citrus fruits.

The opponents do not seem to get together.

An examination of the trade with the 15 countries with which agreements have been concluded reveals that concessions have been obtained on farm products representing nearly two-thirds of our normal exports to these countries. About one-third of our total farm exports to these countries has received the benefits of tariff reduction, ranging from nominal decreases up to 50 and 60 percent, and in a few instances resulting in complete removal of duties, liberalization of import quotas, and other barriers, all of which make it easier to enter those markets than it was before. The other third consists of products for which we have obtained bindings of existing free entry or favorable treatment against increases in rates.

Agricultural exports to a number of agreement countries have expanded as a direct result of such concessions. There have been striking increases in shipments for a wide range of agricultural products to agreement countries on which concessions have been obtained, including fruits and vegetables, pork products and lard, and on various grains and grain products.

The witnesses in opposition did not seem to be in accord, but stated that the producers of Florida vegetables had been benefited rather than injured by this reciprocal trade agreement program. The opposition does not seem to be together on this subject.

In some instances the increases in exports have taken place in spite of marked shortages of supplies resulting from the droughts of 1934 and 1936.

As a result of the droughts in 1934 and 1935, in some lines of agriculture there was not the normal surplus that usually occurs; therefore there was not the amount of exports there would have been had production been normal. In some instances farmers have not been able to take full advantage of all of the concessions obtained for their benefit. When agricultural conditions return to normal these potential benefits may be taken advantage of by American agriculture.

Studies show that, in general, the items on which reductions in duty have been obtained are leading the way for recovery of foreign trade. Of course, opponents can and will find exceptions to this statement. They will quote the increases in imports of agricultural products; they do not draw any distinction between raw materials, such as crude rubber, raw silk, cocoa beans, and other products not produced in the United States and which enter free of duty, and competitive items.

There have been large increases in the imports of those commodities not produced in the United States, but of which we are consumers and therefore necessary to maintain a proper standard of living for the American people.

Some have gone so far in their efforts to mislead as to classify lumber, paper, and pulpwood as agricultural products. In their generated fears for agriculture, opponents of expanded foreign trade do not mention that 40 to 50 percent of such imports are noncompetitive with domestic agriculture. Many of the largest items of imports of raw materials are responsible for keeping our industrial machinery in operation and give employment to many American workers. The whole truth ought to be told about the so-called agricultural imports. The imports of raw materials in greater quantities is one of the best evidences that our industries are getting back to normal—that the depression has been licked.

They classify lumber and paper, for instance, as agricultural commodities, showing to what desperation the opponents of this bill were driven in order to have a base upon which to sustain their claims.

When the trade-agreements bill was originally introduced into Congress the tactics of the opposition were to oppose it with a campaign of fear. During the hearing before the Committee on Ways and Means we heard "the gospel of fear and death." This has been their text, their sermon, and their song since the program got under way.

They tried to alarm some by saying what might perhaps be the future effect of this legislation, not what had been done or what had taken place up to this time.

The opponents of the trade-agreements measure have endeavored to convince the people that placing such power in the hands of the President would mean the destruction of our industries. They continue to make outrageous charges that the Roosevelt administration is going to "destroy", "cut down", "ruin", "sacrifice", "slaughter", "place American industry on the auction block."

There has been a great advance in farm prices, and I say every line of agriculture, as well as industry. We have bettered the condition of the farmer in every way, which completely refutes that argument.

The minority report in 1934 bristled with such expressions. The Washington representatives of certain industries, in order to hold their jobs and make themselves appear more important, have been truly "dispensers of discord." They thrive on creating fear; they perpetuate themselves by such tactics.

I endeavored in the recent hearing before our committee to pin these calamity howlers down to specific instances in

which American industry or agriculture had been ruined or sacrificed. For the most part, this "drummed-up" opposition to the program dodged my questions; when asked to specify instances of lower production and prices resulting from the trade-agreements program, our critics had to fall back on the fear of what "might happen in the future."

In every instance they have fallen back to what might possibly take place in the future.

Again they filled the road with ghosts. "Wolf! Wolf!" continues to be their cry. However, they had to admit that during the period in which the program had been in operation conditions in practically every phase of our economic structure had greatly improved.

No one would deny the fact that every phase of both agriculture and industry have materially and substantially improved.

All of the witnesses coming before the committee, with possibly one exception, declared in favor of trade agreements through bargaining tariffs, but many had some favorite amendment which, if adopted, would practically kill the measure. They favored reciprocity in theory, but desired to sabotage it in practice. The minority report this year is not opposed to "reciprocity", so it states. This seems slightly different from their report in 1934, which referred to going after foreign trade as "on a wild goose chase."

I wish now to consider briefly some of the proposed amendments. The elimination of the unconditional most-favored clause was suggested by a number of witnesses. I believe, however, the minority report now favors equality of treatment; at least, they leave that impression.

At this point I should like to quote from two reports. Here is what the minority said in the report of 1934:

> Admitting our foreign trade has declined sharply, as has the rest of the world, should we scuttle our domestic program by a wild-goose chase in search of markets which do not exist?

They say they are in favor of reciprocity. Why are they in favor of reciprocity if no foreign market exists? I should like to have that explained. They say they are in favor of some kind of reciprocity, but not the kind we propose. What foundation is there for taking that position now if no foreign markets exist?

In the last minority report on this bill it is stated:

> In opposing the joint resolution, we wish it to be distinctly understood that we are in no way criticizing the doctrine of genuine reciprocity with foreign nations. The Republican Party has actively espoused this policy in previous measures, notably the McKinley tariff of 1890 and the Dingley tariff of 1897. * * * We yield to none in our earnest desire to expand the foreign trade of the United States, whether by reciprocity or otherwise.

They yield to no one in their desires to expand it, but how can they expand it if no foreign markets exist and we are on a wild-goose chase for markets which do not exist? I should be glad if my good friend, the gentleman from Massachusetts, would explain this apparent inconsistency when he makes his brilliant statement, which he will doubtlessly make later. This is not clear in my mind.

THE UNCONDITIONAL MOST-FAVORED-NATION CLAUSE

The unconditional most-favored-nation clause is a well-recognized international legal principle which represents the absence of discrimination in the commercial relations of countries. This clause is better known as the equality-of-treatment principle. It means simply that when reductions of duty are made in a trade agreement with the principal or a main supplier of an imported product, such reductions are extended to all other nondiscriminating countries. This extension on reduction in trade barriers is a reciprocal and mutually beneficial procedure. It is not a one-sided affair, as has been claimed by opponents of the trade-agreements program. As a matter of fact, in their testimony before the committee both Secretary of State Hull and Assistant Secretary of State Sayre pointed out that the unconditional most-favored-nation policy as applied to imports has involved the generalization by the United States of concessions affecting roughly $30,000,000 worth of trade. As applied to exports, they stated that this principle has safeguarded and benefited at least $265,000,000 worth of trade, a ratio of slightly less than 9 to 1 in favor of the United States. That is a point worth emphasizing. It would be a short-sighted policy to jeopardize so much of our trade by the elimination of this principle.

Much has been said in the minority report that when we negotiate a trade agreement with one country the benefits accorded that country are accorded to all countries, but that is not so unless the other countries do not discriminate against us. The benefits extended to other nations, other than the nations with which the reciprocal trade agreement is made, are not for the benefit of nations which discriminate against us.

It is through this arrangement that removal of restrictions in trade agreements is safeguarded against later preferential treatment given to third parties. This principle is not strange to American commerce. It has long been the commercial practice of the United States, as well as of other countries. Equality of treatment is a common-sense rule of conduct between individuals as well as between nations. In fact, this principle is the foundation of the administration of justice.

It has been pointed out time and again that this plan was first adopted by the Republicans, following enactment of the Tariff Act of 1922, and was formally announced by Chief Justice Charles Evans Hughes, who was then Secretary of State, as the American policy. We have given the Republicans credit for this rule of commerce between nations, but now when the Democrats improve upon the principle our friends seriously object to their own plan. Those opposed to the trade agreements program, administered under the principle of equality, do not object when it is applied to increased rates of duty by the United States. Last year, when the Tariff Commission made an investigation of certain cotton textile goods and the President increased the rates of duty as a result of such investigation, I did not hear our good friend, TREADWAY, object because the increased rates applied to the imports of all countries. This was the equality-of-treatment principle in the Tariff Act of 1930. In that instance Japan was the principal supplier of the particular kind of cotton cloth. However, similar imports in some quantities were being received from the United Kingdom and from Switzerland. In the flexible provisions the costs of production are found for the chief supplying country, but changes upward or downward apply to all countries alike. Of course, the opposition saw that most of the rates of duty were increased while they were in power. The principle was made to work in their political favor, and they, therefore, did not object.

It was the American policy when adopted by the Republicans, but it is a ruinous foreign policy to the American people when we follow their example.

Mr. MARTIN of Colorado. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Colorado.

Mr. MARTIN of Colorado. When a trade agreement is entered into, does the State Department then determine and designate the nondiscriminating nations which may participate on the same basis, or how is that matter determined?

Mr. DOUGHTON. As I understand it, when they negotiate a trade agreement with a foreign country we do that only on such commodities as that country is the chief source of supply. That takes care to a large extent of the other countries, because we negotiate trade agreements with countries which are the chief suppliers and do not negotiate the treaties in sufficient amounts to jeopardize American agriculture or American industry. As I understand it, it automatically applies to other countries which do not discriminate against us.

Mr. WHITE of Idaho. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Idaho.

Mr. WHITE of Idaho. Under the most-favored-nation clause in the tariff agreement, when we let down the bars to one nation in a trade agreement, what about the other nations that come in under the plan or under the most-

favored-nation clause? Do they not come in and secure certain benefits without giving us any equivalent or any consideration?

Mr. DOUGHTON. I have just explained that. We do not negotiate trade agreements with any nation that is not the chief supplier of the commodity; but, of course, that same agreement, whatever it is, is applicable to other countries which do not discriminate against us.

If they have discriminatory laws against us and do not extend to us the same benefits that they accord other nations then, of course, it does not apply to them.

Mr. WHITE of Idaho. It would be hard to pick out some commodity that was just supplied by one nation. For instance, take cattle. When we open our markets to cattle from one nation, we let them in from Mexico and Canada also.

Mr. DOUGHTON. No; not at all.

Mr. WHITE of Idaho. Well, take some other illustration, using some other product produced in a half dozen nations. If we make a favorable agreement with one nation, what is to prevent the other nation that gives us no consideration at all from coming in under that agreement?

Mr. DOUGHTON. I am very sorry I am unable to make the gentleman from Idaho understand me.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from California. Perhaps the gentleman can throw a little more light on the subject for the gentleman from Idaho than I have been able to do.

Mr. BUCK. May I ask the gentleman from North Carolina if it is not a fact that the President, by Executive proclamation, ascertains and declares what countries, if any, are discriminating against the products of the United States; and this having been established by proclamation, thereafter any reduction of duties extends to all other nations with which we have the most-favored-nation agreement?

Mr. DOUGHTON. That is a correct statement, and the one which I endeavored to make plain to the gentleman from Idaho. The gentleman from California has amplified my statement with respect to the President's issuing an Executive proclamation. Of course, the President is assisted by the Secretary of State, the Assistant Secretary of State, the Tariff Commission, the Secretary of Commerce, and the Treasury Department, the Secretary of Agriculture, and they avail themselves of all the information possible, especially whatever information any one department has special knowledge of, and, of course, the President ascertains all the facts before these trade agreements are finally negotiated.

Mr. WHITE of Idaho. The point of my question is whether the provisions of the most-favored-nation clause are in operation under these trade agreements.

Mr. DOUGHTON. In some cases they are and in some they are not; and as I have just endeavored to explain as best I could, they are in operation with respect to those nations that do not discriminate against us.

Mr. VINSON of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Kentucky.

Mr. VINSON of Kentucky. In the early part of the hearings we heard a lot of clamor about the consideration given to nonagreement countries as a result of the trade agreements with other countries, or the so-called equality treatment; but is it not true that after it was disclosed that in the trade with the nonagreement countries we imported substantially $30,000,000 annually from them, while in the same period we exported $265,000,000, we did not hear much complaint about that phase of the matter?

Mr. DOUGHTON. That is a correct statement. The imports from those nations with which we had not negotiated trade agreements were so negligible in these special commodities as not to be worthy of consideration. There has been no one claiming—and there was no evidence before our committee, I will say to my friend from Idaho—that any serious injury had been suffered by any American industry from the most-favored-nation clause.

Mr. SOUTH. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. SOUTH. I will say to the gentleman from Idaho, with respect to the favored-nations clause, that where they all participate they are governed by the quota, as in the case of Canadian cattle. In the filling of the quota of 156,000 cattle, Mexico participated with Canada in filling the quota; but when the 156,000 mark was reached, then, of course, the duty went back to the normal rate.

Mr. VINSON of Kentucky. If the gentleman from North Carolina will yield there, it might be well to say that it took 10 months of the year to reach the 156,000 cattle quota.

Mr. DOUGHTON. Yes; in fact, most of the cattle that came into the United States were cattle desired by the American cattle raisers themselves on account of the drought and the shortage of cattle. As the gentleman knows, thousands and hundreds of thousands of cattle were slaughtered as a result of the 1934 drought and the cattlemen in the West wanted to restock their farms and, of course, they needed more cattle.

Mr. THOMASON of Texas. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Texas.

Mr. THOMASON of Texas. Is it not a fact also that in order to encourage this importation from Canada and Mexico we reduced the tariff from 3 cents to 2 cents?

Mr. DOUGHTON. Of course.

Mr. VINSON of Kentucky. To the extent of 156,000 cattle; and I may say that the 156,000 cattle figured out to be about three-fourths of 1 percent of the domestic slaughter. The more important matter in connection with the 156,000 cattle, from the viewpoint of the trading country, or with reference to Canada, for instance, is that it amounts to some 15 percent of their production, but, so far as domestic slaughter is concerned, it is about three-fourths of 1 percent.

Mr. THOMASON of Texas. And is it not true in that same connection that during the calendar year of 1936, under the Canadian reciprocity agreement, there were three times as many cattle imported from both Canada and Mexico as there were during the calendar year 1935?

Mr. DOUGHTON. I have not the exact figures, but it would be very easy to get the figures with respect to that comparison.

Mr. VINSON of Kentucky. But the fact remains it took 10 months of the calendar year 1936 to get the 156,000 cattle into this country, and the 156,000 cattle imported amounted to three-fourths of 1 percent of the domestic slaughter.

Mr. WHITE of Idaho. But does not the fact remain that the tariff has been reduced 1 cent a pound on cattle?

Mr. DOUGHTON. On a certain class of cattle.

Mr. FULLER. Not on Mexican cattle.

Mr. COOPER. Will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. COOPER. It is interesting to observe that it was not prime cattle that were brought in. It was the lower grades, indicating that they were needed by the farmers because of the impairment of their herds due to the depression.

Mr. WHITE of Idaho. It was reported that the market in Portland was crowded with prime fat Canadian cattle, and the same is true of Spokane; that is two industrial centers in which it is reported that those fat cattle were crowding the market. I do not know what happened in Mexico, but I do know what happened in the West.

Mr. GREEVER. Will the gentleman yield?

Mr. DOUGHTON. Yes.

Mr. GREEVER. May I say that there was no tariff reduction on cattle weighing between 175 pounds and 700 pounds.

Mr. DOUGHTON. That is right.

Mr. THOMASON of Texas. On cattle weighing more than that there was a reduction from 3 cents to 2 cents.

Mr. FORD of California. It was the duty on prime cattle that dropped. There was a great need for a large volume of prime cattle due to the depression.

Mr. DOUGHTON. The cattle market fluctuated from week to week and from day to day as much as 2 or 3 cents.

Mr. JONES. Will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. JONES. It seems to me that the comparison should be made during the time of comparable prices. Of course, no one is going to import cattle or hogs or any other commodity into a 2- or 3-cent market. If you are going to compare the import charges, you should go back to the time when the prices were about the same. I am wondering if the gentleman has any comparison in the imports last year, and the imports from years before, when the prices of cattle or commodities were about the same as last year.

Mr. DOUGHTON. I do not know that I have any statistics, but I can get them and put them into the RECORD.

Mr. JONES. I think that would be a very good thing to consider, and that is the only fair way to consider it. Of course you can kick tariff walls down completely on, say, hogs, and you would have no imports on $2.75 hogs, which we had in 1932 and 1933. On the other hand, if the price of the commodity gets up then naturally there will be some importations, so it seems to me that the discussion should be based on periods of comparable price structure.

Mr. FULLER. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. Yes.

Mr. FULLER. The highest price ever received in America for cattle outside of during the World War was in 1929, and they imported from Canada that year three times as much as they did last year.

Mr. DOUGHTON. Yes. Of course, so far as the importation of Canadian cattle is concerned, people get alarmed about it; but when you analyze it and compare it, it is negligible.

Mr. JONES. The only way to stop importations entirely is either to have an embargo or to run the price structure down to nothing, and if imports are stopped by running down the price level, the domestic producer is ruined as well. No one in this country wants to run prices down below a living level in order to stop importations.

Mr. DOUGHTON. We had that experience once, and we know what it is.

Mr. JONES. In negotiating these trade agreements has there been any effort, as shown by the testimony, to sacrifice agricultural products and livestock at the expense of building up our commercial export trade, or what was the testimony on that?

Mr. DOUGHTON. On the other hand, all of the testimony is exactly to the contrary. The interest of agriculture has been carefully safeguarded at every turn in the negotiations.

Mr. JONES. That, it seems to me, is the real point to be considered. I do not think that concessions should be made that would unfairly deal with agriculture or with livestock in negotiating a trade agreement; but certainly, going back to the other point—and I have had occasion to go over these figures—at previous times, when prices were anything like those of last year, our imports of all those commodities were much greater than they were last year.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. Yes.

Mr. MASON. Does the gentleman from North Carolina maintain that the increased price of cattle and the betterment in the position of the farmer during the last year or two is the direct result of the reciprocal-trade treaties?

Mr. DOUGHTON. No. It is the result in part, and largely the result of the policies of this administration. Of course, the gentleman will admit that if the opposite party were in power and conditions had been when they came in as they were when we came in, and the wonderful change had come about, his party would take the credit for the advance and the betterment of business conditions, agricultural and industrial.

Mr. MASON. One more question. In following that up, there was a question about no world market to go after in 1934.

Mr. DOUGHTON. Yes.

Mr. MASON. Our conditions here, however, improved tremendously in the last 2 years for some reason.

Mr. DOUGHTON. Yes.

Mr. MASON. Perhaps now there are world markets to go after that were not there in 1934.

Mr. DOUGHTON. Oh, yes.

Mr. MASON. And perhaps that is the reason that we may want to push our world trade.

Mr. DOUGHTON. Yes; and perhaps the world might possibly come to an end tomorrow, but we hope it will not. You can prove anything by perhapses. Perhapses will not get you anywhere.

Mr. THOMASON of Texas. Is it not a fact that one of the largest contributing causes to the advance in these cattle prices during the last 2 years was the drought and the killing program which was put on by the Department of Agriculture?

Mr. DOUGHTON. I do not think so at all. How does the gentleman account for the advance in every other line?

Mr. THOMASON of Texas. Admitting that prices are very fair today to the cattlemen, is it not likely that if American production of cattle returns to normal, under the present Canadian agreement you will probably see a big reduction in the price of cattle?

Mr. DOUGHTON. Not on the class of cattle provided for and with the limitation as to the number that can be imported. I do not think the gentleman should have the least fear.

Mr. O'MALLEY. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. Yes.

Mr. O'MALLEY. Did the testimony on the treaties negotiated for dairy products indicate that only such dairy products were to be imported from foreign countries as were produced under the same sanitary conditions as our products are produced in our country?

Mr. DOUGHTON. I think there was contention by one witness who appeared in the interest of the cheese industry or some branch of the dairy business, that perhaps the sanitary regulations in other countries were not as rigid as they should be. He offered no evidence. Of course, he had no facts and he did not know.

Mr. O'MALLEY. Is it not a fact that none of the other countries produce their dairy products under sanitary conditions such as prevail in the United States?

Mr. DOUGHTON. I do not know, and I do not believe the gentleman does, or anybody else.

Mr. SOUTH. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. SOUTH. Is it not a fact after February 1929, before the enactment of the Smoot-Hawley tariff, the highest that has ever been, finished beef steers in Chicago were selling for $11.92 per hundred, whereas after the high tariff that the gentleman speaks of had been in force for about 2 years those same steers on that same market brought $4.80 per hundred?

Mr. DOUGHTON. Yes. It practically broke every cattleman in the country.

The CHAIRMAN. The gentleman from North Carolina has consumed 1 hour.

Mr. COOPER. Mr. Chairman, I ask unanimous consent that the gentleman from North Carolina may proceed to the conclusion of his remarks, or use such further time as may be necessary for that purpose.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

CHARGE OF STAR-CHAMBER PROCEEDINGS

Mr. DOUGHTON. No reference to trade agreements by the opposition is complete without mentioning the so-called star-chamber proceedings. Here again the present method of negotiating trade agreements is not dissimilar to the procedure followed by the United States Tariff Commission and other quasi-judicial bodies, such as the Federal Trade Commission, Interstate Commerce Commission, and other agencies discharging the functions entrusted to them by Congress. It is essential to bear in mind that the power granted in the Trade Agreements Act are strictly circumscribed by the Congress.

We found out to the best of our ability, by questioning the witnesses before the committee, that all interested parties

have had an opportunity to be heard under the present method of tariff adjustment, just as they have in congressional or Presidential tariff making under the flexible tariff provisions. As pointed out above, the present procedure is very similar to that under the flexible provisions. Once the public hearing is over no one is supposed to know what action the Tariff Commission has recommended to the President or what action the President will take until the announcement is made to the public. Why have not the Republicans made the charge of secrecy in the operation of this Republican measure?

It might be noted that those engaged in the negotiation of trade agreements are quite as competent, and have the interest of the country as much at heart, as those making investigations under the flexible provisions of the tariff act. As a matter of fact, some of the same personnel is involved in both procedures. Furthermore, they are just as capable of representing the interests of the United States as are the negotiators of foreign countries in representing the interests of their nationals. Certainly they have the interest of the country as much at heart as the tariff lobbyists, who have been parasites of the Republican Party for so many years.

Of course, in negotiating trade agreements it is not possible to take the American producers or their Washington representatives into actual negotiations. The process of discussion over concessions and the gradual shaping of agreements, however, is not greatly different from the congressional practice, where much of the detail is worked out in committees or finally settled in conferences between Members of the House and Senate. Such conferences are held in the absence of "interested parties."

I do not see why anyone should claim that, with all these agencies of the Government taking part—the State Department, the Department of Commerce, those who belong to the Tariff Commission, the Treasury Department, and the Department of Agriculture. The Department of Agriculture is represented in these negotiations and makes a very careful study of every trade agreement that is proposed which in any way affects or relates to agriculture. Mr. Wallace, Secretary of Agriculture, is a highly intelligent man. No one can claim that he sells the interests of agriculture down the creek, or that he is not at all times trying to safeguard and protect American agriculture. Of course, in legislative matters you have to consider all the interests involved; the welfare of all the people, rather than just what might peculiarly affect one special section or one small industry at one particular time. We legislate too much on that basis. In my judgment, one of our greatest dangers is group control or the endeavors of certain groups to get certain special benefits from the Government without any regard whatever as to whether it is fair and just to other industries or other sections of the country. That is one of the greatest difficulties with which we are beset in matters of legislation, in my opinion.

Mr. LEWIS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. LEWIS of Colorado. The Denver stockyards are the largest west of Kansas City. We also have the largest sheep market in the world at our Denver yards. There has been considerable apprehension expressed by our people about the proposed Argentine treaty, lest the foot-and-mouth disease may come in. I wish to inquire of the gentleman whether there is any relaxation in the quarantine laws or the sanitary regulations in these treaties?

Mr. DOUGHTON. Oh, certainly not; certainly not. The opponents say, "But, oh, we have a chance when it goes back to the floor." I know of a number of instances in past tariff legislation where those affected did not have a chance to do anything about it after the conference committee had decided on the rates.

The late Thomas Walker Page, an outstanding tariff authority, as Chairman of the Committee for Reciprocity Information, said recently in a public statement, and his opinion has considerable weight:

> In the preparation of these trade agreements there has been less secrecy and there has been more opportunity for interested parties to present their views than there has been in any tariff revision for more than 100 years.

SENATE RATIFICATION

The constitutionality of the act is involved in the question of Senate or congressional ratification. I shall pass over this phase of the agreements and leave it to lawyers to argue and the courts to settle. Some witnesses before the committee recommended that trade agreements should be ratified by the Senate.

We all know how impractical that would be and how impossible it would be to accomplish anything. You might just as well leave the law as it is.

On questioning them, it was generally found that they were in truth interested in killing the program. The hearings of the committee give full and complete details as to the failures of reciprocity when dependent upon congressional ratification.

Trade agreements ought to be worked out through long and careful consideration by technical and other experts who are able to devote their time to the problem. In spite of the flattering compliments paid to us during the committee hearings by representatives of certain interests, you and I know that we do not have time to consider the minute details of tariff adjustment of this nature. The careful way in which the 15 agreements already negotiated have been worked out, as testified by those who are in a position to know, and the results of such agreements, fully warrant the continuance of the present procedure.

The Reciprocal Trade Agreements Act should not be primarily a partisan issue. It has been pointed out from time to time that outstanding Republicans have supported the program. I should like to refer to the expressions of a few of these.

First. Winthrop W. Aldrich, chairman of the Chase National Bank, of New York. Of course, the opposition will probably say he is an international banker and wants to increase imports so that interest may be received on foreign loans. He said, regarding Secretary Hull's policy:

> It is a wise and sound policy.

He explained:

> I am myself a firm believer in the principle of the protective tariff.

It might be noted that he is the son of former Senator Aldrich, whose name was attached to the Payne-Aldrich Tariff Act.

I have already referred to Chairman O'Brien, of the Tariff Commission. He has repeatedly expressed his convictions as to the value of trade agreements. He proposed a plank for the recent and lamented Republican platform favoring them.

He appeared before our committee when this legislation was first enacted and again when this bill was under consideration, and gave unqualified endorsement to it as the best method, under present conditions, with which to deal with the tariff question.

The Honorable William S. Culbertson, former Ambassador to Chile, who has recently written a book on Reciprocity, stated:

> We should therefore support as a measure of sound national policy the Trade Agreements Act of 1934 * * * If I had the time I could demonstrate that all the principles of this measure were first employed in the Republican Tariff Acts of 1890 and 1897 and applied by various Republican Secretaries of State.

It is well known that Mr. Stimson, last Republican Secretary of State, was in favor of the Trade Agreements Act and made a Nation-wide broadcast in its favor. His Under Secretary of State, Mr. William Castle, at various times has publicly complimented the Secretary of State on the program. A number of prominent Republican editorial writers, such as David Lawrence and Walter Lippmann, have repeatedly supported the program. Some of the ablest members of the Republican Party in the other Chamber have supported it.

As Mr. O'Brien pointed out before the Committee on Ways and Means, a number of important Republican papers have continuously supported the trade-agreements program. For example, the New York Herald Tribune of May 4, 1936, in commenting on the French agreement, stated:

> But for all its limitations the Hull reciprocity program remains about the only practical contribution now being made in the world towards the amelioration of trade entanglements, and as such its influence is of greater value than the specific concessions suggest.

The Washington Post for July 19, 1936, stated:

> The program is based upon a sound conception of trade as an exchange of goods. It is, as Mr. Hull says, "essentially economic, created by national necessity, and it has been so treated by more than two-thirds of the American press and by outstanding statesmen, regardless of party."

Another editorial from the Herald Tribune of May 24, 1936, stated:

> With Secretary Hull's desire to increase our foreign trade and to remove as many as possible of the obstacles to a greater flow of trade throughout the world we have always been in sympathy. Where most other trade leaders in the administration have been visionaries or followed false doctrines, Secretary Hull has consistently fought for a sound trade policy.

The Hartford Courant, on October 9, 1936, in the heat of the campaign, said that Republican opposition to the trade-agreements program caused the Kansas City Star, the Omaha World-Herald, the St. Louis Post-Dispatch, and the Baltimore Sun to express their disappointment in the then Republican Presidential candidate. The Courant said that a result of the program had been—

> The better feeling that has been created within the past few days in Europe as the result of the impetus given to trade by the realignment of currencies and the reduction of tariff barriers of the world by Mr. Hull, the effect of which will not be lost on the pacific-minded farmers of the Northwest.

There are other Republican papers, such as the Boston Herald, which support the program.

There is not any doubt but that that was one of the factors that contributed to the overwhelming defeat of the Republican candidate for President, because that was one of the issues that he accentuated, as well as the spokesman of his party.

Mr. McSWEENEY. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. McSWEENEY. I had the honor to represent the old McKinley district at one time, and I was a great admirer of Mr. McKinley. I find in his later speeches he always referred to tariff agreements. He was a great advocate of tariff, but he realized the benefits from it had really reached their very highest point. The last speech I think he made before he was unfortunately shot was in favor of reciprocal tariffs.

Mr. DOUGHTON. My recollection of the great statesman referred to by the gentleman is that one of the last statements he made, as stated by the gentleman, was to the effect that these high barriers of trade between different countries should be lowered; that we should cultivate and establish a more friendly policy in the matter of trade relations with other nations. I think that was greatly to his credit.

Mr. CULLEN. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. CULLEN. I do not want to interrupt the gentleman's statement, but in that connection the late President McKinley sent to the Senate 14 trade agreements.

Mr. DOUGHTON. How many of them were ratified?

Mr. CULLEN. I think all of them were lost, and he refused to send in the fifteenth.

Mr. DOUGHTON. That shows the futility of leaving the ratification of trade agreements to Congress or the Senate. After negotiating those trade agreements, McKinley found they could not be ratified.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. Yes.

Mr. KNUTSON. The gentleman made reference to McKinley's speech at Buffalo. If the gentleman will permit, I should like to read an excerpt from that speech.

Mr. DOUGHTON. Will not the gentleman do that in his own time?

Mr. KNUTSON. Yes; but I should have liked to have gotten it in at this point.

[Here the gavel fell.]

Mr. CULLEN. Mr. Chairman, I ask unanimous consent that the time of the gentleman from North Carolina may be extended until he completes his statement.

Mr. SHORT. Mr. Chairman, it seems to me the chairman of the committee already has that time.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DISNEY. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. DISNEY. According to Mr. Sibley's testimony before the committee, he announced that he was a very good Republican as well as being president of the Chamber of Commerce of the United States, and he said also that he was the biggest corn farmer in the United States.

Mr. DOUGHTON. Yes; that is what he said, that he was the largest corn farmer in the United States.

Mr. DISNEY. May I quote from his testimony?

Mr. DOUGHTON. Briefly.

Mr. DISNEY. Mr. Sibley said, answering a question by the gentleman from Minnesota [Mr. KNUTSON] as to whether the droughts of 1934 and 1936 had had the effect of increasing prices, that they had. Then he referred to corn and said he got $1.08 a bushel for it where he got formerly 60 cents; in 1933, 80 cents; and in 1934, 90 cents. He seemed to be in favor of this legislation and the way it has been carried out by this administration.

Mr. DOUGHTON. I wish to indicate other organizations or institutions backing the extension of this act. Mr. Harper Sibley, president of the United States Chamber of Commerce, appeared before the committee advocating the extension of the Trade Agreements Act. His organization for the past few years has been a strong supporter of the program. I quote from his statement as follows:

> As a reflection of the world-wide approval and influence of the trade-agreements program of the United States, it is further significant that among the specific recommendations made by the Council of the International Chamber of Commerce, in the light of the studies made by the joint committee of the Carnegie Endowment and the international chamber, were the following three recommendations that parallel very closely the underlying principles of the legislation of June 12, 1934:
>
> The conclusion of bilateral treaties consciously used as an instrument for the reduction of trade barriers.
>
> The deliberate inclusion in all such treaties of the most-favored-nation clause as a means to realize that purpose.
>
> The general use of the most-favored-nation clause in its unconditional form, with the possible withholding of the benefits in the case of countries which even after the restoration of more orderly currency conditions would continue to practice discriminatory quotas or foreign-exchange regulations.

In a recent book, the Recovery Problem in the United States, published by the Brookings Institution, we find the following statement regarding the program:

> The trade agreements thus represent a sizeable break in the multitude of trade-diverting and trade-destroying restrictions which arose out of the disorganization produced by the depression. It is, of course, too early to appraise the effects upon the American economic system as a whole. But there can be no doubt that the substantial reductions in trade barriers which are being effected are reopening the channels of international trade. At the same time the reassertion by the United States of the unconditional most-favored-nation principle is laying the foundation for a return to a regime of equal treatment in international commercial relations on the basis of which international trade had in the past attained its greatest and most fruitful development.

The National Lumber Manufacturers Association filed a brief with the committee, in which, among other things, it said:

> An efficient industry may provide a product acceptable and a service satisfactory to its potential foreign customers. But, however efficient, it is helpless to withstand the effects of discriminations. These are imposed by public authority. They may be removed by public authority. There is no practical answer to that problem except through the action of government. I am not seeking to pass judgment on details of policy and administration

when I express the opinion that the effort under way by our Government under the Reciprocal Trade Agreements Act to secure a general restoration of international commerce is not only a good way but the best way, and, I am inclined to think, the only practical way.

Such are samples of the various individuals and business organizations supporting the extension of the Trade Agreements Act, which we have made the order of business.

Finally, I wish to call your attention to the conclusions of the majority members of the committee. First, the policy pursued by our Government, under the Trade Agreements Act, has served to strengthen our influence in establishing and maintaining the conditions of peace. This has been done by helping to remove some of the most dangerous economic causes of war; second, in the field of international commercial relations there is an urgent need of effective action along the lines thus far followed with marked success in the application of the Trade Agreements Act; third, foreign-trade agreements have demonstrated their effectiveness in reviving our foreign commerce and in further safeguarding it from discriminations by foreign countries; fourth, the administration of the act has been done with care and caution and with scrupulous regard for the best interests of the Nation, as expressed in the authorization to the Executive for negotiating trade agreements with foreign countries.

Mr. Chairman, I feel like apologizing to the Committee for taking so much time, but I do not feel quite satisfied to conclude without referring to some expressions made by my friend the distinguished gentleman from Massachusetts [Mr. TREADWAY], who in a speech on June 20, 1936, among other things said:

EXTRACTS FROM MR. TREADWAY'S SPEECH OF JUNE 20, 1936

The Republican platform of 1936 calls for the repeal of the New Deal trade-treaty legislation under which our rich domestic market is being surrendered to foreigners. I have advocated this ever since the law was enacted. I bitterly fought its enactment. It has worked out just as I prophesied, namely, to the great detriment of the country as a whole.

I cannot close this reference to the tariff more appropriately than by quoting the following passage from my remarks of June 14, 1934:

"In the coming elections the Democrats will have to justify their votes in giving the President this unconstitutional and dictatorial authority over the tariff and over all domestic industries dependent upon tariff protection. They will have to answer for giving him this power to say what our people shall produce at home and what they shall buy abroad. They will have to explain by what principles of fairness and justice one industry may be destroyed in order to benefit another. They will have to demonstrate by what economic laws the importation of foreign agricultural products can rid our farmers of their surpluses, how the importation of more industrial products can reopen our own factories, and how the displacement of American by foreign labor can reduce the army of the unemployed.

"The Republican Party awaits with expectancy the opportunity to meet the issues raised by this bill before the American people in November. Having adhered to our traditional position of preserving the home market for American industry, agriculture, and labor, we are confident of the outcome."

Again quoting from his speech of June 20, 1936:

I am confident that next November the people will decide that they have had enough of the New Deal and that they wish to restore the system of government established by the fathers under a businesslike and progressive administration. Let the slogan be "Off the Rocks with Landon and Knox."

Thus spoke the gentleman from Massachusetts [Mr. TREADWAY], who, more than any other human being, has day in and day out raised his voice in opposition to the reciprocal trade agreement program of President Roosevelt and the Democratic administration. The RECORD discloses that on 33 different dates the gentleman from Massachusetts [Mr. TREADWAY] entertained, or detained, this House on the subject of reciprocal-trade agreements.

"Off the Rocks with Landon and Knox" was his slogan in the past campaign, to which the people of his district replied in no mistaken terms. Two years ago our friend from Massachusetts received a plurality of approximately 16,000 votes, and last November his constituents took him so seriously that he was returned to Congress with a majority of only 167 over all of his opponents; and I have heard it whispered that the gentleman from Massachusetts, in order to keep off the rocks with Landon and Knox, flirted with and embraced the economic theory of those advocating the payment of $200 per month to all persons 60 years of age and over.

Instead of being off the rocks with Landon and Knox they went on or under the rocks with Landon and Knox. In order to escape the wrath and indignation of his own people by a narrow margin, as I am informed, my good friend TREADWAY was compelled to flirt with and throw bouquets and kisses to the Townsendites. [Laughter.]

How many speeches did he make against the Reciprocal Tariff Act? Only 33. Frequently, when our committee would be in session considering important legislation along other lines, the gentleman from Massachusetts would absent himself in his great zeal and enthusiasm for the American producer, American consumer, the American manufacturer, and the American farmer and workingman, and would hie himself over here and regale the House for hours at a time, inveighing, roaring, and cavorting against the policies of this administration, more particularly so far as the reciprocal-tariff law was concerned.

The result of the last election should teach the gentleman and his party a lesson. If the election of 1932 did not teach them a lesson, and if the election of 1934 did not teach them a lesson, certainly the election of 1936 should not go unheeded, but if it should, after the next election they may not have even Maine and Vermont, or be fortunate enough to have sufficient Members in this body even to call the roll will be their fate.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. REES of Kansas. Just one question: Having saved the United States for the Democratic Party and all that in the course of the gentleman's discussion, and forgetting for the moment the fact that we have reciprocal-trade agreements, I am wondering whether the gentleman is satisfied with all the agreements that have been made all the way through.

Mr. DOUGHTON. In the main, most assuredly.

Mr. REES of Kansas. Not being so familiar with this subject as is the gentleman, I have in mind the agreement with Canada whereby, according to what figures we have, cattle imports into the United States from that country have been greater than they were before. In other words, we have imported more agricultural products than we have exported. So far as the agriculturist is concerned, therefore, it would not seem that these agreements are satisfactory.

Mr. DOUGHTON. I think on the whole they are not only satisfactory but that they have been highly beneficial. I am speaking as a cattleman. What little of this world's goods I possess is mostly invested in cattle lands, and my chief business down home is growing cattle.

Mr. REES of Kansas. What is the gentleman's opinion so far as agriculture is concerned—that it is being helped or injured by these agreements?

Mr. DOUGHTON. I do not have any doubt about it, viewing the agreements as a whole.

Of course, the gentleman thinks because the shoe might possibly pinch sometime in the future it may be a bad thing. He forgets the fact before these trade agreements were negotiated, and before this administration came into power, agriculture in this country, one of our greatest industries, was barefooted, figuratively speaking, and walking over frozen ground with bleeding feet. Today it is comfortably clothed, well fed and well shod. Because the shoe might sometime in the future pinch in some possible way, the gentleman imagines we are ruining the entire country.

Mr. REES of Kansas. The gentleman does not believe that the things he has just mentioned have come about by

reason of these reciprocal agreements we made in the last 18 months?

Mr. DOUGHTON. In part, and, of course, due to the entire policy and program of this administration. Some mistakes have been made. You cannot fight fire without wasting water and you cannot measure water when the city is on fire. Taking the policy of this administration as a whole together with the wonderful things accomplished, and the benefits that have come to American agriculture, American industry, in fact to all occupations, all callings and all professions, if it does not convince the gentleman of the wisdom of the policies of this administration and its salutary effect upon the country, the gentleman could not be convinced should one arise from the dead and proclaim it. [Applause.]

Mr. TREADWAY. Mr. Chairman, I yield myself 30 minutes.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD and to include therein certain tables.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF THE TRADE AGREEMENT ACT

Mr. TREADWAY. Mr. Chairman, before beginning my remarks, I call attention to the way in which this bill comes before us for consideration. I am not making a point of order that the Ramseyer rule has been ignored, because we are perfectly willing that the majority should have the responsibility for the way and the manner in which measures are brought before this House for consideration.

Rule 13, clause 2–A, known as the Ramseyer rule provides:

Whenever a committee reports a bill or joint resolution repealing or amending any statute or part thereof it shall include in its report or in an accompanying document—

(1) The text and the statute or part thereof which it is proposed to repeal; and

(2) A comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions proposed to be made.

I call attention to the fact that in no way does the report or any accompanying document comply with the Ramseyer rule.

Mr. COOPER. Will the gentleman yield?

Mr. TREADWAY. I prefer not to.

Mr. COOPER. I should think the gentleman would not after that.

ELECTION NOT BASED ON ISSUES INVOLVED

Mr. TREADWAY. Mr. Chairman, the gentleman from North Carolina, chairman of the Ways and Means Committee, evidently passed me some flattering bouquets of a sarcastic nature in the latter part of his speech. I did not hear all of them, but I appreciate the fact he was quoting from some remarks I may have made which proved to be a false prediction as regards the last election. However, there is a little paragraph in the hearings, on page 79, that perhaps I might well call to his attention when he talks about the election being based on the actual questions before the country.

Why, Mr. Chairman, was the platform of either party considered by the electorate? Absolutely not. There was only one question before the American people, and that was, "How much can be gotten out of the Public Treasury?"

Mr. Chairman, that was the real question involved, and it was gratitude, if anything, on the part of the American people which rolled up the Democratic vote that we recognize as all powerful. That appears in the hearings.

The gentleman from New York [Mr. CROWTHER], one of our distinguished Members, was interrogating Mr. O'Brien, this great member of the Tariff Commission who has been quoted, and of whom I will have something to say a little later.

Mr. CROWTHER said:

The reason there are so few Republicans here is that the people in this country were for a bigger and better Santa Claus.

That is a recognized fact. Even the Constitution was sneered at and described as outmoded and threadbare. The chairman of the committee admitted it is a pretty good Santa Claus who put the farmers in this country back on their feet and where they make profits.

Of course, this was not done, but he added:

It is a pretty desirable Santa Claus.

Mr. Chairman, the main issue before the American people was the extent to which Santa Claus was going to be kind to the voters of this country.

If he wants to discuss issues, that is another question.

Mr. FULLER. Will the gentleman yield?

Mr. TREADWAY. I decline to yield. I have so much material here that unless I proceed in an orderly way I will not get around to all of it. I do not intend to take an hour and 29 minutes. I want some of my colleagues to have part of our time.

VIEWS OF CHAIRMAN DOUGHTON ON DELEGATING TARIFF POWER TO THE PRESIDENT

Let me quote from the remarks that the gentleman himself made in connection with certain authority given to the President of the United States, and that is all this bill accomplishes. We turn over for 3 years more our right to legislate. They want to do that; we do not. What did the distinguished chairman say when this sort of thing, in less drastic form, was considered a few years ago?

The fathers who framed the Constitution, wisely in my opinion, left to Congress the initiating and enacting of laws raising revenue. The flexible tariff provision giving the President the power to raise or lower tariff rates to the amount of 50 percent renders nugatory in spirit and practical effect this provision of the Constitution. If this bill is enacted into law he will have the power of life and death over industry and all manufacturing enterprises and complete autocratic power affecting agriculture. My friends, this is too dangerous and alarming to contemplate.

And so on through this same speech that the honorable gentleman from North Carolina rendered very effectively in the House. This is absolutely contrary to the position he takes here today or took 3 years ago when this bill was first up for consideration.

Now, if there is anything more inconsistent in any remarks I ever made on this floor than these remarks of the gentleman from North Carolina, tell me what it is.

Mr. DOUGHTON. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Yes; I am obliged to yield to my chairman.

Mr. DOUGHTON. The gentleman criticizes me now for having taken that position, but did not the gentleman then take exactly the position I am taking now?

Mr. TREADWAY. I do not know what the gentleman is driving at. If the gentleman will get down to details and ask some questions, I will try to answer them, but do not take all my time in gesticulating at me.

Mr. DOUGHTON. My question is whether the position the gentleman took then was not exactly the position he is now criticizing.

Mr. TREADWAY. I favored the flexible provisions of the tariff act as provided under the Smoot-Hawley Act and previous Republican bills, which the Supreme Court has upheld. I do not favor any arbitrary grant of power such as the gentleman now advocates and no such grant was in that bill, yet the gentleman opposed it. You are making the President's authority 100 percent complete under your Hull-Sayre-O'Brien trade-treaty law, whereas under the flexible tariff the President had no legislative discretion whatever.

Mr. DOUGHTON. The gentleman realizes——

Mr. TREADWAY. No; I do not realize anything. [Laughter.] Do not put a speech in my mouth. Ask me any question, and if it does not take too long I will stay with the gentleman.

Mr. DOUGHTON. Of course, if the gentleman is going to decline to yield to anyone——

Mr. TREADWAY. No; I yield for a question.

Mr. DOUGHTON. That speech was made before the depression and when there was no emergency confronting us, because conditions then were normal.

Mr. TREADWAY. Oh, the flexible provision of the tariff act was a useful thing and did not give the President any

legislative discretion; but the gentleman from North Carolina did not even want to give that power to the President of the United States as provided in that act. Let me ask the gentleman to put side by side the flexible provision of the Republican tariff act and this authority that you are granting to Mr. Hull under this extension and then see how your parallel columns will look.

Mr. DOUGHTON. The gentleman can do that himself. The gentleman was for this proposition then and he ought to be for it now. The gentleman is no more consistent than myself. The gentleman finds himself in the same category. The gentleman is against it now, whereas he was for it then. I was against it then and am for it now.

Mr. TREADWAY. I do not know that I understand the gentleman's question, but I am sure I have a complete answer for almost everything the gentleman may have in mind in the remarks I have here, if I get a chance to use them; and therefore I shall ask an opportunity to proceed without interruption for a while.

TRADE AGREEMENTS NOT IN INTEREST OF AMERICAN PEOPLE

Mr. Chairman, I am opposed to the continuance of the Trade Agreements Act for another period of 3 years because, in its present form and as administered by the State Department internationalists, it is not in the interest of the American people.

It permits the lowering of our tariffs without reference to domestic production costs, and thereby jeopardizes all American agriculture, labor, and industry; undermines the American wage level, which is by far the highest in the world; and threatens our American standard of living.

ACT HAS FAILED TO ACHIEVE PURPOSE

The Trade Agreements Act has failed to achieve the object for which it was supposedly intended, namely, the expansion of the foreign market for the products of the United States. When the measure was originally under consideration 3 years ago we were told that unless the President were given blanket authority to enter into trade agreements with foreign countries it would not be "practicable or possible for the United States to pursue with any degree of success the proposed policy of restoring our lost international trade."

EXPORT TRADE WAS RECOVERING BEFORE AGREEMENTS BECAME EFFECTIVE

Reference was made to the low point to which our export trade had fallen in 1932, when it amounted to $1,611,000,000. But I call attention to the fact that in 1934, before the trade-agreements program began to operate, our exports had already risen of their own accord to $3,133,000,000, or some $500,000,000 above the depression figure. Now let us see to what extent our exports have risen since that time.

I find that, according to figures just released by the Department of Commerce, our total exports in 1936 were valued at $2,453,000,000. This is $320,000,000 in excess of the 1934 figure, but this increase is much less than the amount of recovery in our foreign trade in the 2-year period prior to the trade-agreement program. Moreover, it is not all due to increased trade with the countries with whom trade agreements have been entered into. Our trade with the whole world has been on the increase since 1932, and in many instances our increased trade with nontreaty countries has exceeded that with those with whom we have trade agreements.

FOREIGN COUNTRIES GAIN MOST UNDER TRADE TREATIES

The important thing about our increased foreign trade is that under the administration's program imports are increasing much faster than exports. This proves the contention made by the Republican minority in 1934, that this program would result in greater advantages to foreign countries than to our own people.

In this connection, Mr. Chairman, I desire to insert in the RECORD at this point a table showing the extent to which trade treaties have benefited certain foreign nations more than they have the United States. I offer the table without reading. It is based upon official Department of Commerce statistics.

The table is as follows:

Table showing extent to which trade treaties have benefited certain foreign countries more than the United States

	Exports of United States merchandise to—	Imports for consumption from—
Cuba (treaty effective Sept. 3, 1934):		
September 1935–August 1936	$63,525,000	$115,176,000
September 1933–August 1934	34,993,000	48,306,000
Increase	28,532,000	66,870,000
Belgium (treaty effective May 1, 1935):		
May 1935–April 1936	59,342,000	45,389,000
May 1934–April 1935	46,657,000	28,696,000
Increase	12,685,000	16,693,000
Sweden (treaty effective Aug. 5, 1935):		
August 1935–July 1936	40,042,000	46,979,000
August 1934–July 1935	35,451,000	35,711,000
Increase	4,591,000	11,268,000
Canada (treaty effective Jan. 1, 1936):		
January 1936–November 1936	337,515,000	338,001,000
January 1935–November 1935	287,335,000	258,818,000
Increase	50,180,000	79,183,000
Kingdom of the Netherlands (treaty effective Feb. 1, 1936):		
Netherlands:		
February 1936–November 1936	42,620,000	43,522,000
February 1935–November 1935	39,495,000	33,114,000
Increase	3,125,000	10,408,000
Netherland India:		
February 1936–November 1936	11,076,000	55,800,000
February 1935–November 1935	8,815,000	40,165,000
Increase	2,261,000	15,635,000
Switzerland (treaty effective Feb. 15, 1936):		
February 1936–November 1936	5,824,000	17,851,000
February 1935–November 1935	6,131,000	13,399,000
Increase		4,452,000
Decrease	307,000	

The countries referred to in this table are the major nations with whom trade agreements have been in effect for any appreciable period of time. The figures shown prove conclusively that the trade-agreement program, as being carried out by the free-trade-minded officials of the State Department, has sacrificed more of the domestic market in the interest of foreign producers than it has gained of the foreign market in the interest of domestic producers—in other words, that the advantage is all on the side of the foreign nations concerned.

CUBA HAS BIG ADVANTAGE

Let us consider the case of Cuba. The table shows that in the second year under the agreement, as compared with the 12-month period immediately preceding the agreement, our exports to Cuba increased twenty-eight and one-half million dollars. But in the same period our imports from Cuba increased by $67,000,000, or two and one-third times the amount of our increased exports to Cuba. In the first year under the agreement the advantage in favor of Cuba was five to one.

Under the Belgian treaty the advantage also was in favor of the foreign country, although the margin was not quite so great. Nevertheless, we still gave up $4,000,000 more in the way of increased trade than we received.

The actual operations of the Swedish treaty in the first year showed an increase of only four and one-half million dollars in exports to Sweden as compared with an increase in imports from that country of over $11,000,000. A fine example of Yankee trading, I must say.

ADVERSE EFFECT OF CANADIAN TREATY

In the first 11 months under the Canadian treaty our increased imports from Canada were $29,000,000 more than our increased exports to that country. Again the advantage was against us.

But here is the most interesting thing about the Canadian treaty: Our farmers were particularly hard hit by the reductions which the State Department made in favor of

Canadian agricultural products, but the administration contended that American agriculture would be greatly benefited by the concessions which we had received in the Canadian market and that these concessions would more than offset the advantages which Canadian farmers gained in our market.

Our experience under the treaty has been just the contrary. According to the administration's own figures published in the Department of Agriculture document, Foreign Crops and Markets, for December 28, 1936, our increased exports of agricultural products in the 10-month period ending October 1936, were only $8,000,000 as compared with a twenty-one and one-half million dollar increase in agricultural imports from Canada. That is how our farmers have "benefited" under the State Department's reciprocal bargaining.

The next treaty referred to in the table is that with the Netherlands. Here again the benefits are one-sided in favor of the foreign producer and against our own people.

In the first 10 months under the treaty with the Kingdom of the Netherlands, our exports increased less than five and one-half million dollars as compared with a twenty-six-million-dollar increase in imports. Another fine example of shrewd bargaining by the State Department.

In the case of the Swiss treaty we have the rather remarkable showing of an actual decrease of $300,000 in exports under its operations for the first 10 months as compared with a four-and-one-half-million-dollar increase in imports from that country. I am sure the State Department is not very proud of these results. I am also sure that our domestic producers, particularly those engaged and employed in the watch-manufacturing and cheese-producing industries, find no solace in these figures.

Although Assistant Secretary of State Sayre, in his testimony before the committee, declared that it was too early to draw any conclusions from the results of the operations of the trade agreements, he, nevertheless, proceeded to point out every little item that showed increased exports under the various treaties. I think it entirely proper, therefore, that I should have referred to the other side of the picture, as I have done, and shown the increased imports, which more than offset the increased exports to which he refers, not all of which are the result of the trade treaties. While it may be too early to draw any final conclusions about the effect of the trade treaties upon our foreign trade, it is not too early to discern the unmistakable and consistent trend of greater imports than exports in connection with our trade with the treaty countries. This, of course, can only result in a net disadvantage to American producers and American workingmen. It certainly is not too early to draw conclusions from the operation of the Cuban treaty, which has now been in effect for more than 2 years, and which, as I have pointed out, has resulted in much more benefit to Cuba than to the United States.

TRADE CONCESSIONS EXTENDED TO WHOLE WORLD

Of course, it must be remembered that the duty reductions which this country makes under trade treaties with particular countries are extended by the State Department to all but two of the seventy-odd nations of the world without requiring them to make equivalent concessions to us and in spite of the fact that many of them actually discriminate against our commerce. This policy of generalizing our tariff concessions thereby amounts to the same thing as a horizontal tariff reduction, and has the effect of accelerating foreign imports into this country without necessarily benefiting our export trade.

IMPORTS INCREASING FASTER THAN EXPORTS

As the result of the administration's tariff and trade policy our total imports have been increasing faster than our total exports. From 1934 to 1935 imports increased by $392,000,000, or 24 percent, as compared with an increase in exports of only $149,000,000, or 7 percent. From 1935 to 1936 the increase was $372,000,000, or 18 percent, in the case of imports, and $171,000,000, or 7½ percent, in the case of exports.

INCREASED IMPORTS MOSTLY COMPETITIVE

The administration alleges that although imports have increased faster than exports most of the increased imports have been of noncompetitive products. This argument is also advanced by the Democratic majority in their report on the pending measure. They fail to prove their point, however. If we examine the whole picture, we find that the situation is just the reverse to what they contend it is.

By and large our free imports consist almost entirely of noncompetitive products, while our dutiable imports are of a competitive nature. If we compare the increase in free, or noncompetitive, imports with the increase in dutiable, or competitive, imports, we find that the latter have actually increased more than the former, both in percentage and in dollars and cents.

From January through November 1935 and 1936 our competitive imports increased by $173,000,000, or 23 percent, as compared with an increase of only $149,000,000, or 14 percent, in noncompetitive imports. Thus the administration's contention is completely disproved.

If specific examples of increases in competitive imports in 1936 are desired, they can readily be found in the publication of the United States Chamber of Commerce, entitled "Our World Trade, January-September 1936", in which are listed the 50 chief imports according to value. Here are some of the increases shown in that document: Cane sugar, 11.6 percent; distilled liquors, 78.2 percent; wheat, 95 percent; tobacco, 23 percent; fish, 17.4 percent; meat and meat products, 28.7 percent; industrial chemicals, 30.6 percent; sawed lumber, 51.7 percent; cattle, 37.7 percent; cheese, 18.8 percent; cotton cloth, 44.6 percent; manganese ore, 97.9 percent, and so on.

FAVORABLE BALANCE OF TRADE DECLINES UNDER TREATY PROGRAM

The fact that under the administration's foreign-trade policy our imports have increased much faster than our exports has resulted in shifting the position of this country from that of an export nation to that of an import nation. Ever since 1894 we have without exception had a favorable balance of merchandise trade, or, in other words, an excess of exports over imports.

Since the administration's trade-treaty program has been in operation, however, our favorable balance of trade has constantly declined until now it is almost at the vanishing point. In 1934 we had a favorable balance of merchandise trade of $478,000,000. In 1935 this favorable balance declined to only $235,000,000. At the end of the calendar year 1936 it had dropped to the negligible total of only $34,000,000.

STATE DEPARTMENT INDIFFERENT TO LOSS OF FAVORABLE TRADE BALANCE

The strange thing is that those in charge of the trade-treaty program are not at all concerned about the increased ratio of imports to exports, which has resulted in our losing our favorable trade balance. They are not in the least worried by the fact that as a nation we are about to import from abroad more than we sell abroad. They see no harm to domestic producers in giving up more of the home market than we gain of the foreign market. Assistant Secretary of State Sayre not long ago made a speech in New York in which he said that increased exports with a diminishing export balance were an "omen of sound recovery." By what strange mental process he arrives at this conclusion I am unable to say. I for one cannot see any net benefit in buying more than we sell, nor can I see any net benefit in hurting a large group of American producers to benefit a few others engaged in export trade.

When the attention of Secretary Hull was directed to the increased imports and our vanishing trade balance he would not even enter into a discussion of the matter. I had always thought that questions relative to imports and exports, the balance of trade, and so on, were pertinent to a hearing on a tariff measure, but it seems that Secretary Hull did not think so. He said that those who asked such questions were diverting him from the "broad, twin objective of peace and economic well-being, which this program proposes", and indicated that he was not interested in whether "there are a few dollars more today of imports than of exports."

If a drop in our favorable balance of trade from $478,000,000 in 1934 to $34,000,000 in 1936 does not interest the Secretary of State and his colleagues in the State Department, I will say to him that it does interest me and lots of other people in this country. I do not recall that the Secretary was opposed to talking about imports and exports when he appeared before the Ways and Means Committee in 1934 to advocate the enactment of the measure which it is now proposed to extend for another 3 years. He was perfectly willing then to talk about the decline in our foreign trade during the depression, although he seems to have overlooked the fact that it was increasing rapidly at the time he urged the passage of this measure as a means of dealing with what he termed the existing "great emergency" in our international trade.

TRADE TREATIES NOT RELATED TO PEACE

In 1934 we were told that this measure was necessary to restore our export trade. Now that the administration has failed to accomplish this purpose, we are told that it is necessary at this time to bring about world peace. I wonder what excuse for its continuation will be given 3 years from today, when an attempt probably will be made to make the Trade Agreements Act permanent.

There is no nobler object than seeking to bring about and preserve peace throughout the world, but there is some question in my mind as to just how much relation trade treaties have to peace. European nations for years have had commercial agreements with one another, but these trade agreements do not seem to have been much of a factor in keeping peace over there. Moreover, in spite of the fact that this country has entered into 15 trade treaties in the last 3 years, the peace of the world has been increasingly threatened during that time.

I have never heard of any nation which was likely to declare war on us because it objected to our tariff rates. Neither have I heard any sentiment in this country for declaring war on any other nation because of its tariff rates. The Secretary of State apparently wants to buy the good will of the world with the American market, but it is not likely that he would be any more successful with this venture than we were in buying the good will of the allied nations during the war by helping to fight their battle and loaning them billions of dollars, which they have never repaid.

I do not agree with Secretary Hull that by lowering our tariffs and destroying our own industries in favor of foreign producers we would thereby lay the foundations for world peace and dissipate the clouds of war. The American market is too important to our own people to let the Secretary of State gamble it on an idealistic but impractical gesture.

Secretary Hull seems to have contradicted himself during his testimony before the committee when he said in one place that our trade-treaty policy had played a part in "softening and mellowing the minds of statesmen" who had been pursuing a policy of retaliation and discrimination in foreign trade, and then later declared that the reason the world was in such an awful condition today was that not much progress had been made along this line. Judging by the type of argument they are putting forward, I am inclined to think some present-day American statesmen have undergone a "softening of the mind" which is not related to problems of international relations.

INTERNATIONALIST VIEWS OF STATE DEPARTMENT OFFICIALS

I have always regarded the matter of regulation of our tariffs as a purely domestic affair, but under the new doctrine of the State Department it seems to be a matter in which the whole world should have a say. Not long ago Dr. Henry F. Grady, until recently in charge of the Trade Agreements Division of the State Department, said in an address in California:

> This new policy, as I have said, coming in this period of strong isolationist sentiment, is of an importance that can hardly be exaggerated. This policy departs from the old by accepting the principles that our tariff rates are a matter of concern to other countries—

I repeat that last clause—

> that our tariff rates are a matter of concern to other countries.

This is the new doctrine that has been evolved by the State Department. Although the Constitution of the United States gives Congress the power to regulate commerce with foreign countries and to lay and adjust tariff duties, this function has now been transferred to a small group of internationalists down at the State Department, who sit around a table with representatives of foreign governments, in secret, star-chamber proceedings, and determine what shall be the tariff policy of this country; what the rate of duty shall be on this article and that article; what American industry shall be sacrificed in favor of some foreign industry; and what the American people shall be allowed to buy at home and what they must buy from abroad.

These foreign representatives who sit with the State Department officials in writing tariff rates actually have more to say in the matter than the elected representatives of the people in Congress, who are supposed to have the exclusive power to deal with the tariff. These foreigners help write our tariff schedules, while the House and Senate have absolutely nothing to say about them. Congress does not even have an opportunity to approve or reject the rates, once the foreigners have helped write them. That is the condition in which we find ourselves under the operation of this internationalistic doctrine.

In the same speech to which I previously referred, Dr. Grady also said:

> We are, to a greater degree than ever before, meshing our domestic economy into world economy.

This is just more of the same internationalist doctrine. We are frankly told just where the trade-treaty program, as at present administered, is taking us. Perhaps it is a back-door entrance into the League of Nations. Who knows?

In the course of a study of the history of the tariff which I made 2 years ago, I found that in the early history of our country, John C. Calhoun and Henry Clay both supported the cause of protection for American industries on the ground that the economic independence of the United States from Europe was essential for real political independence from Europe. Both of these great statesmen later served their country as Secretary of State. It is a pity that the present incumbent of that great office is so blind to the great truth which two of his illustrious predecessors uttered a century or more ago. Instead he follows in the path of internationalism, forgetting the lessons we have learned in the past.

ADMINISTRATION NOT INTERESTED IN GETTING EVEN BREAK UNDER TREATIES

Not since the days of Woodrow Wilson have the internationalists held the upper hand in Washington. Today they are all powerful. They utterly disregard the real purpose for which the Trade Agreement Act was passed. Assistant Secretary of State Sayre, in a pamphlet published by the World Peace Foundation entitled "America Must Act", sets forth in some detail his views regarding the trade-treaty program. He says its purpose must be broader than mere "horse trading"; adding:

> What matters is not selfish trade advantages gained by individual nations over their competitors, but the gradual liberalization of world trade through the adoption of similar programs by other nations.

It is not hard for us to understand why we have come out on the short end of every trade treaty negotiated thus far, when the man who is immediately in charge of the treaty negotiations comes out with a statement like that. He cares not whether we get anything out of the deal, so long as we set an example for the world to follow in reducing our tariffs. The injury to our domestic producers is of no consequence. We are simply to show the world the way in the hope that it will follow. It is a good thing that Dr. Sayre is not Secretary of War, or he would try to lead the way to world disarmament by disbanding our Army, sinking our Navy, and throwing away our arms and ammunition in the hope that the world would also follow suit.

SECRETARY HULL SILENT ON PRACTICAL ASPECTS OF TRADE-TREATY PROGRAM

It was absolutely impossible during the hearings to get the Secretary of State to talk about the practical, everyday bread-and-butter aspects of the trade-treaty program and its effect upon our people. He actually resented being asked about trade figures, and indicated that he wanted to deal exclusively with the "peace side" of the controversy "rather than lower the whole inquiry to a level of local tariff controversy." He did not wish to stoop to the point of talking about competitive imports or American wage levels and living standards.

At one point during the hearings I asked the Secretary this question:

Do you feel that if we endeavored to protect our own industry we would be creating a hostile commercial policy?

He replied:

The question of tariff protection per se does not arise here.

Then I asked:

Can we compete with foreign countries that have lower living conditions unless we lower our living conditions to those standards?

Again the Secretary did not reply directly to my question. He simply said:

The repetition of your question in just slightly different form only calls for repetition of the statement I have made here repeatedly, that this program calls merely for dealing with excessive, unreasonable, and trouble-breeding restraints and restrictions on trade.

DUTY REDUCTIONS NOT CONFINED TO ALLEGED EXCESSIVE RATES

Mr. Chairman, what is an "excessive" or "unreasonable" tariff rate? We hear a lot of talk about "unconscionable" rates in the 1930 tariff law, but no one ever points out any. However, we may assume from what the Secretary said that every tariff rate that he has reduced thus far was an excessive or unreasonable rate, in his opinion. Let us see what some of them were.

I note that some 88 reductions have been made in the agricultural schedule of the tariff act, including such important farm products as cattle, cream, cheese, poultry, corn, apples, cherries, potatoes, and tomatoes, to mention only a few. The reductions have been as high as 50 percent below the rate fixed in the 1930 tariff act. The Secretary apparently deemed these rates to have been excessive, and he has reduced them, with the approval of the President.

I wonder if American farmers are going to forget the statement made to them by Mr. Roosevelt in 1932 as a candidate for office. Speaking in Baltimore, he said:

Of course, it is absurd to talk of lowering tariff duties on farm products. * * * I know of no effective excessively high tariff duties on farm products. I do not intend that such duties shall be lowered. To do so would be inconsistent with my entire farm program, and every farmer knows it and will not be deceived.

If the farm tariffs levied by the Tariff Act of 1930 were not excessive and if the Secretary of State is only concerned with reducing excessive tariff rates, then I would like to have him tell the farmers of this country why some 88 reductions were made on farm tariffs under the trade treaties negotiated to date, not counting the reductions under the agreement with Cuba. The fact is that he is not confining his operations to reducing excessive trade barriers, because if he were the number of reductions would not be very many, whereas to date he has made 448 reductions, which have been extended to every nation in the world, with two exceptions. One hundred and thirty-three of these reductions have been in the amount of 50 percent; 59 were from 40 to 50 percent; 90 were from 30 to 40 percent; 122 were from 20 to 30 percent; 32 were from 10 to 20 percent; only 2 were less than 10 percent; and 10 were indeterminate.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. In just a moment I will be pleased to yield to the gentleman.

The Secretary of State apparently thought the duty on cement was excessive, so he reduced it from a mere 6 cents per hundred pounds to 4½ cents, with the result that cement imports have increased from 98,000,000 pounds in 1934 to 547,000,000 pounds in the first 11 months of 1936.

He apparently thought the duty on watches excessive, so he reduced the watch rates by as much as 50 percent in some cases, although foreign importers already had obtained half the domestic market and had forced all but four domestic watch factories out of business, with a consequent loss of employment to those engaged in this industry.

He apparently thought the duty on Cuban sugar was excessive, so it was reduced from 2 cents to nine-tenths of 1 cent per pound. By that reduction a cash donation out of the United States Treasury of some $45,000,000 was made to the Wall Street interests which own the Cuban sugar industry, without any consequent reduction in the price of sugar to the American housewife.

And so I could go through the entire list of concessions and point out reductions for which no justification could be shown.

I now yield to the gentleman from Minnesota.

Mr. KNUTSON. The gentleman has covered the point I was going to make, that according to the figures there have been 88 breaches of faith with the American farmers since this administration took office.

[Here the gavel fell.]

Mr. VINSON of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Mr. Chairman, I yield myself 10 additional minutes to use in my own way and whatever extra time I may have I shall use by yielding to the gentleman from Kentucky.

Mr. VINSON of Kentucky. I just want to ask the gentleman if it is not correct to say that in respect of sugar the reciprocal-trade agreements did not enter into that. The sugar rates were handled under a separate act of Congress establishing the quotas.

Mr. TREADWAY. That is not true. The President first reduced the Cuban sugar duty under the flexible tariff from 2 cents to 1.5 cents, and then under the Cuban treaty, which followed shortly, a further reduction was made to 0.9 cent.

But even if they were effected by the quotas, the quotas were arranged so our people could not produce additional sugar while Cuba could raise additional sugar and bring it in here in competition with our own sugar.

Mr. VINSON of Kentucky. The only point I wanted to make——

Mr. TREADWAY. Will not the gentleman please use his own time?

Mr. VINSON of Kentucky. The gentleman, certainly, would not want the House to think that the reciprocal-trade agreements——

Mr. TREADWAY. I want the House to understand what I am saying distinctly and positively and I am standing back of that. If the gentleman does not like what I am saying, let him answer in his own time.

Mr. VINSON of Kentucky. I wanted to help the gentleman tell the truth.

Mr. TREADWAY. Mr. Chairman, I resent a man saying I am not telling the truth, and he cannot accuse me of not telling the truth in this House. I resent the gentleman's remark.

Mr. VINSON of Kentucky. I wanted to help the gentleman.

Mr. TREADWAY. I will tell the truth and I do not ask the gentleman to tell me what the truth is.

Mr. VINSON of Kentucky. I was trying to help the gentleman.

Mr. TREADWAY. No; the gentleman was not trying to help me. Do not try to get away with any nonsense like that, and do not accuse me of not telling the truth.

Mr. VINSON of Kentucky. I will again say that I was trying to help the gentleman.

TRADE-TREATY LAW PERMITS TARIFF REDUCTIONS WITHOUT REFERENCE TO DOMESTIC PRODUCTION COSTS

Mr. TREADWAY. This brings me to a discussion of what I conceive to be one of the most fundamental objections to

the Trade Agreements Act in its present form, namely, that it permits the reduction of our tariff rates without reference to domestic production costs. There is no standard or yardstick set up in the act to guide or control the treaty negotiators in making tariff concessions. They can and do reduce tariff rates far below the amount which is necessary to give domestic producers a fair and equal basis of competition with foreign producers in the domestic market. To my mind, no rate is excessive which merely places foreign competitors on an equal competitive footing with domestic producers in the home market, and that is all the rates in the Tariff Act of 1930 purport to do. If, after investigation by the Tariff Commission, any of those rates are found to be excessive from the standpoint of equalizing foreign and domestic competitive conditions, they can be reduced to the proper level under the so-called flexible tariff provisions of the 1930 act. A definite legislative formula has been laid down by Congress for that purpose.

If the administration is only concerned with reducing alleged "excessive" tariff rates, it certainly can have no valid objection to an amendment to the act, such as I propose to offer, which will prevent reductions from being made which have the effect of giving foreign producers an advantage over domestic producers in the home market. I offered such an amendment when the bill was originally under consideration 3 years ago, but it was opposed by the Democratic majority and consequently was not agreed to.

During the hearings on the pending measure the gentleman from Florida [Mr. WILCOX] appeared before the committee and pointed out how under the treaty with Cuba the tariff had been reduced on every major commodity produced in his district, in each case far below the difference in cost of production of the domestic and foreign product. He proposes to offer an amendment to the bill, and I think rightly so, to protect his people from being further crucified by unreasonable tariff reductions on agricultural or horticultural products. I would, of course, support his amendment as far as it goes, but it seems to me that the same justification for protecting agriculture against unjust tariff reductions also applies to our manufacturing industries and the workers engaged therein, who furnish the greatest market for the American farmer.

There is no reason why we should seek only to prohibit unequal and unfair foreign competition in the case of agricultural products and continue to allow it in the case of industrial products. Aside from the injustice of it, agriculture and industry in this country are so interdependent that if one is stricken down the other will fall with it.

It is no argument to say that the determination of what is a fair or reasonable rate will so impede the progress of the treaty negotiations as to virtually nullify the whole program. Several months are spent in the actual negotiations in any event, and it will take no more time to determine whether a rate is "reasonable" than it now takes the treaty negotiators to determine that, in their opinion, it is unreasonable or excessive. But regardless of this fact, there is no reason for quibbling about time when American industries and the jobs of American workingmen are at stake.

The fact is that those in charge of the treaty negotiations are more interested in their internationalist doctrines than they are in the protection of American industries. They have the same detached interest in the livelihood of our people that a scientist has in the life of a guinea pig on which he is experimenting. If their experiment fails and there is already unmistakable and conclusive evidence that it is failing, the only loss, in their estimation, is the economic life of another guinea pig.

UNFAIR METHODS OF NEGOTIATION OF TREATIES

I now turn to the method of negotiation of the trade treaties, which, to my mind, is absolutely indefensible. Here is what happens: The State Department, as required by the act, first issues a notice of intention to negotiate a treaty with a particular country. Interested parties are then permitted to appear before a body known as the Committee for Reciprocity Information, which has been created by the President to hold hearings prior to the actual negotiation of the treaty. Heretofore it has been necessary for American producers to give their testimony and file their briefs without any indication whatsoever as to what items would actually be considered in the treaty negotiations. They have, therefore, had to "shoot in the dark", so to speak, covering every item of trade between the United States and the other country.

Recently the State Department issued a notice saying that prior to the hearings on the proposed treaty with Ecuador a list would be issued of the items that would be considered in the negotiations. This, of course, is a step forward and, at the same time, it is a confession that past procedure in this regard has been indefensible. However, American producers will still not know until after a treaty is approved by the President and thus made effective, so far as this country is concerned, whether their product will actually be affected. Moreover, there is no assurance that after the treaty with Ecuador is negotiated there will not be a return to the former methods.

HEARINGS NOT HELD BY BODY WHICH CONDUCTS ACTUAL NEGOTIATIONS

Be this as it may, the most fundamental objection to the whole negotiation procedure still has not been corrected. The committee for reciprocity information, which holds the hearings, is not the body which conducts the actual negotiations with the foreign country. This is done by an entirely different group, in secret, star-chamber proceedings. American producers never have an opportunity to appear before those who do the actual negotiation. This is the feature to which I most strongly object. It is as if the House Committee on the Disposition of Executive Papers would hold hearings on a tariff bill prior to the actual drafting of the bill by the Ways and Means Committee.

Of course, it is said that those who conduct the actual negotiations have the benefit of the hearings which are held by the committee for reciprocity information, but this is not altogether true, since the hearings are "briefed" before they are presented to the treaty negotiators, and this means that they miss a great deal of the testimony. Moreover, there is no indication that the abbreviated copies of the hearings receive any attention once they are in the hands of those in charge of the negotiations. No doubt many domestic producers have presented what they considered to be an unanswerable argument for the retention of the present duty on their product, only to find later on that their evidence had been entirely disregarded. There is absolutely no sense in going through the motions of holding hearings if the testimony does not reach the ears of those primarily responsible for the negotiations, nor is there any sense in presenting testimony if it is not going to be considered when it does reach their ears. The whole proceeding, to my mind, is farcical, and denies to American producers an adequate and fair opportunity to present their views to the proper parties.

The most indefensible part of the whole proceeding is from the time the treaty negotiators begin their work until the completed treaty is approved by the President. This part of the work is carried on behind barred doors by the secret trade-agreements committee of so-called experts, who sit down with the representatives of foreign governments to decide upon the actual concessions to be made on both sides. American producers have no intimation of what goes on behind these closed doors. They are not admitted. Not a single Member of Congress can gain admittance to this star-chamber proceeding, although Congress has the exclusive power under the Constitution to regulate tariff rates. No information is permitted to leak out concerning the actual terms of the trade treaty until it has been completed and the President has approved it. Then, of course, it is too late for any changes to be made.

FOREIGN LEGISLATIVE BODIES HAVE RIGHT TO APPROVE TREATIES BUT CONGRESS DOES NOT

No hearing is ever held on the treaty after it has been agreed upon; nor are the treaties subject to approval by either the Senate or House of Representatives. Congress has no opportunity whatever to pass upon them, no matter how ruinous they may be to domestic interests. But while the American Congress is denied this right, the legislative

bodies of 13 of the 15 countries with whom treaties have been negotiated have been given an opportunity to approve or reject the treaties. Think of that! We who are charged by the Constitution with regulating tariff duties must sit idly by and let foreign representatives help the so-called tariff experts in the State Department write our tariff rates and then have foreign legislative bodies approve their schedules without giving us the same right. That is how far those who are responsible for the drafting of the Trade Agreements Act have strayed from the principles of representative government. This is the act which we are being asked to approve today by extending it for 3 more years.

I know the answer that will be made when I offer an amendment to the act providing for ratification of the treaties by the House and Senate. It will be said that this will mean delay and uncertainty. Reference will be made to the fact that few past treaties which have required congressional ratification have ever been approved. But this is no answer. Congress is in session 6 months of the year, and at least half the treaties negotiated could be presented for approval during that time. The others would not be delayed for more than 6 months and not all of them for that length of time. Many of them have to be approved by foreign legislative bodies in any event.

So far as the record on past treaties is concerned, that is unimportant. If they were not in the interest of the American people, they should have been defeated. Under the Constitution ratification of a treaty by the Senate requires a two-thirds vote; and, of course, it will be said that those opposed to a treaty can always muster the necessary one-third to defeat it. However, the administration contends that the agreements which are being negotiated under the Trade Agreements Act are not treaties but Executive agreements. If such is the case, they would not require a two-thirds vote for approval. My amendment provides that they must be approved by concurrent resolution of the Congress, which means that a simple majority in both Houses is all that is required for ratification. I have provided for House approval concurrent with the Senate because these trade agreements set aside rates of duty which Congress has fixed in pursuance of its exclusive constitutional duties and responsibilities. Moreover, these trade treaties or agreements affect the revenue, and under the Constitution all revenue bills must originate in the House of Representatives. Another reason for House ratification is that the treaties vitally affect the economic welfare of our whole people, and their elected representatives in Congress should have some authority in the matter.

ACT DENIES AMERICAN PRODUCERS RIGHT TO LITIGATE MATTERS ARISING UNDER TREATIES

Without going into any extensive discussion of the legal aspects of the Trade Treaty Act, I want to answer a few statements that have been made in defense of its constitutionality. In the first place I want to refer to a question asked of Secretary Hull by the gentleman from Kentucky [Mr. VINSON]. It is as follows:

> Could the Secretary inform us whether any court has ever dared to hold this action unconstitutional in respect to its not including the submission of the trade agreements to any legislative body?

Note the use of the word "dared."

The Secretary, of course, replied:

> It has not been dealt with adversely by the courts.

What was not brought out was why it had never been dealt with adversely by the courts. The fact is that those who drafted the original act were very careful to take precautions against any such contingency. By a very innocent-looking provision in the act, which merely makes the provisions of section 516 (b) of the Tariff Act of 1930 inapplicable to duty changes under the trade treaties, the administration has very effectually prevented any constitutional challenge from being made. This provision was not in the bill when it was before the House, but was added in the other body. When it was offered, a Member called attention to the fact that by this amendment American producers were being divested of their right to litigate matters arising out of the treaties. Here is the reply made by the Member in charge of the bill:

> That is what we intend to do, since we want no interference or delay from domestic interests.

This shows how far the administration has gone in denying constitutional rights. This provision of the act reminds one of the methods used in certain other countries to put down opposition. It is indefensible, un-American, and an outright confession of the unconstitutionality of the whole set-up.

POWERS OF CONGRESS UNCONSTITUTIONALLY DELEGATED TO PRESIDENT

Reference is made in the report of the majority of the Ways and Means Committee to the reciprocal agreements made under the McKinley Tariff Act of 1890. It is said that they are a precedent for the delegation of authority to the President under the Trade Agreements Act. This I deny. Under that act the President was merely empowered to negotiate with respect to certain articles, and Congress specified both the articles and the rates of duty that should be imposed. That is entirely different from giving the President the power to specify both the articles and the rates of duty, as the Trade Agreements Act does. In the first instance, the legislative powers are fully exercised by Congress, and the President merely performs an administrative function. This was the holding of the Supreme Court in the case of *Field v. Clark* (143 U. S. 649), in which the constitutionality of the McKinley reciprocity provisions was upheld. But in the case of the authority conferred under the Trade Agreements Act, Congress unconstitutionally delegates full legislative power to the Executive.

The so-called flexible tariff provisions of the 1930 Tariff Act have also been cited by the majority as a precedent for the authority conferred under the Trade Agreement Act. The flexible provisions were upheld by the Supreme Court because Congress had laid down a formula—the difference in foreign and domestic production costs—to which the President was required to adhere in increasing or decreasing duties. The Court said that in this case the President merely performed an administrative function, and that Congress completed its legislative function when it provided the standard by which the President should be governed. In the Trade Agreements Act, however, no such standard or formula is laid down. The President's authority is both arbitrary and complete. He in fact exercises the legislative powers of Congress in fixing tariff duties, contrary to the Constitution of the United States.

The recent decision of the Supreme Court in the Curtiss-Wright Export Corporation case, involving the authority given the President in connection with the Chaco arms embargo, has been cited by the majority as authority for giving the President the power to make "such international agreements as do not constitute treaties in the constitutional sense." Of course, such Executive agreements cannot set aside statutory law. The trade agreements actually set aside the tariff rates fixed by Congress.

It is also contended that the Curtiss case lays down the general proposition that in the international field, the President must be accorded "a degree of discretion and freedom from statutory restriction which would not be admissible were domestic affairs alone involved." This has no application to the Trade Agreements Act, since the adjustment of tariff duties is, under the Constitution, a specific and exclusive function of Congress, and is not strictly speaking a matter which comes within the field of international negotiation. Even if this reference were applicable, the extension of broad authority in the field of actual negotiation would not foreclose the right of ratification by Congress.

VIEWS OF DEMOCRATIC MEMBERS ON DELEGATION OF POWER TO PRESIDENT

It is of course a waste of time to talk about the Constitution in this body. Therefore I will base my argument for congressional ratification of the trade agreements upon another consideration. Several years ago, when the matter of giving the President his present authority under the flexible tariff provisions was under consideration, a number of gentlemen made very persuasive arguments against giving the delegation of any powers over taxation to the Executive, even though in that case such powers were circumscribed by

the formula laid down by Congress. These same gentlemen today are asking this House to give to the President, for another 3-year period, far greater powers than they opposed giving him a few years ago.

I have already referred briefly to what the chairman of the Ways and Means Committee, the gentleman from North Carolina [Mr. DOUGHTON], said about this matter of delegating power to the President. However, I will include his full statement at this point:

> The fathers who framed the Constitution wisely, in my opinion, left to Congress the initiating and enacting of laws raising revenue. The flexible tariff provision giving the President the power to raise or lower tariff rates to the amount of 50 percent renders nugatory in spirit and practical effect this provision of the Constitution.
>
> • • • • • • •
>
> If this bill is enacted into law he will have the power of life and death over industry, all manufacturing enterprises, and complete autocratic power affecting agriculture.
>
> My friends, this is too dangerous and alarming to contemplate. With all this power vested in the President of the United States he becomes a colossus. It is too much power and authority to lodge in any man who ever has been, is now, or ever will be President of the United States.
>
> It seems that the more power men are given the more they are obsessed with a morbid gluttony for increased power. My friends, it is time to pause and call a halt, to stop, think, look, and listen before we go over the yawning precipice just ahead of us.

Now that is a remarkable statement by the gentleman who is now asking the House to continue the Trade Agreements Act, which vests far greater power in the President, for another 3 years. Of course, the gentleman will say that conditions were different now than they were then; that the Trade Agreements Act is an emergency matter. I deny that there is any emergency, but that is aside from the point. The gentleman did not say that he was opposed to granting this power to the President "except in emergencies." He made his statement unqualifiedly. Moreover, the Constitution of the United States does not say that Congress shall have the power to regulate commerce with foreign countries and to levy and adjust tariff duties "except in emergencies." It gives Congress this exclusive power at all times.

The Secretary of State, both as a Member of this body and as a Member of the other body, had very definite views on the subject of delegating power to the President. He said that the flexible tariff provisions were "subversive of the plain functions of Congress" and that they were an "unjustifiable arrogance of tariff-making authority to the President." He further said that the flexible tariff practically vests in the President—

> • • • the supreme taxing power of the Nation, contrary to the plainest and most fundamental provisions of the Constitution—a vast and uncontrolled power, larger than had been surrendered by one great coordinate department of government to another since the British House of Commons wrenched the taxing power from an autocratic king.

That, of course, is a very strong statement, yet this same gentleman came before the Ways and Means Committee and asked that complete and arbitrary authority in the President over tariff and excise rates be continued in the President for another 3 years.

The gentleman from Kentucky [Mr. VINSON] is one of the principal advocates of the Trade Agreements Act. He will undoubtedly address the House in the course of this debate and ask us to continue this law which gives the President the discretionary power to fix tariff rates. Yet here is what he said in connection with the delegation of the flexible tariff powers to the President:

> We do not advocate autocracy and bureaucracy, yet there are men who permit their growth in the name of expediency. • • •
>
> The fathers who wrote the Constitution never contemplated the placing of the power to fix rates in the hands of the President.

Today, in the name of expediency and in the name of an alleged but nonexistent emergency, the gentleman from Kentucky asks us to place the power to fix rates in the hands of the President. Consistency, thou art a jewel!

USELESS FOR OPPONENTS OF TRADE TREATIES TO RAISE THEIR VOICES

I wish now to make a few brief comments concerning the hearings on the Doughton resolution before the Ways and Means Committee. The minority will be twitted because so few persons appeared in opposition to the bill. There is no use in beating around the bush in connection with this matter. Industry has suffered so much at the hands of the administration and is being so intimidated and regulated so much that it is simply afraid to voice its opinion. I have in my files letters to prove that statement. Moreover, industry realizes that whether it objects or not, whatever the administration advocates will be supinely adopted by this House, and therefore there is no use taking the trouble and going to the expense of coming to Washington to interpose any objections.

VIEW OF UNITED STATES CHAMBER OF COMMERCE

I am not insensible to the fact that the United States Chamber of Commerce was represented at the hearings by a witness who, in speaking for the foreign commerce department of that organization, expressed approval of the reciprocal trade program of the administration. However, I call attention to the fact that none of the resolutions of the chamber, as adopted at its annual meetings in the past few years, have expressed unqualified approval of the present trade program. In 1935 the resolution adopted by the chamber of commerce pointed out—

> The importance of our Government establishing some formula, as a guide to the negotiators, to assure that no important American industry, whether it be agriculture, manufacturing, mining, or forests, be menaced by destructive foreign competition.

I call attention to the fact that no such formula is laid down in the act.

In its 1936 resolution the chamber of commerce said:

> In our tariff legislation there should be recognition of the importance of encouraging our export trade. For this purpose the negotiation of reciprocal trade provisions of agreements, so far as consistent with reasonable protection for American industries, and having regard for existing treaties, should be supported.

This resolution also fails to express unqualified approval. There is nothing in the act to require the trade treaties to be negotiated with due regard for reasonable protection for American industries. The gentleman who appeared before the committee representing the chamber was not an American producer but one who was engaged in foreign trade. He admitted that he was a vice president of the American & Foreign Power Co., which had large investments in utilities in foreign countries. Of course, he was in favor of the trade treaty program. So are the international bankers, who want to collect the private loans they have made abroad, even though it be at the sacrifice of some domestic industry.

INTERNATIONAL CHAMBER OF COMMERCE REPRESENTED AT HEARING

The president of the United States Chamber of Commerce, Mr. Harper Sibley, also appeared before the committee in behalf of the trade-treaty program, but not in his capacity as an official in that organization. On the contrary, he stated that he was appearing for the purpose of presenting the views of the International Chamber of Commerce, which he described as a federation of businessmen and business organizations of 45 countries throughout the world. Of course, these foreigners and internationalists are for the trade-treaty program. We did not need to be told that. I, for one, resent any suggestions from foreigners as to how we should legislate for the benefit of the countries which they represent. It was a privilege for me to inform Mr. Sibley that some of us, at least, thought it was in very bad taste for the representatives of business organizations abroad to undertake to advise Congress. Evidently Mr. Sibley, in presenting the views of the International Chamber, was acting under the new doctrine enunciated by the State Department that foreign countries have an interest in our tariff rates.

COMMENTS ON TESTIMONY OF CHAIRMAN O'BRIEN, OF TARIFF COMMISSION

In any serious and important hearing as that on the extension of the trade treaties it is well to have the monotony relieved by a bit of levity. This was provided by that supercomedian, the Chairman of the United States Tariff Commission, Hon. Robert Lincoln O'Brien. He devoted his time principally to assuring the committee of his Republicanism and his vote for the Republican ticket, although,

of course, he is now holding office under a Democratic President.

Mr. O'Brien offered much gratuitous advice similar to that which he gave the committee when the reciprocal-tariff bill was first before Congress. It was also along the same lines as the advice which he tried to give the Republican Party last June, without much success. He placed a value on his services to the Tariff Commission of a dollar a year, and I am inclined to think he is right, especially with the functions of that body under the flexible tariff provisions absolutely nullified under the present policy of reducing tariffs under the trade treaties and no upward adjustments even when necessary.

While protesting his Republicanism—he is so designated as a member of the bipartisan Tariff Commission—he nevertheless admits that he is not in agreement with Republican principles as enunciated in the party platform. He referred to several noted gentlemen as having declared themselves in favor of the Hull reciprocal tariff policy, but perhaps he is as far wrong in quoting from some of these as he was in quoting from Hon. William R. Castle, former Under Secretary of State. I have a letter from Mr. Castle in which he distinctly repudiates Mr. O'Brien's representation of his views.

In his letter to me, Mr. Castle refers to a conversation he had with Mr. O'Brien before the trade-treaty program was put into effect, in which he expressed general approval of the principle of reciprocity, but said that he was opposed to the delegation of sweeping tariff-making powers to the Executive. After the trade-agreement program had been in effect for a time he had another discussion with Mr. O'Brien, and I should like to quote his letter referring to that second discussion:

> Sometime later I discussed the matter again with Mr. O'Brien, and at that time said that I considered it infamous that interests, the very lives of which might be jeopardized, were not given effective public hearings; in other words, that I hated star-chamber proceedings; that I was beginning to be very doubtful whether it was possible to reconcile the most-favored-nation principle with the principle of reciprocity through trade agreements, as at the time I understood it was injuring the country; that I felt more strongly than ever that the agreements should all be referred to Congress for its approval through joint resolution or otherwise. I said that I did not want to see the tariffs lowered indirectly through these trade agreements; that if they were too high, the fact should be frankly admitted and that they should be lowered by Congress.
>
> Apparently what Mr. O'Brien remembered in making his statement is that I am in favor of reciprocity. This remains true, but it does not in the least follow that I am in favor of the present undemocratic method of making reciprocity agreements.

Sometime ago Mr. O'Brien indicated that Hon. Ogden L. Mills was one of those favoring the Hull method of reciprocity, but I have in my possession a statement from Mr. Mills repudiating any such thought.

Mr. O'Brien said during the hearings that he was already aware of his "failing mental powers", and in my opinion he is as far wrong in his ideas about the present methods of tariff reciprocity as he was about the views of some of the men whom he purported to quote.

ASSISTANT SECRETARY OF STATE SAYRE AN INGENIOUS WITNESS

In referring to the witnesses who appeared before the Ways and Means Committee, I feel I should extend my congratulations to the Assistant Secretary of State, Dr. Francis R. Sayre, who is the most ingenious and best-informed witness I have heard in many years. If trade treaties become a permanent policy of this Government, foreign countries should erect a monument to him while he is still in the flesh in order that he himself may realize to what extent he has contributed through his genius and ability to the tearing down of American industry and agriculture.

I wish also to pay my respects to the able corps of assistants which Mr. Sayre and other Government witnesses had at their sides to supply supplemental information and documents. This same compliment can be paid to all the administration employees who favored us with their presence both on the rostrum, where the committee sits, and in our anteroom, where private telephones are located and which were so generally monopolized by these assistants that at times it was impossible for committee members to receive telephone messages. It may be perfectly in keeping that experts from the State Department, the Tariff Commission, the Department of Commerce, and the Department of Agriculture should constantly furnish members of the majority with memoranda suggesting questions to be put to witnesses while hearings are in progress, but certainly at the recent hearing this was carried on to uncalled-for extremes.

FAVOR M'KINLEY TYPE OF RECIPROCITY AS OPPOSED TO HULL TYPE

In conclusion I want to point out that I have today said nothing against the general principle of reciprocity which underlies the trade-treaty program. As is stated in the minority report on the pending measure, the Republican Party has sponsored reciprocity measures in the past. Reciprocity is an old Republican doctrine. But there are all kinds of reciprocity and the present method is unlike any other that we have had in the past.

It is an unconstitutional method. It is an un-American method. And it is a method which is inimical to the best interests of the American people.

I am for the type of reciprocity that was advocated by the greatest exponent of genuine reciprocity which this country ever had, the late lamented martyred President, William McKinley. In his view, reciprocity and protection for American industries were perfectly consistent with each other. He was a great protectionist and a great expounder of the doctrine of reciprocity. He did not advocate the type of reciprocity that requires the transfer of the tariff-making powers of Congress to the Executive. He did not seek the removal of every tariff duty that tended to limit the amount of competitive foreign products that could pour into our domestic market. Nor did he seek to kill off one domestic industry in what might be a vain attempt to help the export market of another.

M'KINLEY RECIPROCITY RETAINED PRINCIPLE OF PROTECTION

In his inaugural address of March 4, 1897, President McKinley set forth his views on reciprocity. He held that the end in view was always to be—I quote:

> • • • The opening up of new markets for the products of our country by granting concessions to the products of other lands that we need and cannot produce ourselves and which do not involve any loss of labor to our own people, but tend to increase their employment.

Now that is an admirable statement as to the purpose of real reciprocity. It contemplates the exchange of mutually beneficial tariff concessions with foreign nations, but it very definitely does not contemplate the removal of protective duties on the articles which we can and do produce in the United States in commercial quantities. I am for the McKinley type of reciprocity as distinguished from the so-called Hull type, as evidenced in the trade treaties that have been negotiated under the measure now being considered.

TRADE-TREATY LAW NOT AN ISSUE IN ELECTION

Just a word in closing about the trade-treaty law as an issue in the last election. It has been suggested that the Republican minority are in no position to oppose the continuation of the Trade Agreements Act since it was passed upon favorably by the people in the 1936 election.

I think we know pretty definitely that the election was not decided on the basis of the vital issues existing between the two major parties, of which reciprocal trade agreements were one. Other considerations, which I need not mention, were primary factors.

PEOPLE WILL NOT BE FOOLED BY FALSE ISSUE OF PEACE

Hence it is idle to say that the people have endorsed the present trade treaty program. They have not, and if we are ever again permitted to hold an election in this country on the actual issues involved they will very clearly show their adverse attitude.

The American people know when they are being "sold down the river." They will not be fooled by the State Department internationalists, who seek to hide the real issue by raising the cry of "Peace! Peace! We must seek peace by allowing foreign competitors to supply our markets." Our people fully realize that their well-being depends upon the preservation of the protective-tariff system, and they will not allow American agriculture, labor, and industry to be destroyed through the injection of this false issue. [Applause.]

Mr. DOUGHTON. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. CULLEN].

Mr. CULLEN. Mr. Chairman, ladies and gentlemen of the Committee, before I proceed with my 5-minute statement as to the general good of this reciprocal resolution I should like to direct the attention of my distinguished friend from Massachusetts [Mr. TREADWAY], who, to use a stock phrase, I have great love and affection for, to the fact that he took the floor and at the beginning of his remarks said among other things that the Ways and Means Committee had brought into the House this reciprocal trade extension resolution without complying with the Ramseyer rule; that it had not abided by the law providing that an amendment to the tariff act shall be set out in the report.

We have not violated the rule in regard to the tariff law.

This has absolutely nothing to do with the tariff law. The Ramseyer rule says under a tariff or any other statute we must amend specifically or directly. We are doing neither in this case. We are not amending the statute, we are not repealing a statute, but we are creating something, so that I hope the gentleman will leave that out of the RECORD, for the preservation of the reputation of the committee of which he and I are members. I know he does not want that there, because I think some day it may come back to plague him.

Mr. Chairman, the distinguished chairman of the Committee on Ways and Means, the gentleman from North Carolina [Mr. DOUGHTON], stood on his feet here for 1 hour and a half explaining this resolution, and he gave a lucid explanation of it, so much so that any Member here who was paying attention to his explanation could not fail to understand the statement and what the resolution proposes to do. I do not intend to go into a complete analysis of what the resolution does, but I shall content myself in giving a general statement of what benefits we have received since it has been on the statute books and since the President has exercised the power given him 3 years ago.

A little less than 3 years ago President Roosevelt's first administration asked and obtained from Congress emergency powers to enter into trade and tariff agreements with foreign nations, unhampered by the normal requirement of obtaining specific legislative approval for the agreements so made, or for the tariff reductions made under them.

Today we are considering a resolution to extend that authority for a further period of 3 years. In my judgment, such an extension is highly desirable for the best interest of the country.

Upon the passage of the Smoot-Hawley law in 1930, barriers were raised against the free flowing of foreign trade. Since the operation of the reciprocal-trade agreements our trade has increased tremendously. There has been a general expansion in both exports and imports, and this has been instrumental in bringing our shipping back to life. The increase of our foreign trade had had a very beneficial effect upon our domestic welfare. Employment has increased, and will undoubtedly continue to increase. American industry and agriculture has already profited from our growing exports.

If this present arrangement is continued the President will be able to act as an umpire, as it were, and recommend decisions in favor of national rather than sectional interests and take action which will create the greatest number of jobs for the greatest number of our people. This policy has the advantage that it stresses as its goal the improvement in foreign trade of the United States with not just one or two countries but with the entire world.

Ten hours has been set aside for general debate on this bill. The benefits that we have received under its operation is positive proof of the good that it is doing for the entire country. In my opinion, this legislation is so meritorious that we should pass it in an hour.

It developed at the hearings that no individual or organization lodged any strenuous opposition to the extension. As a matter of fact, such organizations as the chamber of commerce and other prominent civic organizations, who opposed the legislation when originally introduced, have changed their viewpoint after realizing the benefits which have accrued. In fact, they now advocate the continuation and have recommended a further extension of 3 years.

I have a letter here from the Brooklyn Chamber of Commerce, which, with the permission of the Committee, I shall include as a part of my remarks, which letter endorses it very strongly.

BROOKLYN CHAMBER OF COMMERCE,
Brooklyn, N. Y., January 28, 1937.

Hon. THOMAS H. CULLEN,
Ways and Means Committee,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN CULLEN: There is now before your committee House Joint Resolution 96, introduced by Mr. DOUGHTON.

This bill would extend the so-called reciprocal trade agreements law (ch. 350, Tariff Act, 1930, Public, 316, 73d Cong.) for an additional 3 years.

This legislation was carefully considered by the executive committee of this chamber. We feel that by the method provided in the reciprocal trade agreements law the artificial barriers erected against our foreign trade are being gradually removed. Although, unfortunately, world conditions have perhaps prevented our reaping the full benefit of the negotiations thus far completed, there is no doubt that our foreign trade has been improved. The work, however, has but begun. The extended period is necessary to its completion.

We urge expeditious consideration and favorable report.

Respectfully yours,

CARY D. WATERS, *President.*

The distinguished chairman of the Committee on Ways and Means [Mr. DOUGHTON] has given a complete and thorough explanation of the benefits of this legislation. Under the circumstances there is very little that I can add to emphasize my reason for favoring the further extension of these agreements.

This is no time to listen to those who advocate the doctrine of economic isolation. But this is the time to pass such worthy legislation, which will bring to our country a return of prosperity and a rejuvenation of our merchant marine. Furthermore, the policy pursued by our Government has served to strengthen the bonds of friendship between ourselves and other countries.

The Democratic members of the Committee on Ways and Means were unanimous in reporting the bill, realizing and appreciating the importance of extending the authority for the continuation of this splendid program. Through the extension of our foreign-trade agreements we will witness the continuation of our domestic recovery and an economic standard that will go a long ways toward bringing about permanent peace. The accomplishments of these twin goals will be an achievement that all of us can be proud of. Therefore, it is my conviction that such a sound and sensible proposal should pass the House unanimously. [Applause.]

Mr. TREADWAY. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. CULKIN].

Mr. CULKIN. Mr. Chairman, this House is again asked to abdicate its constitutional authority and to turn over to the Executive the important duty of writing the tariffs of America. Arguments adroitly and skillfully presented have been advanced for the extension of this great power, but they are without foundation in honest economics or sound nationalism.

THE TARIFF OF 1930

One of the oft-expressed reasons why this delegation of power should be made is the claim that the Smoot-Hawley tariff had disastrous effect upon the export trade of America. It is stated that this tariff was so high that it brought retaliatory action and embargoes from foreign countries. The truth is that before the echoes of the last shot fired in the World War had died away England, France, Germany, Italy, and even communistic Russia started building tariff walls. Before that tariff was passed England had abandoned its ancient free-trade policy and become a protectionist country. France immediately sought to be self-contained, and Germany did likewise. The claim as made by the proponents of this measure—that the Smoot-Hawley tariff caused a policy of aggression from the rest of the world—has no foundation in fact. It is the patter of importers and internationalists who desire to exploit America to their own ends. When Secretary Hull and Professor Sayre make this statement they are displaying either a pretended or actual ignorance of the internal and external policies of Europe, as shown by recent

history. I urge that the Members of this House exercise intellectual honesty in considering this question and not be led afield by reasons not founded on fact.

The proponents of this measure are also vigorously circulating the conventionalized fiction that the falling off of our foreign trade was due to the tariff of 1930. Every Member of this House whose mind is not submerged by departmental propaganda knows that in 1930 we had a world-wide depression. At that time European countries had no money with which to buy our agricultural or industrial products. Between 1922 and 1929 the American people, on the urging of the international bankers, had loaned Europe $12,000,000,000 of American money. After 1929 the international bankers found that the American people were not going to be led to slaughter any longer, and we then stopped furnishing Europe with buying power.

If the Members of the House on the other side of the aisle will permit their high intelligence to have full play they will recognize the specious character of this argument. Every intelligent economist knows that the loss of buying power in Europe was not due to our international or tariff policy. That contention is not only unsound but it is likewise mendacious.

UNIVERSAL PEACE

There is a third ground urged for the delegation of the tariff-making power to the Executive, namely, that it is America's first duty to insure the peace of the world by turning over the American market to various foreign nations. Secretary Hull and Professor Sayre, who are the chief spokesmen for this program, no doubt honestly believe that they can insure world peace by giving all the nations of the world what they want in the way of tariffs. Both these officials have repeatedly stated that world peace will be obtained if we permit the foreigner to write our tariffs—at least, to write such a tariff as they desire. They believe that if we will but blend our economic destinies with all of the other nations of the world that war will cease to be and the lion will lay down with the lamb.

Mr. DOUGHTON. Mr. Chairman, will the gentleman yield?

Mr. CULKIN. For a brief question, because I have been cut down very closely.

Mr. DOUGHTON. Will the gentleman please tell us where we can find a verification of the statement that he has just made with reference to Secretary Hull and Mr. Sayre?

Mr. CULKIN. Will the gentleman give me a little time on that question?

Mr. DOUGHTON. Plenty of time.

Mr. CULKIN. Very well. I shall give the House a concrete illustration of that very fact. Last week Mr. Runciman, the president of the Board of Trade of England, was here at the White House conferring with the President. The distinguished chairman of the committee knows that there is a trade agreement pending or suggested with the British Empire; that is, with England and her colonies. Mr. Runciman, according to the well-informed writers of the press, stated to the President that the trade agreement in question was dependent, if you please, on this Congress writing a proper neutrality act. So I say to the gentleman and to the House that through the operation of this policy, the scope of which the distinguished gentleman does not know, this House does not know, the Senate does not know, we are being definitely intertwined with the affairs of Europe.

Mr. DOUGHTON. Does the gentleman yield?

Mr. CULKIN. I think I have answered the gentleman's question.

Mr. DOUGHTON. Is that an answer to my question?

Mr. CULKIN. Yes; I think it is a fair answer.

Mr. DOUGHTON. The gentleman has not touched within 100 miles of it.

Mr. CULKIN. That is a characterization.

When the President sought and obtained the power to make trade agreements without the concurrence of the House and Senate, of necessity he delegated it to the Secretary of State, the Honorable Cordell Hull. I yield to no man in my admiration for the high character and ability of our distinguished Secretary of State, the Honorable Cordell Hull. When, however, Mr. Hull gets into the realms of tariff and international-trade agreements he becomes a mystic and a dreamer. He is an avowed free-trader.

Placing these treaties under his auspices is like giving the command of the Army to an avowed pacifist or giving a Quaker the command of the Navy. Nor is that all of the story. In turn, Secretary Hull delegated the mechanics of this treaty trading power to the Assistant Secretary of State, Prof. F. B. Sayre. Again the destiny of agriculture and industries passed to the control of an internationalist, who was born and bred in an international atmosphere. To Professor Sayre's mind, any treaty is a good one provided the other country is happy. I listened with great interest to his ingenious presentation of the case of trade agreements to the distinguished Ways and Means Committee. He is the man behind the gun and has the mechanics of these treaties in charge. I have said that he is an ardent internationalist. Let the Members of this House read his book Experiments in International Administration. Professor Sayre has been the recipient of more foreign decorations than any man I know of, for foreign governments thus recognize his loyalty to the principles of internationalism.

Here is the list: Created Phya Kalyan by the King of Siam, 1924; awarded the Grand Cross of Crown of Siam, 1924; Grand Cross of White Elephant (Siam), 1925; grand officer, Order of Orange-Nassau (Netherlands), 1925; knight grand commander, Chula Chom Klao (Siam), 1926; commander, Order of the Danneborg, first class (Denmark), 1926; Grand Cross, Royal Order of Isabel in Catolica (Spain), 1926; Grand Cross of Order of Christ (Portugal), 1926; commander, Order of St. Olav, first class (Norway), 1927; Grand Cross, Order of Crown of Italy, 1927; Grand Officier de Legion d'Honneur (France), 1929.

The fact is that through his speeches and writings he gives America's case away before the actual treaty making begins. The foreign economists and the foreign embassies know his disposition and intent, and the shrewd Frenchman, the able Canadian, and the realistic representatives of other powers take him into camp without difficulty. The significant feature of his appearance before the Ways and Means Committee was that he appeared disguised in the role of a national. His true nature and his basic beliefs are apparent when he speaks before a congress of importers or a group of internationals.

CONTEMPT OF CONGRESS

Both Professor Sayre and Secretary Hull have a complete contempt for Congress.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. CULKIN. Briefly.

Mr. COOPER. I challenge that statement.

Mr. CULKIN. The gentleman does challenge it. He may.

Mr. COOPER. About the distinguished Secretary of State who served with great distinction for 24 years in this body and 2 years in the other body.

Mr. CULKIN. I yielded for a question. I did not yield for a self-serving declaration. The gentleman knows that is not parliamentary procedure. I do not yield to the gentleman for a speech.

Mr. COOPER. When the gentleman yields it is not within his province to say what I shall say.

Mr. CULKIN. The gentleman cannot make improper statements.

Mr. COOPER. Nothing I have said is improper, and it is not within the province of the gentleman to tell me what is proper or improper.

Mr. CULKIN. That is the same bulldozing tactics that went on before the gentleman's committee. It was a shameless performance.

Mr. COOPER. The gentleman is not a member of the committee and knows nothing about it.

Mr. CULKIN. I was present during the hearings.

Mr. MILLARD. Mr. Chairman, a point of order. The gentleman did not yield to the gentleman from Tennessee.

The CHAIRMAN. Does the gentleman press the point of order?

Mr. MILLARD. Not now. [Laughter.]

Mr. CULKIN. Secretary Hull formerly served in this House and should have a sympathetic view of the problems of Congress. But he is impatient and unmannerly under fire and seems to regard Congress as a logrolling venal body, incapable of intelligent action. If the Members of this House will obtain copies of his speeches, they will see what I mean. For myself, having an unshaken belief in the processes of popular government, I resent this.

Mr. MILLARD. Mr. Chairman, will the gentleman yield?

Mr. CULKIN. Briefly.

Mr. MILLARD. The gentleman served in this House with Secretary of State Hull?

Mr. CULKIN. Yes.

Mr. MILLARD. And most of his speeches were for free trade?

Mr. CULKIN. He appeared here and made those speeches. They smelled of the lamp. They were brilliant and able.

Mr. MILLARD. But always in favor of free trade?

Mr. CULKIN. Always for free trade. Secretary Hull's attitude is reminiscent of the statement of Mussolini—that liberty is a stinking corpse. It is reminiscent of the statement of Hitler—that the whole performance of constitutional government, particularly in the legislative end, is venal and unworthy. For myself, I would rather trust this great Committee than confide the destinies of our Nation to the white-spatted group who are in the Department of State. During our history our Department of State has rarely been outstanding or noteworthy. We had a few years of Jackson, Seward, Blaine, and Olney, but this Department has never been healthful or vigorously national in its conception of the dignity and purposes of America. An invitation to play tennis on the courts of the British Legation, properly placed among the young men who are making over the patterns of America, might well overturn any tariff schedule. This House should remember that the nations of Europe not only hate us but they hate each other with complete abandon. Europe today is a powder keg, and one spark will engulf the whole world in war. What Messrs. Hull and Sayre do with these trade agreements will have no more effect on the future peace of the world than a last year's bird nest.

It is a historical fact that wars have never occurred over trade, but only when territorial aggression threatened. Wars from time immemorial have been for territory or colonies.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. TREADWAY. Mr. Chairman, I yield the gentleman 10 additional minutes.

DISASTROUS INTERNATIONALISM

Mr. CULKIN. I make bold to call the attention of the House to the results of our last excursion into internationalism. Twenty years ago we entered the World War intent upon saving the world for democracy. In this process we spent $40,000,000,000 and thousands of American lives. Through the influence of our numbers and vast resources the Allies were successful. We took nothing from the world as a result of our participation in the war. We received no territory and asked for nothing save the perpetuation of popular institutions. The result is history. Look at Europe today. Popular government and democracy are wiped out except in England. The dictators of Europe refer to popular government as a sham and delusion. There is no free thought, free press, or freedom of expression over the greater portion of Europe. Then an attempt was made to involve us permanently in the affairs of Europe through the League of Nations. Thrice this policy was rejected by the American people. Europe today owes us $30,000,000,000, the payment of which they have repudiated, with the State Department either silent on the issue or apologetic when it is mentioned. We have no friends today among the nations of the earth, but we have many bitter enemies.

That is all we have accomplished by nearly two decades of insistent meddling into the affairs of the world. Except for this measure under consideration today, "we are back from our crusades, richer perhaps in experience, but poorer certainly by upwards of $30,000,000,000." Thus far, thank God, we are free from entanglements. But if the purposes of Secretary Hull and Professor Sayre are achieved, we will be again up to our necks in the European debacle.

THE FOUNDER'S CONCEPT

If I had my way, I would compel the Secretary of State and his assistant, Professor Sayre, to read daily the concentrated wisdom contained in Washington's Farewell Address. I would make this duty mandatory upon the State Department and all of its branches everywhere in the world. I was somewhat shocked when I heard Professor Sayre quote the historic address in order to sustain his position on these trade agreements. His was a lawyer's plea, but nevertheless, with his beliefs, Sayre profaned this great state paper by its application to this principle.

I am going to include in my remarks several extracts from the familiar address, which are as pertinent today as when they were uttered. The stateliness and power of this address make it a fit compass for our present course. The extracts are as follows:

> Against the insidious wiles of foreign influence (I conjure you to believe me, fellow citizens), the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government.
>
> The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.
>
> Europe has a set of primary interests, which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.
>
> Why forego the advantages of so peculiar a situation? Why quit our own stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, and caprice?

I wish to discuss briefly the volume of the foreign market as compared with our national production.

The size and character of the export market on which the proponents of this policy lay such great stress is nominal. We have not been an exporting nation as compared with the other great powers of the world. For example, the percentage of exports of national production among the world powers is as follows: Great Britain, Germany, and Japan, 20 percent; France, 22 percent; Belgium, 55 percent; Italy, 15 percent; Argentina, 34 percent; and Cuba, 65 percent.

In strong contrast to these percentages is that of the United States, which during the period of our greatest trade amounted to a mere 6 percent of our national production. These figures are challenged by an expert authority, who states that if intercompany relations were eliminated the figures would not amount to more than 3 percent. The Sayre-Hull group and their accompanying cohorts of importers and international bankers ignore the fact that we are almost self-contained. These earnest gentlemen, so intent upon playing international chess with the European dictators, ignore this salient fact. It will interest this House to know that during the time of our greatest prosperity our home market reached the stupendous sum of $90,000,000,000, while the international trade of the entire world amounted to less than $72,000,000,000. To my mind, America has an economic and cultural destiny all its own. America educates its sons and daughters through its high schools and colleges to an outstanding degree. In Europe education is for the few. Creature comforts and cultural advancements are general in America during average times. It is the destiny and function of America to advance the lot of the common man to a point far beyond that sought or achieved in other countries.

The European viewpoint on this is different from ours. There wages are nominal, hours long, and education in the higher branches is lacking.

WILL DESTROY AMERICAN STANDARDS

It is my opinion that the effect of these trade agreements as negotiated by the State Department, will break down and level American standards to the European concept of life.

Carried to their finality, they will defeat what I conceive to be the destiny of America, where the lot of the common man, however humble, is secure. When Professor Sayre prates of international peace and good will, he knows that this can only be accomplished by lowering American standards of living.

PROPAGANDA OUTFITS

Let us call the roll and see who is for these treaties besides Secretary Hull and Professor Sayre. The majority members of this committee are, for once, proud and eager to quote the representative of the United States Chamber of Commerce. Who controls the chamber of commerce? The chamber of commerce is like an army. It travels on its belly. I am creditably advised that two-thirds of the fund of the chambers of commerce are contributed by the automobile industry and by the importers. In this type of organization, the outfit that pays the shot controls the policies. It is significant that big business is no longer interested in tariffs. The small industrialist, who is really the backbone of America, takes a different view.

Through the instrumentality of the international bankers, the big American manufacturers have established plants abroad in practically every country. There they manufacture under low-cost conditions, paying starvation wages, and sell the products so produced in these foreign lands. I wonder, does Professor Sayre know about that and the extent to which it has gone? The English, German, French, and Italian manufacturers stay on their home ground when they manufacture for the world. They are loyal to the localities and states where the industries were originally created. Adequate laws in Italy, Germany, and England, prevent the flight of domestic capital to foreign countries for the purpose of establishing such plants.

The American manufacturers who have plants abroad, are now completely indifferent to the question of tariff. They enjoy the American market of 120 million people and manufacture for that market here in America. The foreign market is cared for as I have stated. We should take a leaf from the book of these foreign countries and forbid the flight of capital from America for the purpose of building up a foreign manufacturing business. I confess that I do not know the formula for this, but the distinguished and able gentlemen on the committee of both parties who have given this subject so much thought, should initiate legislation to that end. It will, I am sure, have the hearty support of all thinking Members of Congress. He who runs may read that these treaties have had a detrimental effect on American exports, while they have stimulated to a marked degree the importation of foreign commodities, and manufactured products.

Assistant Secretary of State Sayre, before the committee, made this admission, but gave as an alibi, that the treaties had not yet had sufficient time to establish their effectiveness, "The proof of the pudding is in the eating", and the said chamber of commerce through its publication, the Washington Review for January 11, 1937, establishes my point.

I quote from that report:

> The foreign trade of the United States for the first three quarters of 1936, was marked by an expansion of exports and is still more pronounced in increase in imports, its total reaching $3,500,000,000, the largest since 1930. * * * The quantity of exports was 10 percent greater than in 1935 and was 7 percent above the 5-year average. The value of imports for the three quarters of 1936 was $1,767,000,000, and exceeded the 1935 9-months' figures by 17 percent and the 5-year average by 38 percent.

Thus unwittingly does the publication of the chamber of commerce establish the failure of these treaties, and no amount of pious declarations about world peace can alter these figures.

I have no hesitancy in saying that every American influence for these treaties was characterized either by star-eyed idealism or tarred with self-interest.

AGRICULTURE IS OPPOSED

I wish to call as witness on these treaties organized American agriculture. May I remind the House that in the 1932 platform of both parties, repeated in 1936, was the promise to give agriculture parity with industry. I was one of those who voted for the A. A. A. on the theory that agriculture should be given its place in the sun. May I state that the condition of agriculture in America and the low price which was received was due to surpluses. May I say further, that every single treaty that has been made by the State Department will add to agricultural surpluses in normal years. The State Department having nothing else to trade, traded American agriculture, particularly the dairying group. Ample figures have been presented here during the course of debate substantiating that statement. Organized agriculture in America is ably represented in Washington, and while I do not claim to be a technician in this field, I am glad to take the statistics and economic calculations of such men as Fred Brenkman, representing the Grange, and Charles Holman, representing the National Dairy Products Cooperatives. I will not tire you with a discussion of figures, but will emphasize the point that organized agriculture and farm organizations are united in the protest against all or some of the phases of this trade-agreement law. I was particularly impressed with the protest of the representatives of dairymen against the procedure adopted in all of these treaties, of tieing the hands of the United States on sanitary laws and regulations. In the cause of international peace, President Roosevelt's reciprocal trade treaty writers have tendered to foreign nations joint power to legislate on American sanitary food regulations. This action tosses to the winds the American dairyman's effort to provide American childhood with a pure and healthful supply of dairy products. To this splendid cause, Federal and State Governments to date have contributed $270,000,000 and dairymen have spent another $200,000,000 to eliminate diseased cattle and comply with sanitary regulations. As a result, our infant mortality is far below that of any other country of the world, while the average span of life in America has been extended some 10 years. The House should remember that no other country has even made a start on sanitary regulations on dairy products.

How would a Member of this House like the idea of eating butter from Russia and some of the other European countries not distinguished for their hygienic standards? Yet Professor Sayre in every one of these treaties stipulates that we can make no sanitary regulations as to imports and the character of the production unless the other country consents. In other words, these other countries who have done nothing in the field have joint power to legislate on our sanitary requirements which are calculated to protect the health and welfare of the American people. The dairymen of America protest vigorously against this injustice. Professor Sayre views the imposition of proper sanitary regulations on imports as a stumbling block in the path of universal peace. It is interesting to note in the hearing that the representatives of the Department of Agriculture, including Secretary Wallace, did not appear on behalf of this measure. Manifestly, Secretary Wallace has finally discovered that agriculture is being sold down the river in these treaties.

The only answer the proponents of this measure make to these protests is to say that the price of dairy products has gone up. They ignore or are ignorant of the fact that due to drought conditions, which were universal in the country last year, the cost of producing the Nation's supply of dairy products has more than doubled.

They say that the imports constitute but a small percentage of the national production and consumption. The fact is, that the great corporations which are marketing dairy products and have a strangle hold on prices time the arrival of these foreign shipments so as to break down the market price on dairy products.

This House knows of the historic fight to obtain the market for American fats and oils. Professor Sayre again showed his contempt for Congress by tying on the free list for 3 years palm and babassu oils, which take the place of our domestic fats and oils in our national economy. The spectacle of Congress delegating to the Executive the power

to tie the hands of future Congresses on internal taxation is humiliating to the last degree, but the group of internationalists in the Department of State who are in charge of these matters are greedy for more legislative power.

MADE IN THE DARK

I wish to say a word about the mechanics of these treaties. During the past 2 years they have been conducted in secret. Agriculture could not learn what schedules were under consideration. A Member of Congress could not learn what treaties were under consideration. The majority members of this committee, potent as they are, could not learn what was in the minds of the august Mr. Sayre and his associates in the State Department. To my mind, this procedure is a negation of true democracy. Here were these white-spatted gentry making over the pattern of agriculture and industry in America, and America could not learn what was contemplated except through their foreign correspondents. All of the other nations took their nationals into counsel and gave them a hearing on the items affected.

At the proper time an amendment will be proposed to this act requiring that these hearings will be in the open and that our nationals affected by these treaties receive due notice and have an opportunity to be heard. I hope the legislative integrity of the House will assert itself on this proposition. I do know that if the House does not do this the Senate will.

Let me give you an illustration of what I have in mind. In the treaty with Holland the duty on bulbs was cut in half and the quarantine regulations were removed. The representatives of this phase of American agriculture could only get the information on the progress of these treaties through translation of articles in the Dutch trade journals, and an interesting story is current about that. The official in the Agricultural Department in charge of the technical side of the quarantine turns out to be the familiar and friend of the young men in the Dutch Legation here. He plays golf with them, and it would be strange indeed if such an association were not productive of results. Of course, that is its obvious purpose. On the other hand, the farmers of the West, who had built up the bulb industry in America, producing 600 varieties, free from disease, were treated by him as though they were outlanders. I wonder how many of these treaties turn upon such influence? I know that these treaties, so bred in the dark, so far as our nationals are concerned, constitute the most outrageous chapters in the administrative life of America.

These treaties should be ratified by the Senate. The National Grange, the parent organization among the farmers, demand this. The dairymen demand it. The Farm Bureau Federation sounds a fainter note, but they are compelled to ask that adequate provision be made for public hearing and that the provision be made into law. They also, in common with other agricultural bodies, protest the favored-nation clause.

In conclusion, let me again urge with all the force of which I am capable that this legislation is not even remotely emergency legislation. That contention is a sham. Let me urge that this House assert its legislative integrity by keeping its hands on legislation which has to do with the well-being of every American, big and little. The world obviously wants none of our interference in its affairs. Let us preserve our home market for our farmers and industries and put an end to this outrageous internationalism which is destroying America. [Applause.]

The CHAIRMAN. The time of the gentleman from New York [Mr. CULKIN] has again expired.

Mr. COOPER. Mr. Chairman, by direction of the chairman of the committee, I yield 20 minutes to the gentleman from Arkansas [Mr. FULLER].

Mr. FULLER. Mr. Chairman, I have no prepared speech. I did not contemplate making any remarks on this bill until I listened to my friend the gentleman from New York [Mr. CULKIN], who just preceded me. I am sure he used poor judgment, due to a lack of facts, in his criticism of Secretary Hull and Mr. Sayre. The Members of the House, including the Republicans, know that Secretary Hull is one of the greatest statesmen this Nation has ever produced. He is a man whose motives could not be impugned by even his bitterest enemy. The Republicans say Mr. Hull is a free-trader. I have heard him say repeatedly that he was not for free trade.

He said Secretary Hull and Mr. Sayre have a contempt for legislation and a contempt for this House. There never was a more false and misleading statement. These gentlemen need no defense and I would not detract from their high standing, statesmanship, and Americanism by offering an excuse or defense. They have performed the almost impossible; they are making friends of our enemies and bringing back to America trade which we lost under Republican misrule.

The gentleman from New York talked about tariff matters with which I think he is not familiar. It is an old dodge to say that the Democrats have stood for free trade. We have never stood for free trade. For the first 60 years of the history of this Government, when the Democrats built the foundation and laid the cornerstones upon which this country rests, the Democratic Party stood for import duties, now known as a tariff. We have always been in favor of an import tax, or a tariff, which would equalize the cost of production in this country as against the cost of production in foreign countries; we have always been for protecting labor, but we have always been bitterly opposed to what is known as a high protective tariff that protects not the consumer, protects not the Government in the income that is received, but protects the private industries of this country.

When the Nation was young, we threw our protecting arms around industry in order that foreign competition and big moneyed interest would not drive it out of business. At last this child grew to full manhood. It became rich and opulent; and instead of protecting the people, it came to Congress and demanded unreasonable protection. It was then that we decided that industry, seeking this unreasonable high tariff, should no longer be protected, but the consuming public and the Nation generally should be protected as against these industries which had grown rich and opulent. About this time the Republican Party was born, and when it came into power it pursued a policy of high protective tariff and unjust protection of industry. This, together with a sentiment resulting from the War between the States, maintained itself in power for a long time. They even went so far that they passed the Smoot-Hawley Tariff Act in 1929. That law was nothing more than a grab. That law was so strong that if a manufacturer in this country could manufacture a suit of clothes and sell it for a profit at $40 they, through this tariff, added another $10 as protection for the rich industry of this country, and when they sold that suit to me or to you the $10 was added to the price. Foreign merchants could not compete with such a tariff against them. Instead of this $10 going into the pockets of labor, instead of its going into the Treasury, it went into the hands of protected industry. By such procedure protected private industry accumulated the wealth of the country and got America into the condition in which we found ourselves in 1932.

When the Smoot-Hawley tariff bill was pending every economist in the United States—and there were a thousand of them—unanimously petitioned this Congress not to pass that law. Every nation in the world held up its hands in holy horror, in substance saying, "If you pass that law we will retaliate." England, free-trade England, with which we always dealt, retaliated. Every nation in the world retaliated. They built barriers against our trade that had never theretofore been conceived of by the mind of man. Not only did they do that but they adopted a system of quotas and embargoes. These were placed in charge of special governmental agencies, which could change conditions overnight. We might send a shipload of American products to France and find that the quotas and embargoes had been changed during the course of the voyage, and when the American products arrived in France they were sacrificed. This was

brought about by this high protective tariff law the Republicans passed.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. FULLER. I yield to my courteous friend.

Mr. KNUTSON. I thank you. Has the gentleman in mind the tariff rate on tomatoes and staves?

Mr. FULLER. Yes. I will tell the gentleman what I did. That was such a good grab basket and the getting was so easy that I got some of it for myself. I got a tariff of 50 percent on canned tomatoes, which I still think was just. Then, when I left and went home, the first thing they did was to scold me because I did not vote for that bill. Why, you could get anything. Florida got protection on all the foodstuffs they raised, and they all voted for the bill—and fumigated themselves afterward. [Laughter.]

My good friend from Massachusetts [Mr. TREADWAY], and he is my good friend, and I very much admire him—he is the coldest-blooded Yankee I think I ever saw in my life, but a good fellow with it. He is still wedded to the golden calf, high protective tariff. [Laughter.] He realizes that there is nothing they can ask for as a substitute for this measure.

The gentleman talked about Santa Claus in the last campaign. Who played Santa Claus? The Democratic Party, because we found the country a destroyed, a desolate Nation. In less than 6 months after the enactment of the Smoot-Hawley Tariff Act the stock market broke, banks closed, and soon there were soup houses and bread lines all over the Nation. Was it brought about by Democracy? Nobody ever said we brought about that panic. It was brought about by this high protective tariff and the enmity and hatred of the nations of the world it lined up against us.

Our exports in 1929, when this Smoot-Hawley tariff bill was passed, were $5,500,000,000. In less than 2 years they dropped to $1,600,000,000, and dropped steadily thereafter until we inaugurated this reciprocal trade agreement policy. Through this policy we have restored our foreign trade until last year we had an excess of exports of $34,000,000 over imports. To me this is remarkable, since we have only consummated 15 agreements.

Mr. McCORMACK. Will the gentleman yield?

Mr. FULLER. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. And it dropped from over $5,000,000,000 to $1,600,000,000 and threw 2,000,000 Americans out of work.

Mr. FULLER. Yes. Thanks for the contribution.

Mr. Chairman, here is what happened to the country: It was stated that over in the old country there was a depression, and that is what caused the depression at home. Oh, no. Because my neighbor does not work and has not accumulated anything is no reason why I am going to starve. That is just an alibi. It is nothing but a death-bed sentence and an effort to try to escape the penalty.

When that bill was passed, factories moved from America to Canada and everywhere else. Business was in a state of stagnation. The farmers could not sell anything. They could not even get enough money to buy a little chewing tobacco. I know because I associate with them and am one of them. They could not pay taxes or interest. They could not buy from the little store. The little storekeeper could not buy from the wholesale house. The wholesaler could not buy from the manufacturer; therefore, the manufacturer closed down. The smokestacks fell down and they went into bankruptcy. Bread lines prevailed all over this country; and just as certainly as God reigns over us you gentlemen know that this high protective-tariff law was responsible. You do not dare make this high protective law an issue except in a few places. You started to say something about it in the last campaign, but what happened? Every time you opened your mouth you put your foot in it. [Laughter.]

Mr. Chairman, the manufacturers and the big business of this country are not for that bill. The brains of this country know what has caused the panic and depression in this Nation and they are not for the high protective Smoot-Hawley law. Few of the Republicans are at heart for that law; but you have to do something to keep up your courage, just like the Negro going through a graveyard. You have to holler a little just to try to leave the impression you are not afraid.

Our foreign export trade had been entirely wiped out. How on earth could we get it back? Do any of you want to venture the thought or suggestion we should repeal or modify the Smoot-Hawley tariff law? That could not be the remedy because foreign nations would flood our markets and still retain their high tariff and quota walls against us. We have to beg and plead with them and make concessions.

We have consummated 15 reciprocal-trade agreements. Of course, all of them are not perfect. Even Secretary Hull will continue to make a few mistakes, because he is only human like everyone else. But he is really doing something for America. He is bringing back the trade to this country, causing our exports to exceed our imports. Do you know that no one appeared before our committee to fight this bill who represented the manufacturers or big business in this country? Not an outspoken Republican, as a Republican, appeared before our committee in opposition. The only people who appeared before us in opposition to it were those who thought they had received a little harsh treatment or who were engaged to represent agriculture, and they were all for this measure. Of course, there were some lawyers who had received some benefits but wanted a little more. They wanted to know why we did not leave it up to the Senate to ratify these trade agreements. But you and I know that would kill the effect of the bill, and if we did that we might as well not have any bill at all.

They talked to us about having made a reciprocal-trade agreement with Canada concerning cattle. I am engaged in the cattle business and feel that I am informed on this matter. Almost as many cattle came into the United States in 1935, when they had to pay a tariff, as in 1936. We made a treaty with Canada whereby we permitted 155,799 cattle over 700 pounds in weight to be imported by paying $2 per hundred instead of the $3 regular tariff rate, and we permitted 51,933 calves under 175 pounds in weight to be imported at $1.50 per hundred instead of $2.50, the former rate. In addition to this there was imported into this country from Canada and Mexico 190,000 which paid the full tariff rate. In 1929, when prime beef cattle were selling at the farm for $9.15, Canada exported into this country 247,000. Very little was imported after that, due to the low price, until 1935, when 112,720 were imported from Canada, paid tariff, and obtained approximately $6.25 per hundred for beef cattle. Cattle have always been and will always be imported into our country when we have a good market, but never come upon a poor market. The Canadian cattle agreement will not affect the market three-fourths of 1 percent of the American cattle slaughtered. Even at the 1936 rate of import of cattle from Canada, it would take over a quarter of a century for the number to reach the cattle taken off the market by the Federal Government under the present administration in 1934. When Canada was importing practically no cattle in 1931, 1932, 1933, and 1934, it was due to the fact cattle were selling for the lowest price in the last 30 years because of the Republican panic.

Mr. WADSWORTH. Will the gentleman yield?

Mr. FULLER. I yield to the gentleman from New York.

Mr. WADSWORTH. Would the gentleman be willing to talk cattle with me for a minute?

Mr. FULLER. I do not believe I can do that now. But I want to sell the gentleman some this fall. He may ask any question he desires.

Mr. WADSWORTH. Is the gentleman familiar with the testimony of Professor Sayre given before the committee with respect to the importations of Canadian cattle?

Mr. FULLER. Yes; I think I am.

Mr. WADSWORTH. Does the gentleman recollect that the professor pointed out the decrease in price in the first 6 months of 1936 was confined very, very largely to prime finished steers?

Mr. FULLER. Yes; I remember that.

Mr. WADSWORTH. And to demonstrate that the importation of Canadian cattle did not bring about, or was not responsible for this reduction, he stated that the overwhelming

proportion, I think 80 percent, of the imports from Canada were of medium steers?

Mr. FULLER. Yes.

Mr. WADSWORTH. The gentleman from Arkansas is in the cattle business, as he has admitted and confessed.

Mr. FULLER. And as the gentleman knows.

Mr. WADSWORTH. I will make the same confession. Does the gentleman not understand, and I am sure he does, when a market such as St. Paul or Buffalo is suddenly flooded with a great deluge of medium-priced or medium-quality steers that it demoralizes the whole market, including the prime-steer market?

Mr. FULLER. It has that tendency.

Mr. WADSWORTH. Mr. Sayre completely overlooked that.

Mr. FULLER. I want to complete my statement.

Mr. McCORMACK. Will the gentleman yield?

Mr. FULLER. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The gentleman remembers also that Professor Sayre testified the seasonal decrease in the price of prime beef was greater than on the cattle which came in from Canada?

Mr. FULLER. Yes; but I think I know as much about what caused that decrease as Mr. Sayre, and I see at least five or six from the cattle country who will concur with my views.

Mr. COOPER. Will the gentleman yield?

Mr. FULLER. I yield to the gentleman from Tennessee.

Mr. COOPER. I think the gentleman will recall that in the course of discussions on this matter it was pointed out by Dr. Sayre that these importations extended over a period of 10 months during the year.

Mr. WADSWORTH. Now, will the gentleman yield there?

Mr. FULLER. Yes; go ahead and ask the question, but I want to conclude my argument.

Mr. WADSWORTH. The gentleman has been very kind and courteous to me. Let me make this suggestion. Regardless of the wisdom of the quota provision admitting Canadian and Mexican cattle to this country, which totaled about 170,000——

Mr. FULLER. Approximately 207,000, including the calves.

Mr. VINSON of Kentucky. And to keep the record straight, 156,000 cattle.

Mr. FULLER. You have reference to those over 700 pounds.

Mr. WADSWORTH. Regardless of what that number is and regardless of the merits involved, the vice of the thing is that the Canadians dumped their entire quota on us in the first 5 months of the year and demoralized our markets. If it had been distributed throughout the 12 months it would have been a very different thing, but it is a fact, as was brought out in your committee hearings by the gentleman from Minnesota [Mr. KNUTSON], that the St. Paul market was absolutely demoralized by a flood of medium-priced cattle, which not only brought down the price of medium cattle but brought down the price of prime cattle, and the market at Buffalo experienced the same thing, and the American feeders, both of medium and prime cattle, took an awful licking.

Mr. FULLER. Now, let me finish my statement about that, because I live in the cattle country and know something about the conditions that prevailed. That was not the cause of the decline in the market at all, notwithstanding what you say Dr. Sayre said, or anybody else may say. As everybody in this House who is a cattleman knows, in 1935 they raised good crops out in that country and all the farmers who could afford to buy them, started to feed steers. This is what is known as prime beef, and they sell this before the 1st of June. They had to sell it this year, and what made the matter worse was that we had the worst drought west of the Mississippi River that was ever known.

It was a scourge, and the people in my country and out West shipped their cattle in all kinds of condition. Thoroughbreds and everything else were shipped to the market. They would take any price they could get, and they had to do this because of lack of water and lack of feed. You could not buy feed for them. It was either this or allowing them to starve or choke. The condition was such in the markets of the country that the big farmers out West had orders in saying, "Wire me when you can accept some more cattle and I will ship them to you." They did ship them, and that would break any market in the world. They got so many cattle on the markets of the United States that even the slaughterhouses could not begin to take care of them. It was the drought that caused all of the trouble.

Mr. WADSWORTH. Will the gentleman yield again?

Mr. FULLER. Yes; for a question.

Mr. WADSWORTH. The gentleman would not state that that condition existed in the winter of 1936?

Mr. FULLER. No; and it did not apply to Canada in 1936. Canada filled its quota in October.

Mr. WADSWORTH. They had finished filling their quota at that time, but the great bulk of it was filled in the winter before the drought started, and the great break in the market was in the winter.

Mr. FULLER. No; you are badly mistaken. Farmers sell their prime beef—corn-fed cattle—in the spring and early summer, when through the winter. They do not want to turn fat cattle on grass and lose flesh. They hold that fat by feeding corn and grain. This is what Canada did, and all these cattle were brought in during the summer; but what Canada did to us under that treaty is infinitesmal, insofar as affecting the market is concerned.

Of course, I will have to agree with you that I would rather we had not made that agreement, but we had to make it. I wish we could have gotten away from it. [Applause.] But, listen. We cannot live unto ourselves. America cannot build a stone or a Chinese wall around itself and tell everybody else to go to the bow-wows. We cannot sell to Canada unless Canada is able to buy from us. We cannot sell to France and England, because they have not the money to pay, and therefore we cannot ship to them unless we negotiate an agreement to let them ship something in here; and do you know what we received under this agreement with Canada? We got 125 concessions on agriculture for ourselves and there were only 25 advantages in articles where they got a reduction.

[Here the gavel fell.]

Mr. COOPER. Mr. Chairman, I yield the gentleman from Arkansas 5 additional minutes.

Mr. FULLER. From Canada we got a tariff reduction on sheep, lambs, and goats of 33 percent; live hogs, 20 percent; horses, 50 percent; beef, veal, mutton, and lamb (fresh), 25 percent; canned meat and extract, 14 percent; bacon, hams, and pork, 65 percent; sausages, lard, and tallow, 14 percent.

We got the best of the deal, and by such an agreement they had money with which to buy our products.

You realize there is nothing in the statement that America can live by herself. We like to brag and boast about such things just like I have made speeches in my own State saying that you could build a Chinese wall around Arkansas and she could live, but that is all a farce. What we want from the European countries is for them to make concessions so we can send them what we produce, and all we want from them is what we do not produce, what our people demand, and what they have the money to pay for. The only way we can sell them our goods is to make concessions to them. This is the whole thing in a nutshell and there is not any other argument you can suggest.

There has not been and will not be offered a substitute for this great measure which is forcing back our export trade and prosperity for America.

Mr. WEARIN. Will the gentleman yield?

Mr. FULLER. I yield.

Mr. WEARIN. The gentleman has made a very interesting observation referring to the cattle statement by the gentleman from New York. I would like to remind the House of something in connection with the gentleman's remarks in that field.

It is hard to appraise the very slight concessions given Canada in the trade agreement. In the first 6 months of 1933, 468 head of Canadian cattle came across the border.

Farm income from cattle, $175,000,000. First 6 months of 1936, 158,000 came in and farm income was $382,000,000, an increase of more than 118 percent. It is difficult to understand how people can complain about that kind of a situation in the face of what happened to cattlemen during 1932, when we were operating under the highest protective tariff in our history.

Mr. FULLER. I did not catch all that the gentleman said but I wish to say that the gentleman from New York and others have said that there was a great danger that this would allow the shipping of diseased cattle from Argentina. There is no danger of shipping cattle with the foot-and-mouth disease from other countries. We have another law governing this matter.

Mr. HOUSTON. Will the gentleman yield?

Mr. FULLER. I yield.

Mr. HOUSTON. Is it not a fact that under the treaty with Canada our exports have increased more than the imports?

Mr. FULLER. Yes; a great amount.

Mr. WILCOX. Will the gentleman yield?

Mr. FULLER. I yield.

Mr. WILCOX. The gentleman in his remarks stated the Democratic policy has been for a sufficient tariff to meet the difference in cost of production. The gentleman means that the Democratic policy is still for a tariff which will cover the difference in cost of production. The gentleman would not advocate any tariff that would permit the importation of agricultural products into this country that would ruin the market of the producers of this country.

Mr. FULLER. In all probability your question means that you think you got a bad deal on your fruit as against Cuba. [Laughter.] We have to legislate for the whole country and not for some particular locality.

There is a grave doubt as to whether or not the agreement with Cuba was injurious to Florida. But, after all, all parts of the country do not benefit under a general law. The general welfare of the entire Nation should be considered. The Canadian cattle agreement caused much excitement amongst the cattlemen of the West, and for that reason I would have been pleased had the agreement not been made. However, I believe that it was necessary and I am firmly convinced the cattlemen will receive no injury by reason thereof. Farmers and agriculture generally need have no fear of this administration. Under the leadership of our great President it has done more for farmers in the last 4 years than has been done for agriculture in the Nation's history. The constant aim is to so protect the farmer that he will receive at least the cost of production. Since the cattlemen feel that they have made a concession, it would naturally follow that others should make concessions, if necessary, for the general welfare of the Nation. [Applause.]

Mr. COOPER. Mr. Chairman, I yield 25 minutes to the gentleman from Virginia [Mr. ROBERTSON].

Mr. ROBERTSON. Mr. Chairman, in my prepared statement I express gratification over the fact that apparently we have reached the point in our national life where we can discuss the tariff as an economic issue. But when I hear a colleague, a distinguished Member of this body, stand on this floor and say that a democratic Secretary of State has a supreme contempt for the legislative body and expresses in his speeches and writings the attitude of a Hitler, who said that liberty is a stinking corpse; when I hear such a colleague say that the efforts of a democratic Secretary of State to make some contribution to world peace in order that 8,000,000 men may not again be plunged into the horrors of another world war, where they will be saluted by the arsenals of hell—that such efforts on the part of Secretary Hull indicate he is a mystic and a dreamer—I admit that such unjust charges stir in me feelings of resentment, and if I am not to disprove my own statement in my prepared remarks that we can calmly and dispassionately discuss as an economic issue national policies with respect to tariff legislation, it will be necessary for me to confine myself to my prepared statement.

The fact that our present form of government has lasted for 150 years is not in itself any guaranty of its perpetuity. The happenings of the past decade in foreign nations are of themselves sufficient evidence to prove that a particular form of government is not self-perpetuating. We know that we have a form of government best suited to the American people of any that has ever been devised, and under which there is a maximum of liberty, which we so highly prize, and a maximum of opportunity for the individual. But it must be a source of some concern to thoughtful students of public affairs to note the rapid development of groups that would influence legislative action for their own benefit regardless of the effect upon other elements of society. In legislative matters we should give more regard to fundamental principles and less to group demands.

The spirit of gross materialism that was the reaction to the idealism that actuated us during the World War brought us to grief. And that grief emphasized the necessity for a new spirit of liberalism. The president of Princeton University said last fall that—

> Practical liberalism, in essence, is the disposition of the man who looks upon each of his fellows as of equal worth with himself. It emphasizes the value of the human spirit.

The same thought was expressed by James Truslow Adams in his recent book on Jefferson when he said:

> Without Hamilton the new nation might have disintegrated; without Jefferson it would have lost its soul and the faith that makes it different from others.

It is difficult for one to reach a rational conclusion with respect to tariff policies without frankly asking himself the question whether he proposes to be a special pleader for group benefits or one who believes in the type of "practical liberalism" as defined by the president of Princeton University. The division of thought and action on this subject stems from the foundation of our Government and the conflicting views of Hamilton and Jefferson. Hamilton desired to see the establishment of an industrial nation, with industrial wealth fostered by means of a protective tariff. Jefferson, whose heart was always with agriculture, felt that the peace and happiness of the new nation would be best promoted by tariff laws that would not give industry an undue advantage over agriculture. And our early tariff laws were framed with that in view. But 3 years after Jefferson's death a tariff law was passed which southern agriculture regarded as being oppressive and which occasioned the nullification act of South Carolina—the first intimation of an economic split that was to plunge the Nation into an armed camp 33 years later.

Speaker Champ Clark said that when he first entered the Congress Mr. Dingley said to him:

> The tariff is the whole government. Learn the tariff.

That was literally true. But, instead of being treated as a great economic issue, it was treated as a political issue, especially after the great industrial interests of the North obtained full and undisputed control of the Government following the War between the States. It has been a source of satisfaction to me to note in recent years a tendency among statesmen, as well as among economists, to treat the tariff as an economic issue. It has been a difficult thing for many of us to put aside inherited prejudices and to adopt the view of Daniel Webster, expressed in his great speech on the tariff bill of 1824, when he said:

> With me it is a fundamental axiom, it is interwoven with all of my opinions, that the great interests of the country are united and inseparable; that agriculture, commerce, and manufactures will prosper together or languish together; and that all legislation is dangerous which proposes to benefit one of these without looking to consequences which may fall on the others.

Those were not the principles on which the Hawley-Smoot tariff bill of 1930 was based. That tariff bill was the ultimate expression of selfish group action to protect itself from foreign competition of every kind, regardless of the effect the action might have on agriculture, commerce, or the welfare of the general consumer.

The gentleman from Massachusetts [Mr. TREADWAY] quoted from a former Republican Secretary of the Treasury and also from a great and beloved and distinguished Republican President of the United States, and said that he favored the principles of trade enunciated by those two

distinguished Republicans. I shall quote from both of those gentlemen, and I hope my friend from Massachusetts will not see fit to change his position with respect to following their leadership. This is what Ogden Mills said in November of 1934 at Topeka:

> We will have to abandon the present policy of isolation and intense nationalism and to some extent modify recent tariff practices. This may sound strange, coming from an orthodox Republican, but I have never understood that a sound system of protection, based upon the cost of production at home and abroad, if intelligently applied, means the erection of impassible tariff barriers, the destruction of our commerce with the rest of the world, and the sacrifice of the efficient farmer to save the inefficient manufacturer.

I particularly call your attention to those striking words—

> The sacrifice of the efficient farmer to save the inefficient manufacturer.

And Mr. Mills added:

> I am prepared to take my stand with a great Republican President, who, in his last speech, delivered in Buffalo just before his assassination, said: "A system which provides a mutual exchange of commodities is manifestly essential to the continued and healthful growth of our export trade. We must not repose in the fancied security that we can forever sell everything and buy little or nothing."

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. ROBERTSON. Just for a brief question.

Mr. KNUTSON. Would the gentleman have any objection to having these trade agreements limited to noncompetitive articles?

Mr. ROBERTSON. Absolutely I would, because as I shall explain later, the thing that we want to do with the other nations of the world is to trade, and there is no greater fallacy than to believe that you cannot profitably trade with a man unless you can get a sort of David Harum advantage of him.

Mr. KNUTSON. Would the gentleman favor an amendment to this resolution limiting the reductions effected in future trade agreements to a point that is not below local domestic costs?

Mr. ROBERTSON. Absolutely I would not agree to that, because it is thoroughly impractical. In the first place, there are some items that can be produced in foreign countries much more cheaply than by some inefficient industry in this country. We should sell what we can efficiently produce for what the other fellow can more efficiently produce than we, and then, if we undertake to go into the question of costs, there are 30,000 items involved in international commerce, and how could we possibly have enough missions to send all over the world to seventy-some nations to find out what is the cost of this or that. Then the cost would vary because of many different factors, just like the cost of automobiles vary, as between Mr. Ford, who produces efficiently and economically, and the Hupp Motor Co., say, that never did learn efficient mass production.

Mr. VINSON of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. ROBERTSON. Yes.

Mr. VINSON of Kentucky. And was it not clearly stated before the committee that even with regard to items, say, in this country, it would take months and more than a year in many instances to determine the cost of production, and then the cost of production would be different from the cost of production when the inquiry started; further, what power would we have to ascertain the foreign cost?

Mr. ROBERTSON. None in the world; and when my distinguished colleagues in the committee, who are opposing this resolution, want to put that restriction in and want to put in the restriction that agreements must go to the Senate to be ratified, together with the other five points of their so-called indictment, I remarked to my distinguished friend from Kentucky [Mr. VINSON] that apparently they were saying to Mr. Hull, "We want you to enter into a world-trade race, but first let us cut off both wour legs."

Mr. KNUTSON. Mr. Chairman, will the gentleman yield for a brief question?

Mr. ROBERTSON. Just one more.

Mr. KNUTSON. Did the gentleman hear the very able statement of Mr. WILCOX, a Representative from Florida, before the committee?

Mr. ROBERTSON. I heard his statement and I heard the statement of others that in the sum total of benefits which Florida had received she had gained in new markets in Canada and elsewhere more than she had lost on her tomatoes, her butter beans, and her peppers.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. ROBERTSON. I yield.

Mr. McCORMACK. In connection with the quotation of the speech made by the former Secretary of the Treasury, Mr. Ogden Mills, I call the gentleman's attention to the fact that Governor Landon, in the last campaign, at Minneapolis made a speech in favor of reciprocal-trade agreements, differing in some of the details with the present law, but absolutely coming out in favor of the reciprocal trade agreement principle.

Mr. ROBERTSON. I will say to the gentleman from Massachusetts that there is no Republican now so prejudiced over the political issues we have fought for 60 or more years over this tariff who does not admit that foreign trade is desirable. They cannot consistently do so. They cannot do it, but they are so afraid that some little protected industry may have some of the unreasonable protection of the Smoot-Hawley tariff withdrawn that they attempt to obstruct any program that would give us substantial results.

Mr. MOTT. Mr. Chairman, will the gentleman yield?

Mr. ROBERTSON. I yield.

Mr. MOTT. Will the gentleman name any tariff on any agricultural product under the Hawley-Smoot tariff or any former Republican tariff bill which he considers too high?

Mr. ROBERTSON. I do not propose to be drawn into a discussion of specific tariff duties, but if the gentleman will give opportunity, I will tell him what the Hawley-Smoot tariff has done to one farm commodity in which he is interested as well as I if he will permit me to proceed.

Mr. MOTT. May I ask this question then? Does the gentleman think that any existing agricultural product tariff is too high?

Mr. ROBERTSON. I think if we can ever get back to normal production in American agriculture, get back the good will of foreign nations, unchoke the channels of commerce, we will not need any protection for American agriculture, because we will be exporting as we did for 150 years.

Mr. MOTT. I take it the gentleman does not care to answer my question.

Mr. ROBERTSON. I do not have the time to go into the details of that.

Representing one of the largest apple-exporting districts in the United States, I have had a good opportunity to observe how the efficient apple producer was sacrificed by that tariff policy to save the inefficient manufacturer. Prior to the enactment of the Hawley-Smoot tariff, American apples entered the ports of every nation in the world free of duty or other restrictions. After the enactment of that bill, 26 nations which were the principal importers of American apples placed restrictions upon our apples, including tariffs, quotas, and in some instances, complete embargoes. Not only was the shipment of American apples greatly restricted but the American shipper was forced to pay a tariff ranging from about $1.50 a barrel in Great Britain to $9 a barrel in Poland. Normally the Shenandoah Valley area shipped 2,000,000 barrels of apples to Great Britain. A tariff of $1.50 a barrel on 2,000,000 barrels amounts to a tax on the apple producers of that area of $3,000,000 per year. But the tax was not the worst feature; we lost our foreign markets. Our export apples were thrown into competition on the domestic market with apples from the State of Oregon, represented by Mr. MOTT, and other States in the West, and other sections of the country, with ruinous prices to all. Consequently the loss to the apple producers of the United States by reason of the tariff war we started ran into millions of dollars.

Every apple producer in the country now realizes that a foreign outlet for surplus production is the largest single

factor in determining his domestic price. The president of the International Apple Association, speaking in Boston last fall with respect to the negotiation of reciprocal-trade agreements for apples, said:

> This has involved a staggering amount of work and that alone is sufficient to engage the time and effort of every organization. Great progress has been made, particularly in view of the almost solid trade-barrier walls that confronted the industry. Now that a beginning has been made, every effort should continue to be directed to the further opening of trade channels. We have been committed to this principle for the last 6 years and I recommend that the policy be continued.

I do not believe that there is a Member of this House who represents commercial apple producers who does not endorse the sentiment expressed by the president of the International Apple Association.

After we had started a world-trade war by our unreasonable and selfish tariff policies we lost in 2 years some $6,000,000,000 of foreign trade, which, according to a report of the Department of Commerce, had furnished employment for 2,000,000 American workmen. The loss of foreign trade fell heavily upon American agriculture.

Mr. BREWSTER. Mr. Chairman, will the gentleman yield?

Mr. ROBERTSON. I yield.

Mr. BREWSTER. Does the gentleman contend that the $6,000,000,000 loss was solely the result of these tariff policies?

Mr. ROBERTSON. Not solely, but largely; and we started a process in the world which caused the great nations of the world to think as Germany thought—that they could be economically self-contained—and world trade dropped from thirty-three billion to eleven billion, when it should have gone up to some forty or forty-five billion dollars. There was no occasion for the tremendous drop in world trade that happened following what we did in 1930, just to be selfish and trying to be self-contained.

Mr. BREWSTER. Do I understand the gentleman does not think the tariff rates should be governed by our costs?

Mr. ROBERTSON. The Democratic Party in its Chicago platform adopted the Republican position of cost of domestic production.

Mr. BREWSTER. And now the gentleman says that is impossible to determine?

Mr. ROBERTSON. I say that that is a good slogan, but very difficult of practical application.

Mr. BREWSTER. Now, if we are not to be guided by that which had the endorsement of both political parties, by what lamp would the gentleman guide tariff negotiations?

Mr. ROBERTSON. Well, we do follow that as a general guide, and where there is a nation, for instance, involving peon labor, like they have in India, or coolie labor like they have in China, or, on the other hand, if it is a nation like Germany which, in its effort at barter and exchange, has practically excluded the products of every nation, including ours, and brought itself to financial chaos and bankruptcy, then we do draw the line.

Mr. BREWSTER. Then you do take account of costs?

Mr. ROBERTSON. To some extent, and I think you cannot point to a single one of the 15 treaties that have been so far negotiated where that has not been given its due weight in the consideration of it and the concessions that have been made.

Mr. WILCOX. Mr. Chairman, will the gentleman yield?

Mr. ROBERTSON. The gentleman wants to mention his tomatoes again?

Mr. WILCOX. No. If the gentleman will yield, I just want to call the gentleman's attention to one treaty where the matter of difference in cost of production was not considered, and that is the treaty with Cuba.

Mr. ROBERTSON. The representative of the State Department, as I understand, stated that consideration had been given to that, but that the advantages which we got from Cuba were so outstanding that they felt they were justified in making the concessions that they did with respect to fresh vegetables. Look at our favorable trade balance with Cuba since the treaty; it is outstanding.

Mr. WILCOX. Yes; we increased our exports to Cuba by $28,500,000, while Cuba increased her exports to the United States by $67,000,000.

Mr. VINSON of Georgia. The gentleman's figures include sugar.

Mr. WILCOX. Yes.

Mr. ROBERTSON. We produce less than 1,000,000 tons of sugar and consume 6,000,000 tons.

Mr. BREWSTER. Mr. Chairman, may I have the gentleman's attention for a moment; will he yield to me?

Mr. ROBERTSON. I cannot yield further.

[Here the gavel fell.]

Mr. MICHENER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MICHENER. According to our program, we are not going to have anything to do on at least one day this week and a lot of days next week. When there is nothing to do, why can we not have time to listen to a good speech like this? Why can we not have time to debate this important matter rather than having debate limited to 1 minute and half a minute to men who have studied this matter for months?

The CHAIRMAN. The gentleman has not stated a proper parliamentary inquiry. The gentleman from North Carolina controls the time on his side.

Mr. DOUGHTON. Mr. Chairman, I yield 5 additional minutes to the gentleman from Virginia on condition that he does not yield it all to the other side to make speeches.

Mr. MICHENER. We cannot do anything but talk.

Mr. ROBERTSON. My personal feelings, Mr. Chairman, is that this House has gotten a long way from being a deliberative body. It would be better for the legislation before us if we could have an interchange of views instead of having a few set speeches. [Applause.]

Mr. BREWSTER. Mr. Chairman, I hope the gentleman will yield to me for a question.

Mr. ROBERTSON. Mr. Chairman, I am sorry, but I cannot yield. My time is too limited.

Mr. Chairman, the loss of foreign trade fell heavily upon American agriculture.

At one time, for instance, we enjoyed a lucrative trade with Germany, which bought our apples, our tobacco, wheat, lard, and other farm products. In 1929 our exports to Germany amounted to $410,448,000, and our favorable trade balance amounted to nearly $200,000,000. Following the enactment of the Hawley-Smoot tariff, which virtually excluded manufactured articles from Germany, she not only excluded our apples but placed a tariff of $1.65 per bushel on our wheat and 18 cents per pound on our lard, and our exports to Germany finally were reduced to $91,981,000, a loss of over $300,000,000. Our apple exporters lost $3,000,000 worth of business, our tobacco exporters lost one and one-half million dollars of business, our cotton exporters lost one hundred and thirty-one million, and our favorable trade balance dropped to $14,000,000.

Philip Gibbs in his recent book, Cities of Refuge, in commenting on the treaty imposed upon Germany by France and Great Britain says that there are those in England who think that God speaks English with an Oxford accent and made a big error in permitting the German nation to exist. But there are good reasons why the United States should desire friendly trade relations with Germany. She furnished to us more immigrants than any other nation in the world, a total of over 6,000,000, and they were intelligent, honest, industrious, and liberty-loving people who soon became a part and parcel of our Nation.

Other nations formerly importing our farm products took action similar to that of Germany, with the ultimate result in 1932 that agriculture had lost about five billion dollars of purchasing power because of the glutting of domestic markets with unsalable surpluses. With that loss of purchasing power more workers in industry lost their jobs and our Government was forced into a relief program of an unprecedented scale. While Edmund Burke said that nations do not learn by experience, and while the present tendency is to regard the views of our early statesmen as of no value to us in the solution of our problems, I will take the liberty of quoting again the opinion of Daniel Webster with respect to the efforts of Government to restore prosperity by a

relief program when normal trade conditions have been disrupted by artificial controls. He said:

The committee will not fail to observe, that there is, at this moment, much the loudest complaint of distress precisely where there has been the greatest attempt to relieve it by systems of paper credit. And, on the other hand, content, prosperity, and happiness are most observable in those parts of the country where there has been the least endeavor to administer relief by law.

We have witnessed some of that process during recent years. Under a system of protective tariffs, agriculture—and the consuming public generally—paid tribute to industry. Industry became very rich but agriculture became impoverished. American labor failed to find the promised goal of a so-called American standard of living, for, while the products of foreign labor were being excluded from our country, foreign laborers, mainly from the illiterate classes of Southern Europe, were being brought in by industrial leaders to take the jobs of American workmen. The total number of immigrants brought in for this purpose between 1900 and 1930 amounted to 18,638,400, many of whom have never been assimilated and never will be. Then when the policy of national isolation resulted in millions of unemployed the Government, through various means, drew upon the accumulated wealth of industry to relieve agriculture and unemployed labor. But, as Webster said, administering relief by law is a poor substitute for normal business under private management. We all want to see the end of Government relief and subsidies, and a balanced Budget. But can we hope for normal private employment under a policy of national isolation? I think not.

While no one factor can be singled out as the exclusive cause of our economic collapse, it is now generally agreed that the trade war we started by our tariff policies was a big factor, and that it is highly important for us to take steps to recapture our foreign trade. Economists generally are agreed that the best and most practical method of recapturing that trade is through the negotiation of reciprocal trade agreements. The Republican members of the Ways and Means Committee have issued to the press what is called a seven-point indictment of reciprocal trade agreements, but when that indictment is carefully analyzed it virtually amounts to a statement that those Members are opposed to a reduction of any of our existing tariffs. But I do not know of any responsible economist in the Nation who shares those views. They are not shared by Dr. Nicholas Murray Butler, who said last fall that—

A policy of national isolation was suicidal, paralyzing our commerce and ultimately involving us in foreign wars.

They are not shared by the chairman of the board of the largest private bank in the world, Mr. Winthrop W. Aldrich, son of one tariff maker and brother of another, who said on January 12 last:

Trade restrictions of various kinds are primarily responsible for the slowness of improvement. At the present time almost every nation is trying to promote its own recovery by purely internal or national methods, overlooking the costs inevitably arising from efforts at economic isolation. Until trade restrictions are reduced, illiquid bank-credit extensions are likely to be resorted to in an attempt to supply the impetus to recovery which would otherwise be derived from the functioning of competitive markets.

They are not shared by the editor of the Washington Post, who said in an editorial on February 1:

If the world had not forgotten that foreign trade consists in an exchange of goods for goods, we might have avoided a costly collapse of the machinery for financing that trade, with its aftermath of depreciated and devalued currencies and mad shifting to and fro of capital funds. We have at least learned that we cannot year in and year out sell more than we buy and demand large cash payments to cover the difference.

It is generally agreed by those who are in favor of increasing our foreign trade that the only practical method of doing so is by means of reciprocal trade agreements. It is not practical for the Congress to undertake to write a new tariff bill. The practical value of trade agreements has been demonstrated by the 15 that have been negotiated. The figures show that our foreign trade in 2 years' time has increased by the sum of $1,084,861,000. That is gratifying both in amount and in the direction in which we are moving. As the Chinese say:

A journey of a thousand miles is commenced by one step.

Some claim that agriculture has not been benefited, but a careful analysis of the figures will show that agriculture, on the whole, has been tremendously benefited. Some point to the fact that the lowering of tariffs has caused a more rapid increase in imports than of exports and that our favorable trade balance fell in 1936 to a low figure. For many years we were a debtor nation. Since the World War we have been a creditor nation. In 1896 we had in the Treasury only $89,000,000 of gold. Now we have over $11,000,000,000 of gold, and do not know of anything better to do with it than to bury it in a steel-and-concrete vault in Kentucky. That reminds me of Bancroft's comment on De Soto's discovery of the Mississippi:

He traveled across half a continent in search of gold and only found his burial place.

Foreign nations can no longer pay us in gold and consumable goods are of more value to us now than gold. There was never a greater fallacy than the thought that trade of equal value in gold cannot be mutually profitable. As was stated by one of our early statesmen:

Commerce is not a gambling among nations for a stake, to be won by some and lost by others. It is not the tendency necessarily to impoverish one of the parties to it while it enriches the other; all parties gain, all parties make profits, all parties grow rich by the operations of just and liberal commerce.

I deplore the attitude of some of the opponents of this measure to minimize the importance of the restoration of foreign trade as a means of promoting world peace, and to treat Secretary Hull's statements on the subject as impractical idealism. In an interesting book published last summer by that charming newspaperman, William Allen White, he warned some of his Republican colleagues that our Nation has moved out of the guilded age of the almighty dollar when God was in a 6-percent heaven, and all was well with a laissez faire world. The leaders of the Hamiltonian school failed this country because they confidently believed that "$10,000,000 can't be wrong." An economic system which is not based upon the type of practical liberalism as I have defined it above cannot be right either as between individuals or as between nations. There must be a practical application of the doctrine of live and let live. And this fundamental principle was effectively stated by Secretary Hull in his testimony before the committee on January 21 when he said:

More than that, and of incalculable and supreme importance to us, and to others as well, there is a universally growing realization that economic well-being for all nations is an indispensable foundation for durable peace. No peace machinery, however perfectly constructed, can operate among nations which are economically at war rather than at peace with each other. No durable peace is possible except among nations which are actuated, in their economic dealings with each other, by friendliness, fair dealing, and a sincere desire to keep open the channels of a mutually beneficial trade.

Apart from the ill will and resentment engendered by hostile commercial policies, isolation inevitably creates unemployment, lower living standards, and general economic distress within nations. And no nation is more ready to seek relief by the forcible acquisition of territory or is more easily stampeded into the hysteria of war than one whose population finds itself hopelessly mired in economic poverty and widespread privation.

It is a well-known fact that two nations like the United States and Canada, that have enjoyed many years of mutually beneficial trade, need no concrete dugouts and barbwire entanglements to protect their international boundary line. One hundred and seventeen years ago Lord Ellenborough said in a debate in the House of Lords that he attributed the general distress then existing in Europe to the regulations that had taken place since the destruction of the French power. Most of the states on the Continent had surrounded themselves as with walls of brass to inhibit intercourse with other states. Intercourse was prohibited, even in districts of the same state, as was the case in Austria and Sardinia. Thus, though the taxes on the people had been lightened, the severity of their condition had been increased. He believed that the discontent which pervaded most parts of Europe, and especially Germany, was more owing to commercial restrictions than to any theoretical doctrines on government, and that a free communication among them would do more

to restore tranquillity than any other step that could be adopted. He objected to all attempts to frustrate the benevolent intentions of Providence, which had given to various countries various wants in order to bring them together. He objected to it as antisocial; he objected to it as making commerce the means of barbarizing, instead of enlightening, nations. The state of the trade with France was most disgraceful to both countries; the two greatest civilized nations of the world, placed at a distance of scarcely 20 miles from each other, had contrived by their artificial regulations to reduce their commerce with each other to a mere nullity.

But unfortunately nations do not learn by experience. If they did we would not have had the World War.

That was a trade war. We entered the World War with the high idealism of making the world safe for democracy, but the European nations who started the war were fighting over trade. The Treaty of Versailles that Woodrow Wilson had hoped to see a treaty of eternal peace sowed seeds for future conflicts. It forcibly took colonies and sources of raw material from one nation and gave them to another, and there is reason to believe that a secret understanding existed between certain of our Allies concerning the division of spoils before we ever entered the conflict. The nations of Europe are arming as rapidly as they can, some to hold sources of raw material they now have, others to recapture them if possible. That is the principal reason our export trade does not increase more rapidly. Foreign peoples are economizing on the necessities of life in order that their governments may buy more cannon and build more warships.

In the event of another European war, whether we are drawn into it or succeed in remaining neutral, as the people of this Nation so earnestly desire, we are bound to suffer. The desire of President Roosevelt and of his distinguished Secretry of State to make a contribution toward world peace is not one merely of detached idealism. Our economic welfare is intimately involved. Even if, in our present efforts to prove to the world it is more profitable to trade than to fight, our imports should temporarily exceed our exports, we will, in the long run, be the gainer if we can help to avert another world conflict. We cannot continue indefinitely group subsidies by deficit financing and I know of no way to bring about once more full employment in both industry and agriculture except through restoration of our foreign trade. I therefore confidently predict that this House will pass the pending bill by a tremendous majority. [Applause.]

Mr. TREADWAY. Mr. Chairman, I yield 15 minutes to the gentleman from Vermont [Mr. PLUMLEY].

Mr. PLUMLEY. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and to insert therein some brief tables.

The CHAIRMAN. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. PLUMLEY. Mr. Chairman, I am going to go my distinguished friend from Virginia one better; not only am I going to confine myself to my prepared speech, but I am going to say what I think for these 15 minutes in this legislative body and shall decline to yield.

Mr. Chairman, in view of certain aspects of the debate this afternoon, I am compelled to inquire: Was it not Colton who said?—

> Did universal charity prevail, earth would be a heaven and hell a fable.

How true that is, only those of us who respect and admire the impetuosity and the enthusiasm which motivates the emotionalist and theorist, but who have been dragged down from the mountaintops and held onto the earth by the actualities and the practicalities born of experience and of everyday existence, can ever know.

> The emotionalist and theorist who has the enthusiasm and the imagination without practical experience has the necessary things, but he has no power plant, and no connection with things earthly, for imagination and emotion are—

As Emerson says—

> only the precursors of reason.

They seemingly create beauty and justice and happiness, and what more could you wish, for such is the power that is inherent in them. But experience, "reason enriched with the spoils of the heart", is disenchanting.

Dreams are but the vision of a busy brain.

And Hedge has said:

> A dreamer is a madman quiescent, and a madman is a dreamer in action.

Dreams may be a true interpretation of our inclinations, but they still are, and always will be—

> The children of an idle brain begot of nothing but vain phantasy, which is as thin of substance as the air and more inconstant than the wind.

It is time for the American people to stop theorizing and dreaming and to wake up.

If I understand English as it is written and spoken, and as the dictionary defines it, and the meaning of the words that are used in its expression, the people of the State of Vermont, whom I have the honor to represent, are awake. They need no defense for their political persuasions. They are today the most politically astute, civically minded, free-thinking, fearless, thoughtful, true liberal group, not now engaged in attempting to undermine our American institutions; conservative, because notable for their independence of character and for their ability to devise means and methods of taking care of themselves whenever they have needed to meet any emergency of any group of citizens, and are the peers of any citizens or group of any State in this Union.

It is to be remembered that they alone of all the people of all these States pondered over—thought about and through, and decided and determined, first, and publicly signified their opposition to the N. R. A. as an un-American and unconstitutional act. They opposed it en masse long before any court action had been thought of or any appeal had been made to any court in the premises. I might go on at length and justify my statement, but it is unnecessary. Vermonters fear, and always will, the Greeks when bearing gifts, and for them to accept a favor is a potential sale of their freedom—a freedom which was too dearly bought, and has been held and continued at too great a cost and price to be sacrificed by them, lightly or when asleep, for a mess of pottage. It is true that the only inheritance the most of them have is not a substance, but was received from their ancestors, and is something of which no man can deprive them, and that is a soul, absolutely incapable of fear.

Do you wonder that I consider it an honor as well as a great responsibility to undertake to represent such a constituency? They have been maligned on many occasions, but that does not matter to them. They are not easily hypnotized by the paid emotional propagandists, the slanderer, the cartoonist, or the campaign ballyhoo artist. They know what they think, why they think as they do, and they have the courage of their convictions to vote as their conscience dictates. They know that, theoretically, everybody should be for reciprocity; they know it means—what real reciprocity means; they know that the "trade treaty" with Canada is not a reciprocal agreement.

They are in favor of the idea of being a good neighbor. They have lived along an imaginary boundary line between them and their Canadian neighbors peaceably and peacefully so long that there is nothing wonderful about the good neighbor idea to them. Why should not they be good neighbors? They always have been. Moreover, they are ready to fight to establish, continue, and maintain that status.

They hate paternalism. They insist that this is their Government, and that it does not own or control them, or define or classify them as serfs or menials.

In his recent inaugural address the President said:

> We are determined to make every American citizen the subject of his country's interest and concern. We will insist that every agency of popular government use effective instruments to carry out their will.

These are fine words, but as has been well said, this is not a new philosophy in the world. From ancient days till modern times men have fashioned government through constitutions, written and unwritten, to meet what they construed as the needs of the people. The methods have been various, but the patterns have followed an all too familiar shape. Either it is government handed down from on high and assuming

the function of the benefactor whilst ignoring the precept that "he who will not work may not eat", or else it is government calling on the people to assert themselves.

In his message the President emphasizes the function of the first pattern of government; directly paternalistic.

He puts no premium on thrift or self-support, nor does he draw a picture of hard work, self-sacrifice, and voluntary or involuntary contribution by those who have been taught to believe that man was put on earth to earn his own bread and not to live on the bread of others, unless caught in the helplessness of physical misfortune or old age.

Fascism and communism, each and both, make the same glowing promises. The truth is that America has triumphed in a world of scientific achievement and effective production of goods for her own people and for markets abroad because individuals have been given opportunity for competition. The Nation still lives on the strength and devotion of citizens whose powers have been developed, whose self-respect has been aroused. "Our purpose is to build in this Nation a human society, not an economic system."

The story that the ages tell is that "no method of procedure has ever been devised by which liberty could be divorced from local self-government." So often tried, it has as often, and always, failed.

No plan of centralization has ever been adopted which did not ultimately result in bureaucracy, tyranny, inflexibility, reaction, and decline.

If history teaches anything, or if we may learn from the lessons experience speaks, we must know and realize that of those who have overturned the liberties of republics, the greatest number have begun their career by paying an obsequious court to the people. They have commenced as flattering lip-service demagogues and ended as tyrants.

It is this threat of paternalism further extended which should shake us into a realizing sense of our duties and our responsibilities as Americans, whatever party label we may wear upon our sleeves.

Now, Mr. Chairman, my thoughts with respect to the particular measure under consideration are substantially those entertained by the Honorable Mr. Sisson, a former Member of this House, who served with us in the Seventy-fourth Congress, who, in speaking on the soil-conservation bill which was before the House for consideration, said:

> I am going to support the Bolleau amendment, and, as I said yesterday, unless this amendment is adopted, I shall be compelled, representing the interests of my own section, to vote against the bill. I am willing to do everything possible for any other section of the country, but I am not willing to do something for another section solely at the expense, the detriment, and the tearing down of the greatest industry of the farmers in my section.

Right at this point I desire to call attention to what I said with reference to this particular treaty, which is sought to be extended, when I spoke on this floor in opposition to it something like a year ago. I said then:

> This particular treaty is ill-omened, as was the one of which Senator Morrill spoke; one of my reasons in this case being that this treaty was entered into by the President under what I consider to be an illegal and unconstitutional delegation by Congress of the treaty-making powers reserved to Congress, which are nondelegable under the specific language of the Constitution itself. One does not have to be an opponent of the principle of reciprocity or against it as a general proposition to justify his opposition to this particular treaty, from which injurious results will most certainly follow, which are following, and being felt as a result of its negotiations.

From the farmers' viewpoint the word "reciprocity" in connection with this treaty is a misnomer, and then I go on to quote the Honorable E. H. Jones, commissioner of agriculture:

> It is obvious that the so-called reciprocal trade agreement with Canada is a one-sided affair, so far as the farmers of Vermont are concerned, and will result greatly to their disadvantage.

I quote the National Grange, and I quote the State Grange, the Honorable H. A. Stoddard, master:

> There is no question as to what the importation of Canadian maple sugar will do to the price of our darker grades of sirup. Speaking for the Vermont State Grange, I can say that we are very much opposed to the treaty.

Then I quoted the statement of the Vermont Maple Sugar Makers' Association, by its president, George B. Hathorn, which was presented to the President and about everybody else, in opposition to the treaty, but to no avail; and a protest from Arthur H. Packard, president, Vermont State Farm Bureau, by telegram, and my letter to the President.

Then, when it became apparent that the treaty involved a reduction of the tariff on softwood and hardwood lumber, the Legislature of Vermont adopted a joint resolution deploring the negotiation of the treaty; I submitted it to the President, together with a statement setting out in detail the unfairness and inequality and injustice which is shown and done the agricultural interests of this country, especially Vermont, by reason of the nonreciprocal terms of the treaty and the lack of mutual advantage insofar as our agricultural and other industries are involved and concerned.

Well, everybody but a few irreconcilable New Dealers admitted that my position was correct. If I needed any further proof, it might be indicated by the position taken by the other party to the contract—that is to say, by the Canadian people themselves.

I notice that in the hearings on this measure Secretary Hull said at one point that—

> If you ask the other nations, they will probably tell you that we got the best of trade arrangements. * * *

Secretary of State Hull cannot tell the farmers of Vermont—and make them believe it—that this reciprocal treaty with Canada is a good thing for Vermonters, for they know it is not so. It is a good thing for Canada from the standpoint of their unbiased judgment up there. Hear what the Quebec Chronicle of September 18 last has to say under an editorial headed "Roosevelt Best for Canada." To quote briefly:

> It is probable we are influenced for the most part by our liberal and conservative philosophies and by our appreciation of the New Deal which Mr. Roosevelt is trying to put through. If in place of putting ourselves in the position of American electors we were to think only of what would be most in Canadian interests, we should be unanimous in hoping for a Democratic victory. Whether or not Governor Landon may be the best man for the American people; therefore, there is no question whatever but what President Roosevelt is the best man for Canada.

And that is the kind of reciprocity for which the proponents of this measure now stand. However, I am for Vermont, Vermonters, and the interests of the people of the United States. Of course, I am opposed to this measure.

You remember when Calvin Coolidge came home from church one Sunday and Mrs. Coolidge said, "What did the minister preach about?" and Cal said, "Sin." When she asked him what he said about it, he replied, "He was agin it." That is my attitude toward this treaty. I am for reciprocity that reciprocates, not for the kind that punishes and penalizes. I am for cooperation that cooperates.

The figures that are now available and will be inserted hereafter for all to read show that these statements above quoted have been borne out by the facts; that, among a host of others, the Vermont farmer has been and is being penalized; that those who raise and supply the market with cattle, cream, cheese, poultry, horses, maple sugar, apples, grass seed, seed potatoes, lumber and timber, firebrick, talc, and maple flooring, and numerous other commodities, have been the hardest hit, and it is in these items that the imports of Canadian products have so decidedly, so disadvantageously, affected the farmers of Vermont.

In this respect I believe that the farmers of these United States and of Vermont must feel as did Abraham Lincoln when he was prompted to say:

> I know that if we buy goods made in America we have the goods and we have the money, and if we buy goods not made in America someone else has our money.

The truth is, Mr. Chairman, my people know enough to see a hole through a ladder and know when they have been outtraded or handed a gold brick. In the first place, they never gave anybody any authority, as I see it and believe it, to trade them out of house and home. But be that as it may—we will let the courts decide that in due course—"charity begins at

home"; and sad as it is true, it is nevertheless a fact that practical, hard-boiled, business common sense is a rare article in administrative circles these days.

Why all this talk about peace?

I have said before, and I say again, peace—there is no peace! It is a consummation devoutly to be wished, eventually to be reached, but trade treaties will not bring about a millennium. Far from it! They add fuel instead of storing up preventives, for—

> There is a haughtiness and fierceness in human nature which will cause innumerable broils, place men in what situation you please.

This is as true now as when Burke said it. It is the sheerest nonsense to talk today about the world at peace. It is to be regretted that this is true, but it is.

I notice that Hon. Bernard M. Baruch in his testimony before the Military Affairs Committee, in speaking about reciprocal-trade agreements and their effect on peace, said that these trade agreements, if we adopt a policy of neutrality, would be instruments of war, not instruments of peace.

The nations of Europe are sluicing all of the funds at their command in the direction of ever-increasing armaments, and in so doing are bent on self-destruction; our State Department and our overzealous, internationally minded dreamers would appear to desire to involve us in the holocaust to come; in this measure, according to the testimony of the State Department before the committee, they seek to bring about by indirection, through these trade agreements, a situation which is anathema to the majority of Americans: entangling alliances.

If this procedure is one that is fostering peace, why, all that has been said in this House during the debate on this measure might as well have been said by a deaf-mute in an empty hall.

The road to peace is a tortuous path which leads down the dark future, through long generations, involving a Christianization of the world—an end devoutly to be sought and eventually to be obtained, but obviously ages hence. No plan or trade treaty has been or will be promulgated which will change human nature or bring about the millennium by contract. No trade treaty or covenant which has ever been made or will ever be entered into between and among nations will prove a panacea or preventive of war. The pronouncements of all the parliaments in the world, international tribunals, leagues of nations, conferences here, abroad, or at Buenos Aires, or anywhere else, are not worth the paper on which they are written except for the fact that back of them lies the power of enforcement. Why talk about trade treaties and peace! When war impends, the wastepaper basket of the world will be filled with these scraps of paper.

In the words of one who was "first in war, first in peace, and first in the hearts of his countrymen", and in the name of all those who are opposed to war, I ask you:

> Why by interweaving our destiny with that of any part of Europe entangle our peace and prosperity in the toils of European ambition, rivalship interest, humor, and caprice?

We are getting altogether too much involved in entangling foreign alliances.

Whatever agreements are entered into these days are arrived at in and under a state of mind that speaks for mutual distrust and is superinduced by the fact that the world is sitting on top of a powder magazine, on a thin crust of earth which hides but does not conceal from them or us the fact that beneath them there is laid a perfect network of mines which some action or lack of action may be taken as the cause to effect such a terrific explosion as will shake the world's foundations and jar it to its very center.

Trade follows the flag. The flag never retreats. Its establishment and maintenance is the symbol of and the end sought by conquest. Trade treaties are provocatives of, not deterrents to, war.

As was well said by the gentleman from Virginia who has just preceded me:

> But, unfortunately, nations do not learn by experience. If they did, we would not have had the World War.
>
> That was a trade war. We entered the World War with the high idealism of making the world safe for democracy, but the European nations who started the war were fighting over trade. The Treaty of Versailles that Woodrow Wilson had hoped to see a treaty of eternal peace sowed seeds for future conflicts. It forcibly took colonies and sources of raw material from one nation and gave them to another, and there is reason to believe that a secret understanding existed between certain of our Allies concerning the division of spoils before we ever entered the conflict. The nations of Europe are arming as rapidly as they can, some to hold sources of raw material they now have, others to recapture them if possible. That is the principal reason our export trade does not increase more rapidly. Foreign peoples are economizing on the necessities of life in order that their governments may buy more cannon and build more warships.

Why do we want and wish and try to tie ourselves up to and bury ourselves under this potential end of the world under the cover of trade treaties and peace, of which there is none; and for the trade treaties it is but a smoke screen, an alibi, an excuse, and a poor one. [Applause.]

No, Mr. Chairman; we must face facts. We are all for peace—not "peace at any price", however. We cannot compete with the price which the Secretary of State's good neighbors policy has set. As a practical problem our Canadian neighbors can sell and are selling their products over the line at a price which forbids and prevents any competition on our part. As a result Americans, law abiding, heretofore self-supporting, frugal, respectable, honored, and honorable citizens, are forced onto relief rolls and driven into poverty, and are having to sell their farms and their personal property, or have them taken over, because of this trade treaty with Canada, to which naturally and consequently I am opposed.

Diminished revenue received limits expenditure, and no man has yet been born, or ever will be, big enough in brains or in power usurped or granted to overturn or set aside the laws of supply and demand or of God.

That is what this trade treaty with Canada undertakes to do.

On this argument of "peace" with which the proponents of continuance of the present trade-agreement arrangements bulwark and bolster their case let me allude and call your attention to the trenchant comment recently made by a newspaper writer well known to most of you. Paul Mallon recently had this to say:

> Don't tell any Congressmen, but there seems to be little doubt that State Secretary Hull is leading gradually up to the establishment of his trade tariff-making power as a permanent Government policy.
>
> Any of his aides who fails to deny it at the moment will be summarily shushed. Mr. Hull is having a hard enough time getting a 3-year extension through Congress now without awakening the legislators. But after this current congressional pressure drive is over you will find any or all of his associates ready to tell you off the record that the Executive trade tariff system has come to stay.
>
> The possibility of permanence is understood to have been discussed on the inside during preparations for handling the present legislation. It was decided Congress is not yet ripe. Three years' more development of the policy may soften congressional resistance.
>
> Three years ago Mr. Hull got his trade tariff power on the ground it was an emergency measure, needed to offset the unsettlement of world currencies. However, that emergency has cooled considerably since. Now Mr. Hull is bearing down heavily on the idea that an extension is needed to promote world peace.
>
> Three years hence you will very probably see Mr. Hull offering the right reason for permanent continuance. If he does, he will say he thinks it is a darned good policy for the Executive rather than the Congress to negotiate reciprocal tariffs, because rate making now has become involved with shifting quotas, currency values, international politics, foreign relations, world peace. It is no longer first a domestic issue.
>
> The constitutionality of the system will have to be decided before then. So will the right of the Senate to pass on the treaties which Mr. Hull negotiates.
>
> NOTE.—The current extension will expire at the right psychological moment, June 12, 1940, when the Democratic national convention will be sitting down to select its next Democratic Presidential candidate.

Now let us look at the record, Mr. Chairman, and again let me say I am opposed to this bill because of the facts and trends which appear in certain tables, which I have had prepared by the Bureau of Foreign and Domestic Commerce, which show that there was a net loss in trade balance with Canada in the first 11 months of 1936 over the same period of 1935 of over $27,297,000. If one were to compute the net

loss in trade balance of the same period of 1936 over that of 1934 he would find it amounts to over $60,414,000.

The loss of $27,297,000 alluded to above partially broken down into items of particular interest to Vermont and Vermonters will show that the following increases in imports from Canada to the United States has taken place:

Cattle imported in 1936 over 1935	$3,565,000
Poultry imported in 1936 over 1935	196,000
Cream imported in 1936 over 1935	52,000
Cheddar cheese imported in 1936 over 1935	1,159,000
Horses imported in 1936 over 1935	1,363,000
Seed potatoes imported in 1936 over 1935	654,000
Apples imported in 1936 over 1935	27,000
Maple sugar imported in 1936 over 1935	672,000
Clover and grass seed imported in 1936 over 1935	144,000
Lumber, boards, soft wood imported in 1936 over 1935	3,163,000
Fire brick imported in 1936 over 1935	13,000
Total	11,008,000

This is but one portion, although it is that portion in which my particular area is most vitally interested in and affected by.

The picture is this: Here we have over $11,000,000 worth of Canadian imports into this country coming in to compete with our own products to aid in forcing down the price of the local produce, to take the money that otherwise might have been realized by our own farmers from their hands. This cannot be tolerated long, and will not be. When other sections and other products are similarly affected, then the day of reckoning will come and the philanthropists of this House today, who are willing to give away all the other fellow has, will run to him for help to save them and their constituency from the ruin and devastation that will then confront them.

I call your attention to certain tables which I have had prepared and which I now insert which show the total value of exports and imports from Canada for the 11 months' periods ending successively from November 1930 to November 1936.

[In thousands of dollars]

	Exports including reexports	General imports	Excess exports
11 months ending November—			
1930	623,016	376,195	246,821
1931	375,410	246,259	129,151
1932	227,915	163,095	64,820
1933	192,138	164,209	27,929
1934	281,477	206,567	74,910
1935	301,434	259,551	41,883
1936	351,381	336,795	14,586

The imports into the United States from Canada covering the periods of the above table included cattle, poultry, horses, lumber, apples, and other commodities, as appears in the following table:

Imports into the United States from Canada, 11 months ending November

[In thousands of dollars]

	1930	1931	1932	1933	1934	1935	1936
Cattle	1,993	470	163	23			
Less than 700 pounds per head					12	1,475	732
700 pounds per head or over					6	3,583	6,859
Dairy cows							301
Other cattle							731
Poultry, live	40	27	11	3	4	8	164
Poultry, dead	11	5	10	1	2	1	
Chickens and guineas							40
Cream	2,530	108	187	30	0	1	53
Cheddar cheese							1,159
Horses, not for breeding	282	145	186	267			
Not over $150 each					354	589	1,928
Over $150 each					24	14	58
Potatoes	4,380	2,888	273	548			
Seed					222	41	695
Apples	305	50	100	7	17	6	33
Maple sugar	1,347	436	605	320	455	283	955
Clover and grass seed	711	133	39	11	34	453	597
Boards and lumber, soft-wood	23,656	12,006	5,933	5,338	4,937	7,326	10,489
Maple flooring					26	24	20
Limestone							6
Firebricks	56	35	19	14	10	10	23
Talc	82	63	56	76	79	75	59
Pipe organs					9	28	16

I agree with the contention of the minority members of the Ways and Means Committee, that the Executive alone should not be given the power of economic life and death over every domestic industry dependent upon tariff protection. I am of the opinion that Congress under the Constitution is the exclusive law-making body, and that its function cannot be delegated or usurped lawfully.

I still contend that Congress has no authority to turn over to the President its tariff, taxation and treaty-making powers. I insist it has a right either to approve or reject the trade agreements entered into after full and fair hearing with respect to the same and before they are made effective.

I would like to direct your attention to the fact that among the foreign nations with whom trade agreements have been negotiated, in 13 out of 15 cases, the agreements were submitted to the legislative branches of those governments for final ratification.

I would like to call the attention of the Members of the House particularly to the very forceful and effective statement made before the Committee on Ways and Means on Tuesday, January 26, by Mr. A. M. Loomis, who represented the National Dairy Union and the Association of American Producers of Domestic Inedible Fats, as well as to the answer made by our colleague the Honorable HARRY SAUTHOFF, from Wisconsin, to statements made by Dr. Sayre before that committee. These statements will be found in the unrevised committee prints of the hearings before the Committee on Ways and Means.

It has been called to your attention previously, but may I reiterate at this time, that although there appeared before the committee many representatives of industrial organizations in support of the resolution, not one representative of any agricultural organization took such a position. That is significant. The RECORD and the hearings are full of the resolutions against and the objections to this resolution on the part of such far-flung agricultural organizations as the National Grange, National Cooperative Milk Producers Federation, National Cooperative Council, National Dairy Union, and American National Live Stock Association.

Even the American Farm Bureau, which, as has been pointed out, and as is well known by all, denied by none, has been working in close harmony with the present administration, "damned with faint praise" when they adopted the following resolution at their annual conference in December:

> We reaffirm our support of reciprocal trade treaties which are negotiated primarily to restore agricultural exports by judicious lowering of industrial tariffs, thus admitting more goods into this country and making it possible for us to sell more of our farm products abroad.
>
> We insist that this principle be adhered to in framing reciprocal trade treaties and that there be no reduction in present agricultural tariffs on any farm product that would have the effect of holding or reducing domestic price levels below parity on such product. We insist that prior to the conclusion of agreements opportunity be afforded official representatives of farmers to be heard in public hearings on questions at interest, and that the most-favored-nation clause be eliminated.
>
> Countries enjoying wide outlets in the American market of commodities on the free list should be effectively encouraged in large part to take in exchange commodities produced in the United States which they require.

They were reluctant to criticize, yet indication of underlying dissatisfaction is there evident as to the procedure that has been thus far employed and with the results obtained up to date in the negotiation of these treaties. I have elsewhere included in my remarks the attitude of the Vermont Farm Bureau concerning this matter.

Now, I desire to insert in the RECORD, and I call your attention to a letter I received from the Honorable Elbert S. Brigham, former commissioner of agriculture of the State of Vermont, and former outstanding member of the Committee on Agriculture of this House.

MONTPELIER, VT., *January 21, 1937.*

HON. CHARLES A. PLUMLEY,
House Office Building, Washington, D. C.

DEAR CHARLES: I have your letter of January 19 requesting me to submit information regarding the effect which the Canadian treaty, made under the Reciprocity Trade Act, has had upon me.

I will say that to the extent Canadian cream, livestock, and maple sugar and sirup have entered the market, Vermont farmers have been subjected to that degree of competition with adverse effect upon prices.

It is my understanding that without notice to anyone and with no opportunity given for hearing, that a further treaty might be made, sacrificing to Canada the city milk markets which are of value to the farmers of New England.

With all due allowance for the ability and fairness of the authorities entrusted with the power to negotiate these treaties, it places an industry in jeopardy if, without an opportunity to be heard, agreements can be made which may seriously affect the future of the industry.

With kind personal regards, I am,

Very truly yours,

ELBERT S. BRIGHAM.

Then I want you to hear once more from our present commissioner of agriculture of the State of Vermont, so I am offering his letter for the RECORD:

STATE OF VERMONT,
DEPARTMENT OF AGRICULTURE,
January 22, 1937.

Hon. CHARLES A. PLUMLEY, M. C.,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN PLUMLEY: Under date of January 8, 1936, I advised you of my belief that the so-called reciprocal-trade agreement with Canada would prove to be a one-sided affair, as far as the farmers of Vermont and New England are concerned, and would react greatly to their disadvantage. Developments during the past few months confirm the accuracy of this forecast.

Vermont is probably the most intensive dairy State in the Union, exporting approximately 85 percent of its milk and cream to the cities of southern New England and New York. Surpluses of these products are a constant source of price unstability and are tremendous obstacles in the way of orderly marketing. Since about July 1, 1936, these surpluses have been greatly augmented by the admission of cream from Canada under the reduced tariff in rapidly increasing volume. It is obvious that such importation displaces an equal amount of domestic cream. The importation of dairy cows under lower tariff rates also reacts adversely to our dairy industry. Vermont dairymen protest against the continuation of these disadvantageous regulations.

Potato growers have also encountered the difficulties which were expected. Quantities of certified seed grown in Canada, where the cost of certification is assumed by the Government instead of being borne by the grower, have entered the market under the favorable terms accorded to certified seed and, I am reliably informed, been sold as table stock or at table-stock prices in areas where Vermont seed is usually marketed. The Vermont Department of Agriculture has received protesting communications from potato growers in this regard.

On account of the short crop of Vermont maple products in 1936, the effect of lowered tariffs on these commodities was not as disastrous as was contemplated. In normal years, however, it is believed that increased imports of Canadian sugar cannot result otherwise than in reduced profits to Vermont producers.

In view of the fact that the term "reciprocal" as applied to the present trade agreement has proven a misnomer in its relation to Vermont agriculture, the purpose of this letter is to reaffirm my opposition to the extension of the treaty.

Very truly yours,

E. H. JONES,
Commissioner of Agriculture.

What does the Vermont State Grange think with respect to the reciprocal-trade agreement? Read the letter from the Honorable Henry H. Stoddard, master of the State grange:

JANUARY 25, 1937.

Hon. CHARLES A. PLUMLEY,
Washington, D. C.

DEAR MR. PLUMLEY:

* * * * * * * *

At the State meeting held last October in Burlington, the Vermont State Grange went on record as opposed to the reciprocal-trade agreement with Canada.

Fraternally and sincerely,

HENRY A. STODDARD,
Master of the Vermont State Grange.

Also the letter from the secretary of the Vermont State Grange, Mary E. Priest, containing two resolutions adopted at the last meeting of the Vermont State Grange:

JANUARY 4, 1937.

Hon. CHARLES A. PLUMLEY,
Washington, D. C.

DEAR MR. PLUMLEY:

* * * * * * * *

Here are two resolutions passed at the last session of the Vermont State Grange and which are submitted to you:

No. 1

Whereas we feel that the reciprocal-trade agreement with Canada is detrimental to Vermont agriculture; and

Whereas we find this is already beginning to be felt by maple-sugar producers in this State: Be it

Resolved, That we instruct our Congressman at Washington to vote to rescind the agreement.

No. 2

Whereas we feel that it is detrimental to the prosperity of a nation to pay its farmers for not producing that which it is well adapted to produce, causing an importation of such produce or foodstuffs: Be it

Resolved, That the Vermont State Grange go on record as heartily disapproving any such method, and we as a committee recommend that the Vermont State Grange instruct the national representative in Washington to work for the discontinuance of such practice as soon as possible.

Sincerely,

MARY E. PRIEST,
Secretary, Vermont State Grange.

And I call attention to the letter from the president of the Vermont State Farm Bureau, Mr. A. H. Packard.

VERMONT STATE FARM BUREAU,
Burlington, Vt., January 26, 1937.

MR. CHARLES A. PLUMLEY,
United States Congressman, Washington, D. C.

DEAR MR. PLUMLEY: I am in receipt of your letter of the 19th regarding the 3-year extension of reciprocal-trade agreements. I have had this matter under discussion before the directors of the farm bureau on at least one occasion, and while they discussed the matter carefully, they did not have information which would give them a basis to voice an opinion. Therefore I am unable to send you any of the information which you request, as the matter has not been completely analyzed.

We have just examined our minutes and resolutions of past meetings and find only one bearing on this subject, which is as follows:

"We realize that perhaps the program under way to encourage international trade is a laudable one, but suggest to the Tariff Commission that they try to not have it bear too hard on any one group in any one section of the country."

Very truly yours,

VERMONT STATE FARM BUREAU,
A. H. PACKARD, *President.*

I have attempted to carry out the wishes of the Honorable George B. Hathorn, of the Vermont Maple Sugar Makers Association, who, under date of January 23, wired me from White River Junction, Vt., as follows:

CHARLES A. PLUMLEY,
House of Representatives, Washington, D. C.:

Use your influence in not granting an extension of reciprocal trade with Canada; big burden on Vermont maple-sugar industry.

GEORGE B. HATHORN,
President, Vermont Maple Sugar Makers Association.

This matter which we are discussing is not a partisan measure. When the proponents of the resolution refer to "the minority" in their discussions, they do not properly refer solely to the members of the Republican Party who are opposed to the resolution; within that group of the "minority", on this question, are alined those who believe that agriculture has been penalized by the Trade Agreements Act; in that group are not only Republicans from Maine, New Hampshire, Vermont, and elsewhere, but Democrats from Massachusetts to Florida, Progressives from Wisconsin, Farmer Laborites from Minnesota. Reading the names of those who oppose this resolution, I venture to say one will find himself hard put to describe them as "reactionaries, conservatives, and economic royalists"—it seems to me that they are of that brand of liberalism that has the welfare of the farm folk in mind, and by so doing having the welfare of the country at heart.

So, Mr. Chairman, I am opposed to the extension of this treaty. I might reiterate my own opinion with respect to the success or failure of the plan and of the several treaties. My opinion would be challenged as being a partisan one despite any and all of the supporting facts and evidence adduced in its support. So, Mr. Chairman, in conclusion I challenge those who support this measure successfully to contradict the statements made in the New York Sun, than which there is no more proadministration daily in the country; it has been its supporter, advocate, and defender.

This is what the Sun says editorially, and I leave it with you as the summation and conclusion of my remarks:

Speakers at the national foreign-trade convention in Chicago this week have praised the New Deal's trade-treaty program. They have had a great deal to say about the stimulation of world trade, about the need for recovering America's foreign markets, about the stabilization of currencies. They have spoken as though the Hull trade agreements have been an unmitigated boon to this Nation. But the evidence is heavily against such a conclusion. Of all the experiments since 1933, the tariff-cutting trade treaties of the administration have been one of the most conspicuous failures. Fourteen treaties have been signed and hundreds of tariff rates

have been slashed to let in more foreign goods that compete with goods made here.

In these trade treaties every cut in the tariff reduces rates for all countries, not only for the country signing each agreement. Reducing the tariff on rayon fabrics in the treaty with France allows Japan or any other country to send rayon goods here at the lower rate. The result is that imports have mounted steadily, and in the first 9 months of 1936 have exceeded our exports by $63,000,000. For the first year since 1893 the United States is buying more goods from abroad than it sells abroad. While exports to some countries have risen, as in trade with Canada, imports have risen much more rapidly. Imports from Canada since the trade treaty went into effect have shown an increase 60 percent greater than the increase in exports to that country. Agricultural and manufactured goods from other lands continue to threaten the employment of American farmers and factory workers. Last February a trade pact with Switzerland went into effect, but in the first 8 months of the year exports to Switzerland declined, while imports rose nearly $2,000,000. This is hardly the "Yankee trading" for which Secretary Hull planned.

Mr. Chairman, I yield back the balance of my time.

Mr. TREADWAY. Mr. Chairman, I yield 20 minutes to the gentleman from Iowa [Mr. THURSTON].

Mr. THURSTON. Mr. Chairman, the apparent determination of this measure will add two additional bad chapters to the legislative history of the United States and the diplomatic action of our Nation, because today we are proposing to again vest legislative power in the executive branch of the Government. Upon at least four or five prior occasions during this session we have extended this legislative power to the President.

As to the diplomatic phase, which might be more clearly termed a commercial treaty, we are placing in the hands of inexperienced, impractical persons the welfare of our Nation, because to a considerable degree they will determine the economic and commercial activities of our country. I could not help but be amused at the statement made by the gentleman from Arkansas when he said that his party has always been a protective-tariff party.

I would call his attention to schedule 7, which contains the agricultural rates, and to the Underwood tariff law, the last tariff act passed by the Democratic Party. Practically every crop produced on the farm, or at least every major product, was placed on the free list. There was no duty on cattle, sheep, pork, or milk, except cheese, and in the committee the same subject was called to the attention of the Assistant Secretary of State.

In other words, if there were no duties, or extremely low duties upon farm imports, when a reciprocal agreement was to be negotiated the farmers would not be able to obtain any concessions, because manifestly they would have nothing to exchange therefor.

In support of this statement I desire to offer schedule 7, which shows the duties exacted upon the importation of foreign agricultural products. You will note that the rates of duty in the Democratic column, on farm products, are mostly free or no duty, whereas under the Republican column the acts of 1922 and 1930, which were passed when the Republicans were in power, show that the party last mentioned placed adequate rates upon farm products. These tables are taken from documents printed under the direction of the Ways and Means Committee.

SCHEDULE 7.—*Agricultural products and provisions*

Paragraph, act of 1930	Classification	Rates of duty		
		Republican		Democratic, act of 1913
		Act of 1930	Act of 1922	
101	Cattle:			
	Weighing less than 700 lbs. each	2½ cents per lb	1½ cents per lb	Free.
	Weighing 700 lbs. or more each	3 cents per lb	2 cents per lb	Free.
	Beef and veal, fresh, chilled, or frozen	6 cents per lb	3 cents per lb	Free.
	Tallow	½ cent per lb	½ cent per lb	Free.
	Oleo oil	1 cent per lb	1 cent per lb	15 percent.
	Oleo stearin	1 cent per lb	1 cent per lb	Free.
	Dried-blood albumen:			
	Light	12 cents per lb	Free	Free.
	Dark	6 cents per lb	Free	Free.
702	Sheep, lambs, goats	$3 per head	$2 per head	Free.
	Mutton and goat meat, fresh, chilled, or frozen	5 cents per lb	2½ cents per lb	10 percent. Free.
	Lamb, fresh, chilled, or frozen	7 cents per lb	4 cents per lb	Free.
703	Bacon and hams	3¼ cents per lb	2 cents per lb	Free.
	Lard	3 cents per lb	1 cent per lb	Free.
	Compounds and substitutes	5 cents per lb	4 cents per lb	Free.
	Pork, fresh, chilled, or frozen	2½ cents per lb	¾ cent per lb	Free.
	Shoulders and other pork, prepared or preserved	3¼ cents per lb	2 cents per lb	Free.
	Swine	2 cents per lb	½ cent per lb	Free.
706	Meats, fresh, chilled, frozen, prepared, or preserved, n. s. p. f.	6 cents per lb. but not less than 20 percent.	20 percent	Free.
707	Whole milk:			
	Fresh	6½ cents per gallon	2½ cents per gallon	Free.
	Sour	6½ cents per gallon	1 cent per gallon	Free.
	Cream, fresh or sour	56.6 cents per gallon	20 cents per gallon	Free.
	Skimmed milk, fresh or sour	2½₀ cents per gallon	2½ cents per gallon	Free.
	Buttermilk	2½₀ cents per gallon	1 cent per gallon	Free.
708 (a)	Milk, condensed or evaporated:			
	In air-tight containers:			
	Unsweetened	1.8 cents per lb	1 cent per lb	Free.
	Sweetened	2¾ cents per lb	1½ cents per lb	Free.
	Other	2.53 cents per lb	1⅜ cents per lb	Free.
708 (b)	Dried whole milk	6½ cents per lb	3 cents per lb	Free.
	Dried cream	12½ cents per lb	7 cents per lb	Free.
	Dried skimmed milk	3 cents per lb	1½ cents per lb	Free.
	Dried buttermilk	3 cents per lb		
710	Cheese and substitutes therefor	7 cents per lb. but not less than 35 percent.	5 cents per lb. but not less than 25 percent.	20 percent.
711	Birds, live:			
	Chickens, ducks, geese, turkeys, guineas	8 cents per lb	3 cents per lb	1 cent per lb.
	Baby chicks of poultry	4 cents each	3 cents per lb	1 cent per lb.
	All other n. s. p. f.—			
	Valued at $5 or less each	50 cents each	50 cents each	Free.
	Valued at over $5 each	20 percent	20 percent	Free.
712	Birds, dead, dressed or undressed, fresh, chilled, or frozen:			
	Chickens, ducks, geese, guineas	10 cents per lb	6 cents per lb	2 cents per lb.
	Turkeys	10 cents per lb	6 cents per lb	2 cents per lb.
	All other	10 cents per lb	8 cents per lb	30 percent.
	All the foregoing, prepared or preserved in any manner and not specially provided for.	10 cents per lb	35 percent	Free.
713	Egg albumen:			
	Dried	18 cents per lb	18 cents per lb	3 cents per lb.
	Frozen or otherwise prepared or preserved, n. s. p. f.	11 cents per lb	6 cents per lb	1 cent per lb.
	Egg yolk:			
	Dried	18 cents per lb	18 cents per lb	10 percent.
	Frozen or otherwise prepared or preserved, n. s. p. f.	11 cents per lb	6 cents per lb	10 percent.

SCHEDULE 7.—*Agricultural products and provisions*—Continued

Paragraph, act of 1930	Classification	Rates of duty		
		Republican		Democratic, act of 1913
		Act of 1930	Act of 1922	
	Eggs of poultry, in the shell	10 cents per doz	8 cents per doz	Free.
	Whole eggs:			
	Dried	18 cents per lb	18 cents per lb	10 cents per lb.
	Frozen or otherwise prepared or preserved, n. s. p. f	11 cents per lb	6 cents per lb	2 cents per lb.
714	Horses and mules:			
	Valued at not more than $150 per head	$30 each	$30 per head	10 percent.
	Valued at more than $150 per head	20 percent	20 percent	10 percent.
722	Barley:			
	Flour	2 cents per lb	2 cents per lb	1 cent per lb.
	Hulled	20 cents per bush	20 cents per bush	1 cent per lb.
	Malt	40 cents per 100 lbs	40 cents per 100 lbs	25 cents per bush.
	Patent	2 cents per lb	2 cents per lb	1 cent per lb.
	Pearl	2 cents per lb	2 cents per lb	1 cent per lb.
	Unhulled	20 cents per bush	20 cents per bush	15 cents per bush.
723	Buckwheat:			
	Flour and grits or groats	½ cent per lb	½ cent per lb	Free.
	Hulled or unhulled	25 cents per 100 lbs	10 cents per 100 lbs	Free.
724	Corn or maize, including cracked corn	25 cents per bush	15 cents per bush	Free.
	Grits, meal, and flour, and similar products	50 cents per 100 lbs	30 cents per 100 lbs	Free.
726	Oats, hulled or unhulled	16 cents per bush	15 cents per bush	6 cents per bush.
	Oatmeal, rolled oats, oat grits, and similar oat products	80 cents per 100 lbs	80 cents per 100 lbs	30 cents per 100 lbs.
	Unhulled ground oats	45 cents per 100 lbs	45 cents per 100 lbs	15 percent.
729	Wheat	42 cents per bush	30 cents per bush	Free.
	Crushed or cracked, and similar wheat products, n. s. p. f	$1.04 per 100 lbs	78 cents per 100 lbs	Free.
	Flour and semolina	$1.04 per 100 lbs	78 cents per 100 lbs	Free.
	Unfit for human consumption	10 percent	30 cents per bush	Free.
738	Cider	5 cents per gal	5 cents per gal	2 cents per gal.
	Vinegar	8 cents per proof gal	6 cents per proof gal	4 cents per proof gal.
763	Grass seeds and other forage crop seeds:			
	Alfalfa	8 cents per lb	4 cents per lb	Free.
	Alsike clover	8 cents per lb	4 cents per lb	Free.
	Crimson clover	2 cents per lb	1 cent per lb	Free.
	Red clover	8 cents per lb	4 cents per lb	Free.
	White clover	6 cents per lb	3 cents per lb	Free.
	Ladino clover	6 cents per lb	2 cents per lb	Free.
	Sweet clover	4 cents per lb	2 cents per lb	Free.
	Clover, n. s. p. f	3 cents per lb	2 cents per lb	Free.
	Millet	1 cent per lb	1 cent per lb	Free.
	Orchard grass	5 cents per lb	2 cents per lb	Free.
	Rye grass	3 cents per lb	2 cents per lb	Free.
	Timothy	2 cents per lb	2 cents per lb	Free.
	Hairy vetch	3 cents per lb	2 cents per lb	Free.
	Other vetch	1½ cents per lb	2 cents per lb	Free.
	Bentgrass (genus *Agrostis*)	40 cents per lb	2 cents per lb	Free.
	Bluegrass	5 cents per lb	2 cents per lb	Free.
	Tall oat	5 cents per lb	2 cents per lb	Free.
	All other grass and forage-crop seeds, n. s. p. f	2 cents per lb	2 cents per lb	Free.
779	Hay	$5 per short ton	$4 per long ton	$2 per long ton.
	Straw	$1.50 per short ton	$1 per long ton	50 cents per long ton.
	Broomcorn	$20 per short ton	Free	Free.
	Rice straw and rice fiber	$10 per short ton	Free	Free.

Mr. Chairman, we are now facing the question whether we shall by piecemeal or by a flank attack virtually undermine the present tariff rates in the United States. Another gentleman of the majority said we had no scientific way of learning about the cost of the production commodities in the United States. Well, if we have not any rule, how does it happen that the majority party is willing to accept a certain duty upon tobacco or tar or other products produced in the South?

Complaint was made about the iniquitous and unfair Smoot-Hawley Act. The majority party now in power has had complete control of our Government by a 2, 3, or even 4 to 1 vote in the last two sessions of Congress, and it has also had control of the executive branch of the Government during the same period, but it has not had the courage to attempt to directly repeal this measure which they call so iniquitous.

Mr. KNUTSON. Will the gentleman yield?

Mr. THURSTON. I yield to the gentleman from Minnesota.

Mr. KNUTSON. I wonder if the gentleman heard the remarks made by one of the speakers who is in favor of the passage of this legislation when he said they could not have repealed the Smoot-Hawley bill without opening the floodgates and permitting a flood of foreign imports to come in, which would have paralyzed industry? Yes; and the statement was correct.

Mr. THURSTON. Well, by their inaction they have confessed this measure must have much merit, otherwise they would have affirmatively acted in an attempt to repeal it.

Mr. KNUTSON. They have made no effort to live up to their campaign promise in 1932.

Mr. THURSTON. Why mention that? The apparent distinction between the philosophy of the members of the two great political parties in this country seems to be something like this: The Republicans, having in mind a fair wage and a high level of living in the United States, want fairly high duties upon imports from low-wage countries, and they vote for those high duties. The Democrats apparently want the protection but do not have the backbone to support the measure when it comes up for consideration. They privately appeal to the Republicans to save them from too much foreign competition.

Mr. McCORMACK. Will the gentleman yield?

Mr. THURSTON. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Does the gentleman defend the Smoot-Hawley bill?

Mr. THURSTON. I may say to the gentleman that I interrogated the Assistant Secretary of State and asked him to point out the items upon which the duty was too high, but he very adroitly and cleverly maneuvered himself out of the position and said he would not attempt to do so. I asked him to point out any in the agricultural schedule that was too high, and he again moved out. At no time or place has this official gone on record in a specific item.

I am sure we will all be delighted to have the gentleman from Massachusetts point out the items in the textile section of that law which are too high and if he wants them

reduced and have his people compete against the low labor of foreign countries.

Mr. McCORMACK. My friend is not answering the question. I can assure him I will not duck a question when it is asked me.

Mr. THURSTON. The same thing is true of tobacco. The Republicans having control when this act was passed, placed a high duty upon products which were mainly produced in another section of the country, apparently to the great satisfaction of the gentlemen on the committee from Virginia, Kentucky, Tennessee, and North Carolina, because they have not sought to reduce any of those duties. When we were in control we took care of them, and now they seek to lessen and reduce the duties upon the products from my section of the country.

Mr. VINSON of Kentucky. Will the gentleman yield?

Mr. THURSTON. I yield to the gentleman from Kentucky.

Mr. VINSON of Kentucky. What tobacco upon which there is a tariff competes with tobacco grown in Kentucky?

Mr. THURSTON. I understand some of the cheap products come in from Cuba up to 18 percent.

Mr. VINSON of Kentucky. I think the gentleman will find on investigation that the amount of tobacco imported is almost nil as compared with the total production of tobacco in this country. So far as I know the tobacco that comes in from Cuba does not compete with the tobacco grown in Kentucky.

Mr. THURSTON. The gentleman is willing then to have tobacco come in without duty from the rest of the world?

Mr. VINSON of Kentucky. I am talking about the rates and the tobacco protected by the tariff. We export tobacco rather than import it.

Mr. THURSTON. I am talking about the tobacco production of the world that might come in here to compete with the product grown in the gentleman's State.

Mr. VINSON of Kentucky. We export between 40 and 50 percent of the tobacco grown; consequently we are interested in a foreign trade.

Mr. THURSTON. That is mostly cigarette tobacco?

Mr. VINSON of Kentucky. We grow all kinds. We grow chewing tobacco, smoking tobacco, as well as cigarette tobacco.

Mr. THURSTON. As to whether the gentlemen are in favor of the protective tariff is a debatable question, because the Secretary of State said, and his assistant, not only before our committee but through the press and in the forum, and I take it at every possible opportunity they have had, that they sought to undermine this law which they are supposed to uphold when they are in conference with other nations negotiating a trade agreement. So, of course, they are in a very embarrassing situation when the conferees on the other side of the table begin to bring forth their arguments to show how high, how unfair, and how outrageous our duties are. With such a handicap, of course, they cannot effectively act for our people. Such an embarrassment would not affect the Members of Congress.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield there?

Mr. THURSTON. For a question.

Mr. KNUTSON. I have been tremendously impressed throughout the hearings by the fact that the gentleman from Oklahoma has been very much concerned over oil coming in from Venezuela.

Mr. DISNEY. Mr. Chairman, will the gentleman yield there, since I have been referred to?

Mr. KNUTSON. And the members of the Florida delegation are very much concerned over the competition of early vegetables from Cuba, and when Vice President Garner was a Member of the House he was very much concerned over a duty on mohair. I am wondering if the gentleman can tell me the difference between the position of the two parties on the tariff?

Mr. THURSTON. As I endeavored to explain a while ago, we want duties upon competitive articles, and we vote for them, while our good friends of the opposition apparently want the duties but will not vote for them.

Mr. DISNEY. Mr. Chairman, will the gentleman yield for a question?

Mr. THURSTON. Yes; for a question.

Mr. DISNEY. As I understand these reciprocal-trade agreements and reciprocity in tariff treaties as well as the flexible tariff provisions in previous statutes, the general plan is to get other nations to trade with us; in other words, unless, for example, Argentina and Canada can sell to us, they cannot buy from us; and unless the European countries can sell to us they cannot buy from us. What is the position of the gentleman's party rather than simple opposition to this plan? What concrete or definite suggestion does the gentleman's side have to offer looking to some general theory? If there is something wrong with this bill, I would like to know definitely what it is rather than simply listen to generalities; and I say this with all due respect because I am asking for information.

Mr. THURSTON. Unfortunately the gentleman must be on the defensive because I am stating here that the rates we now have are fairly adequate and compensatory for our people.

Mr. DISNEY. Oh, no; by all the rules of logic when you are in the opposition you propose something in lieu of what is offered.

Mr. THURSTON. And the gentleman's party in piecemeal fashion is seeking to reduce many of these items in a roundabout way and retain the tariff on things that may be under the control of some group that has power near the throne.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield for an observation?

Mr. DISNEY. I shall withdraw the question if the gentleman does not wish to answer it.

Mr. THURSTON. I will reply to the gentleman. The Republican Party wants to exchange goods, if possible, and expand in the noncompetitive field; and when we are in the competitive field we want to take into consideration the difference in the cost of labor and the living level in this country as compared with the low-wage level of the rest of the world. The gentleman and his members of the committee are afraid to agree to this rule.

Mr. DISNEY. That is the nearest to a concrete statement that I have heard, but how could we trade in that way? That is the question that is bothering me, and I would like to get a definite answer.

Mr. THURSTON. I may say to the gentleman there is no scientific mode by which you can approach that problem. When we were making large international loans a few years ago and furnishing a great quantity of credit to the rest of the world, they bought more freely from us than when those loans were diminished or sharply curtailed.

Mr. DISNEY. Then the gentleman admits there is no way to do it, except by a plan of bargaining and trading between nations?

Mr. THURSTON. Yes; but I am not willing to turn over this discretion to the impractical and theoretical gentlemen in the State Department, none of whom has any capacity in respect to trade or commerce or finance. I am unwilling to have these determinations made without open hearings and without getting the advice and suggestions of the particular business that is involved, and this has been denied the businessmen of this country under the operations of this law during the last 3 years.

Mr. DISNEY. I do not want to intrude on the gentleman's time unduly, but I would rather surmise that most of the experts who are down there now were there under the Hoover administration and the Coolidge administration and prior to that time.

Mr. THURSTON. The gentleman may be informed about that.

Mr. DISNEY. I do not know, but I would infer that; it is probably useful that it is true.

Mr. THURSTON. I would not join the gentleman in that inference. New Dealers and brain trusters are rather numerous in Washington.

Mr. DISNEY. I would presume that there are experts in the State Department. There should be. If they are experts, I presume they will stay there whether we like them now or will not like them later or not. They are properly career service men. However, let me refer the gentleman back to the early days of the House when, as I understand, under the direction of the Speaker of the House, Mr. Casson, the special representative of President McKinley, negotiated 14 trade agreements with other nations and the theory of ratification of these treaties was incorporated in the bill.

Mr. THURSTON. I did not yield for a statement but for an interrogation.

Mr. DISNEY. I understand with respect to these trade treaties—they were treaties, not trade agreements—negotiated by the Speaker of the House, 13 out of 14 of them were rejected by the Senate. I am sure the gentleman will not contend, as a matter of law, that trade agreements are treaties that have to be ratified by the Senate. If the gentleman does take that position, he is on unsafe legal ground.

Mr. THURSTON. Since the gentleman has brought up the figure 13, it reminds me that it happens that 13 out of the 15 treaties negotiated under this reciprocal plan went back to the respective nations involved, so that their legislative bodies could ratify them, whereas under this proposal our Congress does not have such authority. I understand also that around the State Department there is a diplomatic atmosphere, and those gentlemen think they are much more capable of dealing with trade or commerce than some of us boys who come up here with a little fertilizer on our shoes. However, I will take the brains of this Congress in preference to any department of the Government.

Of course, trade agreements under this act are not ratified by the Senate or House or both.

I now wish to refer specifically to the Cuban agreement and to the release of the Department of State of January 19 of this year, where it is shown that with respect to the trade between Cuba and the United States, 1932–33——

Mr. DISNEY. Mr. Chairman, will the gentleman yield for one other question?

Mr. THURSTON. I cannot yield now.

Cuba shipped us $54,00,000 worth of commodities and we sent to Cuba $24,000,000 worth of products, leaving a balance in their favor of $30,000,000.

Then in 1933 and 1934 they sent us $48,000,000 and we sent them $34,000,000, a net to Cuba of $14,000,000. Apparently that disturbed the gentlemen in the State Department because it looked like there might be an even exchange between the two countries. So they were active in promoting the Cuban agreement.

The effect of that the next year was Cuba sold us $150,000,000 worth of products and we sold Cuba $55,000,000, leaving a gain for Cuba of more than $100,000,000.

In the following year Cuba sold us $115,000,000 and we were able to sell them $63,000,000, leaving a difference of about $52,000,000 in favor of Cuba.

There has been a good deal of speculation about the advantage of this agreement with Cuba, but no one will deny these figures as they are taken from State Department releases.

Benefit payments under the sugar program

Contract	Actual payments through Oct. 31, 1936	Estimated total of obligations	Estimated total of refund payments on 1933 crop	Estimated total of benefit payments on 1934 crop	Estimated total of benefit payments on 1935 crop	Estimated total of benefit payments on 1936 crop
United States beet sugar	$29,255,648.25	$31,750,000	$2,650,000	$19,600,000	$9,500,000	
Louisiana cane sugar	9,377,612.52	10,675,000		7,450,000	3,225,000	
Florida cane sugar	1,376,204.27	1,389,968		[1]864,968	525,000	
United States cane sirup	417,794.11	675,000		425,000	250,000	
Hawaii sugar	13,323,861.57	[1]13,323,861		[1]4,681,622	[1]8,642,239	
Puerto Rico sugar	12,239,845.19	14,690,000			12,240,000	$2,450,000
Philippine sugar	15,359,533.74	15,394,000			15,394,000	
Total	81,350,499.65	87,897,829	2,650,000	33,021,590	49,776,239	2,450,000

[1] Actual payments.

We gave up about $42,000,000 in sugar duties and it has not increased our trade more than $35,000,000.

Admitting there is 20 percent profit on the trade dollar, that would mean a net profit of $7,000,000 and a loss of $42,000,000.

During that same period we were making benefit payments to the beet-sugar growers in order to diminish the sugar operations of our farmers and to reduce their product, and we paid the farmers $81,000,000, as shown by the table prepared by the Agricultural Adjustment Administration.

I do not know what proportion of the $81,000,000 went to the beet and cane farmer to reduce in order to meet the extra Cuban imports. So when we add that to the other figures it makes the exchange more detrimental to our people, especially the United States Treasury.

Mr. BUCK. Will the gentleman yield?

Mr. THURSTON. I yield.

Mr. BUCK. Has the gentleman ever heard any objection raised by either the beet- or the cane-sugar growers in the United States to the sugar program adopted by Congress?

Mr. THURSTON. I was informed that a considerable number of sugar growers, both cane and beet, were very much concerned and perturbed about it and had a number of conferences in regard to that same subject here in Washington.

Mr. BUCK. Was the gentleman present at a session of the committee when his colleague on the Republican side, Mr. WOODRUFF, made the following statement?—

Mr. WOODRUFF. Will the gentleman be mollified somewhat if I concede that the quota plan incorporated in the sugar-control act has been a lifesaver to the sugar industry of the United States? Will the gentleman be somewhat mollified if I concede that?

And that was bound up intimately with the reciprocal trade-agreement act.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. TREADWAY. Mr. Chairman, I yield the gentleman 10 minutes more.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. THURSTON. Yes.

Mr. MICHENER. I think if Mr. WOODRUFF had amplified his statement in keeping with the situation as it is, so far as sugar is concerned, he would have said that it is the policy of the administration to eventually eliminate the production of sugar in America, because it is said by the administration, that is, by the Department of Agriculture, that sugar can be more efficiently produced somewhere else and, therefore, that we should take care of the sugar people while they are dying, and what we are getting is an opiate to take care of us while the sugar industry is being liquidated.

Mr. BUCK rose.

Mr. THURSTON. I do not care to yield further. Mr. WOODRUFF will fully reply to the gentleman from California in this respect. I want to amplify by saying that Mr. Sayre made no denial whatever of those figures in regard to the

remissions of duty and the exceedingly favorable balance to Cuba.

In regard to the farm portion of the Cuban treaty, it has been heralded here that we have profited greatly. Quoting from the same document I find that before we made the treaty we sold in 1933–34, 16,000,000 pounds of lard in Cuba and that after the treaty we sold 32,000,000 pounds the first year, and then it dropped down to 23,000,000 pounds the third year and more during the last 11 months. Then, on bacon and cured hams, after the first year, the sales amounted to about 8,700,000, and it rose after the treaty to 10,600,000 pounds and then dropped clear down to 5,000,000, or less than half what it was before. But the greatest increase in the lard export to Cuba amounted to only about 1 percent of the total production in the United States. What about the other side of the picture? The increased imports under this treaty with Cuba allowed $5,000,000 additional of blackstrap molasses to be imported into the United States, five times the amount of the advantage that we obtained in the lard concession, and this blackstrap molasses directly competes with the farmers of the United States.

Then when we reach the dairy tables we find that while there was a slight increase of dairy products to Cuba, again they sharply diminished, so that our net gain so far as the farmer is concerned was a loss when we take into consideration the benefits granted under other treaties to Canada and to Switzerland. And now we are receiving rather heavy imports of milk and it's derivatives from these other nations.

But, after all, the question being considered here today is the attitude of these men who have charge of these treaties. To date they have not taken into their confidence the farmer or the man engaged in industry or trade. They have had these ex-parte, star-chamber hearings and made their own determinations, and the first time the American citizen received any information as to the possible rates was when he was able to obtain it from foreign sources, because the foreign nations, even though three-fourths of them are under military dictators and usurpers, yet, in form at least, their legislative bodies did require these important trade agreements to come back to them for ratification.

Then there is an implication in the extension of this law that has not been mentioned. Do you gentlemen know that when they make these agreements they go outside of the rates or schedules written in the tariff law and attempt to freeze or say that you gentlemen here in the revenue-making body of the Government shall not have the right to fix an internal or excise tax upon certain products; that during the life of the treaty there will not be increase or duty placed upon certain articles included in these agreements, further taking from this body the power to say what shall be done not only in legislation but in revenue receipts.

If we continue to greatly expand our public indebtedness, the time may come in the near future when we will be obliged to levy additional excise taxes in order to obtain funds to meet some of the current obligations of our Government. Yet under many of these agreements you gentlemen are foreclosed, and your hands are tied so that you cannot enter that field, and if you extend these agreements then you ratify and confirm what has already been done, and you say that is all right to the State Department; you say to them that they can invade our legislative field even to the extent of taking away from us the revenue-making power of our Government; that we ratify and confirm their usurpations.

Mr. VINSON of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. THURSTON. Yes.

Mr. VINSON of Kentucky. I am sure the gentleman will agree with me that no statement in a trade agreement could divest the Congress of its taxing power.

Mr. THURSTON. I say that after we make one of these trade agreements we would expect our Government to stand back of its agreement, and it would be embarrassing to the gentleman as a member of the majority party to attempt to enact legislation which would controvert what the President had agreed to.

Mr. VINSON of Kentucky. So far as the power is concerned, no one would claim that the power is taken away from the Congress; and if Congress should change the rate during the life of a trade agreement, all the effect it could have would be the abrogation of the treaty.

Mr. THURSTON. Yes; and then we would be accused of international bad faith.

Mr. VINSON of Kentucky. But they recognize when they make these agreements that the Congress is not giving up its taxing power. I think that is a fair statement.

Mr. THURSTON. Only by implication; and if it is the policy of the Chief Executive, who has so frequently been able to obtain the legislation he desires, then it may follow as a fair conclusion that will be continued and that the House of Representatives would, in fact, surrender that power, although in law they might not do so.

Mr. VINSON of Kentucky. I will grant that the great personality down at the other end of the Avenue has a great influence in the House and in the country.

Mr. THURSTON. Well, the adjective "great" might be questioned.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. THURSTON. I yield.

Mrs. ROGERS of Massachusetts. Is it not a fact that Members of Congress know less about the details of the trade agreements than about anything else that has happened in this administration, and is not that proved by the fact that there were more experts from the State Department in the Ways and Means Committee than ever before in our history? Constituents of mine and others at the hearings who were deeply interested in hearing all the testimony said they were very much disturbed by experts running to the Members continuously; that there was a constant hubbub and there was a perfect army of them in the rear of the committee.

Mr. THURSTON. That is a true statement.

Now, I want for a moment to direct attention to the wage levels throughout the world. I have a prepared statement as it came to me yesterday from the Department of Labor. I will not read it all, but, as illustrative, I want to mention the figures contained in one column in relation to the wages paid to bricklayers. In the United States, $1.70 per hour. These are wages per hour: Austria, 24 cents; Czechoslovakia, 15 cents; France, 26 cents; Germany, 37 cents; Great Britain, 41 cents; Italy, 16 cents; Portugal, 9 cents; Spain, 29 cents; Sweden, 85 cents.

DEPARTMENT OF LABOR,
BUREAU OF LABOR STATISTICS,
Washington, February 2, 1937.

Hon. LLOYD THURSTON, M. C.,
Room 1231, New House Office Building,
Washington, D. C.

MY DEAR MR. THURSTON: With reference to your request made of our Mr. Hanna by telephone this morning for information regarding comparative wages in the United States and foreign countries, I am sending you herewith:

(A) Typewritten statement showing earnings in certain representative occupations in the United States and foreign countries in 1931. This date may seem a little remote, but it represents a period when practically all of the countries of the world were on a gold basis, and therefore conversions into United States currency are most significant. Since that time there have been changes, of course, in wages in most countries, but for the most part such changes have not been great, and there is every reason to believe that the ratios of difference between the United States and the other countries shown in the table are substantially the same now as they were in 1931. As a general picture of comparative wage conditions, therefore, I think this table is particularly useful.

If this information does not meet your needs, please do not hesitate to call upon us again.

Cordially yours,

ISADOR LUBIN,
Commissioner of Labor Statistics.

Earnings in various trades in representative localities in the United States and foreign countries

[Data for 1931 or latest available year. All conversions into U. S. currency are made at par]

Country	Bricklayers	Carpenters	Painters	Hand compositors, printing	Iron molders	Iron and steel, all workers	Weavers, cotton, males	Mining, coal, all workers	Common laborers, metal trades
	Hourly	*Hourly*	*Hourly*	*Hourly*	*Hourly*	*Weekly*	*Weekly*	*Daily*	*Hourly*
United States	$1.70	$1.40	$1.48	$1.17	$0.71	$34.58	$16.67	$4.90	$0.42
Austria	.24	.23	.27	.21	.17		4.78		[1] [3] 6.75
Czechoslovakia	.15	.14	.17		.20	7.40		1.49	[1] 5.64
France	.26	.25	.26	.26	.26	9.01		1.53	.17–.19
Germany	.37	.37	.36	.29	.30	12.89	7.57	2.28	.17
Great Britain	.41	.41	.39	.45	.22	14.58	8.05	2.40	[1] [3] 12.41
Italy	.16	.16	.16	.19	.15				.12–.14
Japan	.13	.10	.12	.16	.15		2.80	.83	
Portugal	.09	.10	.10	.12	.10	[4] .53–.88	[4] .57–.80	.38–.80	[4] .83
Spain	.29	.29	.31	.30	.31		[4] .26		.20
Sweden	.85	.76	.80	.43	.47	12.51		2.13	[6] .21
	Daily	*Daily*	*Daily*			*Daily*	*Hourly*	*Daily*	*Daily*
China	.30	.32	.33–.35	[7] 3.00–15.00		.12–.23	.08	.12–.20	[6] .17
	Monthly	*Monthly*	*Monthly*	*Monthly*	*Monthly*		*Monthly*		*Monthly*
India	10.33	20.08	.10–.49	10.95	13.98		10.59		6.95

[1] Weekly.
[2] Foundries only.
[3] Blast furnaces only.
[4] Daily.
[5] Hourly.
[6] Machine shops only.
[7] Monthly with board and lodging.
[8] Shipbuilding in Ningpo.

The reason I mention this subject is to direct the attention of the House to the great variance between wage levels here and abroad; and, if we seek to continue the living standards we have in this country, of course, the more imports that come here, the less employment we will have in our own country. Notwithstanding this great difference, I contend it would be far more sound, not only as a legislative policy but as an economic practice, for the men who are elected each 2 years from this broad land of ours to come here and apply their talents, their ability, and their experience in business, in agriculture, and all the varied interests of our country, and out of their joint efforts to effect a compromise and fix rules as to the importation of products from these cheap-labor countries, rather than to leave it to the diplomatic branch, which, of course, is constantly surrounded by men who are skilled in diplomacy and who are clever, and all of whom represent countries having a lower wage level than we have in the United States.

So one of the very keystones—in fact, one of the foundations of our economic supremacy—is to closely guard this privilege which is now vested in this body. [Applause.]

The CHAIRMAN. The time of the gentleman from Iowa [Mr. THURSTON] has again expired.

Mr. THURSTON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and to insert a few tables which come from Government sources.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. TREADWAY. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey [Mr. SEGER].

Mr. SEGER. Mr. Chairman, I come from an industrial section of my State, principally textiles. I am in accord with every effort to expand our foreign trade not prejudicial to American industry and labor, and I rise at this time to bear personal testimony that there is more than mere words in that portion of the minority report stressing the point there is no provision in the law for fair and adequate hearings, which have been brought out on the floor again today.

Not many months ago industry and labor in my district heard that a pact would soon be negotiated by the State Department with a certain foreign nation. The industry, already beset by many ills and difficulties, asked for a hearing before those getting together the data for the negotiations. I was glad to present this request but what was I told? I was told in practically so many words that if the representatives of this industry wanted to come to Washington to tell their story they could come but it would be useless to come unless they were prepared to make concessions. Concessions to whom? Concessions to a foreign nation now listed by the State Department as one of the largest defaulters in debt obligations to the American people.

Not one word was said about exacting any concessions from abroad.

If this is the spirit animating the State Department fact finders and negotiators, where will it leave American industry and American labor.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. TREADWAY. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Chairman, any man who has had practical experience in dealing across the commodity desk or in going out to build markets for the exchange of goods in the domestic and (or) foreign field cannot help but thrill at the possibilities—for good and for bad—wrapped up in this Trade Agreement Act.

In the practical field of "horse trading" it is perfectly natural for the man in charge of sales to always be consistent in demanding that he have plenty of latitude, ample flexibility, and full freedom to act, and act quickly, in the placing of "puts and calls", in meeting every move made by a competitor by a countermove, in offering counterpropositions for every unacceptable proposition made by the party on the other side of the trade. This quickness of action is the essence of trading—at home and abroad. No sales manager appreciates having the board of directors of his company circumscribe his actions, lay down strict rules of procedure, fix his prices, terms, or the geographical territory in which he must make offer and delivery. As a sales manager he wants the freedom to act and to meet whatever contingency that may arise. Those charged with the administration of the Reciprocal Trade Agreement Act are no exception to the rule.

The constant stream of press releases which have emanated from the office of the Secretary of State and the Assistant Secretary of State dealing with the various agreements which have been consummated, the methods followed in the administration of the act, and the benefits claimed in behalf of the provisions included in the agreements have been of great interest to me. I have carefully scanned their pages in my feeble attempt to arrive at some definite conclusion as to what the trade philosophy of the Department of State is to be in the administration of this tremendously important piece of legislation. This has followed because there is ample evidence that at least two interpretations have been placed on the meaning and intent of the original act. What are they?

PRESIDENT ROOSEVELT'S LETTER

January 14, 1937, the President addressed a letter to Chairman DOUGHTON, which said, in part:

But while accomplishment has been substantial and gratifying, the task is by no means completed. In international trade relations emergency conditions still exist. Barriers operating against our trade are still excessive. Their reduction continues to be an essential requirement of a full and balanced economic recovery for our country. In the period which lies immediately ahead, our ability to act swiftly and effectively in the field of commercial policy will be indispensable, if the present favorable and promising trend toward a normalization and expansion of international trade, upon a friendly and constructive basis of fair dealing and equal treatment, is to go forward.

The development of liberalized trade practices has another effect, which transcends in importance even the material benefits conferred by trade improvement. Economic strife, resulting from inordinate or discriminatory trade barriers, is one of the most fruitful sources of political animosity and military conflict. A policy designed to reduce excessive trade barriers and to establish equality of trade rights is a powerful instrument of economic appeasement and stability. It thus serves to strengthen the foundations of world peace.

In the present unfortunate state of world affairs, we dare not, in justice to ourselves, relax our effort or abate the vigor of our leadership in a world-wide movement for durable peace through economic prosperity.

STATEMENT OF THE SECRETARY OF STATE, MR. HULL

Page 2 of the committee report says:

In his testimony before the committee the Secretary of State pointed out the contribution which the trade-agreements program is making not only to economic recovery but also to the elimination of the economic causes of international ill will—

And goes ahead to quote the Secretary as having said:

An expansion of international trade, not its artificial and arbitrary reduction through the creation of obstructive barriers to its flow, is increasingly being recognized as the road to full recovery and the way of maintained prosperity.

More than that, and of incalculable and supreme importance to us and to others as well, there is a universally growing realization that economic well-being for all nations is an indispensable foundation for durable peace.

Is it not clear that the President emphasizes and puts particular stress on his philosophy, his interpretation that the Reciprocal Trade Agreement Act is to be used as a means to strengthen "the foundations of world peace", and that this method of administration and interpretation "transcends in importance even the material benefits conferred by trade improvement"? His language is so clear that the fool who runs may read and know its meaning. There is no room left for any doubt in any mind as to what he intends to do with the powers conferred by this act. He is the sales manager in charge of the prices and terms to be paid for goods coming into this country and for the terms which shall govern on the goods which we ship out.

The Secretary of State does not attempt in the least, to obscure what his interpretation of the act is and what his plans and policies of administration are. He boldly proceeds to say what is of "incalculable and supreme importance to us and to others as well." His firm enunciation that "no peace machinery, however perfectly constructed, can operate among nations which are economically at war rather than at peace with each other", is a clear-cut and ringing doctrine and notice on our people that, insofar as he is concerned, the Trade Agreement Act shall be interpreted and administered in a manner that will tend toward universal peace and that material gains—those things for which men and nations carry on trade—shall at all times be secondary.

Mr. Chairman, this all becomes a most important fact to our people. Throughout this Nation there are millions of people, North, South, East, and West, who still cling to the idea of material gain, to profit, to favorable merchandise trade balances when one speaks of trade agreements. They have not yet grasped the philosophy which has been enunciated by the President and the Secretary of State. When one listens to the serious arguments that are made, those which have no reference to partisan politics, it is clear the arguments are based on two different concepts.

Another proof, in my opinion, that the act is being administered from the viewpoint of international peace and in promoting the comity of nations is the net result of the Cuban trade agreement. Let us look at that for a moment. Section 2 (b) of the act makes a special exception in Cuba's favor. Now let us get some of the philosophy back of this "exception in Cuba's favor." Going to the hearings, pages 178 and beyond, Dr. Francis Sayre, Assistant Secretary of State in charge of the Trade Agreements Division of the Department, said:

First, we, in our Cuban trade agreement, were thinking about more than dollars and cents. We were thinking of this: Cuba, as you know, is vitally dependent on its exports of sugar. If it cannot sell its sugar, it means starvation, hungry people, social disturbance, possibly revolution in Cuba.

Continuing, he said:

It is very particularly true of Cuba, sir, because sugar is almost the crop of Cuba. I would not say it is the single crop, but it is the big crop on which the livelihood of the great majority of the people depends. If Cuba cannot sell her sugar it means serious social disturbance there, and because of the United States very close and intimate relations with Cuba, that might mean almost anything. I need not enlarge upon the possibilities.

Now I ask, Is this administering the Agreement Act in the interest of material gain for the farmers and merchants and workers of the United States or is it in this case being managed purely and almost entirely in behalf of the "peace" that may continue internally in Cuba because of our great generosity to that people? When I speak of generosity on cur part toward the Cuban people I mean just this:

The consumption of sugar in the United States for the past 10 years has been as follows—Willett & Gray:

Year	Total consumption	Per capita
	Tons	*Pounds*
1936	5,521,512	96.29
1935	5,339,908	93.78
1934	5,134,746	90.71
1933	5,270,366	93.60
1932	5,213,961	93.29
1931	5,475,204	98.47
1930	5,599,377	99.37
1929	5,810,980	103.13
1928	5,542,636	104.27
1927	5,297,050	100.95

During 1936 we consumed 5,521,512 long tons (refined and/or consumption value) or 6,335,794 (126,715,885 bags of 100 pounds each) short tons of twenty 100-pound bags each. This sugar for the 1936 consumption came from the following sources of supply—Willett & Gray:

	Tons of 2,240 pounds
Louisiana and Florida (cane)	373,099
United States (beet)	1,219,791
Hawaii (cane)	770,299
Virgin Islands (St. Croix) (cane)	3,122
Puerto Rico (cane)	730,154
Philippine Islands (cane)	775,215
Total domestic	3,871,680
Cuba (cane), on which tariff concession is allowed	1,642,990
Total preferential and nondutiable sugars	5,514,670
Foreign consumed on which full duty assessed	6,842
Total of sugar consumed	5,521,512

Under date of December 22, 1936, Secretary of Agriculture Wallace made a reallocation of quotas on import sugars for the calendar year 1936 which assigned to Cuba a final tonnage—raw value of 2,000 pounds—of 2,102,607 tons. This was by far the greatest proportion of our consumption allocated to any one given country including the continental United States. United States beet was allowed a tonnage of only 1,342,179.

SUBSIDY TO CUBAN SUGAR INTERESTS

The duty on 96° raw sugar coming into this country from Cuba for the period June 18, 1930, to June 7, 1934, was $2 per 100 pounds. June 8, 1934, and September 4, 1934, this $2 duty was reduced to 90 cents per 100 pounds, or a cut of $1.10 per 100 pounds. This cut in duty was equivalent to a concession in favor of the Cuban sugar interests which consist principally of the National City Bank and the Chase National Bank of New York, Hayden, Stone & Co., the American Sugar Refining Co., the Royal Bank of Canada, and

the interests they represent. Very little of the direct benefits actually go to the peons and laboring class of Cuba. But sugar in Cuba being the "invisible government" and sugar interests having the power to foment revolutions to a degree that the Assistant Secretary of State will come before the committee in charge of this bill and make the statement that "it means starvation, hungry people, social disturbance, possibly revolution", simply illustrates what a tremendous influence Cuban sugar interests have in Cuba as well as in the State Department of the United States.

Now, what does this subsidy amount to?

The first year of the operation of the agreement with Cuba we gave a sales quota to Cuba of 36,451,920 bags of 100 pounds each. Now what does that mean? Let us look at the figures for 1936 at the same time, for which year we gave Cuba a sales quota of 42,052,140 bags.

1935:	
Cuba's quota 36,451,920 bags, at $2 duty	$72,903,840
Cuba's quota 36,451,920 bags, at 90 cents duty	32,806,728
Loss in revenue to United States Treasury, $1.10 duty per bag	40,097,112
1936:	
Cuba's quota 42,052,140 bags, at $2 duty	84,104,280
Cuba's quota 42,052,140 bags, at 90 cents duty	37,846,926
Loss in revenue to United States Treasury, $1.10 duty per bag	46,257,354

Or a total for the 2 years the agreement has been in operation we have lost in the form of a decrease in revenue to United States Treasury on account of reduction in duty the sum of $86,354,466.

But this is only a small part of the cost of this agreement. Let us look at another most important factor which is operating more detrimentally to the consumers of the United States than the loss in internal revenue. I refer to the "price premium" which we are paying to the Cuban Sugar Trust. It is this:

The Tariff Commission informs me as late as this very day that the prices for 96° sugar, New York City, c. and f. basis, for sugar to be consumed by the people of the United States and on similar Cuban sugar for consumption by people of the other parts of the world—London, for example—has been as follows:

Price premiums paid to Cuban sugar interests

[Tariff Commission]

	Cuban raw sugar price	
	New York	London
Raw sugar, 96°, price per 100 pounds:		
1932	$0.926	$0.866
1933	1.233	.971
1934	1.974	.934
1935	2.330	.989
1936	2.692	1.009

Therefore, the premium per 100 pounds which we are paying to Cuba as a result of Cuba enjoying a monopoly on our sugar market has ranged from 6 cents to $1.683 per 100 pounds. This means in dollars for the years—

Price premium paid Cuba over that charged by Cuba to other countries on like amount of sugar	
1934	$38,822,825.60
1935	48,882,024.72
1936	70,773,751.62
Total price premium in 3 years as result of negotiation and operation of agreement and the present sugar program	158,478,601.94
Add loss in duty to United States Treasury	86,354,466.00
Total cost to United States consumer of Cuban trade agreement and sugar plan operation	244,833,067.94

WHAT HAVE WE RECEIVED IN PAYMENT FOR THIS IN THE WAY OF TRADE?

The State Department informs me today that for the years mentioned below we enjoyed a percentage of Cuba's total imports as indicated by the percentage figures shown:

	Percent
1928	60.8
1929	58.8
1930	56.6
1931	57.4
1932	54.2
1933	53.5
1934	56.1
1935	58.3
1936 (10 months)	64.5

State Department; see p. 101, vol. 2, hearings.

The Assistant Secretary of State informs us (vol. 2, p. 101, of the hearings):

Our exports to Cuba increased from $35,000,000 in the year preceding the effective date of the agreement, September 3, 1934, to $55,000,000 in the first year under the agreement, and to $64,000,000 in the second year.

TOTAL TRADE WITH CUBA FOR 3 YEARS

For the 3 years referred to by the Assistant Secretary it is seen that we had a total trade with Cuba of $35,000,000, plus $55,000,000, plus $64,000,000, or a total of $154,000,000. For this total trade we have given the Cuban people and those with investments in Cuba a straight subsidy of $244,833,067.94. Furthermore, how much have we gained in percentage? Let us again refer to the figures. During the period from 1928 to 1932, both inclusive, the lowest percentage of Cuba's imports which we enjoyed amounted to 54.2 percent and in 1928 it was 60.8, while in 1936 we reached only 64.5, or less than a 4-percent increase over 1928 and only a fraction over 10 percent compared to the very low 1932 figure. There is no denying the fact that for each dollar of trade we secure from Cuba we are paying a subsidy at the rate of two for one.

Mr. Chairman, I think this is the most conclusive evidence that can possibly be taken from the trade-agreements program in support of my contention that the entire program is being operated without any thought of material gain to the people of the United States. This is the price we are paying Cuban sugar interests to prevent a revolution in Cuba. It is a clean-cut example of how, under such a program, an international game of extortion can be carried on against the United States under the guise of a trade-agreement act.

Before the trade agreement with Cuba went into operation we were enjoying a very fine share of Cuba's trade, particularly in view of the fact that at present, with all of this subsidy, we are getting such a small increase in the percentage of Cuba's imports. If we are to continue a subsidy of this character, certainly we are in position to demand a much greater share of Cuba's import trade. Some day the sugar consumers of this country may have something to say about a raid of this type on their purses. Perhaps the Secretary of Agriculture was thinking about this just recently when he brought up the subject that our sugar program is unduly enriching processors and refiners of sugar. Sugar-trade reports clearly indicate the sugar world is not just clear on what the Secretary did mean by what he said in his press release, but surely it had something to do with the facts presented here this afternoon.

To grow just a bit partisan, what would the press of this Nation, as well as the people, have to say should a tariff duty be imposed that reflected an increase in price on sugar amounting to $213,262,836, which represents the increased price we are paying for our raw sugar over and above that we were paying at the time this present sugar program began to take form? While the President, through his proclamation and Cuban trade agreement, made a paper reduction of $1.10 per 100 pounds in the duty, the fact remains that the price of sugar has constantly risen until today we are paying this enormous subsidy to Cuba.

EFFECT OF THE SUBSIDY

Cuba is rapidly putting her house in order through the exorbitant profits being made on her sales of sugar, so that in due course she will be able to drive the United States domestic producer out of business. It is all a clear-cut case where the American sugar consumer is subsidizing the Cuban Sugar Trust so that they can sell sugar to other parts of the world at a loss and charge the loss thereby incurred against the high profits made on the sales of sugar to the United

States. We are thus subsidizing Cuba's trade with other parts of the world and thereby enabling Cuba to hold her world sugar trade as against Java, European, and South American sugar producers. It is a beautiful international game wherein the sales managers have a free hand to do as they will.

PEACE VERSUS MATERIAL GAIN

Mr. Chairman, this House and this Congress has spoken more than once and very emphatically that we prefer peace to material gain. That question has been covered in the neutrality resolutions previously adopted. When those resolutions came before us for consideration there was little debate because of the fact we were of one mind. There we were dealing with the question of neutrality and peace. We sacrificed trade, the material gain which flows from trade, and served notice on the world that we desired to point the way out of some of the international quarrels and wars that have so beset this Nation and all others.

In the Trade Agreements Act the question was one of expanding markets, securing international customers, making material gain, finding an outlet for the agricultural and manufactured goods of our workers. That is the result they expect from the operation of these trade agreements. If the agreements are not to be made and administered in this manner, then let us make it plain to all parties concerned that the whole trade-agreements program is to be used for the specific, fundamental, supreme purpose of bringing about harmony and peace among the nations of the earth and not for the purpose of promoting international trade, material gain, and the making of profits. Having made this clear, the people of this country will give their answer. This has not been made an issue, the people have not yet spoken. Let us keep neutrality and peace under acts for that purpose, and trade and material gain under the proper heading, so our people will not become confused with our aims. [Applause.]

Mr. VINSON of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. VINSON of Kentucky. Would the gentleman inform the House how much of the cut of the pie the beet growers of his district have received? I gathered from the gentleman's statement that they had been benefited.

Mr. CRAWFORD. They received their benefit payments.

Mr. VINSON of Kentucky. I know; but they have been benefited in the price they received for their products?

Mr. CRAWFORD. I will say that they certainly received their benefit payments.

Mr. VINSON of Kentucky. And also the increased price.

Mr. CRAWFORD. That all depends on the provisions of the beet-sugar contract.

Mr. VINSON of Kentucky. Did not the gentleman say the price increased from a certain figure to another certain figure?

Mr. CRAWFORD. Surely.

Mr. VINSON of Kentucky. Is not that some of the pie?

Mr. CRAWFORD. That refers to the price on raw sugars. Your refined market is what the farmer participates in, and, furthermore, his receipts are governed by the provisions put into the beet contract which covers the sale of the beets by the farmer to the factory, and to get an answer to your question you must take those contracts and analyze them very carefully. [Applause.]

[Here the gavel fell.]

Mr. COOPER. Mr. Chairman, I yield 8 minutes to the gentleman from Florida [Mr. WILCOX].

Mr. TREADWAY. Mr. Chairman, I yield 7 minutes to the gentleman from Florida.

Mr. WILCOX. Mr. Chairman, at the outset let me say that I am thoroughly in sympathy with the efforts of this administration to restore the foreign trade of the United States by means of reciprocal-trade agreements. I am firmly convinced that the reciprocal trade agreement method of dealing with foreign countries, if properly and wisely administered, offers the principal solution for the problem which has confronted the United States for the past few years in the matter of reestablishing our lost trade with other countries. Unless wisely administered, on the other hand, it can and will become an instrument of destruction of American agriculture.

As the result of high tariff barriers established by this Nation other countries have retaliated with like tariff barriers, with the result that the flow of commerce between our country and other countries has been seriously impeded, with a resultant loss to American industry, American agriculture, and the American workingman. In order that we may reestablish a healthy trade with other nations whereby our surplus products may be purchased by them, it is undoubtedly necessary that the excessively high tariff barriers established in previous administrations be reduced and that concessions be made to countries dealing with us in order that they too might find an outlet for their surplus products. Like all other good doctrines, however, this matter can be carried to an extreme which will work irreparable injury to our own people. I am sure that neither the Congress nor the President has ever had in mind the destruction or even the serious impairment of our own industry or our own agriculture simply for the purpose of providing an outlet either for our own surplus manufactured goods or for those of our foreign neighbors. We can certainly accomplish nothing by furnishing an outlet for American manufactured goods if in order to do so we must destroy American agriculture by bringing foreign agricultural products into competition with them at prices which our farmers cannot meet.

In the enactment of the original law giving the President the authority to negotiate reciprocal-trade agreements we virtually gave him an unlimited power of attorney to act on behalf of the United States, and we placed practically no restraints upon the exercise of the discretion of the State Department in the negotiation of these agreements. We did provide that tariffs might not be raised nor lowered more than 50 percent and that goods upon the free list should not be placed upon the dutiable list, and vice versa; but we placed no other restrictions upon the executive department of the Government in the negotiation of these agreements. Congress did not even attempt to suggest to the Executive as to what might be the policy of Congress nor within what limitations the Congress wished to have these agreements negotiated. Congress placed no safeguards in the legislation either for American industry or American agriculture. We delegated full authority to negotiate agreements and hoped that all of our varied interests would be protected.

I should also like to remind you that once these treaties or agreements are negotiated they are not, as is popularly believed, agreements for periods of 3 years, but, on the contrary, they are permanent in character and will last forever, unless after the expiration of 3 years the Secretary of State sees fit to serve notice upon the second party to the agreement of an intention to cancel or modify it. In other words, once this law is enacted and once an agreement is negotiated under it, the Congress loses all control over the negotiation either of new agreements or the modification of existing agreements, and the whole question, including all matters of policy, are vested solely and entirely in the executive department. And since any cancelation or modification would be tantamount to an admission that the State Department had made a mistake in the original agreement, I think we may safely predict that no agreement will ever be materially changed.

As I conceive it, the Congress has a certain responsibility in this matter, and one which it should not surrender entirely into the hands of the Executive. If Congress is going to continue to delegate the power of negotiation of these treaties, then Congress should at least prescribe the limits within which the agreements may be negotiated, and it should at least establish the policy of this Government insofar as it relates to agriculture and to certain basic industries.

It is well known that we people in America maintain a higher standard of living than that which obtains in many other countries of the world with whom we have heretofore dealt or will in the near future deal. The wages paid to American workmen are much higher than those paid in

many other countries and the standard of living of the American farmer greatly exceeds the standard in most of the other countries of the earth. For this reason, our American farmer cannot produce his agricultural products as cheaply as the same products can be produced in many other nations. If the American farmer is forced to compete in the open market with the farmers of many other countries, he will either be forced into bankruptcy, and thereby forced to pursue some other line of endeavor and abandon his agricultural pursuits, or, to meet his foreign competitor, he will be forced to lower his standard of living and lower the wages paid to his workmen in order that he may produce his products at a cost which will permit him to compete with his foreign competitor.

Before Congress completely surrenders all power of control over these agreements and before it gives to the State Department of this country an unlimited and unrestricted power of attorney to negotiate them, it seems to me only fair and reasonable that the Congress should prescribe certain limitations insofar as it affects the agriculture of the United States. Before we surrender our home market to the farmers of other nations and before we admit their products in competition with our own, it seems to me only fair and equitable that we should provide that no agreement shall be negotiated which shall do serious and irreparable injury to our own agricultural interests, which, after all, represents approximately 50 percent of our total population.

It is my desire, therefore, to draw attention to the necessity for preserving a home market for American agriculture as well as to the necessity for affording a foreign market for our manufactured goods.

Political logrolling has always been the curse of the tariff question. The producer of every article in the United States would like to see a prohibitive tariff upon that particular article so as to prevent foreign competition. On the other hand, he would also like to see a low tariff upon all of the articles which he is forced to buy in the open market. Necessarily, if a prohibitive tariff is placed upon any article we cannot induce nations producing those articles to deal with us. But neither good business nor good conscience requires that we shall permit foreign products to be sold in American markets for less than it costs Americans to produce the same articles.

My purpose in discussing the question at this time is to call attention to an amendment to the present bill, which I expect to offer at the appropriate time and to acquaint you with some of the reasons for its adoption. The amendment which I will offer would require that in the negotiation of any new agreement under this law or in the renewal or extension of any existing agreement under it, a tariff shall be established and maintained at a point which will equalize the difference in cost of production of all agricultural and horticultural products as between this country and the country dealt with.

This does not propose a prohibitive tariff nor does it even propose a protective tariff. It proposes that our foreign competitors shipping agricultural and horticultural products into the United States shall be required to meet American farmers upon an equal footing and compete with them only for the profits. That is to say, if, for example, it costs an American farmer 40 cents per bushel to produce and deliver into our American markets a bushel of wheat, and if it costs a foreign producer only 20 cents per bushel to produce and deliver a bushel of wheat, then the foreign producer would be required to pay a tariff of 20 cents, so that when his bushel of wheat reached the American market it would have cost him exactly the same thing that it costs the American farmer to deliver his bushel of wheat into the American market. They would both enter the American market with exactly the same cost and they could then compete upon an equal footing in their efforts to sell their products to the American consumer.

Certainly there can be no valid or legitimate objection to maintaining a tariff which would equalize the cost of production and require our competitors to enter our market on an equal footing with us. This, as was so ably pointed out by the gentleman from Arkansas [Mr. FULLER], is and has always been the tariff policy of the Democratic Party.

The objection which we Democrats have heretofore made to the tariff schedules has been that in past years high protective tariffs have been placed upon certain favored articles which have guaranteed to the producer not only his cost of production but a handsome profit as well, and the American consumer has been forced to purchase in a closed market. This policy has been particularly oppressive to the American farmer. He has been forced to sell in an open market and to purchase in a closed and protected market.

I do not seek for the American farmer the unfair and undue advantage which for many years has been accorded to many manufacturers of favored products. Those manufacturers have been given a protective tariff which completely shuts out all legitimate competition. We are familiar with the fact that for many years the American consumer could purchase certain articles, manufactured in the United States, in foreign countries and ship them back into America for less money than he could purchase them at the factory in the United States. This was due to the high protective tariff which guaranteed to these favored manufacturers not only their cost of production but an unreasonably high profit as well. This closed our markets to foreign competition and forced American consumers, particularly the American farmer, to carry the burden of excessive profits to our manufacturers. I seek no such undue advantage for the farmer. But I do seek what I believe to be a fair, reasonable, and equitable adjustment which will force our competitors to meet us on even terms and deliver their products into our markets on an equal economic basis to that which our American farmers are forced to comply with.

I have discussed this proposal with many Members of the House of Representatives. They have all agreed with me that the American farmer is certainly entitled to the measure of protection which would be given him by an equalization tariff. The only objection which any of them have raised to my proposal has been that the difference in cost of production would be a fluctuating figure and that the tariff would fluctuate with the cost of production.

To meet that objection I have proposed in the suggested amendment that the tariff upon agricultural products be established at that figure found by the Tariff Commission at the time of the negotiation of the treaty to be the figure necessary to equalize the difference in cost of production. In other words, let us say that our country negotiates a treaty with the Government of Mexico on the 1st day August 1937, involving agricultural products competing with those of California or Texas. If my amendment is adopted, the Tariff Commission after investigation would determine the difference in cost of production of those articles in Mexico with the cost of production in the United States and this difference in cost of production would be the minimum tariff to be required under the treaty. This figure would hold good throughout the period of the agreement.

Who is there in the House of Representatives who will say that Mexico or Cuba or France or Russia should be permitted to deliver agricultural products into the United States for less than it costs the farmers of the United States to produce those same articles? Certainly no Democrat can take such a position.

Who is there in this House who can reasonably and legitimately object to requiring foreign farmers to compete with American farmers upon an equal footing?

Who is there that insists that the farmers of other nations are entitled to the American market to the exclusion of the American farmers?

Who is there who will deny that permitting the importation of foreign agricultural products at a price less than it costs Americans to produce them is an unreasonable, an unfair, and an unconscionable attitude to take toward American agriculture?

My interest is in American agriculture as a whole and I have prepared my amendment broad enough to cover every agricultural product in the United States. It so happens, however, that my particular information upon this

subject is the result of an investigation of the effect of the agreement negotiated with the Republic of Cuba in the summer of 1934, and which brings Cuban products into direct competition with those of my own congressional district.

I think the results of that treaty and the effect which it has had upon the agriculture of my district is well worthy of the consideration of the House of Representatives and of the entire administration.

In the summer of 1934, acting under the original act, the State Department negotiated a treaty with the Republic of Cuba by the terms of which the tariffs upon every agricultural product of my district were materially reduced. The effect upon some commodities has been disastrous and as to others it soon will result in complete disaster. I want to call your attention to the immediate dumping of Cuban agriculture into our eastern markets as the result of this treaty. One of the items dealt with in the treaty is green peppers. This is one of the principal products of my district. The growing seasons in Cuba and in my district are identical. Florida and Cuba are direct competitors in all winter vegetables. The tariffs are reduced under this agreement on all winter vegetables during the height of the Cuban season which is identical with the Florida season.

For the months of January, February, and March 1934, just prior to the negotiation of this treaty, Cuba shipped into the eastern markets of the United States 1,316,372 pounds of green peppers. In January, February, and March of 1935, the season immediately following the negotiation of this treaty, Cuba shipped into our market 3,446,873 pounds. Cuba had not struck its stride at that time. It had experienced the benefits of the treaty for only 1 year. During the succeeding year the acreage in Cuba was materially increased and for the first 3 months of 1936 Cuba shipped into the United States 5,175,745 pounds of green peppers. Since then the acreage of green peppers has been materially increased, and this year the estimate is that the total shipments will exceed 6,000,000 pounds, as compared to one and a third million pounds in the season immediately preceding the negotiation of the treaty.

Now, what is the effect of the dumping of these enormous shipments of Cuban peppers into our market? It has resulted in such a glutting of the market that the price has dropped to the point where our Florida farmers can no longer pay the cost of picking and shipping their crop.

Under the Cuban treaty the tariff is reduced each year on green peppers for a period beginning on January 1. Let me give you the experience of this season as an example of how the reduction in tariffs affects the market of the American-grown peppers. In December of this year, according to recent testimony before the reciprocity committee, Florida peppers were selling for $1.06 per crate net to the Florida farmer. The period of reduced tariffs began on January 1. Within 1 week after the reduced-tariff period began the price had dropped from $1.06 per crate to 35½ cents per crate.

What is true of green peppers has been true of every other article produced in my State. There are today, as I present this argument to you, huhdreds of acres of Florida tomatoes that are rotting on the ground because the price is insufficient to justify the farmers in my district in picking and shipping them. In the first year of the reduced tariffs on tomatoes, Cuban shipments jumped more than 8,000,000 pounds, with the resultant depression of the market and destruction of Florida farmers.

Last year there was an increase of more than 2,000,000 pounds in the shipments of Cuban Lima beans into our market during the winter season. There was an increase last year of more than 3,000,000 pounds in the shipment of Cuban eggplant during the winter season and an increase last year of almost 30,000,000 pounds of mixed vegetables over the year preceding the negotiation of the treaty.

Since this treaty was negotiated, hundreds of additional acres has been planted in Cuba, because Cuban farmers realize that the markets of the United States have been taken away from the farmers of the United States and given to Cuba upon a silver platter; but while they are increasing their plantings by leaps and bounds, hundreds of previously prosperous Florida farmers are being forced to abandon their farms.

I do not seek for my people any unfair or undue advantage, but what I do claim for them is common, ordinary, everyday justice. I claim that as American citizens they are entitled to decent treatment at the hands of their Government and that the first responsibility of this Government is the protection of its own people and not the protection of the people of foreign countries.

It is my contention that we are entitled to the American market at least upon an equal basis with our competitors, and that it is unfair, unreasonable, and unconscionable to require us to submit to cutthroat competition by nations who maintain such a low standard of living and who pay such low wages and low production costs as to permit them to deliver their products into the United States for less than it costs us to produce them in the field.

Let me cite you an example:

It costs a Florida farmer 3½ cents per pound more to produce and deliver tomatoes into the New York market than it costs a Cuban farmer to produce and deliver them into the same market. Now, in order that Florida farmers may compete upon an even basis there should be a tariff of at least 3½ cents per pound to equalize this difference in cost of production. We do not now have such an equalizing tariff. The rate under the trade agreement is 1.8 cents. When this is added to his cost of production the Cuban farmer can sell his tomatoes for a price that will yield him a handsome profit while his Florida competitor at the same price would lose at least a cent a pound. Is this fair? Is it just? Why should not the Cuban enter our market on the same basis with us and compete in a fair market for the profit? What is wrong with such a proposal?

Is this Government more interested in the welfare of the Cuban than the American farmer?

Florida farmers maintain the same standard of living and pay the same wages as obtain in other sections of the country. We pay our taxes for the support of this Government. We conduct ourselves as upright American citizens and we believe that the least that this Government can do in common justice is to give us at least an even break for our own market.

Now, what has been the effect of this agreement with Cuba? What benefits have the people of the United States secured under it? Have the benefits to American manufacturers been greater than the losses to agriculture?

Let me answer those questions. Last year our exports to Cuba had increased by $28,500,000 over what they were for the same period prior to the agreement. That is to say, we sold Cuba $28,500,000 more goods than we did for the year before the agreement. Therefore, on the face of it, manufacturers and shippers benefited to the extent of $28,500,000 last year because of this agreement.

But that is only one side of the question. Last year Cuba shipped into the United States $67,000,000 worth of products more than she shipped for the year prior to the agreement.

In other words, the United States benefited $28,500,000 while Cuba benefited $67,000,000. And, mind you, the Cuban products shipped into the United States robbed American farmers, chiefly in Florida, of a market for the same amount of American products. To state it differently, the trade agreement with Cuba has robbed American producers, principally in Florida, of income of $2.35 for every $1 it has benefited American manufacturers and shippers.

The State Department furnished an outlet for $28,500,000 of American goods, but in doing so it deprived American farmers of an outlet for $67,000,000 of agricultural products. If the State Department can make just a few more trades like this they will succeed in giving away everything we have.

I have cited the effect of the Cuban agreement as an example of what can happen when an unlimited power of attorney is given and when Congress has delegated its full power without restraint and without restrictions. What has happened to the Florida farmer under the Cuban agreement can well happen to the wheat or corn or other farmers of the West and Middle West.

When the original law was before this House in 1934 I proposed the same amendment which I now suggest to the renewal and extension of the law. If the amendment had been adopted at that time the State Department negotiating its agreement with Cuba would have been forced to establish a tariff which would have equalized the difference in cost of production between Cuba and the United States, and the disastrous results which I have already noted would never have happened. If the amendment had then been adopted Cuba would have been required to pay a tariff which would have put them into our own markets on an equal footing and an equal basis with the Florida farmers, and with any other farmers who produce the same products in competion with Cuba.

The adoption of the amendment now is probably too late to do any good insofar as the existing agreement with Cuba is concerned, but it at least will be a pronouncement of a policy by the Congress and will serve notice upon the State Department as to the desire and the wish of Congress to protect the American farmer and to assure him equal consideration with his foreign competitor at least in his own market. And it may save other sections of the country from the same treatment that was accorded my people.

As I said at the beginning, I am greatly in sympathy with the efforts of the administration to restore foreign trade, but I am not sufficiently in sympathy with that policy to endorse a program which would rob the American farmer of his own market in the United States just in order that certain favored manufactured products might be given an outlet in other countries. I am greatly in sympathy with the people of Cuba and of Mexico and of other countries who maintain a much lower standard of living than we do and who pay their laborers much less than we pay ours, but I am not sufficiently in sympathy with them to starve our own American farmers for their benefit. As a matter of fact, the placing of a tariff which will equalize the difference in cost of production will be a boon to the working man and to the farmer in those countries because then those who now exploit the laborer and the farmer in those countries will be forced to pay either higher wages and higher prices to the farmers of those countries or spend the same amount in increased duties and tariffs to this country.

The American market should belong first to the American producer. If we fail to produce a sufficient amount to meet our own market demands it will then be time enough to consider the admission of foreign agricultural products. And when they are admitted the legislative department of this Government should require that they meet our own producers on an equal footing and at an equal cost so as to assure to the American farmer at least a return which will give him back his cost of production.

I do not ask you to deprive the President or the Secretary of State of the power to negotiate reciprocal-trade agreements nor do I wish to unnecessarily restrict them in their negotiations. And my amendment will not have any such effect.

As a matter of fact, both the President and the Secretary of State ought to want my amendment adopted. They ought not to want to reduce the import duties to the point where foreign products can be imported for less than it costs our people to produce them. And I have no doubt that they really want to hold up these import duties at a point which will protect our farmers.

A famous American humorist once said: "America has never lost a war nor won a conference." The result of our trade agreement with Cuba has certainly shown the full truth of that statement.

When our State Department undertakes to make a trade agreement with a foreign government, they are in somewhat the same position as a horse trader. The foreign government offers some concession in exchange for a further reduction in tariff rates on some agricultural product, and in order to get the other concession our State Department grants the reduction. I simply want to place a limit below which they cannot go. I want to place them in position to say, "We can't grant your request because the law does not permit us to lower the tariffs below the amount necessary to equalize your cost of production with the cost of production in the United States."

After all, what is wrong with that proposal? [Applause.]

Mr. DOUGHTON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. COOPER] having resumed the chair, Mr. MEAD, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration House Joint Resolution 96, to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, had come to no resolution thereon.

PERMISSION TO ADDRESS THE HOUSE

Mr. TREADWAY. Mr. Speaker, tomorrow, following the disposition of matters on the Speaker's desk, I ask unanimous consent to address the House for 5 minutes on the anniversary of the birth of Dwight L. Moody.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. LUDLOW asked and was given permission to extend his remarks in the RECORD.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein certain tables to which I referred this afternoon.

Mr. BUCK. Mr. Speaker, reserving the right to object, will the gentleman also include the sources of the information contained in the tables?

Mr. CRAWFORD. I shall be very pleased to do that.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. DINGELL, indefinitely, on account of illness.

To Mr. SIROVICH, indefinitely, on account of illness.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. J. Res. 38. Joint resolution to extend for a period of 2 years the guarantee by the United States of debentures issued by the Federal Housing Administrator; to the Committee on Banking and Currency.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 47 minutes p. m.) the House adjourned until tomorrow, Friday, February 5, 1937, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

337. A letter from the Acting Secretary of Agriculture, transmitting a proposed bill to be approved by Congress for the relief of W. R. Fuchs, former disbursing officer of the Department of Agriculture; to the Committee on Claims.

338. A letter from the Acting Secretary of the Treasury, transmitting a proposed bill to enable Coast Guard officers to purchase articles of ordnance property for use in the public service in the same manner as such property may be purchased by officers of the Army, Navy, and Marine Corps; to the Committee on Military Affairs.

339. A letter from the Chairman, Interstate Commerce Commission, transmitting a report as required by the Air Mail Act of June 12, 1934, as amended (H. Doc. No. 141); to

the Committee on the Post Office and Post Roads and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. KERR: Committee on Public Buildings and Grounds. S. 974. An act to create the Capital Auditorium Commission; with amendment (Rept. No. 175). Referred to the House Calendar.

Mr. HEALEY: Committee on the Judiciary. H. R. 2518. A bill to provide for retirement of Justices of the Supreme Court; without amendment (Rept. No. 176). Referred to the Committee of the Whole House on the state of the Union.

Mrs. NORTON: Committee on the District of Columbia. H. R. 4276. A bill to amend an act entitled "An act to create a juvenile court in and for the District of Columbia", and for other purposes; without amendment (Rept. No. 177). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRISWOLD: Committee on Expenditures in the Executive Departments. H. R. 146. A bill to require contractors on public-building projects to name their subcontractors, material men, and supply men, and for other purposes; without amendment (Rept. No. 178). Referred to the Committee of the Whole House on the state of the Union.

Mr. WHITTINGTON: Committee on Flood Control. H. R. 61. A bill authorizing a preliminary examination of the Fourche La Fave River in Perry, Yell, and Scott Counties, Ark., with a view to the control of its floods; with amendment (Rept. No. 179). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALLGREN: Committee on Flood Control. H. R. 201. A bill to provide a preliminary examination and survey of the Snake River and tributaries in the States of Idaho, Washington, and Oregon, with a view to control of flood waters; without amendment (Rept. No. 180). Referred to the Committee of the Whole House on the state of the Union.

Mr. WHITTINGTON: Committee on Flood Control. H. R. 1550. A bill authorizing a preliminary examination of the Skagway River in the vicinity of Skagway, Alaska; with amendment (Rept. No. 181). Referred to the Committee of the Whole House on the state of the Union.

Mr. WHITTINGTON: Committee on Flood Control. H. R. 1629. A bill to provide for a preliminary examination of the Mackinaw River in Illinois with a view to flood control and to determine the cost of such improvement; with amendment (Rept. No. 182). Referred to the Committee of the Whole House on the state of the Union.

Mr. WHITTINGTON: Committee on Flood Control. H. R. 2682. A bill to authorize a preliminary examination of the Battenkill, in New York, with a view to the control of its floods; with amendment (Rept. No. 183). Referred to the Committee of the Whole House on the state of the Union.

Mr. WHITTINGTON: Committee on Flood Control: H. R. 2683. A bill to authorize a preliminary examination of the Mettawee River, in New York, with a view to the control of its floods; with amendment (Rept. No. 184). Referred to the Committee of the Whole House on the state of the Union.

Mr. VOORHIS: Committee on Flood Control. H. R. 3305. A bill to authorize a preliminary examination and survey of the Ventura River, in Ventura County, State of California, with a view to the control of its floods; without amendment (Rept. No. 185). Referred to the Committee of the Whole House on the state of the Union.

Mr. VOORHIS: Committee on Flood Control. H. R. 3306. A bill to authorize a preliminary examination and survey of the Santa Maria River with a view to the control of its floods; with amendment (Rept. No. 186). Referred to the Committee of the Whole House on the state of the Union.

Mr. WHITTINGTON: Committee on Flood Control. H. R. 3619. A bill authorizing a preliminary examination and survey of Lavaca River, Tex., with a view to the control of its floods; with amendment (Rept. No. 187). Referred to the Committee of the Whole House on the state of the Union.

Mr. WHITTINGTON: Committee on Flood Control. H. R. 3620. A bill authorizing a preliminary examination and survey of Mill Creek, a tributary of the Brazos River, in Austin County, Tex., with a view to the control of its floods; with amendment (Rept. No. 188). Referred to the Committee of the Whole House on the state of the Union.

Mr. WHITTINGTON: Committee on Flood Control. H. R. 3621. A bill authorizing a preliminary examination and survey of Navidad River, Tex., with a view to the control of its floods; with amendment (Rept. No. 189). Referred to the Committee of the Whole House on the state of the Union.

Mrs. NORTON: Committee on the District of Columbia. H. R. 4188. A bill to amend section 907 of the Code of Law for the District of Columbia, approved March 3, 1901, as amended, up to and including June 7, 1924; without amendment (Rept. No. 191). Referred to the House Calendar.

Mrs. NORTON: Committee on the District of Columbia. H. R. 4217. A bill to provide for the erection of a building to be used exclusively for the recorder of deeds; without amendment (Rept. No. 192). Referred to the Committee of the Whole House on the state of the Union.

Mr. EICHER: Committee on Interstate and Foreign Commerce. H. R. 194. A bill to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Brownville, Nebr.; with amendment (Rept. No. 193). Referred to the House Calendar.

Mr. BOREN: Committee on Interstate and Foreign Commerce. H. R. 2258. A bill granting the consent of Congress to the county of Barry, State of Missouri, to construct, maintain, and operate a free highway bridge across the White River at or near Eagle Rock, Mo.; without amendment (Rept. No. 194). Referred to the House Calendar.

Mr. WOLVERTON: Committee on Interstate and Foreign Commerce. H. R. 2306. A bill to authorize the Crew Levick Co., and such other corporation or individuals as may be associated with it, to construct a bridge across the portion of the Delaware River between the mainland of the county of Camden and State of New Jersey, and Petty Island in said county and State; without amendment (Rept. No. 195). Referred to the House Calendar.

Mr. O'CONNELL of Montana: Committee on Interstate and Foreign Commerce. H. R. 2503. A bill to extend the time for completing the construction of a bridge across the Columbia River near The Dalles, Oreg.; with amendment (Rept. No. 196). Referred to the House Calendar.

Mr. PEARSON: Committee on Interstate and Foreign Commerce. H. R. 3148. A bill granting the consent of Congress to the State of Alabama, or Etowah County, or both, to construct, maintain, and operate a free highway bridge across the Coosa River at or near Gilberts Ferry, in Etowah County, Ala.; without amendment (Rept. No. 197). Referred to the House Calendar.

Mr. MALONEY: Committee on Interstate and Foreign Commerce. H. R. 3689. A bill declaring Turtle Bay and Turtle Bayou, Chambers County, Tex., to be nonnavigable waterways; with amendment (Rept. No. 198). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mrs. NORTON: Committee on the District of Columbia. H. R. 4113. A bill to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. Ralph Charles Stuart; without amendment (Rept. No. 190). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 or rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 2567) granting a pension to Pearl F. Warren; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 4025) for the relief of J. H. Vallentine; Committee on War Claims discharged, and referred to the Committee on Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LEA: A bill (H. R. 4341) to amend the Interstate Commerce Act, as amended, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BOREN: A bill (H. R. 4342) to amend paragraph 761 of Revenue Act of 1930 to increase duty on cashew nuts; to the Committee on Ways and Means.

By Mr. KRAMER: A bill (H. R. 4343) to amend section 77B of the act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended; to the Committee on the Judiciary.

By Mr. MAGNUSON: A bill (H. R. 4344) providing for the construction of naval vessels and materials used therein in navy yards, and providing further methods thereunder; to the Committee on Naval Affairs.

By Mr. WOODRUM: A bill (H. R. 4345) to provide for the appointment of an additional district judge for the western district of Virginia; to the Committee on the Judiciary.

By Mr. WITHROW: A bill (H. R. 4346) to amend the World War Adjusted Compensation Act; to the Committee on Ways and Means.

Also, a bill (H. R. 4347) to improve the navigability and to provide for the flood control of the upper Mississippi River; to provide for reforestation and the use of marginal lands in, and for the agricultural and industrial development of, the upper Mississippi River Basin; to provide for the restoration and preservation of the water level, and for the development of electrical power, in the upper Mississippi Basin, and for other purposes; to the Committee on Flood Control.

By Mr. BOREN: A bill (H. R. 4348) to provide for economy in the administration of the Works Progress Administration, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. CALDWELL: A bill (H. R. 4349) to authorize the improvement of channel from Pensacola Bay into Bayou Chico, Fla.; to the Committee on Rivers and Harbors.

By Mr. DUNN: A bill (H. R. 4350) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. TOWEY: A bill (H. R. 4351) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. POWERS: A bill (H. R. 4352) to provide for the establishment of one infantry battalion of Negro troops as a part of the National Guard of the State of New Jersey; to the Committee on Military Affairs.

By Mr. STARNES: A bill (H. R. 4353) to provide for the prompt deportation of habitual alien criminals and other undesirable aliens now in the United States, and to prevent unnecessary hardship or separation of families; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 4354) to further reduce immigration, to authorize the exclusion of any alien whose entry into the United States is inimical to the public interest, to prohibit the separation of families through the entry of aliens leaving dependents abroad, and for other purposes; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 4355) to provide for the registration of aliens in the United States, and for other purposes; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 4356) to provide for the deportation of aliens inimical to the public interest and aliens on relief; to the Committee on Immigration and Naturalization.

By Mr. CHAMPION: A bill (H. R. 4357) to amend existing law to increase pension payable to a World War veteran for permanent total non-service-connected disability from $30 to $40 per month; to the Committee on World War Veterans' Legislation.

By Mr. MARTIN of Colorado: A bill (H. R. 4358) to limit the hours of service of train dispatchers employed by carriers engaged in interstate commerce to 6 hours in any 24-hour period, to establish a 6-hour day for such train dispatchers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MERRITT: A bill (H. R. 4359) to promote on the emergency officers' retired list officers who held reserve commissions; to the Committee on Military Affairs.

By Mr. THOMASON of Texas: A bill (H. R. 4360) for the relief of certain military personnel; to the Committee on Military Affairs.

By Mr. O'TOOLE: A bill (H. R. 4361) to provide for a stenographic grade in the offices of chief clerk and superintendent in the Railway Mail Service; to the Committee on the Post Offices and Post Roads.

By Mr. WALTER: A bill (H. R. 4362) to provide for appearance on behalf of an appeal by the United States in certain cases in which the constitutionality of acts of Congress is involved; to the Committee on the Judiciary.

By Mr. O'NEILL of New Jersey: A bill (H. R. 4363) to amend title I of the National Housing Act to authorize the insurance of loans for housing renovation and modernization made on or after April 1, 1937, and prior to April 1, 1938, and for other purposes; to the Committee on Banking and Currency.

By Mr. COFFEE of Washington: Resolution (H. Res. 109) directing the Secretary of the Treasury to transmit to the Ways and Means Committee of the House the names and addresses of all individuals and corporations who own and have in their possession tax-exempt securities of the United States in the amount of $100,000 or more, and for other purposes; to the Committee on Ways and Means.

Also joint resolution (H. J. Res. 192) proposing an amendment to the Constitution of the United States to permit the taxation of tax-exempt securities; to the Committee on the Judiciary.

By Mr. McREYNOLDS: Joint resolution (H. J. Res. 193) to authorize an appropriation for the expenses of participation by the United States in the Eleventh International Dairy Congress, Berlin, Germany, in 1937; to the Committee on Foreign Affairs.

By Mr. O'MALLEY: Joint resolution (H. J. Res. 194) proposing an amendment to the Income Tax Act of 1936 providing for an emergency surtax of 50 percent on the net income of all foreign subsidiaries of American corporations, individuals, partnerships, or associations; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD: A bill (H. R. 4364) granting a pension to Martha J. Rhodes; to the Committee on Invalid Pensions.

By Mr. BARRY: A bill (H. R. 4365) for the relief of Orvie Matthew Ean; to the Committee on Naval Affairs.

By Mr. CALDWELL: A bill (H. R. 4366) for the relief of James R. Davis, Jr.; to the Committee on Military Affairs.

By Mr. CARTWRIGHT: A bill (H. R. 4367) for the relief of Perry Walker; to the Committee on Claims.

By Mr. CLASON: A bill (H. R. 4368) for the relief of Edmund L. Moore; to the Committee on Patents.

By Mr. CHURCH: A bill (H. R. 4369) for the relief of Richard John Tomlin; to the Committee on Naval Affairs.

By Mr. COCHRAN: A bill (H. R. 4370) for the relief of Tule Finkelstein; to the Committee on Claims.

Also, a bill (H. R. 4371) for the relief of Franklin H. Wentworth; to the Committee on Claims.

Also, a bill (H. R. 4372) granting a pension to Alice Laffey; to the Committee on Pensions.

By Mr. COSTELLO: A bill (H. R. 4373) authorizing the appointment of Marion Lewis Cooper, Jr., to the United States Naval Academy as a member of the first class; to the Committee on Naval Affairs.

By Mr. GINGERY: A bill (H. R. 4374) granting a pension to Laura Dively; to the Committee on Invalid Pensions.

By Mr. GOLDSBOROUGH: A bill (H. R. 4375) making Mollie W. Stewart eligible to receive the benefits of the Civil Service Retirement Act; to the Committee on the Civil Service.

By Mr. HEALEY: A bill (H. R. 4376) for the relief of Charles Christopher Peterson; to the Committee on Naval Affairs.

By Mr. JENKINS of Ohio: A bill (H. R. 4377) granting an increase of pension to Judah A. Stewart; to the Committee on Invalid Pensions.

By Mr. LEAVY: A bill (H. R. 4378) for the relief of William Sperry; to the Committee on Claims.

By Mr. McFARLANE: A bill (H. R. 4379) for the relief of Capt. H. D. Fillmore; to the Committee on Military Affairs.

By Mr. MASON: A bill (H. R. 4380) granting an increase of pension to Sarah Alice Belrose; to the Committee on Invalid Pensions.

By Mr. MERRITT: A bill (H. R. 4381) for the relief of Capt. Ralph E. Fleischer, Quartermaster Corps, U. S. Army; to the Committee on Military Affairs.

By Mr. O'CONNELL of Montana: A bill (H. R. 4382) for the relief of Anna Ancel; to the Committee on Claims.

By Mr. O'NEAL of Kentucky: A bill (H. R. 4383) for the relief of Robert N. Wallace; to the Committee on Naval Affairs.

Also, a bill (H. R. 4384) for the relief of Amelia K. Abel, administratrix of the estate of Louis Abel; to the Committee on Claims.

Also, a bill (H. R. 4385) for the relief of Thomas Pulliam; to the Committee on Naval Affairs.

Also, a bill (H. R. 4386) granting a pension to Richard B. Hammer; to the Committee on Pensions.

Also, a bill (H. R. 4387) granting a pension to Roy B. French; to the Committee on Pensions.

By Mr. PEYSER: A bill (H. R. 4388) granting a pension to Elizabeth Ravenburg; to the Committee on Invalid Pensions.

By Mr. POLK: A bill (H. R. 4389) granting an increase of pension to Lizzie Boehm; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4390) granting an increase of pension to Sarah C. Kerr; to the Committee on Invalid Pensions.

By Mr. SCHUETZ: A bill (H. R. 4391) for the relief of May F. Krukar; to the Committee on Immigration and Naturalization.

By Mr. SCOTT: A bill (H. R. 4392) granting an honorable discharge to Robert C. Wilcott; to the Committee on Military Affairs.

By Mr. SHAFER of Michigan: A bill (H. R. 4393) for the relief of Clyde F. Chambers; to the Committee on Naval Affairs.

By Mr. SYNDER of Pennsylvania: A bill (H. R. 4394) granting an increase of pension to Margaret C. Mills; to the Committee on Invalid Pensions.

By Mr. WIGGLESWORTH: A bill (H. R. 4395) for the relief of Harold S. Fraine; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

208. By Mr. BUCKLER of Minnesota: Petition of George W. Blake and Carl S. Olson, chairman and member of the resolutions committee of the Workers' Alliance unit at Detroit Lakes, Becker County, Minn., commending Henry A. Wallace for his final awakening to the disaster ahead of us if the scarcity program were to continue under the New Deal, and are in accord with Mr. Wallace in his new undertaking that we must produce to ease up the unrest amongst our deprived citizens; to the Committee on Ways and Means.

209. By Mr. KRAMER: Resolution of the Steamshovel and Dredgemen's Union, pertaining to proposed naval base at Oakland, Calif., etc.; to the Committee on Naval Affairs.

210. By Mr. MERRITT: Resolution of the Assembly of the State of New York, that the Congress of the United States be, and it is hereby, memorialized to pass the Wagner bill relating to slum clearance at the earliest possible moment; to the Committee on Banking and Currency.

211. Also, resolution of the International Association of Mechanic Welders, that this organization assembled in regular meeting enter protest to the Congressmen of the United States and Civil Service Commission for the good of public service, and ask for the reinstatement of these members in their positions pending investigation of the action taken in furloughing men of long-term service and experience, while retaining men of less experience and practically no knowledge of their trade and ship construction; to the Committee on the Civil Service.

212. By Mr. SADOWSKI: Petition of Chrysler Local No. 7, United Automobile Workers, Detroit, Mich., endorsing additional appropriation of $500,000 for La Follette investigation; to the Committee on Accounts.

213. Also, petition of Lodge No. 1212, Slovene National Benefit Society, of Detroit, Mich., endorsing additional appropriation of $500,000 to continue La Follette investigation; to the Committee on Accounts.

214. By Mr. WHITE of Idaho: Petition from the dairy farmers and dairy manufacturers of the State of Idaho, directing attention to the importation of babassu oil from Brazil, for use in the manufacture of oleomargarine; and urging that Congress enact legislation ending this discrimination in favor of Brazilian importers and against our dairy products, and establishing a tax of at least 3 cents a pound on babassu oil, effective January 1, 1938; to the Committee on Ways and Means.

SENATE

FRIDAY, FEBRUARY 5, 1937

The Reverend Frederick Brown Harris, D. D., of the Foundry Methodist Episcopal Church, Washington, D. C., offered the following prayer:

Our Father God, with earth's noises hushed for these dedicated moments we would be still and know that Thou art the light of all our seeing. We would be delivered from the tyranny of the tangible. Refine and hallow the larger and nobler loyalties of our lives. Rededicate us to those knightly causes worth living for and dying for. With unfaltering courage and unruffled poise, may we toil in these fields of time in the sense of the eternal. In days of crisis and alarm, in this shrinking world where no nation can live to itself, help us to play our part with clear vision and with good will to all men.

Forbid that, with hearts unmoved by compassion at the want and woe of this needy world, we should sit complacently on cushioned seats of privilege. Kindle a flame of holy indignation in our hearts at any denial and betrayal of the white virtues of justice and righteousness and public honesty which have made our country great.

Grant unto those who stand on this holy hill of the Nation vivid visions and vistas of personal and social redemption. Because we have lived and thought and toiled and prayed, may we be recorded among the builders of a better earth, of more abundant lives, of happier homes, of fairer industry, of a more Christ-like social order, of a nobler temple of peace and good will for all nations. Hasten the day when brotherhood and understanding may prevail over selfish seeking and advantage, and on earth Thy kingdom come, Thy will be done. Amen.

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, February 3, 1937, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BUCHANAN, Mr. TAYLOR of Colorado, Mr. WOODRUM, Mr. TABER, and Mr. BACON were appointed managers on the part of the House at the conference.

The message also announced that the House had passed a bill (H. R. 4064) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1938, and for other purposes, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Chavez	Hitchcock	Overton
Andrews	Clark	Holt	Pepper
Ashurst	Connally	Hughes	Pittman
Austin	Copeland	Johnson, Colo.	Pope
Bachman	Davis	King	Radcliffe
Bailey	Dieterich	Lee	Reynolds
Barkley	Duffy	Lodge	Robinson
Bilbo	Ellender	Logan	Russell
Black	Frazier	Lonergan	Schwartz
Bone	George	Lundeen	Schwellenbach
Borah	Gerry	McCarran	Sheppard
Bridges	Gibson	McGill	Thomas, Okla.
Brown, Mich.	Gillette	McKellar	Thomas, Utah
Brown, N. H.	Glass	McNary	Townsend
Bulkley	Green	Maloney	Truman
Bulow	Guffey	Minton	Tydings
Burke	Hale	Murray	Vandenberg
Byrd	Harrison	Neely	Walsh
Byrnes	Hatch	Norris	Wheeler
Capper	Hayden	Nye	White
Caraway	Herring	O'Mahoney	

Mr. MINTON. I announce that the Senator from Ohio [Mr. DONAHEY] is absent because of illness; and that the Senator from Alabama [Mr. BANKHEAD], the Senator from Illinois [Mr. LEWIS], the Senator from California [Mr. MCADOO], the Senator from New Jersey [Mr. MOORE], the Senator from South Carolina [Mr. SMITH], my colleague the senior Senator from Indiana [Mr. VAN NUYS], and the Senator from New York [Mr. WAGNER] are unavoidably detained from the Senate. I ask that this announcement stand for the day.

Mr. MCNARY. I announce that the senior Senator from Minnesota [Mr. SHIPSTEAD] is absent because of illness, and that my colleague the junior Senator from Oregon [Mr. STEIWER] is necessarily detained from the Senate.

The VICE PRESIDENT. Eighty-three Senators have answered to their names. A quorum is present.

FIRST DEFICIENCY APPROPRIATIONS

Mr. ADAMS. Mr. President, because of the importance of the early enactment of the deficiency bill, I ask unanimous consent that the action of the House regarding that bill be laid before the Senate in order that I may make a motion.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, and to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ADAMS. I move that the Senate insist on its amendments, agree to the conference asked by the House, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. ADAMS, Mr. GLASS, Mr. MCKELLAR, Mr. HAYDEN, and Mr. HALE conferees on the part of the Senate.

REORGANIZATION OF JUDICIAL BRANCH OF THE GOVERNMENT (H. DOC. NO. 142)

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, and, with the accompanying papers, ordered to be printed in the RECORD, as follows:

To the Congress of the United States:

I have recently called the attention of the Congress to the clear need for a comprehensive program to reorganize the administrative machinery of the executive branch of our Government. I now make a similar recommendation to the Congress in regard to the judicial branch of the Government, in order that it also may function in accord with modern necessities.

The Constitution provides that the President "shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient." No one else is given a similar mandate. It is therefore the duty of the President to advise the Congress in regard to the judiciary whenever he deems such information or recommendation necessary.

I address you for the further reason that the Constitution vests in the Congress direct responsibility in the creation of courts and judicial offices and in the formulation of rules of practice and procedure. It is, therefore, one of the definite duties of the Congress constantly to maintain the effective functioning of the Federal judiciary.

The judiciary has often found itself handicapped by insufficient personnel with which to meet a growing and more complex business. It is true that the physical facilities of conducting the business of the courts have been greatly improved, in recent years, through the erection of suitable quarters, the provision of adequate libraries, and the addition of subordinate court officers. But in many ways these are merely the trappings of judicial office. They play a minor part in the processes of justice.

Since the earliest days of the Republic, the problem of the personnel of the courts has needed the attention of the Congress. For example, from the beginning, over repeated protests to President Washington, the Justices of the Supreme Court were required to "ride circuit" and, as circuit justices, to hold trials throughout the length and breadth of the land—a practice which endured over a century.

In almost every decade since 1789, changes have been made by the Congress whereby the numbers of judges and the duties of judges in Federal courts have been altered in one way or another. The Supreme Court was established with 6 members in 1789; it was reduced to 5 in 1801; it was increased to 7 in 1807; it was increased to 9 in 1837; it was increased to 10 in 1863; it was reduced to 7 in 1866; it was increased to 9 in 1869.

The simple fact is that today a new need for legislative action arises because the personnel of the Federal judiciary is insufficient to meet the business before them. A growing body of our citizens complain of the complexities, the delays, and the expense of litigation in United States courts.

A letter from the Attorney General, which I submit herewith, justifies by reasoning and statistics the common impression created by our overcrowded Federal dockets—and it proves the need for additional judges.

Delay in any court results in injustice.

It makes lawsuits a luxury available only to the few who can afford them or who have property interests to protect which are sufficiently large to repay the cost. Poorer litigants are compelled to abandon valuable rights or to accept inadequate or unjust settlements because of sheer inability to finance or to await the end of a long litigation. Only by speeding up the processes of the law and thereby reducing their cost, can we eradicate the growing impression that the courts are chiefly a haven for the well-to-do.

Delays in the determination of appeals have the same effect. Moreover, if trials of original actions are expedited and existing accumulations of cases are reduced, the volume of work imposed on the circuit court of appeals will further increase.

The attainment of speedier justice in the courts below will enlarge the task of the Supreme Court itself. And still more work would be added by the recommendation which I make later in this message for the quicker determination of constitutional questions by the highest court.

Even at the present time the Supreme Court is laboring under a heavy burden. Its difficulties in this respect were superficially lightened some years ago by authorizing the Court, in its discretion, to refuse to hear appeals in many classes of cases. This discretion was so freely exercised that in the last fiscal year, although 867 petitions for review were presented to the Supreme Court, it declined to hear 717 cases. If petitions in behalf of the Government are excluded, it appears that the Court permitted private litigants to prosecute appeals in only 108 cases out of 803 applications. Many of the refusals were doubtless warranted. But can it be said that full justice is achieved when a court is forced by the sheer necessity of keeping up with its business to decline, without even an explanation, to hear 87 percent of the cases presented to it by private litigants?

It seems clear, therefore, that the necessity of relieving present congestion extends to the enlargement of the capacity of all the Federal courts.

A part of the problem of obtaining a sufficient number of judges to dispose of cases is the capacity of the judges themselves. This brings forward the question of aged or infirm judges—a subject of delicacy and yet one which requires frank discussion.

In the Federal courts there are in all 237 life-tenure permanent judgeships. Twenty-five of them are now held by judges over 70 years of age and eligible to leave the bench on full pay. Originally no pension or retirement allowance was provided by the Congress. When, after 80 years of our national history, the Congress made provision for pensions, it found a well-entrenched tradition among judges to cling to their posts, in many instances far beyond their years of physical or mental capacity. Their salaries were small. As with other men, responsibilities and obligations accumulated. No alternative had been open to them except to attempt to perform the duties of their offices to the very edge of the grave.

In exceptional cases, of course, judges, like other men, retain to an advanced age full mental and physical vigor. Those not so fortunate are often unable to perceive their own infirmities. "They seem to be tenacious of the appearance of adequacy." The voluntary retirement law of 1869 provided, therefore, only a partial solution. That law, still in force, has not proved effective in inducing aged judges to retire on a pension.

This result had been foreseen in the debates when the measure was being considered. It was then proposed that when a judge refused to retire upon reaching the age of 70, an additional judge should be appointed to assist in the work of the court. The proposal passed the House but was eliminated in the Senate.

With the opening of the twentieth century, and the great increase of population and commerce, and the growth of a more complex type of litigation, similar proposals were introduced in the Congress. To meet the situation, in 1913, 1914, 1915, and 1916, the Attorneys General then in office recommended to the Congress that when a district or a circuit judge failed to retire at the age of 70, an additional judge be appointed in order that the affairs of the court might be promptly and adequately discharged.

In 1919 a law was finally passed providing that the President "may" appoint additional district and circuit judges, but only upon a finding that the incumbent judge over 70 "is unable to discharge efficiently all the duties of his office by reason of mental or physical disability of permanent character." The discretionary and indefinite nature of this legislation has rendered it ineffective. No President should be asked to determine the ability or disability of any particular judge.

The duty of a judge involves more than presiding or listening to testimony or arguments. It is well to remember that the mass of details involved in the average of law cases today is vastly greater and more complicated than even 20 years ago. Records and briefs must be read; statutes, decisions, and extensive material of a technical, scientific, statistical, and economic nature must be searched and studied; opinions must be formulated and written. The modern tasks of judges call for the use of full energies.

Modern complexities call also for a constant infusion of new blood in the courts, just as it is needed in executive functions of the Government and in private business. A lowered mental or physical vigor leads men to avoid an examination of complicated and changed conditions. Little by little, new facts become blurred through old glasses fitted, as it were, for the needs of another generation; older men, assuming that the scene is the same as it was in the past, cease to explore or inquire into the present or the future.

We have recognized this truth in the civil service of the Nation and of many States by compelling retirement on pay at the age of 70. We have recognized it in the Army and Navy by retiring officers at the age of 64. A number of States have recognized it by providing in their constitutions for compulsory retirement of aged judges.

Life tenure of judges, assured by the Constitution, was designed to place the courts beyond temptations or influences which might impair their judgments; it was not intended to create a static judiciary. A constant and systematic addition of younger blood will vitalize the courts and better equip them to recognize and apply the essential concepts of justice in the light of the needs and the facts of an ever-changing world.

It is obvious, therefore, from both reason and experience, that some provision must be adopted which will operate automatically to supplement the work of older judges and accelerate the work of the court.

I therefore earnestly recommend that the necessity of an increase in the number of judges be supplied by legislation providing for the appointment of additional judges in all Federal courts, without exception, where there are incumbent judges of retirement age who do not choose to retire or to resign. If an elder judge is not in fact incapacitated, only good can come from the presence of an additional judge in the crowded state of the dockets; if the capacity of an elder judge is in fact impaired, the appointment of an additional judge is indispensable. This seems to be a truth which cannot be contradicted.

I also recommend that the Congress provide machinery for taking care of sudden or long-standing congestion in the lower courts. The Supreme Court should be given power to appoint an administrative assistant who may be called a proctor. He would be charged with the duty of watching the calendars and the business of all the courts in the Federal system. The Chief Justice thereupon should be authorized to make a temporary assignment of any circuit or district judge hereafter appointed in order that he may serve as long as needed in any circuit or district where the courts are in arrears.

I attach a carefully considered draft of a proposed bill which, if enacted, would, I am confident, afford substantial relief. The proposed measure also contains a limit on the total number of judges who might thus be appointed, and also a limit on the potential size of any one of our Federal courts.

These proposals do not raise any issue of constitutional law. They do not suggest any form of compulsory retirement for incumbent judges. Indeed, those who have reached the retirement age but desire to continue their judicial work would be able to do so under less physical and mental strain and would be able to play a useful part in relieving the growing congestion in the business of our courts. Among them are men of eminence and great ability, whose services the Government would be loath to lose. If, on the other hand, any judge eligible for retirement should feel that his court would

suffer because of an increase in its membership, he may retire or resign under already existing provisions of law if he wishes so to do. In this connection let me say that the pending proposal to extend to the Justices of the Supreme Court the same retirement privileges now available to other Federal judges has my entire approval.

One further matter requires immediate attention. We have witnessed the spectacle of conflicting decisions in both trial and appellate courts on the constitutionality of every form of important legislation. Such a welter of uncomposed differences of judicial opinion has brought the law, the courts, and, indeed, the entire administration of justice dangerously near to disrepute.

A Federal statute is held legal by one judge in one district; it is simultaneously held illegal by another judge in another district. An act valid in one judicial circuit is invalid in another judicial circuit. Thus rights fully accorded to one group of citizens may be denied to others. As a practical matter this means that for periods running as long as 1 year or 2 years or 3 years—until final determination can be made by the Supreme Court—the law loses its most indispensable element—equality.

Moreover, during the long processes of preliminary motions, original trials, petitions for rehearings, appeals, reversals on technical grounds requiring retrials, motions before the Supreme Court and the final hearing by the highest tribunal—during all this time labor, industry, agriculture, commerce, and the Government itself go through an unconscionable period of uncertainty and embarrassment. And it is well to remember that during these long processes the normal operations of society and government are handicapped in many cases by differing and divided opinions in the lower courts and by the lack of any clear guide for the dispatch of business. Thereby our legal system is fast losing another essential of justice—certainty.

Finally, we find the processes of government itself brought to a complete stop from time to time by injunctions issued almost automatically, sometimes even without notice to the Government, and not infrequently in clear violation of the principle of equity that injunctions should be granted only in those rare cases of manifest illegality and irreparable damage against which the ordinary course of the law offers no protection. Statutes which the Congress enacts are set aside or suspended for long periods of time, even in cases to which the Government is not a party.

In the uncertain state of the law it is not difficult for the ingenious to devise novel reasons for attacking the validity of new legislation or its application. While these questions are laboriously brought to issue and debated through a series of courts, the Government must stand aside. It matters not that the Congress has enacted the law, that the Executive has signed it, and that the administrative machinery is waiting to function. Government by injunction lays a heavy hand upon normal processes; and no important statute can take effect—against any individual or organization with the means to employ lawyers and engage in wide-flung litigation—until it has passed through the whole hierarchy of the courts. Thus the judiciary, by postponing the effective date of acts of the Congress, is assuming an additional function and is coming more and more to constitute a scattered, loosely organized, and slowly operating third house of the National Legislature.

This state of affairs has come upon the Nation gradually over a period of decades. In my annual message to this Congress I expressed some views and some hopes.

Now, as an immediate step, I recommend that the Congress provide that no decision, injunction, judgment, or decree on any constitutional question be promulgated by any Federal court without previous and ample notice to the Attorney General and an opportunity for the United States to present evidence and be heard. This is to prevent court action on the constitutionality of acts of the Congress in suits between private individuals, where the Government is not a party to the suit, without giving opportunity to the Government of the United States to defend the law of the land.

I also earnestly recommend that in cases in which any court of first instance determines a question of constitutionality the Congress provide that there shall be a direct and immediate appeal to the Supreme Court, and that such cases take precedence over all other matters pending in that Court. Such legislation will, I am convinced, go far to alleviate the inequality, uncertainty, and delay in the disposition of vital questions of constitutionality arising under our fundamental law.

My desire is to strengthen the administration of justice and to make it a more effective servant of public need. In the American ideal of government the courts find an essential and constitutional place. In striving to fulfill that ideal, not only the judges but the Congress and the Executive as well must do all in their power to bring the judicial organization and personnel to the high standards of usefulness which sound and efficient government and modern conditions require.

This message has dealt with four present needs:

First, to eliminate congestion of calendars and to make the judiciary as a whole less static by the constant and systematic addition of new blood to its personnel; second, to make the judiciary more elastic by providing for temporary transfers of circuit and district judges to those places where Federal courts are most in arrears; third, to furnish the Supreme Court practical assistance in supervising the conduct of business in the lower courts; fourth, to eliminate inequality, uncertainty, and delay now existing in the determination of constitutional questions involving Federal statutes.

If we increase the personnel of the Federal courts, so that cases may be promptly decided in the first instance, and may be given adequate and prompt hearing on all appeals; if we invigorate all the courts by the persistent infusion of new blood; if we grant to the Supreme Court further power and responsibility in maintaining the efficiency of the entire Federal judiciary; and if we assure Government participation in the speedier consideration and final determination of all constitutional questions, we shall go a long way toward our high objectives. If these measures achieve their aim, we may be relieved of the necessity of considering any fundamental changes in the powers of the courts or the Constitution of our Government—changes which involve consequences so far reaching as to cause uncertainty as to the wisdom of such course.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *February 5, 1937.*

FEBRUARY 2, 1937.

The PRESIDENT,
The White House.

MY DEAR MR. PRESIDENT: Delay in the administration of justice is the outstanding defect of our Federal judicial system. It has been a cause of concern to practically every one of my predecessors in office. It has exasperated the bench, the bar, the business community, and the public.

The litigant conceives the judge as one promoting justice through the mechanism of the courts. He assumes that the directing power of the judge is exercised over its officers from the time a case is filed with the clerk of the court. He is entitled to assume that the judge is pressing forward litigation in the full recognition of the principle that "justice delayed is justice denied." It is a mockery of justice to say to a person when he files suit that he may receive a decision years later. Under a properly ordered system rights should be determined promptly. The course of litigation should be measured in months and not in years.

Yet in some jurisdictions the delays in the administration of justice are so interminable that to institute suit is to embark on a life-long adventure. Many persons submit to acts of injustice rather than resort to the courts. Inability to secure a prompt judicial adjudication leads to improvident and unjust settlements. Moreover, the time factor is an open invitation to those who are disposed to institute unwarranted litigation or interpose unfounded defenses in the hope of forcing an adjustment which could not be secured upon the merits. This situation frequently results in extreme hardships. The small businessman or the litigant of limited means labors under a grave and constantly increasing disadvantage because of his inability to pay the price of justice.

Statistical data indicate that in many districts a disheartening and unavoidable interval must elapse between the date that issue is joined in a pending case and the time when it can be reached for trial in due course. These computations do not take into

account the delays that occur in the preliminary stages of litigation or the postponements after a case might normally be expected to be heard.

The evil is a growing one. The business of the courts is continually increasing in volume, importance, and complexity. The average case load borne by each judge has grown nearly 50 percent since 1913, when the district courts were first organized on their present basis. When the courts are working under such pressure it is inevitable that the character of their work must suffer.

The number of new cases offset those that are disposed of, so that the courts are unable to decrease the enormous backlog of undigested matters. More than 50,000 pending cases (exclusive of bankruptcy proceedings) overhang the Federal dockets—a constant menace to the orderly processes of justice. Whenever a single case requires a protracted trial, the routine business of the court is further neglected. It is an intolerable situation and we should make shift to amend it.

Efforts have been made from time to time to alleviate some of the conditions that contribute to the slow rate of speed with which causes move through the courts. The Congress has recently conferred on the Supreme Court the authority to prescribe rules of procedure after verdict in criminal cases and the power to adopt and promulgate uniform rules of practice for civil actions at law in the district courts. It has provided terms of court in certain places at which Federal courts had not previously convened. A small number of judges have been added from time to time.

Despite these commendable accomplishments, sufficient progress has not been made. Much remains to be done in developing procedure and administration, but this alone will not meet modern needs. The problem must be approached in a more comprehensive fashion if the United States is to have a judicial system worthy of the Nation. Reason and necessity require the appointment of a sufficient number of judges to handle the business of the Federal courts. These additional judges should be of a type and age which would warrant us in believing that they would vigorously attack their dockets, rather than permit their dockets to overwhelm them.

The cost of additional personnel should not deter us. It must be borne in mind that the expense of maintaining the judicial system constitutes hardly three-tenths of 1 percent of the cost of maintaining the Federal establishment. While the estimates for the current fiscal year aggregate over $23,000,000 for the maintenance of the legislative branch of the Government and over $2,100,000,000 for the permanent agencies of the executive branch, the estimated cost of maintaining the judiciary is only about $6,500,000. An increase in the judicial personnel, which I earnestly recommend, would result in a hardly perceptible percentage of increase in the total annual Budget.

This result should not be achieved, however, merely by creating new judicial positions in specific circuits or districts. The reform should be effectuated on the basis of a consistent system which would revitalize our whole judicial structure and assure the activity of judges at places where the accumulation of business is greatest. As congestion is a varying factor and cannot be foreseen, the system should be flexible and should permit the temporary assignment of judges to points where they appear to be most needed. The newly created personnel should constitute a mobile force, available for service in any part of the country at the assignment and direction of the Chief Justice. A functionary might well be created to be known as proctor, or by some other suitable title, to be appointed by the Supreme Court and to act under its direction, charged with the duty of continuously keeping informed as to the state of Federal judicial business throughout the United States and of assisting the Chief Justice in assigning judges to pressure areas.

I append hereto certain statistical information, which will give point to the suggestions I have made.

These suggestions are designed to carry forward the program for improving the processes of justice which we have discussed and worked upon since the beginning of your first administration.

The time has come when further legislation is essential.

To speed justice, to bring it within the reach of every citizen, to free it of unnecessary entanglements and delays are primary obligations of our Government.

Respectfully submitted.

HOMER S. CUMMINGS,
Attorney General.

I. Comparative statistics of cases filed in United States district courts during the year ending June 30, 1913, and the year ending June 30, 1936

The year 1913 was selected as a basis of comparison because it was the first year of the existence of the district courts on the present basis.

	Year ending June 30, 1913	Year ending June 30, 1936
Total number of district judges	92	154
Criminal and civil cases filed (other than bankruptcy)	25,372	75,040
Average number of cases filed per each judge	276	484
Number of bankruptcy proceedings filed	30,788	[1] 60,624

[1] This figure includes proceedings under the recently enacted sections 77 and 77b of the Bankruptcy Act, which require continuous personal attention on the part of the judges, while much of the work in other bankruptcy proceedings is done by referees.

Number of cases (other than bankruptcy) filed and disposed of in the district courts during the fiscal years 1931–36 [1]

NUMBER OF CASES FILED

	1931	1932	1933	1934	1935	1936
United States civil	12,958	18,734	14,319	8,564	11,679	12,885
Other civil	24,000	26,326	26,656	26,472	24,403	26,342
Criminal	26,342	26,214	25,122	27,476	35,365	35,813
Total	63,300	71,274	66,097	62,512	71,447	75,040

NUMBER OF CASES TERMINATED

United States civil	12,907	14,101	14,474	11,200	12,575	14,435
Other civil	24,375	26,045	26,074	28,035	24,569	26,949
Criminal	30,180	27,794	25,513	26,534	32,299	35,396
Total	67,462	67,940	66,061	65,769	69,443	77,780

[1] In order to render the figures properly comparable, cases under the National Prohibition Act have been excluded from the computations.

The foregoing figures indicate that the number of cases terminated each year approximately equals the number of new cases filed, so that the courts are making no substantial gain in disposing of arrears.

Be it enacted, etc., That (a) When any judge of a court of the United States, appointed to hold his office during good behavior, has heretofore or hereafter attained the age of 70 years and has held a commission or commissions as judge of any such court or courts at least 10 years, continuously or otherwise, and within 6 months thereafter has neither resigned nor retired, the President, for each such judge who has not so resigned or retired, shall nominate and, by and with the advice and consent of the Senate, shall appoint one additional judge to the court to which the former is commissioned: *Provided*, That no additional judge shall be appointed hereunder if the judge who is of retirement age dies, resigns, or retires prior to the nomination of such additional judge.

(b) The number of judges of any court shall be permanently increased by the number appointed thereto under the provisions of subsection (a) of this section. No more than 50 judges shall be appointed thereunder, nor shall any judge be so appointed if such appointment would result in (1) more than 15 members of the Supreme Court of the United States, (2) more than 2 additional members so appointed to a circuit court of appeals, the Court of Claims, the United States Court of Customs and Patent Appeals, or the Customs Court, or (3) more than twice the number of judges now authorized to be appointed for any district or, in the case of judges appointed for more than one district, for any such group of districts.

(c) That number of judges which is at least two-thirds of the number of which the Supreme Court of the United States consists, or three-fifths of the number of which the United States Court of Appeals for the District of Columbia, the Court of Claims, or the United States Court of Customs and Patent Appeals consists, shall constitute a quorum of such court.

(d) An additional judge shall not be appointed under the provisions of this section when the judge who is of retirement age is commissioned to an office as to which Congress has provided that a vacancy shall not be filled.

SEC. 2. (a) Any circuit judge hereafter appointed may be designated and assigned from time to time by the Chief Justice of the United States for service in the circuit court of appeals for any circuit. Any district judge hereafter appointed may be designated and assigned from time to time by the Chief Justice of the United States for service in any district court, or, subject to the authority of the Chief Justice, by the senior circuit judge of his circuit for service in any district court within the circuit. A district judge designated and assigned to another district hereunder may hold court separately and at the same time as the district judge in such district. All designations and assignments made hereunder shall be filed in the office of the clerk and entered on the minutes of both the court from and to which a judge is designated and assigned, and thereafter the judge so designated and assigned shall be authorized to discharge all the judicial duties (except the power of appointment to a statutory position or of permanent designation of a newspaper or depository of funds) of a judge of the court to which he is designated and assigned. The designation and assignment of a judge shall not impair his authority to perform such judicial duties of the court to which he was commissioned as may be necessary or appropriate. The designation and assignment of any judge may be terminated at any time by order of the Chief Justice or the senior circuit judge, as the case may be.

(b) After the designation and assignment of a judge by the Chief Justice, the senior circuit judge of the circuit in which such judge is commissioned may certify to the Chief Justice any consideration which such senior circuit judge believes to make advisable that the designated judge remain in or return for service in the court to which he was commissioned. If the Chief Justice deems the reasons sufficient, he shall revoke or designate the time of termination of such designation and assignment.

(c) In case a trial or hearing has been entered upon but has not been concluded before the expiration of the period of service of a

district judge designated and assigned hereunder, the period of service shall, unless terminated under the provisions of subsection (a) of this section, be deemed to be extended until the trial or hearing has been concluded. Any designated and assigned district judge who has held court in another district than his own shall have power, notwithstanding his absence from such district and the expiration of any time limit in his designation, to decide all matters which have been submitted to him within such district, to decide motions for new trials, settle bills of exceptions, certify or authenticate narratives of testimony, or perform any other act required by law or the rules to be performed in order to prepare any case so tried by him for review in an appellate court; and his action thereon in writing filed with the clerk of the court where the trial or hearing was had shall be as valid as if such action had been taken by him within that district and within the period of his designation. Any designated and assigned circuit judge who has sat on another court than his own shall have power, notwithstanding the expiration of any time limit in his designation, to participate in the decision of all matters submitted to the court while he was sitting and to perform or participate in any act appropriate to the disposition or review of matters submitted while he was sitting on such court, and his action thereon shall be as valid as if it had been taken while sitting on such court and within the period of his designation.

SEC. 3. (a) The Supreme Court shall have power to appoint a proctor. It shall be his duty: (1) To obtain and, if deemed by the Court to be desirable, to publish information as to the volume, character, and status of litigation in the district courts and circuit courts of appeals, and such other information as the Supreme Court may from time to time require by order, and it shall be the duty of any judge, clerk, or marshal of any court of the United States promptly to furnish such information as may be required by the proctor; (2) to investigate the need of assigning district and circuit judges to other courts and to make recommendations thereon to the Chief Justice; (3) to recommend, with the approval of the Chief Justice, to any court of the United States methods for expediting cases pending on its dockets; and (4) to perform such other duties consistent with his office as the Court shall direct.

(b) The proctor shall, by requisition upon the Public Printer, have any necessary printing and binding done at the Government Printing Office and authority is conferred upon the Public Printer to do such printing and binding.

(c) The salary of the proctor shall be $10,000 per annum, payable out of the Treasury in monthly installments, which shall be in full compensation for the services required by law. He shall also be allowed, in the discretion of the Chief Justice, stationery, supplies, travel expenses, equipment, necessary professional and clerical assistance, and miscellaneous expenses appropriate for performing the duties imposed by this section. The expenses in connection with the maintenance of his office shall be paid from the appropriation of the Supreme Court of the United States.

SEC. 4. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $100,000 for the salaries of additional judges and the other purposes of this act during the fiscal year 1937.

SEC. 5. When used in this act—

(a) The term "judge of retirement age" means a judge of a court of the United States, appointed to hold his office during good behavior, who has attained the age of 70 years and has held a commission or commissions as judge of any such court or courts at least 10 years, continuously or otherwise, and within 6 months thereafter, whether or not he is eligible for retirement, has neither resigned nor retired.

(b) The term "circuit court of appeals" includes the United States Court of Appeals for the District of Columbia; the term "senior circuit judge" includes the Chief Justice of the United States Court of Appeals for the District of Columbia; and the term "circuit" includes the District of Columbia.

(c) The term "district court" includes the District Court of the District of Columbia but does not include the district court in any territory or insular possession.

(d) The term "judge" includes justice.

SEC. 6. This act shall take effect on the thirtieth day after the date of its enactment.

Mr. ROBINSON. Mr. President, I ask that the message of the President, together with the letter of the Attorney General, draft of a bill, and other accompanying papers, be referred to the Committee on the Judiciary, and that they be printed as a Senate document. I also ask that the accompanying papers be printed in the RECORD following the message.

The VICE PRESIDENT. Without objection, it is so ordered.

INVESTIGATION OF WOOL PRODUCTION AND MARKETING

The VICE PRESIDENT. The Chair appoints the Senator from Massachusetts [Mr. WALSH] as a member of the Special Committee to Investigate Production, Transportation, and Marketing of Wool, created under Senate Resolution 160, as continued by Senate Resolution 315, Seventy-fourth Congress, to fill the vacancy caused by the expiration of the term of the late Robert D. Carey, formerly a Senator from the State of Wyoming.

G. A. TROTTER

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting a draft of proposed legislation for the relief of G. A. Trotter, former superintendent and special disbursing agent of the Zuni Indian Agency, N. Mex., which, with the accompanying paper, was referred to the Committee on Indian Affairs.

ALLOTMENTS TO MISSION RESERVATION INDIANS

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting a draft of proposed legislation to repeal the provision in the act of March 2, 1917, directing the making of allotments to Indians of the Mission Indian Reservations, Calif., which, with the accompanying paper, was referred to the Committee on Indian Affairs.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the Legislature of the State of Iowa, which was referred to the Committee on Banking and Currency:

House Concurrent Resolution 3

Whereas the welfare of the great Commonwealth of Iowa depends upon the stabilization of agriculture; and

Whereas the emergency farm-loan interest rate of 3½ percent made possible by special act of the National Congress to the farmer borrowers having Federal land-bank loans expires July 1, 1937; and

Whereas thousands of farmers throughout the State of Iowa have Land Bank Commissioner loans which call for 5-percent interest and which require principal payments commencing September 1, 1936, of 5 percent or 10 percent in addition to the interest payments; and

Whereas it appears to be possible to extend lower interest rates to the farmers without an excessive burden to the taxpayer and with almost no administrative costs; and

Whereas agricultural recovery has been delayed by droughts and pests, thereby causing hundreds of farmers throughout the State of Iowa to become delinquent in the payment of interest and taxes; and

Whereas it is our opinion that low-interest rates accorded to the farmers of Iowa through the Federal land-bank system contributes much to the stabilization of agriculture: Therefore be it

Resolved by the house (the senate concurring), That the Legislature of Iowa respectfully petitions the Members of the National Congress to use every possible effort to secure the passage of a law making the 3½-percent interest rate permanent to the farmer borrowers of the Federal land bank or at least extend the same for a period of not less than 2 years, and that this legislature respectfully urges the Members of the National Congress to use every possible effort to secure the passage of a law making 4-percent interest rate permanent to the farmer borrowers of the Land Bank Commissioner and to extend the principal payments on Land Bank Commissioner loans over a period of 34 years as provided for Federal land-bank loans, and that a copy of this resolution be sent to each United States Senator and Representative from the State of Iowa, to the Speaker of the National House of Representatives, to the President of the United States Senate, and to the President of the United States.

The VICE PRESIDENT also laid before the Senate the following concurrent resolution of the Legislature of the State of Iowa, which was referred to the Committee on Naval Affairs:

Concurrent resolution memorializing the President and the Congress of the United States to name one of the battleships now under construction "Iowa"

Whereas battleships of the United States Navy are named after the several States of the Union; and

Whereas at the present time there is no battleship of the United State Navy named after the State of Iowa; and

Whereas there have been two battleships and a third battleship under construction named after the State of Iowa—the first being a frigate, 3,850 tons displacement, carrying 25 guns, built at the naval yards at Boston, Mass., 1862–66, and ceased to be a part of the United States Navy in 1883; the second a coast battleship, with 11,346 tons displacement, authorized by act of Congress July 19, 1892, named for the State of Iowa, launched March 28, 1896, commissioned June 16, 1897, as one of the ships composing the squadron commanded by Admiral Sampson during the Spanish-American War and participated in the Battle of Santiago Bay against the Spanish Fleet July 3, 1898. On March 29, 1919, the name was changed, the ship was put out of commission, and sunk by gunfire for experimental purposes March 22, 1923. The third vessel named *Iowa* was under construction on February 8, 1922. Upon the signing of the treaty limiting naval armament construction was halted. Upon the ratification of the treaty the contract for construction

was canceled, the vessel broken up and scrapped according to the terms of the said treaty: Therefore be it

Resolved by the senate (the house concurring), That we petition and pray the President and the Congress of the United States to name and designate one of the battleships now under construction for and after the State of Iowa;

That on the passage of this resolution the secretary of state shall certify a copy hereof to the President of the United States, the President of the Senate and Speaker of the House of Representatives of the Congress of the United States, Secretary of the Navy, and to each Senator and Representative of the State of Iowa at Washington, D. C.

The VICE PRESIDENT also laid before the Senate the following concurrent resolution of the Legislature of the State of Minnesota, which was referred to the Committee on Indian Affairs:

Concurrent resolution memorializing the Congress of the United States to appropriate funds to provide care for needy, aged, and unallotted Indians

Whereas there are several hundred unallotted Indians eligible to receive old-age assistance in the State of Minnesota; and

Whereas because of their status as residents of Indian reservations they and their property are not subject to taxation by the State or county in which they reside; and

Whereas because of the heavy burden placed upon these counties in making payments of old-age assistance to qualified, taxpaying residents, the counties are under excessive financial strain; and

Whereas it is an undue hardship upon the said State and counties to provide care for these unallotted Indians because of the facts above stated: Now, therefore, be it

Resolved by the Senate of the State of Minnesota (the house of representatives concurring), That we respectfully urge and petition the Congress of the United States and President Franklin D. Roosevelt to pass legislation providing Federal funds for the care and relief of these above-referred-to needy, aged, unallotted Indians; and be it further

Resolved, That the secretary of state be instructed to send copies of this resolution to the Honorable Franklin D. Roosevelt, President of the United States; the Honorable John Garner, Vice President of the United States; the Honorable William Bankhead, Speaker of the House of Representatives of the United States; and to each of the Senators and Representatives from the State of Minnesota in the Congress of the United States.

The VICE PRESIDENT also laid before the Senate the following joint memorial of the Legislature of the State of Montana, which was ordered to lie on the table:

Memorial to the Congress of the United States urging the prompt enactment of legislation to provide the necessary plans and funds to furnish adequate seed-grain supplies to the needy farmers of the State of Montana

Whereas owing to the fact that many of our farmers have suffered severe losses in recent years, wherein abnormally low wheat prices of the early thirties have consumed all reserves had by the farmers; the unprecedented and recurrent drought conditions, and also the cricket and grasshopper losses of the past several years in this State have all contributed to the condition existing that there are a large number of farmers now unable to provide the necessary funds for planting crops in the 1937 season, which makes it imperatively important that seed loans be provided in time to enable the farmer to properly plan and plant his crop; and

Whereas in former years seed loans have not been made available to the farmer in proper time to be beneficial in the planting season, thus greatly reducing the opportunity to produce a crop which will enable him to repay the loan: Therefore be it

Resolved by the Senate and the House of Representatives of the State of Montana, That we petition the United States Congress that action be taken as soon as possible to establish seed-loan agencies to receive applications and to make such seed loans in time to secure the seed necessary not later than March 1, 1937, thus insuring the planting in the early season, and further petition that the United States Congress immediately make a public announcement of its seed distribution and financial policy for 1937; and be it further

Resolved, That the secretary of state be, and is hereby, directed forthwith, after the passage and approval by the Governor of this joint memorial, to transmit to the Secretary of the Senate and the Clerk of the House of Representatives of the Congress of the United States, and to each of the Senators and Representatives of the State of Montana, and the Secretary of Agriculture, Washington, D. C., a true copy of this memorial.

The VICE PRESIDENT also laid before the Senate the petition of Spiros S. Varkas, of New York City, N. Y., praying for the consideration of certain devices suggested by him to increase the safe operation and speed of airplanes, which was referred to the Committee on Commerce.

He also laid before the Senate a resolution adopted by the Young Republicans of Allegheny County, Pa., favoring the enactment of legislation to provide flood protection along the Allegheny, Monongahela, and Ohio Rivers, which was referred to the Committee on Commerce.

He also laid before the Senate resolutions adopted by the State Camp of Pennsylvania, Patriotic Order Sons of America, Philadelphia, Pa., favoring the enactment of a permanent and mandatory neutrality law, and protesting against the shipment of munitions to foreign nations engaged in war, which were referred to the Committee on Foreign Relations.

He also laid before the Senate resolutions adopted by the Atlantic States Shippers Advisory Board, of New York City, N. Y., protesting against the enactment of legislation providing a 6-hour day for railroad employees, so-called full crews, limitation of train lengths, and Government ownership of railroads, which were referred to the Committee on Interstate Commerce.

He also laid before the Senate resolutions adopted by the Flint Federation of Labor, of Flint; the Ann Arbor Trades and Labor Council, of Ann Arbor; the Workers Alliance of Wayne County; and the Hamtramck Branch, W. A. A., all in the State of Michigan, favoring continuation of the so-called Special or Subcommittee on Civil Liberties as a permanent committee of the Senate, and favoring the making of an appropriation of $500,000 for the expenses thereof, which were referred to the Committee on Rules.

REPORTS OF COMMITTEES

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (S. 936) to regulate the sales of goods in the District of Columbia, reported it without amendment and submitted a report (No. 31) thereon.

Mr. SHEPPARD, from the Committee on Military Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 56. A bill for the relief of William Frank Lipps (Rept. No. 32); and

S. 508. A bill to authorize the award of the Purple Heart decoration to Maj. Charles H. Sprague (Rept. No. 33).

Mr. SHEPPARD also, from the Committee on Military Affairs, to which was referred the bill (S. 211) for the relief of James J. Jordan, reported it with an amendment and submitted a report (No. 34) thereon.

Mr. KING, from the Committee on the District of Columbia, to which was referred the bill (S. 711) to amend an act entitled "An act to establish a Code of Law for the District of Columbia", approved March 3, 1901, as amended, and particularly sections 863, 911, and 914 of the said code, reported it without amendment and submitted a report (No. 35) thereon.

Mr. MCCARRAN, from the Committee on the District of Columbia, to which was referred the bill (S. 204) relative to the qualifications of practitioners of law in the District of Columbia, reported it with amendments and submitted a report (No. 36) thereon.

INVESTIGATION OF DISTRICT TAXES AND FISCAL AFFAIRS

Mr. KING. Mr. President, from the Committee on the District of Columbia I report a resolution and, in view of the fact that it calls for an appropriation from the contingent fund of the Senate in aid of the work of the District of Columbia Committee, I presume it should go to the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDENT pro tempore. Under the rule, the resolution will be referred to the Audit and Control Committee.

The resolution (S. Res. 77) was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Whereas the President of the United States has transmitted to the Congress a budget for the District of Columbia for the fiscal year ending June 30, 1938, including an amount for Federal payment on behalf of the expenses of the District of Columbia of approximately $2,300,000, based upon the report of a commission authorized by Public Act No. 762 of the Seventy-fourth Congress, approved June 23, 1936; and

Whereas the method of the determination of the present proposed sum and the proposed method in the said report for determining future payments involve changes in the substantive laws relating to the District of Columbia and to various Federal departments and agencies which have functions in connection with the District of Columbia; and

Whereas the said report, after elaborate analyses, reaches the conclusion that the government of the District of Columbia, in its present form, requires complete revision in the interest of more efficient administration and of a greater voice in the control of the local government for the people resident in the District of Columbia; and

Whereas the findings of the said report and the text of the said budget message indicate the immediate need of the complete revision of the tax structure in the District of Columbia and an examination of the existing tax laws and methods of tax collection in the District of Columbia; and

Whereas a committee heretofore appointed by the Senate Committee on the District of Columbia for the purpose of making a study of the government of the District of Columbia, particularly with a view to ascertaining the extent of duplication among the organizations and agencies thereof and determining what changes should be made in the form and administration of said government, has made a comprehensive study and investigation and submitted a report making recommendations worthy of further consideration: Now, therefore, be it

Resolved, That for the purpose of providing the Senate with information to serve as a basis for such legislation as may, in its judgment, be found necessary for the control of the structure and methods of operation of the government of the District of Columbia, taxes for the District of Columbia, and the fiscal relations of the Government of the United States and the District of Columbia, and for such other and related purposes as may, in the judgment of the committee, as herein authorized, be necessary and proper, the Committee on the District of Columbia, or any duly authorized subcommittees thereof, is hereby directed to investigate the government of the District of Columbia, taxes related to the District of Columbia, the fiscal relations of the Government of the United States and the District of Columbia, and such related matters as the said committee may deem necessary. The said Committee on the District of Columbia shall make a final report of its investigations, with recommendations, to the Senate not later than January 1, 1938, and may make such interim reports and recommendations as, in its judgment, may be deemed necessary or may be hereafter directed.

For the purposes of this resolution the said Committee on the District of Columbia, or any duly authorized subcommittee thereof, is authorized to hold such hearings and meetings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the Seventy-fifth Congress as the committee may authorize until the final report of the said committee is submitted; to require by subpena or otherwise the attendance of necessary witnesses and the production of books, papers, and documents; to administer such oaths, take such testimony, and require such reports from the government of the District of Columbia and agencies of the United States Government as it deems desirable and necessary. The said committee is authorized to make such expenditures as it may deem necessary and proper for the purposes of its investigation and to employ clerical, technical, and expert services, by contract or otherwise, without regard to the civil-service laws and the Classification Act of 1923, as amended.

The expenses of the committee, which shall not exceed $10,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HARRISON:

A bill (S. 1360) for the relief of the Jackson Casket & Manufacturing Co.; to the Committee on Finance.

By Mr. NYE:

A bill (S. 1361) for the relief of Walter L. Monson; to the Committee on Finance.

By Mr. McNARY:

A bill (S. 1362) to amend the Social Security Act with respect to its application to employees of fraternal beneficiary societies, orders, and associations; to the Committee on Finance.

By Mr. REYNOLDS:

A bill (S. 1363) to provide for the deportation of aliens inimical to the public interest and aliens on relief;

A bill (S. 1364) to provide for the registration of aliens in the United States, and for other purposes;

A bill (S. 1365) to provide for the prompt deportation of habitual alien criminals and other undesirable aliens now in the United States, and to prevent unnecessary hardship or separation of families; and

A bill (S. 1366) to further reduce immigration, to authorize the exclusion of any alien whose entry into the United States is inimical to the public interest, to prohibit the separation of families through the entry of aliens leaving dependents abroad, and for other purposes; to the Committee on Immigration.

By Mr. NEELY:

A bill (S. 1367) for the relief of George Yusko; to the Committee on Military Affairs.

By Mr. TRUMAN:

A bill (S. 1368) to provide for the appointment of Sgt. Raymond J. Hanna, detached enlisted men's list, United States Army, now serving with Missouri National Guard, a warrant officer, United States Army; to the Committee on Military Affairs.

By Mr. CAPPER:

A bill (S. 1369) to prohibit the transportation in interstate commerce of advertisements of alcoholic beverages, and for other purposes; to the Committee on Interstate Commerce.

A bill (S. 1370) granting an increase of pension to Sarah J. Pitts; to the Committee on Pensions.

By Mr. BLACK:

A bill (S. 1371) to increase the lump-sum payment made under the Workmen's Compensation Act in cases of death or of permanent total or permanent partial disability suffered prior to February 12, 1927; to the Committee on Education and Labor.

By Mr. BRIDGES:

A bill (S. 1372) to extend for a period of 2 years the insurance of loans and advances for improvements upon real property; to the Committee on Banking and Currency.

By Mr. BROWN of Michigan:

A bill (S. 1373) to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Michigan as one of the United States; to the Committee on Banking and Currency.

A bill (S. 1374) to provide for the establishment of a Coast Guard station at or near Manistique, Mich.; to the Committee on Commerce.

By Mr. McCARRAN:

A bill (S. 1375) to provide for the punishment of persons stealing animals moving in interstate commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. LOGAN:

A bill (S. 1376) to create the Order of Washington; and

A bill (S. 1377) to amend section 1353 of title 48 of the Code of Laws of the United States of America; to the Committee on the Judiciary.

By Mr. LUNDEEN:

A bill (S. 1378) to increase the number of Justices of the Supreme Court of the United States; to the Committee on the Judiciary.

By Mr. THOMAS of Oklahoma:

A bill (S. 1379) authorizing the Five Civilized Tribes, in suits heretofore filed under their original jurisdictional acts, to present claims to the United States Court of Claims by amended petitions to conform to the evidence; and authorizing said court to adjudicate such claims upon their merits as though filed within the time limitation fixed in said original jurisdictional acts; to the Committee on Indian Affairs.

A bill (S. 1380) for the relief of Orton H. Davis; to the Committee on Military Affairs.

A bill (S. 1381) for the relief of Mrs. Ida Dunlap; to the Committee on Claims.

By Mr. DAVIS and Mr. GUFFEY:

A bill (S. 1382) for the relief of the Allegheny Forging Co.;

A bill (S. 1383) for the relief of the Allegheny Forging Co.;

A bill (S. 1384) for the relief of the Allegheny Forging Co.; and

A bill (S. 1385) for the relief of the Allegheny Forging Co.; to the Committee on Claims.

By Mr. BURKE:

A bill (S. 1386) for the relief of Thomas J. Pryor; to the Committee on Claims.

By Mr. OVERTON:

A bill (S. 1387) for the relief of E. C. Willis, father of the late Charles R. Willis, a minor; to the Committee on Claims.

By Mr. TOWNSEND:

A bill (S. 1388) for the relief of the heirs of Prof. William H. H. Hart, principal of the Hart Farm School and Junior Republic for Dependent Children; to the Committee on Claims.

By Mr. HAYDEN:

A bill (S. 1389) for the relief of the legal representative of Fritz Contzen, deceased; to the Committee on Claims.

A bill (S. 1390) to provide for the selection of land by the State of Arizona in lieu of land owned by the State authorized to be patented to the town of Benson, Ariz.; to the Committee on Public Lands and Surveys.

By Mr. KING:

A bill (S. 1391) to amend section 1 of the act of Congress entitled "An act to fix the salaries of officers and members of the Metropolitan Police force, the United States Park Police force, and the fire department of the District of Columbia", approved May 27, 1924, as amended, and for other purposes; to the Committee on the District of Columbia.

By Mr. GILLETTE:

A joint resolution (S. J. Res. 63) establishing a permanent fund for the control of incipient or emergency interstate and other outbreaks of insect pests, including chinch bugs, grasshoppers, and Mormon crickets, providing methods of administration of fund, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. THOMAS of Oklahoma:

A joint resolution (S. J. Res. 64) defining the jurisdiction of the Court of Claims under the act approved April 25, 1932 (47 Stat. L. 137), and for other purposes; to the Committee on Indian Affairs.

By Mr. TOWNSEND and Mr. BURKE:

A joint resolution (S. J. Res. 65) proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. CONNALLY:

A joint resolution (S. J. Res. 66) providing for the participation by the United States in the Greater Texas and Pan American Exposition to be held in the State of Texas during the year 1937; to the Committee on the Library.

By Mr. COPELAND:

A joint resolution (S. J. Res. 67) conferring jurisdiction upon the Court of Claims to hear and determine the claim of the estate of John F. Hackfeld, deceased; to the Committee on the Judiciary.

NATIONAL UNEMPLOYMENT AND RELIEF COMMISSION

Mr. MURRAY. On behalf of the Senator from New Mexico [Mr. HATCH] and myself I ask consent to introduce a joint resolution for appropriate reference.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

By Mr. MURRAY (for himself and Mr. HATCH):

A joint resolution (S. J. Res. 68) providing for the appointment of a National Unemployment and Relief Commission; to the Committee on Education and Labor.

EQUAL RIGHTS FOR MEN AND WOMEN—INDEFINITE POSTPONEMENT OF JOINT RESOLUTION

Mr. TOWNSEND. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from the further consideration of the joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States relative to equal rights for men and women, and that the resolution be indefinitely postponed.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. TOWNSEND. I may say that the reason for this action is that I have today, together with the Senator from Nebraska [Mr. BURKE], introduced a similar joint resolution, being Senate Joint Resolution 65.

HOUSE BILL REFERRED

The bill (H. R. 4064) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1938, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

AMENDMENT OF NEUTRALITY LAW

Mr. PITTMAN submitted an amendment intended to be proposed by him to the joint resolution (S. J. Res. 51) to amend the joint resolution entitled "Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war", approved August 31, 1935, being Public Resolution No. 67, Seventy-fourth Congress (S. J. Res. 173), as amended by joint resolution approved February 29, 1936, entitled "Joint resolution extending and amending the joint resolution (Public Res. No. 67, 74th Cong.), approved August 31, 1935", which was referred to the Committee on Foreign Relations and ordered to be printed.

RESERVE REQUIREMENTS OF FEDERAL RESERVE MEMBER BANKS

Mr. NYE. Mr. President, I submit a resolution requesting information. I hope it may be acted upon by the Senate at this time.

The PRESIDENT pro tempore. The resolution will be read.

The resolution (S. Res. 78) was read, as follows:

Resolved, That the Board of Governors of the Federal Reserve System is requested to transmit to the Senate, as soon as practicable, a report setting forth the reasons for the issuance of the recent order of the Board increasing the reserve requirements of member banks after May 1, 1937, the actual and probable effect of such order with respect to interest rates upon public and private obligations, and its probable effect upon the banking system of the country.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. ROBINSON. I understand that the resolution submitted by the Senator from North Dakota asks the Federal Reserve Board for information touching an order which it has recently issued.

Mr. NYE. That is all.

Mr. ROBINSON. So far as I am informed, there is no objection to the resolution.

There being no objection, the resolution was considered and agreed to.

FULL RESERVE SYSTEM OF SOCIAL SECURITY ACT

Mr. VANDENBERG. Mr. President, a few days ago I presented a resolution, which was appropriately referred to the Finance Committee, seeking a study by the Social Security Board of a proposed change in the provisions for compulsory old-age pensions under the Social Security Act. The change would involve the abandonment of the full reserve system, involving the ultimate accumulation of a $47,000,000,000 reserve and the substitution of a pay-as-you-go formula with only a contingent reserve.

It is believed that a compulsory, tax-supported Government pension system does not need the full reserve. If this is so, one of two alternative improvements is possible: Either increased pensions may be paid at an earlier date or the 2-percent pay-roll tax, shared equally by employer and employee, need not be progressively increased to an ultimate 6 percent for many years to come.

I now present excerpts from letters from 13 presidents of leading insurance companies of the United States approving the safety and the wisdom of abandoning the full reserve system and transferring to a pay-as-you-go basis with only an emergency reserve. These opinions are important because they bespeak the viewpoint of experts in the insurance field. I ask that these excerpts be printed in the RECORD and referred to the Finance Committee.

The PRESIDENT pro tempore. Without objection, the excerpts will be printed in the RECORD and referred to the Committee on Finance.

The matter referred to is as follows:

President Thomas A. Buckner, New York Life Insurance Co., New York, N. Y.: "The full reserve basis for the old-age-pension system as provided in the Social Security Act is deemed neither necessary nor desirable. Contingency reserves might be desirable to tide over times when receipts from taxes might be low because of depressions."

William H. Kingsley, president, Penn Mutual Life Insurance Co., Philadelphia, Pa.: "Pay-as-you-go basis with reasonable contingency reserves to offset periods of possible tax declines from unforeseen circumstances would fulfill the purposes desired to be accomplished."

Edward D. Duffield, president, Prudential Insurance Co., Newark, N. J.: "Problems attending disposition of extremely large reserves contemplated in the Social Security Act may be very difficult and might present possibilities of serious economic disturbances. The successful administration of the pension section of the Social Security Act would probably be made easier by not attempting to carry a full reserve but by operating substantially on a pay-as-you-go basis with reasonable precautionary reserves."

M. B. Brainard, president, Aetna Life Insurance Co., Hartford, Conn.: "A compulsory tax-supported old-age pension system as contemplated in the Social Security Act can operate without the full reserve as at present provided. It would be preferable to operate substantially on a pay-as-you-go basis."

M. J. Cleary, president, Northwestern Mutual Life Insurance Co., Milwaukee, Wis.: "In our opinion, a national old-age-pension system should be operated on a pay-as-you-go basis."

B. J. Perry, president, Massachusetts Mutual Life Insurance Co., Springfield, Mass.: "We believe that a compulsory tax-supported old-age-pension system can be operated substantially on a pay-as-you-go basis. A public fund supported by compulsory taxation is an entirely different position from a private fund supported by voluntary contributions."

Guy W. Cox, president, John Hancock Mutual Life Insurance Co., Boston, Mass.: "While it would be unthinkable for any organization except the Government to operate without reserves, I am inclined to agree that it would be better to operate the pension system contemplated in the Social Security Act on a pay-as-you-go basis."

L. E. Zacher, president, The Travelers Insurance Co., Hartford, Conn.: "It would be sounder and preferable to operate the old-age-pension system in the Social Security Act on a pay-as-you-go basis."

Arthur F. Hall, president, Lincoln National Life Insurance Co., Fort Wayne, Ind.: "This company agrees fully that the old-age-pension system as contemplated in the Social Security Act can and should operate on an annual pay-as-you-go basis."

Sun Life Insurance Co. of America, Baltimore, Md.: "We agree that pay-as-you-go old-age-pension system is practical for the United States Government and preferable to the present full reserve plan."

John R. Hardin, president, Mutual Benefit Life Insurance Co., Newark, N. J.: "The maintenance of a reserve to the maximum amount required in connection with old-age benefits in the Social Security Act, is, in my opinion, unnecessary. It would be wiser to substitute a reasonable working reserve for the subsequent operation of the system on a substantially pay-as-you-go basis. The situation is essentially different from that which prevails in an insurance company which does not have the power of currently taxing its policyholders and must depend upon the reserve maintained to meet policy requirements. I am supported in my opinion by the actuaries connected with this company, among whom are two ex-presidents of the Actuarial Society of America."

George Willard Smith, president, New England Mutual Life Insurance Co., Boston, Mass.: "I believe that the old-age benefit section of the Social Security Act can operate without the accumulation of a full reserve and that a pay-as-you-go plan with a non-increasing or more level pay-roll deduction tax, if possible, is preferable. The accumulation of reserves in life-insurance companies is necessary to carry out the guarantees in life-insurance policies because they, unlike the Government, have no power to assess or tax."

Carl Heye, president, Guardian Life Insurance Co., New York, N. Y.: "I believe it to be the consensus of opinion among life-insurance men that the full reserve is not required but is objectionable and that the compulsory old-age pension should be financed on a pay-as-you-go basis with only a contingent reserve."

NOVUS ORDO SECLORUM—ADDRESS BY SENATOR BAILEY

[Mr. BORAH asked and obtained leave to have printed in the RECORD an address by Senator BAILEY before the New England Society of Charleston, S. C., on Dec. 21, 1935, which appears in the Appendix.]

TEXTILES AS AN ECONOMIC PROBLEM

[Mr. MALONEY asked and obtained leave to have printed in the RECORD an article appearing in the Boston Herald on Jan. 31, 1937, on the subject Textiles Separate and Special Economic Problems, which appears in the Appendix.]

PRESENTATION OF ARKANSAS CENTENNIAL COIN TO SENATOR ROBINSON

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD the broadcast of the ceremonies incident to the presentation to Senator ROBINSON of a coin, bearing his likeness, minted in commemoration of the one-hundredth anniversary of the admission of Arkansas into the Union, which appears in the Appendix.]

ENFORCEMENT OF ANTITRUST LAWS—ADDRESS BY JOHN DICKINSON

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an address on the subject The Enforcement of the Antitrust Laws, delivered by John Dickinson, formerly Assistant Attorney General of the United States, on Dec. 10, 1936, which appears in the Appendix.]

FLOOD CONTROL

[Mr. DAVIS asked and obtained leave to have printed in the RECORD an article by Raymond Z. Henle, published in the Pittsburgh Post-Gazette of Feb. 2, 1937, and an editorial published in the same newspaper on Feb. 3, 1937, both relating to flood control, which appear in the Appendix.]

STRENGTHENING OF THE IMMIGRATION LAW

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an editorial published in the Arizona Republic on Jan. 27, 1937, entitled "Strengthening Our Immigration Law by a Series of Proposed Measures", which appears in the Appendix.]

THE CALENDAR

BILL PASSED OVER

The PRESIDENT pro tempore. Morning business is closed, and the calendar, under rule VIII, is in order. The clerk will state the first bill.

The bill (S. 766) to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects destroyed in a fire at the radio direction finder station, North Truro, Mass., on December 27, 1934, was announced as first in order.

Mr. SCHWELLENBACH. Let that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

DANIEL YATES

The Senate proceeded to consider the bill (S. 113) for the relief of Daniel Yates, which was read, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, sailors, marines, and their widows and dependent relatives, Daniel Yates, formerly private, Battery D, First Regiment Artillery, United States Army, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private on June 24, 1899: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

Mr. KING. Let the bill go over.

Mr. SHEPPARD. Mr. President, will not the Senator permit me to make a brief statement in explanation of the bill?

Mr. KING. Certainly.

Mr. SHEPPARD. Under the provisions of this bill the claimant is considered to have been honorably discharged from the military service on June 24, 1899. Daniel Yates was in the military service some 6 months, enlisting on December 9, 1898. He is listed by the War Department as having deserted on June 24, 1899.

The Committee on Military Affairs has had this case under study on several different occasions. The committee finds that Yates was mentally incompetent at the time he left the service, and that since his separation from the military service he has continued to be a mental case. Evidence was placed before the committee by the brother of the claimant, and by those intimately acquainted with Yates, to the effect that he was mentally deficient in 1899 at the time he deserted. Evidence has also been submitted to establish the continued mental incompetency of this man. It was brought to the committee's attention that within the past few years he wandered away from home; that he was arrested in a dazed condition many miles from his home; and that he was held in prison until identified by relatives in Mississippi.

In view of these extenuating circumstances, the Military Affairs Committee feels that the claimant is entitled to the relief provided in the bill under consideration. During the Seventy-fourth Congress the Senate passed an identical bill. The enactment of this legislation will enable the relatives of Yates to place him in a soldiers' home or a Government hospital where proper provision can be made for him.

Mr. KING. Mr. President, I have examined the record, and I find that the bill has merit.

The PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RESOLUTION PASSED OVER

The resolution (S. Res. 8) limiting debate on general appropriation bills was announced as next in order.

Mr. VANDENBERG. Let the resolution go over.

The PRESIDENT pro tempore. The resolution will be passed over.

THOMAS SALLENG

The bill (S. 292) for the relief of Thomas Salleng was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Thomas Salleng, who was a member of Company D, Ninth Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States on the 11th day of September 1905: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

FELIX GRIEGO

The bill (S. 327) for the relief of Felix Griego was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers or their dependents Felix Griego, who was a private in the Medical Department, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of the Medical Department on the 11th day of April 1919: *Provided*, That no back pay, compensation, benefit, or allowance shall be held to have accrued prior to the passage of this act.

ANTHONY J. CONSTANTINO

The Senate proceeded to consider the bill (S. 686) for the relief of Anthony J. Constantino, which was read, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Anthony J. Constantino, private, Quartermaster Corps, United States Army, shall hereafter be held and considered to have been honorably discharged from the military service of the United States on the 14th day of July 1919: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

Mr. KING. Mr. President, may we have an explanation of this bill?

Mr. SHEPPARD. Mr. President, this measure provides that Anthony J. Constantino shall be held and considered to have been honorably discharged from the military service on July 14, 1919. He enlisted February 20, 1918, after receiving an honorable discharge from the New York National Guard, and had a total service in the United States Army of 1 year and some 5 months. The records show that a general court martial sentenced him to be dishonorably discharged and to confinement at hard labor for 5 years upon charges of carrying a gun and of giving it to a general prisoner. At his trial he testified under oath that the gun was taken without his knowledge and consent from his overcoat and that his life had been threatened if he revealed that the gun had been taken by prisoners at Fort Leavenworth, where he was stationed.

During the years since his conviction this man has contended for his innocence. He is now married and has one child. For the sake of his wife, his child, and himself, he is hopeful that his military record may be cleared through the enactment of this legislation in his behalf. Evidence was presented to the committee testifying to the claimant's good conduct and character since his discharge from the Army. Bills identical with the one under consideration were reported favorably by the Military Affairs Committee during the Seventy-third and Seventy-fourth Congresses, and were passed by the Senate.

Mr. KING. Mr. President, I find that the Secretary of War, after a rather extensive investigation, states as follows: The War Department strongly recommends that the bill be not favorably considered.

Mr. SHEPPARD. It was the judgment of the committee, after looking into all the facts and considering the man's upright career since he got out of the Army, that the clemency asked should be extended. The War Department does not consider the subsequent career of a man in coming to a conclusion in such cases as this. I trust the Senator will allow the bill to be passed and go to the other House.

Mr. ROBINSON. Mr. President, may I ask whether a similar bill has been heretofore passed by the Senate?

Mr. SHEPPARD. A similar bill has passed the Senate twice, and the difference between the War Department and the committee which exists in this case has existed in this case for 4 or 5 years.

Mr. KING. Mr. President, I ask the Senator whether he believes it proper, where the War Department, after a thorough and searching investigation of all the facts in a case, strongly recommends adversely, that we should ignore the recommendation of the War Department and grant relief?

Mr. SHEPPARD. I agree with the Senator that as a rule we should follow the Department, and the committee as a rule takes that course; but we considered this case an exception.

Mr. KING. My recollection is that there have been hundreds of these exceptional cases, so that nearly all of those who have been dishonestly discharged have been afforded relief when relief has been sought.

Mr. SHEPPARD. Not so many as the Senator seems to think. If the Senator knew the number of bills which have been introduced and referred to the committee, and knew the proportion of bills reported compared with those introduced, he would not think there were so many of these cases.

Mr. KING. The eloquence of the Senator induces me to withdraw the objection.

The PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CAPT. JAMES W. DARR

The Senate proceeded to consider the bill (S. 365) for the relief of Capt. James W. Darr, which was read, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to appoint James W. Darr, formerly a captain, Infantry, United States Army, a captain of Infantry, United States Army, and to place him upon the retired list of the Army as a captain, with the retired pay of that grade: *Provided*, That no back pay, allowance, or emoluments shall become due because of the passage of this act.

Mr. KING. Let the bill go over.

Mr. NYE. Mr. President, will the Senator withhold his request that the bill go over so that I may make an explanation of it?

Mr. KING. Certainly.

Mr. NYE. I am sure that had the Senator from Utah had the privilege of weighing this matter before the Committee on Military Affairs he would be quite ready to approve the bill.

Captain Darr, the claimant in this case, is now a patient in a mental hospital and has been confined in such an institution since April 1935. Within 6 months of his separation from the military service he was committed by the Probate Court of Ramsey County, Minn., to the State hospital for insane at St. Peter, Minn. His case has been diagnosed as "manic depressive psychosis", and the State hospital authorities at St. Peter, Minn., have advised that Captain Darr will never recover sufficiently to be released.

War Department records show that he was convicted by a general court martial in the fall of 1934 upon charges involving several of the articles of war and that he was dismissed from the service. The question of insanity was not brought into the court-martial proceedings. However, evidence presented to the committee indicates that Darr was mentally defective at the time of his trial and that his mental condition had been becoming gradually worse.

The purpose of the pending bill is to make possible Darr's reappointment in the military service and his retirement in the grade of captain. In view of all the evidence and facts in this case, the committee feels that his wife and other dependents are entitled to the retired pay the enactment of this legislation would make possible. Captain Darr was in the military service 22 years, entering in 1912, at the age of 21, and serving until October 1934.

A bill identical with Senate bill 365 passed the Congress in the latter part of the second session of the Seventy-fourth Congress. It received a pocket veto on June 26, 1936. The extenuating circumstances are so commanding, however, that the Military Affairs Committee has again acted favorably upon this case, and recommends that the bill be favorably considered.

I may add that last year our late colleague Senator Carey, of Wyoming, devoted hours and days to a study of this case, and his recommendation to the committee was a most unqualified approval of the bill. I hope the Senator may give his consent that the bill be passed.

Mr. KING. Mr. President, I find that the President of the United States confirmed the findings of the court martial in this man's case, and that the review of the case by the War Department, as well as by the President, would indicate that the man was not entitled to the relief which the bill would afford him.

Mr. NYE. Mr. President, I have every reason to believe that with opportunity for more ample consideration the President himself would be quite happy to present his endorsement of the legislation.

Mr. SHEPPARD. Mr. President, if the Senator will permit me, the President gave the bill a pocket veto.

Mr. KING. But the record itself shows that the President approved the findings of the court martial. The President himself examined the record, evidently, and approved the findings. I was induced to make the objection because of the action of the President of the United States in addition to the action of the War Department.

Let the bill go over until the next call of the calendar, and I will look into the record and confer with the War Department.

Mr. NYE. Of course, I must do that if the Senator insists, but I hope he will give the matter earnest consideration.

Mr. KING. I will do that.

The PRESIDENT pro tempore. On objection, the bill will be passed over.

ROBERT H. MUIRHEAD

The bill (S. 418) for the relief of Robert H. Muirhead was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Robert H. Muirhead, who was a member of the Quartermaster Corps, Camp McClellan, Ala. (Army serial no. 1298485), shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 18th day of December 1918: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

CLAIMS FOR DAMAGES, KELLY FIELD, TEX.

The Senate proceeded to consider the bill (S. 461) to settle claims of farmers whose lands were damaged by waters from Kelly Field, Tex., which had been reported from the Committee on Military Affairs, with amendments, on page 1, line 10, after the word "States", to insert "past or future"; in line 11, after the word "land", to insert "or damage to land"; and on page 2, line 1, after the word "Texas", to strike out "in 1932 and 1935", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank Dauwe the sum of $342.62; to Alberto Esparza the sum of $75; to Frank Van den Hende the sum of $736.25; to Germain Van der Poorten the sum of $210; and to Cesar Van Overbenborger the sum of $135, in full settlement of all claims against the United States past or future on account of losses of growing crops on their land or damage to land adjoining Kelly Field, Tex., by reason of the Government's action in diverting the natural flow of surface waters by erecting a railroad embankment and a dike at Kelly Field, Tex.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

READJUSTMENT OF ACCOUNT BETWEEN UNITED STATES AND VERMONT

The joint resolution (S. J. Res. 21) directing the Comptroller General to readjust the account between the United States and the State of Vermont was announced as next in order.

Mr. BURKE. Mr. President, reserving the right to object, I should like to ask the proponent of the joint resolution a question or two regarding it. What was the date of the inception of the alleged obligation that it is proposed should be paid by the passage of this joint resolution?

Mr. AUSTIN. The joint resolution provides for the reimbursement of the State of Vermont for advancements made to the United States Government to aid in the national defense during the War of 1812–15.

Mr. BURKE. What was the amount of money that it is claimed was advanced by the State of Vermont at that time?

Mr. AUSTIN. According to the letter from the Comptroller General, which is printed in the report of the committee on page 6——

Mr. BURKE. Mr. President, I think I can state the amount. I know what it was according to the report. The State of Vermont is alleged to have advanced two items, one of $4,000 and one of $6,000, during the War of 1812. The $4,000 item was later repaid. The $6,000 item, with accumulated interest, now calls for payment of approximately $100,000.

I think the demands on the Federal Treasury for drought relief and flood relief and all other kinds of relief are so great that we ought to consider such claims as this one outlawed; and I ask that the joint resolution go over.

Mr. AUSTIN. Will the Senator from Nebraska withhold objection until I can correct what I think is an error on his part about the facts?

Mr. BURKE. Yes; but it looks too much like an attempt to "get under the tent", to use an expression which was used on the floor of the Senate the other day.

Mr. AUSTIN. Will the Senator withhold his objection for a moment?

Mr. BURKE. Certainly.

Mr. AUSTIN. I should like to call attention to a fact which is set forth on page 13 of the report which is that in addition to the items mentioned by the Senator from Nebraska there appear to have been expenditures totaling $35,057.78. So the proposal is not so absurd as it might appear to be on the face of the record. As a matter of fact, several States already have been reimbursed for similar expenditures; and it would be quite unfair to the State of Vermont not to reimburse that State after having satisfied similar claims made by some of the other States. I think nearly all the States of the Union at the time of the War of 1812 made similar advancements.

Mr. ROBINSON. Mr. President, I wish to ask the Senator a question. How does it occur that so great a time—125 years—has elapsed before an attempt is made to make adjustment of the claim?

Mr. AUSTIN. Mr. President, I think a measure similar to the pending joint resolution has been presented from time to time, and has been interrupted in its progress by events without the control of the State of Vermont. For example, at the last session the Senate passed an identical joint resolution, but the adjournment of Congress occurred before the joint resolution could be passed by the House. Such proceedings have been going on for many years, as I understand, and efforts have been made to straighten out these obligations, but thus far they have failed.

Mr. BURKE. Mr. President, I am unalterably opposed to the joint resolution, because I think it is "stale", and should not be considered. I ask that it be passed over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

TEACHING OF COMMUNISM IN DISTRICT PUBLIC SCHOOLS

The Senate proceeded to consider the bill (S. 530) to repeal a proviso relating to teaching or advocating communism in

the public schools of the District of Columbia, and appearing in the District of Columbia Appropriation Act for the fiscal year ending June 30, 1936, which was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the proviso appearing in the fourteenth paragraph under the subheading "Miscellaneous" under the heading "Public Schools" in the District of Columbia Appropriation Act for the fiscal year ending June 30, 1936, approved June 14, 1935 (49 Stat. 356), and reading as follows: "*Provided*, That hereafter no part of any appropriation for the public schools shall be available for the payment of the salary of any person teaching or advocating communism", is hereby repealed.

The PRESIDENT pro tempore. That completes the calendar.

EXECUTIVE SESSION

Mr. ROBINSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

Mr. SHEPPARD, from the Committee on Military Affairs, reported favorably the nomination of First Lt. John Castle Hampson, Dental Corps, for promotion to captain in the Dental Corps, Regular Army, with rank from February 17, 1937.

He also, from the same committee, reported favorably the nominations of the following Air Corps officers for appointment as majors in the Air Corps, Regular Army, with temporary rank, under the provisions of law:

Capt. Delmar Hall Dunton, with rank from January 26, 1937;

Capt. Orvil Arson Anderson, with rank from January 26, 1937; and

Capt. Emile Tisdale Kennedy, with rank from February 1, 1937.

Mr. SHEPPARD also, from the Committee on Military Affairs, reported favorably the nomination of Brig. Gen. William Irwin Rose, Massachusetts National Guard, to be brigadier general, National Guard of the United States, from January 29, 1937, under the provisions of law.

He also, from the same committee, reported favorably the nominations of an enlisted man and sundry officers for appointment as officers in the Corps of Engineers of the Regular Army.

The PRESIDENT pro tempore. The reports will be placed on the Executive Calendar.

If there be no further reports of committees, the clerk will state the first nomination in order on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters on the calendar be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

That completes the calendar.

ADJOURNMENT TO MONDAY

The Senate resumed legislative session.

Mr. ROBINSON. I move that the Senate adjourn until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 12 o'clock and 54 minutes p. m.) the Senate adjourned until Monday, February 8, 1937, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 5, 1937

DISTRICT JUDGE FOR THE VIRGIN ISLANDS

William H. Hastie, of Washington, D. C., to be judge for the District Court of the Virgin Islands, vice Judge George P. Jones, appointed in recess.

UNITED STATES MARSHALS

Joseph C. Reing, of Pennsylvania, to be United States marshal for the eastern district of Pennsylvania, vice Joseph B. Reing, deceased.

Stanford C. Stiles, of Detroit, Tex., to be United States marshal for the eastern district of Texas, vice Ed L. Taylor, appointed by the court.

WORKS PROGRESS ADMINISTRATION

William R. Lawson, of California, to be State administrator in the Works Progress Administration for California, vice Frank Y. McLaughlin, resigned.

POSTMASTERS

ALABAMA

Nell C. Phillips to be postmaster at Eclectic, Ala., in place of A. M. Fincher. Incumbent's commission expired February 17, 1936.

James Byron Hull to be postmaster at Lineville, Ala., in place of R. M. Boak. Incumbent's commission expired February 9, 1936.

CALIFORNIA

Norman R. Messerly to be postmaster at Van Nuys, Calif., in place of E. D. Gibson, transferred.

COLORADO

Nelle M. King to be postmaster at Fountain, Colo. Office became Presidential July 1, 1936.

CONNECTICUT

Joanna Madeline Clifford to be postmaster at Colchester, Conn., in place of S. H. Kellogg, deceased.

Thomas J. Quish to be postmaster at Manchester, Conn., in place of F. B. Crocker. Incumbent's commission expired January 9, 1936.

Everett F. Wilson to be postmaster at Mystic, Conn., in place of C. C. Potter. Incumbent's commission expired January 9, 1936.

Joseph M. Halloran to be postmaster at New Britain, Conn., in place of H. E. Erwin. Incumbent's commission expired March 10, 1936.

William J. Devine to be postmaster at Norwalk, Conn., in place of C. I. Byington. Incumbent's commission expired April 12, 1936.

DELAWARE

Robert H. Denney to be postmaster at Smyrna, Del., in place of G. H. Wright. Incumbent's commission expired January 9, 1936.

FLORIDA

James A. Williams to be postmaster at Alachua, Fla., in place of S. C. Dell. Incumbent's commission expired February 1, 1934.

Thomas West Gary to be postmaster at Bartow, Fla., in place of B. F. Knight. Incumbent's commission expired January 22, 1936.

Osceola Upthegrove to be postmaster at Canal Point, Fla., in place of H. A. Rosenberg, resigned.

Thomas C. Cain to be postmaster at Chipley, Fla., in place of C. W. Swindle. Incumbent's commission expired April 14, 1936.

John H. Bowman to be postmaster at Coronado Beach, Fla. Office became Presidential July 1, 1936.

George W. Shuman to be postmaster at Dunnellon, Fla., in place of J. C. Young. Incumbent's commission expired December 20, 1934.

Leslie A. Sherouse to be postmaster at Hawthorn, Fla., in place of N. K. Berkstresser. Incumbent's commission expired February 9, 1936.

William J. Bulloch to be postmaster at Monticello, Fla., in place of E. F. Ridgeway. Incumbent's commission expired April 14, 1936.

Sion C. Stalls to be postmaster at Moore Haven, Fla., in place of S. J. Yoder, deceased.

GEORGIA

Edward A. Tigner to be postmaster at Milledgeville, Ga., in place of H. T. Cline, resigned.

Jesse W. Mundy to be postmaster at Jonesboro, Ga., in place of C. F. Duffee. Incumbent's commission expired January 25, 1936.

IDAHO

Mildred Richards to be postmaster at Mackay, Idaho, in place of F. V. Diers. Incumbent's commission expired January 26, 1936.

Robert L. Anstine to be postmaster at Nezperce, Idaho, in place of L. A. Baskett. Incumbent's commission expired April 14, 1936.

ILLINOIS

Albert G. Lucas to be postmaster at Lake Forest, Ill., in place of W. F. Smith. Incumbent's commission expired February 25, 1935.

Robert L. Davis to be postmaster at Lincoln, Ill., in place of J. W. Corwine. Incumbent's commission expired May 10, 1936.

Monroe R. Hanneman to be postmaster at Silvis, Ill., in place of W. J. Parsons. Incumbent's commission expired February 9, 1936.

Arthur M. Kloepfer to be postmaster at Winnetka, Ill., in place of J. C. Braun, transferred.

INDIANA

Ozro Latshaw to be postmaster at Carlisle, Ind., in place of W. R. O'Neal. Incumbent's commission expired February 5, 1936.

Harry O. Storm to be postmaster at Clay City, Ind., in place of H. V. Brouillette, deceased.

Lucille E. Hoffman to be postmaster at Dyer, Ind., in place of William Teutemacher. Incumbent's commission expired January 9, 1936.

Ethel L. Swihart to be postmaster at Howe, Ind., in place of S. I. Parker. Incumbent's commission expired May 3, 1936.

Sherard Theodore Henry to be postmaster at Lowell, Ind., in place of O. B. Childress. Incumbent's commission expired July 13, 1936.

Herbert G. Shearer to be postmaster at Roanoke, Ind., in place of E. C. Hefner, removed.

Michael Edward Callahan to be postmaster at St. Mary-of-the-Woods, Ind., in place of S. H. Klueh. Incumbent's commission expired January 9, 1936.

Dawson M. Liggett to be postmaster at Spiceland, Ind., in place of P. R. Reece. Incumbent's commission expired May 3, 1936.

IOWA

William Molloy to be postmaster at Galva, Iowa, in place of G. E. Missildine. Incumbent's commission expired July 13, 1936.

Elizabeth L. Steigleder to be postmaster at Spencer, Iowa, in place of E. R. Bender, transferred.

Gertrude E. Sherrer to be postmaster at Hazleton, Iowa, in place of R. I. Short. Incumbent's commission expired April 12, 1936.

Jeanette L. Lee to be postmaster at Ventura, Iowa. Office became Presidential July 1, 1936.

KANSAS

Wiley L. Grimsley to be postmaster at Americus, Kans. Office became Presidential July 1, 1936.

Charles E. Hanlon to be postmaster at Caney, Kans., in place of M. M. Hanlon, deceased.

Jean V. Stredder to be postmaster at Geneseo, Kans., in place of J. E. Mock. Incumbent's commission expired April 27, 1936.

Florence E. Westgate to be postmaster at Macksville, Kans., in place of G. R. Malin. Appointee declined.

KENTUCKY

Fulton Louis Gosney to be postmaster at Alexandria, Ky., in place of E. W. Morin. Incumbent's commission expired April 27, 1936.

Edna Earl Dees to be postmaster at Calvert City, Ky. Office became Presidential July 1, 1936.

Polk L. McGraw to be postmaster at Clay, Ky., in place of R. V. Vaughn, resigned.

Ninion M. Medley to be postmaster at Columbus, Ky. Office became Presidential July 1, 1936.

Sanford C. Veatch to be postmaster at Corydon, Ky., in place of H. C. Pentecost. Incumbent's commission expired April 27, 1936.

John J. Sheehan to be postmaster at La Grange, Ky., in place of M. O. Manby. Incumbent's commission expired January 27, 1936.

Mary R. Meredith to be postmaster at Mammoth Cave, Ky. Office became Presidential July 1, 1935.

George M. Beasley to be postmaster at Russellville, Ky., in place of M. L. Wood. Incumbent's commission expired June 1, 1936.

LOUISIANA

George E. Johnson to be postmaster at Boyce, La., in place of J. T. Boone. Incumbent's commission expired December 16, 1934.

Texie S. Heard to be postmaster at Converse, La. Office became Presidential July 1, 1935.

Surry Dupree Hunter to be postmaster at Coushatta, La., in place of R. A. Giddens. Incumbent's commission expired April 27, 1936.

Mrs. Henry M. Brock to be postmaster at Franklinton, La., in place of G. W. Varnado. Incumbent's commission expired March 10, 1936.

Leon D. Schilling to be postmaster at Greensburg, La., in place of M. C. Phillips, removed.

Mary Reynolds Howry to be postmaster at Ida, La., in place of W. C. Reynolds, deceased.

James C. Howell to be postmaster at Jackson, La., in place of M. S. Kiblinger. Incumbent's commission expired December 18, 1933.

Conrad Bourgeois to be postmaster at Lockport, La., in place of E. A. Delaune. Incumbent's commission expired April 5, 1936.

Henry J. Smith to be postmaster at Mandeville, La., in place of W. R. Morgan, removed.

John G. Hewitt to be postmaster at Mansfield, La., in place of J. C. Yarbrough. Incumbent's commission expired May 20, 1934.

Emile J. Lefebvre to be postmaster at Plaquemine, La., in place of T. W. Dardenne. Incumbent's commission expired April 5, 1936.

Eugenie M. Daigle to be postmaster at Raceland, La., in place of Agnes Champagne. Incumbent's commission expired June 10, 1934.

Minnie Jewel Perry to be postmaster at Ringgold, La., in place of L. L. Trott, removed.

Rosa V. Shipes to be postmaster at Saint Francisville, La., in place of E. J. Barrow. Incumbent's commission expired March 8, 1934.

Dewey W. Payne to be postmaster at Springhill, La., in place of W. W. Addison. Incumbent's commission expired December 20, 1934.

Lowery L. Matthews to be postmaster at Vidalia, La., in place of D. V. Wigner, deceased.

Thelma M. Fleming to be postmaster at Westlake, La., in place of E. R. Gammage. Incumbent's commission expired April 27, 1936.

Edward J. Templet to be postmaster at White Castle, La., in place of Louis Hebert, resigned.

MAINE

Guy C. Bean to be postmaster at Freeport, Maine, in place of L. G. Cushing. Incumbent's commission expired April 14, 1936.

Carl Augustine Magnusson to be postmaster at South Windham, Maine, in place of L. H. Allen. Incumbent's commission expired April 12, 1936.

MARYLAND

Frederick Mitchell Hopkins to be postmaster at Aberdeen, Md., in place of E. A. Baker. Incumbent's commission expired June 28, 1936.

John C. Frasch to be postmaster at Edgewood, Md., in place of C. H. Johnson, resigned.

MASSACHUSETTS

Richard B. Murphy to be postmaster at Dennis Port, Mass., in place of H. N. Wixon. Incumbent's commission expired June 1, 1936.

Thomas Francis Daly to be postmaster at Dodgeville, Mass. Office became Presidential July 1, 1936.

James D. Cleary to be postmaster at Feeding Hills, Mass. Office became Presidential July 1, 1936.

Michael J. Costello to be postmaster at Franklin, Mass., in place of C. H. Carlson, transferred.

Elmer A. Rollins to be postmaster at Lincoln, Mass. Office became Presidential July 1, 1934.

John E. Higgiston to be postmaster at Milford, Mass., in place of J. F. Curran. Appointee not commissioned.

Edward E. Cooney to be postmaster at Northampton, Mass., in place of C. H. Sawyer. Incumbent's commission expired April 27, 1936. (Removed without prejudice.)

Mary L. Dempsey to be postmaster at Williamstown, Mass., in place of R. A. Stacey. Incumbent's commission expired June 20, 1934.

MICHIGAN

Clair McOmber to be postmaster at Allegan, Mich., in place of V. W. Ferris, removed.

Irene Couture to be postmaster at Bruce Crossing, Mich. Office became Presidential July 1, 1935.

William W. Wentela to be postmaster at Champion, Mich. Office became Presidential July 1, 1936.

Clarence S. Goodrich to be postmaster at Elsie, Mich., in place of J. G. Show. Incumbent's commission expired April 27, 1936.

Paul E. Bolin to be postmaster at Grand Junction, Mich., in place of G. H. Florian. Incumbent's commission expired January 7, 1936.

Ida Mae Pipp to be postmaster at Kalkaska, Mich., in place of F. E. Darby. Incumbent's commission expired January 7, 1936.

John B. Harrington to be postmaster at L'Anse, Mich., in place of G. E. McKindles. Incumbent's commission expired January 25, 1936.

Frank M. Gierke, Sr., to be postmaster at Manistique, Mich., in place of A. O. Drevdahl. Incumbent's commission expired January 7, 1936.

Marguerite M. Ryan to be postmaster at Mattawan, Mich. Office became Presidential July 1, 1935.

Ethel A. Hruska to be postmaster at Nahma, Mich. Office became Presidential July 1, 1936.

MINNESOTA

Benedict H. Mushel to be postmaster at Foley, Minn., in place of Emanuel Nyman. Incumbent's commission expired April 5, 1936.

Edward N. Dumas to be postmaster at Long Lake, Minn., in place of J. J. Ruff. Incumbent's commission expired February 17, 1936.

Rosaline D. Neary to be postmaster at Northome, Minn., in place of A. J. Pelland. Incumbent's commission expired July 15, 1936.

John M. Lannon to be postmaster at Prior Lake, Minn. Office became Presidential July 1, 1936.

Charles C. Baxter to be postmaster at Walnut Grove, Minn., in place of H. W. Fingarson. Incumbent's commission expired February 17, 1936.

MISSISSIPPI

George Y. Banks to be postmaster at Columbus, Miss., in place of E. H. Badger. Incumbent's commission expired April 27, 1936.

Nelms M. Northcross to be postmaster at Corinth, Miss., in place of E. M. Hawkins. Incumbent's commission expired June 1, 1936.

Mercer L. Gewin to be postmaster at De Kalb, Miss., in place of John Gewin. Incumbent's commission expired January 16, 1934.

Aubrey O. Hammack to be postmaster at Scooba, Miss., in place of K. M. Baker. Incumbent's commission expired May 19, 1936.

Albert F. Zachry to be postmaster at Stonewall, Miss., in place of Charles Kramer. Incumbent's commission expired May 19, 1936.

Ethelbert R. Rankin to be postmaster at Tupelo, Miss., in place of F. H. Grimes. Incumbent's commission expired June 10, 1936.

MISSOURI

John L. Price to be postmaster at Conway, Mo., in place of J. W. McMenus, removed.

Frances R. Cardwell to be postmaster at Fordland, Mo., in place of F. L. Brentlinger. Incumbent's commission expired January 9, 1936.

John Frank Hughes, Jr., to be postmaster at Greenville, Mo., in place of J. F. Hughes, deceased.

Arvel F. Collins to be postmaster at Kirksville, Mo., in place of R. C. Waddill. Incumbent's commission expired February 9, 1936.

Frank F. Rudd to be postmaster at Lewistown, Mo., in place of J. A. Coder. Incumbent's commission expired March 18, 1934.

Adam J. Knapp to be postmaster at Linneus, Mo., in place of Byron Burch, resigned.

Isaac M. Horn to be postmaster at Memphis, Mo., in place of H. R. Leslie. Incumbent's commission expired June 10, 1936.

George W. Stivers to be postmaster at Piedmont, Mo., in place of J. L. Wilkinson. Incumbent's commission expired April 27, 1936.

Arthur Earl Thurman to be postmaster at Steelville, Mo., in place of R. G. Beezley. Incumbent's commission expired June 28, 1936.

Frank E. Lafferty to be postmaster at Trenton, Mo., in place of G. S. Carnes. Incumbent's commission expired February 9, 1936.

MONTANA

George A. Wright to be postmaster at Havre, Mont., in place of G. W. Patterson. Incumbent's commission expired April 27, 1936.

Guy R. McClarren to be postmaster at Ryegate, Mont., in place of G. H. Corrington. Incumbent's commission expired February 17, 1936.

Marvin E. Corkill to be postmaster at White Sulphur Springs, Mont., in place of M. D. Holmes. Incumbent's commission expired April 27, 1936.

NEBRASKA

Calvin L. Bonner to be postmaster at Imperial, Nebr., in place of A. L. Smith. Incumbent's commission expired June 1, 1936.

Robert E. Fenton to be postmaster at Lincoln, Nebr., in place of T. E. Gillaspie. Incumbent's commission expired June 28, 1936.

NEW HAMPSHIRE

Leon H. Watt to be postmaster at Goffstown, N. H., in place of M. F. Sumner. Incumbent's commission expired February 5, 1936.

NEW JERSEY

Henry G. Roberts to be postmaster at Bay Head, N. J., in place of R. H. Jones. Incumbent's commission expired March 28, 1936.

Joseph A. Poole to be postmaster at Deal, N. J., in place of M. H. Jeffrey. Incumbent's commission expired January 9, 1936.

Emery Benoit to be postmaster at Edgewater, N. J., in place of George Oberle, retired.

Charles F. Rooney to be postmaster at Fair Lawn, N. J., in place of Z. C. Challice. Incumbent's commission expired March 28, 1936.

Hugh O. Moore to be postmaster at Ocean Grove, N. J., in place of J. H. Rainear. Incumbent's commission expired July 13, 1936.

NEW MEXICO

Byron F. Hughes to be postmaster at Eunice, N. Mex. Office became Presidential April 1, 1936.

NEW YORK

Mary T. Goehren to be postmaster at Ardsley, N. Y., in place of A. J. McFadden. Incumbent's commission expired January 27, 1936.

Joseph J. Reilly to be postmaster at Irvington, N. Y., in place of J. T. O'Leary, deceased.

Robert N. Towne to be postmaster at Munnsville, N. Y., in place of Alger Davis. Incumbent's commission expired February 25, 1935.

Leona M. Carr to be postmaster at Union Springs, N. Y., in place of E. V. Webb. Incumbent's commisison expired June 1, 1936.

NORTH CAROLINA

Robert A. Whitaker to be postmaster at Enfield, N. C., in place of P. L. Whitehead. Incumbent's commission expired February 9, 1936.

Ada G. Badgett to be postmaster at Pilot Mountain, N. C., in place of W. E. Kreeger. Incumbent's commission expired July 7, 1936.

William R. Holmes to be postmaster at Shallotte, N. C. Office became Presidential July 1, 1936.

NORTH DAKOTA

Louis F. Ellsworth to be postmaster at Forman, N. Dak., in place of R. E. Hurly. Incumbent's commission expired January 13, 1935.

Ella E. Morin to be postmaster at Neche, N. Dak., in place of E. R. Dennison. Incumbent's commission expired November 20, 1933.

Sigrid Vick to be postmaster at Sheyenne, N. Dak., in place of G. A. Moe. Incumbent's commission expired March 22, 1936.

Carl H. Larson to be postmaster at Wildrose, N. Dak., in place of A. R. Johnson. Incumbent's commission expired April 27, 1936.

OHIO

Clayton G. Roshon to be postmaster at Reynoldsburg, Ohio, in place of H. W. Hayes. Incumbent's commission expired January 7, 1936.

OKLAHOMA

Jesse C. James to be postmaster at Antlers, Okla., in place of H. L. Zimmerman. Incumbent's commission expired June 11, 1936.

John C. Affholder to be postmaster at Blackwell, Okla., in place of T. H. W. McDowell. Incumbent's commission expired March 18, 1934.

Dora E. Senter to be postmaster at Bristow, Okla., in place of A. H. Lyons. Incumbent's commission expired January 20, 1934.

John E. Gwinn to be postmaster at Butler, Okla., in place of W. S. Wilhite. Incumbent's commission expired March 18, 1936.

Alva M. Odom to be postmaster at Byars, Okla., in place of F. A. Smith. Incumbent's commission expired March 18, 1936.

Grace E. Wandell to be postmaster at Coyle, Okla., in place of J. W. Brookman. Incumbent's commission expired February 5, 1936.

Thomas A. Holland to be postmaster at Cushing, Okla., in place of L. H. Owen. Incumbent's commission expired June 28, 1936.

James E. Terrell to be postmaster at Elmore City, Okla., in place of R. M. Muse. Incumbent's commission expired March 18, 1936.

Eddie A. Ratzlaff to be postmaster at Fairview, Okla., in place of J. N. Voorhees, resigned.

Roy L. Knecht to be postmaster at Heavener, Okla., in place of I. P. Clark. Incumbent's commission expired February 5, 1936.

Lafayette F. George to be postmaster at Henryetta, Okla., in place of C. C. Wilson, deceased.

Herbert H. Wileman to be postmaster at Mangum, Okla., in place of E. R. Talley. Incumbent's commission expired December 20, 1932.

Edwin N. Clow to be postmaster at Mulhall, Okla., in place of G. M. Johnson. Incumbent's commission expired April 28, 1934.

Ernest B. Willis to be postmaster at Noble, Okla. Office became Presidential July 1, 1936.

Myrtle Lee Autrey to be postmaster at Norman, Okla., in place of H. D. Larsh. Incumbent's commission expired June 28, 1936.

Guy E. McClain to be postmaster at Perkins, Okla., in place of J. T. Williams. Incumbent's commission expired March 18, 1936.

Lyle H. Talbert to be postmaster at Shidler, Okla., in place of A. L. Derby. Incumbent's commission expired February 5, 1936.

Ivan E. Wallace to be postmaster at Snyder, Okla., in place of F. O. Hibbard, removed.

Carlos E. Shepherd to be postmaster at Stigler, Okla., in place of I. J. Trout. Incumbent's commission expired February 1, 1936.

Hal A. McNutt to be postmaster at Stillwater, Okla., in place of T. W. Kelly. Incumbent's commission expired February 4, 1935.

Robert H. Greenlee to be postmaster at Stonewall, Okla., in place of J. W. McKay. Incumbent's commission expired June 28, 1936.

Irvin H. Gist to be postmaster at Texhoma, Okla., in place of Greenberry Peters. Incumbent's commission expired March 18, 1936.

William H. Wester to be postmaster at Tuttle, Okla., in place of V. T. Gannaway. Incumbent's commission expired March 18, 1936.

Charles R. Murphey to be postmaster at Tyrone, Okla. Office became Presidential July 1, 1935.

George W. Blair to be postmaster at Yale, Okla., in place of U. S. Shockley, transferred.

OREGON

Kathleen M. Barrett to be postmaster at Athena, Oreg., in place of H. A. Barrett. Incumbent's commission expired March 10, 1936.

Ivan L. Swift to be postmaster at Gresham, Oreg., in place of B. H. Davies, removed.

Elizabeth G. Howard to be postmaster at Milton, Oreg., in place of Henry Lloyd, removed.

PENNSYLVANIA

George N. Horlacher to be postmaster at Allentown, Pa., in place of A. J. Nagle, retired.

John J. McMurray to be postmaster at Brookville, Pa., in place of W. M. Henderson. Incumbent's commission expired June 1, 1936.

Stuart H. Hauser to be postmaster at Catasauqua, Pa., in place of William McCandless. Incumbent's commission expired February 10, 1936.

Ruberta E. Murphy to be postmaster at Christiana, Pa., in place of Jones Eavenson. Incumbent's commission expired April 4, 1936.

Milton M. Brooke to be postmaster at Confluence, Pa., in place of G. A. Frantz. Incumbent's commission expired May 10, 1936.

William G. Walker to be postmaster at Coplay, Pa., in place of S. B. Balliet. Incumbent's commission expired April 4, 1936.

Margaret M. Wink to be postmaster at Eddington, Pa., in place of C. H. Fechtenburg. Incumbent's commission expired February 5, 1936.

Daniel J. O'Brien to be postmaster at Everson, Pa., in place of M. S. Moore. Incumbent's commission expired February 10, 1936.

Charles M. McLaughlin to be postmaster at Freeport, Pa., in place of C. G. Fullerton. Incumbent's commission expired June 1, 1936.

Walter E. Schell to be postmaster at Grindstone, Pa., in place of N. B. Lyons. Incumbent's commission expired January 28, 1935.

Michael Moroff to be postmaster at Harmarville, Pa. Office became Presidential July 1, 1936.

Dillinger H. Shaffer to be postmaster at Jeannette, Pa., in place of B. F. Jenkins. Incumbent's commission expired February 10, 1936.

Carl E. Reisch to be postmaster at Lemoyne, Pa., in place of R. K. Garman. Incumbent's commission expired June 1, 1936.

John Peck to be postmaster at Marietta, Pa., in place of J. H. Miller. Incumbent's commission expired February 25, 1935.

John M. Hartman to be postmaster at Millersville, Pa., in place of I. M. Stauffer. Incumbent's commission expired May 3, 1936.

Clark Queer to be postmaster at Mount Pleasant, Pa., in place of W. M. Overholt, deceased.

Michael P. Koomar to be postmaster at Nesquehoning, Pa., in place of W. E. Marsden. Incumbent's commission expired February 10, 1936.

Alvah J. Lenox to be postmaster at New Albany, Pa., in place of S. L. Campbell. Incumbent's commission expired June 10, 1936.

Horace H. Cornell to be postmaster at Newtown, Pa., in place of G. A. Hill. Incumbent's commission expired May 19, 1936.

J. Alvin Byers to be postmaster at Perryopolis, Pa., in place of R. R. Strickler. Incumbent's commission expired February 5, 1936.

Rose W. McDevitt to be postmaster at St. Benedict, Pa., in place of Jean McPherson. Incumbent's commission expired January 9, 1935.

John Cassidy to be postmaster at Shiremanstown, Pa., in place of H. M. Greenawalt. Incumbent's commission expired February 24, 1936.

Clara C. Braum to be postmaster at West Elizabeth, Pa., in place of R. J. Crowthers. Incumbent's commission expired May 19, 1936.

Kenneth J. Gaffney to be postmaster at Youngwood, Pa., in place of E. W. Tomb. Incumbent's commission expired March 17, 1936.

RHODE ISLAND

Arnold Sherman Knowles, Jr., to be postmaster at Kingston, R. I., in place of H. R. Birch. Incumbent's commission expired February 9, 1936.

SOUTH CAROLINA

Carl W. Reeves to be postmaster at Gray Court, S. C., in place of A. W. Wallace, resigned.

Annie T. Elvington to be postmaster at Nichols, S. C., in place of D. S. Pitman. Incumbent's commission expired February 14, 1934.

Earle M. Wharton to be postmaster at Ware Shoals, S. C., in place of M. T. Sumerel. Incumbent's commission expired March 29, 1936.

SOUTH DAKOTA

William C. McCaffrey to be postmaster at Alexandria, S. Dak., in place of Floyd Twamley. Incumbent's commission expired June 15, 1936.

Carl L. Freiwald to be postmaster at Big Stone City, S. Dak., in place of B. D. Kidman. Incumbent's commission expired June 28, 1936.

Charles F. Silvis to be postmaster at Ravinia, S. Dak., in place of Mae George. Incumbent's commission expired June 15, 1936.

TENNESSEE

John E. Malone to be postmaster at Adamsville, Tenn., in place of B. L. Kemp. Incumbent's commission expired April 29, 1936.

John Crockett Owens to be postmaster at Huntingdon, Tenn., in place of W. G. Leach. Incumbent's commission expired April 29, 1936.

William S. Fields to be postmaster at Milan, Tenn., in place of R. C. Thompson. Incumbent's commission expired February 25, 1935.

TEXAS

Ella D. Parris to be postmaster at Angleton, Tex., in place of E. H. Williams. Incumbent's commission expired February 5, 1936.

Lallie Griffith to be postmaster at Bedias, Tex., in place of M. E. Pyle, removed.

Frank B. Hughes to be postmaster at Denison, Tex., in place of M. O. Sharp. Incumbent's commission expired April 14, 1936.

Elzy R. Knowles to be postmaster at Gilmer, Tex., in place of B. E. Robertson. Incumbent's commission expired June 10, 1936.

Mary Irene Corpier to be postmaster at Grand Prairie, Tex., in place of E. J. Cleveland. Incumbent's commission expired January 8, 1936.

Homer C. McConnell to be postmaster at Honey Grove, Tex., in place of H. B. Savage. Incumbent's commission expired June 10, 1936.

Helene W. Derda to be postmaster at Los Fresnos, Tex., in place of R. I. Gabbert. Incumbent's commission expired January 8, 1936.

Nona Hillyer to be postmaster at Mount Calm, Tex., in place of Ruth Young. Incumbent's commission expired April 4, 1936.

Floyd A. Eaves to be postmaster at Petersburg, Tex., in place of Maggie Thomas. Incumbent's commission expired June 11, 1936.

Charlie L. Smith to be postmaster at Rising Star, Tex., in place of S. J. White. Incumbent's commission expired March 10, 1936.

Harold D. House to be postmaster at Three Rivers, Tex., in place of H. H. McGuffey, removed.

Floyd K. Rose to be postmaster at Tomball, Tex., in place of Otto Hegar, resigned.

Ben L. Sallee to be postmaster at Troup, Tex., in place of Vera Butler. Incumbent's commission expired January 8, 1936.

UTAH

Elise W. Baker to be postmaster at Magna, Utah, in place of A. A. Dayton. Incumbent's commission expired January 7, 1936.

Claude M. Reay to be postmaster at Randolph, Utah. Office became Presidential July 1, 1936.

VERMONT

Mildred A. Dailey to be postmaster at Hartford, Vt., in place of W. F. Braley. Incumbent's commission expired February 9, 1936.

VIRGINIA

Leo A. Arthur to be postmaster at Altavista, Va., in place of F. L. Davis. Incumbent's commission expired June 1, 1936.

John Franklin Wolfenbarger to be postmaster at Clinchport, Va. Office became Presidential July 1, 1935.

John A. McConchie to be postmaster at Remington, Va., in place of A. C. Humphrey, resigned.

Nan Elizabeth Crews to be postmaster at Saxe, Va. Office became Presidential July 1, 1936.

WISCONSIN

Bertrand E. Sands to be postmaster at Eleva, Wis., in place of Ida Englesby. Incumbent's commission expired February 25, 1935.

Royal E. Reckord to be postmaster at Evansville, Wis., in place of A. C. Holmes. Incumbent's commission expired February 10, 1936.

Harris E. Lauber to be postmaster at Glenwood City, Wis., in place of H. E. Lauber, deceased.

Allen E. Houle to be postmaster at Soperton, Wis. Office became Presidential July 1, 1936.

Alfred H. Bernhard to be postmaster at Waupun, Wis., in place of H. S. Northrup. (Appointee declined.)

Oscar L. Ringle to be postmaster at Wausau, Wis., in place of L. H. Cook, deceased.

WYOMING

Ella K. Peck to be postmaster at Saratoga, Wyo., in place of R. C. Peck, deceased.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 5, 1937

POSTMASTERS

FLORIDA

Claude Dougar Boring, Arcadia.
Mansell A. Orchard, Auburndale.
Margaret Charnock Young, Boca Raton.
Asa C. Blount, Chattahoochee.
Marie M. Stinson, De Funiak Springs.
Lou C. Pritchard, White Springs.
Lola D. Gall, Zephyrhills.

NEW MEXICO

Enid D. McCargish, Reserve.
Elam L. Head, Santa Rita.

NORTH DAKOTA

Joseph E. De Mers, St. John.

HOUSE OF REPRESENTATIVES

FRIDAY, FEBRUARY 5, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Spirit of the Most High, may we here and now rejoice in the Lord, be happy, and express our praise and gratitude these sacred moments. Draw us up toward the higher and the better life. Sun of Righteousness, with healing in Thy wings, shine upon men, teaching them the excellence of Thy truth. Inspire us with allegiance to Thy law, and in all our ways may we acknowledge Thy commandments. Almighty God, be with men everywhere. Take from their hearts all selfishness, all resentment and revenge, and make them a light and a comfort to the weak and the poor. This is the highest work of man in his noblest aspects and ideals. We pray Thee that liberty may come forth everywhere. In every station in life may men be permitted to breathe the air of freedom, and let them see the salvation of our God. In the name of the Galilean. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Crockett, its Chief Clerk, announced that the Senate insists upon its amendments to the bill (H. R. 3587) entitled "An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes", disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ADAMS, Mr. GLASS, Mr. MCKELLAR, Mr. HAYDEN, and Mr. HALE to be the conferees on the part of the Senate.

JOINT COMMITTEE ON GOVERNMENT ORGANIZATION

The SPEAKER. Pursuant to the provisions of Public Resolution No. 4, approved February 3, 1937, the Chair appoints as members of the Joint Committee on Government Organization the following Members of the House: Mr. BUCHANAN, Mr. COCHRAN, Mr. WARREN, Mr. VINSON of Kentucky, Mr. ROBINSON of Utah, Mr. MEAD, Mr. KNIFFIN, Mr. TABER, and Mr. GIFFORD.

THE GREATER TEXAS AND PAN AMERICAN EXPOSITION

Mr. JOHNSON of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate Joint Resolution 20, authorizing the President to invite the Pan American Republics and the Dominion of Canada to participate in the Greater Texas and Pan American Exposition and ask for its immediate consideration.

The SPEAKER. Is there objection?

Mr. SNELL. Let it be reported.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the President of the United States is authorized and requested, by proclamation or in such manner as he may deem proper, to invite the Pan American Republics and the Dominion of Canada to participate in the proposed Greater Texas and Pan American Exposition, to be held in the city of Dallas in the State of Texas during the year 1937.

The SPEAKER. Is there objection?

Mr. SNELL. Reserving the right to object, to ask a question, I understand this is practically a continuation of the exposition that was held last year.

Mr. JOHNSON of Texas. The gentleman is correct. We have there a $20,000,000 investment and we want to continue it this year. Several South American Republics have agreed to send exhibits and we want to invite the participation of the Pan American Republics and the Dominion of Canada in this exposition.

Mr. SNELL. Does it ask for any additional appropriation?

Mr. JOHNSON of Texas. No; the resolution does not involve any appropriation whatever and my understanding is that no new appropriation will be asked for.

Mr. SNELL. The greatest city in the United States will soon hold an exposition, and I want to call the attention of the House to our generosity in the past.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the joint resolution.

The resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries.

REORGANIZATION OF JUDICIAL BRANCH OF THE GOVERNMENT (H. DOC. NO. 142)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying documents, referred to the Committee on the Judiciary and ordered printed:

To the Congress of the United States:

I have recently called the attention of the Congress to the clear need for a comprehensive program to reorganize the administrative machinery of the executive branch of our Government. I now make a similar recommendation to the Congress in regard to the judicial branch of the Government, in order that it also may function in accord with modern necessities.

The Constitution provides that the President "shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient." No one else is given a similar mandate. It is, therefore, the duty of the President to advise the Congress in regard to the judiciary whenever he deems such information or recommendation necessary.

I address you for the further reason that the Constitution vests in the Congress direct responsibility in the creation of courts and judicial officers and in the formulation of rules of practice and procedure. It is, therefore, one of the definite duties of the Congress constantly to maintain the effective functioning of the Federal judiciary.

The judiciary has often found itself handicapped by insufficient personnel with which to meet a growing and more complex business. It is true that the physical facilities of conducting the business of the courts have been greatly improved in recent years through the erection of suitable quarters, the provision of adequate libraries, and the addition of

subordinate court officers. But in many ways these are merely the trappings of judicial office. They play a minor part in the processes of justice.

Since the earliest days of the Republic the problem of the personnel of the courts has needed the attention of the Congress. For example, from the beginning, over repeated protests to President Washington, the Justices of the Supreme Court were required to "ride circuit" and, as circuit justices, to hold trials throughout the length and breadth of the land—a practice which endured over a century.

In almost every decade since 1789 changes have been made by the Congress whereby the number of judges and the duties of judges in Federal courts have been altered in one way or another. The Supreme Court was established with 6 members in 1789; it was reduced to 5 in 1801; it was increased to 7 in 1807; it was increased to 9 in 1837; it was increased to 10 in 1863; it was reduced to 7 in 1866; it was increased to 9 in 1869.

The simple fact is that today a new need for legislative action arises because the personnel of the Federal judiciary is insufficient to meet the business before them. A growing body of our citizens complain of the complexities, the delays, and the expense of litigation in United States courts.

A letter from the Attorney General, which I submit herewith, justifies by reasoning and statistics the common impression created by our overcrowded Federal dockets—and it proves the need for additional judges.

Delay in any court results in injustice.

It makes lawsuits a luxury available only to the few who can afford them or who have property interests to protect which are sufficiently large to repay the cost. Poorer litigants are compelled to abandon valuable rights or to accept inadequate or unjust settlements because of sheer inability to finance or to await the end of a long litigation. Only by speeding up the processes of the law and thereby reducing their cost can we eradicate the growing impression that the courts are chiefly a haven for the well-to-do.

Delays in the determination of appeals have the same effect. Moreover, if trials of original actions are expedited and existing accumulations of cases are reduced, the volume of work imposed on the circuit courts of appeals will further increase.

The attainment of speedier justice in the courts below will enlarge the task of the Supreme Court itself. And still more work would be added by the recommendation which I make later in this message for the quicker determination of constitutional questions by the highest court.

Even at the present time the Supreme Court is laboring under a heavy burden. Its difficulties in this respect were superficially lightened some years ago by authorizing the Court, in its discretion, to refuse to hear appeals in many classes of cases. This discretion was so freely exercised that in the last fiscal year, although 867 petitions for review were presented to the Supreme Court, it declined to hear 717 cases. If petitions in behalf of the Government are excluded, it appears that the Court permitted private litigants to prosecute appeals in only 108 cases out of 803 applications. Many of the refusals were doubtless warranted. But can it be said that full justice is achieved when a court is forced by the sheer necessity of keeping up with its business to decline, without even an explanation, to hear 87 percent of the cases presented to it by private litigants?

It seems clear, therefore, that the necessity of relieving present congestion extends to the enlargement of the capacity of all the Federal courts.

A part of the problem of obtaining a sufficient number of judges to dispose of cases is the capacity of the judges themselves. This brings forward the question of aged or infirm judges—a subject of delicacy and yet one which requires frank discussion.

In the Federal courts there are in all 237 life-tenure permanent judgeships. Twenty-five of them are now held by judges over 70 years of age and eligible to leave the bench on full pay. Originally no pension or retirement allowance was provided by the Congress. When, after 80 years of our national history the Congress made provision for pensions, it found a well-entrenched tradition among judges to cling to their posts, in many instances far beyond their years of physical or mental capacity. Their salaries were small. As with other men, responsibilities and obligations accumulated. No alternative had been open to them except to attempt to perform the duties of their offices to the very edge of the grave.

In exceptional cases, of course, judges, like other men, retain to an advanced age full mental and physical vigor. Those not so fortunate are often unable to perceive their own infirmities. "They seem to be tenacious of the appearance of adequacy." The voluntary retirement law of 1869 provided, therefore, only a partial solution. That law, still in force, has not proved effective in inducing aged judges to retire on a pension.

This result had been foreseen in the debates when the measure was being considered. It was then proposed that when a judge refused to retire upon reaching the age of 70, an additional judge should be appointed to assist in the work of the court. The proposal passed the House but was eliminated in the Senate.

With the opening of the twentieth century and the great increase of population and commerce and the growth of a more complex type of litigation, similar proposals were introduced in the Congress. To meet the situation, in 1913, 1914, 1915, and 1916 the Attorneys General then in office recommended to the Congress that when a district or a circuit judge failed to retire at the age of 70, an additional judge be appointed in order that the affairs of the court might be promptly and adequately discharged.

In 1919 a law was finally passed providing that the President may appoint additional district and circuit judges, but only upon a finding that the incumbent judge over 70 "is unable to discharge efficiently all the duties of his office by reason of mental or physical disability of permanent character." The discretionary and indefinite nature of this legislation has rendered it ineffective. No President should be asked to determine the ability or disability of any particular judge.

The duty of a judge involves more than presiding or listening to testimony or arguments. It is well to remember that the mass of details involved in the average of law cases today is vastly greater and more complicated than even 20 years ago. Records and briefs must be read; statutes, decisions, and extensive material of a technical, scientific, statistical, and economic nature must be searched and studied; opinions must be formulated and written. The modern tasks of judges call for the use of full energies.

Modern complexities call also for a constant infusion of new blood in the courts, just as it is needed in executive functions of the Government and in private business. A lowered mental or physical vigor leads men to avoid an examination of complicated and changed conditions. Little by little new facts become blurred through old glasses fitted, as it were, for the needs of another generation; older men, assuming that the scene is the same as it was in the past, cease to explore or inquire into the present or the future.

We have recognized this truth in the civil service of the Nation and of many States by compelling retirement on pay at the age of 70. We have recognized it in the Army and Navy by retiring officers at the age of 64. A number of States have recognized it by providing in their constitutions for compulsory retirement of aged judges.

Life tenure of judges, assured by the Constitution, was designed to place the courts beyond temptations or influences which might impair their judgments; it was not intended to create a static judiciary. A constant and systematic addition of younger blood will vitalize the courts and better equip them to recognize and apply the essential concepts of justice in the light of the needs and the facts of an ever-changing world.

It is obvious, therefore, from both reason and experience, that some provision must be adopted which will operate automatically to supplement the work of older judges and accelerate the work of the court.

I, therefore, earnestly recommend that the necessity of an increase in the number of judges be supplied by legislation providing for the appointment of additional judges in all Federal courts, without exception, where there are incumbent judges of retirement age who do not choose to retire or to resign. If an elder judge is not in fact incapacitated, only good can come from the presence of an additional judge in the crowded state of the dockets; if the capacity of an elder judge is in fact impaired, the appointment of an additional judge is indispensable. This seems to be a truth which cannot be contradicted.

I also recommend that the Congress provide machinery for taking care of sudden or long-standing congestion in the lower courts. The Supreme Court should be given power to appoint an administrative assistant who may be called a proctor. He would be charged with the duty of watching the calendars and the business of all the courts in the Federal system. The Chief Justice thereupon should be authorized to make a temporary assignment of any circuit or district judge hereafter appointed in order that he may serve as long as needed in any circuit or district where the courts are in arrears.

I attach a carefully considered draft of a proposed bill which, if enacted, would, I am confident, afford substantial relief. The proposed measure also contains a limit on the total number of judges who might thus be appointed, and also a limit on the potential size of any one of our Federal courts.

These proposals do not raise any issue of constitutional law. They do not suggest any form of compulsory retirement for incumbent judges. Indeed, those who have reached the retirement age but desire to continue their judicial work would be able to do so under less physical and mental strain and would be able to play a useful part in relieving the growing congestion in the business of our courts. Among them are men of eminence and great ability, whose services the Government would be loath to lose. If, on the other hand, any judge eligible for retirement should feel that his court would suffer because of an increase in its membership, he may retire or resign under already existing provisions of law if he wishes so to do. In this connection let me say that the pending proposal to extend to the Justices of the Supreme Court the same retirement privileges now available to other Federal judges has my entire approval.

One further matter requires immediate attention. We have witnessed the spectacle of conflicting decisions in both trial and appellate courts on the constitutionality of every form of important legislation. Such a welter of uncomposed differences of judicial opinion has brought the law, the courts, and, indeed, the entire administration of justice dangerously near to disrepute.

A Federal statute is held legal by one judge in one district; it is simultaneously held illegal by another judge in another district. An act valid in one judicial circuit is invalid in another judicial circuit. Thus rights fully accorded to one group of citizens may be denied to others. As a practical matter, this means that for periods running as long as 1 year or 2 years or 3 years—until final determination can be made by the Supreme Court—the law loses its most indispensable element—equality.

Moreover, during the long processes of preliminary motions, original trials, petitions for rehearings, appeals, reversals on technical grounds requiring retrials, motions before the Supreme Court, and the final hearing by the highest tribunal—during all this time labor, industry, agriculture, commerce, and the Government itself go through an unconscionable period of uncertainty and embarrassment; and it is well to remember that during these long processes the normal operations of society and government are handicapped in many cases by differing and divided opinions in the lower courts and by the lack of any clear guide for the dispatch of business. Thereby our legal system is fast losing another essential of justice—certainty.

Finally we find that processes of government itself brought to a complete stop from time to time by injunctions issued almost automatically, sometimes even without notice to the Government, and not infrequently in clear violation of the principle of equity that injunctions should be granted only in those rare cases of manifest illegality and irreparable damage against which the ordinary course of the law offers no protection. Statutes which the Congress enacts are set aside or suspended for long periods of time, even in cases to which the Government is not a party.

In the uncertain state of the law it is not difficult for the ingenious to devise novel reasons for attacking the validity of new legislation or its application. While these questions are laboriously brought to issue and debated through a series of courts, the Government must stand aside. It matters not that the Congress has enacted the law, that the Executive has signed it, and that the administrative machinery is waiting to function. Government by injunction lays a heavy hand upon normal processes; and no important statute can take effect—against any individual or organization with the means to employ lawyers and engage in wide-flung litigation—until it has passed through the whole hierarchy of the courts. Thus the judiciary, by postponing the effective date of acts of the Congress, is assuming an additional function and is coming more and more to constitute a scattered, loosely organized, and slowly operating third house of the National Legislature.

This state of affairs has come upon the Nation gradually over a period of decades. In my annual message to this Congress I expresed some views and some hopes.

Now, as an immediate step, I recommend that the Congress provide that no decision, injunction, judgment, or decree on any constitutional question be promulgated by any Federal court without previous and ample notice to the Attorney General and an opportunity for the United States to present evidence and be heard. This is to prevent court action on the constitutionality of acts of the Congress in suits between private individuals, where the Government is not a party to the suit, without giving opportunity to the Government of the United States to defend the law of the land.

I also earnestly recommend that in cases in which any court of first instance determines a question of constitutionality, the Congress provide that there shall be a direct and immediate appeal to the Supreme Court, and that such cases take precedence over all other matters pending in that Court. Such legislation will, I am convinced, go far to alleviate the inequality, uncertainty, and delay in the disposition of vital questions of constitutionality arising under our fundamental law.

My desire is to strengthen the administration of justice and to make it a more effective servant of public need. In the American ideal of government the courts find an essential and constitutional place. In striving to fulfill that ideal, not only the judges but the Congress and the Executive as well must do all in their power to bring the judicial organization and personnel to the high standards of usefulness which sound and efficient government and modern conditions require.

This message has dealt with four present needs:

First, to eliminate congestion of calendars and to make the judiciary as a whole less static by the constant and systematic addition of new blood to its personnel; second, to make the judiciary more elastic by providing for temporary transfers of circuit and district judges to those places where Federal courts are most in arrears; third, to furnish the Supreme Court practical assistance in supervising the conduct of business in the lower courts; fourth, to eliminate inequality, uncertainty, and delay now existing in the determination of constitutional questions involving Federal statutes.

If we increase the personnel of the Federal courts so that cases may be promptly decided in the first instance, and may be given adequate and prompt hearing on all appeals; if we invigorate all the courts by the persistent infusion of new blood; if we grant to the Supreme Court further power and responsibility in maintaining the efficiency of the entire Federal judiciary; and if we assure Government participation in the speedier consideration and final determination of

all constitutional questions we shall go a long way toward our high objectives. If these measures achieve their aim, we may be relieved of the necessity of considering any fundamental changes in the powers of the courts or the Constitution of our Government—changes which involve consequences so far-reaching as to cause uncertainty as to the wisdom of such course.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *February 5, 1937.*

CAPITAL AUDITORIUM

Mr. LANHAM. Mr. Speaker, I ask unanimous consent for the present consideration of S. 974, to create the Capital Auditorium Commission, with the amendments thereto, reported by the House Committee on Public Buildings and Grounds, in accordance with the announcement made yesterday.

The SPEAKER. The gentleman from Texas asks unanimous consent for the present consideration of S. 974, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That there is hereby created a Commission to consist of the chairman of the Committee on Public Buildings and Grounds of the House of Representatives, the chairman of the Committee on Public Buildings and Grounds of the Senate, and the Secretary of the Interior, said Commission to be known as the Capital Auditorium Commission. Said Commission shall be authorized to investigate as to desirable sites for an auditorium to be constructed in the city of Washington with sufficient capacity, in the opinion of the Commission, to meet the requirements of public convenience and necessity.

The Commission is authorized to ascertain the approximate cost of a suitable site and of the erection of an auditorium thereon and to formulate plans, and to recommend how that cost shall be borne and how the auditorium, when constructed, shall be controlled and supervised. The Commission shall report to the Congress its plans and recommendations for legislation to carry out the same at any time during the present session of the Congress.

With the following committee amendments:

Page 1, line 4, after the word "chairman", insert "and the ranking minority Member"; and in line 6, after the word "chairman", insert "and the ranking minority Member."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, I reserve the right to object, so that I may commend the gentleman from Texas [Mr. LANHAM] for giving us 24 hours' notice before bringing this bill up for consideration. It has been the custom in the past 4 or 5 years to ask for unanimous consent for the consideration of bills of this kind without formal notice, and I think this is the first time I have seen anything of the kind happen.

Mr. TAYLOR of Tennessee. Mr. Speaker, I reserve the right to object. As the bill passed the Senate, it did not provide for minority representation, but as amended by the committee it does?

Mr. LANHAM. That is correct. The House committee very properly and appropriately thought that the minority should have representation in the first place; and, in the second place, that the Commission should be increased to five members so that in case of illness of one or more members there may be a quorum to continue the investigation.

Mr. SNELL. Mr. Speaker, I reserve the right to object. As I understand, all the authority that is given to this committee is simply to investigate and make certain reports back to the House.

Mr. LANHAM. That is all. It places on the Commission a burden of work which no member would voluntarily assume, but which no member anxious to do his duty would willfully shirk.

Mr. STEFAN. And I might say that there is no appropriation carried in the act at all.

Mr. SABATH. Mr. Speaker, I reserve the right to object. This applies only to an investigation in respect to an auditorium?

Mr. LANHAM. It provides specifically for an investigation and report in the matter of the proposal for a Capital auditorium.

Mr. SABATH. It does not apply to a proposal to build two large structures or one, to enable the membership and the employees of the Congress to find a place to live at reasonable cost, so that they would not be compelled to pay double and triple the amount for their rents or housing quarters?

Mr. LANHAM. It does not. This measure is simply for the purpose of investigating with reference to a National Capital auditorium and to make a report to Congress of its findings.

Mr. SABATH. As to whether there is any need for it?

Mr. LANHAM. The whole matter of a Capital auditorium would come within the purview of the Commission in its investigation and in making its report. The Commission has no authority to go further than to investigate and report to the Congress.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk again reported the committee amendments.

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to; and the bill as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

Mr. BREWSTER. Mr. Speaker, I ask unanimous consent to proceed for 3 minutes.

The SPEAKER. Is there objection?

There was no objection.

PERMANENT PLANNED PUBLIC-WORKS PROGRAM

Mr. BREWSTER. Mr. Speaker, I know it is the earnest hope of many citizens that the social pressure indicated by the message from the President—on the Judiciary—which we have just heard may be relieved in substantial measure by economic rather than judicial action. It is to that that I wish to address myself for a moment.

Three days ago the President sent here a message concerning a public-works program extending over a period of 5 years. For the past few years we have been operating under great pressure. Through the past century Government activities in increasing measure have been absorbing the surplus of our productive capacity and have thus contributed to stabilizing our economic life. I urge a dispassionate consideration of this matter. Let us remove it somewhat from the prejudice of partisan consideration. This is in line with economic progress.

In the last decade a commission of the Department of Commerce devoted some years to a study of recent economic changes and recommended very earnestly action along these lines. I ask of this body permission to incorporate in the RECORD an address by myself in 1929 at the Conference of Governors at New Orleans, outlining a proposal very much along these lines, and also the remarks of Mr. John B. Frey, secretary of the National Metal Trades Department of the American Federation of Labor, before the American Federation of Labor, which was then in annual conference at New Orleans.

To affix the responsibility for failure to carry out this program is not the province of this speech. The experiences of the past 4 years, however, and the experience of England and other countries has demonstrated rather conclusively—

First. That a well-planned and carefully coordinated public-works program may be of tremendous value in ameliorating an economic depression.

Second. That there are very definite limits beyond which a public-works program may not prudently go.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and to include therein the excerpts to which I have referred.

The SPEAKER. Is there any objection?

There was no objection.

THE LATE DWIGHT L. MOODY

The SPEAKER. Under the special order of the House the gentleman from Massachusetts [Mr. TREADWAY] is recognized for 5 minutes.

Mr. TREADWAY. Mr. Speaker, 100 years ago today there was born in the village of East Northfield, Franklin County, Mass., a son to Edwin Moody, brickmason, and his wife, Betsy. The boy was named Dwight Lyman Moody. The father died when Dwight was 4 years of age. Dwight was one of nine children, all under the age of 13 at that time. He attended local schools until he was 13, remained at home until 17, and then secured employment as a shoe salesman in Boston, where he attended Mount Vernon Congregational Church.

A short time later he went to Chicago, again obtaining work as shoe salesman, but always showing strong religious tendencies. At the age of 23, in 1860, Mr. Moody had been so successful in business that he was able to devote a considerable amount of money yearly to religious activities. In Chicago his church connection was the Plymouth Church, where he rented four pews, and every Sunday invited groups of men to attend the services.

In 1858 he began to devote practically all his time and abilities to evangelistic work. In 10 years he was recognized as one of the leading evangelists in the country. In Chicago he built several churches and established Bible classes and schools for young men. He was especially active along religious lines during the period of the Civil War.

Mr. Moody visited Great Britan three times, and in 1873 was accompanied by Ira D. Sankey. That was the beginning of the unique and wonderful combination of Moody and Sankey. Eventually no hall in Great Britain was large enough to hold the crowds anxious to attend their nondenominational meetings. They returned to this country in 1875 to be regarded as comparable with Wesley and Whitefield. Almost unknown when leaving this country in 1873, upon their return 2 years later their reputation as leaders of religious interest was tremendous.

Mr. Moody thereafter made his home in Northfield. From there he visited all sections of this country and made trips abroad. It is especially of his life in Northfield that I wish to speak.

Himself uneducated and unordained as a clergyman, he realized the need of extending educational opportunities to boys and girls whose families were poorly endowed in this world's goods. He founded the Northfield Seminary for girls and 2 years later he established a similar school for boys at Mount Hermon in the town of Gill, a short distance from Northfield.

For more than half a century these schools have carried on. Northfield is the gathering place during the summer season for continual conferences on religious subjects, attended by hundreds from all sections of the United States and many foreign countries. In spite of the fact that he was uneducated Mr. Moody was an intimate associate of men of the highest learning. An example of this was the presence at one of the conferences of Henry Drummond, who delivered an address entitled "The Greatest Thing in the World", which added greatly to Drummond's reputation.

The following lines from a recognized authority on prominent people seem to describe Dwight Moody exceedingly well:

> A man of prayer, he was tirelessly and farsightedly a man of work. "There is no use asking God to do things you can do yourself", he said. A layman, Moody inspired ministers; an evangelist, he understood the importance of Christian education; unschooled, he commanded the admiration and cooperation of university students and teachers; a man of large business ability, he devoted himself unreservedly to what he conceived to be the greatest business in earth or heaven—the saving of souls.

I recall as a small boy in New York City attending a Moody and Sankey meeting with my parents, and as a college student I can see him now in our chapel at Amherst appealing to the better instincts in the young men.

Dwight L. Moody passed away at his home in Northfield December 22, 1899, mourned far and wide. He lies buried on Round Top in the school grounds of Northfield. His grave is continually visited by those who respect the memory of a great man who left his imprint upon the world. Of no man can it be more truthfully said that he left the world better than he found it. The simple inscription on his tomb reads:

> He that doeth the will of God abideth forever.

All over the world today—in the United States, Canada, Great Britain, and Scandinavia—churches are holding centenary services in honor of the memory of Dwight L. Moody.

A great man, his message reached the people in all walks of life, and he still is regarded as one of our most human preachers of the gospel, who made the love of God a privilege and joy. No layman ever carried the divine teachings to so many thousands of people.

The schools and conferences which he founded are so thoroughly established on a strong financial basis that they will forever remain a monument to this great man of humble origin, a credit to American grit and an example of Christian faith.

Only the importance of the business before the House prevented my asking for a longer period of time to eulogize in my very imperfect way this great man. I ask unanimous consent to extend my remarks in the RECORD.

EXTENSION OF REMARKS

Mr. WHITE of Ohio. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an address by my colleague Mr. DIRKSEN, delivered before the Twelfth Women's Patriotic Conference on National Defense on January 26, 1937.

The SPEAKER. Is there objection?

There was no objection.

Mr. GRISWOLD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CREAL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FOREIGN-TRADE AGREEMENTS

Mr. DOUGHTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 96, to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 96, with Mr. MEAD in the chair.

The Clerk read the title of the joint resolution.

The CHAIRMAN. For the benefit of the parties interested, the Chair will announce that the gentleman from North Carolina [Mr. DOUGHTON] has consumed 2 hours and 42 minutes, and he has 2 hours and 18 minutes remaining. The gentleman from Massachusetts [Mr. TREADWAY] has consumed 2 hours and 22 minutes, and he has 2 hours and 38 minutes remaining.

HOW TO CONDUCT A TRUE PROGRAM OF RECIPROCITY

Mr. TREADWAY. Mr. Chairman, I yield 20 minutes to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Chairman, I desire to proceed without interruption until I have finished my statement.

Mr. Chairman, I think my remarks should properly be entitled "How to Conduct a True Program of Reciprocity." Let me say at the outset, Mr. Chairman, that I do not—nor do my colleagues on the Republican side—object to the principle of reciprocity and we are just as anxious as are the gentlemen on the other side of the House to increase America's foreign trade. We feel very strongly, however, that the reciprocity program undertaken by the present administration under the act of June 12, 1934, falls far short of the desirable standard of conduct for such an undertaking. I shall not discuss the constitutionality of this measure, although I entertain serious doubts as to its validity. Other Members of the Republican side, who can do so more adequately than I, will express our views on that phase. I want,

however, to call the attention of the gentlemen of the majority to some essential factual information about the agreements and their results, and I earnestly recommend their careful examination of the facts because of their vital importance to the American people.

CONCESSIONS SHOULD BE ON NONCOMPETITIVE ITEMS

Proper and intelligent conduct of reciprocal commercial agreements requires that trading between countries should be through the medium of mutually beneficial tariff concessions for the items of which we have an inadequate supply, and through the medium of the free list for those things we do not produce at all. In brief, the fundamental criteria of the Republican doctrine of reciprocity, which the Democrats forgot to take over when they assumed the general doctrine, are that concessions should primarily and fundamentally be made on noncompetitive items. That, gentlemen, is the most detrimental feature of the program carried out by this administration. They have bartered concessions on highly competitive foreign articles securing in return illusory concessions on some of our export commodities. I believe generally in the maximizing of our foreign trade, but I do not believe that we get anywhere by throwing a man out of work in agriculture so that we can provide a job for a man in industry. Such a process brings in no net gain to our country. Moreover, when the job for the man in industry fails to materialize, as so frequently happens under the trade-agreements program, we suffer a net loss.

The result has been that the rosy promises of the great good which would come from carrying out the program of reciprocal-trade agreements have not been realized and that for much of American agriculture there has been instead bitter disillusionment.

AGRICULTURE A NET LOSER UNDER CANADIAN TRADE AGREEMENT

Let me call your attention particularly to the progress of our agricultural trade with Canada, as reported by the United States Department of Agriculture in Foreign Crops and Markets, for December 28, 1936. Figures there indicate that our agricultural exports to Canada increased by $7,809,000 in the first 10 months of 1936 over the corresponding period of 1935. That increase is almost equally divided between agricultural products on which we had received concessions and all other agricultural products. On the other hand, our agricultural imports from Canada in the same period of time increased by $21,557,000, or nearly three times the increase in agricultural exports to Canada. The increased imports of those items on which duties were reduced under the agreement were almost as large as the entire increase in our exports.

INCREASED IMPORTS OF CHEESE UNDER CANADIAN AGREEMENT

The gentlemen on the other side, and the administration spokesmen, have taken us to task because we have on occasion in the past objected strenuously to the duty reductions on Cheddar cheese. May I call the gentleman's attention, however, to the fact that total imports of that cheese from Canada during the first 10 months of 1936 amounted to 10,031,000 pounds, or 2.33 percent of total domestic production for the same period, whereas in 1935 cheese imports from Canada were but 769,000 pounds, or 0.16 percent of domestic production for the first 10 months. And that is not all. The imports were very large in 2 months, amounting to 1,526,000 pounds, or 4.7 percent of production, in March and 2,339,000 pounds, or 5.26 percent of production, in August. This, gentlemen, is the type of thing that the American farmer objects to. The concentration of those imports in a relatively short period of time has an adverse effect on the market, which is of vital concern to every producer in the United States.

CANADIAN CATTLE IMPORTS DETRIMENTAL TO DOMESTIC PRICE STRUCTURE

And I may add, the protestations from your high, dignified officials of the State Department to the contrary notwithstanding, that imports of cattle from Canada did definitely have a depressing influence on the prices of American livestock. A saturated market is adversely affected by even an infinitesimally small addition to the supply. It will not do to say that imports of cattle were one-half of 1 percent or 1 percent of domestic production. The fact is that they came upon an American market already saturated because of the drought-distressed cattle of our own farmers. They helped further reduce the price that those purchasers obtained, adding still more to their distress.

On January 29 Mr. N. K. Carnes, general manager of the Central Cooperative Association, which is a livestock selling agency operating at South St. Paul, Minn., wrote me on the subject of reciprocal-trade agreements, and at this point I desire to read in part from that letter:

On January 1, 1937, the cattle producers of this country were again faced with the importation of Canadian cattle under the Canadian-American trade agreement. As you know, approximately 156,000 head of cattle will be permitted to enter this country at the decreased duty of $1 per hundredweight during the year 1937. It has been stated that a high percentage of the cattle entering the United States from Canada are in feeder condition. Nevertheless, 85 percent of the cattle which we received on the South St. Paul market from Canada during 1936 were killing cattle.

To make my position clear, I am frank to say that it is my opinion that we should do everything that we possibly can to rehabilitate our foreign markets, because some of the responsibility for our agricultural prosperity in the past has depended on our foreign markets. However, I do not believe that you or I will ever live to see the day when our exports of agricultural commodities to foreign countries are back on a predepression basis. It is my opinion that those who are responsible for shaping reciprocity treaties and trade agreements should bear in mind that agriculture is still a basic industry in America, and I cannot see any justification for trading off a market for the products of agriculture in order to furnish a market for the products of industry. There isn't any question in my mind or in the minds of any of the men operating on the South St. Paul market but that the importation of Canadian cattle has had an adverse effect on livestock prices in this country. It is true that the Canadian imports represent one-half to three-fourths of 1 percent of the total annual livestock slaughter under Federal inspection in this country, but the addition of one-half of 1 percent to a saturated market is certain to have an adverse effect, and it has had that effect here at South St. Paul.

I think that effectively disposes of Mr. Sayre's contention that the number of cattle coming into this country is so negligible that they have no effect on the domestic price.

INCREASE IN COMPETITIVE IMPORTS EXCEEDS NONCOMPETITIVE

In the first 11 months of 1936 our imports of articles which do not compete with American products increased by $149,000,000, or 14 percent, over the corresponding period of 1935, but during the same period of time the imports of competitive articles—that is, products whose sale on the American market helps reduce the opportunities for domestic producers—increased by $173,000,000, or 23 percent.

The State Department reduced the duties on cattle, cheese, cream, corn, lima beans, tomatoes, cucumbers, potatoes, strawberries, apples, green peas, and poultry, to mention but a few items of the increased competition to which the American farmer can rightly object.

Mr. VINSON of Kentucky. Will the gentleman yield for a correction?

Mr. KNUTSON. Certainly.

Mr. VINSON of Kentucky. Did the gentleman make the statement that there had been a reduction in the tariff on milk? I know if the gentleman did make that statement it was inadvertent.

Mr. KNUTSON. No; cream. I thank the gentleman.

TRADE AGREEMENTS A "LOCAL ISSUE" TO DEMOCRATS

I want to suggest at this point to the majority Members that they read a very interesting statement made before our committee by the gentleman from Florida [Mr. WILCOX]. Mr. WILCOX was at some pains to assure the majority of the committee that he was strongly in favor of the principle of reciprocity. Of course, we all are. The gentleman from Florida assured the committee that he, in the main, commends the policy that has been followed out by this administration, except as it applies to Cuban exports of early vegetables, which has a very serious effect on the early vegetable production of Florida.

You know, it amuses me at times. Democratic Members of the committee and of the House are strong for this program except when it affects their own district. For instance, the gentleman from Oklahoma and the gentleman from Texas would not allow a single barrel of crude oil to be

brought into this country if they had their way about it. I commend them for taking that position, because we have a large supply of our own. But those same gentlemen are perfectly willing to allow agricultural imports to come into this country that will compete with agricultural production in Minnesota. In other words, they are "spot protectionists." They believe in protection for their own districts, but as for the rest of the country, well, it should look out for itself.

Oh, I should state that the Florida delegation voted as a unit for the Hawley-Smoot bill, which shows that they are possessed of more than ordinary intelligence when measured by democratic standards. [Laughter.]

Mr. WILCOX. Mr. Chairman, will the gentleman yield to me at that point?

Mr. KNUTSON. I will have to, because I referred to the gentleman.

Mr. WILCOX. I should like to call the attention of the gentleman to the fact that while I used, in my argument before his committee, the Cuban treaty as illustrative of the point I was making, I assured the committee, and again on yesterday I assured the House, that in my opinion the tariff policy of the Democratic Party, of which I am a member, is to provide a tariff which will equalize the cost of production. I do not limit that to any item or to any one article, but I think it is sound governmental policy. I simply used the iniquities of the Cuban treaty in illustrating the point as to the damage that could be done and would be done if that principle and policy is ignored in negotiating tariff agreements.

Mr. KNUTSON. I am sorry I referred to the gentleman, because the Florida delegation did vote for the Hawley-Smoot bill. But I want to quote the gentleman from Florida, if I may have his attention, when he appeared before the committee. This appears on page 498 of the hearings. The gentleman said:

> At the outset, Mr. Chairman and gentlemen, I want to say that my attitude toward the reciprocal trade agreement policy of this administration is distinctly friendly. I believe in the principles of the reciprocal trade agreement policy. I have no criticism to make of Dr. Sayre's position or his philosophy as expressed before this committee.

Then he proceeds to lay down a barrage on Dr. Sayre that just fairly riddles him full of holes, and I agree with everything the gentleman said. He said it so much better than I could.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I shall need more time. Will the gentleman get me more time on his side?

Mr. BUCK. I cannot, unfortunately.

The CHAIRMAN. The Chair desires to announce that the time of the gentleman from Minnesota has expired.

Mr. TREADWAY. I yield the gentleman additional time.

Mr. KNUTSON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and to include therein certain tables.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

DOMESTIC SUGAR PRODUCERS ADVERSELY AFFECTED BY CUBAN TREATY

Mr. KNUTSON. I am going to mention another duty reduction of substantial significance, the reduction in duty on sugar from Cuba. This was done at a time when, under the Jones-Costigan Act, the amount which the American producers could supply to the domestic market had been strictly limited. In other words, gentlemen, this administration not only has told the American sugar producer that he may supply only a limited amount to the home market but it has turned around and aided and abetted a foreign producer in taking away that limited market from him. Is it any wonder, then, that American agriculturists have objected so strenuously to much of the administration of the trade-agreement program?

EFFECT OF TRADE AGREEMENTS UPON OUR FOREIGN TRADE

But perhaps the gentlemen on the other side of the House object that I am picking up isolated examples. Very well. Let us look at the figures of exports to and imports from various countries. A comparison of imports from and exports to eight countries with whom agreements were in effect during most of the first 11 months of 1936 indicates that our exports to them increased by $66,077,000, or 12.3 percent, and our imports from them increased by $133,212,000, or 23.1 percent. Our exports to all countries increased by $164,100,000, or 8 percent, whereas our imports from all countries increased by $314,000,000, or 16.9 percent. I will not trouble you gentlemen by reading the figures, but I will introduce the complete table at this point.

DATA ON EXPORTS AND IMPORTS UNDER RECIPROCAL TRADE AGREEMENTS

Comparison exports and imports between United States and certain countries with whom we have trade agreements

[January–November, inclusive; thousands omitted]

Country	Total exports		General imports		Net increase in imports over exports
	1935	1936	1935	1936	
Canada	$301,434	$351,381	$259,551	$336,802	$27,304
Cuba	54,961	60,853	100,734	120,086	13,460
Haiti	3,002	3,515	1,044	1,558	1
Brazil	40,342	44,740	90,209	90,538	[1] 4,069
Netherlands [2]	44,193	47,245	37,343	45,671	5,276
Sweden	34,690	37,780	35,624	43,174	4,460
Belgium	52,121	51,546	35,865	52,292	17,002
Switzerland [3]	7,066	6,826	14,842	18,303	3,701
Total, agreement countries	537,809	603,886	575,212	708,424	67,135
Increase (percent)		+12.3		+23.1	
Total, all countries	2,059,400	2,223,500	1,860,500	2,174,500	150,000
Increase (percent)		+8		+16.9	

[1] Decrease in net imports.
[2] Reciprocal agreement in effect only 10 months of the above 1936 period.
[3] Reciprocal agreement in effect only 9½ months of the above 1936 period.

Source: Bureau of Foreign and Domestic Commerce, U. S. Department of Commerce.

PORK EXPORTS TO CUBA ACTUALLY DECREASING SINCE AGREEMENT

When the original Reciprocal Trade Act was before the Ways and Means Committee back in 1934, we were repeatedly assured by representatives of the State Department that the operation of the law would greatly stimulate exportations of farm products to Cuba. Figures that I have obtained from the Department of Agriculture prove that under the operation of the law exports of lard and hog products to Cuba have actually decreased, as the following table will show:

Exports to Cuba from United States

	After agreement (September to August, inclusive)	
	1934–35	1935–36
Lard, including neutral lard	$32,593,000	$23,386,000
Bacon, cured hams and shoulders, and other pork, pickled or salted	10,600,000	5,090,000

DEMOCRATS VILLIFIED HAWLEY-SMOOT ACT, BUT HAVE FAILED TO REPEAL IT

The gentlemen from the State Department who appeared before our committee and certain Members on the opposite side of the aisle here have taken great pains to villify the Tariff Act of 1930 at every possible opportunity. I pass over the fact that in spite of their opposition to that act they did nothing about it until late in 1934, and that they have since been whittling away at it only by piecemeal revision.

Perhaps the answer to the failure of the Democratic Party to repeal the Hawley-Smoot tariff is found in the statement made by the late Speaker, Hon. Henry T. Rainey, during the Seventy-second Congress. He said:

> Lower this tariff drastically? You (Republicans) will not do it, and we (Democrats) dare not do it with conditions as they are. We do not want this market flooded with the products of cheap labor in other countries.

Of course, while the Democrats have not repealed the Tariff Act of 1930, they are nevertheless pursuing a policy of piecemeal tariff reductions on competitive products, which

threatens to flood our home market with the products of cheap labor in other countries.

IMPORTS INCREASING FASTER THAN EXPORTS

The gentlemen in support of the administration of the reciprocal trade agreement program have argued that if we made concessions on various imports we would provide foreign countries with the purchasing power with which to buy our exports. In the first place, let me remind the gentlemen that our imports have increased much more rapidly than have our exports—that total imports in the first 11 months of 1936 increased by $314,000,000, or 17 percent, over the corresponding period of 1935, whereas exports increased only by $164,000,000, or 8 percent, over 1935. But this is not all.

INCREASED IMPORTS FROM ABROAD HAVE NOT RESULTED IN A CORRESPONDING INCREASE IN EXPORTS

If we examine our international balance of payments carefully, we will see what has happened. We will discover that foreign nations have obtained increased purchasing power in the United States, but that by and large they have not used it to buy American products. In 1934, taking account of our net balance of payments on both merchandise and service accounts, including transportation services, immigrant and charitable remittances, Government expenditures, tourist expenditures, interest and dividend payments, and silver purchases, but excluding all capital items and shipments of gold, we had a net favorable balance of $375,000,000. In 1935 the balance swung in the opposite direction. Taking account of exactly the same items that we did for 1934, we find a net unfavorable balance of payments to the extent of $128,000,000.

On the basis of preliminary data for 1936 one is safe in estimating—because of the very small net merchandise balance of trade and the large net imports of silver—that our unfavorable balance of payments was several hundred million dollars larger than that of 1935. In addition to that, we have purchased hundreds of millions of dollars of gold from foreign countries.

In other words, in the last couple of years we have actually added billions of dollars to their purchasing power in the United States; and what, we may ask, have they done with it? Primarily two things: They have repurchased their own bonds at depreciated prices; they have purchased large quantities of American securities; and they have increased by a very considerable extent their cash balances in this country.

You may remember that the distinguished Secretary of Agriculture, forecasting in his annual report of 1934, stated that—

> The foreign trade program would involve the risk of producing results other than those expected. The purchasing power which foreigners can obtain in the United States market, were they permitted to sell their goods here, might be left on deposit or invested in American securities. * * *

THE FALLACY OF GIVING FOREIGNERS THE MONEY WITH WHICH TO BUY OUR GOODS

Not only have they increased their purchasing power here by the sale of a large volume of goods but we have added tremendously to their purchasing power by our monetary operations. The results, however, have been substantially what the Secretary feared they might be.

This examination of the international balance of payments and the disposition foreigners have made of their increased purchasing power here ought to once and for all substantiate and justify the objections that we have made to making substantial concessions to countries from whom we already buy considerably more than we sell to them.

It has been argued that while we may have an adverse balance of trade with one country, we have a favorable balance with another, and that as a result of this triangular trading we still may have a favorable balance in the end. Of course, the fact is that our favorable balance of merchandise trade declined from $478,000,000 in 1934 to $235,000,000 in 1935 and to only $34,000,000 in 1936. If there is any net benefit to this country, it should show up in the general balance of payments, which includes all trade and commerce, including the so-called invisible items. But we have looked at the general balance of payments and we have seen that the conditions which the gentlemen have relied upon in defense have not at all been realized.

THE POLICY OF GENERALIZING THIS COUNTRY'S TARIFF CONCESSIONS

Let me say a word or two at this point about the generalization of benefits. First I want to refer to a statement made by the editors of the London Economist in their recent volume appraising the New Deal:

> It is fully possible * * * that Great Britain has already gained more from the concessions made by the United States in her treaties with other countries than could be obtained in a direct Anglo-American treaty.

This statement demonstrates better than anything else the imprudent policy which the State Department is pursuing. The administration is actually giving away our trading material.

Let me repeat at this point: I do not—nor do my colleagues—oppose the principle of most-favored-nation treatment but we do insist most emphatically that American commerce be accorded that same treatment by every country which obtains the benefits of our duty concessions. Something is wrong, gentlemen, in the administration of the program, for on the one hand benefits have been generalized to all but two countries—Germany and Australia—yet the State Department witnesses appeared before our committee and testified repeatedly that American commerce is discriminated against all over the world. Both of those things cannot be correct. If our commerce is discriminated against as widely as they imply, and I think they are correct in that, then they have failed in their responsibility in extending benefits in spite of that fact. They would have been correct in generally extending the concessions only if discrimination against American commerce were limited to the two nations they have selected as examples.

AMERICAN PRODUCERS SHOULD BE PROTECTED FROM UNFAIR FOREIGN COMPETITION

To protect American producers it is necessary that duty reductions be limited. To that end we of the minority propose to offer an amendment to the pending joint resolution to prohibit the reduction of duties below the amount necessary to protect American agriculture, labor, and industry from unfair foreign competition. We insist that this is a reasonable and desirable requirement for the conduct of trade-agreement negotiations. We urge the adoption of this suggested protection as an essential requirement for the maintenance and improvement of American economic conditions.

As the Trade Agreement Act now stands, the State Department is not in any way restricted from reducing the duties on competitive foreign products far below the actual difference in cost of production of such products and like or similar domestic products. The Secretary of State has indicated that he is only interested in reducing alleged "excessive" tariff rates, but the fact is that he has reduced the duties on many farm products, in spite of the President's statement back in 1932 that he knew of no "excessively high" duties on such products. Reductions have also been made on industrial products where the rate certainly could not be called excessive. Manganese is a good example. Regardless of State Department assurances, it is absolutely necessary to put language in the Trade Agreements Act which would limit tariff reductions, so that duties could not be reduced below the point necessary to protect domestic producers and American workingmen from destructive foreign competition.

VIEWS OF FARMERS COOPERATIVE CREAMERY, MILACA, MINN.

On Monday of this week I received a resolution adopted by the Farmers Cooperative Creamery, of Milaca, Minn., which read as follows:

> *Be it resolved*, That we request our Congressmen and Senators to not extend President Roosevelt's power to make these trade agreements with other countries without the approval of the Senate.
>
> STANLEY HELMEN, *Secretary*.

FOREIGN COUNTRIES TAKE BETTER CARE OF THEIR OWN PEOPLE THAN DO WE

At this point it may be pertinent to observe that there is no provision in the reciprocal trade law which will permit an American producer who may feel himself injured by reduced rates made in any trade agreement to appeal to another tribunal for protection and redress.

The Canadians are much smarter and have a higher regard for the welfare of their own people than have our officials, apparently.

At this point I desire to read a paragraph from a letter written to Secretary of State Hull by the Canadian Chargé d'Affaires on November 15, 1935, which is the date the Canadian trade agreement was signed at Washington by President Roosevelt:

In addition to the above, Canada undertakes to procure enactments at the next session of Parliament to modify a number of provisions in the customs act relating to the determination of the value of merchandise for duty purposes, and for providing opportunities to appeal to the Tariff Board respecting value for duty purposes where it is claimed that the importation of goods into Canada may affect prejudicially Canadian manufacturers and producers.

I especially want to call to the attention of my Democratic friends the last part of that paragraph, so I will read it again:

And for providing opportunities for appeal to the Tariff Board respecting value for duty purposes where it is claimed that the importation of goods into Canada may affect prejudicially Canadian manufacturers and producers.

Why does not the American State Department do as much for the American producer and manufacturer as Canada does for her people? Our trade agreements are made in secret session and we are given no information on what is being done until the act has been accomplished.

For the life of me I cannot understand how any Member of either House of Congress can bring himself to vote to deprive American citizens of benefits that are freely granted to the citizens of countries with which we have made treaties, and I am astonished that the American people will stand for it.

Mr. Chairman, I yield back the balance of my time.

Mr. TREADWAY. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. SAUTHOFF].

Mr. SAUTHOFF. Mr. Chairman, we from Wisconsin face the unfortunate situation that every time we ask for time we are reduced to the lowest common denominator. That is the position in which I find myself today; and, of course, you appreciate that I cannot make an argument in 5 minutes.

Mr. Chairman, I am glad indeed to have heard the gentleman from Florida [Mr. WILCOX] state that he was in favor of protecting our agricultural products by insuring that at least the price of production plus a reasonable profit be granted to us in any reciprocal trade agreements that are formed. I intend to offer an amendment to this effect, and I hope it will not be ruled out of order. With your indulgence I shall read my proposed amendment:

Line 8, before the period, insert a colon and the following: "*Provided*, That after the enactment of this resolution no proclamation shall be made reducing any statutory duty on foreign agricultural products or provisions below the amount necessary to equalize the difference in cost of production, as defined in section 336 of the Tariff Act of 1930, as amended, of such foreign agricultural products and provisions and like or similar domestic agricultural products or provisions."

I listened very attentively and with considerable interest to the able presentation made by Dr. Sayre before the Ways and Means Committee. He is one of the most cultured, best educated, and, withall, one of the ablest men in the service of the State Department. He combines with these qualities a very charming personality. This makes a persuasive combination that is hard to resist; but, like all fanatics, on certain subjects he overstates his side of the case. The doctor, in my judgment, is overenthusiastic and makes extravagant claims for reciprocal-trade agreements. One of these claims is that they are great measures for promoting peace. While I think the doctor is right, that they do, in a measure, promote better relations, nevertheless, I am not so ingenuous or naive as to believe that the reciprocal-trade agreements will ever deflate the superegoism of Mussolini, Hitler, or Stalin; or that they will settle in a peaceful manner the struggle for world supremacy between fascism and communism. [Applause.] If the State Department is so concerned as to the economic difficulties of Europe that we must make a number of free-trade agreements to promote those interests, then I would call their attention to a statement appearing in the New York Times last Sunday in which this outstanding newspaper pointed out that the economic position of Germany was so grave that, unless it was relieved in the near future, that country would be driven into war because of economic pressure.

Let me urge upon the State Department that it at once put its efforts into operation to make an agreement with Germany in order to save this menacing situation instead of buying up the paper francs of France with our gold and listening to the arguments of Mr. Runciman, of Great Britain, that it is necessary for us to forego our neutrality policy if we want to make a reciprocal-trade agreement with Great Britain.

Yesterday before the Committee on Military Affairs an outstanding American, Mr. Bernard M. Baruch, made the statement that reciprocal-trade agreements, if we adopt a policy of neutrality, would be instruments of war rather than instruments of peace; and it behooves us to consider carefully any statement from Mr. Baruch, because he speaks from experience.

I would say to my friends who advocate these treaties: Let us at least remember that our neutrality policy is paramount. It is far more important to our boys and girls that we safeguard them from the horrors of another European war by mandatory neutrality legislation than it is that we rehabilitate some favored countries of Europe with our cash and our resources. Europe is bent upon self-destruction and our internationalists are so devoted to Europe that they seek to involve us in the plan of general ruin. If my memory serves me correctly, on two separate occasions the Senate of the United States refused to place its seal of approval on the World Court. Now our State Department seeks to accomplish indirectly, through trade agreements, what our people have overwhelmingly rejected; namely, entangling alliances. Reciprocal-trade agreements, whether a benefit or detriment from an economic point of view, and I claim they are a detriment, must be foregone, if in any measure whatsoever they jeopardize our neutrality policy. I for one would urge upon this body that its first consideration is to keep our nose out of European affairs and mind our own business. I repeat that we are seeking now through trade agreements to rehabilitate the countries of Europe and yet these same countries use the money derived from us for the purpose of building up huge armaments that in the future will be a menace to our own security and to our own people. [Applause.]

I agree with Dr. Sayre in his statement that the Smoot-Hawley Tariff Act did a great deal of harm to our foreign trade, and I also agree with the good doctor when he says that "reciprocal-trade agreements offer the speediest remedy for the ills developed by the Smoot-Hawley Tariff Act." My protest, however, is based upon an entirely different aspect.

DAIRY INTERESTS

My State of Wisconsin is the foremost dairy State of the Union, and dairy products have been traded off in three different trade agreements, namely, the treaties with Canada, the Netherlands, and Switzerland. The proponents of these acts tell us that the amount of dairy products traded off in these agreements is negligible as compared with the total amount of consumption in this country. That is true, but the menace consists in the effect upon the market, and our best answer is that the very day the Canadian treaty went into effect our cheese market broke 2 cents a pound, and was later on followed by a drop of another cent a pound. But our opponents say, "Your price has been better during 1936 than in any of the preceding years", and I concede that that is true, but I wish to point out that we have passed through two droughts and have destroyed 90,000

milk cows during that time. Ninety thousand milk cows, producing 5,000 pounds of milk each annually on an average, would mean a difference of 450,000,000 pounds of milk in a year for our State alone. That is a considerable item. If the proponents of these treaties claim that the trade agreements are responsible for the raise in the price of cheese will they also assume the responsibility for the drop in the price of dairy products if we have a surplus in 1937? You cannot claim credit for the gains and not also take the blame for the loss. The rule must work both ways.

CANADIAN OUTLOOK

The following quotation is taken from the Agricultural Situation and Outlook, 1937, issued by the Department of Agriculture of the Dominion of Canada. I quote from page 44:

Canadian cheese in London for the first 10 months of 1936 averaged 1.38 cents per pound higher than for the same period in 1935. The premium it received over cheese of the same type during the 10-month period averaged 1.3 cents per pound. A factor affecting price in Canada during 1936 was the marked increase in the quantity of cheese exported to the United States and the higher prices prevailing in that country.

Total cheese exports from Canada in the 10 months ending October 1936 were up 15,585,900 pounds, or almost 35 percent over the same period in 1935. In the 1936 period exports were 60,580,300 pounds, of which 47,704,200 went to the United Kingdom and 10,863,500 pounds to the United States. The increase to the United Kingdom over the 1935 period was 4,953,700 and the increase to the United States 10,533,300 pounds. The latter figure is significant when it is considered that less than half a million pounds were exported to the United States in the year ended December 1935. Imports of cheese for the 10 months ending October 1936 were slightly lower than in the same period of 1935 when 1,003,552 pounds were imported.

NEW ZEALAND

Point Blank, the official magazine of the Farmers Union in New Zealand, recently had an article about the demand for a tariff on butter and cheese imports. I quote from the December 1936 issue, page 21:

The most powerful argument being put forward to support such a tariff is that almost all dairy imports into Britain are subsidized. Though we New Zealanders can point out that this is not strictly so in our case, as the same price rules for butter in both the home and foreign market, the British farmer replies by pointing to our special rate of exchange. The Canadians subsidize their cheese to the tune of £200,000 a year ($1,000,000). The price ruling in the home market of Australia a year ago (stated to be the latest figures available here) was nearly twice that at which their produce was being sold abroad. There is much the same disparity in the case of Holland and Denmark and Sweden, who have subsidizing schemes for their butter, though these are not always put into operation.

IMPORT ACREAGE

Dr. Sayre stated in his argument, among other things, that "in 1935–36 our exports of agricultural commodities accounted, at average yields, for nearly 28,000,000 acres of productive land." Dr. Sayre did not say, however, how much of a yield of agricultural commodities, in milions of acres, was admitted into this country during the same period of time. We have been advised a number of times that our imports of agricultural commodities in 1935–36 amounted to approximately 30,000,000 acres of productive land. This, of course, was produced at a cost lower than our farmers can produce it, and meant that our Government had to overcome that influx by taking 30,000,000 acres of productive land out of agricultural production in this country and pay a good price for this policy. In addition, our Government also maintained a substantial fund in order to buy up certain agricultural commodities to help sustain the domestic market. If we added all these sums together, we would find that we had paid very dearly for the privilege of permitting the yield of 28,000,000 acres of agricultural products to be admitted into this country. But the argument is made that it is necessary to make some concession to build up our foreign trade.

HOME MARKETS FOR UNITED STATES

I believe that the home markets should be kept for our own agricultural products and that we could help out our own people to purchase commodities if we are willing to subsidize such an enterprise with the same large amounts which we have used to subsidize our trade abroad. The whole program, in its last analysis, amounts to giving our goods away, and that kind of business is not profitable.

Dr. Sayre made the statement during the course of the discussion with Mr. KNUTSON, of the committee, that the amount of the trade, export and import, was not so important as that there should be a profit. This was in reply to Mr. KNUTSON'S statement as to the fact that we bought more than twice as much from Brazil as we sold to that country last year. Surely no one contends that our exporters are in the business for fun and not for profit, and surely no one would contend that the Brazilian exporters who sold us these amounts did not make a profit on their transactions. We must assume that there is a profit for both exporters and importers, as they would not last long in the business if there were not.

IMPORTS OVER EXPORTS

I again quote from Dr. Sayre's statement:

To protect against huge excesses of imports over exports and the consequent outflow of gold, nations sought to cut down their imports by launching intensive drives toward national "autarchy", or economic self-sufficiency.

I want to call especial attention to the fact that Dr. Sayre emphasizes this outstanding point, namely, that "huge excesses of imports over exports" mean the outflow of gold. Our country is experiencing an ever-increasing excess of imports over exports in her trade with many foreign nations.

We have heretofore enjoyed a favorable balance of merchandise trade in our foreign-trade policy. The Ways and Means Committee's minority report shows that in 1934 that favorable trade balance was $478,000,000.

In 1935, the first year in which the Trade Agreement Act was in effect, it dropped to $235,000,000. In 1936 it fell to the lowest level in 41 years, namely, $34,000,000. We may expect this year to have an adverse balance of foreign merchandise trade.

INCREASED IMPORTS

In 1934 we had a net favorable balance of $375,000,000. In 1935, however, that balance of payments became unfavorable to the extent of $128,000,000. At the same rate of decrease, we can estimate the trade balance of 1936 to be unfavorable by several hundred million dollars more. The reason for this shift is the ever-increasing amount of imports pouring into our country from abroad. In 1934 to 1935 the increase in imports was $392,000,000, as against an increase of only $149,000,000 in exports. From 1935 to 1936 our imports increased $372,000,000, as against an increase in exports of only $171,000,000. In round numbers, this tells the story of our rapid shift from an export nation to an import nation. This being true, then, according to Dr. Sayre's own statement, it will be our money that will put Europe back on its feet so that they will be strong enough to start another war. In the last analysis, this policy will mean that we are rehabilitating the world at the expense of our people, mostly at the expense of our agriculture.

WAR DEBTS

Our people have overwhelmingly signified their opposition to the cancelation of the war debts, but we are indirectly accomplishing the same purpose by giving these countries our money, with which eventually they will make a grand gesture of some nominal down payments on their debts to us. In other words, by a trade device our people are furnishing the money which European countries are squandering for armaments in the hope that at some future date they will pay us part of what they owe us with it.

I realize that no change will be made in this policy, but that these trade agreements will be continued for the next 3 years, but I have certain recommendations which I respectfully submit to the House for its serious consideration:

First. That in all future reciprocal-trade agreements the American farmer be protected by admitting no foreign agricultural commodity which does not in its price meet the cost of production plus a reasonable profit of a similar American agricultural commodity.

Second. That in all future trade agreements no additional dairy products be traded off.

Third. That a full and open discussion be held on each trade agreement in the Senate and that that body approve

before the same becomes effective. Many of our foreign cocontractors follow that practice, so why should not we? [Applause.]

Mr. DOUGHTON. Mr. Chairman, I yield 30 minutes to the gentleman from Tennessee [Mr. COOPER].

Mr. COOPER. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD and include therein certain data to which I shall refer.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Chairman, it has always been my practice to be very liberal in yielding to my colleagues when I have been privileged to address the House, but on this occasion, on account of the rather limited time allowed and the fact I know the chairman has received many requests for time to speak, and he is anxious to accommodate all Members possible, I shall not be able to yield as I have heretofore.

The pending measure, House Joint Resolution 96, has for its purpose the extension for a period of 3 years of the Reciprocal Trade Agreement Act, approved at 9:15 p. m., on June 12, 1934. This act was passed in response to a message from the President of the United States and was an important part of the recovery program of this administration. The splendid work done and the gratifying results accomplished under this program has caused the President of the United States to write a letter to the chairman of the Committee on Ways and Means, which is a part of the hearings on this resolution, requesting that the act be extended for another period of 3 years. The pending resolution is before the House supported by a unanimous report of the majority members of the Committee on Ways and Means.

I violate none of the confidences of the Committee on Ways and Means when I make this reference. The report itself indicates that to be a fact. It is likewise true that the original Reciprocal Trade Agreement Act was reported by the Ways and Means Committee with the same kind of a division, all the majority members voting for it and all the minority members opposing it. It is in no sense surprising that the members should divide along party lines. One of the lines of cleavage between the two major political parties of this country, from the beginning of our Government down to this hour, has been the question of the tariff.

I invite the attention of the Members to the report filed by the Ways and Means Committee in support of this measure. I also invite attention to the splendid statements made before the committee by the Secretary of State, the Secretary of Commerce, the Assistant Secretary of State, Mr. Sayre, and the Chairman of the Tariff Commission, Mr. O'Brien, all of whom are outstanding authorities on this subject, as well as many other witnesses who appeared before the committee in support of this program.

Mr. Chairman, I heard every witness who appeared before the Ways and Means Committee, and during my 5 years' service as a member of that committee I say here frankly I have never seen a clearer case made and I have never heard stronger evidence presented in support of any measure than was offered in support of the pending resolution.

It might be interesting in passing to remind ourselves of the fact that there was not a single witness who appeared before the committee in opposition to this program. Practically every one of them supported the program in its entirety. Those who did not do that only spoke with reference to some slight change or amendment that they thought might be helpful and desirable.

It is also interesting to observe that the distinguished gentleman from Massachusetts, the ranking minority member of the Committee on Ways and Means, arose in the House several days before hearings were begun on this resolution and made the announcement that hearings would begin on a certain day, and he invited all of those interested in opposing this measure to be sure to appear before the committee in opposition to the resolution. Even though he appealed to the business interests of the country and exerted his efforts to try to secure witnesses in opposition, he was unable to produce a single witness to sustain him in his position of opposition to this measure.

It is rather significant, when we held hearings as long as any requests were before us, that we heard from the outstanding business interests of the Nation, as well as people in various other walks of life, and received strong and positive evidence as to the desirability of continuing this trade program. The president of the United States Chamber of Commerce, and other representatives of that body, speaking for the business interests of the country, appeared and strongly favored an extension of the present Reciprocal Trade Agreement Act.

Mr. Chairman, it was with regret that I sat here yesterday and heard the gentleman from New York [Mr. CULKIN] indulge in unwarranted and unjust criticism of the distinguished Secretary of State and the distinguished Assistant Secretary of State, Mr. Sayre. Both of these gentlemen are among the most valuable and the most highly respected officials that this Government has ever had at any period of this Nation's history. [Applause.] I was really surprised that the cultured gentleman from New York would indulge in such unwarranted criticism of these two really great Americans. But it is a well-recognized custom that when a man finds he is unable to meet the sound logic of another, when he finds himself helpless before the majestic figure and the superior intellect of his adversary, he then resorts to such a practice as that.

I am happy to pay my tribute of respect, inadequate as it may be, to the character and public service of our great Secretary of State, Hon. Cordell Hull. [Applause.] I take a great degree of pride in the fact I am privileged to come from the same State from which he comes. Mr. Chairman, he stands out today in bold relief as one of the outstanding statesmen of the entire world. [Applause.] The great work done by him and the splendid results accomplished under this program have challenged the favorable comment and admiration of the people throughout this country and the people of every other peace-loving nation of the world. Mr. Chairman, it is not necessary for me to pay further tribute to that great statesman.

I am reminded of the statement made by Benjamin Franklin in his magazine called Poor Richard, in which he stated:

> Dirt will stick to a mud wall, but dirt cannot cling to polished marble.

This program has gone forward expeditiously and with a remarkable degree of success in spite of the fact that in the very nature of things it requires time to develop a program of this kind, when you have to enter into negotiations with countries of the world and when you have to safeguard, as this administration has, the rights and interests of the people of America. It takes time to work out these negotiations, but in spite of that fact great progress has been made and most gratifying results have been accomplished.

Fifteen of these trade agreements have been negotiated. It is likewise true that in the short period of time that these agreements have been in effect it is impossible for us to receive an accurate estimate of the amount of good that has really been accomplished. Only one of these agreements—that with Cuba—has been in effect as much as 2 years. Ten others were negotiated during the past year. International commerce does not spontaneously move because of some change in the conditions with reference to trade barriers. It naturally takes some time for the movement of commerce to begin and to reach proportions that would make the type of showing that we are confident will be made when this program is carried on a little further.

Time will not permit me to undertake an analysis of these various trade agreements. I simply invite your attention to the splendid statement made by the Assistant Secretary of State, Mr. Sayre, when he appeared before the Ways and Means Committee, for ample information on the success so far achieved under these trade agreements.

I shall refer briefly to a few of the outstanding points with reference to the success of this program. I invite attention to pages 101 to 113 of the hearings, with special reference to the effect on agriculture.

Let us remind ourselves of the situation that existed in this country at the time this program was begun. We know that at that time agriculture was bleeding at every pore. Our farmers were receiving the lowest prices for their products in all the recorded history of this Nation. We certainly know that evidence is apparent on every hand of the unmistakable improvement in the condition of the American farmers and agriculture generally. I am not claiming that all of this improvement has been due to this trade program, but I do insist that the record sustains the contention that it has been a very important and material part of it.

Then, Mr. Chairman, let us bear in mind that we produce enormous surpluses of major agricultural products in this country. Between 50 and 60 percent of all of our cotton has to be exported to some other countries in the world, because we produce that much more than we consume in this country. About 20 percent of our wheat, about 40 to 45 percent of our tobacco, about half of our packing-house lard, as well as vast quantities of many other agricultural products have to be exported. They have to be sold in the markets of other countries of the world because we produce that much more than we consume in this country.

Now, what is to happen to agriculture if we do not open these markets of the world to dispose of these enormous surpluses? What is to happen to industry when the enormous buying power of the farmers of this country is held down to a minimum? Why, Mr. Chairman, we readily recognize that this is a matter of far-reaching importance to all of the people of this country. Only one of two things can happen. We will either have to reduce the production of our agricultural products to the amount of consumption in this country or else we will have to find outlets and markets to dispose of them. This is the main purpose of this program—to dispose of our agricultural and industrial surpluses.

There is not anything very difficult to understand about this trade program. It simply means that the representatives of this Government say to other countries of the world, "We find that you need certain surplus products that we have in this country. You have to import them into your country from somewhere. We find upon investigation that you have certain products that we need and have to have in this country. We have to import them from some source." Just to illustrate, I mention two or three—rubber, coffee, raw silk, and a long list of others. The result is we simply say to the representatives of those countries, "Let us sit down at a table and discuss the question of exchange of commodities; the question of trade between our country and yours." If it develops that a trade in the interest and to the advantage of the people of this country can be negotiated, then such a trade is negotiated. We always should bear in mind the fact that if a trade in the interest of the people of this country cannot be made, our President and those designated by him simply do not have to make the trade.

Now, to refer briefly to some of the important items that I think should be borne in mind in the consideration of the measure now before this body, tariff and tax reductions and liberalization of import quotas have been obtained with respect to agricultural commodities that comprise nearly one-third of our 1929 agricultural exports. In addition to this, we have bound on the free list, or at favorable rates, agricultural products which account for almost another one-third of the 1929 exports of agricultural products. Literally hundreds of favorable concessions have been made by the other countries of the world for our agricultural products as compared with a very few agricultural concessions that have been made by this country.

I invite your attention to the definite figures given in the hearings at page 101. I shall not burden you by quoting all of these figures at this time, but they are of great interest to those who are really concerned and interested in the welfare of agriculture in this country.

A great deal has been said here about Canada and the agreement made with the Dominion of Canada with reference to agricultural products. Let us look for a moment to see what the real fact is with reference to that.

Canada made reductions ranging from 12 to 65 percent on fresh meat and lard and other meat products, and 13 other countries have granted similar concessions on these agricultural products.

Cuba, another country to which reference has been made here, which was the third ranking market for American lard and other products, reduced its duty on lard from an equivalent rate of 9.8 cents a pound to 2.3 cents per pound for the first year, and agreed to a further gradual reduction to 1½ cents to be reached in the third year.

In addition, Cuba has provided in the agreement that at the end of the second year to abolish its consumption tax of 1 cent a pound on lard.

Many illustrations of a similar type could be given. Six countries have agreed to continue their favorable treatment of imports of American cotton. Five have granted concessions on cotton yarns, 10 on various cotton textile manufactures, and 2 countries have granted concessions on cottonseed oil and cake.

Concessions directly beneficial to the tobacco growers and manufacturers have been obtained in eight agreements.

Another illustration with reference to pork products is that our exports to Canada of certain pork products during the time that this Canadian agreement has been in existence has increased more than three times as compared with the same period before the agreement was made. Lard exports to Canada have increased 70 percent.

Cuba's imports of certain pork products under the trade agreement has more than doubled.

Now, then, it would be interesting for us to observe some of the beneficial effects on industry, because we know that the welfare of the agricultural interests of this country and those engaged in industry must go hand in hand.

It is interesting to observe that the statistics of farm income and factory pay rolls of this country since the World War compare very favorably, showing the direct relationship between industrial production in this country and agricultural production. Let us see the beneficial effects, or at least refer to a few of the items with reference to industry. During the first 6 months of 1936 Canadian imports from the United States of industrial machinery affected by the Canadian trade agreement increased on the average by $1,500,000 per month over the same months of the preceding year. Canadian imports of our agricultural machinery during this period increased from $3,300,000 to $5,500,000, or by 67 percent. Exports of tractors and parts to Brazil during the first 6 months of the agreement with that country increased by 64 percent over the same period in the preagreement year. During the first half of the year of the Canadian agreement exports of electrical appliances and machinery to Canada increased from $3,400,000 to $4,500,000, or 32 percent. During this same period, in contrast to an increase of 49 percent in total exports of electrical refrigerators to all countries, such exports to Canada increased by 186 percent, to the Netherlands by 84 percent, and to Cuba by 92 percent, and so on. Other figures might be given showing the remarkable increase in the exports from this country to these countries with which we have negotiated trade agreements in these industrial products. That means, of course, that American workers were employed and American business profited by these products being produced and sold to these other countries.

In the few remaining moments I have I shall mention only two points that I heard stressed with any degree of emphasis by the opponents of the bill. The first was on the question of the ratification of these agreements. The opponents of the bill took the position 3 years ago, as they do now, that these trade agreements should be ratified by the United States Senate. The unmistakable fact is that our past experience shows that such a plan as that is impractical and unworkable, and I shall very briefly bring to your attention the record with reference to trade treaties

requiring ratification and trade agreements not requiring ratification. Thirteen treaties under the general treaty-making power of the President were negotiated, of which 10 failed. Eleven treaties under special statutory provisions of the act of 1897, the so-called Dingley Tariff Act, all failed. Twenty-four treaties were submitted and 21 of them failed. That is the record made where ratification was required. Let us see the record for trade agreements not requiring ratification. Of 13 agreements made under the act of 1890, the so-called McKinley Act, 1 failed by nonapproval of the other country. The other 12 went into effect. Nine agreements were negotiated under a special provision of the act of 1897, referred to as the Dingley Act, and all became effective. Fifteen agreements have been negotiated under this Trade Agreement Act now under consideration. Fourteen of them have become effective, and the other will soon become effective. Therefore, we have 37 of this type of agreements that have been negotiated, and 36 out of the 37 have become effective.

On the other hand, of the agreements or treaties requiring ratification, 21 out of 24 failed. We have this very practical situation, whether or not we want to go forward with a beneficial and splendid program. This type of treatment that is proposed by the opponents of the bill could only have one practical purpose, and that would be the same as failing to pass the resolution at all or striking out the enacting clause. If we are to go forward with this program that has produced such gratifying results up to this point, the wise and proper thing to do is to pass this resolution as it is presented here, extending the Reciprocal Trade Agreement Act for 3 more years, allowing ample time to continue to work out the trade-agreement program and let further beneficial results be accomplished by the American people.

There is one other point I desire to mention, and that is that the opponents of the bill assert that there should be more opportunity given for notice of hearing of the negotiations of these trade agreements. I shall give you the benefit of a little experience that I had. It was my privilege to serve during the last Congress as the chairman of the subcommittee of the Ways and Means Committee on tariff and foreign debts. Quite a number of bills and resolutions of various kinds were introduced with reference to this particular subject, these trade agreements, and they were referred to the subcommittee of which I had the honor to be chairman. I conferred with the chairman of the committee, and at his suggestion I went down to the Department and held a rather lengthy conference with the officials in charge of this program.

I went over the situation with them fully, and I say to you that under the type of notice that they gave and under the type of negotiations that they carried on with the business interests of the country, with all of those who expressed a desire to secure information about the program, those business interests and those desiring to secure information did receive all of the information that anybody should have needed or wanted. My limited knowledge of matters of that kind certainly is not comparable with that of those who have made this a life study, and have devoted particular attention to these special things. Nevertheless, I had no difficulty in finding out what was proposed and included in these negotiations, and anybody else with the interest to inform himself and who desired to examine these notices could have secured the same type of information. So that there is nothing to be gained by the proposal presented here by the opponents of the program. It is also interesting to observe that with the experience that has been gained in the administration of this measure, the Department itself has already issued regulations providing for even a wider degree of notice and information to the general public about the negotiations of these agreements.

With those two points, the only points worthy of mention that are raised by the opponents of this bill, explained as I have endeavored to do here, it occurs to me that the proper thing to do is to speedily pass this resolution as it is presented, and to allow this administration, which has been so overwhelmingly approved by the people of this country, to go forward with this great program in the interest of the American people. [Applause.]

The CHAIRMAN. The time of the gentleman from Tennessee [Mr. COOPER] has expired.

Mr. TREADWAY. Mr. Chairman, I yield 4 minutes to the gentleman from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. Chairman, we have had several hours of interesting discussion regarding the advantages and disadvantages of the reciprocal-trade agreements. It is my intention to discuss them for a few moments from the agricultural viewpoint, more especially the treaties with Canada and Mexico.

I believe we all agree that if we take the statistics of farm income and factory pay rolls since the World War and compare them, we will find that the total factory pay rolls follow very closely with the gross farm income, thus proving without a doubt that the prosperity of our industrial area is dependent on the prosperity of the farmers. In other words, as the farmers prosper so prospers the Nation.

The agricultural sections of the Middle West of the United States believe they are being discriminated against in the making of reciprocal-trade agreements in favor of the manufacturing and industrial interests. At the sixty-sixth annual meeting of the Kansas State Board of Agriculture on January 15, 1937, at Topeka, Kans., which was attended by elected delegates from the local units of organized agriculture, such as county farm bureaus, county granges, county farmers' unions, and county institutes, the following resolution was adopted:

> We believe the act authorizing reciprocal-trade treaties should be amended to require ratification by the United States Senate, and also recommend the elimination of the most-favored-nation clause. Countries enjoying wide outlets in the American market of commodities on the free list should be required to take in exchange commodities produced in the United States which they need.

I have read with much interest the statement and testimony given by Hon. Francis B. Sayre, Assistant Secretary of State, before the Ways and Means Committee, and note on page 108 the great increase in Canadian imports from the United States for the first 6 months of 1936 under the reciprocal-trade agreements. The following are notable increases:

An average increase of $1,500,000 per month over the same months of the preceding year for industrial machinery. Canadian imports of our agricultural machinery for this period increased 67 percent. During the first 6 months of 1936 Canadian imports of electrical apparatus and machinery increased 32 percent; exports of electrical refrigerators to Canada increased 186 percent; imports of American radio apparatus and equipment practically doubled during this same period. It is only natural that in order to make these great sales of manufactured commodities the United States must take something in return, and as Canada is largely an agricultural producing country we received in return large importations of farm products and livestock. It is my intention to discuss only one phase of the farm imports, and that is the importation of cattle.

It is interesting to note that on Monday, April 20, 1936, there were 125 carloads of Canadian cattle on a northern market—the St. Paul market—and the following Monday, April 27, there were 110 carloads of Canadian cattle on the same market. It is also interesting to note that the top cattle price paid at Kansas City on May 4, 1936, was $9.50, and on May 4, 1935, the top cattle market in Kansas City was $14.25.

According to figures submitted by the United States Department of Agriculture, there was shipped into the United States from Canada during the first 10 months of 1936, 140,334 head of cattle weighing over 700 pounds, while for the same period in 1935 we received only 59,090 head of the same cattle. Total importations of cattle of all weights from Canada, for the 10-month period just mentioned, was 222,708 head. From Mexico we received 21,435 head of cattle weighing over 700 pounds, during the first 10 months of 1936, while in 1935 we received only 5,986 head of this

weight cattle, or practically four times as many of this weight of cattle in 1936 as in 1935.

It will no doubt be stated on this floor that the importation of cattle was only a small percent of the large number of cattle we produced and consumed in the United States and that the percentage was so very small it would not materially affect the price of cattle.

Every farmer and every livestock producer in the United States knows that it is the amount of surplus of any farm commodity or the number of head of livestock that largely determines the market value of the product. No one has stated that we have a shortage of cattle in the United States. In fact, the Department of Agriculture concedes that we have a surplus of cattle.

It is estimated that in 1936 we had 68,213,000 head of cattle in the United States; in 1935 we had 68,529,000, and 74,262,000 in 1934.

If we follow this reasoning to its logical conclusion, it might be said that while we have only 10,000,000 unemployed in the United States it would not be objectionable to admit several thousand alien laborers, or a small percent of our unemployed into this country, on a quota basis. No one would seriously consider this, yet that is what we do to agriculture under the trade agreements as drawn with Canada and other nations which come under the most-favored-nation clause.

The importation of live cattle is not the only serious competition facing the livestock producer. Millions of pounds of canned beef are imported annually from South America. The livestock producers of this country have been protected from the importation of live cattle from South America by an embargo or quarantine because of the foot-and-mouth disease, and at present are greatly concerned lest this should be removed. It has been estimated that a 700-pound steer in South America will produce about 150 pounds of canned meat. The present duty on this canned beef is 6 cents a pound. Therefore, the import duty on the canned beef from this steer would be $9. The transportation charges from South America to the United States on this 150 pounds of canned beef would be approximately 33½ cents or 22⅓ cents per hundred weight from Argentine to New York. It costs about 70 cents a hundred to ship a steer from the producing areas of the United States to Chicago and $1.10 a hundred to ship beef from Chicago to New York. This 150 pounds of canned beef from a 700-pound steer would bring the South American seller about $22.83. After paying a duty of $9 and transportation costs of 33½ cents, he would receive about $13.50 in American money. When this money is traded for South American pesos, he would receive an equivalent of $17.76.

If House Joint Resolution 96 is adopted, I sincerely hope that those in charge of making the trade agreements with other countries will seriously consider their effect on agriculture with a view of giving the American farmer the benefit of the American market. [Applause.]

Mr. TREADWAY. Mr. Chairman, I yield 3 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Chairman, I regret that the time during which I am allotted to speak on the question is limited to only a few minutes. I trust that after my allotment has expired that my time may be extended for a few minutes longer. I am sorry that those who are in charge of this proposed important legislation have seen fit to limit the debate on this question to such a short time.

This is one of the most important pieces of legislation that will come before Congress during this session. I want to express my opinion as to why the reciprocal-trades agreement, as it has been working and as it is proposed to be extended, should be amended.

In the first place, I am in sympathy with the doctrine of reciprocity. It is the policy of the Republican Party. At times it has been the policy of the Democratic Party. I feel that the principle of equality of treatment as between foreign nations is desirable and essential in a sound commercial policy.

However, I want to enter my objections—and I believe the objections of a great number of the people of the Middle West, at least—to the manner in which the program has been administered under the act of June 12, 1934. It has not followed a program of real reciprocity and equality.

A great deal has been said about the Republicans favoring reciprocity agreements. President McKinley, in his speech in September 1901, said:

> By sensible trade agreements which will not interrupt our home production we shall extend the outlets for our increasing surplus. * * * We must not repose in fancied security that we can forever sell everything and buy little or nothing. * * * We should take from our customers such of their products as we can use without harm to our industries and labor.

In the administration of this act of 1934 we have neglected a large group of people who are, after all, the greatest asset to the prosperity of our Nation—those people who are the producers of the foodstuffs of the Nation. We are anxious to become agreeable and to be good neighbors to the other nations of the world, but we certainly do not want to neglect the folks at home.

I want to talk with you for a few minutes on behalf of the farmers of the Middle West, with particular reference to the livestock men as well as the producers of wheat and other farm products. A number of other Members have taken up the question of the dairy industry, the lumber industry, and other industries of the West and Middle West. I want to agree with the distinguished gentleman from North Carolina, when he says that when the interests of one group of people are affected it either directly or indirectly affects other groups of this country.

I want to call your particular attention to the question of a very dangerous situation that is facing the livestock interests of the United States. It is a proposed modification of the foot-and-mouth disease quarantine, wherein we are about to permit the influx of thousands of head of livestock from South American countries that have heretofore been held back by reason of a strict adherence to the sanitary regulations having to do with the livestock malady known as the foot-and-mouth disease.

Mr. Fred Brenckman, a representative of the National Grange, who has given this matter a considerable amount of serious thought and investigation, calls attention to the fact that the dairy and livestock interests of this country have a particular interest in this question, for the reason that the foot-and-mouth disease has long been recognized as one of the most contagious and infectious diseases in animals ever known. It is prevalent in most of the countries of South America. In the United States animals infected with this disease are promptly destroyed by being killed and burned or buried.

There have been serious outbreaks of this disease in this country. In 1902 and 1903 it involved the States of Massachusetts, Rhode Island, Vermont, and New Hampshire. In 1908 it occurred in Pennsylvania, New York, and Maryland. In 1914 it spread to the Middle States. During that year approximately 100,000 cattle were slaughtered, together with 85,000 hogs and several thousand sheep. The next outbreak was in 1924, when the disease made its appearance in California, and again in 1929. Foot-and-mouth disease attacks cattle, hogs, and sheep. It is extremely infectious.

Up to the present time we have had strict regulations preventing the importation of livestock or meat from any country known to have foot-and-mouth disease within its borders. The directors of the National Live Stock Marketing Association went unanimously on record against the present Argentine sanitary convention.

This sanitary treaty, which is pending before the Senate Foreign Relations Committee, will admit the importation of meat products from what is said to be "disease-free zones" in Argentina. The livestock officials of all leading organizations have opposed this plan, because of the destructive nature of the disease, which has already cost this country millions of dollars. According to a resolution of the National Live Stock Marketing Association, most of the outbreaks in

this country have been where they could be controlled, but an outbreak of the foot-and-mouth disease which would contaminate domestic and wild animals of the open plains and mountain regions of the West would spread infection that would be uncontrollable and would almost annihilate domestic and wild animals and destroy the food supply of our Nation in one of our greatest industries.

Mr. F. E. Mollin, secretary of the American National Live Stock Association, has called attention to the fact that Argentina, up to this time, has not taken the precautions that are required in the United States with reference to the eradication of the foot-and-mouth disease.

Quoting from Mr. Mollin, he says:

> No one can fairly claim that imports of meat products from any zone of the Argentine under present conditions would not constitute a dangerous threat to our herds and flocks.
>
> When Argentina has paid the price of driving hundreds of thousands of cattle into trenches to shoot them and bury them in quicklime in order to eradicate the disease, as the United States has done, so that she may keep free of it—then she can come and demand access to our markets. In the meantime, the livestock industry, conscious of its importance in the field of agriculture and of the importance of its products in the industrial field, demands that there be no experimenting with the health of our herds and flocks in order to increase international trade in industrial products. In short, it demands the retention of the present embargo, and the consequent rejection of the Argentine sanitary convention.

According to the National Provisioner of January 9, 1937, of Chicago, Ill., it states that—

> Argentine hopes of exporting meat to the United States have been considerably strengthened by recent developments, according to La Res, Argentine meat magazine. The statement of President Roosevelt at Buenos Aires, in which he advocated the ratification of the proposed United States-Argentine sanitary convention, was especially welcome.

President Roosevelt is quoted as saying:

> The ratification of this convention by the Senate of the United States would eliminate an injustice without detriment, or prejudice of any kind, to the legitimate interests of the cattle industry of the United States, and without relaxing in the least full sanitary protection of our own livestock.
>
> I intend to present these facts clearly to the attention of the Members of the Senate of the United States, with the hope that our Senate may give its consent to the ratification of the simple instrument of justice.

Such an approval of the importation of these cattle from South American countries might at first seem satisfactory to a highly industrial section but it would be ruinous to the meat-producing States of the Middle West.

For many years it has been the policy of the Federal Government, through all administrations, to withhold importation of meat under sanitary regulations. And now at a time when the livestock men of the Middle West are fighting with their backs almost against the wall they are being threatened, not only with the chance of the destruction of their herds by this disastrous disease but by the influx of thousands of additional cattle, produced and raised more cheaply than we can raise them, which will be allowed to compete with our markets because of the letting down of these barriers.

Quoting from a report of the National Cooperative Council, held in Washington this week, it states:

> We further urge the Congress to enact legislation establishing sanitary restrictions upon the importation of all products of plant and animal life, which are equal to those established in the United States by whatever authority. In this connection we urge the State Department to discontinue its present practice of incorporating in each of the trade agreements a provision which binds the governments signatory to trade agreements not to strengthen their respective sanitary requirements as to imported products without mutual consent, and the establishment in the case of disagreement of joint commissions of technical experts to discuss any proposed new sanitary restrictions.
>
> The above seem to be the minimum requirments for maintaining a well-rounded foreign-trade program designed to protect home markets for domestic producers and to develop additional outlets for domestic agricultural products in countries which can consume them.

Under the terms of the measure we have before us we have taken away from the American producer, the American farmer, the right to litigate matters arising out of the trade agreements, if he wanted to do so. Under this act we have denied Congress, which after all represents the people, an opportunity to approve or reject these agreements, regardless of the effect they would have upon domestic producers.

We ignore in this proposed legislation the principle of the protection for American agriculture, industry, and labor by allowing tariff rates that have been fixed by Congress to be changed without reference to American domestic production costs. This act provides for the general extention of the concessions made under a trade agreement with a single country to all other countries in the world, notwithstanding the known existing discriminations against American commerce by many foreign countries. Under this act we do not even give the American producers an adequate opportunity to be heard as to the terms of the agreements before they become effective. I probably should modify this statement to the effect that I understand there is some kind of an advisory committee which is supposed to hear persons interested in the modifications of the tariff act, but not such hearings as would be held before congressional committees.

Under this act the hands of Congress will be tied, and it is for the Secretary of State and the President to make the adjustments, insofar as the tariff rates are concerned. Tell me, if you can, in what other important country in the world such exclusive authority is granted? In all except two countries where we have already approved agreements, the legislative bodies have in some way had a chance to examine the agreements, but this is not true in the United States. Neither the House nor the Senate has a chance to examine the proceedings. We do not even know what the agreements are until they have been put into effect. There is a vital distinction between allowing the Executive to put into effect, under certain conditions, rates of duties which Congress has specified in advance, and giving him blanket authority to determine the items as well as the amount of tariff reductions. When, can you tell me, has the Congress of the United States become so inefficient, so inadequate, that it is not even to be consulted as to the amount of the rates and the countries to which they are to be applied?

The Secretary of State has declared that he is concerned with reducing only alleged "exorbitant" rates; but, as a matter of fact, he has reduced the duties on wheat, dairy products, cattle, and other livestock. The President said in a statement made in 1932:

> Of course, it is absurd to talk of lowering tariff duties on farm products. I do not intend that such duties—

Referring to farm products—

> should be lowered. To do so would be inconsistent with my entire farm program. Every farmer knows it and will not be deceived.

The Secretary of State also expressed his opinion to the effect that the duties on farm products should not be reduced. And yet, in the face of that statement, the duties on more than 80 farm products have been reduced since this act was put into effect, and in not one single case has the duty been increased. Neither, so far as I can find upon an examination of the record, has the duty been increased on products that are imported into this country that compete with the products of agriculture. We imported, free of duty, last year enough tapioca flour to take the place of 25 percent of the corn products that go into our breakfast foods.

I would like to call your attention to some figures which I think are of considerable importance.

We all agree that conditions have been bad. They were bad in 1933. They were better in 1934 and have continued to gain through 1936, but it might be well to call attention to a situation in which we are soon going to become deeply interested, and that is the fact that our favorable balance in trade from $480,000,000 in 1934 was reduced to approximately $35,000,000 in 1936.

The reports from the Department of Commerce show that for 11 months during 1936 our exports of crude foodstuffs to Canada alone were valued at $17,180,000. Manufactured foodstuffs exported to the same country amounted to $7,109,000, making a total of $24,289,000. Our imports of crude

foodstuffs from Canada during the same period amounted to $75,492,000. Manufactured foodstuffs imported by us from Canada during this period were valued at $41,017,000, making a total of $116,509,000. The balance of trade in favor of Canada on crude and manufactured foodstuffs during the first 11 months of 1936 amounted to $92,220,000. These figures would indicate that the farmer and stockman, so far as Canada is concerned, have been pretty much traded out.

Mr. Sayre, who testified before the committee, said there was an increase in the importation of cattle from Canada, but stated that so far as percentage is concerned, it did not make much difference in the price thereof. I do not believe that any practical stockman will agree with such a statement.

On one day in April last year, 1936, 120 carloads of cattle from Canada were unloaded at the St. Paul market, and the following week 120 carloads more were unloaded there—and yet the advocates of this agreement would say the agreement does not affect the market of cattle.

Mr. Sayre would have you believe from his statements in the record that because most of the cattle coming from Canada weighed less than 700 pounds it would not affect the market. It just goes to show that he is not familiar with the livestock situation, because more cattle of any kind on any market will have a tendency to affect the general price of cattle.

The gentleman from North Carolina would have you believe that all prices of farm products have averaged higher by reason of these reciprocal treaties. So far as the cattle industry is concerned, according to the figures given us from the Agricultural Department, we find that the average price of cattle for the year 1936 was $8.85 per hundred. For the year 1935 it was $10.28 per hundred.

But, aside from that, it seems to me that the gentleman should be willing to take into consideration a number of other factors, such as drought conditions, scarcity of crops, and so forth, which materially affect the price of farm products.

The distinguished gentleman from North Carolina stated yesterday that the measure before us in its present form has the approval and recommendation of the United States Chamber of Commerce. I am wondering whether or not this great organization approves the method by which this question is handled, or does it just approve reciprocal agreements generally? If it approves the method by which livestock and farm interests have been handled, I just do not believe it is reflecting their opinion. Unfortunately or fortunately, the farmers of the Middle West do not have a membership in this powerful organization.

We have, in the past 2 years, permitted the South American countries to produce and process thousands and thousands of dollars worth of farm products, and have permitted them to come into this country to compete with the farmer and laborer of the United States. We have carried the situation so far that the American manufacturers of meat products, such as Swift, Armour, Cudahy, and others, have built their plants in Argentina, Brazil, and other countries, and are now producing and processing South American meat that is being sold in competition with our own products.

We are rapidly becoming a great import nation. In the first 11 months of last year we imported into this country 386,000 cattle and 86,000,000 pounds of canned beef, besides some 14,500,000 pounds of dairy products. Last year our exports amounted to approximately $2,000,000,000. Twenty-nine percent of these exports were agricultural products. Seventy-one percent were nonagricultural. Heretofore agricultural products were about one-half of our exports.

Last year, from Canada alone, we imported 48,000,000 bushels of wheat.

We are permitting the foreign people to do our farming and to provide foodstuffs to our country where we are charged with having an overproduction, and yet we imported last year more than $1,000,000,000 worth of farm products that could have been produced and processed in our own country. We do not want great tariff walls. We want reciprocal tariffs. But the people, through their duly elected representatives, should have something to say about the manner in which these tariffs are to be adjusted.

Let us give the American farmer and the American producer a chance to supply the American market, so long as he can reasonably do it. Let us protect the American market for the American farmer and the American workingman, so far as it is reasonable to do it. You can find no better market for your automobiles, your radios, your tractors, and your farm machinery, than the American farmer when he is able to buy. We have heard a great deal said about helping the farmer. Here is a chance to help the farmer and to help the American workingman to help himself.

The old tariff laws may not have been satisfactory in some respects. The distinguished gentleman from North Carolina has agreed that we all want a tariff program. He agrees this should not be a political question. Then why not go further and agree to amend this act so it will be fair, reasonable, and workable? Give the American producer a right to be heard before those who put these agreements into effect; and give him a right to approve or reject such proposed trade agreements. Give him the protection that he is entitled to have under the American form of government. Give his representatives an opportunity to examine the proposed agreements, either through the House or through the Senate of the United States. Protect his markets so long as he is able to supply these markets at a fair and decent return to himself and to his family.

I have received copies of resolutions from various farm and livestock organizations that I should like to include here. I am going to include a copy of resolutions that I received this morning, that were adopted by the American Live Stock Association in January of this year. Here is what they say:

RESOLUTIONS ADOPTED AT THE FORTIETH ANNUAL CONVENTION OF THE AMERICAN NATIONAL LIVE STOCK ASSOCIATION, HELD AT EL PASO, TEX., JANUARY 12–14, 1937

Whereas the President and Secretary Hull, on their recent trip to Argentina, openly advocated ratification of the Argentine Sanitary Convention, which would permit the importation of dressed meat products from zones in that country temporarily declared to be free from foot-and-mouth disease: Therefore be it

Resolved by the American Live Stock Association in annual convention at El Paso, Tex., January 12–14, 1937, That we urge our Senators to oppose ratification with every means at their command in order to protect the livestock industry of this country from disease infestation which would certainly follow any tampering with the present embargo.

Whereas the reduction in the tariff on cattle in the Canadian reciprocal trade agreement and the extension of the same reduction to imports from Mexico has been one of the major factors in causing a sharp decline in cattle prices, as a careful examination of official Government market reports clearly indicates; and

Whereas the tariff on agricultural products has been reduced to increase the export of industrial products; and

Whereas the imports have been received in such a manner as to effect a decline out of all proportion to the actual numbers involved: Therefore be it

Resolved, That we urge the Reciprocal Trade Act be repealed, or that all treaties negotiated under it be subject to ratification by a two-thirds vote of the United States Senate; and be it further

Resolved, That we request that until the act is repealed or the Canadian agreement is nullified or expires, the imports of cattle under this agreement should be placed on a weekly or monthly quota for 1937, in order to prevent dumping of large numbers on our markets in a short period, as was done in the spring of 1936.

Whereas animal fats and oils are an important byproduct of the cattle industry; and

Whereas the present tariff permits the importation of oils from foreign countries which replace the use of domestic fats in the manufacture of edible products; and

Whereas the only possible way to reestablish a market for domestic fats and oils is through protection against such foreign importations: Therefore be it

Resolved, That a tax of 10 cents per pound be placed on all oleomargarine manufactured in this country in which less than 100 percent of domestic oils and fats is used, in order to provide an outlet for our domestic fats and oils and to encourage the consumption thereof; and be it further

Resolved, That we do protest against a further increase of any excise tax on various domestic fats and oils, and ask that needless

restrictions, both Federal and State, against the use and sale of oleomargarine be removed.

Whereas it is estimated that the imports of canned beef for the year 1936 will reach the astounding figure of approximately 100,000,000 pounds, the equivalent of approximately 750,000 head of cattle; and

Whereas domestic production of livestock has increased substantially; and

Whereas the tariff of 6 cents a pound is entirely inadequate to protect domestic producers and is out of all proportion to the tariff on cattle and dressed meats: Therefore be it

Resolved, That we protest against trade agreements with South American countries which will permit the importation of canned beef in competition with our domestic product, and that we urge upon Congress an immediate increase of the duty thereon to the full 50 percent permitted under the flexible provision of the present tariff law.

Mr. TREADWAY. Mr. Chairman, I yield 7 minutes to the gentleman from Kansas [Mr. HOPE].

Mr. HOPE. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and to include extracts from certain resolutions adopted at the annual convention of some of the farm organizations, which excerpts are quite brief; also, two short tables showing the exports and imports of agricultural commodities from 1933 to date.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. HOPE. Mr. Chairman, I do not speak this afternoon as one who is opposed to the expansion of foreign trade. I do not speak as an opponent of reciprocal trade agreements. I represent an agricultural district whose principal crop in normal times goes partly into export channels, and I am, therefore, interested particularly in expanding our export markets for wheat. I voted against the Reciprocal Trade Agreements Act 3 years ago because it appeared to me that, notwithstanding the desirability of increasing our export market for our surplus agricultural commodities, that under the procedure outlined in the act it would be impossible to do so. It would certainly be most agreeable to me if I could at this time stand on the floor of the House and admit that I had been mistaken, and that the effect of the Reciprocal Trade Agreements Act had been beneficial to the farmers of this Nation. Frankly and sincerely, however, whatever the effect of the act has been as to the producers of other commodities—and I know there are honest differences of opinion on that question—I do not believe it can fairly be contended by anyone that the industry of agriculture has been benefited. On the contrary, I think it has suffered some very distinct losses and has been put under numerous disadvantages by the terms of the agreements which have been executed. There will be others who will discuss the effect of the act in its entirety, but I shall devote the limited time which I have in discussing the effect which the present act has had upon the industry of agriculture.

I said a moment ago that the trade agreements so far entered into have been detrimental to agriculture. I do not believe that this statement can be successfully challenged. I have carefully read the hearings held by the Ways and Means Committee. It is noteworthy that although some witnesses representing industrial interests, such as the United States Chamber of Commerce, appeared before the committee and urged the extension of this act, that not a single representative of any agricultural organization took this position. It is noteworthy also that although the Secretary of Commerce appeared before the committee and urged the extension of these agreements, that the Secretary of Agriculture who urged the enactment of the original act 3 years ago was conspicuous by his absence, and that no one appeared before the committee representing the Department of Agriculture or any of the other departments of the Government which deal with agricultural problems.

There were representatives of several of the great farm organizations who appeared before the committee, notably Mr. Fred Brenckman, Washington representative of the National Grange; Charles W. Holman, representing the National Cooperative Milk Producers' Federation; John D. Miller, president of the National Cooperative Council, and A. L. Loomis, representing the National Dairy Union. Did these spokesmen for agriculture join with the representative of the United States Chamber of Commerce and other industrial interests in urging the reenactment of this legislation? They most certainly did not. Every one of them pointed out the great disadvantages which this legislation had placed upon farmers and stated that if it was to be reenacted that certain very definite limitations and safeguards should be incorporated in order to prevent further discrimination against agriculture.

These witnesses were not, of course, speaking for themselves but for their organizations, and I should like at this time to include in my remarks copies of resolutions adopted by some of the great farm organizations of the country with respect to this legislation.

The resolution adopted by the National Grange at its annual meeting in Columbus, Ohio, on November 11, 1936, reads as follows:

Whereas it appears likely that Congress may reenact legislation authorizing the Department of State to enter into reciprocal trade agreements with other nations, which authority expires on June 12, 1937: Therefore be it

Resolved, That while we favor any expansion of foreign trade which is advantageous to our people, we are persuaded that so long as the protection system prevails, the American farmer is entitled to the American market, so far as he is able to supply the demand; and be it further

Resolved, That in the event of the renewal of this act, trade treaties with other nations should be ratified by the United States Senate before taking effect. Such treaties should not contain the unconditional most-favored-nation clause, under which policy we gain concessions from one nation while making concessions to practically all other nations producing and exporting any given commodity.

The National Cooperative Council which is a Nation-wide organization, composed of all leading farm cooperatives adopted the following resolution at its annual meeting of delegates on January 9, 1937:

As stated in the resolutions of the National Cooperative Council of last year, the sound policy for agriculture in relation to our foreign trade is to maintain all of the domestic markets for American farmers with regard to products produced within the United States and to encourage our farmers to produce products which will take the place of those now being imported whenever such a procedure is practicable. It is also essential to the continued prosperity of our people that every sound effort be made to regain and to expand our foreign-trade outlets, particularly outlets for agricultural products.

The record of our foreign trade for the first 10 months of last year makes it very questionable as to whether the present trade-agreement program of our Government is in the best interest of agriculture. The adverse balance of total trade as between the United States and the first six nations with which we have signed trade agreements during this period has increased to nearly $90,000,000. Looking toward the end of developing foreign trade, if the policy of trade agreements is to be continued, the following changes should be made in the act of June 12, 1934:

1. The right of the Senate to ratify trade agreements should be restored.

2. General application of tariff benefits should be abandoned so that only the nations signatory to such agreements should obtain their benefits.

3. Public hearings should be held on trade agreements before they are completed by whatever authority considers them.

The State Department should refrain from negotiating any further reductions in import duties on agricultural products, in binding agricultural products on the free list, and in binding the Federal Government not to increase nor levy internal taxes upon imported products which directly or indirectly compete with those produced on farms in the United States. The Congress should not shrink from abandoning the most-favored-nation clauses in most of the treaties which the United States has signed with other nations.

The American National Live Stock Association at its fortieth annual meeting held at El Paso, Tex., in January 1937 adopted the following resolution:

Whereas the reduction in the tariff on cattle in the Canadian reciprocal trade agreement and the extension of the same reduction to imports from Mexico has been one of the major factors in causing a sharp decline in cattle prices, as a careful examination of official Government market reports clearly indicates; and

Whereas the tariff on agricultural products has been reduced to increase the export of industrial products; and

Whereas these imports have been received in such manner as to effect a decline out of all proportion to the actual numbers involved: Therefore be it

Resolved, That we urge that the reciprocal trade act be repealed, or that all treaties negotiated under it be subject to ratification by a two-thirds vote of the United States Senate; and be it further

Resolved, That we request that until the act is repealed or the Canadian agreement is nullified or expires, the imports of cattle under this agreement should be placed on a weekly or monthly quota for 1937 in order to prevent dumping of large numbers on our markets in a short period, as was done in the spring of 1936.

The American Farm Bureau Federation, which, as is well known, has been working in close harmony with the administration, adopted the following resolution with reference to the reciprocal trade treaties at its annual conference on December 11, 1936:

We reaffirm our support of reciprocal trade treaties which are negotiated primarily to restore agricultural exports by judicious lowering of industrial tariffs, thus admitting more goods into this country and making it possible for us to sell more of our farm products abroad.

We insist that this principle be adhered to in framing reciprocal trade treaties and that there be no reduction in present agricultural tariffs on any farm product that would have the effect of holding or reducing domestic price levels below parity on such product. We insist that prior to the conclusion of agreements opportunity be afforded official representatives of farmers to be heard in public hearings on questions at interest, and that the most-favored-nation clause be eliminated.

Countries enjoying wide outlets in the American market of commodities on the free list should be effectively encouraged in large part to take in exchange commodities produced in the United States which they require.

While the above resolution indicates the reluctance of this organization to criticize the administration's program, yet it clearly indicates its dissatisfaction with the procedure employed and the results obtained up to date in the negotiation of these treaties.

Surely there must be some reason for this unanimity of opinion on the part of farmers and their representatives that the reciprocal trade agreements have been adverse to their interests. Surely there is some significance in the fact that while industrial interests, at least in part, favor this legislation, farmers are almost unanimously against it, at least in its present form. A study of the results up to date in the administration of the act very clearly indicates, I think, the reason for this feeling on the part of farmers generally.

However, before going into a discussion of that matter, let me point out that it is most difficult to formulate a tariff policy which will be of definite help to all branches of agriculture. We have certain major commodities, such as cotton, tobacco, wheat, and pork, of which we normally produce an exportable surplus. If the producers of those commodities are to be prosperous and able to use their full productive capacity, they must depend in varying degrees on the export market. On the other hand, producers of important agricultural commodities such as dairy products, beef cattle, poultry and poultry products, sugar beets, and many other items of agricultural production do not produce an exportable surplus, and ordinarily find themselves in competition in our market with the same products from other countries. For them, adequate tariff protection is essential. In 1934, when the original Reciprocal Trade Agreement Act was enacted, both groups of farmers were in a seriously depressed condition. It was obvious that if both classes were to be helped there must be an increase in our exports of those commodities of which we had a surplus and a retention of effective protection against imports as to those commodities upon which we were on a domestic basis.

At that time there was a fear on the part of the producers of those products of which we are on an import basis that their interests might be sacrificed in attempting to expand our agricultural export market. Those fears have not been realized in just the particular form in which they were felt at that time, because our agricultural export markets have not been expanded. What is worse, however, the producers of agricultural products on an import basis have apparently been sacrificed on the altar of increased industrial exports, so that we find today both groups are suffering from the present trade policy of the administration—the export group from the fact that its markets have not been expanded but have further declined during the last 3 years, and those on an import basis from the fact that agricultural imports have increased, thus furnishing destructive competition.

I am aware that the answer will be made that the farm prices are higher now than they were in 1934 and that for that reason the farmer should not complain. That is not a valid argument, however. It is true that the prices of some farm products are higher now than they were in 1934; but, if so, it is largely because of the policy of restricted production or the drought. Farm prosperity will not be restored in this country until the farmer receives a fair price for a full crop. In other words, parity price means nothing unless it also includes parity income.

I am sure that no one who has seriously studied the question will contend for one minute that our tariff policy since 1934 has contributed one iota toward better conditions for agricultural producers. The test as to whether it has or not is easily found in the figures showing the trend of foreign trade in agricultural products since 1934. Had there been an expansion of our agricultural exports, as predicted and hoped for by those who advocated the enactment of the Reciprocal Trade Agreements Act in 1934, then it could be definitely said that as to those crops the act had been successful. Had the act been administered so that it did not increase our imports of competitive agricultural products then, in a negative way, at least, it might be said to be successful as to those products. The figures which I am about to present, however, clearly indicate that the opposite has been true in both cases and that the operation of the act has resulted in a further decline in our export trade and an increase in competitive agricultural imports. The following figures as to individual commodities are based upon both volume and price. In some cases the results would be different, if the factor of price only were considered, but it seems to me that price is a subject in itself, and the only fair way to determine whether export trade has increased or decreased is to use volume as the basis for comparison.

Exports of certain articles, 1933, 1934, 1935, and first 11 months of 1936

[Values in thousands of dollars]

Article	1933		1934		1935		First 11 months, 1936	
	Amount	Value	Amount	Value	Amount	Value	Amount	Value
Cotton, unmanufactured ..... 1,000 bales	8,532	398,212	5,943	372,755	6,093	390,899	5,028	320,823
Tobacco, unmanufactured ..... 1,000 pounds	438,936	82,924	440,866	125,064	396,330	134,043	383,806	123,070
Vegetables, fresh		3,223		3,707		3,768		5,809
Vegetables, dried ..... 1,000 bushels	174	462	135	395	146	404	156	425
Wheat ..... 1,000 bushels	7,983	4,769	16,970	10,249	233	212	1,829	1,796
Oranges ..... 1,000 boxes	3,399	6,665	3,318	8,227	5,463	13,622	3,962	10,611
Do ..... 1,000 baskets	286	414	417	698	948	1,926	447	793
Apples ..... 1,000 barrels	1,173	4,365	766	3,116	1,262	5,352	764	3,170
Do ..... 1,000 boxes	7,224	8,318	7,355	10,187	6,973	9,999	5,305	7,879
Meat products ..... 1,000 pounds	231,439	25,507	251,393	35,168	155,347	28,323	124,896	23,497
Lard ..... 1,000 pounds	579,132	34,098	431,237	26,096	96,355	11,870	101,908	12,281
Dairy products		4,021		5,195		4,533		3,788
Rice, milled ..... 1,000 pounds	107,064	2,864	79,956	2,625	161,307	4,936	14,169	489
Wheat flour ..... 1,000 pounds	3,693	13,823	4,163	16,837	1,003	4,248	802	4,150
Oilcake and oilcake meal ..... 1,000 pounds	760,478	8,646	461,536	5,948	469,878	5,577	420,432	5,422
Dried and evaporated fruits ..... 1,000 pounds	396,790	21,762	337,793	21,691	403,952	23,927	329,871	19,593
Canned fruits ..... 1,000 pounds	266,251	17,132	238,881	17,304	322,481	22,818	251,601	18,552

Reference to the above table discloses that in the case of all the commodities listed, which include all our principal export agricultural commodities, there has been a decline in the quantity, and in most cases the value, of the exports since the Reciprocal Trade Agreement Act went into effect. The only exception is in the case of fresh vegetables for which item we have only the value and not the quantity. In this case it appears that there has been an increase in the value of the exports over 1933, 1934, and 1935. However, as will be noted, this is a relatively small item. It will be noted, also, that the figures for 1936 include only the first 11 months, all that are available at this time. It is possible that in the case of one or two other articles, especially canned fruits, the added figures for December may show an increase for the year. In general, however, these figures show a tremendous decrease in our exports of agricultural products. In this respect the act must be a tremendous disappointment to its sponsors because 3 years ago they were very emphatic in insisting that the act would result in great increases in our agricultural exports.

Imports of certain articles, 1933, 1934, 1935, and first 11 months of 1936

[Value in thousands of dollars]

Article	1933		1934		1935		First 11 months, 1936	
	Amount	Value	Amount	Value	Amount	Value	Amount	Value
Tallow, 1,000 pounds	239	7	42,813	1,625	245,851	13,105	68,468	3,536
Flaxseed, 1,000 bushels	13,966	13,578	14,170	15,028	17,560	15,623	13,876	15,760
Wool, unmanufactured, 1,000 pounds	152,067	18,547	109,401	16,784	202,733	29,925	228,688	46,573
Wheat, 1,000 bushels	31	21	7,737	6,884	27,439	21,072	8,295	7,296
Other grains		7,518		18,991		42,952		35,314
Meat products, 1,000 pounds	60,684	9,293	65,362	12,840	115,059	19,178	143,182	23,197
Butter, 1,000 pounds	899	150	1,253	210	22,675	3,577	8,719	1,798
Cheese, 1,000 pounds	49,497	10,844	47,532	10,659	48,932	11,201	53,620	11,434
Vegetable oils, edible, 1,000 pounds	91,108	7,050	91,745	8,522	397,634	25,483	306,228	21,397
Sugar (cane), 1,000 pounds	5,668,906	104,934	5,994,375	117,614	5,908,295	140,475	5,639,652	149,623

The above table thoroughly shows the great increase which has taken place in importations of the agricultural commodities enumerated since 1933 and also in most cases since 1934, the first year the Reciprocal Trade Agreements Act was effective. In most cases, 1936 showed an increase over 1935. In other words, there has been a steady increase in the importations of these commodities during all the time the act has been effective.

It will be noted that the figures for 1936 include only the first 11 months, which are all that are available at this time. The importations for the full year will, of course, make an even more impressive showing. To be specific, this table shows an increase in our importations of tallow, flaxseed, wool, wheat, other grains, including corn, meat products, butter, cheese, vegetable oils, and sugar, except that the imports of sugar for the 11 months of 1936 are not quite equal to the full year of the importations for 1933. Including December importations, however, there is no doubt but what these figures will show an increase also. The above table does not include importations of livestock, which everyone knows has increased tremendously as a result of the Canadian treaty. Some of the articles enumerated above are not the subject of trade agreements and it is not contended that the increase in the importation of such articles is necessarily the result of the enactment of any particular agreement. The table is used, however, for the purpose of pointing out that during the time the reciprocal-trade agreements have been in effect, our imports of farm products have increased, both as to volume and value. All of us will agree, I am sure, that this is not a desirable situation at a time when our own farmers have been urged for the last 3 years to reduce their production of farm products.

If I had the time it might be of interest to go into the matter of exports and imports from specific countries. That will, no doubt, be done by someone during the course of this discussion. All that I have tried to point out, however, in the brief time which I have taken is that as far as agriculture is concerned, the operation of the act up to date has been detrimental both as to crops which are on an export basis and those which are on an import basis, which means all of our agricultural production.

Under the operation of this act, our exports have greatly decreased and our imports have increased. The resolutions adopted by various farm organizations to which I have called attention earlier in these remarks and testimony of the representatives of agriculture before the committee all indicate that agriculture is not willing to see an extension of the act unless certain definite safeguards are incorporated. As far as I am personally concerned, I feel the same way. I should like to see an increase of our foreign trade in agricultural products. The present act has brought about just the opposite result.

If the act is to be continued it should by all means be amended so as to provide—first, for congressional approval of such treaties as are negotiated; second, that interested parties shall have the right to be heard before the governmental body which negotiates and approves the agreements; third, that no duties shall be reduced to a point below the amount necessary to protect American producers from unfair foreign competition; and fourth, that reduced rates shall not be generalized to nations which discriminate against this country in their trade policies.

I expect to support such amendments as may be offered along the lines indicated above and sincerely hope that they may be adopted. [Applause.]

Mr. TREADWAY. Mr. Chairman, I yield 3 minutes to the gentleman from Nebraska [Mr. STEFAN].

Mr. STEFAN. Mr. Chairman, we are called upon to consider the bill to extend the authority of the President respecting our tariff problems. I have read with great care the views of the majority and the minority members of the Committee on Ways and Means. I have also read with great care the committee hearings on House Joint Resolution 96, to extend the Reciprocal Foreign Trade Agreement Act for a period of 3 years. I have listened to the entire debate up to this moment.

From these reports and hearings I get the impression that not alone do we surrender our constitutional duties as representatives of the people but I fear that the plan of the administration to put the question of world peace ahead of the gist of the tariff problem may entangle our Nation in foreign alliances and eventually lead us into great international trouble, the result of independent bartering with foreign representatives through subordinate officials who are not responsible to the people of our country.

I am most concerned, Mr. Chairman, with foreign trade as it affects the people of my district in Nebraska. I am intensely interested in the American market for American producers. I believe that when an American farmer has anything to sell and there is a market for that American produce in the United States that market should be preserved for the American farmer. I am not averse to trade with foreign nations in the good old-fashioned Yankee manner. I believe we should continually work for a favorable American trade balance. I, too, believe in the promotion of world peace, but not for a program which would surrender

the American market to foreigners at the expense of a theory which, in my opinion, has not worked for the welfare of the producers in my district. I believe that most Americans and most American farmers are willing to buy from our foreign neighbors most anything of which we have not a surplus. When we have a crop failure, we must buy foreign produce to meet our needs; but when we have abundant crops and have these to sell and there is a market for this produce in America, I, for one, am not willing to surrender that market to any foreign producers. I believe in the American market for the American producer first of all.

I am amazed at the degree of helplessness to which this original legislation has reduced the representatives of the people.

Take, for instance, the importation of fats and oils. I have figures from American organizations interested in the American fats and oils industry to the effect that by reason of the excise tax on Philippine coconut oil we have saved to the American producer of fats and oils an annual market amounting to about $250,000,000. No American farmer would like to surrender a $250,000,000 a year business. Yet this business is now threatened by reciprocal-trade agreement. It is threatened because today we are allowing another oil to come into our country free of duty. Eventually it may replace coconut oil and wipe away that market. If Members of Congress could be given some authority to put duty on that Brazilian oil and save this market to the American producers of fats and oils, something in the way of protecting the American market for American producers would be accomplished. But under this resolution Congress will have nothing to say, and the free importation of this oil and other foreign farm products will continue, and this market which belongs to the American farmer may be surrendered to foreigners.

Mr. Chairman, I called the attention of this House to this matter in the Seventy-fourth Congress, and I feel it my duty to again discuss this subject. We are informed that through the reciprocal-trade agreement with Brazil, millions of pounds of edible oil are being brought into our country duty free. Members should be apprised of this dangerous importation of this foreign oil. It appears to me that either the reciprocal trade agreement negotiators were woefully ignorant of the facts and the potentialities or else this amounts to a deliberate effort to replace coconut oil in the United States by this Brazilian oil product. I am in the position of inquiring if this is an attempt to evade the benefits derived from the tax on Philippine coconut oil by the American farmers? For information of Members of the House, I present some data on babassu oil furnished to me by the National Dairy Union:

A new vegetable oil is appearing in increasing quantities in the United States markets. This is babassu oil, which comes chiefly from Brazil. This oil first came to general attention by the reports of its use as an ingredient in oleomargarine during the year 1935. The Census Bureau reports that 1,838,000 pounds of babassu oil was used in oleomargarine in that year.

Interest increased when it was found that in the recently negotiated reciprocal-trade agreement with Brazil babassu oil was "bound" on the free list; not only that, but that the State Department on behalf of the United States Government agreed that it should not be subject to internal taxation into the United States. The legality of this latter part of the agreement is questioned, but the State Department maintains it.

About the same time as the announcement of the Brazilian agreement there was a noticeable increase in the imports, which have now reached a total of about 7,000,000 pounds a month.

Babassu oil is an edible oil when produced under proper conditions and is also a soap oil. Chemically it is closely related to coconut oil, containing an appreciable percentage of lauric acid, which is one of the valuable constituents of coconut oil. In the use to which it has been put it is a direct substitute for coconut oil and palm oil for both edible and inedible purposes.

Domestic producers of fats and oils, who have become alarmed by the increasing imports of this Brazilian oil and the peculiar provisions of the Brazilian reciprocity agreement, have found two amazing facts as they have begun to study this new threat against domestic industries.

One of these facts relates to the enormous potential supply.

The other fact relates to the threat found in this part of the Brazilian agreement against the long-standing coconut-oil trade with the Philippine Islands.

As Philippine coconut oil is now subject to a 3-cent tax, untaxed babassu oil can be bought by users in this country at 3 cents a pound less than coconut oil, and every pound of babassu oil used is, potentially at least, a substitute for and will replace a pound of coconut oil.

It is difficult to explain how the sponsors for the Brazilian agreement within the State Department can reconcile the damage likely to be caused by this agreement to the Philippine oil trade with their violent protestations in favor of the Philippine coconut-oil producers during the past 2 years. With reference to the potential supply the United States Department of Commerce has issued a special report (no. 36) dated October 25, 1935, on Brazil's Babassu Nut Industry. From this report it appears that the possible supply of babassu oil is almost unlimited. It has not appeared heretofore in the markets in large quantity because of the difficulty in cracking the very hard shell of the babassu nut. This difficulty seems to have been overcome. The oil is produced from the nut of babassu palm trees, of which there are 800,000,000 in one state in Brazil (Maranhao) and 400,000,000 in another state, with large numbers in four other states. These trees average 275 pounds of the nuts per year, the kernel of the nut averaging 33 pounds to the tree, and these kernels producing 60 percent of oil, or about 19 pounds of oil per tree. Of course, transportation and other difficulties must be overcome before any large part of this tremendous available supply can be released for commercial use. The oil, as stated above, is very similar to palm oil, contains lauric acid and replaces palm oil and coconut oil in their usual and ordinary commercial uses. When used in oleomargarine it not only replaces coconut oil but also replaces cottonseed oil, soybean oil, and other important domestic products.

The imports of babassu oil have become alarming since the 1st of January 1936. Imports for the first 4 months of this year are as follows:

	Pounds
January and February	18,502,076
March	5,083,506
April	5,596,601

If this level of imports is kept up it is evident that from sixty to seventy million pounds will come in this year. With the Brazilian trade agreement as a bar to any remedial action by the Government it seems evident that American oils and fats producers are in for another discouraging period in spite of the efforts which Congress has undertaken to protect this important branch of American agriculture.

If Members will take time to read the hearings on this measure, they will find testimony to show that the Brazilian oil to which I refer has been on the free list many years. They will also learn that there was not much of a market for this oil until we put a tax on coconut oil. Then the soap makers and the Oleomargarine Trust started looking over the world for a cheaper substitute for American fats and oils. Suddenly foreign importers learned about this Brazilian nut. They found this nut in the deep woods of Brazil. It was hard to get and hard to reach because of lack of roads. The nut was hard to crack. But roads were built and machines were made to crack this nut and extract the oil. Then, I am informed, the industry of the Brazilian babassu nut grew by leaps and bounds until its harvest has increased 400 percent in 1 year. To me it develops the belief that industries, anxious to get a cheaper substitute for American fats and oils, developed the Brazilian nut industry because we have been able, through the tax on coconut oil, to give the American producer some semblance of protection.

An excise of 3 cents per pound upon babassu oil would afford a more nearly reasonable protection from the competition of foreign fats and oils. In the Brazilian treaty which was executed about a year ago, babassu oil was specifically exempted from all forms of tariff and excise tax during the period of the treaty.

I have been asked by many people in my district to introduce a bill to put a duty or excise tax on the importation of this competitive oil. Of course, so long as the Reciprocal Foreign Trade Agreement Act is extended and, at least for the duration of the Brazilian treaty, sponsorship of any proposed legislation to fix an appropriate duty or tax would merely amount to a futile gesture. Because of the surrender of its independent function, the Congress has placed itself in the position of being unable to undo or amend by unilateral action that which has been determined independent of Congress through bilateral action, resulting in treaty obligations without even the formality of Senate ratification. In other words, under the act approved June 12, 1934, we have had to stand by and helplessly observe such invasions of our home market without benefit of the possibility of any legislative relief, and if this resolution succeeds, we shall have to similarly stand by at least until June 12, 1940.

Those Congressmen who represent districts where beef is raised should heed the warning given to me by Professor Gramlich, of the Nebraska State Agricultural College. Mr. Gramlich's services have been frequently used by this administration. He has been in Washington on several occasions. He is an expert on the fats and oils subject. His warning is to the effect that the price of the finished steer on American farms is based upon the price the American farmer can secure for the inedible fats which can be found around the intestines of that finished steer. If that be true—and I doubt not the word of an expert like Professor Gramlich—Members in this House representing the cattle raisers of this country should hesitate before allowing foreign fats and oils to flow into the United States from foreign countries. If this cheap oil comes to us free of duty and eventually controls the price of our own finished cattle, the future of the cattle raiser will indeed be dark.

There has been sufficient argument developed in the debate on this resolution to lead me to believe that through the trade agreements with Canada and the importation of meat from South America the American producer of beef is being penalized.

Mr. Chairman, I have contacted many producers of beef cattle in my district and they are opposed to the lowering of the tariff on cattle coming to us from Canada and from other countries. I have letters from farmers and even some merchants protesting against the importation of other farm products where they come in direct competition with American produce. The people whom I represent in this great deliberative body are opposed to anything that will surrender the American market to foreigners and I plead with you to give this matter your most serious attention on the basis of preserving the American market for the American producer.

I do not believe the American people can be fooled by the theory that these reciprocal-trade agreements will buy us world peace and the sincere good will of foreign nations. That has already been demonstrated to me by the actions of these foreign nations who have succeeded in getting more than 50 percent of their debts to the United States canceled and are now not willing to pay us back any of the reduced balance. I feel that this example set by certain foreign nations now trying to invade our market on the claim of world peace and good will underlies another effort to make a one-sided bargain with the United States.

Mr. Chairman, I know that trade agreements of some kind must be made between our country and foreign countries. But in these trade agreements I hope that nothing will be done which will in any way force us into foreign entanglements; nothing that will tend to sell our farmers and laboring men "down the river." I hope that we get a real honest trade when we bargain with these foreign diplomats. I pray that nothing will happen in these bargains with foreign nations which will tend to tear down our high standard of American living. From my experiences in foreign lands I know the sort of standard of living of many peoples. We have fought for many years to bring the American standard of living to a high scale. Let us not endanger that American standard. I do not wish American people to be pulled down to the plane of living standards now prevalent in many foreign lands that I have personally visited.

I want the American market preserved for the American producer. I am opposed to the importation of foreign-made goods which come into direct competition with merchandise made by the hands of good American laboring men and skilled mechanics. I should like to see the American union trade label on all American manufactured goods in order that Americans would know that they are buying goods made by Americans and not from the factories of foreign owners of human slaves. Unless we protect the market for the American farmer and the American market for the American workingman, we might as well become international and drop to the low level of living which exists among the pitiful humanity in some of the foreign nations which are surrounding our shores with their boatloads of cheaply made merchandise and cheaply grown farm produce. So far as I am concerned, Mr. Chairman, I want to "buy American" and I want to preserve the "American market for American producers." I do not want to be pushed into the World Court or the League of Nations through the back door of what may be called "reciprocal trade agreements", and from which we may eventually have to back out with our faces very red. [Applause.]

Mr. TREADWAY. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin [Mr. HULL].

Mr. HULL. Mr. Chairman, the Progressive Party of Wisconsin properly voiced the sentiment of the farmers of the Northwest in its declaration that the American farmer should have his home markets, free from the foreign competition which has contributed greatly to the deplorable agricultural situation, which has been growing more serious and desperate for 15 years. This protest against the importation of farm products from foreign countries, where production costs are much lower, has been expressed repeatedly by all northwestern farm organizations.

The effect of reciprocal-trade treaties has been to reduce the tariff duties on farm products which were previously too low to provide for that difference in cost of production at home and abroad, which is absolutely essential to farm progress. That will continue to be the effect of such agreements. They will not only continue to whittle away the slight protection our farmers have had but they prevent action which will increase tariff duties on farm products to a proper level.

There has been much said about increase of prices on many farm products and the increased income from the farms since the low mark of the depression and since the new policy of trade treaties has gone into effect. An analysis of such statements proves that they are very misleading as to the plight and the deplorable circumstances of the majority of farmers.

The statement, for instance, that farm income for 1935 was $7,000,000,000 would seem to indicate that prosperity had again come to the rural people. However, the statement indicates that farmers, who comprise one-fourth the Nation's population, received only 11 percent of the total national income. It indicates further that the average income of the 6,800,000 farms was less than $1,100, from which must be deducted taxes—local, State, and National—before the average farmer received anything for his living expenses. Furthermore, about 40 percent of the total farm income is estimated to be the amount received by farmers from farm products produced and consumed on their farms for rental value of their homes, and so forth. The accuracy of such estimates may well be questioned, but even if accepted, they disclose that the cash income of the farmers for 1935 was little more than $4,000,000,000.

Such statements do not indicate the facts about the majority of farmers. In 1935 the farm income was less than in 1936, but a break-down of the estimates revealed that 35 percent of the farmers received nearly 80 percent of the total farm income, leaving only 20 percent of that income for 65 percent of the farming population. Presuming that the farm income of 1936 was distributed in about the same proportion, more than 4,000,000 farmers had an income of less than $1,500,000, or an average of less than $400—an amount equivalent to about 60 percent of the average of relief workers on the Government rolls.

There is ample evidence that farm prosperity is a long way off. It is estimated by one Government agency that over 1,000,000 farmers now are in need of some form of emergency or rehabilitation loans. More than half a million more are in need of loans to prevent their coming to a point where rehabilitation loans will become necessary. Over 1,500,000 farmers now are in that plight, and more than $400,000,000 is needed at once to meet the situation.

The farm mortgage situation also is in point. On October 1, 195,000 farmers were in default in their payments on farm loans made by the Federal land banks. It is reported that the Federal land banks have served notice of foreclosure on over 20,000 farmers. Insurance companies and other private agencies are holding a still larger number of farm mortgages on which there is default in the payment of both

principal and interest, and likewise are foreclosing farm mortgages on a wholesale plan. Farm foreclosures now are being brought at the rate of 8,000 per month.

Our Government is spending billions trying to alleviate the distress of agriculture. It is preparing plans for further activities. Among other things, it plans measures to aid farm tenants. Restriction of crop production is another remedy prescribed.

In the face of a situation which presents so many discouraging phases, the same Government which plans so extensively persists in the policy of permitting the competition of foreign farm products with our own, displacing our farm production with that of foreign acres, and limiting prices on our farm products to the cost of production abroad, plus tariff rates already too low. Reciprocal-trade treaties have reduced the little protection the farmers have, and will continue to do so as more treaties are negotiated. They serve to add to the difficulties which have made the rehabilitation of agriculture our greatest national problem.

The foreign acreage devoted to products imported into this country reaches an enormous area. Argentina ships us 2,000,000 acres of flax, a million acres of corn, meat products which required more than a million acres to produce, along with dairy products which help lower our dairy prices. Canada and Mexico send in 300,000 head of cattle, raised on 3,000,000 acres of foreign soil. Canada ships in also barley, cheese, potatoes, in quantities which not only displace an equal amount of such products from our own farms but reduce the prices in our markets, at the same time depriving American farmers and their American acres of their opportunity.

These comparisons might be added to indefinitely. While restricting production acreage here at home, we are constantly expanding the acreage of foreign lands to supply our home markets. The whole tendency of the reciprocal-trade agreements is to still further sacrifice the American farmer, reduce his earning power and his purchasing power, in order to increase the prosperity of farmers in other lands who have a lower cost of production, a lower standard of living, and in most instances have other advantages with which our farmers cannot compete.

The Progressive Party of Wisconsin demands that the home markets shall be given to our own farmers. I heartily voice that demand. Repeal of the so-called reciprocal-trade law will be a step in that direction, and I favor its repeal.

Mr. TREADWAY. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. LORD].

Mr. LORD. Mr. Chairman, the farmers of the State of New York are adversely affected by the reciprocal-trade agreements with Canada, and under the treaty agreement that applies to Canada it also applies to every nation with, I believe, the exception of two. What affects the State of New York with equal force applies to the entire industry in our Nation.

Our tariff laws, prior to this Hull trade agreement, protected the farmers and only very small shipments of dairy products came into the country from Canada, but under the reduced tariff of nearly 40 percent on cream and a little less on cheese our markets are thrown open to the world. There perhaps was some excuse in the trying times in giving the Chief Executive some extra powers, but we have learned a dear lesson, and even to suggest now to continue the powers for 3 years more will finish the farmer and go a long way in continuing the depression.

To make our Nation prosperous we must first have the farmers prosperous, and until they are on a paying basis the country cannot hope to get back to good times. There is no reason why the Congress cannot assume their responsibility and deal with the problems before us.

Men coming from all sections of the Nation have a far better knowledge of our needs than a man who has only free-trade ideas and listens to the ones to be benefited in the foreign countries, instead of the ones affected in the United States. We have given our sugar quota to Cuba and cut down the production in the States, Puerto Rico, and our other island possessions. We are losing our textile industry and getting the products from Japan, where girls work 60 hours a week in factories for 15 cents a day. There can be only two courses to take, we must come down to their wage level and standard of living or give protection to our workers if they are to have a job.

From the experience that we have had with these trade agreements we certainly are not justified in continuing them, and I hope that this legislation extending the powers to the Chief Executive does not pass.

Mr. COOPER. Mr. Chairman, I yield 20 minutes to the gentleman from California [Mr. BUCK].

Mr. BUCK. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and to include therein certain excerpts from the hearings before the Committee on Ways and Means.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BUCK. Mr. Chairman, the salient points involved in the resolution to extend the Reciprocal Foreign Trade Agreement Act, now before the House, the legal authority for it, and the beneficial aspects of the trade-agreement policy which it represents, have been so clearly presented to the committee by those who have preceded me that I would be rather reluctant to avail myself of the time allotted to me this afternoon with the demands that are being made upon us were it not for the fact that those who spoke yesterday and who have spoken today in opposition to the passage of this resolution have paraded before us the specter of a ruined American agriculture.

I do not want to speak in generalities this afternoon, although I could easily be excused for doing so. If there are any of us who know what a ruined American agriculture was, it is those of us who, like myself, were engaged in agricultural pursuits between 1929 and 1933, and still are so engaged. Not a ghost, not a specter, but real stark ruin faced us then and faced not only agriculture but industry of all types. I could ask you gentlemen from the inland cities, from the mining districts, and from our seaport towns to go back and consider and compare the situation that your own people were in during those same 4 years and that which they now are in. The same comparison can be made profitably as to the state of agriculture in general in the United States then and today.

Because the farmer is relatively prosperous today and has more money to spend, American industrial employment has risen. As was pointed out by the gentleman from Tennessee a few moments ago, consumption of all kinds of goods, both those produced and manufactured at home and those normally imported, has greatly increased; but the opponents of any policy of foreign-trade expansion have stressed the fact that among these imports there has been a considerable increase in agricultural products. Their endeavor is to fasten upon the reciprocal trade agreement plan the onus, if any there be, of this increase. In this I feel they have been somewhat disingenuous.

It has been impossible to pin these gentlemen on the left down to an admission of the truthful facts, that the vast majority of these agricultural products imported in increased quantity are either those of a noncompetitive character, such as coffee, rubber, and silk, or those on which full tariff duty has been paid, such as the much-discussed Argentine corn imports, or commodities classed under the agricultural schedules but which affect the farmer only indirectly, if at all, such as beverages.

Anyone who has read the report of the majority members of the Ways and Means Committee cannot have failed to have seen for himself the exact division of competitive and noncompetitive agricultural products therein set forth and to have realized the truth of this.

As a matter of fact, even in the matter of Cheddar cheese, which the gentleman from Kansas complained about a moment ago, the United States producer sold a greatly increased quantity of his own Cheddar cheese in his own market at a higher price than he ever thought of receiving in 1933.

The relatively small imports of corn from the Argentine and elsewhere in 1935 actually decreased in 1936; and there never would have been any demand for such outside corn had we not gone through the heavy drought situation we experienced in 1934.

That the farmer who was actually engaged in raising corn, or hogs, or fruit, or vegetables, or cotton, or any other agricultural product is not greatly concerned about these small imports was patently shown in the election of last November, for the gentleman who led the minority party to defeat cast everything to the winds at Minneapolis when he came out flatfooted against the trade agreement bargaining which the Roosevelt administration had instituted. This opposition cost him votes throughout the country. It cost him votes from Republicans as well as Democrats. Wherever this was an issue, and my friends on the minority certainly endeavored to make it an issue in every congressional district in the country, the people sustained the Hull treaty-bargaining program.

I confess I do not know exactly what the gentlemen who signed the minority report mean. They are not opposed to reciprocity, they say. They are only opposed to the continuance of the Trade Agreement Act in its present form. They state, "We are in accord with the general policy of reciprocity which we understand to mean the exchange of mutually beneficial tariff concessions between nations."

So far as that statement is concerned, they stand in no different position from the majority of this House. The concessions which we have made have been concessions of real benefit to the nations with whom we have been dealing; and yet they have in every instance been safeguarded by the President in such a way as not to harm the American producer. For every concession we have given we have received more than one beneficial reduction of duty in exchange. Why, there are those abroad who claim that the trade agreements entered into have been at the expense of their own country and for the benefit of the United States alone.

Yet the minority still proclaims the isolationist doctrine of self-sufficiency, which would eliminate all profitable trade intercourse with foreign nations.

They forget that to carry into effect their doctrine would ruin in their own country great industries and great agricultural enterprises that have been built up over generations on the basis of selling surpluses to foreign nations. As to our own agriculture, I need go no further than to mention cotton, corn and its products, rice, and dried fruits, all of which and many more are produced in this country on a surplus basis, which requires either that the surplus be exported or that the home consumption generally be doubled.

For instance—and I quote from Foreign Trade in the United States in 1935—there was exported in 1929, 54.8 percent of this Nation's cotton production; 32.6 percent of the rice and rice flour; 53.5 percent of its canned sardines; 49.4 percent of its dried apricots; 35.5 percent of its raisins; 56.8 percent of its dried prunes; 22.8 percent of its canned fruits; 15.5 percent of the fresh apple crop; and 22.3 percent of the fresh pear crop. These are only a few of our agricultural surpluses. Where are we going to increase our home consumption sufficiently to take up these surpluses?

We have heard much about concessions we have given to take care of this situation; well, let us look at some of them.

Most of these have been explained before and will be covered further by some of those who follow. Let me just say a word about the cattle concession given to Canada. The reduced duty that we agreed to give in our negotiations with Canada applies to a quantity amounting to only three-fourths of 1 percent of the annual American slaughterings. This concession, while infinitesimal to us, was of vital importance to Canada, where it was equal to 15 percent of the Canadian cattle slaughterings. In return for this and the remaining few concessions that were given to Canada on agricultural products we obtained important concessions on fruits, vegetables, nuts, salt pork, eggs, and fish products. That these concessions were of real value can be briefly indicated by a reference to the actual quantity of a few American agricultural exports into Canada, to which reduced duties applied, during the first half of 1936.

So that there may be no misunderstanding or quibbling over whether the dollar was the same in 1933 as in 1936, I am going to use, as far as I can and as far as official figures are available, tonnage, and not dollar figures, because every farmer knows how many pounds or bushels he raises on an acre of land.

We see that the imports of American lettuce into Canada increased from 10,471,000 pounds to 29,286,000 pounds.

Fresh tomatoes, of which we heard something yesterday, from 3,285,000 pounds to 9,671,000 pounds.

Fresh apples from 945 barrels to 25,519 barrels.

Asparagus from 872,000 pounds to 2,296,000 pounds.

Canned fruits, from 353,000 pounds to 1,036,000 pounds.

Eggs in the shell, from 10,694 dozens to 83,462 dozens.

Cleaned rice, from 14,004 hundredweight to 25,319 hundredweight.

Salt pork, from 323,000 pounds to 844,000 pounds.

The available figures do not give the tonnage of dried fruits, I regret to say, a matter in which my State is particularly interested, but they do show the value. Oranges, which were made duty free during the months of January through April, increased in value by $297,000; grapefruit, by $175,000; and other fresh fruits, including plums and cherries, which were affected by the tariff reduction—and that is all I am talking about—by $110,000; and nuts to an additional value of $109,000 and dried fruits to an additional value of $62,000 were imported into Canada from the United States in the first 6 months of 1936 over and above the comparable figures for 1935.

I am not going into the question of the increase of industrial exports. They seem to be taken for granted in much of the argument to which I have listened, but what I am showing you is that agriculture itself has received proportional benefits of definite value through the agreements that have been entered into. This tonnage removed from home consumption certainly aided the home market.

Now, let us take the case of Cuba. Before I go into the increase of our exports to Cuba—and I trust I may have time to go into them fully—I wish to take a few moments to correct some misapprehensions which might have been left in the minds of the members of the Committee by the gentleman from Michigan [Mr. CRAWFORD], of whom I endeavored to ask some questions yesterday. The tables he has inserted in the RECORD today unfortunately fail to take into consideration the exact tariff situation on sugar as between the United States and Cuba as it developed. There have been two reductions in the tariff duty on sugar as far as Cuba is concerned, and one as far as the world is concerned.

The first reduction on Cuban sugar was made in 1934 from 2 cents to 1½ cents. That was made, Mr. Chairman, as the result of a Presidental proclamation, and in consequence of the results of a Republican formula, a cost-of-production analysis, instituted and conducted by the United States Tariff Commission. It has nothing whatever to do with the Reciprocal Trade Agreement Act. This reduced the general tariff on sugar from 2½ cents to 1.875 cents, which made a rate of 1.5 cents applicable to Cuban sugar by virtue of the 20-percent preferential granted to Cuba in 1902. This made the Cuban rate 1.5 cents per pound.

The second reduction from 1.5 cents to 0.9 cent was made in the Cuban trade agreement effective September 3, 1934. All of the figures and computations, therefore, which the gentleman from Michigan put into the RECORD yesterday, which were based on the 2-cent rate, should be revised in light of the fact that the reduction made by the trade agreement was only on the 0.6 cent made by and under Secretary Hull's negotiation. It is quite true that the revenue collections from Cuban imports were smaller than they would have been if the same amount of sugar had been imported under the same sugar-quota legislation and with a higher duty in effect, but I do not think there is anyone here who believes that the same amount of sugar would have been imported at the higher duty.

During the first 12 months of the operation of the Cuban trade agreement both the United States and Cuba collected more revenue on the aggregate of their imports than in the preceding 12 months, in spite of the fact their tariff rates were lower. As a matter of record, during the first 2 years of the Cuban agreement the duty collected on imports of sugar into the United States amounted to $93,336,000, or $10,583,000 more than twice the collections in the year previous to the agreement.

The sugar-quota legislation and the duty reduction in the Cuban trade agreement are integral parts of a single plan for the rehabilitation of the sugar industry both in the United States and in insular regions. The domestic producers of beet sugar, may I say in answer to a criticism voiced by one of the gentlemen on the minority, have not yet been able to fulfill the quota allotted to them under the terms of the Jones-Costigan Act. What is their plight? They have not been limited. They have had an increased, not a decreased quota. They cannot fill it, yet they have been protected. There is not a sugar-beet grower in California, and I think hardly any in the United States, who would return to the condition of competitive price selling of sugar under a world-wide open market.

I may say there did exist and still exists a disparity between the United States price and the world price of sugar; but when we took sugar into this trade agreement and made the tariff concession to Cuba, we erected a wall around ourselves and said, "So much and no more can you sell us; go to the rest of the world and sell your surplus for what you can get. It will not affect us, because we have protected the sugar producer at home." This was an intentional and outstanding characteristic of our sugar-control plan. The Cuban Export Association sells its quota in the United States at prevailing prices. Domestic sugar producers are the major beneficiaries of the higher sugar prices. The wholesale price of raw sugar in August 1934 was 3.24 cents per pound f. o. b. New York. It was 3.68 cents per pound in August 1936.

When the trade agreement with Cuba went into effect there were thousands of tons of sugar in warehouses in Cuba waiting to be sent to the United States. Unregulated competition, which would have resulted had the Cubans lowered their price by the amount of the tariff reduction, would have been disastrous to American producers. How would my Michigan friends have liked this?

May I point out to the committee that all this has been done without any increase in the price of sugar to the consumer, and in stabilizing our market we have protected the earnings of the beet-sugar grower and cane-sugar grower of America; yet it has not cost the consumer in retail prices a fraction of a cent a pound. Where the gentleman from Michigan [Mr. CRAWFORD] can have gotten his idea of a quarter of a million dollar cost to consumers, as a result of this agreement is beyond me. You have only to ask the housewife to know this cannot be.

Mr. MICHENER. Will the gentleman yield?

Mr. BUCK. I cannot yield unless the gentleman secures me some additional time.

Mr. MICHENER. The gentleman's side has most of the time.

Mr. BUCK. The gentleman may have had in mind asking me, what about the Michigan beet-sugar industry? How has it fared under this administration? If so, I may say that the average annual production of beets in Michigan during the years 1928 to 1934, before this Democratic protection of the sugar industry was devised, was 612,000 tons, whereas the average annual production in Michigan since 1933 has been 917,000 tons. That is almost a 50-percent increase, all of which has been marketed at a profit. The fact is the planted acres of sugar beets in Michigan increased from an annual average of 83,000 acres in the years 1928 to 1932 to an average of 148,000 acres in the years 1933 to 1935.

Mr. MICHENER. If the gentleman is answering me I wish he would yield.

Mr. BUCK. I cannot do it yet. I will at the end of my statement if I have time. The acreage has not come up to the 162,512 acres that Michigan was allotted under the Jones-Costigan Act. The price paid growers per ton has come up from $5.73 in 1932 to $7.27, including benefit payments in 1935.

So much for the sugar situation. Now I would like to go into a number of other matters with respect to our exports to Cuba from the increase of which farmers have benefited. Here are a few samples. The most important single product on which the Cuban duty was reduced was hog lard, which has resulted in increased sales of over $1,726,000 in the months of September 1935 to August 1936, over a similar period in 1933 to 1934:

Milled rice: Exports of which into Cuba were valued at only $2,000 the year before the agreement was entered into, amounted to $843,000 during the second year of the agreement.

Exports of white potatoes into Cuba increased from 239,000 bushels, valued at $211,000 in the pre-agreement year, to 856,000 bushels, valued at $516,000, in the second agreement year.

Exports of onions into Cuba increased from 4,110,000 pounds, valued at $52,000, in 1933–34, to 21,769,000 pounds, valued at $400,000 in 1935–36.

Dried beans increased from 2,213,000 pounds, valued at $77,000, to 4,685,000 pounds, valued at $132,000 in the second agreement year.

Canned sardines, in which my own State is interested, increased exports from 1,331,000 pounds to 4,479,000 pounds.

Canned asparagus, corn, and peas, from 70,000 pounds to 204,000 pounds.

Canned fruits, from 520,000 pounds to 1,772,000 pounds.

Soybean oil, from 376,000 pounds to 2,587,000 pounds.

[Here the gavel fell.]

Mr. VINSON of Kentucky. Mr. Chairman, I yield the gentleman from California 3 additional minutes.

Mr. BUCK. Is there any gentleman sitting before me who can honestly say that the increase of these exports, which has relieved the domestic market of the back-log pressure of either overproduction or underconsumption, has not reacted to the benefit of the farmer? As our markets abroad in cotton, and rice, and dried fruits, and apples, and all these numerous products dwindled from 1930 on, the surplus of these products began to stock our warehouses at home. It is not possible for a nation overnight to begin to eat twice as many prunes as they did before. It is not possible overnight to consume at home the entire surplus of cotton and barley that may be grown in this country. Is it any wonder, therefore, that those of us who have had sincerely at heart the welfare of the producers of agricultural products were forced to the conclusion that it was a necessary part of any program of recovery to bring about a resumption of foreign trade at least in these products which are produced in surplus quantities in the United States? Such is the program that has been that undertaken by Secretary Hull under the authority extended to him by the Reciprocal Trade Agreement Act of 1934. It has taken a long time to negotiate the 15 existing trade agreements—agreements which deal with a large number of individual items of import and export. The willingness of the United States to remove some trade barriers of its own in exchange for the removal of others that are strangling its foreign commerce has had a marked effect on diplomatic relations as well as the trade relations of the world. The task is not completed. Trade agreements which will be of great benefit to this country and which may help in a better understanding among nations still remain to be negotiated. It is utterly impossible to negotiate them by June 12, 1937. It is, therefore, of the highest importance that the authority given the President by the act of 1934 be extended for an additional 3 years that this same program may be continued so long as we may find friendly nations who will sit across the table and remove the barriers that they have erected against American agricultural exports.

The country is not deceived by the specious pleas that are made by those who oppose the enactment of this resolution. They would enact it with an amendment here and an

amendment there, but every one of those amendments when analyzed is of such a nature that it would prevent the continuation of the work already carried out. Ratification by Congress: I need only refer you to the pathetic history of the reciprocity treaties, and I suppose they were real reciprocity treaties, the kind that the minority report refers to, negotiated by President McKinley, and all strangled in a legislative committee. Abolition of the most-favored-nation treatment would put us on the same plane of barter on which several European nations now find themselves. We would be the victims of our own discriminations. With every special concession that we might give to Barataria, we would find that Ruratavia would be protesting because it was not included and that it would start some system of retaliation against us. No, my friends; while the direct bargain plan may appeal at first sight, actually it is a proposal to sacrifice our own interests for the sake of tying ourselves up to one particular nation. I could cite you cases where as a result of our incorporating in the Hull agreements and most-favored-nation plan, we have already obtained additional reductions in tariff because the particular nation with whom we made the agreement subsequently made lower concessions to another country.

While the people of my own State, whenever the matter has been clearly put before them as a political issue, have overwhelmingly voted not merely their support of President Roosevelt but their support of this particular trade-agreement policy, I am aware that there are would-be agricultural leaders, generals without following, who oppose the extension of this measure. They do not even yield as far as my friends on the minority yield. They desire the repeal of this beneficial law. Perhaps they will refuse to see the light, but never yet have I met an intelligent farmer in California, to whom the fundamental principles and the actual working practices of the Reciprocal Foreign Trade Agreements Act has been explained, who has not agreed with me that it has furnished the best possible method of restoring the necessary outlet for California's surplus farm products.

Were it not for the fact that the farmers of the country would be so severely hurt by the rejection of this bill and of this policy, it would be an interesting experiment to see whether those who oppose the extension of this policy would be willing to sit down and double the quantity of rice and lard and salt pork and canned goods and prunes and other items which they will have to eat at home if the foreign-market outlets are not kept open, or to see to what other forms of agriculture they would divert the farmers now producing these surpluses.

We have an opportunity to experiment along self-sufficient lines in a small way right now. For the past 100 days at the ports on the Pacific coast, as a result of the maritime strike, the isolationist policy of no foreign trade has been put into full effect. No overseas shipments have moved out of the ports of San Francisco, Portland, Tacoma, Seattle, or Los Angeles. As a result, there are on hand in warehouses, canneries, dried-fruit packing plants, rice-cleaning plants, and elsewhere in California, and, I doubt not, in Oregon and Washington as well, unseasonable quantities far beyond the normal winter carry-over of these goods. A very great portion of these would have gone abroad but for the strike. This tonnage on hand over and above the normal rate of disappearance for this time of the year, I am advised, is about 22 percent in the case of canned cherries, 47 percent in the case of canned asparagus, 49 percent in the case of canned pears, about 38 percent in the case of dried prunes, about 40 percent in the case of rice, and so on. In the case of cotton, where 90 percent of the California crop is exported, inability to deliver has cost the farmer $1.50 per bale on 300,000 bales remaining to be shipped, in addition to the cost of the insurance, interest, and storage from bids to farmers. The California apple crop, of which about 40 percent normally is exported, is now mostly held in cold storage. Why go further?

This situation is not due to the failure of the domestic market, which has been good throughout the year. Domestic orders have been filled by rail shipments, and some foreign orders have been filled by rail shipment to eastern ports and overseas steamers thence. But as far as the west coast is concerned, foreign trade has been abolished for the past 3 months.

This is an object lesson in how the contraction of foreign trade affects directly the farmer and will soon affect the home market. What are you gentlemen who favor this isolationist policy going to do to see that these products now on hand are consumed at home? The time to sell them abroad in many instances has passed.

What are you going to do to relieve the distress of these California and Oregon and Washington farmers? You minimize the importance of foreign trade; well, foreign trade has been practically abolished in this case as a result of the maritime strike. As a result our farmers will pay the price; they must depend on foreign markets for favorable returns.

If there is any one branch of American activity that is dependent upon and benefited by these reciprocal-trade agreements, it is and has been agriculture. It has benefited directly from concessions given it by foreign nations, indirectly by the increased buying power of labor as a result of industrial concessions. Far from being "sold down the river", it is today the greatest beneficiary of these agreements.

I have just shown you what happens when you strangle foreign trade, as has been done on the Pacific coast. A more timely, though unfortunate, example could not be produced. I regret that I have not the time to go further into this, but I leave it to the minority to tell how they propose to keep our export farmers from paying the cost of the interruption of overseas trade with next year's crops. [Applause.]

Mr. COOPER. Mr. Chairman, I yield such time as he may desire to use to the gentleman from Pennsylvania [Mr. DUNN].

Mr. DUNN. Mr. Chairman, I represent one of the largest coal, iron, and steel districts in the United States. I have not received any letters or telegrams opposing the measure which is being debated in the House today.

It seems to me that if this reciprocal-trade proposition were a detriment to business I would have received communications from the owners of the large business establishments located in my district. The fact that I did not receive any complaints signifies that a reciprocal tariff is not only constructive and practical but is also a very humane piece of legislation.

It has been frequently said that Japan, India, China, Turkey, Africa, and many other countries in Europe have not any laws prohibiting child labor. No doubt this statement is true, however, we Americans have no right to unjustly criticize other countries because in many States of our Union there is no legislation prohibiting children from working in the fields and industries. It is my opinion that the people of China, Japan, Turkey, India, Africa, and other countries in the world, as a class, are just as humane as we are.

There have been women and men in every country in the world, regardless of creed, color, or nationality, who have sacrificed their lives for the betterment of mankind.

I hope the time is not far distant when every country in the world will abolish child labor and those countries refusing to adhere to this humanitarian act will not be permitted to ship goods into those countries which have restrictions against child labor. [Applause.]

Mr. TREADWAY. Mr. Chairman, I yield 25 minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, I opposed the Reciprocal Trade Agreement Resolution when it was under consideration 3 years ago. I am opposed to it now. I believe it is an unconstitutional delegation of law-making power; furthermore, that experience now fully demonstrates that the trade agreements so far consummated have worked to the economic detriment of the United States.

When the resolution to grant this power to the President to enter into reciprocal trade agreements was first before Congress, the alleged purpose stated in the resolution and proclaimed on the floor for doing so was to expand our

foreign trade. Today the advocates of the resolution before the House for the renewal of this extraordinary delegation of power to the President have veered away from the originally avowed purpose and instead now put their major emphasis on world peace as their motive.

Those who will take time to read the hearings and examine the statements made by Secretary Hull and Dr. Sayre will discover that this resolution is urged as a means of softening the hostility of foreign nations, rather than to improve our foreign commerce. Commerce is made incidental to the softening process.

It is highly important that Congress does not surrender power and place it in the hands of those who in the use of it, in their zeal for buying good will, forget that their first duty is to the people of the United States. A page from past history may be relevant to the point. You Members will recall that Martin Van Buren when Secretary of State under Andrew Jackson had occasion to negotiate a trade treaty with Great Britain. This was in 1829. Secretary Van Buren dispatched instructions to Mr. Lane, then Minister at London, in which he instructed Mr. Lane how to proceed in conducting the negotiations.

Sometime later Mr. Van Buren was nominated as our Minister to London. His nomination was sent to the United States Senate for confirmation. Confirmation was vigorously opposed, and the opposition was led by Daniel Webster. In expressing his opposition to the confirmation of Mr. Van Buren, Mr. Webster specially cited the instructions dispatched by Secretary Van Buren to Mr. Lane, which were these:

> You will be able to tell the British Minister * * * that you and I, and the leading persons in this administration, have opposed the course heretofore pursued by the Government and the country on the subject of the Colonial trade.
>
> Be sure to let him know that, on that subject, we have held with England and not with our own Government.
>
> Their views upon that point have been submitted to the people of the United States; and the counsels by which your conduct is now directed are the result of the judgment expressed by the only earthly tribunal to which the late administration was amenable for its acts.

Now, let me quote from Mr. Webster's criticism of these instructions. He said:

> I think these instructions derogatory in a high degree to the character and the honor of the country. I think they show a manifest disposition in the writer of them to establish a distinction between his country and his party; to place that party above the country; to make interest at a foreign court for that party rather than for the country; to persuade the English ministry and the English monarch that they have an interest in maintaining in the United States the ascendency of the party to which the writer belongs. * * *
>
> I cannot be of the opinion—

Said Mr. Webster—

> that the author of these instructions is a proper representative of the United States at that Court. * * *

Continuing, Mr. Webster said:

> In the presence of foreign courts, amidst the monarchies of Europe, the American minister is to stand up for his country; * * * and far less is he himself to reproach either; he is to have no objects in his eyes but American objects, and no heart in his bosom but an American heart; that he is to forget self and forget party, to forget every sinister and narrow feeling in his proud and lofty attachment to the Republic whose commission he bears.

The Senate rejected the nomination of Mr. Van Buren.

Now after more than a century we find our Secretary of State under delegated powers from Congress negotiating trade agreements not with one country but with power to negotiate these agreements with all nations. Can it be possible that history has repeated itself and that the present administration in its negotiations has impressed upon foreign powers that it is opposed to the policy pursued by preceding administrations; that the policy of the present administration is not that heretofore taken by the Government and the country. I wonder if foreign nations have been instructed that this administration has held with them and not with its own Government.

I hope that foreign nations have not been instructed that their views have been submitted to and endorsed by the American people at the recent election.

It is a singular fact, however, that Canada seemed to feel a deep concern in the election last November. The Canadian Weekly under date of October 2, 1936, took more than a neighborly interest in the Presidential contest. I quote from the Canadian publication to which I have referred:

> The Dominion has this year much at stake in the outcome apart from the interest of a neighborly onlooker. Mr. Roosevelt has cultivated Canada. He has a summer home in the Dominion, and departing from the usage in a Presidential term, he visits it.

Still quoting:

> He initiated, through the Bennett government, the negotiations for a reciprocal pact in trade which ended in agreement. That agreement is of mutual benefit, but it has meant a lot to Canada in particular. Exports to the United States have been going up steadily, and in 8 months the increase is over $30,000,000. Imports are also up, but not to the same degree.
>
> Now such part of this trade as is attributable to the operation of the reciprocal agreement will go by the board if the Republican Party should win out. That party is definitely committed to repeal of the agreement at the end of its 3-year term if before that it could not neutralize its effects.

Canada having won our election in November 1936, there followed this announcement in Canada's weekly under date of December 11, 1936:

> The president of the Ford Motor Co. of Canada announced that $1,700,000 will be expended on building extensions and machinery at Windsor, Ontario, in the near future. Operations will begin in January, and the enlarged plant should be in full activity within 12 months therefrom.

I believe the trade agreement has softened the feelings of our Canadian friends, and now after the agreement has been in operation they know just how soft we are.

Frederic Hudd, chief Canadian trade commissioner in the United Kingdom, on January 1, 1937, made this report:

> During the year the development of Canada's export trade received the closest attention in many directions. Five new trade treaties were negotiated, namely, with the United States, Poland, Brazil, Uruguay, and Germany. The most notable was with the United States for obvious reasons—contiguity and magnitude of the market.
>
> The agreement came into operation on January 1, 1936; by the end of June the long-standing adverse balance against Canada was converted into a favorable one by over $32,000,000.

The trade agreement with Canada may have had a gentle, softening effect over there, but it has had a flattening effect over here.

Such evidence as this ought to put the Congress of the United States on inquiry—in behalf of our own welfare. Instead of 40 experts on high salaries working night and day for months to make a case against our domestic interests, such talent and research facilities ought to be utilized in support of American interests. It is no wonder that Canada felt that she had a great stake in the American election. In view of the attitude of this administration toward the Hawley-Smoot Tariff Act, it is perfectly logical that Canada should favor the ascendency of the party representing her interests and not the American interests.

Canada is in perfect accord with the attitude of this administration toward the Hawley-Smoot Tariff Act; and why not? Here is what the Hawley-Smoot Act did, if a report of a Canadian publication voices the Dominion's views. I quote from the Canadian Forum under date of September 1932, which carried an article entitled "Canada and the American Tariff", in which the author points to the effect of the Hawley-Smoot Tariff Act upon the Canadian farmers:

> This act practically wiped out Canadian export of feeder cattle and of milk and cream to the United States. The farmers of the prairies found cattle a welcome source of cash income in times of poor wheat crops, and the dairy farmers of eastern Quebec and of New Brunswick had built up a profitable business selling to the metropolitan centers along the eastern seaboard of the United States.

Now, our farmers, especially the dairy farmers, were restive and uncertain as to what might happen to their tariff protection during the campaign of 1932, but many of them were reassured when they listened to the seductive assurance of Mr. Roosevelt in Baltimore on the eve of election in 1932 when he said:

> Of course, it is absurd to talk of lowering tariff duties on farm products. I declared that all prosperity in the broader sense springs from the soil. I promised to endeavor to restore the purchasing power of the farm dollar by making the tariff effective for

agriculture and raising the price of farmers' products. I know of no effective excessively high tariff duties on farm products. I do not intend that such duties shall be lowered. To do so would be inconsistent with my entire farm program, and every farmer knows it and will not be deceived.

The proposed trade agreements did not alarm the dairymen because they had not only the President's assurance but knew, or thought they knew, the attitude and convictions of the Democratic leaders in Congress with reference to the delegation of legislative powers to the President.

They knew that the present distinguished chairman of the Ways and Means Committee would never surrender his legislative powers to the Executive. Was he not on record in these soul-stirring words:

The fathers who formed the Constitution wisely, in my opinion, left to Congress the initiating and enacting of laws raising revenue. The flexible tariff provisions giving the President the power to raise or lower tariff rates to the amount of 50 percent renders nugatory in spirit and practical effect this provision of the Constitution.

Then, true to his profound convictions on the subject of the delegation of power, our distinguished chairman exhorted the House in these stirring words:

My friends, this is too dangerous and alarming to contemplate; with all this power vested in the President of the United States, he becomes a colossus. It is too much power and authority to lodge in any man who ever has been or ever will be President of the United States.

I have quoted from the CONGRESSIONAL RECORD of May 17, 1929.

Then, too, was not the stanch farmers' friend from Kentucky on the Ways and Means Committee? His record of fidelity to the legislative functions of Congress had been proclaimed with vigor, zeal, and eloquence. I quote from his remarks:

We do not advocate autocracy and bureaucracy, yet there are men who permit their growth in the name of expediency. * * * The fathers who wrote the Constitution never contemplated the placing of the power to fix rates in the hands of the President.

But, beyond all this, please listen to the views of our former colleague, the present Secretary of State, made in his minority report on the tariff bill of 1930:

The Republican Party would not only retain section 315, the flexible-tariff provisions, but would considerably enlarge and expand it for purposes of broader tariff legislation by the executive department. The President would thereby be enabled to change the whole objects and purposes of the tariff law enacted by Congress. It is clearly unsound, unwise, impracticable, subversive of the plain functions of Congress, and should be speedily repealed.

Again, on May 9, 1932, Secretary Hull, then a Member of the Senate, quoted with approval his own remarks in the House at the time the President was given power to change tariff rates:

I am unalterably opposed to section 315 of the tariff act and demand its speedy repeal. I strongly condemn the proposed course of the Republican Party, which contemplates the enlargement and retention of this provision with such additional authority to the President as would practically vest in him the supreme taxing power of the Nation, contrary to the plainest and most fundamental provisions of the Constitution.

Then listen to his appeal to Congress not to surrender—

A vast and uncontrolled power, larger than had been surrendered by one great coordinate department of government to another since the British House of Commons wrenched the taxing power from an autocratic king.

We are told by the advocates of reduced tariffs that protection destroys external trade. Such is not the theory of our British competitors. I quote from Sir John Barnard Byles, a former distinguished judge of common pleas:

No nation has adopted the theory and protection to the same extent as England; no nation has the same time enjoyed so extensive and lucrative a foreign trade. For centuries the protective policy has been unquestioned and triumphant; for centuries our foreign trade has been steadily augmenting. The strictest protection in the world has coincided with the greatest trade in the world.

Then this distinguished author points out:

Under a strict and jealous system of protection we have seen the rise of Manchester, Birmingham, Sheffield, Leeds, Glasgow, Huddersfield, Bradford, Nottingham, Coventry, Leicester.

This same British advocate makes this statement:

One reason why Canada has not advanced so rapidly as the neighboring districts of the United States is that Canada had no manufactures but the United States had. Canada had none because our manufactures smothered all infant ones. The United States have manufactures because they have protecting duties.

Mr. GIFFORD. Will the gentleman yield?

Mr. REED of New York. I yield.

Mr. GIFFORD. The gentleman has held a beautiful mirror for them to look at. Evidently they have had their faces lifted. Who was the surgeon that lifted them? [Laughter.]

Mr. REED of New York. I will leave that for the gentleman to answer.

Again, showing the benefits of protection, the British barrister calls attention to Belgium:

Take, now, a small state, Belgium. In proportion to her area, her manufacturing industry is perhaps greater than that of any other country, not excepting the United Kingdom itself. But in Belgium not only has the protective system long flourished; Belgium is the very paradise of protection.

Such has been the philosophy and the practice of the British Government; yet shrewd diplomacy and subtle foreign propaganda aided and abetted by this administration is gradually accomplishing its disastrous work. Our greatest asset, the best cash market in the world, is to be thrown open to the world.

It took a long time for Canada to realize that only by protection could she hope to stimulate industrial development. Finally, it dawned upon her that with her low labor costs, her natural resources, her cheap power, and exceptional transportation facilities, water and rail, she too, might become an industrial as well as a rich agricultural country. Canada with this end in view placed higher tariff rates on her statute books in September 1930. At the expiration of 5 months a thorough and practical investigation was made by Norman M. MacLeod, for the parliamentary bureau of a foremost Canadian publication. The purpose of the investigation was to ascertain to what extent the tariff had been either beneficial or detrimental to Canada. Personal visits were made to various industries and both employers and employees were interviewed in order to obtain accurate information. It is Canada speaking now—not our State Department. Here is what the Canadian survey showed:

(1) The location in Canada of 20 branch factories of foreign industries involving a capital expenditure of $5,000,000 and employment for more than 2,000 Canadian workers. (The cheapness with which firms from abroad are able to locate here, which is a feature of the foregoing figures which will immediately strike one, is due to the fact that there is no scarcity of idle plants for them to occupy, and that in practically no case are they being required to erect their own buildings.)

(2) Plant-extension programs on the part of 9 existing Canadian industries entailing the spending of $7,045,000, and the employment when completed, of 3,500 more workers.

(3) The establishment of 5 new Canadian industries with expenditure loans totaling $1,600,000 and employment for more than 500.

(4) The reopening of 4 Canadian mills which have been closed for years, with employment for 400 hands.

(5) Increased operations in a host of industries, which cannot be measured in terms of new employment, but have meant full time and overtime in place of part time for thousands of operatives through the country.

(6) More inquiries within 3 months than have been received in the country within the last 3 years from foreign firms interested in locating in Canada.

STOREKEEPERS AND DEPARTMENT-STORE MANAGERS

Storekeepers and department-store managers report that today, as never before, buyers are asking: Is this article made in Canada? If it is not, they ask to see one that is. It is a tribute to Canadian manufacturing efficiency that rarely is it necessary today for a domestic article to lose a sale in comparison with a foreign one on the score of quality.

STEPPED UP PRODUCTION

These are the indirect results of the tariff. But to return for a moment to the direct results already quoted—employment for thousands of additional workers. Is that in itself no inconsiderable achievement for a tariff policy less than 5 months old, without considering the huge gain involved in making full-time out of part-time workers? The importance of this latter phase may be gaged from the fact that a large Quebec industry employing 8,000 hands was working at 51-percent capacity before the tariff changes and stepped its production up to 92 percent, a few weeks after. If the fruits of the new tariff are these, then Canadians are surely justified in maintaining the highest optimism as they ask, What will be its fruits at maturity?

TEXTILE MILLS

Imports of cotton textiles, which in 1926 had totaled $55,859,967—a formidable enough figure in itself for Canadian industry to contend against—kept rising steadily. In 1929, despite the

fact that that year recorded the advent of the first really severe reaction in this country, they reached a high total for all time of $61,481,855. Bad times in Canada had not yet commenced to be bad times for exporters to the country; the Bennett government had not yet taken office.

Such, then, was the situation which faced the Bennett government when it framed its tariff policy. It was clearly a challenging outlook. Imports must be curbed; operations must be quickened so that part-time workers might be made full-time; jobs must be increased so that the absolutely unemployed might be absorbed into the industry once more. What has the tariff accomplished so far toward these objects?

The answer is threefold, viz:

(1) It has increased mill operations and enabled companies to engage in the manufacture of new lines hitherto imported into the country.

(2) It has made possible plant extensions.

(3) It has induced firms from abroad to establish branch factories here.

Quick results obtained under Canadian Tariff Act.

Hardly had the ink dried upon the new rates of duty before manufacturing plants were embarked upon a program of extensions unparalleled since the boom years of the war.

It was not that actual business responded at once to the increase. Rather it was that its whole psychology changed. For the first time in years gloom and despondency lifted from the industrial picture, and vigorous optimism resigned in its stead. At last Canadian industry saw before it the change for which it had been waiting.

It was a change which occurred literally overnight, but the basis for it is not difficult to find. The Government has gone the whole distance in affording a protective-tariff policy, and there was little question but that the foreign goods which had been flooding the Canadian markets would now be excluded. What that meant to the Canadian manufacturer a few figures will indicate. To the cotton makers it opened up a potential market, according to last year's import figures, of $32,000,000; to the woolen mills a possible market of $42,600,000; to the silk mills one of $13,000,000; and to the hosiery mills one of $4,800,000.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. REED of New York. I yield.

Mrs. ROGERS of Massachusetts. Has the gentleman the figures concerning the number of textile machines that have been exported to Canada?

Mr. REED of New York. I have them, but I have not put them in.

Mrs. ROGERS of Massachusetts. Will the gentleman put them in?

Mr. REED of New York. I will. [Reading:]

In industries other than textile the prospective benefits were similar. The manufacturers of electrical apparatus had had to contend with $47,000,000 worth of imported goods in their home market. Agricultural machinery had been flooding the country to an extent of more than $30,000,000 per year, while the total of iron and steel products, excluding agricultural implements but including many articles on which the rates were not changed, was some $210,000,000.

Industry, accordingly, had a reasoned basis for the wave of optimism which surged over it. If statistics meant anything—and if manufacturers in the past had been sincere in their complaints against competition from abroad—there was to be work and prosperity for everybody.

Among the industries which demonstrated by immediate plant extensions the justice with which they had blamed foreign competition for limiting their operations, the Quebec textile industry was foremost. The first company to act was the Canadian Celanese. With a plant here which already employs in excess of a thousand workers, it immediately broke ground for a new $2,000,000 extension, which has since been taking shape steadily until now a new dyeing house and a new weaving unit stand as imposing additions to the company's already impressive group of buildings.

Throughout recent months, when unemployment in Drummondville has been at its worst, upward of 250 otherwise idle men have been kept working busily upon the Celanese extensions. In addition the building-supply trades have had one of the worst years in the past decade alleviated by the development of this $2,000,000 program, for all plant materials, as well as all possible machinery, are being purchased in Canada.

BRANCH PLANT ESTABLISHED IN TORONTO BY READING, PA., COMPANY

Another classic instance of the effect of the tariff is to be found in the Herbert Hosiery Mills, newly established in Canada at Toronto. The parent company operates mills in Reading, Pa., and for years it has been manufacturing low-priced hosiery for one of the large chain-store organizations operating in the United States and Canada. When the emergency tariff was passed, it faced the alternative of losing the Canadian end of this business or of locating a branch factory here. It chose to do the latter. Premises were rented in Toronto, equipped at a cost of some $35,000, and operations commenced. A staff of 100 is being employed to start, with the expectation that the number will be increased to 150 at the height of the company's season. All the labor is Canadian and every worker owes his or her job to the Government's policy of tariff protection.

NEW JOBS FOR CANADIANS

In three branches of the textile industry, the new employment resulting this year from the tariff, providing it is only reasonably effective, will mean a total of 18,000 new jobs. Last year's average wage in the industry, men, women, and learners considered, was a little in excess of $900. On such a basis, this year's disbursement of wages to new employees, not considering the increase which full-time operations will bring to old, will reach a total of more than $16,000,000.

CANADIANS QUOTE LINCOLN

Abraham Lincoln once said: "I know very little about the tariff, but this I do know—that if we buy rails from Europe, then Europe has our money; but if we buy rails in the United States, then we have the rails and we have the money, too." Never has the case for protection been better stated.

It has taken the Canadian people many years to learn the economic lesson which Lincoln so clearly impressed. Now, however, they are learning it. In last September's tariff legislation they served notice on the Canadian dollar that its traveling days were, if not over, at least to be circumscribed. No longer was it to be dispatched lightly to Japan, the United States, and Czechoslovakia on the philanthropic mission of remunerating workers there while Canadian factory hands walked the streets idle.

What has been the result? Lincoln could have foretold it. Since the Canadian dollar is no longer to be sent to foreign industry, foreign industry is coming here to get it, and it is going to employ Canadian labor in the process. The past few months have witnessed almost a mass movement of plants to Canada from the United States and Great Britain. They have brought with them a new purchasing power for Canadian raw materials and new opportunities for the exercise of Canadian brains, technical skill, and brawn.

Headline—

Dream of Canada's Trade No Longer Goes to United States—$2,000,000 in Electrical Equipment Business Diverted to Canadian Firms—$2,000,000 Campbell Soup Plant Secured—Tariff Works Despite Depression.

The distinguished chairman of the Ways and Means Committee would have the membership of this House believe that the last election was a mandate for the continuation of trade agreements. Long ago a great Virginian, a distinguished Democrat, in his monumental work on Constitutional Law, predicted with accuracy the circumstances and conditions that would produce the results which the Democratic Party obtained at the polls on the 3d of last November. I quote the words of Hon. Henry St. George Tucker:

When government advertises itself as the munificent almoner of indefinite charities, as the machine through whose grind benefits may be conferred on some at the expense of all and enterprise be fostered or destroyed at will, contestants for the prize of its power will spread their nets to catch the most powerful and combine the most influential until extravagance, plunder, and corruption will fill the land.

Elections, being the game for great stakes, will be controlled by political gamblers; money, not morality, will rule its results; and the Democratic patriarcha will become the paternal plutocrat of the country.

[Applause.]

Mr. TREADWAY. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Chairman, just a word to the older Members on the Republican side of the House and members of this Committee.

A lowered mental or physical vigor leads men to avoid an examination of complicated and changed conditions. Little by little, new facts become blurred through old glasses, fitted, as it were, for the needs of another generation; older men, assuming that the scene is the same as it was in the past, cease to explore or inquire into the present or the future.

I trust you recognize the quotation. Mr. Chairman, a splendid mirror has been held up by the gentleman from Massachusetts [Mr. TREADWAY] yesterday, and by the gentleman from New York [Mr. REED] this afternoon, but the gentlemen on the Democratic side of the House do not recognize themselves, although the mirror is a perfect one. These gentlemen were quoted exactly as to what they said at a former time, and they presumably meant it then. Now they look into the mirror, but they do not recognize themselves, and—as I had occasion to say a few moments ago—apparently their faces have been lifted by some marvelous physician. They are trying to excuse themselves as they now appear in that mirror for ever having looked like the picture presented. We can still look into the glass and acknowledge the reflection as a true one.

When a Republican newspaper or commentator refers to anything that our friends on the Democratic side do not

like, they immediately proclaim that it is the ravings of a subsidized press. I take this opportunity to call to your attention something that the most important Democratic newspaper in the country recently stated. I quote from the New York Sun. Is this paper subsidized, and, if so, by supporters of which party?

Speakers at the national foreign-trade convention in Chicago this week have praised the New Deal's trade-treaty program. They have had a great deal to say about the stimulation of world trade, about the need for recovering America's foreign markets, about the stabilization of currencies. They have spoken as though the Hull trade agreements have been an unmitigated boon to this Nation. But the evidence is heavily against such a conclusion. Of all the experiments since 1933, the tariff-cutting trade treaties of the administration have been one of the most conspicuous failures. Fourteen treaties have been signed and hundreds of tariff rates have been slashed to let in more foreign goods that compete with goods made here.

In these trade treaties every cut in the tariff reduces rates for all countries, not only for the country signing each agreement. Reducing the tariff on rayon fabrics in the treaty with France allows Japan or any other country to send rayon goods here at the lower rate. The result is that imports have mounted steadily, and in the first 9 months of 1936 have exceeded our exports by $63,000,000. For the first year since 1893, the United States is buying more goods from abroad than it sells abroad. While exports to some countries have risen, as in trade with Canada, imports have risen much more rapidly. Imports from Canada since the trade treaty went into effect have shown an increase 60 percent greater than the increase in exports to that country. Agricultural and manufactured goods from other lands continue to threaten the employment of American farmers and factory workers. Last February, a trade pact with Switzerland went into effect, but in the first 8 months of the year exports to Switzerland declined while imports rose nearly $2,000,000. This is hardly the "Yankee trading" for which Secretary Hull planned.

And now, at the last moment, when arguments are presented, it is claimed that they are picayunish, and the cloak of peace is wrapped around the trade agreements that are so rapidly going sour. Father Coughlin talked finance under the auspices of religion. It did appear to be persuasive even then. I say to you that it may now be the cloak of peace, but it may end in a shroud. These are economic conditions that cannot be beclouded by peace platitudes. When the multitude, about which we talk so much, realizes what these trade agreements will have brought about in the near future, when they cause the loss of their jobs and foreign goods are being purchased in preference to our own, because cheaper, another force—public opinion—will reverse your present delightful, pleasing political situation. [Applause.]

Mr. TREADWAY. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Chairman, I hold in my hand a copy of resolutions adopted by the American National Livestock Association at its meeting held at El Paso, Tex., January 12–14, 1937. Resolution no. 2 reads as follows:

Whereas the reduction in the tariff on cattle in the Canadian reciprocal-trade agreement and the extension of the same reduction to imports from Mexico has been one of the major factors in causing a sharp decline in cattle prices, as a careful examination of official Government market reports clearly indicate; and

Whereas the tariff on agricultural products has been reduced to increase the export of industrial products; and

Whereas these imports have been received in such manner as to effect a decline out of all proportion to the actual numbers involved: Therefore be it

Resolved, That we urge that the Reciprocal Trade Act be repealed or that all treaties negotiated under it be subject to ratification by a two-thirds vote of the United States Senate; and be it further

Resolved, That we request that until the act is repealed or the Canadian agreement is nullified or expires the imports of cattle under this agreement should be placed on a weekly or monthly quota for 1937, in order to prevent dumping of large numbers on our markets in a short period, as was done in the spring of 1936.

Yesterday the gentleman from Arkansas [Mr. FULLER] was good enough to permit me to interrupt him for a moment while he was speaking on this question to call his attention and that of the House to the situation which existed last winter and early spring; that is, the winter and spring of 1936. The quota doors were opened on January 1, 1936, and under the trade agreement something like 170,000 to 190,000 head of cattle could then be brought in from that moment on at reduced tariff rates. I am somewhat familiar with the effect of that action upon the Buffalo market, and through acquaintances in the business I have learned something of its effect in the St. Paul market, both of which markets are close to the Canadian line, and to both of which markets Canadian cattle may be shipped over a short rail route.

Cattle came in in swarms in the late winter and spring. The word "swarms" is a curious word, perhaps, to use in connection with cattle. Both of those markets are small markets as compared with Kansas City and Chicago. Roughly, 30 or 40 additional cars of cattle on a Monday morning at the Buffalo market, over and above the usual receipts, has a most demoralizing effect upon the whole market. I have read the testimony given by Mr. Sayre before the committee. I certainly would not mean to disparage his motives, but I suggest that in all probability Mr. Sayre has never worked on a cattle market and has never visited cattle markets or done business with them frequently and over a period of years, else he would not reach the conclusion, and so advise the committee, that the arrival of those Canadian cattle classed as "mediums" had little effect, if any, on the price of American cattle classed as "prime steers." Of course, anyone who has operated in a cattle market knows that when a great surplus of one class of cattle suddenly arrives its effect is not only to reduce the price on a similar class already there, but to reduce prices on all classes of cattle. The effect is utterly demoralizing. Largely for that reason the price of American cattle in the stockyards at Buffalo and St. Paul, and somewhat in Chicago, during the first 5 or 6 months of 1936, when the Canadians were practically dumping their whole quota, dropped $3 per hundred pounds. As I tried to say in a very brief statement yesterday, many an American feeder took a terrible licking. That is the fact, and you can go to the Buffalo or St. Paul yards and talk with commission men and cattle feeders who do business there and you will find that statement corroborated.

You will notice that the American National Live Stock Association has noted that very point, and has urged in this resolution that, if this quota business is to continue, steps be taken to prevent the dumping of the entire quota in a short period of time; that it be distributed throughout the year, so that in no particular week or particular month shall one of the American markets be flooded and thus demoralized. [Applause.]

The CHAIRMAN. The time of the gentleman from New York [Mr. WADSWORTH] has expired.

Mr. DOUGHTON. Mr. Chairman, I yield 20 minutes to the gentleman from Iowa [Mr. WEARIN].

Mr. WEARIN. Mr. Chairman, I feel that the remarks to be made by me are more or less unnecessary in view of the very capable and complete manner in which the distinguished chairman of our committee [Mr. DOUGHTON] covered this subject at the opening of the debate yesterday, and likewise other phases of the subject which have been covered very carefully and completely by other eminent members of the committee. But by virtue of the fact that there has been so much attention drawn to the effect of reciprocal-trade agreements on agriculture and in view of the fact that I represent an agricultural and farming district in a State of this Union that produces more of the major agricultural products of this country, with the exception of cotton and tobacco, than almost any other State in the Union, I feel under obligation to make a few remarks with reference to the manner in which these reciprocal-trade agreements have really affected the farmers and the agricultural population of this country.

After all is said and done, much of the debate on both sides of the aisle is a little beside the point, when we view the improvement in the business condition of this country, which has seen an increase from $39,000,000,000 in national income in 1932 to $60,000,000,000 in 1936. But, despite that fact, perhaps it is proper that we go into some of the details of this proposition, because throughout the debate we have been challenged from time to time with reference to the fact that we are afraid to meet or cope with the details

and the individual facts in connection with the respective agreements and products affected by them.

Of course, those of us in the farming business realize that America is primarily a surplus-producing country with reference to major agricultural products. The opposition in the campaign just passed and in the debate that they are concluding today, and in the debates that have occurred upon other agricultural bills which have been before this House, have taken the inconsistent position that America, being a surplus-producing country, can absolutely refuse to carry on trade relations with other nations of the world in order to absorb those surpluses, and, at the same time, refuse to limit the production of those surplus products in this country, and still be prosperous. That position is certainly profoundly inconsistent. It is difficult to conceive of such a national program, such a negative national program, as has been offered to this country by the minority as a result of taking such a position.

I believe it is a good thought to keep in mind, as a foundation for the argument on reciprocal-trade agreements, as an argument in connection with the soil-erosion control program or any other similar legislation that deals with agriculture.

The old saying is that you cannot have your cake and eat it, too. That is exactly what the opposition has been trying to do in the past few years. We had a very vivid illustration of what happened to the agriculture of this country under the highest protective tariff in the history of the United States, the Hawley-Smoot bill. At the conclusion of that period in 1932, and during that campaign, the opposition were presumptuous enough to propose that perhaps one of the remedies for the situation was to raise the tariffs on agricultural products.

Mr. Chairman, we might take wheat as an example. A tariff could be put on wheat, a tariff could be put on almost any surplus agricultural product in this country of $10 a bushel, or $10 a pound, or at any other proportionate rate, and it would have no effect upon the American price; because, after all is said and done, living in a nation where surplus agricultural products are produced we must keep in mind the fact that they must either be marketed in some other country or be permitted to pile up in America and destroy the price structure. If in the process of refusing to market them abroad and attempting to monopolize the American market we drive down the price of agricultural products, as we did in 1932, to ruinous levels, we cannot possibly expect prosperity for American farmers.

I said in the campaign, and it has already been said in this debate, that if Iowa producers, who produce more corn than the farmers of any other State in the Union, want to stop the importation of Argentine corn, which is an infinitesimal item as compared with the total national production of the product, there is a way to do it. From some of the conversations and speeches I heard in that campaign I was prompted to think that when I got up in the morning I would go out on my farm and have to wade in Argentine corn clear up to my knees. In reality, however, importations of Argentine corn amount to only a fraction of a percent. Now, the best and the most effective way that American farmers could stop that importation of Argentine corn would obviously be to put the price of the product down to 10 cents a bushel, where it was in 1932 under the highest protective tariff America ever had, and then no one would be troubled with importations of Argentine corn—a very simple remedy, and evidently the minority would like to adopt it.

I would remind you that we have also heard much about the United States being a creditor nation and about the importance and the necessity of collecting the debts that are owed to the United States Government. Now, if the opposition are willing to take the position that all foreign debts to the United States ought to be canceled, then, of course, they have a right to continue complaining about increases in imports into the United States. If, however, they take the position that they ought to be paid, then certainly they must not under any possibility criticize the United States Government as a creditor nation in attempting to collect those debts in the form of a balance of trade about which they have been talking on the floor of this Congress through much of this debate. [Applause.]

A creditor nation like the United States must buy in order that debtor nations may discharge their obligations in goods—in final analysis the only means of payment.

This truism is as incontrovertible now as it was in the days when the gold standard was functioning, with exchanges stable, foreign investment carried on in orderly fashion, and payments between countries adjusted by relatively small gold shipments. Except to a limited extent, gold movements today no longer reflect current transactions, but result from a shifting of capital. That explains why during the last few years of negligible favorable trade balances, which I assume our opponents desire to court, we have nevertheless received on net balance stupendous amounts of gold—$1,739,000,000 in 1935 and $1,117,000,000 in 1936.

We should have learned by this time that we cannot, year in and year out, sell more than we buy and demand large cash payments to cover the difference. Sooner or later we would bankrupt our debtors who are not already in that condition.

The opposition must recognize this obvious economic fact, and I want to remind them in this connection also that one of the reasons for the increase in the importation of agricultural products, as compared to the percentage of exports of American products as a whole, is due in large part to the fact that the United States was faced with two national droughts in the last 4 years, during which we have been operating under reciprocal-trade treaties; and, obviously, that would naturally reduce the exports of agricultural products and increase the imports. In fact, the first reduction of a tariff rate by the President was the removal of the duty from hay for the benefit of farmers suffering from the drought. When we have more things to sell, obviously we will have a better opportunity to increase the percentage of our agricultural exports abroad, and it will follow that agricultural imports will decrease unless farm commodity prices continue to go up. If they do, there may be some imports in certain fields, but higher prices are what we are seeking. But there are some details with reference to the matter of agricultural imports to which I want to call your attention.

I want to remind the leaders in the excessively high protective tariff camp that for the 10-year average of the fiscal years 1925 to 1934, during the majority of which we had in effect the Smoot-Hawley bill, or similar high protective tariff measures, the average value of the total agricultural imports that came into this country per year was $1,660,252,000, while for the fiscal year 1935, when we began our reciprocal trade relations program in earnest, the value of the total agricultural imports was $970,853,000, or a reduction of over $689,000,000.

They are a bit inconsistent when they take the position they have in this debate with reference to agricultural imports and the extent to which they have increased. They have not yet explained the reason for agricultural imports under their own program. I want to remind you that in 1935 the agricultural income in the United States was $8,009,000,000, and in 1936 it will be about $9,050,000,000 under a program of reciprocal-trade agreements. Benefit payments, a factor that might be brought into the debate by the opposition, amounted to less than $500,000,000 in each of those 2 years.

I would also remind the opposition in this debate that receipts from the sale of farm production, particularly as shown by the report of the Department of Agriculture, show a steady increase during 1933, 1934, 1935, and 1936 over 1932.

I also want to discuss briefly now the matter of the Canadian agreement, about which we have heard so much, especially with reference to cattle. It so happens that I am in the business of feeding and raising livestock on an Iowa farm, and no one is any more personally interested in this than I. I should like to remind the House with reference to cattle that in the first 6 months of 1933, 460 head of Canadian cattle came across the border. Farm income from cattle for that period was $175,000,000. For the first 6

months of 1936, 158,000 head of Canadian cattle came in. During this period of 1936 income from cattle was $382,000,000. Which of these conditions do American cattle producers prefer? I want to say to the producers of cattle—and I am one of them—I want to say to the producers of dairy products—and I help produce dairy products—that you cannot take one single agricultural industry—and I might include even the matter of lumber and related agricultural products—and segregate and set aside any one separate and distinct unit and say, "Thou shalt prosper to the exclusion of all others."

That cannot be done under a sound philosophy of economics in the United States. You have got to see American agriculture as a whole advanced, and the figures I have quoted with reference to national income of the United States, which apply in proportion to American farmers, indicate that is exactly what has happened since the adoption of a program of reciprocal-trade agreements.

To go on with the matter of cattle, about which some people are so concerned, let us take the years 1927, 1928, and 1929. Under the administration of the Republican Party and under the flag of a high tariff I find that in 1927 we imported into the United States 283,486 head; in 1928, 277,986 head; and in 1929, 247,876 head. This is from Canada alone. We had total imports in those years ranging all the way from 436,000 head to 523,000 head. If it is a good thing to keep cattle out of America now, why in the name of common sense was it not a good thing to keep cattle out of the United States under the administration of Herbert Hoover? [Applause.]

I should like to have the leadership of the minority answer that question during the course of this debate. The income of farmers from principal livestock and livestock products increased in the following amounts from 1932. In that year it was $2,591,334,000; in 1933 it was $2,627,012,000; in 1934 it was $2,992,273,000; in 1935 it was $3,796,896,000. In 10 months of 1935 it was $3,012,000,000, as compared to $3,484,000,000 in 10 corresponding months of 1936.

I would remind you of something else in connection with the importation of cattle from Canada.

The price in the American markets of middle-grade steers, into which grade the bulk of the slaughtered cattle from Canada fall, held up better under the heavy domestic marketings this year than did the prices of higher grade steers, of which the imports were very light, as will be borne out by an examination of market reports for the period.

It so happens that I am in the cattle market at South Omaha quite frequently when I am in Iowa, and I have some knowledge also with reference to what happens to cattle markets under all kinds of circumstances. The duty reduction on calves weighing under 175 pounds, which was also 1 cent a pound, was limited to one-fourth of 1 percent of the total domestic slaughterings, as the gentleman from Kentucky brought out yesterday. The imports from Canada during the first half of the year of our agreement amounted to 34,000 head valued at some $480,000. No figures are available for 1935. But we must remember in connection with the cattle imports that after all is said and done, a considerable portion of the imports that have been coming into this country, not only in the field of cattle but in the field of every other agricultural enterprise, has incorporated a certain percentage of importations that were never protected under the Hawley-Smoot bill, and, in the second instance, upon which there has been no reduction of duty rates whatever under the reciprocal-trade agreements.

In connection with the market price of cattle I should also like to deal very briefly with the market price of pork and the matter of hogs as they are affected by reciprocal-trade agreements. I think anyone who is informed upon the matter of livestock markets will admit that the price of pork has a tremendous bearing upon the price of beef. They are very closely related on all of the major livestock markets of this country and they have a strange relationship in the price levels that you see in the Department of Agriculture charts which indicate the rise and fall of the prices of the two commodities. The exportation of pork products from the United States under the Hawley-Smoot Act descended to a negligible amount. Under the treaty with Cuba the most prominent single product involved was hog lard, and despite what was said with reference to the importation of other products the most prominent single item as far as the welfare of farmers as a whole is concerned was hog lard on which the most important Cuban market had declined under increasing duties and reduced purchasing power to nearly one-tenth of its former value.

Under the agreement Cuba made a drastic cut in the lard duty, and there followed an immediate recovery in the United States exports of lard to Cuba with shipments during the first agreement practically doubling in quantity from 17,000,000 to 33,000,000 pounds, and tripling in value from one and one-tenth million dollars to three and three-tenths million dollars. This large increase took place despite a decline of about 40 percent in hog lard production in the United States resulting from the drought of 1934 and to which I referred earlier in my remarks, and at a time when our total lard exports had declined nearly 70 percent. While the 1934–35 level was not fully sustained during 1935–36, the second agreement year, partly due to the low level of domestic production and considerably higher export prices in the United States, which we most certainly desired, the shipments during the latter period were one and seven-tenths million dollars above the preagreement level. There was a considerable amount of deferred purchasing awaiting a further reduction in the Cuban Treaty and removal of the consumption tax, effective September 3, 1936, for reports from Habana indicate exceptionally large importations during the period immediately following.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. WEARIN. Mr. Chairman, I appreciate the courtesy of the distinguished chairman of the Ways and Means Committee, because I want to deal briefly with the matter of Cheddar cheese, in which some of the gentlemen on the other side are interested. They are very greatly concerned about the condition of dairy products and the effect upon dairy producers of reciprocal-trade treaties. There has been some criticism of the fact that Cheddar cheese has suffered.

Let us see how much Cheddar cheese has suffered. May I remind you that in 1932 the opposition cannot deny the fact that they had 100 percent of the American markets under their own program, and they produced $32,000,000 gross in Cheddar cheese at an average price of 10 cents per pound. What happened in 1936, about which they are complaining so bitterly in the House at the present time? They claim they have only about 96 to 98 percent of the American markets, and maybe they do not have any more than 96 to 98 percent of the American markets. I might even admit that; but I want to remind them that in 11 months—not 12—they had a national income for Cheddar cheese of $71,000,000, as compared with $32,000,000, at an increase in price per pound from 10 cents to 15.3 cents per pound. Is that affecting adversely the dairy producers of the United States, when a condition like that prevails following the adoption of a program of reciprocal-trade agreements?

May I say that similar figures are available for the importation of cream, and I trust someone who follows me will deal with that subject.

When we examine the record, it is obvious that we have seen a widespread improvement of American agriculture as a whole, when you look at it as a body, not as a segregated unit here, there, or somewhere else, over what it was in the good old days of the Hawley-Smoot protection that brought hundreds of thousands of farmers to the brink of bankruptcy and ruined as many more. When you look at the situation from the standpoint of national income and national purchasing power, you have before you the spectacle of a splendid improvement for American farmers, with promise of far greater things in the immediate future. [Applause.]

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. SANDERS].

Mr. SANDERS. Mr. Chairman, I yield my time to my friend and colleague, the gentleman from Texas [Mr. SOUTH].

Mr. SOUTH. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD and include therein certain brief charts.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SOUTH. Mr. Chairman, immediately following the World War practically all of the leading nations of the world, including the United States, developed strong nationalistic tendencies. Each nation striving to become self-sufficient. This meant, of course, a great falling off or slump in world trade.

Unfortunately for this country, this unhappy condition was aggravated by the enactment of the Smoot-Hawley tariff in 1930, providing the highest tariff rates in the history of our country. Our leading world customers, including Canada, France, and England, immediately retaliated by enacting prohibitive tariff legislation. As a result, world trade diminished almost to the vanishing point.

Frequently someone says that we should find world markets for our surplus commodities, and should stop the importation of goods into this country which we can produce at home. Some gentleman said on the floor recently that the United States was about to become an exporting nation. Anyone who has studied the question knows that it must also become an importing nation when it becomes an exporting one. We are now, in fact, both an importing and exporting nation. It should be borne in mind that our country can sell in the world markets an amount of goods equal to that purchased by us from other countries, and no more. This is fundamental. The person who attempts to discuss any question involving world trade, without understanding and recognizing this fact, is, of course, completely lost.

Of course, it can be stimulated for a little while, as was done by a former administration, by lending money to foreign countries with which to purchase our products. The matter of travelers and tourists and some other small items enter into this, but, as a general, fundamental proposition, no nation can sell in the world markets more goods than that nation buys from the world markets.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. SOUTH. Yes.

Mr. McCORMACK. And the same thing applies to individuals?

Mr. SOUTH. Yes.

Mr. McCORMACK. There has to be a balance of trade between individuals as well as countries?

Mr. SOUTH. I thank the gentleman for his contribution.

Brookings Institution, a nonpartisan, endowed body, recently made a study, and in their report of Income and Economic Progress, on page 50, said:

> Trade, whether domestic or foreign, is trade—involving an exchange of certain kinds of goods for other kinds of goods. While international trade is conducted through the medium of foreign exchange operations rather than by direct barter, the aggregate value of the goods and services exported by the people of the United States must nevertheless equal the aggregate value of the goods and services imported from abroad. If we were to furnish more goods and services to foreigners than they were furnishing to us, we should simply be making them a present of the excess. Credit aside, if we are to increase our exports of certain types of products, we must be able to increase our consumption of imported commodities; otherwise foreigners would not have the means with which to increase their purchases in our markets.

TEXAS PROFITS MOST

Texas should be, and is, especially interested in this legislation. Our State handles a larger volume of export tonnage than does any other State in the Union. Ninety percent of Texas cotton is exported. In 1929 this amounted to $426,713,000. In that year we exported $126,000,000 worth of petroleum and petroleum products, $28,000,000 worth of wheat, $16,000,000 worth of sulphur, our total exports amounting to $657,560,000. The foreign trade of the United States in 1929 was valued at $9,600,000,000. In 1932, after the enactment of the Smoot-Hawley tariff and before the passage of the Reciprocal Trade Agreement Act, the foreign commerce of the Nation had shrunk to less than $3,000,000,000 and the value of Texas products entering directly into foreign markets was only $297,651,000. Our cotton exports had been reduced more than 50 percent; our petroleum exports had declined 60 percent; our wheat exports had declined more than 70 percent; and so forth.

It would be fine if we could sell all of our surplus commodities at a good price and refuse to buy anything from abroad that we could produce at home. Unfortunately, this cannot be done. If we do not permit Canada, France, Japan, Belgium, and other foreign countries to sell us some of their surplus commodities, these countries will not and cannot buy our surplus cotton, petroleum, sulphur, pork, and so forth.

CANADIAN AGREEMENT

A great deal has been said about the Canadian trade agreement. I am particularly interested in this agreement because it involves the importation of some 220,000 cattle, and I represent one of the greatest cattle-producing districts in the entire United States. I am engaged in cattle raising myself on a small scale. Certainly I would oppose any agreement which would be unfair to the cattle producers of this country. Let us examine this particular agreement. Under its terms the duty on cattle weighing above 700 pounds, not to exceed 156,000 head, is reduced 1 cent per pound. The duty on calves, and very small calves at that, weighing less than 175 pounds, has been reduced 1 cent also, but not to exceed 52,000 head, and 20,000 milk cows.

During the campaign particularly a great deal of misinformation was spread throughout the country regarding this agreement. It was contended by some that not only could Canada send into this country the number stated above, but that Mexico and all other "favored nation" countries could send in an unlimited number of cattle at this reduced rate of duty. Such is not the case. When this number has been reached by imports from Canada, Mexico, and all other countries, then the quota has been filled and all cattle coming in, from whatever country, must pay the regular duty or tariff.

Strange as it may seem, during those years when imports of cattle were heaviest into this country our prices were the best.

TABLE I.—*Imports of dutiable cattle from Canada and Mexico, 1923–35, under Tariff Act of 1922* [1]

Year	From Canada			From Mexico			From both countries	Average price per hundredweight beef steers, Chicago
	Under 1,050 pounds	Over 1,050 pounds	Total	Under 1,050 pounds	Over 1,050 pounds	Total		
1923	132,390	3,912	136,302	12,594	38	12,632	148,934	$9.40
1924	118,993	11,597	130,590	11,271	4	11,275	141,865	9.24
1925	141,492	7,318	148,810	24,048	38	24,086	172,896	10.16
1926	160,358	2,981	163,339	48,076	55	48,131	211,470	9.47
1927	264,694	18,792	283,486	143,422	417	143,839	427,325	11.36
1928	264,765	13,103	277,868	237,894	1,219	239,113	516,981	13.91
1929	236,403	11,473	247,876	244,884	440	245,324	493,200	13.43
1930 (to June 7)	37,351	787	38,138	150,246	490	150,736		
UNDER TARIFF ACT OF 1930 [2]								
Year	Under 700 pounds	Over 700 pounds	Total	Under 700 pounds	Over 700 pounds	Total	236,277	10.95
1930 (from June 18)	14,691	2,479	17,170	20,178	45	20,233		
1931	16,788	2,796	19,584	65,134	749	65,883	85,467	8.06
1932	4,746	1,248	5,994	89,078	335	89,413	95,407	6.70
1933	761	243	1,004	62,287	44	62,325	63,329	5.42
1934	1,733	92	1,825	55,203	650	55,853	57,678	6.76
1935	52,790	59,930	112,720	242,403	8,622	251,190	363,910	10.26

[1] Cattle under 1,050 pounds, dutiable at 1½ cents a pound; cattle weighing 1,050 pounds or over, dutiable at 2 cents a pound.

[2] Cattle under 700 pounds, dutiable at 2½ cents a pound; cattle weighing 700 pounds or over, dutiable at 3 cents a pound.

Mr. VINSON of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. SOUTH. I yield to the gentleman from Kentucky.

Mr. VINSON of Kentucky. Is not that what brings imports into this country?

Mr. SOUTH. Of course.

Mr. VINSON of Kentucky. That is, when you have a real price for the commodity or the product?

Mr. SOUTH. That is right.

As shown in the above table, 427,325 head were imported from Mexico and Canada in 1927, and yet the average price per hundredweight of beef steers in Chicago for that year was $11.36, but in 1923, when only 148,934 cattle were imported from these countries, the average price of beef steers in Chicago was $9.40, and again in 1928, when 516,981 head were imported from Canada and Mexico, the average price of beef steers on the Chicago market was $13.91 per hundredweight. Mark you, the year when the greatest number of cattle came into this country from Mexico and Canada, more than one-half million head, and more than twice the total number which can come in under the Canadian agreement, from all countries, the price was the highest we have ever enjoyed. Compare that with 1933, when only 63,329 head came in from both countries, when the average price of beef steers in Chicago was $5.42 per hundredweight. No well-informed person can say, therefore, that the importation of a few thousand cattle has ever, or can, demoralize domestic prices. Neither does a high tariff always mean a high price. In February 1929, before the Smoot-Hawley Act, prime beef steers on the Chicago market were selling at $11.92, while in February 1932, after the high tariff had been in operation for more than 1 year, these same steers on this same market were selling at $4.80 per hundred. It should be noted also, that whereas we granted concessions on 20 agricultural products in our agreement with Canada, we were given concessions on 125 agricultural and horticultural products. In 1935, 364,000 head of cattle were imported from Mexico and Canada, paying the full duty, and most of the cattle that came in during 1936, both quota and nonquota, would have come in had our reciprocal-trade agreement with Canada not been in force.

Between January 1 and August 1, 1936, quota imports of cattle of all of the three classes totaled 193,402 head, of which 88½ percent came from Canada, while imports of nonquota cattle, 175 to 700 pounds, upon which the duty remained unchanged, coming in from Mexico, amounted to about 113,000. During this same period only approximately 26,500 quota cattle, about which we have heard so much, came in from Mexico. In other words, the quota cattle from Mexico during this period was less than one-fourth the nonquota cattle.

In 13 of the 14 completed reciprocal-trade agreements, including Canada, concessions of one kind or another have been granted us from foreign countries, on packing-house products. From 1927 to 1930 our average annual exports of packing-house products amounted to $183,000,000. In 1932 this had fallen to $19,000,000. Should we have made no effort to improve this situation, which is so vital to our stock raisers? Did this decrease in exports of livestock products affect them adversely? Most assuredly it did, and it goes without saying that our exports have been greatly stimulated by reason of the improved world-trade markets, which have resulted from the reciprocal-trade agreements.

PRODUCTS OF FARM AND RANCH DISCRIMINATED AGAINST IN FORMER TARIFF SCHEDULES

I wish to call your attention to the fact that the agricultural industry throughout this country, which includes the livestock industry, has been discriminated against almost since the beginning of our Government. The people of the South and of the West are not free-traders at heart. We were pauperized by having to buy in a protected market and sell in an unprotected market. We wanted one of two things. We either wanted to sell in a protected market or buy in an unprotected market. We were entitled to this. I am not a free-trader, Mr. Hull is not a free-trader, the President is not a free-trader; but we are demanding, and we who are from agricultural districts have the right to demand, equal treatment. If we are going to protect the man who makes watches, automobiles, furniture, and shoes, why not protect the man who raises cattle, hogs, sheep, goats, cotton, corn, and other agricultural products?

We are asking for nothing more than this. No industry, perhaps, profits more than the livestock industry by reason of increased purchasing power and higher standards of living on the part of laborers, farmers, and, in fact, our entire population. These reciprocal-trade agreements have done much to bring about this improved condition, and are indeed an important part of the President's recovery program, and he so regards them, as shown by the following letter which he wrote Chairman DOUGHTON a few days ago:

LETTER SENT BY PRESIDENT ROOSEVELT TO REPRESENTATIVE ROBERT L. DOUGHTON, CHAIRMAN OF THE COMMITTEE ON WAYS AND MEANS OF THE HOUSE OF REPRESENTATIVES, WITH REGARD TO THE RESOLUTION (H. J. RES. 96) INTRODUCED BY MR. DOUGHTON TO EXTEND THE TRADE AGREEMENTS ACT FOR A FURTHER PERIOD OF 3 YEARS

JANUARY 14, 1937.

The Honorable ROBERT L. DOUGHTON,
House of Representatives.

MY DEAR MR. DOUGHTON: By the act of June 12, 1934 (Public, No. 316 of the 73d Cong.), the Congress authorized the Executive to enter into foreign-trade agreements for the purpose of promoting the foreign commerce of the United States. This authority was conferred for a period of 3 years. I am very happy to learn that you have introduced in the House of Representatives a resolution (H. J. Res. 96), providing for an extension of this authority for a further period of 3 years. Such an extension is highly desirable in the interests of our Nation.

At the time of the original enactment, the world was moving in the direction of a progressive destruction of international commerce. Trade barriers had risen to unprecedented heights, and exclusive preferential arrangements were supplanting the rule of equal treatment in commercial relations. As a result of enhanced obstructions to trade and of increasing adverse discrimination on the part of other nations, our foreign trade had suffered an even more drastic decline than the catastrophic fall in world trade as a whole.

If our agricultural and industrial interests, which had been severely injured by the contraction of their foreign markets, were to regain their deserved place in the international trade of the world and to expand foreign outlets for their products, it was necessary for our Government in a time of such emergency to be in a position to bargain with other governments by means of energetic and decisive negotiations. The executive branches of virtually all other important trading countries already possessed power to act promptly. By the act of June 12, 1934, the Congress placed a similar authority in my hands.

Through the exercise of that authority, foreign trade agreements have been concluded with 15 nations. Improved opportunities for our trade have been secured in such important markets as those of Canada, Cuba, Brazil, France, Belgium, The Netherlands, Switzerland, and Sweden. Through our policy of demanding and granting equality of treatment we have obtained removal of discriminations where they existed in the trade-agreement countries and guaranties of equal treatment in the future. At the same time our policy has served to reduce discriminatory practices in many other countries.

In the process of obtaining improvement in our export position the interests of our producers in the domestic market have been scrupulously safeguarded. This was made possible by painstaking effort on the part of the Government agencies concerned with the negotiation of trade agreements and by the helpful cooperation of the business community and the general public in making known to the Government their views and desires in the matter and in supplying valuable pertinent information.

Our vigorous initiative in the field of liberalization of commercial policies has been an important factor in arresting the world trend toward national economic isolation, which seemed almost irresistible 3 years ago. Striking evidence of this is furnished by the actions of individual countries and by the discussions and recommendations of such international gatherings as the recent Buenos Aires Conference.

But while accomplishment has been substantial and gratifying, the task is by no means completed. In international trade relations emergency conditions still exist. Barriers operating against our trade are still excessive. Their reduction continues to be an essential requirement of a full and balanced economic recovery for our country. In the period which lies immediately ahead our ability to act swiftly and effectively in the field of commercial policy will be indispensable, if the present favorable and promising trend toward a normalization and expansion of international trade, upon a friendly and constructive basis of fair dealing and equal treatment, is to go forward.

"The development of liberalized trade practices has another effect, which transcends in importance even the material benefits conferred by trade improvement." Economic strife, resulting from inordinate or discriminatory trade barriers, is one of the most fruitful sources of political animosity and military conflicts. A policy designed to reduce excessive trade barriers and to establish equality of trade rights is a powerful instrument of economic

appeasement and stability. It thus serves to strengthen the foundations of world peace.

In the present unfortunate state of world affairs we dare not, in justice to ourselves, relax our effort, or abate the vigor of our leadership, in a world-wide movement for durable peace through economic prosperity.

Sincerely yours,

FRANKLIN D. ROOSEVELT.

Mr. TREADWAY. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Chairman and gentlemen, the gentleman from Iowa [Mr. WEARIN], in his effort to show the beneficial effect of the reciprocal-trade agreements as they pertain to agricultural exports to Cuba, very adroitly refrained from making any mention of the trend of exports to Cuba during the second year under the treaty.

During this period lard exports dropped from 32,600,000 pounds in the previous year to 23,400,000 pounds. Pork exports dropped from 10,600,000 to 5,100,000 pounds.

Let me say to the gentleman from Iowa that the increase in our exports to Cuba in 1936 over the period before the agreement amount to about 1 percent of our production. Why did not the gentleman give the available figures for 1936?

Mr. WEARIN. Will the gentleman yield?

Mr. KNUTSON. Not now. The gentleman would not yield to Members who wished to interrogate him.

Mr. THURSTON. Will the gentleman yield?

Mr. KNUTSON. I yield to the gentleman from Iowa.

Mr. THURSTON. I have here a resolution adopted by the American National Live Stock Association in annual convention at El Paso, Tex., January 12, 1937. It reads as follows:

Whereas the reduction in the tariff on cattle in the Canadian reciprocal-trade agreement and the extension of the same reduction to imports from Mexico has been one of the major factors in causing a sharp decline in cattle prices, as a careful examination of official Government market reports clearly indicates; and

Whereas the tariff on agricultural products has been reduced to increase the export of industrial products; and

Whereas these imports have been received in such manner as to effect a decline out of all proportion to the actual numbers involved: Therefore be it

Resolved, That we urge that the Reciprocal Trade Act be repealed, or that all treaties negotiated under it be subject to ratification by a two-thirds vote of the United States Senate; and be it further

Resolved, That we request that until the act is repealed or the Canadian agreement is nullified or expires, the imports of cattle under this agreement should be placed on a weekly or monthly quota for 1937 in order to prevent dumping of large numbers on our markets in a short period as was done in the spring of 1936.

Mr. KNUTSON. What date was that?

Mr. THURSTON. About 2 weeks ago.

Mr. KNUTSON. Now, this resolution was drafted by cattlemen who are not drawing $10,000 a year as Members of Congress, or the Secretary of State, who draws $15,000 yearly, and they know just as much about it as the United States Chamber of Commerce or congressional agriculturists. [Applause.]

Mr. TREADWAY. Mr. Chairman, I yield 7 minutes to the gentleman from Massachusetts [Mr. BATES].

Mr. BATES. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and include a table of figures.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. BATES. Mr. Chairman, realizing that if this bill is enacted into law, it will be in operation for a period of 3 years, I am compelled to heed the advice of the matrimonial minister, "Speak now, or forever hold your peace." If I wish to speak, it must be now, for I will not have another chance to express myself on this very important piece of legislation.

American industries demand and must have protection against foreign competition, which I feel they are not getting at the present time. At the outset I want it understood that I am tremendously interested in the problem confronting some of the industries of this country, because I know the threat that is hanging over the manufacturers in many of the Massachusetts communities that I have the honor to represent. I have been the recipient of personal calls and many letters of complaint from these producers about the continual flow of foreign goods into our markets from abroad, particularly from Japan, and they have beseeched me to try in every way possible to minimize this competition. To place the industries of my home State at further disadvantage would mean their complete collapse, and would affect very seriously the communities in which they are operating. Massachusetts, as a result of its industrial decline, has, with the exception of the drought States, suffered as much, if not more, during the last 15 years as any State in the Union. Contrary to the opinion of some people, there has been no substantial improvement in industrial activity and employment there in the last 2 years. Being an industrial State, we must depend chiefly on the industries to get along. It is estimated that 90 percent of the wealth of Massachusetts is created by the great variety of industrial activities within our border. The employment increase in 1935 over the preceding year was hardly more than 3½ percent, while the increase in 1936 over 1935 was but 4 percent. I mention that at this time because the figures show that we are still 37 percent below our employment figures of 15 years ago, and they further show that the wages in the same period have dropped nearly 50 percent. We have a long way to go before we can say that we have reached full recovery in Massachusetts.

We are now considering whether or not to extend the Trade Agreement Act in its present form, and you must know, in weighing my words, that I am in full accord with the general principles of reciprocity, understanding it to mean the exchange of mutually beneficial tariff concessions between nations. Protection and reciprocity can go hand in hand when considering trade pacts with any countries of the world. Consideration must be given to the difference in cost of production in this country and the cost of production in those countries which wish to compete with us. The tariff adjustment must be the difference between the two with an allowance for a reasonable profit to the American producer. I am not in favor of an excessively high tariff law. That is not necessary or advisable and should not be tolerated, but the businessmen in this country should be given a fair opportunity of meeting foreign competition, especially from those countries that have low wage scales and inferior standards of living.

That our manufacturers are not being given that opportunity is illustrated no more graphically than by the fact that at this very moment American industrial leaders, representing the great textile industries of this country, are in Japan endeavoring to arrange for an agreement with the officials of that country to minimize, as much as possible, the flood of exports of cotton goods to the United States. This, it seems to me, should be the duty of the administration here in Washington and not that of our producers, but the administration, apparently, is unwilling, for some reason or other, to intervene. If we are to have as weak a foreign policy as that, I do not feel that I could approve the enlargement of administration responsibility in reciprocal matters.

President McKinley, in his inaugural address, in words that we should remember, said:

The end in view always to be the opening up of new markets for the protection of our country and granting the concessions to the products of other lands that we need and cannot produce ourselves, and which do not involve any loss of labor to our own people but tend to increase their employment.

When we consider that we here in the United States consumed in the peak days over 90 percent of our total production, we must keep in mind that after all the American market is the one that we must safeguard for the products of this land.

Those who will be in charge of the negotiations of these trade treaties are actuated by the feeling of the friendly brother. They honestly feel that by promotion of trade with other countries we can promote the peace of the world. That is a laudable position for anyone to take, but what we should be interested in is to maintain peace within our own borders and provide work for the 9,000,000 men and women who are still unemployed. We cannot accomplish that if we

permit the flow of foreign-made goods, produced by the cheap labor of Europe and Asia, into this country to compete with the products of our own men and women. So when we think about peace in the world we should think first of maintaining it here in the United States. The records of the last few years show that we have been getting the short end of the stick in the field of foreign trade. As an illustration: Between the years 1934 and 1936 exports have increased $320,000,000, or about 15 percent, while imports have increased $764,000,000, or 46 percent. Our balance of trade in 1934 was $477,745,000, while in 1936 it was $34,258,000, a drop of 93 percent.

Table of exports and imports

	Export [1]	Import [2]	Balance of trade [3]
1929	$5,240,995,000	$4,399,361,000	$841,634,000
1933	1,674,994,000	1,449,559,000	225,435,000
1934	2,132,800,000	1,655,055,000	477,745,000
1935	2,281,860,000	2,047,287,000	234,513,000
1936	2,453,487,000	2,419,229,000	34,258,000

[1] Increase, 1934-36, 15 percent.
[2] Increase, 1934-36, 46 percent.
[3] Decrease, 1934-36, 93 percent.

This table should give us something to think about when considering the American market and the American producer.

While this influx of foreign goods has been coming from all parts of the world we find that in the industrial field Japan is our most dangerous competitor. In the report of the Tariff Commission it states that the Japanese population is increasing at the rate of about one million a year, and because of this increase Japan has been forced to enter the industrial field to give employment to its people, the physical resources of that country being insufficient to take care of them. They have now turned to the processing of raw materials to give employment to a large part of the labor supply. The rate of wages paid these workers varies from 15 to 40 cents a day, and the employees in large mills, for example, work from 8 to 11 hours a day and obtain from 2 to 4 rest days per month, in addition to some holidays during the year. Workers in smaller factories and in household industries generally work longer hours and enjoy fewer days of rest. There is no labor problem in Japan because of the large supply available.

We can understand, because of these facts, why our American manufacturers are deeply concerned over the threatened competition they are facing. Imports of cotton cloth to this country from Japan, which affects our largest single industry in Massachusetts, has increased from 789,244 yards in 1932 to over 70,000,000 yards in 1936, an increase of over 9,000 percent; and it is interesting, also, to note how Japan is spreading its tentacles to all parts of the world. Not only is it reaching into the great American markets but to every other one it can possibly penetrate. A further comparison to show world exports of cotton goods from Japan and world exports of cotton goods from the United States—in 1929 exports of cotton cloth from the United States totaled 539,356 square yards, which dropped to 223,481 square yards in 1934; while Japanese exports in the same period increased from 1,790,560 square yards to 2,570,233. That shows how Japan has been taking away our foreign markets for cotton goods, and it is not at all likely that we will regain those lost markets because of our higher wage schedule and cost of production and the probable unwillingness of the people of these other countries to pay our price when they can get just as good a quality of cloth at a much cheaper price from Japan.

A recent report from Portugal tells us that textile industry representatives of that country implored their Government to aid them in meeting Japanese competition in Portuguese colonies. The industrialists said that the Japanese are deluging Portugal colonial markets with cheap goods and threaten to annihilate Portuguese industry. So we are not alone in our complaints about the Japanese threat. The same situation faces other American industries. Our manufacturers are forced to compete, not only with inexpensive cotton goods but also with woolens, hats, electric bulbs, and many other Japanese imports. Other countries of the world, whose trade is being jeopardized by Japanese exports, are now being subsidized by their respective governments in order that they may meet this kind of competition in the world market.

The President, in his Budget message to Congress this year, called on American industries to employ more people in their manufacturing establishments. But how can they do so when they are confronted by such a problem of competition as we find in the hat-body industry, for instance, which Japan did not enter until 1935, when it shipped into this country 2,703,514 hat bodies, and in 1936, 6,582,626 hat bodies, thereby absorbing already about 25 percent of our domestic market? Imports of hat bodies, from all countries, in 1936 reached the grand total of 21,275,245. This startling illustration shows us how fast this menace is creeping on us, and if it is not stopped another unit of our once great textile industry will be but a memory.

Please understand that I am not speaking in a manner intended to be unfriendly toward the Japanese people as a whole, but I fully realize the problem with which the industries of this country are contending and that Japan is our most severe competitor today, and will be in the future, unless we put a check on it. Some of the manufacturers of my home State have told me that they have been denied an adequate opportunity to express their views on the actual terms of the agreements before they become effective. That has been one of the most unfortunate provisions of the present act. These manufacturers do not know, when trade agreements are being considered in hearings, whether their particular industries are being affected by negotiations which are contemplated with foreign governments. Certainly we in Massachusetts are interested in preserving our industries there. They are the very lifeblood of our communities. Wages have, in 15 years, dropped over 50 percent in those industries, and today there are a quarter of a million less people employed in the factories of that State than 15 years ago. Add to that the natural increase in population in this period, estimated at 8 percent, which still further aggravates the economic conditions of our State. This does not take into account the many other thousands of people who are dependent on the purchasing power of the wage money of our factory workers. Relief costs have reached amazing heights, and all too many property owners are unable to continue to bear the burden that has been heaped upon them in the past few years. Massachusetts, to be sure, suffered considerably by the migration of industry in this period when it lost 100 mills employing 22,800 people, principally due to competition within our country. A majority of these mills migrated to the South where they enjoy the benefits of tax exemption, low wages, and other concessions distinctly favorable to them and impossible in the North. The cotton industry, which I stated is the largest single industry in Massachusetts, in 1920 employed 113,145 workers; in 1934, only 49,297, a drop of 56 percent. In 1920 wages in this industry totaled $130,000,000, whereas in 1934, $36,000,000, a drop of 72 percent. According to the United States Bureau of Labor Statistics, the average weekly earning of a textile worker in the South in 1934 was $9.90, as a result of which the average weekly earning of a textile worker in the North dropped from $17.21 in 1919 to $13.50 in 1934. It is obvious that if there is to be any competition from abroad in the field of textiles the mills of the North, because of the higher cost of production, will be the first ones to suffer. Keep in mind, also, the fact that out of every $100 spent in the cities of Massachusetts approximately $20 goes toward the maintenance of our welfare departments, mainly to take care of our unemployed.

In view of this existing condition, how can I be expected to vote in favor of trade agreements, under the present setup, and thereby encourage the continued threat on remaining Massachusetts industries which, under the present

administration, are not receiving the protection against imports to which they are justly entitled?

I am in favor of a reciprocity-agreement tariff, such as was contemplated under the McKinley tariff walls, which would not be disadvantageous to our domestic markets and which was based on terms representing real reciprocity. I am, however, unalterably opposed to opening our markets to foreign-made goods by bartering away our American industries. I am not in favor of that kind of reciprocity that results in breaking down our industrial activities in order that some other parts of the country may benefit by it. We have much in common, those of us who are engaged in diverse productive activities, and we should protect each other to the fullest extent. If we do not provide employment for our own people by safeguarding the materials they produce they will soon be forced to stop making those articles and, like others, will soon join the dreaded army of the unemployed. We must face the issue on a realistic rather than an academic basis, keeping the extremely important fact in mind that the high wage levels in the United States are not equaled by any other country in the world. In the wool-textile industry, for example, wages paid factory employees in this country are two and one-half times as great as those paid in England and 10 times those paid in Japan. Assuming there is a reasonable comparable degree of efficiency in manufacture, a free exchange of products means that we either must bring European or Asiatic wages to a scale substantially equal to ours or face a drastic reduction in our own wage rates. We pass laws to limit the number of immigrant workers who may be admitted to this country, yet we permit the products made by those unadmitted aliens to be shipped here and sold at prices even lower than the cost of American production.

To be sure, under this Trade Agreement Act the President is empowered to make any agreements with such other nations as he sees fit. Yet I am not unmindful of the fact that the one who is foremost in negotiating these treaties is our own Secretary of State, Mr. Cordell Hull, who enjoys a very excellent reputation with those who know him. But Mr. Hull has always been looked upon as a disciple of the open-door policy. He plainly stated before the hearing on this bill that the major thing in his mind, and the thing that he was more interested in than anything else, was to maintain peace in the world, and he honestly believes that this can be accomplished by promoting international commerce. There is a very wide difference of opinion on this matter. Under the present tariff law the President may make an increase or decrease of 50 percent in the present statutory rate. If any of the statutory rates are excessive, they can be reduced and, under this system, fair competition could be allowed; but the implied understanding in the present tariff law is that the cost of production, plus a reasonable profit, must be respected. I recall very distinctly in 1929, when shoes were flooding our market from Czechoslovakia, materially affecting our industries and the men and women employed in them, that the Congress of the United States, through the enactment of that law, put a check on the tremendous imports of shoes made with the peon labor of Europe. As a duly elected Representative of a congressional district where there are many industries located of the type I have mentioned here, it is my duty to know, and I am interested in knowing, how the power we are taking from ourselves, if we extend the Trade Agreement Act, will affect the industries in general in my home State. Are the abuses of the past and present to continue into the future? Is there going to be a stopgap to the present influx of manufactured articles and other commodities which is making it difficult for our industries to compete, and which, in the end, will mean the complete demoralization of our industrial life? I want to be sure that the present conditions are not aggravated by any vote that I may cast as a Member of Congress. I believe that every effort should be made to enlarge our commerce with other countries, but not at the expense of our American working men and women who are employed in our industries and depend on them for their very existence. [Applause.]

Mr. TREADWAY. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. WOODRUFF].

Mr. WOODRUFF. Mr. Chairman, the gentleman from New York [Mr. REED] presented to the committee today some exceedingly interesting and valuable information relative to the Canadian reciprocal trade agreement. He has quoted from high Canadian authority, giving us information indispensable to a complete understanding of the problem before us. He has enlightened us all, I think, upon what is being done in that country, having as its purpose the expansion of its industrial and agricultural activities, to the point where its citizens may not only supply their own market, so far as they reasonably can, but where they may more successfully invade the markets of the world. They have made great progress in that direction. Today their workers are employed, their farmers are reasonably prosperous, and are not subsidized by their government.

Instead of seeing ahead only years in which millions upon millions of her citizens will remain unemployed, Canada today is looking into the future unafraid. She is rapidly expanding her industrial activities. She is rapidly developing great agricultural areas and resources. She is encouraging immigration to the end that there will be the necessary man-power to carry forward the great program she has undertaken. In fact, she is doing exactly what every forward-looking nation in the world is doing today. She is expanding, not contracting, her activities. She realizes, as do many of the nations, that the only avenue to a constantly improving standard of living for her people lies along the line of constantly increasing production. She knows that the people of no country can have more of the necessities, the comforts, and the luxuries of life than they can use, because human desires are insatiable; but Canada knows this one thing further: That unless she produces more of these things—because production carries with it the creation of consuming power—her people cannot move to the better economic and physical environment of a progressive country.

Our country is the only one I know of to embark upon a policy of scarcity, which policy, if pursued, carries a nation first to arbitrarily reduced employment, with its attendant reduction of purchasing power through reduced wage outflow, thereby in turn reducing the demand for these products.

Second, the policy inevitably leads to higher prices for all the commodities which enter into the needs of our daily life, because of increased unit production costs, again still further reducing the number of those who have the financial resources with which to purchase the everyday needs of the household. The result then is that it requires fewer workers to supply that reduced demand, and men lose their jobs and join the ranks of those unable to buy, and again the demand for commodities is reduced, and we are once more in the thrall of that vicious downward economic spiral which leads to general unemployment, hunger, suffering, misery for the great mass of the people.

It seems we have not yet learned our lesson. Our experience with the N. R. A., and the unsatisfactory results of attempting to regiment industry to the end that production be reduced and employment increased, is still fresh in our minds. We know now, or at least we should know, that production cannot be reduced and the rewards and the volume of employment increased at one and the same time. And yet we hear rumors to the effect that the N. R. A. is to be revived and made constitutional through some mysterious judicial legerdemain. Is it possible that the way this is to be accomplished was pointed out in the Presidential message presented to the House this afternoon?

None of us have forgotten that the old N. R. A. was given an honest and fair trial. I voted for the act. I traveled over my district and at public meetings asked the people to support the law wholeheartedly and make it successful, if possible.

Mr. Chairman, it is such an obvious fundamental economic law that it at times is amazing that anyone could even for a moment be blind to it, that consumption is indissolubly

allied to production. It is obvious that without consumers there can be no producers, and that out of the very act of production flows the power to purchase, which is a part of consuming power, because in the ultimate consuming power is indicated by the power of the people to purchase.

Everybody seemed of the same mind in regard to the N. R. A. Everybody wanted the President to have a fair chance to prove the value of his remedies, and they tried to make this expedient work. They failed, and even before the Supreme Court had invalidated the act it had been abandoned almost by common consent.

It must be apparent that any legislative or administrative program that curtails any line of productive activity without supplying some other line of activity of equal value in return is as economically unsound as the N. R. A. itself. It takes from our people the right to produce the things which will give them the greatest reward for their efforts. Whether that curtailment is brought about by arbitrary mandate of some bureaucrat, or brought about by displacement in our own market by products raised or produced in foreign lands, the result is exactly the same.

Mr. Chairman, my mind goes back to the days when the Committee had the bill under consideration originally. I recall that the Republican minority offered and vigorously pressed an amendment that would have authorized the President to use the articles on that long free list as trading stock in negotiating these agreements. This list is composed almost exclusively of things which we do not produce in this country. They furnish practically no competition to either our farmers, our workers, or our invested capital. There is today no restrictions whatever to their importation. Foreign peoples can bring into this market all they can possibly sell, and for this privilege we charge them not one red cent.

I think it is recognized that we offer the finest market to be found anywhere in the world for these products on the free list. Certainly we pay as much, and frequently we pay more, for them than the peoples of other nations pay. That this is no small privilege we extend to foreign producers is apparent when one scans the records of such imports over a period of years.

Mr. Chairman, at this point I desire to insert in the RECORD a table showing the value of the annual imports for consumption from the years 1922 to 1936, inclusive. This table shows imports on the dutiable as well as the free list. It is interesting to note that during this period foreign producers have been permitted to bring into this market, free of duty, products to the value of the enormous sum of $28,868,449,000. This is 63 3/10 percent of all products imported during this period.

Imports for consumption

Year	Value			Percent free
	Total	Free	Dutiable	
1922	$3,073,773,000	$1,888,240,000	$1,185,533,000	61.0
1923	3,731,769,000	2,165,148,000	1,566,621,000	58.0
1934	3,575,111,000	2,118,168,000	1,456,943,000	59.0
1925	4,176,218,000	2,708,828,000	1,467,391,000	65.0
1926	4,408,076,000	2,908,107,000	1,499,969,000	66.0
1927	4,163,090,000	2,680,059,000	1,483,031,000	64.0
1928	4,077,937,000	2,678,633,000	1,399,304,000	66.0
1929	4,338,572,000	2,880,128,000	1,458,444,000	66.0
1930	3,114,077,000	2,081,123,000	1,032,954,000	67.0
1931	2,088,455,000	1,391,693,000	696,762,000	67.0
1932	1,325,093,000	885,536,000	439,557,000	67.0
1933	1,433,013,000	903,517,000	529,466,000	63.0
1934	1,636,003,000	991,161,000	644,842,000	60.0
1935	2,038,905,000	1,206,992,000	832,913,000	59.0
1936	2,421,055,000	1,382,086,000	1,038,969,000	57.0
Total	45,601,147,000	28,868,449,000	16,732,699,000	63.3

I think you will agree, Mr. Chairman, that the sale of such a bill of goods during this period of time is a privilege of some value to the vendors. I think I am safe in saying that no country in the world extends the same privileges to the same extent as we in this respect.

This is a materialistic world. Every nation is, I believe, conducting its affairs in a way which will promote the best interests of its people. I am sure Dr. Sayre and others in the State Department, when negotiating these treaties with foreign nations, find those with whom negotiations are conducted very alert in protecting the interests of those they represent. When one considers the shifting of the balance of trade that has taken place under these agreements and learns that today, instead of enjoying a balance of trade in commodities, we find ourselves for the first time in 43 years exporting less than we import, he must be impressed with the fact that the foreign negotiators have not failed in their responsibility to those whom they represent.

In analyzing this picture of world trade, Mr. Chairman, we must not forget this fundamental fact, that 95 percent of the total market for all the products of our farms and industries of the United States lies within the territorial confines of the United States. Our own people provide in themselves 95 percent of the market for their products. It would seem obvious that our first concern should be for the 95 percent of the market at home, and our second concern for the 5 percent abroad, and that on a basis of fairness—the good neighbor, if you please—to arrange trade agreements with those countries which can provide us with the free-list articles not in conflict with our own producers, and us to provide to those countries in turn with those commodities not in conflict with the products of their workers. That, as I see it, constitutes a sensible, sane, economic, fair basis of world trade and should be the governing policy.

I realize fully, Mr. Chairman, that exchange of commodities does not give one the full picture in international balances. It is only when we contemplate such balances that we can arrive at a conclusion as to whether or not we are dealing on a basis of equality with the world. Of course, one can only reach an understanding and appreciation of the administration's foreign-trade policy by scanning the results. In 1934, we had a balance of trade in commodities of $478,000,000. Under the Trade Agreements Act, during the first year it was in effect, this favorable balance dropped to $235,000,000. In 1936, this favorable balance disappeared entirely, and we find ourselves with a deficit for that year in our foreign trade of $4,579,000.

It has been stated in the minority report, Mr. Chairman, that the imports and exports of merchandise are not the only things we should consider. It is my opinion that the state of our international balance of payments is of equal significance. We cannot arrive at a proper conclusion regarding our international financial and commercial operations without taking into consideration our net balance of payments on service items, as well as merchandise. The former include transportation service, immigration and charitable remittances, governmental transactions, tourist expenditures, interest and dividends, and silver purchases. These are the intangibles. In 1934 in these items we had a net favorable balance of $375,000,000, and this included neither capital items nor gold movements. In 1935 the balance of payments became unfavorable to the extent of $128,000,000.

I quote from the minority report:

> In 1936, although final figures are not yet available, we can estimate the figure of at least several hundred million dollars more unfavorable than in 1935, because of the disappearance of the merchandise trade balance and the large net imports of silver.

I continue to quote from the minority report, Mr. Chairman:

> If we were to take into account our huge imports of gold, our adverse balance of international payments would be further increased by more than a billion dollars.

The records disclose that our imports are increasing much faster than our exports. The records also disclose that the imports of commodities on the free list are declining in percentages and the commodities on the protected list are increasing in percentages. The table I have inserted above, Mr. Chairman, will be most illuminating to those sufficiently interested to scan the figures with care. It shows that under the administration of these trade agreements the percentage of imports on the free list is constantly and rather rapidly declining. This can mean but one thing, and that is that in endeavoring to prove ourselves the "good neighbor" and to

promote the peace of the world we are contributing a substantial part of our market, which we can ourselves supply, to producers of foreign nations, without in most instances exacting any concessions in return.

A moment ago I stated this is a very materialistic world in which we are living. I call attention to the fact that representatives of other nations drive hard bargains, and when I think of this, Mr. Chairman, I am reminded of the days when the bill was first considered and we were asked to approve the bill and give to our State Department an opportunity to do a little "Yankee" trading. Judging from results, it would seem to me that the "Yankee" trading as we have long known it was indulged in almost exclusively by representatives of foreign governments.

In considering the question before us today, we cannot understand the questionable possibilities of our foreign commerce in the years to come without knowing what has been done to vitally affect the development of that commerce and make it impossible to accomplish the objective of the administration.

Our Democratic friends have maintained that because of the high tariffs promulgated by the Republican Party in recent years, we have found it impossible to carry on our international trade. Of course, they were as wrong in this instance as they always have been when discussing the policy of a protective tariff.

It is true, Mr. Chairman, that there has been over the years a falling off in our exports, particularly of manufactured commodities. But this has been because the American industrialist found that he could export his factory by moving it to his market, and then produce for his foreign market at a cheaper cost by reason of cheap foreign labor and cheap foreign materials in the country in which they exist. By avoiding a long haul with its consequent cost of carriage, and by avoiding frozen capital in transportation and insurance charges, he thereby can meet foreign competition on its own ground.

This is the reason why, over a long period of years, there has been the phenomenal flight of American manufacturers to foreign countries; it was not because of the American tariff walls, although it is true that foreign tariff walls set up further obstacles which contributed to the erection of these branch plants in foreign countries.

But if there was not a vestige of tariff existing, either here or elsewhere, if the whole world were today on a basis of free trade, the American industrialist, if he would serve his foreign markets at a price which could compete with producers in those foreign markets, would be compelled to maintain foreign branch factories. That fact is so apparent that I think no intelligent person would for a moment assume to contradict it.

Mr. Chairman, I am placing in the record at this point a table from Senate Document No. 120, issued in 1933, which is a report from the Department of Commerce, in response to Senate Resolution 138 of the Seventy-second Congress.

Present investment and employment in foreign producing units by years in which established, all countries

[The investment and employment figures are for 1932]

Year	Manufacturing				Raw materials and special classes			
	United States companies	Labor	Foreign units	Investment	United States companies	Labor	Foreign units	Investment
1860	1	12	1	$75,905				
1862	1	600	1	1,158,869				
1879	1	14	1	58,273				
1880	2	600	7	65,370,510				
1881	2	6,000	2	2,578,400				
1882	1	7,809	1	6,948,888				
1883	1	6,000	3	328,000				
1884	1	103	1	562,285				
1885	1		3					
1887	1	143	1	387,285				
1888	2		2	13,468,000				
1889	2	174	2	1,287,000				
1890	1		1	26,000,000				
1891	2	813	2	859,713				
1892	5	3,806	7	18,094,428				
1893	1	536	1	613,875				
1895	1	100	1	127,629	1	34	1	
1896	4	797	9	$5,390,118				
1897	2	903	2	2,045,532				
1898	1	2,000	1	6,296,980				
1899	3	2,348	3	13,041,378	2	1,036	3	$4,413,000
1900	6	653	14	4,778,000	2	160	2	7,026,994
1901	4	449	6	8,905,010	4	7,784	11	18,502,826
1902	3	2,782	3	4,612,914	6	6,219	18	44,338,000
1903	8	1,820	8	6,163,606				
1904	9	6,090	13	66,803,786	3	8,318	3	59,409,033
1905	16	13,095	29	16,864,429	3	2,572	8	8,010,500
1906	10	2,172	33	8,446,377	5	5,783	5	31,173,394
1907	14	600	15	5,129,546	3		5	37,280,600
1908	15	6,164	21	21,796,557	1	258	1	272,348
1909	10	2,317	18	3,200,282	3	3,736	3	20,304,743
1910	21	11,118	46	33,482,926	1		1	4,000,000
1911	16	17,001	19	51,662,057	3	19,208	4	13,387,678
1912	22	2,140	29	16,924,018	2	5,001	3	39,285,223
1913	14	5,966	15	14,385,725	2	615	2	3,800,000
1914	19	3,252	20	27,347,130	3	2,873	2	24,195,124
1915	11	3,624	13	6,360,366	4	6,404	6	45,380,766
1916	23	3,702	25	21,721,750	3	5,659	4	86,017,936
1917	20	8,311	22	7,676,820	5	2,500	6	16,407,107
1918	14	2,623	34	23,982,055	1	9,414	4	12,065,000
1919	27	8,742	34	42,577,557	11	10,759	13	46,892,183
1920	43	9,487	52	54,189,586	8	9,511	14	42,468,392
1921	29	4,646	37	14,366,211	8	3,060	13	36,151,159
1922	22	3,761	22	24,701,095	5	9,341	7	5,900,000
1923	25	4,784	34	14,675,255	7	9,398	8	171,225,528
1924	28	6,417	39	22,653,758	9	1,877	13	12,854,866
1925	33	11,504	49	29,236,145	11	15,920	16	112,599,954
1926	35	16,559	49	26,921,127	6	19,791	8	3,940,588
1927	43	11,438	54	44,129,498	9	3,279	11	15,854,867
1928	45	6,956	64	35,761,070	6	6,886	13	86,873,493
1929	70	16,553	99	78,094,191	10	1,854	11	3,697,658
1930	64	15,185	81	55,559,953	6	1,098	12	37,404,000
1931	49	3,762	65	20,717,504	5	629	5	2,192,390
1932	43	2,309	53	11,502,399	1		2	
No date given	185	18,605	363	34,237,314	23	2,111	61	91,108,094
Total		267,345	1,520	1,033,259,808		183,118	299	1,144,433,436

This is a report on American branch factories abroad, together with an analysis of returns from United States producers with investments of $50,000 or more in foreign plants in 1932. This shows that a total of approximately $2,177,693,244 was at that time invested by American industry in foreign branch plants. The number of plants approximated 1,800. And keep in mind, ladies and gentlemen, that this list is wholly incomplete, because, in the first place, it embraces only plants in which more than $50,000 per plant is invested, and, secondly, it does not include any plants or activities established and maintained by American capital which operates no American plant; and, third, it does not include many plants concerning which some American firms refused to report. And further, it does not include those American investments and activities in foreign countries which do not provide competition for American production.

This whole program of building branch plants is not one that has been alone developing in Canada, to which the gentleman from New York [Mr. REED] has addressed himself this afternoon. It indicates what is going on in the world at large. It points to the difficulties we will meet in attempting to reestablish our past volume of exports. Certainly we cannot hope to make substantial progress unless we abandon the policy of making a reciprocal treaty with one nation, immediately extending all the benefits given that nation to all other countries with the exception of Germany and Austrialia without securing from those other nations something in return.

In connection, Mr. Chairman, with this question of establishing American branch factories in foreign markets to supply these markets, another and equally important consideration must be faced, and that is that over these years we have not only been selling to foreign nations the machinery by which to manufacture in supplying their own needs, but we have been sending our engineers and technicians abroad to teach them how to produce goods according to American mass-production methods. With such facilities the other nations of the world can become independent of our industrial output. It must be apparent that we cannot con-

tinue to supply foreign competitors with our latest machinery and continue to sell the products of machinery in the foreign markets also.

Certainly we cannot expect to make substantial progress, Mr. Chairman, by giving up our markets here at home which we have previously had and are now fully capable of supplying. We cannot make substantial progress, Mr. Chairman, unless we follow the lead of other nations and use the same methods in our negotiations with them that they now use with us. We have a splendid market in this country for those things which we do not produce. I have previously referred to this. If we are to make the progress which we have a right to expect, we must protect our present markets abroad and trade for more by using the trading advantage of our free-list market, which we now give freely to all the world, and which free-list market affords our most valuable trading asset available for the purpose. In other words, we cannot continue to trade away our domestic market for the things we ourselves produce without inviting economic disaster.

Mr. Chairman, we cannot continue to go down the years making trade agreements with foreign countries and continue selling the American farmer down the river. I hold in my hand a report from the Department of Commerce dated February 2, 1937, which discloses the fact that our agricultural exports are constantly decreasing, while our agricultural imports are constantly increasing. It shows, Mr. Chairman, that whatever benefit accrues to American producers as a result of these treaties accrues to nonagricultural activities and at the expense of our great agricultural industry. I offer this report at this point for the RECORD:

Analysis, by economic groups, of domestic exports from and imports into the United States for 1936

[Issued by Division of Foreign Trade Statistics, Bureau of Foreign and Domestic Commerce]

[Value in thousands of dollars]

Class	12 months ending December—			
	1935		1936	
	Value	Percent	Value	Percent
Domestic exports	2,243,081	100.0	2,416,477	100.0
Agricultural	747,692	33.3	709,500	29.4
Nonagricultural	1,495,388	66.7	1,706,977	70.6
Crude materials	682,953	30.5	668,175	27.7
Agricultural	540,250	24.1	514,127	21.3
Nonagricultural	142,703	6.4	154,049	6.4
Crude foodstuffs	58,751	2.6	58,147	2.4
Agricultural	57,794	2.6	56,971	2.4
Nonagricultural	957	----------	1,176	----------
Manufactured foodstuffs and beverages	157,211	7.0	143,755	5.9
Agricultural	143,018	6.4	129,955	5.4
Nonagricultural	14,193	.6	13,800	.5
Semimanufactures	349,858	15.6	394,268	16.3
Agricultural	2,551	.1	3,782	.2
Nonagricultural	347,307	15.5	390,486	16.1
Finished manufactures	994,308	44.3	1,152,132	47.7
Agricultural	4,079	.2	4,665	.2
Nonagricultural	990,229	44.1	1,147,467	47.5
Imports for consumption	2,038,905	100.0	2,421,056	100.0
Agricultural	1,105,761	54.2	1,304,990	53.9
Nonagricultural	933,144	45.8	1,116,156	46.1
Crude materials	582,443	28.6	733,063	30.3
Agricultural	428,231	21.0	526,813	21.8
Nonagricultural	154,212	7.6	206,250	8.5
Crude foodstuffs	322,327	15.8	348,701	14.4
Agricultural	311,936	15.3	336,548	13.9
Nonagricultural	10,391	.5	12,153	.5
Manufactured foodstuffs and beverages	318,828	15.6	383,635	15.8
Agricultural	301,441	14.8	365,136	15.1
Nonagricultural	17,387	.8	18,499	.7
Semimanufactures	409,690	20.1	490,113	20.2
Agricultural	59,338	2.9	71,209	2.9
Nonagricultural	350,352	17.2	418,904	17.3
Finished manufactures	405,617	19.9	465,543	19.2
Agricultural	4,814	.2	5,195	.2
Nonagricultural	400,803	19.7	460,348	19.0

Analysis, by economic groups, of domestic exports from and imports into the United States for 1936—Continued

[Value in thousands of dollars]

The facts I have quoted from Senate Document No. 120 show that the manufacturing industry can and does, when deemed necessary, jump across the oceans and establish branch factories in the markets abroad which it wishes to serve. But the American farmer cannot do that thing, Mr. Chairman. His base of operations is irrevocably and irremovably fixed in the soil of this country. He cannot at will move a portion of his factory, the farm, to Canada or to Argentina or to any other country. He is destined by the very nature of his calling to remain fixed, and yet we are here seriously considering whether we shall continue the policy of sacrificing his interests, taking advantage of his helplessness, crucifying him on some theory that we are going to benefit America by so doing.

By adoption of this resolution we acquiesce in the policy that has been followed up to this time and approve the discrimination against the farmers of the country who constitute the largest single class of our citizens. [Applause.]

Mr. DOUGHTON. Mr. Chairman, I yield 15 minutes to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Chairman, Henry Thomas Buckle, in his History of Civilization in England, says that the great reforms of the English-speaking race have consisted not in doing something new but in undoing something old.

We are now engaged in one of the greatest reforms of this generation, undoing something old, undoing some of the greatest legislative mistakes in all the history of this Republic—the Fordney-McCumber-Harding High Protective Tariff Act of 1922 and the Smoot-Hawley-Hoover tariff of 1930.

I am not surprised to hear the old-guard Republicans, and especially the ones most responsible for these iniquitous tariff laws, criticize the Secretary of State, the Honorable Cordell Hull, who is taking the lead in working out these far-reaching reforms.

In my opinion, Cordell Hull is not only the greatest and most farseeing but, measured in terms of benefits to mankind, he is the most valuable member of any cabinet in the world today.

They call him "visionary." I am glad he has some vision. Holy Writ tells us that "where there is no vision the people perish." And many of them would have perished, and our American institutions might also have perished, if we had not substituted the sympathetic vision of this administration for the smug complacency, the blue-print and slide-rule policies of the Hoover administration.

Victor Hugo once said that nothing dies harder or more thoroughly than an old regime. We are now witnessing the death struggle of the few remaining high-tariff veterans of the Republican old guard, who "die but never surrender."

In working out and negotiating these reciprocal-trade agreements, Cordell Hull is rendering a service to mankind second only to that of the President of the United States. He is not only restoring the trade of the world by thus breaking down these vicious tariff barriers, but he is also promoting the peace of mankind. Nothing that we could do would strengthen the hands of the administration in this great work more than the passage of this resolution to

extend the time for the negotiation and execution of these reciprocal-trade agreements.

I witnessed the passage of the Fordney-McCumber-Harding Act. I saw the party then in power disregard the rights of the masses of the American people, and especially of the farmers of the country, and pile upon their backs the highest protective tariff ever known in times of peace. It was the most deadly blow ever dealt the prosperity of the American farmers. It was one from which agriculture never recovered until it finally collapsed under the impact of the Smoot-Hawley-Hoover tariff of 1930, which swept us into the worst depression this Nation has ever known.

A tariff is an indirect tax. They levied a tax upon everything the farmer has to buy, from the swaddling clothes of infancy to the lining of the coffin in which old age is laid away. They even went beyond the grave and levied a tax upon his tombstone by placing a tariff upon the rock from which it is made.

One of the best informed men I ever heard discuss the tariff said during the Coolidge administration that the tariff was then costing the American consumers on an average of $4,000,000,000 a year; of that amount $600,000,000 went into the Treasury and $3,400,000,000 went into the pockets of the beneficiaries of that law. Think of it! Four billion dollars a year wrung from the masses of the American people for which they got practically nothing in return. Legalized robbery. Thievery within the law! Using the powers of government to take billions of dollars annually from the unprotected masses, the people least able to pay, in order to swell the fortunes of the favored few. It was a crime for which the Republican Party has at last paid the extreme penalty. "The wages of sin is death."

Passage of the Tariff Act of 1922 sowed the seeds of the depression. No country on earth could have stood it without disaster, and only America, with her unbounded natural resources, could have stood it as long as she did. The advocates of that measure made no attempt to conceal the fact that it would rob the cotton farmer. They brazenly ignored his welfare, knowing that he would have to sell his cotton in the open markets of the world in competition with cotton raised by the cheapest labor on earth and then purchase his goods in a protected market and pay two, three, or four prices for everything he had to buy. The tariff could not possibly benefit him, for the reason that we ship millions of bales of our cotton out of the country every year, while very little, if any, is shipped in.

Besides, if the tariff had benefited agriculture as much as it did industry, it never would have been enacted. Its advocates would not have wanted it. The small bait they threw to the farmers of the grain and livestock sections of the country was really pitiful. It could hardly be compared to the scattered crumbs which Lazarus gathered from beneath the banquet table of Dives.

I shall never forget the debate between the gentleman from Kansas, Mr. Tincher, and the gentleman from Massachusetts, Mr. LUCE, over the proposal to put a tariff on hides. Mr. Tincher called them "cowhides", and Mr. LUCE called them "cawfskins." [Laughter.]

The old-guard Republicans had placed a tariff on everything the big manufacturers produced, and then voted down the proposition of putting a tariff on hides for fear it would give the farmer a few more pennies for a cowhide out of which Massachusetts manufacturers were making shoes to sell at $10 or $12 a pair.

During the Coolidge administration a farmer in my district said he took a cowhide to town and sold it and then went into a store to buy a hame string and had to pay more for the hame string than he got for the hide. [Laughter.]

Old-guard Republicans now talk about what the tariff did for the farmers, instead of talking about what it did to the farmers. You had a tariff of 42 cents a bushel on wheat, and yet wheat was 10 cents a bushel higher in Winnepeg, Canada, than it was in Minneapolis, Minn. You had a tariff of 25 cents a bushel on corn, and corn was higher in foreign countries than it was in the United States. That tariff on wheat and corn, under those conditions, was not worth a penny to the farmers of this country, and the tariff advocates knew it. They were merely using it for political "bunk", until the farmers became wise to it and swept them from power.

In order to placate the dairymen of the Northwest, they placed a high tariff on all dairy products, which finally killed the goose that laid their golden eggs. As soon as the prices of dairy products rose out of proportion to the prices of wheat, corn, and cotton, farmers of the South and West began to build up their own dairying industries and take that market away from them.

The South is now the coming dairy section of the world. You have driven us to it, and now you cannot drive us away from it. You cannot compete with us. We have a gentle climate and a fertile soil that produces every kind of grass and forage crop the dairyman desires. We have an 8 or 9 months' grazing season and an abundant rainfall that keeps our pastures fresh and green throughout the larger portion of the year. Our soil is saturated with iodine, which prevents those terrible thyroid diseases that affect so many hundreds of thousands of people in the States along our country's northern border. The tick has long since been eradicated, and our cattle are free from tuberculosis, rendering our dairy products the safest and most wholesome to be found on the face of the earth. In addition to all that, we have a superabundance of dry feed in the form of cottonseed and cottonseed meal and hulls, produced on every farm. Our semitropical climate contributes to the health and growth of our dairy cattle and eliminates the necessity of building heavy or costly barns. Compared with any other part of the country, the South is a veritable dairyman's paradise. As I said before, it is the coming dairy section of the world.

By imposing a high protective tariff and making it unprofitable for us to grow cotton, you have given the dairymen of the North and East a competitor with whom they cannot compete and one that is here to stay.

By penalizing agriculture for the benefit of industry with your high protective tariff, you have driven the South and West into building up their own industries and leaving yours without a market. You are now reaping what you have sowed.

The gentleman from Massachusetts, who spoke a few minutes ago, talked about their failing industries of Massachusetts. They overbuilt, thinking they could continue to unload upon the American people and upon foreign countries their goods at exorbitant prices.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. McCORMACK. In connection with Massachusetts I want to say that from 1921 to 1933, 12 years of Republican rule in the Federal Government, and practically all that time in control of the State government of Massachusetts, we lost 166 textile mills in New England. Our textiles moved from New England during Republican rule. We have many thousand more spindles operating today in Massachusetts and New England than we had 3 years ago. [Applause.]

Mr. RANKIN. That is just what I was coming to. Of course, I was referring to the other gentleman from Massachusetts [Mr. BATES].

Mr. McCORMACK. I knew that. [Laughter.]

Mr. RANKIN. The gentleman from Massachusetts [Mr. BATES] points to the fact that you were rapidly losing your textile industry. Why? Because you made it more profitable for the people in the South to operate textile mills than to raise raw material. As a result, today more than 75 percent of the active cotton spindles are in the Southern States, and the rest of them will go there if you leave this tariff wall where it stands today. That would be the worst thing that could possibly happen to the New England States.

You cannot trade with foreign countries without letting them trade with you. I wish I had time to go into some of the restrictions they have placed against American goods of all kinds in retaliation for these tariff walls. The only way to lower these tariff walls is by reciprocal-trade agreements. If we will bring them down in that way, it will do

more to restore the prosperity of the average American, it will do more to restore international trade and eliminate international disagreements, it will do more to perpetuate the peace of mankind than any other one thing that could be done at this time.

The Republican high protective tariff policy, founded upon consummate dishonesty, robbing one man for the benefit of another, has borne its bitter fruits. It impoverished our farmers, destroyed the home market for your industrial products, and made competitors of your former customers.

It stimulated industry in certain sections for a time and coaxed into this country millions of aliens seeking employment, to leave upon the hands of your children a problem that it may take generations to solve.

It provoked retaliation upon the part of every foreign country, caused them to emulate the example you had set, shut American goods out of their markets, and drive our commerce from the seas.

It taught other peoples of the earth how to restrict trade and provoked them into practicing it, until the very map of the civilized world became a barbed-wire entanglement of tariff barriers, behind which world trade had become stagnant and world commerce had become paralyzed.

It wrought the ruin of agriculture, destroyed our foreign trade, made enemies of our former friends, caused a collapse of the very industries it was originally designed to serve, drove this country into the darkest depression in all history, and almost wrecked the civilization of mankind.

We are now engaged in the arduous work of restoration, restoring the prosperity of American agriculture, rebuilding our foreign trade, placing our industries upon a sounder basis, eliminating international hatreds, and restoring the peace and good will among the nations of the earth.

These things we are now accomplishing, not by doing something new but by undoing something old. [Applause.]

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, may I inquire how the time stands?

The CHAIRMAN. The gentleman from Massachusetts has 30 minutes remaining, and the gentleman from North Carolina has 24 minutes remaining.

Mr. DOUGHTON. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. CONNERY].

Mr. TREADWAY. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. CONNERY].

Mr. CONNERY. Mr. Chairman, first I want to state most emphatically that I am opposed to reciprocal-trade treaties in principle, in the way such treaties have been entered into, and in the results we have secured through the treaties we have entered into.

Two years ago I voted against this, to my mind, uncalled-for delegation of power, or perhaps it would be better to say that I believe the elected representatives of the people should never delegate to an administrative body or agency the power to levy taxes or to set the tax which our people should pay.

As a Democrat I want to state that no real Democrat, so far as I know, has ever knowingly advocated the enactment of tariff rates which would permit of the delivery into our American market of foreign-made goods or products which goods or products compete in the American market with the products of American workers or farmers at total landed costs which are less than the American costs of production of such goods or products.

Last session I presented and I am still hopeful of securing the passage of legislation which would impose an additional tax on imports. This tax would represent the difference between the landed costs of foreign goods or products and similar competitive goods or products produced by American workers or farmers.

Under our present tariff rates any number of articles and commodities are being dumped into our Atlantic seaboard markets at total landed costs which are considerably less than our American cost of production.

Surely, with Congress appropriating a billion dollars this year for the relief of those unable to get a job, we should not authorize the State Department, behind closed doors, and without the slightest knowledge on the part of the Congress or the American people to reduce even the present inadequate tariff rates and thus force additional thousands of American workers to be dependent on our Government for relief. [Applause.]

Many Members of the House would strenuously oppose our delegating to the State Department, or the Department of Labor, the authority to enlarge the quotas for admission of aliens. Yet I note among those who cry the loudest for the strictest enforcement of our immigration laws, yes, who would close our doors entirely to the entry into the United States of aliens, those who advocating this extension of the authorization for the Department of State to enter into reciprocal-trade treaties with foreign nations, treaties which make it easier for the cartels and trusts of these foreign countries to dump into the American market the products of the very peoples whom we debar from entry into our country.

What is the difference, may I inquire, between our permitting the entry of these aliens, the people of foreign countries, and our admitting to our country the products of these same people?

Surely we would be acting more in keeping with our history, more in harmony with our cry "The land of the free", if we opened our doors and permitted these oppressed, yes, one might well say, enslaved people the freedom and the liberty which all persons prize most highly.

We have an Asiatic exclusion law. What value is that law in protecting the job opportunities of American workers when the products of the labor of these debarred workers are permitted entry into our country to the known and admitted knowledge of our Tariff Commission at total landed costs which are less than the American costs of production of similar or competitive goods?

If we permitted the entry of these Japanese workers—and I am not advocating any such policy—the employers of such workers would be compelled to pay for their labor at least 500 percent more than is now paid to these workers.

Our laws supposedly prohibit the existence of trusts. We loudly boast of our opposition to monopolies. Yet a careful reading of the testimony presented to the Appropriations Committee on independent offices shows that we not only tolerate and accept the domination of cartels and trusts of foreign countries but we permit these foreign cartels and trusts to fix the actual duty which is paid by the importers of foreign goods to our Government. We do this when we accept from these foreign monopolies such valuations as they care to place on their exports even after our governmental agencies have found that the valuations or other information upon which the Government is dependent have been found to be false.

I refer to the testimony shown on page 566 of the hearings before the independent offices appropriations committee. This testimony shows that the Tariff Commission and Treasury Department admit that they are dependent for the valuations upon which we collect revenue on the valuations or prices fixed by a monopolistic agency in Japan. If this is true in this case, why not others? In this case they found and admit finding what is known as false invoicing.

Page 567 of the same hearings shows that the Tariff Commission states that 43 percent of all the household tableware yearly purchased in the United States is the product of Japanese workers. The Tariff Commission stated—I quote:

> Computing the value in the United States of the (Japanese) articles at two and one-half times their foreign (Japanese) value, imports in 1934 would represent about 43 percent of the estimated American consumption of such ware in that year.

Here the Tariff Commission reports to Congress that in order to place the products of Japanese workers which compete in the American market with the products of American workers on an equality as to costs of production a tariff rate equivalent to 150 percent would be necessary. Yet I note that the same Tariff Commission found in its report on pottery for 1934 that the tariff rate in effect was equivalent only to 85 percent. This means that the American workers are under a handicap in that they cannot get a job so long as the Japanese products have this advantage, or perhaps this

advantage possessed by the importers of the products of Japanese workers permits these importers to secure extortionate profits at the expense of their exploitation of the American consuming public.

Last year we enacted the Walsh-Healey Act, the purpose of which is to prevent American chiselers from selling goods to the United States Government.

Everyone is familiar with the fact that one of the essential needs of our War and Navy Departments is an available supply of copper and other metals.

It is my understanding that those who constitute the American Copper Trust act in concert with the International Copper Trust or Cartel.

Further, I noticed in the press recently that the American Copper Trust increased their price of copper after the International Copper Cartel or Trust had sent word from Europe that the price of copper was to be increased. I understand that the divisions or the subsidiaries of the American Copper Trust have complied with the Walsh-Healey Act, but the parent companies, those who actually control the divisions and the subsidiaries, not liking the laws enacted by Congress, are participating in a sit-down strike against their own Government by refusing to bid upon or supply the Government with copper, as to do so they would have to comply with the Walsh-Healey Act.

Incidentally, my attention has also been called to the fact that continued employment of many thousands of workers employed in what are termed "independent metal-producing and fabricating plants" is seriously endangered through the refusal of the American Copper Trust to permit these independents to purchase sufficient copper and other metals to meet the needs of their business. Yet the State Department has taken no action in this matter which so deeply concerns our people, our Government, and our national defense.

Instead of negotiating trade treaties with foreign countries through which treaties we will or may add millions of our workers to the list of the unemployed, and which make it easier for these foreign cartels and trusts to dump the products of their underpaid workers into our American market, it would be far more constructive were the State Department to advise Congress of the number of cartels and trusts, legal in their own countries but illegal in the United States, which are operating in the United States through controlled divisions or subsidiaries. The elimination of these foreign cartels and trusts, to my mind, operating in the United States through controlled subsidiaries, and in this way exploiting the American people, depriving American workers of employment opportunities and defying or ignoring our laws, as well as depriving our Government of the revenue which it should receive, is of far more importance than the work they ask we again authorize that they do.

Much has been said of the benefits we have secured through treaties we have already entered into.

First, I would suggest that the advocates of the passage of this bill tell us definitely who are meant by the term "we."

Labor has not benefited and has manifested its continued opposition to these reciprocal-trade treaties and the policy which underlies them.

The farmers allege that some of these treaties have been ruinous to them.

The other two elements who make up our productive life are the manufacturers and the bankers.

The manufacturers of New England are, from what I have been able to learn, unanimously opposed to these treaties.

The automobile manufacturers, the Cigarette Trust, the Remington Rand type of manufacturers, the Radio Trust, the Beef Trust, and others who export some 5 or 10 percent of their production, all of whom deny to their workers the benefits of law which Congress has enacted, and who pay to their unorganized workers such wages only as their conscience compels, probably are in favor of this type of legislation. Why? Because they are in the habit of doing business behind closed doors and they generally profit through such transactions.

The bankers, especially the international bankers, such as the Chase National and the National City, who deal in foreign exchange and who have large holdings in lands or securities of foreign countries, of course, will endorse a continuation of a policy through which they receive large profits.

It is possible that some Members of the House sincerely believe that the State Department, behind closed doors, might write a better tariff bill, because that is what we are authorizing in this bill, than Congress might write.

Having only a limited time in which to discuss this measure I will confine my illustrations of what the State Department has actually done to those specific cases which we find reported on by the tariff cases and cited on pages 570 to 574, inclusive, in the hearings of the appropriations committee on independent offices.

I believe that these two citations are fair examples of what a detailed examination of all those treaties we have entered into would show.

I note that some eight sugar importers, among them the Chase National and National City Banks, which banks I understand own more than 60 percent of the sugar lands of Cuba, are listed as sharing in this $27,000,000, less in revenue paid to the Treasury, while at the same time, even with the reduction in duty, the wholesale price, and surely the retail price of sugar has increased since these duties were lowered.

No Yankee trader ever represented the Government when such a deal was made, but it is highly probable that some Yankee traders represented the banks and the other sugar-land owners.

I note on pages 573 and 574 of the hearings, I have before referred to, that the Tariff Commission reports that the reduction in duties on cigarette papers enriched the Cigarette Trust some $600,000 last year, and, of course, the same amount each year that this treaty with France continues, while the American consumers of these French-made cigarette papers did not benefit at all.

In addition, I might add some reference to the Canadian treaty. A lot has been said of those instances wherein the American farmers and livestock raisers have suffered; little has been said of the duplicity whereby the producers and distillers of Scotch whisky secured a reduction in the tariff duty without any treaty's being entered into with England or Scotland.

Of course, being a wet-voting and dry-drinking Member of Congress, perhaps I do not see the joker as quick as some others, and, then again, perhaps this little joker might be overlooked. I deem this instance an indication of the extent to which those who are negotiating these reciprocal-trade treaties will go in order either to curry favor with representatives of foreign governments, the representatives of the international bankers or representatives of foreign cartels and trusts.

We entered into a treaty with Canada and we specified that whiskies of all types would benefit by the reduction in the duty from $5 a gallon to $2.50. Those who negotiated this treaty might not have a very good knowledge of whiskies. It is barely possible that their taste demands wines.

However, it is common knowledge that the American public are large consumers of Scotch whisky and also that we have not as yet, so far as the Congress is aware, entered into a reciprocal-trade treaty with either England or Scotland. Yet the Treasury has lost several millions of dollars in revenue and there are but few, so far as I am aware, who will admit that they can purchase good Scotch whisky at any less price than they paid prior to this reduction in tariff duty.

Mr. Chairman, the citations to which I have referred show that our entry into these reciprocal-trade treaties has not been helpful to our own country.

At this point I might dwell for a moment upon the fallacy of the State Department's entering into treaties with those foreign nations who have had the foresight to protect the job opportunities of their own workers.

Under our present tariff system we place our duties on the value of the goods in the foreign countries, even when there is little if any market for the sale of such goods in that country. The foreigners, however, are a lot smarter and they place their tariff duties on the value of the imported articles in their own countries. Consequently, the State Department can secure few, if any, real major con-

cessions except for the benefit of the mass-production industries or the American monopolies wherein the labor cost of the production of such products is less than 10 percent through our entry into these reciprocal-trade treaties.

Mr. Chairman, the United States Tariff Commission recently issued a report entitled "Bases of Value for Assessment of Ad Valorem Duties in Foreign Countries." This report lists various countries, but I will only read the statement as to those countries with which we have more important trade. As to the value of goods landing in the United Kingdom, I read from the report as follows:

The value of any imported goods for the purpose of this act shall be taken to be the price which an importer would give for the goods if the goods were delivered to him, freight and insurance paid, in bond at the port of importation, and duty shall be paid on that value as fixed by the commissioners.

As to Japan—

Duty upon an article subject to ad-valorem duty shall be levied according to its value on arrival at the time of importation.

As to the Netherlands—

Commodities subject to ad-valorem duties, the value of each article figured according to the current price in this country on the date of the declaration.

As to France—

The value to be declared for the application of the customs duties is that which the merchandise has in the place and at the time when it is presented to the customhouse. This value includes the purchase price of the merchandise, plus all necessary importing expenses (transportation, freight, export duty, insurance, commission, cost of packing where not dutiable separately) up to the place of importation, exclusive of import duties.

As to Canada—

The fair market value of such goods in the usual and ordinary commercial acceptation of the term, and as sold in the ordinary course of trade, such value in no case to be lower than the selling price thereof to jobbers or wholesalers generally at the time of shipment direct to Canada.

As to Australia—

Current domestic value of the goods, or the actual market price paid or to be paid for the goods by the Australian importer, plus any special deduction, whichever is higher.

For Austria—

For ad-valorem duties the value of the merchandise is to be taken as the price which an article of like kind and quality would bring, exclusive of the duty, in the customs territory. Average values can be established by administrative regulations.

As to Belgium—

The value may not in any case be less than the normal wholesale price of similar goods on the Belgian market at the time of importation, less the amount of the duties (under the minimum tariff) which such products would pay on import.

I am opposed to the principle of reciprocal-trade treaties, believing, as I do, that the elected representatives of the people should never delegate a taxing power to any administrative agency; and I believe a cold-blooded analysis of the results of those reciprocal-trade treaties justifies the House in rejecting this measure, which calls for an extension of the authorization for the State Department to enter into such treaties with other foreign countries.

In conclusion, I want to say merely this to my dear friend, the gentleman from Mississippi [Mr. RANKIN], who spoke about the mills of New England, and to my dear friend, the gentleman from Massachusetts [Mr. MCCORMACK], who spoke about the mills under the Republican administration—that our mills are not moving from Massachusetts into the South any more; they are moving into South America. They are raising cotton in South America, paying cheap peon wages, and they are making textiles in South America, paying cheap peon wages. They are going to ship these textiles into the United States and take the market away from the southern cotton grower, from the southern textile mills, as well as from the northern textile mills, and they are going to do this with the help of these reciprocal treaties. In other words, we are going to help them to kill our own home industries. Let this sink in on my friends, the Members from the South, for their own toes are being stepped on now. I got this information—and it is authentic—from the manager of a steamship company which has already taken six new England mills, with all their machinery, down into South America. I appeal to the Members on my own Democratic side to think this matter over carefully when they cast their vote on this bill.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 7 minutes to the gentleman from Minnesota [Mr. ANDRESEN].

Mr. ANDRESEN of Minnesota. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD and to include therein an extract from the minority report.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. ANDRESEN of Minnesota. Mr. Chairman, it is most refreshing to listen to a Democrat from the State of Massachusetts who is willing to stand before the Congress and tell the truth about conditions as they exist as a result of the legislation being considered by the Committee. He is to be commended for his courageous stand, and for not being willing to be a rubber stamp for a group who desire to continue legislation here that is against the best interests of the American people.

I have always had a great deal of respect for the gentleman from Mississippi, who just addressed the committee, and for his judgment, but after listening to his discussion today and reading the testimony of some of the men who appeared before the Ways and Means Committee in behalf of this legislation, I must say that politics makes strange bedfellows, for we now find the gentleman from Mississippi sleeping in the same political bed with the president of the United States Chamber of Commerce, both being in favor of the same legislation, trying to put through something here that will be detrimental to agriculture in the Northern States and detrimental to a large portion of American labor.

I was surprised also to learn from the gentleman from Mississippi that he intends to punish, or it is his policy to punish the farmers of the Northern States, particularly the dairy farmers, by having the southern farmers take away the dairy business just as he claims they are doing in connection with taking away the spindles from the New England States. We in the Northern States and the dairy interests do not object to a gradual normal expansion of the dairy business in the Southern States, but we do object to the present policy of having the Government finance large dairy herds and creameries throughout the South so that the farmers in the Southern States may go into the dairy business and take the business away from the farmers up in our country who have been engaged in that business for the past 50 years. Our people are not subsidized. In the dairy business they have not been subsidized under the present New Deal program that has been in effect during the last 4 years. We have asked for no subsidies. All we ask for is that we may have the American markets for the products we produce from the dairy cow without foreign interference.

Mr. WOODRUFF. Will the gentleman yield?

Mr. ANDRESEN of Minnesota. I yield to the gentleman from Michigan.

Mr. WOODRUFF. May I ask the gentleman if the Government bought the dairy herds for the farmers of Minnesota?

Mr. ANDRESEN of Minnesota. No. The dairy herds of the farmers of Wisconsin, Minnesota, Michigan, and other dairy States have been built up over the past 50 or 60 years through a gradual improvement of the herds, and they now have some of the finest herds in the world.

Mr. WOODRUFF. And this was all done at the expense entirely of the farmers themselves?

Mr. ANDRESEN of Minnesota. At their own expense and through the trial-and-error system, which has been so successful in this country.

The farmers in the United States 4 years ago were asked to take 40,000,000 acres of land out of cultivation because we were producing too much in the way of agricultural commodities. The farmers, generally, complied with that. They were glad to work out something that would improve their condition and the condition of the economic structure of the United States. But they found as soon as they had

taken their land out of cultivation in this country the administration, by its free-trade and reciprocal-trade policy, was inviting foreign farmers to produce more and to ship those commodities into this country to take the place of the commodities our farmers were required to produce less of. This is the most un-American scheme that has ever been forced on American agriculture.

It might be said in this reciprocal-trade policy our farmers are being benefited or someone is being benefited. I realize if it were not for the fact someone was being benefited, the president of the United States Chamber of Commerce would not appear before Congress and ask to have this legislation enacted into law. I will tell you who is receiving the benefit. Some of the large machinery manufacturers of this country, and particularly the manufacturers of agricultural machinery, who have increased their exports of farm machinery to foreign farmers so that these foreign farmers can produce more of the things we have taken out of production and ship them into this country to be sold in competition with the things that we should have our own American markets for.

Mr. Chairman, I want to see our export trade increased, but I do not want to see it increased at the expense of the farmers and of the American laboring men here in the United States. Do you realize we still have around 9,000,000 people unemployed and that we have between fifteen and twenty million people on the relief rolls in the United States despite the fact it is claimed by the present administration prosperity has returned to this country? Why, we could put back to work more than 5,000,000 American citizens today in factories and on the farms if we would only protect the competitive market in the United States for the American citizens and let them have this market without foreign interference. [Applause.]

Yesterday, when this bill was up for discussion, I understood the gentleman from Oklahoma [Mr. DISNEY] to say that no specific objections were being raised against the continuance of the reciprocal trade agreement powers in the hands of the Executive. Evidently the gentleman failed to understand the specific objections raised by the many witnesses who appeared before the Ways and Means Committee, of which he is a distinguished member, as I am sure he would not deliberately mislead the members of this Committee or the people of the country.

As a matter of fact, serious opposition has been registered against the reciprocal-trade policies of this administration by many individuals and representatives of reputable organizations. In order to keep the record straight, I wish to call the attention of the Committee to the fact that the American Farm Bureau, the National Grange, the National Cooperative Milk Producers Federation, the National Dairy Union, and the National Cooperative Council have all gone on record either asking for a repeal of the law or demanding the adoption of amendments to circumscribe the authority of the President to negotiate trade treaties or agreements.

In order that the country may know that there are specific objections to the continuation of the administration's reciprocal-trade policies, I desire at this point to quote seven objections raised in the minority report:

House Joint Resolution 96 continues the present Trade Agreements Act with all its defects, without change. It is subject to the same criticisms which we interposed with respect to the act when it was originally under consideration, and the results since its enactment have justified our objections at that time.

It continues, first, to delegate to the executive branch of the Government, contrary to the Constitution of the United States, the tariff, taxation, and treaty-making powers of Congress.

Second, to take away from American producers the right which they ordinarily would have had under section 516 (b) of the Tariff Act of 1930 to litigate matters arising out of the trade agreements, including the question of constitutionality.

Third, to deny the Congress an opportunity to approve or reject the trade agreements, however injurious may be their effect upon domestic producers.

Fourth, to ignore the principle of protection for American agriculture, industry, and labor by permitting tariff rates fixed by Congress to be altered without reference to domestic production costs.

Fifth, to deny American producers an adequate opportunity to be heard on the actual terms of the trade agreements before they become effective.

Sixth, to provide for the general extension of the concessions made under a trade agreement with a single country to all other countries in the world, notwithstanding the known existing discriminations against American commerce by many foreign countries.

Seventh, to permit the Executive, in effect, to bind the hands of Congress by "freezing" the existing tariff or excise treatment of articles with respect to which the Congress may, in the exercise of its constitutional responsibilities and duties, wish to legislate in the future.

In addition to the objections raised by the minority members of the Ways and Means Committee, I wish to again call your attention to the fact that we still have millions of unemployed in this country as well as scores of millions on public relief. Our main effort today should be to find work for our unemployed citizens, rather than to continue the policy of giving work to foreign farmers and laboring men so that they may produce more competitive products for shipment into this country.

It is estimated that if our own farmers and laboring men could have the full benefit of the American market on competitive products, more than 5,000,000 farmers and laboring men could be put back to work on the farms and in the factories of the United States. Under the present un-American policy we are providing work for foreign labor and a market for their products wholly at the expense of the American people.

Why beat around the bush and continue to try to fool our people with honeyed words? Why not be honest about it and give them the truth, and then get down to business and legislate for the welfare of this country and its people?

The President might feel that he has a mandate to continue giving away our domestic markets. If he has that opinion in regard to his vote in Minnesota, he is mistaken; for the majority of our citizens on the farms and in the cities and villages are bitterly opposed to the present reciprocal-trade agreements and the continuation of the law which gives the Executive the right to negotiate them.

I realize the futility of any attempt to defeat this resolution; but, as far as I am concerned, I would be derelict in my duties as a Representative from Minnesota if I did not raise my voice in protest and urge the defeat of the resolution which continues the authority in the President to negotiate trade agreements with foreign countries. It is my hope that when the final vote is taken there will be enough Members here who are willing to forget partisanship and begin their voting for the benefit of the American people. [Applause.]

Mr. TREADWAY. Mr. Chairman, I yield 7 minutes to the gentleman from Maine [Mr. BREWSTER].

Mr. BREWSTER. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD and to include therein a brief excerpt from the Brazilian agreement.

The CHAIRMAN. Is there objection to the request of the gentleman from Maine?

There was no objection.

PROTECTION OR FREE TRADE

Mr. BREWSTER. Mr. Chairman, I am somewhat puzzled by the doctrine which has been enunciated here as to whether or not the gentlemen of the majority stand by their platform in favor of protection or not. The party platform was rather clear in the enunciation of that principle when the gentleman was questioned yesterday. Before the Committee on Ways and Means the very able Under Secretary stated, according to the reports, that no one now seriously contended in favor of the principle of free trade. That statement may well be commended to the consideration of his distinguished chief, who has been for a political generation an arch advocate of the evils of protection and the virtue of free trade. There seems to be great difficulty in finding out where we stand.

The Smoot-Hawley tariff is denounced as being responsible for the very distressing conditions which have prevailed in the United States, yet it has remained upon the statute books for 4 years under the present administration. The only changes that they have had the legislative fortitude to enact were those that resulted from reciprocal-trade agree-

ments, which it must be admitted have been very much moderated by their hesitation in ending the prosperity of the industries for which they assume to stand.

SMOOT-HAWLEY BILL

If the Smoot-Hawley bill is responsible for all our troubles, why has it not long since been repealed? If the principle of protection is responsible for all our ills, why are we not privileged to try out something else beside the somewhat milk-and-water prescriptions of free trade which we have received in recent days? The steady change in the balance of trade against the United States under the 3 years of the operation of the reciprocal-trade agreements is very definite indication of the direction in which we are pointed.

CANADIAN AGREEMENT

I want particularly to refer to the Canadian agreement as one experienced not only on this side of the line with the agricultural activities in my own State of Maine, but also one associated for a period with a rather large agricultural operation in western Canada. There I learned that what the Canadian farmers desire is to buy cheap American machinery. They were insistently demanding the lowering of the tariff barriers on American machinery and automobiles in order that they might secure these cheap products of the mass industries of the United States. Meanwhile the same farmers very earnestly desired to penetrate the great markets to the south—to swap 10,000,000 consumers in Canada for 110,000,000 consumers in the United States. My criticism of the Canadian agreement is that in large measure those thrifty Yankees to the north traded us tariff concessions on farm machinery that they very much desired in exchange for a lowering of our farm tariffs upon products we did not at all desire. If the Canadian agreement means anything, it means lowering machinery tariffs in Canada and lowering farm tariffs in the United States. In other words, they win both ways.

The present situation in my own State with regard to potatoes need not blind us at all as to the consequences of admitting Canadian potatoes over our tariff walls in any period of normal production when it spells disaster to the producers in this country who have demonstrated their capacity to supply every legitimate demand of the American market throughout a long period of years.

MOST-FAVORED-NATION CLAUSE

I want also to call attention to the most-favored-nation clause, which provides that every concession we make to any country goes immediately to the other 80 countries with which we have commercial agreements. Yet in the Canadian agreement we are excluded from the benefits of any concessions Canada may make to any one of the British commonwealth of nations covering one-fifth of the population of the globe. So far as Uncle Sam is concerned, this is the "least-favored-nation clause."

BRAZILIAN TRADE AGREEMENT

In the Brazilian trade agreement, as a result of the violation of every sense of decency in some of the earlier agreements by those with whom we traded, they have introduced a clause which prohibits the levying of taxes upon any internal products in this country or on any internal taxes upon imports higher than those that now prevail.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, may I ask how much time I have remaining?

The CHAIRMAN. The gentleman from Massachusetts has 7 minutes remaining.

Mr. TREADWAY. Mr. Chairman, I yield the balance of my time to the gentleman from Maine.

Mr. BREWSTER The Brazilian agreement, with this most extraordinary Article VII, which appears, so far as I know, for the first time in this agreement, presents a challenge as to the power of this Congress to abdicate its legislative power. I read you a portion of that clause where it says that—

All articles produced in this country or Brazil after importation into the other country, shall be exempt from all internal taxes, fees, charges, or exactions other or higher than those payable on like articles of national origin, except as required by laws of either country in effect on the day of the signature of this agreement.

We are told that this provision was the result of one of our good neighbors who, after the execution of an agreement with us giving us concessions, imposed internal taxes that practically prohibited the exportation of our apple crop, about which my friend from Virginia spoke yesterday. Very well; is not this a compelling illustration of the difficulties which the United States faces in dealing with other nations with a moral atmosphere, apparently, very different from our own, when we are committing ourselves with obligations which are not recognized by our good neighbors overseas? Thus we are not merely entering into an agreement, but we are tying our hands against the possibility of levying any taxes in this country, no matter what crisis may subsequently develop to demand that we shall legislate along these lines. The extraordinary character of this provision——

Mr. McFARLANE. Mr. Chairman, will the gentleman yield there?

Mr. BREWSTER. I yield.

Mr. McFARLANE. Why should we not in this law provide for eliminating that portion of it if such a condition arises?

Mr. BREWSTER. The gentleman will have to ask the people who negotiated the agreement.

Mr. McFARLANE. I mean why should we not be able to handle that at this time by writing a proper provision into this law by way of amendment?

Mr. BREWSTER. I should be very glad to join the gentleman in supporting such an amendment.

Mr. VINSON of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. BREWSTER. I yield.

Mr. VINSON of Kentucky. The gentleman from Maine will certainly not support the position that the language in the Brazilian trade agreement divests the Congress of the United States of the power to levy taxes upon any article that may hereafter be imported?

Mr. BREWSTER. I trust the gentleman will take some of his own time to interpret this language in any other possible way.

Mr. VINSON of Kentucky. Does the gentleman think that such language in a trade agreement would take from the Congress the power to legislate?

Mr. BREWSTER. It is certainly designed to do that. I will ask the gentlemen who happen to be here whether they can interpret this language in any other way:

All articles—

I do not enumerate the details—

shall be exempt from all internal taxes, fees, charges, or exactions.

Mr. VINSON of Kentucky. Of course, that could not have any effect on subsequent legislation by the Congress.

Mr. BREWSTER. Then does the gentleman say the Congress of the United States will violate this agreement?

Mr. VINSON of Kentucky. No; I did not say that.

Mr. BREWSTER. How else can they do it?

Mr. VINSON of Kentucky. But they have the power to do it.

Mr. BREWSTER. Yes; they have the power, but they would be violating an agreement into which your State Department has entered with a foreign nation. With this notice of this provision in the Brazilian agreement before you, you will be giving an unqualified extension of the Presidential powers for 3 years, with full knowledge that the Secretary of State has exercised under this authority so extraordinary a power as to bind the Congress of the United States against the imposition of purely internal taxes. And I say it is absolutely wrong.

Mr. VINSON of Kentucky. The gentleman has not indicated one article upon which he would suggest a tax. Take coffee, for instance.

Mr. BREWSTER. Oh, just 1 minute. I wish the gentleman to use his own time to expound this matter. I am stating my views here now, and I trust the gentleman will take his own time to do that.

That is the most amazing article to be found in the entire history of these agreements to date. If my friend from Kentucky is correct that it clearly exceeds the power of

anyone to enter into such an agreement, it is another demonstration of the unwisdom of these acts.

Mr. ANDRESEN of Minnesota. Is not that the theory of this entire administration, that the legislative power shall be taken away from Congress and lodged in one or two individuals in the executive department?

Mr. BREWSTER. In increasing measure, both the judicial and the legislative powers would seem to be transferred to the Executive.

The consequence of these trade agreements we do not fully yet sense, because I am ready to recognize that they have moved with some degree of moderation and circumspection. But during the next 3 years I predict a holocaust that will sacrifice large sections of our population both in labor and agriculture, and I predict an overwhelming repudiation of this course.

Mr. CONNERY. Mr. Chairman, will the gentleman yield?

Mr. BREWSTER. Yes.

Mr. CONNERY. With their paying 4 cents an hour to girls in Japan in the textile industry, how long is it going to be possible for the textile industry in North and South Carolina or Massachusetts to continue to exist?

Mr. BREWSTER. It is not going to be until the end of the next 4 years, I think we are safe in saying, and I predict that as a consequence of this policy, when it sinks into the consciousness of the American farmer and wage earner, if they shall have the courage to carry out the things they now contemplate, many American dollars will be transferred into alien pockets to the sorrow of American farmers and laborers alike.

THE CANADIAN TRADE AGREEMENT

The recent firm potato market must not blind us to the effects of the Canadian trade agreement in admitting Canadian potatoes in any year of normal potato production in the United States.

POTATO PRODUCTION IN THE UNITED STATES

No one has ever questioned the capacity of the United States to produce all the potatoes that are required both for seed and table stock. Every car of foreign potatoes entering our markets depresses to that extent the price and the prospect of the American producer—just as an opportunity comes to recoup in some measure the terrific losses of recent years when potatoes descended to 10 cents a barrel.

Protection for American farmers and laborers has been the pledge of both great political parties in recent campaigns. This pledge is deliberately violated by the admission of products which the United States farmer is able to turn out in sufficient quantities to supply all American demand.

Temporary concessions that may be necessary as a result of catastrophes of Nature afford no warrant for continuing reductions in duty which are provided by the existing agreement with very great prejudice to the American farmer and laboring man.

PROTECTIVE PRINCIPLE

The protective principle is not susceptible of partial application. Everyone alike is entitled to its beneficence, if all are to enjoy the normal advantages of living within the protective tariff wall.

All parties now render lip service to the protective principle in their party platforms. It is increasingly evident, however, that the protective principle would be much more intelligently and considerately applied by its lifelong friends than by its historic foes.

BALANCE OF TRADE

The steady shift in the past 3 years in the balance of trade against the United States is sufficient indication as to the objectives that are in view. Continuance of this policy must mean the ultimate wrecking of the economic structure of the United States.

If the high-tariff policy of a former administration was responsible for the economic crisis of 1929, why in 4 years has the present administration not possessed the legislative fortitude to proceed for modification of this policy along historic lines and with equality of treatment to every nation on the earth?

Would not this be a far more effective and honest application of the policy of the good neighbor?

ONE-THIRD OF PEOPLE IN DISTRESS

We were recently told by one high in authority that after 4 years of this administration one-third of the people of the United States were undernourished and underfed and underhoused. How long before one will be justified in concluding that these unfortunate conditions are in some measure the result of the tariff policies pursued by the administration in power now?

BRAZILIAN TRADE AGREEMENT

The Brazilian trade agreement contains a novel clause that will again seriously test the powers of the Congress to abdicate its legislative authority. Article 7 of the Brazilian agreement provides:

All articles the growth, produce, or manufacture of the United States of America or the United States of Brazil shall, after importation into the other country, be exempt from all internal taxes, fees, charges, or exactions other or higher than those payable on like articles of national origin or any other foreign origin, except as required by laws of either country in effect on the day of the signature of this agreement.

Articles of growth, produce, or manufacture of the United States of America or the United States of Brazil enumerated and described in schedules I and II, respectively, after importation into the other country, shall be exempt from any National or Federal internal taxes, fees, charges, or exactions other or higher than those imposed or required to be imposed by laws of the United States of Brazil and the United States of America, respectively, in effect on the day of the signature of this agreement, subject to constitutional requirements.

TIES CONGRESS ON TAXES

If the provisions of this article are to be taken at face value the consequences upon the tax structure of the United States in years to come may be profound. While these agreements do not attain the authority of a treaty they yet will present constantly hampering problems in the exercise of the taxing power of the Congress and possibly of the legislatures of the States.

This clause was apparently introduced as a result of the attempt of some nations involved in earlier trade agreements to take domestic action that should nullify the effects of the agreement with the United States. This illuminates the difficulties which we face in the application of this policy if good faith shall be lacking upon the other side. It reveals the problems and the perils of the agreements and the resultant obligations when the "moral atmosphere" of the obligated nations may be as far apart as the poles.

The substantial maintenance of the tariff structure of the much condemned Smoot-Hawley schedules with notable exceptions is sufficient evidence of the vitality and the justice of the protective tariff principle. Witness particularly the evidence of Under Secretary Sayre that no one now seriously urges the principle of free trade. This testimony may be cordially commended to the attention of his distinguished chief—the arch advocate throughout a lifetime of the wickedness of protection and the advantages of free trade.

Mr. COOPER. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. HARTER].

Mr. HARTER. Mr. Chairman, let me preface my remarks by saying that I expect to support this resolution. I believe that the reciprocal way of dealing with the tariff problem as affecting our foreign trade is the most sensible, scientific, and practical method that has yet been devised. We all know the deplorable condition into which our foreign trade had fallen when the act was first passed, and while probably all of the benefits that have resulted to our export trade in the last two and a half years have not been solely because of the reciprocal trade agreements, yet they doubtless have been of considerable advantage in bringing about the revival in our foreign trade that has taken place. We cannot make progress economically if we maintain a policy of isolation and self-sufficient nationalism.

We have in existence at the present time an Antidumping Act, and when the Trade Agreements Act was first passed, the antidumping law was not repealed. This indicates one is considered the necessary complement of the other. We have in effect at this time laws in this country relative to the Federal Trade Commission.

The Federal Trade Commission regulates practices in domestic trade. We should have a code of fair practice for import trade as well as for domestic industry. This can be accomplished through the enactment of a modern antidumping act. The present statute was passed in 1921, and because of restrictive court interpretation, depreciated and managed currencies, coupled with subsidies and other changes that have come about in world trade, the act is of little value today.

I believe we need in this country a new antidumping act, so that there may be a regulation of import trade as well as a policing of domestic trade. No tariff will meet the situation that confronts us with reference to importations from many of these low-cost producing countries, and I have in mind particularly Japan. Japan gives ship subsidies. Many industries are feeling the stifling competition of low-cost producing nations, particularly Japan. Standards of living are not American standards in these countries. Japanese labor receives about one-tenth as much a day as American labor. With its depreciated currency, government subsidies to manufacturers and to shipping, its child labor, and production of many articles under sweatshop conditions, American industry cannot compete with Japanese production. I believe that the Congress should give consideration to the drafting of a new law which would prevent the dumping of merchandise manufactured in these low-cost producing countries into our country, to the detriment of the American workingman.

The American cost of production in this country, both for farm products and for the products of efficiently managed industry, should be taken into consideration in the making of reciprocal-trade agreements. Restriction of quantity should be made in the case of highly competitive products. Otherwise we will be flooded with a great deal of merchandise from these low-cost producing countries, and instead of building up employment in this country we are going to have less employment and greater unemployment among American labor.

Dumping of foreign merchandise into the United States at prices below its fair value is an unfair practice, and jeopardizes our domestic industries beyond any protection that can possibly be given them by usual and ordinary rates of duty, whether such rates be established by the Congress or by the President under some special trade agreement authority that may be vested in him. Freedom of competition in world trade should not be broadened into license to foreign producers to throttle domestic production and control our markets. [Applause.]

Mr. COOPER. Mr. Chairman, I yield 3 minutes to the gentleman from Connecticut [Mr. KOPPLEMANN].

CONGRESSMAN TREADWAY AND THE TRADE-AGREEMENTS PROGRAM

Mr. KOPPLEMANN. Mr. Chairman, the gentleman from Massachusetts [Mr. TREADWAY] and his colleagues on the Republican side have made a number of somersaults in opposing the extension of the Reciprocal Trade Agreements Act. On one hand they give lip service to the encouragement of foreign trade and the reciprocity idea, which, by the way, Republicans in the past have with good sense supported; and, on the other hand, proceed to suggest a string of amendments that will effectively hamstring and obstruct its operation. Surely, if Mr. TREADWAY and his Republican friends have a sincere interest in having the United States increase its foreign trade, they should unqualifiedly support the pending resolution for the extension of the act. It provides the most effective reciprocity measure ever devised for obtaining the reductions and removal of foreign trade barriers and which assures, through competent and experienced governmental agencies, only such limited reductions in our tariff as is necessary to effect reductions in foreign trade barriers. The limited and well-guarded concessions are made only after careful examination and study of the facts in each instance. As a result international trade, which was largely lost through the drastic retaliation by foreign countries following the passage of the Hawley-Smoot Tariff Act of 1930 has been expanded. Surely the gentleman from Massachusetts [Mr. TREADWAY] is aware that this country has always been most prosperous when its foreign trade imports as well as exports have been at highest levels. This is not a mere coincidence. A large import and export trade means greater production, greater consumption, more employment, and a generally higher purchasing power and standard of living for American workers.

The New England States have an important stake in the foreign trade of the United States. In 1929 merchandise, estimated at $200,000,000, was exported from that area. By 1932 the export trade of the six New England States had fallen to about $57,000,000, a decline of 72 percent.

In my State of Connecticut exports dropped from $53,000,000 to $15,000,000 during that period. But since the first treaty was promulgated under the reciprocal-trade law in August 1934, only 2½ years ago, foreign markets have been reopened for many Connecticut products. To mention but a few—typewriters; cotton yarn and products; tooth powders, pastes, and toilet preparations; hardware; copper and brass products; machine and hand tools; and automobile parts and accessories. The important concessions obtained for Connecticut products under the various trade agreements could not have been obtained if the United States, in turn, had not made some reciprocal concessions. These reciprocal concessions have been on carefully selected products with a view to avoiding injury to established domestic industries. Before the reduction of any tariff rate is considered, every effort is made to obtain complete information and views from all persons interested. I know it to be a fact that during the public hearings and throughout the negotiations representatives of Connecticut industries were in constant touch with governmental departments and had every opportunity to present their views in detail. It might amaze the gentleman from Massachusetts [Mr. TREADWAY] to find how many concessions were obtained in the various trade agreements for products of his State. It may amaze other Members who claim to be opposed to this bill to find how many concessions have been granted for products from their respective States.

One gains the impression listening to the debate that these gentlemen have been primarily interested in finding someone who fancied they had a grievance because of some modest reduction in duty which may have been made. Their search for ammunition with which to attack this bill seems to have blinded them to the benefits which their own communities obtained through the trade agreements.

The gentleman from Massachusetts [Mr. TREADWAY] and his Republican cohorts would give the impression that they have a monopoly of interest in the welfare of the American workingman, farmer, and businessman. They seem to forget while giving this lip service that the Democrats of the Roosevelt administration have, through many recovery measures, brought about greatly improved conditions. To give but a few instances: National income increased from about thirty-nine and one-half billions of dollars in 1932 to sixty billions in 1936, gross farm income from about five and one-third billions of dollars in 1932 to nine and one-half billions in 1936, and foreign trade from $2,200,000,000 in 1932 to four and nine-tenths billion dollars in 1936. I am convinced that the Trade Agreements Act has been an important factor in the recovery program. I am convinced that its extension is a necessary part in bringing our recovery program to fruition. That is why I am going to vote in favor of this resolution.

Those claiming to be opposed to trade agreements, including Congressman TREADWAY, have had considerable to say about the loss of foreign markets of farm products. They point to decreases on selected agricultural exports since the trade-agreements program was undertaken. But they make no mention of droughts and other contributing factors.

The opposition would like the country to forget the period in recent history which showed the greatest loss of foreign markets for agricultural products. This occurred in 1929 to 1933, while Congressman TREADWAY's party was in power. For example, in 1929 the exports of agricultural products

were valued at $1,693,000,000; in 1932 they amounted to only $662,000,000. In other words, a net loss of more than $1,000,000,000.

In contrast there has been a steady and gradual increase in agricultural exports since 1932. In 1935 agricultural exports were valued at $747,000,000, and it is estimated that the exports for 1936 were, in spite of unfavorable drought conditions, greater than in 1935. Those complaining about the loss of markets of agricultural products should be called upon to examine the complete record and not pick out individual items which are favorable to their point of view. If it is true that a large part of the foreign markets for farm products is gone, who is responsible for this loss? Furthermore, does the fact that some of our markets have been lost mean that we should do nothing to reverse the trend? Should no effort be made to regain some of our lost markets?

A most peculiar inconsistency appears in Congressman TREADWAY's remarks. He bewails the fact that we have lost our foreign markets and that reductions of duty have been made. He quotes figures to show the gains in trade from 1932 to 1935, and then goes into great detail to show that the trade-treaty legislation was not passed until June 1934, and that some gains were made before that time. He labors to show that the expansion of foreign trade since the Roosevelt administration came into power is not a New Deal achievement. He correctly pointed out that only four agreements were in effect during any part of 1935, yet he and his colleagues have time and again blamed the trade-agreements program for increased imports in 1935. To his own satisfaction Congressman TREADWAY explains away the effects on one side of the trade agreements, exports, and blames the administration for an increase in the other side, imports. After stating that "hundreds of rates of duty" have been reduced, he suggests that the increase in trade appeared under "the benevolent influence of the Hawley-Smoot Act." If trade agreements have not increased trade, why do the opponents continue to bewail the evil effects of such agreements on the ground that there has been an increase in imports, whereas the Ways and Means Committee in its majority report ably and conclusively shows that only a small part of the increase in imports can be attributed to the trade-agreements program.

I would like to remind my Republican friends from New England that the Roosevelt administration has not hesitated, in spite of the trade-agreements program, to invoke, when necessary, the flexible provisions of the Tariff Act of 1930 to provide adequate protection to our textiles, increasing the duty on certain constructions of cotton cloth 42 percent and succeeding in getting the Japanese to limit their shipments to the United States on velveteens, corduroys, and a long list of other textile products.

Trade agreements make for a better international understanding. They have become a well-recognized movement toward world peace. Many organizations have endorsed the trade agreements program as a peace movement. The program is an attempt to facilitate a cooperative solution of some of the undesirable changes which have dislocated world trade in recent years. It is cherished by leaders in the administration because they believe the principle upon which it is based is a true foundation for peaceful relations between nations.

Peace cannot be preserved by noble expressions of sentiment. It is a matter of practical political and economic cooperation between the nations of the world. The trade-agreements program is an attempt to rebuild a sound and healthy trade which will promote that economic recovery which is essential to a peaceful world. In a more prosperous world there would undoubtedly be fewer dictators, less class struggle, and few of the incidents which breed war. It is a matter of enlightened self-interest for the United States to promote increased international trade in order to remove one of the outstanding causes of impending conflicts.

I am convinced that the gentleman from Massachusetts [Mr. TREADWAY] will be no more prophetic in his dire claims against the present resolution than he was in 1934, when he said:

> In the coming elections the Democrats will have to justify their votes in giving the President this unconstitutional and dictatorial authority over the tariff and over all domestic industries dependent upon tariff protection. They will have to answer for giving him this power. * * *
>
> The Republican Party awaits with expectancy the opportunity to meet the issues raised by this bill before the American people in November. * * *

In the election of November 1934 the country did answer. There was an increase of the number of Members on the Democratic side of the House. In November 1936 the people again answered with an additional gain of Democratic seats. Does the gentleman from Massachusetts await the next election with expectancy? [Applause.]

Mr. DOUGHTON. Mr. Chairman, I yield 7 minutes to the gentleman from Tennessee [Mr. MITCHELL].

Mr. MITCHELL of Tennessee. Mr. Chairman, the pending resolution—House Joint Resolution 96—extends the authority of the President to enter into foreign trade agreements under section 350 of the Tariff Act of 1930, as amended by the act approved in June 1934, for a period of 3 years, from June 1937 to June 1940.

The present law has been in operation 2 years and 6 months. It has proved to be one of the most helpful and effective measures passed by the Congress. A few years ago it was the policy of nations to erect such high tariff walls that trade between nations had become completely paralyzed and international commerce destroyed. The United States fell a victim to this legislation. It cut off its own commerce. No foreign markets were available. No outlet for our goods or commodities because we were denying our neighbors the right to import their merchandise to our country, because of our trade barriers and high tariff walls. Destruction, bankruptcy, and ruin followed. No nation or people can live unto themselves. The executive heads of all other governments and trading nations have the power and authority to act speedily and promptly. This power was given our President, for the first time, in June 1934. Since then foreign-trade agreements have been made with 15 nations of the world. Important and new markets have been opened up for our people. We no longer discriminate against others unless they first discriminate against us; and, as a result of this "good neighbor" policy, ever-widening and increasing markets have opened to our producers. We have granted equality in treatment to other nations and demanded it for ourselves. Our export business has rapidly increased during the past 2 years, and at the same time the interest of our people in the domestic market has been fully protected. No longer is each nation threatened with world isolation. The policy of our Government, under President Roosevelt and Secretary of State Hull, has been a beacon light to all other nations. It has brought an era of peace and good will between nations and people without rivalry or friction. It has meant the greatest good to the greatest number.

We must continue this program of expansion of mutually profitable trade. We must have a greater volume of foreign trade. We must restore foreign markets. I have introduced H. R. 2540, entitled "A bill to promote foreign trade and to create foreign trade promotion corporations, and to provide for the building of suitable places in which manufacturers, exporters, producers, and growers of American products may exhibit such products in foreign countries and solicit sales and fill orders therefor from foreign purchasers." These marts, or market places, to be leased to exporters, producers, and growers of American products. I will discuss this measure and its merits more in detail later on the floor of the House. I wanted simply to call attention to this proposed legislation and to say that it fits into the picture of the resolution we are now discussing, and if enacted into law, will likewise help to increase very greatly our export business. This is vitally important to America.

May I at this time speak a few words of commendation in behalf of our Secretary of State, who has been largely responsible for the success of the Reciprocal Trade Agreements Act. It has been his persistent and continuous efforts that have made possible the present favorable trade balance. Additional agreements will be made in the future with other

countries, thus affording still better and broader markets for our products and for foreign commodities. Such a program has the support of the great majority of the people and of the producers in our country. In 1936 our exports were almost $200,000,000 larger than in 1935. In 1937 they will show a still greater increase. Let us give credit for this great national reform and progressive legislation to whom credit is due, the Honorable Cordell Hull, Secretary of State. The people of the Nation, regardless of party or creed, hold him in the highest esteem. He is trusted by the people. He is respected by all nations and countries. He is the present leader, world-wide, for peace, international peace, not only for our own country, not only for the Americas, but for all the nations of the earth. He holds aloft the banner of peace and good will among men. His influence in the past 3 years has been felt around the world; not alone in North and South America but to the uttermost parts of the earth.

It is a source of just pride and great honor to speak for his people back home in Tennessee, and in the Fourth Congressional District, which he so ably represented for more than a quarter of a century in Congress, in both the upper and lower Houses. The people of my district, his home district, and the people of my State love, honor, and revere him. He is the idol of his party. He is a student of world history and world economics. His heart beats in sympathy with his fellow man. He is a friend of the common man, a defender of the forgotten and neglected man. He is fair and just to all. He is the premier member of the Cabinet. He is a great statesman, a great Democrat, a great Tennessean, and would make the people of the United States a great and good President. He would be a worthy successor to our present matchless leader, Franklin Roosevelt, who serves America so nobly and well today. No other man in the United States, no other statesman living is so well equipped by training in national and international affairs to succeed to the Presidency and serve our Nation and party as Cordell Hull. History tells of the achievements of Jackson, Johnson, and Polk from my State. All three great men, and made great Presidents, but neither of these was so well trained or experienced in national and international affairs as Cordell Hull. He has served faithfully, efficiently, and well the country and the party. His execution of the foreign-trade agreements and his foreign policy were so successful as to prove insurmountable barriers to the late candidate for President on the Republican ticket. Only 2 States failed to endorse the Hull and Roosevelt policies out of the 48. This speaks for itself. I hope the Honorable Cordell Hull will be called in 1940 by his party to lead a victorious and triumphant march to the White House. If so, it will mean a continuation of good government of, for, and by the people.

I make these statements and predictions upon my own responsibility as a Democratic Member of the House, interested only in my party and in the future welfare of my country. [Applause.]

Mr. DOUGHTON. Mr. Chairman, I yield the remainder of my time to the gentleman from Louisiana [Mr. DEROUEN].

Mr. DEROUEN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and include certain charts.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. DEROUEN. Mr. Chairman, on June 16, 1936, I protested against the unjust and unfair sugar quota given to Louisiana and Florida and pleaded for an increased quota for Louisiana. And on June 17, 1936, in a debate on the floor on Senate Joint Resolution 278, made the following statement:

Mr. Speaker, I may say to the gentleman from Texas that we of the cane-producing sections of Louisiana cannot vote for this resolution. We are protesting against the unfairness of the quota, and we shall continue to protest. We believe that a new quota should be allocated; in other words, the offshore quota should be reduced. We do not believe that the producers of sugar in the continental United States should be made to suffer.

My appeal is directed to the consideration of the great and immediate good that will come to the small farmer and laborer by a more liberal attitude on the part of our Government toward the Louisiana sugar industry. Their lands are well adapted to sugarcane culture and they know how to grow cane. Many of the small farmers were forced out of production during the depression and because of the disease in the sugarcane, but now that the crop is again profitable and the sugarcane is healthy and prolific, Government restriction prevents these little fellows from reaping the benefits which Congress must have intended should be made available to them.

I may say that we appreciate the many courtesies extended to us by the chairman of the Committee on Agriculture, the gentleman from Texas [Mr. JONES]. We know we have his sympathy, and we have assurance that in the next Congress a bill will be considered which if enacted will give some measure of relief to us in the unfortunate position we presently occupy, and I trust it will be the bill introduced by Senator OVERTON, of Louisiana.

I now, Mr. Chairman, desire to make some observations with respect to what we of Louisiana and Florida believe to be a reasonable and fair quota, but I think it is also fair that I should present a picture of what took place during and before the quota policy was in order: First, I believe a fair continental quota would solve the problems; second, I believe if the quota allocated to Louisiana and Florida be increased in proportion and in line with their production, as done with other areas, that would be acceptable for the present; third, I do not accept the statement that because sugar can be produced cheaply in other parts of the world it is wise to destroy the sugar industry in continental United States of America. We had an example during the World War.

Mr. Chairman, on behalf of the American Sugar Cane League and its 8,000 members and all sugarcane producers in Louisiana I have consistently demanded the elimination of any quota restrictive of the continental production of sugar, and upon all occasions have declared that an equitable settlement of the Louisiana quota problem is a necessary condition precedent to any commitment on proposed legislation, or any part thereof. The Sugar Cane League has recently reiterated its declared position of unwillingness to support any proposal which fails to provide an adequate quota for Louisiana, for the simple reason that there can be no equitable solution of the problems of sugarcane growers of our State unless the present restrictive quota figures are removed entirely or replaced with a quota for Louisiana based on the normal production records of the past and the production and prospects of the present, or there be provided by law a continental quota equally advantageous to the growers of all the sugar-producing States.

Mr. Chairman, I shall now give a brief history of sugar legislation which finally led to the quota policy.

I am pleased to direct attention to some official statistics regarding our industry, with appropriate explanations. The greatest production of Louisiana sugar, according to the records appearing in the United States Department of Agriculture Yearbooks and figures published by the United States Tariff Commission, were for the years 1904 when 398,195 short tons and 1908 when 397,600 short tons of actual sugars "as made" were produced. It is well known that a large percentage of the Louisiana production in those years was plantation granulated and yellow clarified sugars, so that in order to determine the "raw value" it is necessary to take into account these high-testing sugars, because for the purpose of quotas and Federal regulations all sugars are converted into "short tons raw value." Thus it is accurate to state that in each of the years 1904 and 1908 the production of sugar in Louisiana was approximately 415,000 short tons raw value.

As far as the records of the United States Department of Agriculture Yearbooks show, the year of greatest production of sugarcane was in 1911 when 5,887,292 short tons of sugarcane were grown on 310,000 acres. Although in 1911 the average yield of sugarcane per acre was 19 tons, the sugar made per ton of cane was only 120 pounds (due to an early severe freeze), which accounts for the fact that only 352,874 short tons of sugar was produced in that year.

According to the published records of the United States Tariff Commission, the continental United States cane sugar delivered during 1909 for consumption in the United States was 459,155 short tons "refined and/or consumption basis." At that time Texas was producing an average of less than 15,000 tons annually, and Florida was producing none, so

that practically this entire amount was Louisiana sugar; therefore, it can be safely stated that the amount of Louisiana sugar delivered for consumption in 1909 was well in excess of 450,000 "short tons raw value." As quotas represent deliveries for consumption, rather than production, this sugar in excess of 450,000 short tons raw value represents the peak of Louisiana's past performance in furnishing sugar to the United States market.

Since 1910 the production of sugar in Louisiana is represented by the following figures taken from yearbooks of the Department of Agriculture. It should be noted that these production figures are given in short tons but are not converted to "raw value", which is the current basis of discussion with reference to quotas and all matters pertaining to legislation. Louisiana has always produced a considerable proportion of its sugar for direct consumption, and this fact must be taken into consideration to determine the "short tons raw value" of the figures presented below:

	Short tons "as made"
1910–11	342,720
1911–12	252,374
1912–13	153,573
1913–14	292,698
1914–15	242,700
1915–16	137,500
1916–17	303,900
1917–18	243,600
1918–19	280,900
1919–20	121,000
1920–21	169,127
1921–22	324,431
1922–23	295,095
1923–24	162,023
1924–25	88,000
1925–26	139,000
1926–27	47,000
1927–28	71,000
1928–29	132,000
1929–30	200,000
1930–31	184,000
1931–32	157,000
1932–33	223,000
1933–34	205,000
1934–35	234,000
1935–36	333,000
1936–37 (estimated by U. S. Crop Reporting Board)	343,000

Sugarcane and sugar production in Louisiana, as published in yearbooks of Department of Agriculture

Year	Factories operating	Cane used for sugar			Sugar produced as made	Sugar made per ton of cane
		Acreage	Average yield per acre	Production		
	Number	*Acres*	*Short tons*	*Short tons*	*Short tons*	*Pounds*
1911	188	310,000	19.0	5,887,292	352,874	120
1912	126	197,000	11.0	2,162,574	153,573	142
1913	153	248,000	17.0	4,214,000	292,698	139
1914	149	213,000	15.0	3,199,000	242,700	152
1915	136	183,000	11.0	2,018,000	137,500	135
1916	150	221,000	18.0	4,072,000	303,900	149
1917	140	244,000	15.6	3,813,000	243,600	128
1918	134	231,200	18.0	4,179,000	280,900	135
1919	121	179,900	10.5	1,883,000	121,000	129
1920	122	182,843	13.6	2,492,524	169,127	136
1921	124	226,366	18.5	4,180,780	324,431	155
1922	112	241,433	15.6	3,778,110	295,095	156
1923	105	217,259	11.1	2,386,650	162,023	136
1924	82	163,000	7.6	1,228,000	88,000	144
1925	91	189,000	14.0	2,644,000	139,000	105
1926	54	129,000	6.7	864,000	47,000	109
1927	46	72,000	13.4	962,000	71,000	148
1928	55	115,000	16.2	1,860,000	132,000	142
1929	65	155,000	18.8	2,918,000	200,000	137
1930	61	150,000	17.1	2,559,000	184,000	144
1931	59	148,000	15.1	2,232,000	157,000	141
1932	62	186,000	15.5	2,886,000	223,000	155
1933	59	172,000	15.2	2,619,000	205,000	157
1934	61	197,000	15.4	3,028,000	234,000	155
1935	64	239,000	17.11	4,087,000	333,000	162
1936 (not complete)						

Mr. Chairman, prior to the inauguration of the New Deal, the Louisiana sugar industry had taken the position before the Tariff Commission that the tariff on sugar was being largely nullified by the overexpansion of sugar production in the islands, particularly in the Philippines, and therefore Louisiana openly advocated a change in Federal policy so that the industry would not depend exclusively upon the tariff. But we asked that the problems of the growers and processors of the United States would be recognized as an obligation of the Federal Government demanding practical fulfillment.

When in the summer of 1933 the Secretary of Agriculture proposed that the sugar-producing areas furnishing sugar to the United States market enter into a stabilization agreement under the A. A. A., Louisiana responded immediately and cooperated with the Secretary's representative. Under the sugar stabilization agreement all producing areas agreed that Louisiana should have a quota of 250,000 tons and that Florida should have a quota of 60,000 tons. These figures were intended to be representative of actual production at the time—1933 production was 205,000 tons—and of conservative expectancy during the life of the stabilization agreement.

Later the Secretary of Agriculture rejected the sugar stabilization agreement and recommended to the President that sugar be made the subject of a distinctive amendment to the A. A. A. There was opposition to the proposal from all areas at first, until Louisiana led the way by agreeing to a managed economy in sugarcane agriculture under the A. A. A. Something had to be done to cut down the overproduction of the islands and the surplus of sugar in the United States market.

Even at the time of the congressional hearings on the Jones bill and the Costigan bill in the early part of 1934 there were indications of hesitation and of opposition from all producing areas. In fact, President Roosevelt, having suggested in his letter of February 8, 1934, that Louisiana and Florida should have a joint quota of 260,000 tons, the Louisiana sugar industry found itself unable to agree to this restrictive figure, because even at that time there was positive evidence that by means of new varieties of sugarcane Louisiana was at the point of reaching the volume of tonnage and extraction toward which the industry had been working progressively for more than 10 years. Realization came in 1934 when the Louisiana production improved to 234,000 tons, and in 1935 when the production reached 333,000 tons despite A. A. A. acreage reduction; 1936 prospects favor an equal or increased production.

It has never been explained why Louisiana and Florida were given a joint quota of 260,000 tons but it seems to have been just a balance left over after allocating prospective sugar-consumption requirements to other producing areas. Under the sugar stabilization agreement all producing areas had agreed to quotas totaling 310,000 tons for Louisiana and Florida.

Nevertheless, upon Louisiana's vigorous protest against the 260,000 tons, the growers of Louisiana were repeatedly told by officials of the Department of Agriculture that strict performance would not be required on the basis of 260,000 tons, although for the purposes of the basic quotas they considered it necessary to leave the amount in the bill. In explanation they pointed to section 8a (1) (C), which they stated had been deliberately inserted in the bill for the exclusive purpose of taking care of Louisiana and Florida in case our expectations of increased production were realized. This anticipated interpretation of the so-called section C was confirmed in congressional committee reports and in the Halls of Congress, where the language was amended, strengthened, on the motion of the late Senator Fletcher, of Florida, for the purpose of removing doubts as to the meaning of section C.

In view of the wholehearted cooperation of Louisiana in the plans of the administration, and the direct promises made that Louisiana's problems would receive sympathetic treatment in the administration of the law, there was good cause to expect a square deal. But our disillusionment was not very long in making its appearance, because the sugar section and the Secretary of Agriculture refused to recognize the status quo in sugarcane for Louisiana at the time when, in the fall of 1934, the crop for 1935 was being planted. At first there was temporizing, as Louisiana suggested the use of section C, but finally Louisiana was frankly told that section C might just as well never have been written because

it would not be used. On the contrary, the production-adjustment contracts that were submitted to the growers required a drastic reduction in the total sugarcane acreage of Louisiana, which in many cases amounted to a reduction of 30 percent of the sugarcane acreage on individual farms. Every possible appeal was made by committees of growers going to Washington and through our Members of Congress, but to no avail.

In a broad-minded spirit Louisiana then centered its interest upon the benefit payment to be made, which might temporarily make up for the unexpected reductions. Sugar section officials announced in a press release, August 29, 1934, that they estimated Louisiana sugarcane growers would receive approximately $4,000,000 in benefits, which represented their intention and plan. But when the parity formula on a tonnage basis was worked out, the sugar section officials found that they would be forced to revise their figures, and they issued another press release November 21, 1934, estimating that the benefits to Louisiana would be $6,000,000. Subsequently, when actual records became available and the formula was applied, it developed that the total payments would probably exceed $7,000,000. So the sugar section stopped issuing estimates in press releases, but began to concentrate on chiseling down the payments just as they had already cut down the acreage. The quota of 260,000 having been assigned to Louisiana and Florida, the sugar section announced that Florida's share would be 39,800. Although it was not announced, the share of Louisiana became what was left, or 220,200 tons.

It must be emphasized here that the Louisiana 1934 crop had been planted before the sugar quota bill was introduced, and the production could not have been affected by the new law. Nevertheless, benefit payments were calculated on the basis of 88 percent of the crop, which was estimated to represent the difference between actual production and the base allotment assigned for quota purposes.

Without objecting in any manner to what was done for the beet growers, but purely for the purpose of comparing treatment received, it is appropriate to comment here that the beet growers were paid benefits for the 1934 crop on the basis of actual or estimated production, whichever was greater. It developed that in some cases in the Northwest the estimated production was more than double the actual production. Louisiana was pleased to have these unfortunate beet growers treated so generously, although we naturally resented the fact that Louisiana growers were paid on less than either actual or estimated production. This comparative discrimination explains why protests came from Louisiana, while other areas appeared satisfied.

The statistics of the Bureau of Agricultural Economics showed that the average price paid for cane in Louisiana during the 1909–14 base period adopted by the A. A. A. to determine parity, was $3.83 per ton. But the sugar section rejected "available statistics" of the Bureau of Agricultural Economics and made its own ex parte investigation, with the result that a figure of $3.73 per ton was established on some unannounced basis, with a resulting decrease in the amount of benefits to be paid to sugarcane growers. But this reduction in payments was not considered sufficient by the sugar section, so that a new formula was especially devised for Louisiana by which the payments would become $2.04 per ton for sugarcane, instead of the $2.26 per ton expected under the previously announced formula. Again a committee of growers went to Washington to seek explanations and to protest, but they were unsuccessful with the sugar section. The committee thereupon carried its appeal to Mr. J. B. Hutson, who had only recently been given supervision of the sugar section, and, after hearing the committee, the sugar section was overruled, and the payment of $2.26 per ton restored, thereby saving some $700,000 to the Louisiana sugar industry.

Later the 1935 crop began to demonstrate that the new varieties of cane would produce much more than anyone had anticipated. The problem arose of determining what should be done with the sugarcane produced in excess of the base tonnage given the State. It should be well understood that the excess sugarcane in question was being produced upon the restricted and reduced base acreage under the production-adjustment contract. At first the Sugar Section threatened to force the destruction of the excess production of sugarcane and to withhold all benefit payments from those who failed to destroy. An appeal to the Secretary of Agriculture brought about the ruling that sugarcane would not have to be destroyed, provided that it did not exceed 20 percent of the base tonnage of the grower. Ruling no. 5 was issued, by which penalties of $2 on the first 10 percent of excess and $3 on the second 10 percent of excess would be levied. But no cane above such 20 percent could be marketed without forfeiting all benefits under the contract. The growers began to figure and found that they would receive very little more than $3 per ton from the factory for their cane, from which at least $1 would have to be deducted for the expenses of cultivation and harvesting; therefore the penalties were obviously confiscatory.

Another appeal was added to the series, and the officials of the A. A. A. admitted the mistakes of ruling no. 5 and submitted a ruling no. 6 to the growers, by which, instead of a $2 penalty on the first 10 percent, there would be a $1 penalty on the first 20 percent; and instead of a $3 penalty on the second 10 percent, there would be a $1.50 on the second 20 percent, with permission to growers to deliver within the law all cane produced by them. This seems to be a good compromise under the circumstances, and the growers returned to Louisiana gratified. But a joker was inserted at the end of the proposed ruling no. 6 before it was signed by the Secretary, but without being submitted to the Louisiana committee. This joker stated that failure to sign a production-adjustment contract for 1936 would make a grower subject to the higher penalties under ruling no. 5. This seemed to be merely a sanction on the part of the A. A. A. to induce all growers to continue under the A. A. A. program; but when the Supreme Court declared all A. A. A. contracts null and void, the joker took on a new meaning through the interpretation of the sugar section that the penalties under ruling no. 5 would apply against everyone. Congress appropriated money, instructing the Secretary of Agriculture to pay all moral obligations and commitments under the A. A. A. contracts, but the sugar section refused to recognize or maintain the status of the grower existing at the time of the Supreme Court decision, at which time the growers were still negotiating but had not been offered a 1936 contract. Again repeated appeals were made but without effect, and the confiscatory penalties have been inflicted upon Louisiana to the extent of an estimated $1,900,000 loss.

The cruel effect of this final decision to insist upon penalizing growers on all excess cane at confiscatory rates, is emphasized when we consider that practically all of the small growers with excess cane consulted with the agent of the Secretary of Agriculture, the county agents, and the members of parish committees who served as a liaison between Louisiana and the A. A. A. As long as ruling no. 5 was effective the grower was told to stop harvesting cane when he reached 10-percent excess, because above that he would suffer losses. Then the announcement of ruling no. 6 came, and the grower was invariably told by these official representatives of the Secretary of Agriculture and the A. A. A., that all cane could be harvested and delivered without loss, although reduced penalties would be applied. So there is no question that the growers of Louisiana harvested their excess cane upon assurances received from official A. A. A. sources, which turned out to be entirely misleading and very costly.

By a strange course of events the Louisiana marketing quota for 1936 has been increased through changes in estimates of consumption requirements and reallocations of quotas to such an extent that all of the sugar produced by Louisiana in 1935, including the excess production, has been officially authorized by the Secretary of Agriculture to be marketed as within the Louisiana quota. Contradictorily, the Secretary penalizes sugarcane production by ruling and authorizes by regulation the distribution of sugar produced from the penalized sugarcane. We pause to inquire what

becomes of the declared purpose of the A. A. A. Act to restore the purchasing power of the farmer, and the "having due regard to the welfare of domestic producers" clause of the Jones-Costigan amendments.

Following the demise of the A. A. A., the Secretary of Agriculture asked the farmers of the United States to advise with him regarding a soil-conservation program at regional meetings. The farmers of the southern region met at Memphis and agreed unanimously that sugar should not be included in the general program which has to do with surplus crops, but that sugarcane and sugar beets should be the subject of a special program. The farmers' regional meetings in Chicago and in Salt Lake City agreed unanimously on the same proposition. Notwithstanding, the soil-conservation program treats sugar on the same general basis as surplus crops. The result is that the growers have been offered a benefit payment of 12½ cents per 100 pounds of sugar, which means a nominal 20 cents or less per ton of sugarcane. As compared to $2.26 per ton on the 1934 crop and $1.48 per ton on the 1935 crop, the 20-cent payment is manifestly negligible. But despite the fact of offering so small a benefit, the A. A. A. again reveals its desire to curtail continental growers of sugarcane by limiting these payments to that tonnage of sugarcane necessary to produce the 260,000 tons of sugar quota for Louisiana and Florida. Based upon the present estimates of production, Louisiana will probably receive 20 cents per ton on less than 60 percent of its actual production of sugarcane, or less than 14 cents per ton of sugarcane delivered.

All of the above facts demonstrate how unfair and unjustified the quota of 260,000 tons has proven and how progressively harmful it has been to the growers of sugarcane in Louisiana. In fact, that quota has been the source of practically all of Louisiana's A. A. A. problems.

For this year Louisiana has benefited by the increased consumption of sugar in the United States and the fact that neither the beet States, nor Florida, nor the Philippines have been able to deliver all of their quotas, so that the deficit has become available to Louisiana for 1936. But that is for 1936 only. For 1937 we start off again with a quota of 220,200 tons, and we must hope that there will be more deficits in other areas so that we may be able to market legally all sugar produced in Louisiana.

For the future it is absolutely necessary that Congress should provide a sugar act which places no restriction or limit of the production and distribution of continental sugar. This will permit our industry to expand without hindrance. If the administration insists upon some limitation, then the figure for Louisiana should be ample to take care of all sugar we are producing. The beet-sugar producing area has a quota of 1,550,000 tons, which they fall short of producing every year, consequently it may be a limitation but it does not amount to restriction.

	Production			
	Quota	1934	1935	1936 (estimated)
Beet-sugar producing area	1,550,000	1,239,574	1,261,460	1,400,000
Louisiana	220,200	234,000	333,000	240,000

The Louisiana production has exceeded its quota each year, while the beet-sugar production has been less than its quota each year.

It is easy to understand why Louisiana always has a problem for the A. A. A. Congress can correct this by removing restrictions or by giving Louisiana a quota in excess of its production on the basis of equality with the beet producers.

Mr. Chairman, I do not wish to be understood as criticizing or protesting against the quota allocated to beet-sugar growers, but believe, in all fairness, we are entitled to a larger quota.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

All time has expired.

Mr. DOUGHTON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and Mr. MCCORMACK, Speaker pro tempore, having resumed the chair, Mr. MEAD, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration House Joint Resolution 96 and had come to no resolution thereon.

DEFICIENCY APPROPRIATION BILL—CONFERENCE REPORT

Mr. BUCHANAN, from the Committee on Appropriations, submitted a conference report on the bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes.

FOREIGN TRADE AGREEMENTS—GENERAL DEBATE

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent that the time for general debate on House Joint Resolution 96 be extended for 2 hours, one-half to be controlled by the gentleman from Massachusetts [Mr. TREADWAY] and one-half by myself.

The SPEAKER pro tempore (Mr. MCCORMACK in the chair). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. FISH] may have permission to revise and extend his own remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

LEAVE OF AESENCE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. GIFFORD] may have leave of absence for 1 week on account of illness in his family.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SNELL. Mr. Speaker, I ask unanimous consent that on Monday next, after disposition of business on the Speaker's table, the gentleman from Minnesota [Mr. KNUTSON] may have 10 minutes in which to address the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

INVESTIGATION OF OLD-AGE PENSION PLANS

Mr. LUCAS. Mr. Speaker, I ask unanimous consent to address the House for 4 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LUCAS. Mr. Speaker, on May 28 last the chairman of the select committee appointed to investigate old-age pension plans presented a privileged report, no. 2857, in which the House of Representatives was advised that the committee had been deprived of the testimony of John B. Kiefer and Clinton Wunder relative to the subject matter under House Resolution 443, because these two gentlemen refused to appear and be sworn as witnesses to testify concerning matters then and there under investigation, and that as a result thereof they were in contempt of the House of Representatives.

Also in this same report the committee held Dr. Francis E. Townsend in contempt.

Immediately following that, the gentleman from Missouri [Mr. BELL] presented House Resolution 532, requesting that the Members of the House direct the Speaker to certify the report of said select committee to the United States district

attorney, which was agreed to—the ayes being 271 and the noes 41.

Today, Mr. Speaker, the House of Representatives is in receipt of letters from John B. Kiefer and Clinton Wunder, respectively, which are exceedingly interesting in that they vindicate the action of the select committee and the majority of the Members of the House at that time. I therefore ask unanimous consent that these letters now be read by the Clerk of the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the letter, as follows:

CAPITOL PARK HOTEL,
Washington, D. C., February 4, 1937.

House of Representatives, Seventy-fifth United States Congress, Washington, D. C.

HONORABLE SIRS: During the term of the Seventy-fourth Congress, the writer was subpenaed to appear before a select committee appointed to investigate old-age pension plans and organizations pursuant to House Resolution 443. Acting upon what he construed, at that time, to be in the best interests of the national organization which he was serving in an executive capacity, he refused to answer the subpena, and was subsequently held in contempt of your honorable body.

The writer's refusal to appear to testify is deeply regretted, and he wishes to take this opportunity to offer his sincere and abject apology to your honorable body, and trusts that it will be accepted in the true spirit in which it is offered.

Respectfully and sincerely,

JOHN B. KIEFER.

NEW YORK CITY, N. Y., *February 4, 1937.*

House of Representatives, United States Congress, Washington, D. C.

HONORABLE SIRS: Believing that he was serving the best interests of the national organization of which he was an executive, the writer failed to obey a subpena duly served upon him by a select committee appointed under House Resolution 443, and in consequence was held in contempt of your esteemed body.

It has since become fully apparent to the writer that this action on his part was a grave error, and for which mistake he wishes to extend his sincere apology to your honorable body. It is his wish and trust that the same will be accepted.

Respectfully yours,

CLINTON WUNDER.

EXTENSION OF REMARKS

Mr. JOHNSON of Texas. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on Senate Joint Resolution 20, which passed the House today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

(Mr. FULMER asked and was given permission to revise and extend his own remarks.)

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 46 minutes p. m.) the House, under its previous order, adjourned until Monday, February 8, 1937, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

340. A letter from the Secretary of Labor, transmitting the Twenty-fourth Annual Report of the Secretary of Labor; to the Committee on Labor.

341. A letter from the Secretary of the Interior, transmitting a proposed draft of legislation designed to repeal that provision in the act of March 2, 1917 (39 Stat. 976), authorizing and directing the Secretary of the Interior to cause allotments in severalty to be made to the Indians belonging to and having tribal rights on the Mission Reservations in the State of California; to the Committee on Indian Affairs.

342. A letter from the Acting Secretary of the Treasury, transmitting a proposed bill for the relief of Capt. Eugene Blake, Jr., United States Coast Guard; to the Committee on Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. KELLER: Committee on the Library. H. R. 168. A bill to authorize an increase in the annual appropriation for books for the adult blind; without amendment (Rept. No. 201). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mrs. O'DAY: Committee on Immigration and Naturalization. H. R. 3393. A bill for the relief of Herman Urist; without amendment (Rept. No. 199). Referred to the Committee of the Whole House.

Mrs. O'DAY: Committee on Immigration and Naturalization. H. R. 3394. A bill for the relief of Minnie Urist; without amendment (Rept. No. 200). Referred to the Committee of the Whole House.

ADVERSE REPORTS

Under clause 2 of rule XIII,

Mr. STEAGALL: Committee on Banking and Currency. House Resolution 103. Resolution requesting the Secretary of Commerce to transmit certain information to the House of Representatives (Rept. No. 202). Laid on the table and ordered to be printed.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 341) for the relief of William Burke; Committee on Claims discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 712) granting death compensation benefits to Lena Klotz; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 915) for the relief of Mary E. Stout; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 1001) for the relief of Corinne Blackburn Gale; Committee on Claims discharged, and referred to the Committee on Foreign Affairs.

A bill (H. R. 1184) for the relief of the heirs of Tummie Martheche; Committee on Claims discharged, and referred to the Committee on Indian Affairs.

A bill (H. R. 1210) for the relief of Herluf F. J. Ravn; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 1767) for the relief of Rowesville Oil Co.; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 1770) for the relief of the Farmers' Storage & Fertilizer Co., of Aiken, S. C.; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 1918) for the relief of Mary Ellen Tiefenthaler; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 2180) for the relief of Lily Singleton Osburn; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 2576) for the relief of George P. Parker; Committee on Claims discharged, and referred to the Committee on Indian Affairs.

A bill (H. R. 2653) for the relief of heirs of James W. Fennel; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 2744) for the relief of the estate of John Gellatly, deceased, and/or Charlyne Gellatly, individually; Committee on Claims discharged, and referred to the Committee on the Judiciary.

A bill (H. R. 2792) for the relief of M. F. Powers; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 2826) for the relief of Frank Stirk Hailey; Committee on Claims discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 3106) for the relief of Lily Singleton Osburn; Committee on Claims discharged, and referred to the Committee on War Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HILL of Alabama: A bill (H. R. 4396) to provide revenue and to facilitate the regulation and control of the economic and industrial structure of the Nation, for the successful prosecution of war, and for other purposes; to the Committee on Ways and Means.

By Mr. DONDERO: A bill (H. R. 4397) to exempt from duty certain milk bottles returned to the United States; to the Committee on Ways and Means.

By Mr. GREENWOOD: A bill (H. R. 4398) to promote the general welfare of the United States in a comprehensive plan to control destructive floods of the Ohio River and its tributaries, to conserve the soil from erosion, build up forest reserves, preserve wildlife, increase recreational centers with cabin and cottage sites, utilize submarginal lands, expand subsistence farming, extend water navigation and commerce, produce electrical energy for interstate transmission, provide a healthy and cheaper water supply for household and irrigation purposes, control pollution of streams, and to relieve unemployment among the people; to the Committee on Flood Control.

By Mr. MURDOCK of Utah: A bill (H. R. 4399) authorizing payment for certain lands appropriated by the United States, and for other purposes; to the Committee on Indian Affairs.

By Mr. RANKIN: A bill (H. R. 4400) to provide for the renewal of 5-year level premium term policies of veterans' insurance for an additional period of 5 years; to the Committee on World War Veterans' Legislation.

By Mr. SACKS: A bill (H. R. 4401) for the relief of certain purchasers of properties in the city of Philadelphia, Pa.; to the Committee on Claims.

By Mr. BULWINKLE: A bill (H. R. 4402) to continue in effect a certain lease for the quarters of the post office at Grover, N. C., and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. CLASON: A bill (H. R. 4403) to authorize the Secretary of War to release a certain right-of-way no longer needed for military purposes at the Springfield Armory, Mass.; to the Committee on Military Affairs.

By Mr. ELLENBOGEN: A bill (H. R. 4404) to provide for a census of population, occupation, and unemployment, and for other purposes; to the Committee on the Census.

Also, a bill (H. R. 4405) to provide for the removal of the monument to Casimir Pulaski from the triangle at Pennsylvania Avenue, Thirteenth Street, and E Street NW., to the east end of the triangle formed by Pennsylvania Avenue, E Street, and Fifteenth Street, in the city of Washington, D. C., and to authorize the appropriation therefor; to the Committee on the Library.

By Mr. CROSSER: A bill (H. R. 4406) to establish a 6-hour day for employees of carriers engaged in interstate and foreign commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CARTWRIGHT: A bill (H. R. 4407) authorizing the Five Civilized Tribes, in suits heretofore filed under their original jurisdictional acts, to present claims to the United States Court of Claims, by amended petitions to conform to the evidence, and authorizing said court to adjudicate such claims upon their merits as though filed within the time limitation fixed in said original jurisdictional acts; to the Committee on Indian Affairs.

By Mr. HILDEBRANDT: A bill (H. R. 4408) to provide for the renewal of star-route contracts at 4-year intervals, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mrs. NORTON: A bill (H. R. 4409) to regulate the hours of employment of women employed in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MAVERICK: A bill (H. R. 4410) to provide for an adequate survey and classification of the soil resources of the United States; to provide for a system of soil conservation; to provide for the prevention of interstate floods; to provide for an ever-normal granary; to provide for a system of commodity loans; to provide for disposal of excess production of agricultural products; to provide for the regulation of imports of farm products; and for other purposes; to the Committee on Agriculture.

By Mr. SUTPHIN: A bill (H. R. 4411) to amend section 601 of the Revenue Act of 1932 as amended to prohibit the importation of egg products into the United States; to the Committee on Ways and Means.

By Mr. HILL of Alabama (by request): A bill (H. R. 4412) to authorize exchange of lands at military reservations, and for other purposes; to the Committee on Military Affairs.

Also (by request), a bill (H. R. 4413) to enable Coast Guard officers to purchase articles of ordnance property for use in the public service in the same manner as such property may be purchased by officers of the Army, Navy, and Marine Corps; to the Committee on Military Affairs.

Also (by request), a bill (H. R. 4414) to authorize the procurement, without advertising, of certain War Department property, and for other purposes; to the Committee on Military Affairs.

Also (by request), a bill (H. R. 4415) to amend the act entitled "An act to amend the act entitled 'An act authorizing the conservation, production, and exploitation of helium gas, a mineral resource pertaining to the national defense, and to the development of commercial aeronautics, and for other purposes'"; to the Committee on Military Affairs.

By Mr. GRAY of Pennsylvania: A bill (H. R. 4416) to prohibit payment of ransom for kidnaped persons; to the Committee on the Judiciary.

By Mr. MAVERICK: A bill (H. R. 4417) to regulate the Supreme and other Federal Courts; to the Committee on the Judiciary.

By Mr. WOOD: A bill (H. R. 4418) to amend an act entitled "an act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and all acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. BARRY: A bill (H. R. 4419) to provide that loans made by certain financial institutions on and after April 1, 1937, and prior to April 1, 1938, may be insured by the Administrator of the National Housing Administration; to the Committee on Banking and Currency.

By Mr. KENNEDY of New York: Resolution (H. Res. 110) creating a committee to investigate the control of tetraethyl lead; to the Committee on Rules.

By Mr. FULMER: Joint resolution (H. J. Res. 195) authorizing the distribution of 1,000,000 bales of nontenderable grades cotton to the American National Red Cross and other organizations for the relief of needy and distressed people and for other purposes in the flooded areas and elsewhere in the United States to be purchased from the 12-cent loan cotton holdings and/or on the cotton markets of the United States; to the Committee on Agriculture.

By Mr. LUCKEY of Nebraska: Joint resolution (H. J. Res. 196) proposing an amendment to the Constitution permitting the President of the United States to disapprove or reduce any item of any appropriation bill passed by Congress; to the Committee on the Judiciary.

By Mr. COLLINS: Joint resolution (H. J. Res. 197) to create a Joint Congressional Committee on Educational

Services to Youth by the Federal Government; to the Committee on Rules.

By Mr. LUDLOW: Joint resolution (H. J. Res. 198) proposing an amendment to the Constitution of the United States with respect to the taking of property for public use in time of war; to the Committee on the Judiciary.

Also, joint resolution (H. J. Res. 199) proposing an amendment to the Constitution of the United States to provide for a referendum on war; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Iowa, memorializing Congress to enact a Federal law to eliminate competitive bidding on star mail routes; to the Committee on the Post Office and Post Roads.

Also, memorial of the Legislature of the State of Iowa, memorializing the President and the Congress of the United States to name one of the battleships now under construction "Iowa"; to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM: A bill (H. R. 4420) for the relief of the Washington Beef Co.; to the Committee on Claims.

By Mr. BULWINKLE: A bill (H. R. 4421) granting an increase of pension to Benjamin F. Shelton; to the Committee on Pensions.

Also, a bill (H. R. 4422) granting an increase of pension to Charles L. Stewart; to the Committee on Pensions.

Also, a bill (H. R. 4423) granting an increase of pension to Henry G. Jones; to the Committee on Pensions.

By Mr. CHURCH: A bill (H. R. 4424) for the relief of Anah Webb Lavery; to the Committee on Claims.

By Mr. GREEN: A bill (H. R. 4425) for the relief of Frank L. Armistead; to the Committee on Military Affairs.

Also, a bill (H. R. 4426) for the relief of Joseph F. Browning; to the Committee on Military Affairs.

By Mr. HAMILTON: A bill (H. R. 4427) for the relief of Merritt Rea; to the Committee on Claims.

Also, a bill (H. R. 4428) granting a pension to Arthur Leonard Wadsworth, 3d; to the Committee on Pensions.

Also, a bill (H. R. 4429) granting a pension to John W. Swoveland; to the Committee on Pensions.

Also, a bill (H. R. 4430) to amend the act entitled "An act for the relief of contractors and subcontractors for post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes", approved August 25, 1919, as amended by the act of March 6, 1920; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4431) for the relief of Josephine Russell; to the Committee on Claims.

Also, a bill (H. R. 4432) for the relief of James N. Hudson; to the Committee on Claims.

By Mrs. HONEYMAN: A bill (H. R. 4433) for the relief of William J. C. Schuldt; to the Committee on Naval Affairs.

By Mr. LUDLOW: A bill (H. R. 4434) granting an increase of pension to Eliza A. Washington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4435) granting an increase of pension to Clara L. Waggoner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4436) granting an increase of pension to Sophia Huber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4437) granting an increase of pension to Florence S. McGinnis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4438) granting an increase of pension to Mary E. Pierce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4439) granting a pension to Clarence N. Garrett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4440) to correct the military record of Thomas J. Parrott; to the Committee on Military Affairs.

Also, a bill (H. R. 4441) for the relief of Claribel Moore; to the Committee on War Claims.

Also, a bill (H. R. 4442) for the relief of Virgil H. Heise; to the Committee on Military Affairs.

Also, a bill (H. R. 4443) for the relief of Meta De Rene McLoskey; to the Committee on War Claims.

Also, a bill (H. R. 4444) for the relief of Katherine Glispy; to the Committee on Claims.

Also, a bill (H. R. 4445) for the relief of Clara M. Johnston; to the Committee on Claims.

Also, a bill (H. R. 4446) for the relief of Homer J. Williamson; to the Committee on Claims.

Also, a bill (H. R. 4447) for the relief of Margaret Dunn; to the Committee on Claims.

Also, a bill (H. R. 4448) for the relief of Patricia Swan; to the Committee on War Claims.

Also, a bill (H. R. 4449) for the relief of John S. Sherman; to the Committee on Claims.

By Mr. MASSINGALE: A bill (H. R. 4450) to authorize the appointment of John Easter Harris as a major, Corps of Engineers, Regular Army; to the Committee on Military Affairs.

By Mrs. O'DAY: A bill (H. R. 4451) to authorize the cancelation of deportation proceedings in the case of Salvatore Branchicella; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 4452) for the relief of Pietro Di Giacinto; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 4453) for the relief of Luzier Rubenstein or Louis Rubin; to the Committee on Immigration and Naturalization.

By Mr. ROBSION of Kentucky: A bill (H. R. 4454) granting a pension to Mary Greekmore; to the Committee on Invalid Pensions.

By Mr. SHORT: A bill (H. R. 4455) granting an increase of pension to Nancy Catherine Fry; to the Committee on Invalid Pensions.

By Mr. SUTPHIN: A bill (H. R. 4456) for the relief of Mr. and Mrs. Benjamin Harry Carr; to the Committee on Claims.

By Mr. THOMAS of Texas: A bill (H. R. 4457) for the relief of Naomi Lee Young; to the Committee on Claims.

By Mr. THOMPSON of Illinois: A bill (H. R. 4458) for the relief of Frank D. Cottrell; to the Committee on Claims.

By Mr. WEAVER: A bill (H. R. 4459) for the relief of Thelma Carringer; to the Committee on Claims.

By Mr. WHELCHEL: A bill (H. R. 4460) for the relief of First Lt. Roy E. Rountree; to the Committee on Military Affairs.

By Mr. WOOD: A bill (H. R. 4461) granting a pension to Mabel Forrer; to the Committee on Invalid Pensions.

By Mr. LUDLOW: A bill (H. R. 4462) granting a pension to Mary Ellen Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4463) granting a pension to George E. Ryan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4464) granting an increase of pension to Martha Ferguson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4465) granting a pension to Callie J. Feaster; to the Committee on Pensions.

Also, a bill (H. R. 4466) granting a pension to Flora Bailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4467) granting a pension to Lottie Denny; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4468) granting a pension to Emma E. Smith; to the Committee on Pensions.

Also, a bill (H. R. 4469) granting a pension to Pearl Thomas; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

215. By Mr. ANDREWS: Letter from the committee on legislation of the Medical Society of the State of New York,

urging all health activities be concentrated in a single department under the reorganization plan of the Federal Government; to the Joint Committee on Government Organization.

216. By Mr. CULLEN: Petition of the Atlantic States Shippers Advisory Board, expressing their opposition to the so-called railroad "Make work" and "Government ownership of railroads" proposals which are now, or may be, introduced into the United States Congress; to the Committee on Interstate and Foreign Commerce.

217. By Mr. FULMER: Resolution adopted by Palmetto District Textile Council in behalf of the national textile bill (H. R. 238); to the Committee on Labor.

218. By Mr. KEOGH: Memorial of the State Assembly of New York urging Congress to pass the Wagner slum-clearance bill; to the Committee on Banking and Currency.

219. By Mr. PFEIFER: Petition of the Assembly of the State of New York, Albany, urging Congress to pass the Wagner bill relating to slum clearance; to the Committee on Banking and Currency.

220. By Mr. TEIGAN: Petition of the Minnesota State Legislature, memorializing Congress to appropriate funds to provide care for needy, aged, unallotted Indians; to the Committee on Indians Affairs.

221. By Mr. THURSTON: Petition of the Forty-seventh General Assembly of the State of Iowa, relating to the enactment of legislation extending the benefits of farm loans from the United States Government; to the Committee on Banking and Currency.

222. By the SPEAKER: Petition of the Ann Arbor Trades and Labor Council, Ann Arbor, Mich., requesting the Congress to establish a permanent committee to investigate violations of the civil liberties and collective bargaining; to the Committee on Accounts.

223. Also, petition of the Young Republicans of Allegheny County, memorializing the Congress to pass legislation to provide flood protection along the Allegheny, Monongahela, and Ohio Rivers; to the Committee on Flood Control.

SENATE

MONDAY, FEBRUARY 8, 1937

The Reverend Albert Joseph McCartney, D. D., of the Covenant-First Presbyterian Church, Washington, D. C., offered the following prayer:

In all thy ways acknowledge Him, and He shall direct thy paths.

Let us pray.

Almighty God, in whom we live and move and have our being, and in whose hands rests the governance of men, we, Thy servants here assembled, humbly beseech Thee to direct us by Thy spirit throughout the deliberations of this day. In every moment of confusion, uncertainty, or doubt help us to seek the counsel which cometh down from above and is profitable to direct. Strengthen our bodies and minds for the tasks of this day.

God bless our land; defend our liberties; preserve our unity; save us from all violence, discord, and confusion; and help us to address ourselves earnestly to the removal of all causes therefor.

Especially do we pray today for all those who are suffering from the disaster of the flood, for those who have lost their homes, for fathers and mothers who have lost their children, and for children who have lost their parents. God bless the Red Cross and its noble ministry to those in need.

We commit into Thy care and keeping the President and Vice President of the United States, the members of the Cabinet, the Members of the Senate and House of Representatives, the Judges of the Supreme Court, and all those into whose hands Thou hast committed the peace and welfare of our land.

Through Jesus Christ our Lord. Amen.

HIRAM W. JOHNSON, a Senator from the State of California, appeared in his seat today.

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of Friday, February 5, 1937, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its reading clerks, announced that the House had passed, without amendment, the joint resolution (S. J. Res. 20) authorizing the President to invite the Pan American Republics and the Dominion of Canada to participate in the proposed Greater Texas and Pan American Exposition.

The message also announced that the House had passed the bill (S. 974) to create the Capital Auditorium Commission, with amendments, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. ROBINSON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Clark	Johnson, Calif.	Pope
Andrews	Connally	Johnson, Colo.	Reynolds
Ashurst	Davis	King	Robinson
Austin	Dieterich	La Follette	Russell
Bachman	Duffy	Lee	Schwartz
Bailey	Ellender	Lodge	Schwellenbach
Black	Frazier	Logan	Sheppard
Bone	Gerry	Lundeen	Thomas, Okla.
Borah	Gibson	McAdoo	Thomas, Utah
Bridges	Gillette	McCarran	Townsend
Brown, Mich.	Glass	McGill	Truman
Brown, N. H.	Green	McKellar	Tydings
Bulkley	Guffey	McNary	Vandenberg
Bulow	Harrison	Maloney	Van Nuys
Burke	Hatch	Murray	Wagner
Byrd	Hayden	Neely	Walsh
Byrnes	Herring	Norris	Wheeler
Capper	Hitchcock	Overton	White
Caraway	Holt	Pepper	
Chavez	Hughes	Pittman	

Mr. ROBINSON. I announce that the Senator from Ohio [Mr. DONAHEY] is absent because of illness; and that the Senator from Alabama [Mr. BANKHEAD], the Senator from Kentucky [Mr. BARKLEY], the Senator from Mississippi [Mr. BILBO], the Senator from New York [Mr. COPELAND], the Senator from Georgia [Mr. GEORGE], the Senator from Illinois [Mr. LEWIS], the Senator from Maryland [Mr. RADCLIFFE], the Senator from Connecticut [Mr. LONERGAN], the Senator from Indiana [Mr. MINTON], the Senator from New Jersey [Mr. MOORE], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from South Carolina [Mr. SMITH] are unavoidably detained from the Senate.

Mr. McNARY. I announce that the senior Senator from Minnesota [Mr. SHIPSTEAD] is absent because of illness, and that my colleague the junior Senator from Oregon [Mr. STEIWER] is necessarily absent.

The VICE PRESIDENT. Seventy-eight Senators have answered to their names. A quorum is present.

FELICITATIONS TO THE PRESIDENT AND VICE PRESIDENT AND GOVERNOR OF MICHIGAN

The VICE PRESIDENT laid before the Senate a letter from the Secretary of War, transmitting resolution adopted by the Municipal Council of Vintar, Province of Ilocos Norte, P. I., extending congratulations to President Franklin D. Roosevelt and Vice President John N. Garner on their reelection to office, and also extending congratulations to Hon. Frank Murphy, former United States High Commissioner to the Philippines, on his election to the governorship of Michigan, which were ordered to lie on the table.

COMMITTEES ON GOVERNMENT ORGANIZATION

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Senator from Nebraska, which will be read.

The legislative clerk read as follows:

UNITED STATES SENATE,
Washington, D. C., February 6, 1937.

MY DEAR MR. VICE PRESIDENT: Recently you appointed me a member of the Senate Select Committee on Government Organization and the Joint Congressional Committee on Government Organization. On account of the work I am doing, and trying to do, it will be an absolute impossibility for me to spend the time necessary to adequately consider the questions which will come before these committees. I therefore most respectfully decline these appointments.

Very sincerely,

G. W. NORRIS.

Hon. JOHN N. GARNER,
The Vice President.

The VICE PRESIDENT. The Chair assumes that the original resolutions authorize him to fill the vacancies and make it his duty to do so. Is there objection to that construction of the resolutions? The Chair hears none; and the Chair appoints the Senator from Wisconsin [Mr. LA FOLLETTE] to fill the vacancies caused by the resignation of the Senator from Nebraska [Mr. NORRIS] on both the Joint and Select Committees on Government Organization.

CAPITAL AUDITORIUM COMMISSION

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 974) to create the Capital Auditorium Commission, which were, on page 1, line 4, after "chairman", to insert "and the ranking minority member", and on the same page, line 5, after "chairman", to insert "and the ranking minority member."

Mr. ROBINSON. Mr. President, the amendments adopted by the House provide that, in addition to the chairmen of the Committees on Public Buildings and Grounds of the respective Houses, the ranking minority members of those committees shall serve on the Commission. It will be recalled that the Secretary of the Interior is to be another member of the Commission. I have no objection to the amendments. This is in no sense a political matter, and I therefore move that the Senate concur in the amendments of the House.

The motion was agreed to.

LAND FOR SANTA ROSA BAND OF MISSION INDIANS

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting a draft of proposed legislation to authorize the purchase of 640 acres of land for the use and benefit of the Santa Rosa Band of Mission Indians, California, which, with the accompanying paper, was referred to the Committee on Indian Affairs.

REPORT OF THE COMPTROLLER OF THE CURRENCY

The VICE PRESIDENT laid before the Senate a letter from the Comptroller of the Currency, transmitting, pursuant to law, his annual report for the year ended October 31, 1936, which, with the accompanying report, was referred to the Committee on Banking and Currency.

IMPORTATIONS OF FISHING GEAR

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the United States Tariff Commission, transmitting, in response to Senate Resolution 165, Seventy-third Congress, first session, a report of its investigation with respect to nets and netting and other gear employed by fishermen and fisheries imported into the United States, and the effect of such importations on production in the United States, which, with the accompanying report, was referred to the Committee on Finance.

ORDER OF BUSINESS

The VICE PRESIDENT. The presentation of petitions and memorials is in order.

Mr. ASHURST. Mr. President, out of order, I ask unanimous consent to introduce a bill and that it be referred to the Committee on the Judiciary. The title of the bill is "A bill to reorganize the judicial branch of the Government."

Mr. HERRING. Mr. President——

Mr. McNARY. Mr. President, I merely wish to inquire of the Senator from Arizona the reason for introducing this bill out of order. A little later we shall reach the order in which it may properly be introduced.

Mr. ASHURST. The able Senator from Oregon is correct. We have not reached the appropriate order for the introduction of bills. I therefore withdraw the request.

Mr. McNARY. I ask for the regular order.

The VICE PRESIDENT. Petitions and memorials are in order.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following joint resolution of the Legislature of the State of Illinois, which was referred to the Committee on Commerce:

House Joint Resolution 5

Whereas floods of unprecedented proportion in the United States have inundated numerous cities and many thousands of acres in the Ohio River Valley, rendering approximately 1,000,000 people homeless, causing untold property damage and spreading death, destruction, and disease throughout 10 States; and

Whereas seasonal floods of recent years have subjected the valley of the Ohio, including southern Illinois territory, to similar disaster; and

Whereas congressional enactments have resulted in the construction of elaborate flood-control works along the Mississippi River, but no provision has been made for controlling works along the Ohio, where floods consistently originate: Therefore be it

Resolved by the House of Representatives of the Sixtieth General Assembly of the State of Illinois (the senate concurring herein), That Congress be memorialized to enact measures without delay, insuring the protection of the Ohio River Valley territory from such catastrophic floods as have lately been witnessed; and be it further

Resolved, That the clerk of the house of representatives be instructed to transmit copies of this preamble and resolution to the President of the United States, the President of the Senate, and Speaker of the House of Representatives of the United States, and the Senators and Congressmen from the State of Illinois in Congress.

The VICE PRESIDENT also laid before the Senate the following joint resolution of the Legislature of the State of California, which was referred to the Committee on Commerce:

Senate Joint Resolution No. 4

Relative to memorializing and petitioning the President and the Congress of the United States to include the Central Valley project in the national program of work relief

Whereas California has one of the gravest unemployment problems in the United States, due to the fact that the State has become the haven of unemployed from every section of the country; and

Whereas one of the most constructive methods of coping with the unemployment problem is the building of useful and necessary public works which will confer permanent and lasting benefits, as well as afford immediate work relief; and

Whereas California is in urgent need of the development, conservation, and stabilization of its water resources to prevent the abandonment of thousands of farms and homes, and to avert tremendous financial losses; and

Whereas the State of California has prepared a comprehensive coordinated plan for the progressive economic development of the water resources of the State, carefully formulated over a period of 14 years, which provides for the control of floods and salinity encroachment, the improvement of navigation, the conservation and stabilization of water supplies for municipal, irrigation, industrial, and mining uses, and for the generation of electric power; and

Whereas the Legislature of the State of California in 1933 passed the Central Valley Project Act, which was signed by the Governor and was thereafter approved by vote of the people of the State at a special election held on December 19, 1933; and

Whereas the said Central Valley Project Act created the Water Project Authority of the State of California, to execute and administer the Central Valley project, which project is designated as the first step in the comprehensive plan for the Great Central Valley of California; and

Whereas the people in California, in the Sacramento Valley and San Joaquin Valley, desire the water impounded soon, whether a dam be located at Kennett, at Baird, at Table Mountain, or at any two or all of these places, and desire to buy cheap hydroelectric power at the earliest possible moment; and

Whereas said Central Valley project has been investigated and approved by at least 13 agencies of the Federal Government and has been recommended for Federal financing; and

Whereas said project has further been recommended by the President's Committee on Water Flow and by the National Resources Board as one of the country's foremost projects for a national program of public works; and

Whereas the House of Representatives has the improvement of the Sacramento River in accordance with the plan as set forth in House of Representatives Document No. 35, Seventy-third Congress, which recommends a Federal contribution of $12,000,000 to the cost of the Kennett Dam of the Central Valley project; and

Whereas the said project will be self-liquidating, and the cost thereof will be returned with interest to the Federal Government from revenues obtained by the sale of water and power; and

Whereas said project is ready for immediate construction when funds are made available for such purpose; and

Whereas the consummation of the said project will enable 50,000 American people to sustain themselves by their present means of livelihood, and will prevent their being thrown into the ranks of the unemployed, and further will stop the reversion to desert of one-half million acres of highly developed and settled lands, valued at $100,000,000; and

Whereas a greater degree of flood protection in the Sacramento Valley is highly desirable, as evidenced by the floods on the Sacramento River and its tributaries; and

Whereas the construction of said project will give employment to thousands of workers now unemployed, not only in California but throughout the Nation, thereby relieving unemployment in many branches of industry, particularly in the heavy manufacturing industries in the East and Middle West; and

Whereas the public interest, welfare, convenience, and necessity require immediate provision for adequate financing of said Central Valley project: Now, therefore, be it

Resolved by the Senate and the Assembly of the State of California jointly, That the State of California, through its legislature, recommends the Central Valley project to the President and to the Congress of the United States as of first and prime importance to the State of California, and respectfully requests that adequate funds, $40,000,000, more or less, be made available for immediate construction of the project, thereby conferring lasting benefits upon the people of the State of California and affording substantial unemployment relief, all in a manner conforming admirably with the splendid program initiated by the President of the United States to speed national recovery; and be it further

Resolved, That the Governor is requested to transmit copies of this resolution to the President and to the Vice President of the United States, the Speaker of the House of Representatives, and to the Senators and Representatives of the State of California in the Congress.

The VICE PRESIDENT also laid before the Senate a joint resolution of the Legislature of the State of Wisconsin, memorializing Congress to enact the pending St. Croix Valley Authority Act for the generation of electric energy and its transmission for domestic use, which was referred to the Committee on Commerce.

(See joint resolution printed in full when presented today by Mr. LA FOLLETTE, p. 950.)

The VICE PRESIDENT also laid before the Senate a joint resolution of the Legislature of the State of Wisconsin, favoring the prompt ratification of the Great Lakes-St. Lawrence Seaway Treaty, which was referred to the Committee on Foreign Relations.

(See joint resolution printed in full when presented today by Mr. LA FOLLETTE, p. 950.)

The VICE PRESIDENT also laid before the Senate a resolution adopted by the Council of the City of Cleveland, Ohio, protesting against the removal of persons over 65 years of age from Works Progress Administration rolls without regard to eligibility under the old-age provisions of the Social Security Act, which was referred to the Committee on Education and Labor.

He also laid before the Senate a telegram in the nature of a memorial from the State Board of Women Defenders of America, Oakland, Calif., remonstrating against an increase in the number of justices of the Supreme Court of the United States, which was referred to the Committee on the Judiciary.

He also presented the petitions of Fannie J. Pertzman and Morris Pertzman, of Lancaster, Pa., praying for the repeal of legislation providing for Federal aid in the control of production of crude oil, which were referred to the Committee on Mines and Mining.

Mr. HOLT presented resolutions adopted by the County Petroleum Industries Committees of the Counties of Barbour, Berkeley, Gilmer, Hardy, Lewis, Logan, McDowell, Marshall, Mercer, Mingo, Monongalia, Monroe, Randolph, Upshur, and Wetzel, all in the State of West Virginia, favoring the immediate repeal of Federal taxes on gasoline and lubricating oil, which were referred to the Committee on Finance.

Mr. HERRING presented a concurrent resolution of the Legislature of the State of Iowa, favoring the enactment of legislation to continue the 3½-percent interest rate on Federal land-bank loans and to extend or reamortize Land Bank Commissioner loans to 34 years, which was referred to the Committee on Banking and Currency.

(See concurrent resolution printed in full when laid before the Senate by the Vice President on the 5th instant, p. 881, CONGRESSIONAL RECORD.)

Mr. WAGNER presented a resolution adopted by the transportation committee of the Binghamton (N. Y.) Chamber of Commerce, protesting against the construction of a seaway for the use of seagoing vessels from the St. Lawrence River to New York City by way of Lake Champlain and the Hudson River, which was referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the Council of the city of New Rochelle, N. Y., favoring the making of an appropriation for the construction of the Pelham-Port Chester Parkway in Westchester County, N. Y., which was referred to the Committee on Post Offices and Post Roads.

Mr. LA FOLLETTE presented the following joint resolution of the Legislature of the State of Wisconsin, which was referred to the Committee on Commerce:

Joint resolution memorializing the Congress of the United States to enact the pending St. Croix Valley Authority Act

Whereas the Congress of the United States has pending before it the St. Croix Valley Authority Act, generally referred to as project no. 1399, proposing, among other things, to build a dam and reservoirs at or near the point of confluence of the Kettle and St. Croix Rivers, about 7 miles northwesterly of Grantsburg, Wis., for generation of electric energy and to distribute the same within transmission distance directly to rural communities in Wisconsin and Minnesota for domestic use at the lowest possible rates; and

Whereas this is the only major hydroelectric project on the St. Croix River as yet unexploited by private interests; and

Whereas the feasibility and possible generating capacity of the endeavor has been reported highly favorable by experts upon thorough survey of the site, exploration of dam foundations, and gathering of complete engineering data; and

Whereas this development contemplates a dam 79 feet high, creating a reservoir of 16,674 acres surface and 357,760 acre-feet of water capacity availing to consumers approximately 23-600,000 kilowatt-hours of primary and 101,400,000 kilowatt-hours of secondary energy at a total cost, including a hydro installation of 27,500 kilowatts, of about $8,000,000; and

Whereas rural electric cooperatives in Wisconsin organized and existing pursuant to the Rural Electrification Administration have experienced great difficulty in obtaining or have been unable to obtain from public utilities electric energy at reasonably low wholesale rates; and

Whereas development of the project would have a wholesome effect upon wholesale electric rate schedules in this area in that such rates would decrease and permit greater numbers of potential consumers to utilize rural electric lines and in turn enjoy a higher plane of well-being; and

Whereas advancement of this plan would provide welcome and needed employment in this area, both in the matter of construction and in the production of materials needed for construction purposes, and restore a large acreage of marginal lands to profitable use by creating another recreational area and providing means of flood control; and

Whereas furtherance of such undertaking would synchronize this area with the future development of the inland waterways and give the great Northwest the same consideration for development of natural resources as accorded other sections of the country: Now, therefore, be it

Resolved by the senate (the assembly concurring), That this legislature memorializes the Congress of the United States to pass the St. Croix Valley Authority Act, commonly known as project no. 1399; be it further

Resolved, That properly attested copies of this resolution be sent to the President of the United States, both houses of Congress, and to each Wisconsin Member thereof.

Mr. LA FOLLETTE also presented the following joint resolution of the Legislature of the State of Wisconsin, which was referred to the Committee on Foreign Relations:

Joint resolution relating to the ratification of the Great Lakes-St. Lawrence Seaway Treaty

Whereas it is the opinion of the people of this State that the Great Lakes-St. Lawrence seaway is a transportation medium that will develop and connect the vast internal resources of the agricultural sections of the West with the commercial and industrial sections of the East, by reducing the transportation costs between the centers of production and consumption, by increasing the prosperity and well-being of every section of the country with expanded markets, and thereby augment the purchasing power of the entire people of the United States as a whole; and

Whereas such seaway would likewise permit the development of hydroelectric power with resulting cheaper rates for electrical energy to the people in the Great Lakes area; and

Whereas this waterway project will add value to the products of industry and agriculture, creat new markets and business, and thereby stimulate employment and materially aid economic recovery; and

Whereas this treaty will be submitted to the United States Senate by President Roosevelt at this session of Congress: Therefore be it

Resolved by the senate (the assembly concurring), That the Legislature of Wisconsin memorializes the Congress of the United States and especially Wisconsin Senators and Members of Congress to promptly ratify any treaty which may be so submitted for this purpose and to enact the necessary legislation for the beginning of construction; be it further

Resolved, That properly attested copies of this resolution be transmitted to the President of the United States, to both Houses of the Congress of the United States, and to each Wisconsin Member thereof.

Mr. POPE presented the following joint memorial of the Legislature of the State of Idaho, which was referred to the Committee on Interstate Commerce:

Joint memorial to the Senate and House of Representatives of the Congress of the United States of America

Your memorialists, the Legislature of the State of Idaho, respectfully represents that—

Whereas there has been introduced in the Seventy-fifth Congress, now assembled in Washington, D. C., a bill by SAMUEL L. PETTENGILL, of Indiana, commonly known as the repeal of the long-and-short-haul clause of the Transportation Act and also the Pettengill bill; and

Whereas the major agricultural, livestock, wholesale, manufacturing, jobbing, and retail interests of Idaho, in the provisions of the proposed bill, face a threat of curtailment and even extinction in many instances, the twenty-fourth session of the Idaho Legislature, assembled this date in Boise, Idaho, hereby respectfully suggests and urges that each member of the Idaho delegation in Congress give the subject matter of this bill his immediate attention, as indications point to a determined effort to rush this proposed legislation through the present session of Congress; and

Whereas after a most thorough consideration of the facts with reference to such proposed legislation it appears that any change in the existing rate structure whereby lower rates will apply to and from the Pacific coast than to and from the State of Idaho can only have the effect of hampering and impeding the future development of the resources of the State, increase the costs of products imported into it, and decrease the profits from products exported therefrom, and that the State of Idaho has everything to lose and nothing to gain in any change in the said Transportation Act. Agriculture, industries, and distribution have increased tremendously in all parts of the State under the present law: Now, therefore, in view of the facts with reference to said legislation, be it

Resolved, That the Twenty-fourth Session of the Idaho Legislature, in session at Boise, Idaho, does hereby record its opposition to the Pettengill bill and any similar legislation, and it respectfully requests and urges the active and united opposition of the members of the Idaho congressional delegation to the passage of such proposed legislation as inimical to the best interests of the people of all sections of Idaho; be it further

Resolved, That the secretary of state of the State of Idaho be, and he is hereby, directed to forthwith forward certified copies of this memorial to Senator WILLIAM E. BORAH, Senator JAMES P. POPE, Congressman COMPTON I. WHITE, and Congressman D. WORTH CLARK, and to Franklin D. Roosevelt, President of the United States.

Mr. POPE also presented the following joint memorial of the Legislature of the State of Idaho, which was referred to the Committee on Post Offices and Post Roads:

Joint memorial to the Secretary of Agriculture of the United States

We, your memorialists, the Legislature of the State of Idaho, twenty-fourth session, respectfully present that—

Whereas, by section 9 of the rules and regulations of the Department of Agriculture for administering forest roads and trails, approved January 16, 1919, it is provided that "maintenance work on all forest highways shall be performed by the Bureau unless otherwise specified by agreement"; and

Whereas at the present time there are 884.6 miles of forest highways on the designated State highway system in the State of Idaho; and

Whereas the United States Bureau of Public Roads requires that the State of Idaho maintain said forest highways on said State system after 2 years from the date of the completion of the improvement; and

Whereas the State of Idaho is now maintaining 448.12 miles of such forest highways, and unless the aforesaid requirement is abrogated it will be required to maintain the balance of said forest highways on the State system after a period of 2 years from the date of the completion of the same; and

Whereas the State of Idaho derives no taxes from the lands adjacent to such forest highways; and

Whereas the cost of maintenance of such forest highways, together with additional obligation of maintaining other highways on the State system, is burdening the State highway fund to such an extent as to seriously restrict the amount which would otherwise be available for matching Federal-aid funds:

Now, therefore, we, your memorialists, respectfully request that the State of Idaho be relieved of the duty of maintaining forest highways in the future and that the existing agreements between the State and the Department of Agriculture be modified accordingly: Be it

Resolved, That a copy of this joint memorial be sent by the secretary of state to the Secretary of Agriculture and to Senator BORAH, Senator POPE, Congressman CLARK, and Congressman WHITE.

Mr. NEELY presented the following concurrent resolution of the Legislature of the State of West Virginia, which was referred to the Committee on Commerce:

Concurrent resolution memorializing Congress to appropriate funds for a survey in connection with flood conditions in the Ohio Valley

Whereas the Ohio Valley is now being visited by another major flood disaster, the second of its proportions within a period of 10 months; and

Whereas these recent floods have caused damage to the extent of hundreds of millions of dollars in the Ohio Valley; and

Whereas scores of lives have been lost in these flood disasters, thousands have been rendered homeless, and widespread illness, suffering, and disease have followed in their wake; and

Whereas it is believed that a comprehensive system of source stream control can reduce, if not entirely eliminate, the major proportions of these disasters; and

Whereas such remedial steps, being of interstate nature and requiring interstate cooperation, constitute a proper subject for primary action by the Federal Government: Therefore be it

Resolved by the senate (the house of delegates concurring therein), That the Congress of the United States is requested, without further delay, to take such steps by appropriate legislation as will lead to the immediate projection and execution of a comprehensive plan to prevent a repetition of such major disasters, and that the attention of the Congress be called to report no. 308, plan no. 4, Seventy-fourth Congress, second session, relating to this subject of source stream control; and be it further

Resolved, That copies of this resolution be transmitted, respectively to Hon. Franklin D. Roosevelt, President of the United States, and to the Members representing West Virginia in the Senate and in the House of Representatives of the Congress.

REPEAL OF TAXES ON GASOLINE AND LUBRICATING OIL

Mr. NEELY. Mr. President, I present 16 resolutions from my State favoring the immediate repeal of the Federal gasoline and lubricating oil taxes. I ask that the resolutions be referred to the Committee on Finance, that their submission be noted in the RECORD, and also that one of the resolutions, all of them being similar, be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

One of the resolutions presented by Mr. NEELY is as follows:

Whereas the motorists and oil and automotive industries are overburdened with excessive taxation in the State of West Virginia to such an extent, it is very doubtful if the thousands of our citizens depending on these industries for their livelihood can find it possible to continue to contribute to national and State recovery as they would like, and as they should be in position to do so: Now, therefore be it

Resolved, That our two United States Senators and the district's Congressman be requested to use their vote and influence toward the immediate repeal of the Federal gasoline and lubricating oil taxes, and leave this field of taxation to the individual States, as was understood and agreed in 1932, at the time the Federal tax was imposed as an emergency measure: Be it further

Resolved, That our State senators and delegates be requested to oppose all added taxes on the motorists and oil and automotive industries.

——— ———, *Chairman.*

Attest:

W. M. LEMEN, Jr., *Secretary.*

MARTINSBURG, W. VA., *November 21, 1936.*

Unanimously adopted by the Berkeley County committee at its meeting at the Shenandoah Hotel, Martinsburg, August 27, 1936.

The resolutions favoring the immediate repeal of the Federal gasoline and lubricating oil taxes, presented by Mr. NEELY and referred to the Committee on Finance, are from County Petroleum Industries Committees of the counties of Barbour, Berkeley, Gilmer, Hardy, Lewis, Logan, McDowell, Marshall, Mercer, Mingo, Monongahela, Monroe, Randolph, Upshur, and Wetzel, and the Council of State Governments of the West Virginia Petroleum Industries Committee at Charleston, all in the State of West Virginia.

REPORTS OF COMMITTEES

Mr. PEPPER, from the Committee on Commerce, to which was referred the bill (S. 875) authorizing the construction of improvements at St. Josephs Harbor, Fla., reported it without amendment and submitted a report (No. 37) thereon.

Mr. BAILEY, from the Committee on Commerce, to which was referred the bill (S. 1258) to authorize the purchase and distribution of products of the fishing industry, reported it without amendment and submitted a report (No. 45) thereon.

Mr. WHEELER, from the Committee on Indian Affairs, to which was referred the bill (S. 534) granting the consent of

Congress to the States of Montana and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River, reported it without amendment and submitted a report (No. 42) thereon.

Mr. SHEPPARD, from the Committee on Military Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 601. A bill for the relief of Mrs. Jack J. O'Connell (Rept. No. 38); and

S. 868. A bill for the relief of Marino Ambrogi (Rept. No. 39).

Mr. SHEPPARD also, from the Committee on Military Affairs, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

S. 210. A bill for the relief of Walter M. Seesee (Rept. No. 40); and

S. 955. A bill for the relief of Frank I. Otis (Rept. No. 41).

Mr. LUNDEEN, from the Committee on Military Affairs, to which was referred the bill (S. 1247) to amend the act of June 23, 1936, authorizing the Secretary of War to set apart as a national cemetery certain lands of the Fort Snelling Military Reservation, Minn., reported it without amendment and submitted a report (No. 44) thereon.

Mr. REYNOLDS, from the Committee on Military Affairs, to which was referred the bill (S. 296) to authorize the award of the Congressional Medal of Honor for distinguished service to Pleas Sanders, reported it without amendment and submitted a report (No. 43) thereon.

He also, from the Committee on the District of Columbia, to which was referred the bill (S. 84) to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. Ralph Charles Stuart, reported it without amendment and submitted a report (No. 48) thereon.

Mr. OVERTON, from the Committee on the District of Columbia, to which was referred the bill (S. 989) to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. Clarence Quinton Pair, reported it without amendment and submitted a report (No. 47) thereon.

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR

Mr. LA FOLLETTE. From the Committee on Education and Labor, under Senate Resolution 266, Seventy-fourth Congress, I submit a preliminary report (No. 46); and for the information of Senators I ask unanimous consent that the report may be incorporated in the RECORD as a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The report is as follows:

[S. Rept. 46, 75th Cong., 1st sess.]

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR

Mr. LA FOLLETTE, from the Committee on Education and Labor, submitted the following preliminary report (pursuant to S. Res. 266, 74th Cong.):

AUTHORIZATION

A subcommittee of the Committee on Education and Labor was appointed by the chairman on June 6, 1936, under Senate Resolution 266, to investigate violations of the rights of free speech and assembly and interference with rights of labor to organize and bargain collectively.

The resolution is as follows:

Senate Resolution 266

"*Resolved*, That the Committee on Education and Labor is authorized and directed to make an investigation of violations of the rights of free speech and assembly and undue interference with the right of labor to organize and bargain collectively. The committee shall report to the Senate as soon as practicable the results of its investigation, together with its recommendation for the enactment of any remedial legislation it may deem necessary.

"For the purpose of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-fourth and succeeding Congresses, to employ and to call upon the executive departments for clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $15,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman."

At the outset it had some data from which to chart its course of inquiry. Preliminary hearings had shown how established labor laws and policy were being flouted. The public case laid before the committee indicated unmistakably that labor spies and pseudo police agencies were being loosed upon labor with increasing vigor. The revitalizing of the labor movement which began to occur in 1933 was bringing prosperity to the labor detective agency, the strikebreaker, and the purveyor of gas and machine guns to industry. Witnesses at the preliminary hearings included workers, union officials, and representatives of labor organizations. Their testimony, supplemented by Labor Board studies, indicated the urgent need for a thorough-going inquiry of a situation in which one who dares to take advantage of his legal right to organize imperils his constitutional rights of peaceful assembly and freedom of speech. He perhaps loses his job. He may even lose his vote.

SCOPE OF THE INQUIRY

Having received only $15,000, your committee realized that all it could hope to do was to conduct a limited inquiry. It decided first to inquire into violations of civil liberties rising out of interference with the policy declared by Federal statute, that labor has the right to organize and to bargain collectively. Before making this decision, however, your committee considered the entire field of investigation.

Violations of civil liberties outside the field of labor relations involve academic freedom, public assemblage, freedom of the press, coercion by vigilante groups, and deprivations of the rights of free speech and assembly through local laws and local courts. These are regarded of equal importance by your committee.

An investigation into violations in the labor field would concentrate its attention upon the industrial use of espionage, strikebreaking, and munitions. Among the questions to be answered and basic to remedial legislation are:

How extensive is the use of spies, strikebreakers, and munitions by American industry? What is their cost to industry? For what purposes are they employed and what is the effect of their use upon the civil rights of workers? To what extent is industry organized to provide itself with a system of company spies and company police; to what extent does it purchase these services from outside agencies? What agencies furnish these services, and what are the mechanics of their supply and use? How lucrative is the business of such agencies? How are spies and strikebreakers recruited? What is the character of the men who accept such employment and how do they operate? Are employers forced to use these instruments to protect themselves against the efforts of labor to organize or are employers themselves the unwitting victims of a system of their own creation? Is the use of labor espionage, strikebreakers, and munitions occasional and sporadic or is it a well-established policy in American industrial life? If the latter, who sets this policy? Have the States endeavored to control these instruments of industrial warfare and has this control been successful? Is there need for Federal regulations of these practices and, if so, is there a basis for effective regulation within the framework of Federal power?

CHOICE OF METHOD

Your committee had three possible methods of approach: It could examine labor as the victim; management as the customer; or the two closely allied industries, the agents furnishing munitions, labor spies, and strikebreakers.

To what degree espionage has been responsible for union mortality can be learned only by questioning workers. Organized labor has given fullest cooperation to your committee. But workers' knowledge of the spy system is fragmentary. What they have learned about spying they have learned too late by running afoul of it: they experience its effects without knowing what has happened to them. Suddenly the union is weakened for no discernible reason. Feudal conditions of employment are maintained by means of intimidation, the working of which is not wholly clear.

Obviously it is impossible to scattered investigators at random through the millions of workers, organized and unorganized, whom the spying system is now known to touch. To examine industry at large was also impracticable under the limited funds. Your committee deemed it advisable first to lay bare the machinery of espionage and to discover, by examining agency records, which industrial communities suffer espionage in its most concentrated form. This once learned, a sampling method can be adopted for the examination of both labor and industry. Even an investigation by sample will take a larger staff than is now available. The present staff is small and of uncertain tenure because, due to limited funds, it has had to be borrowed from other governmental agencies.

FIRMS UNDER EXAMINATION

Hence your committee chose first to study the more concentrated activities of detective agencies and munitions companies. This, too, had to be done by sampling. Your committee selected for examination five of the largest detective agencies, at least two of which (Railway Audit & Inspection Co. and National Corporation Service) are likewise engaged in strikebreaking, and the three munitions companies dominating the industrial armament market. These five detective agencies are: The Railway Audit & Inspection Co.; Pinkerton's National Detective Agency, Inc.; National Corporation Service; Corporations Auxiliary Co.; and the William J. Burns International Detective Agency. As of January 1, 1937, the first three of these had been called to the stand, although the

Pinkerton hearings have not been concluded. Of the munitions firms, the Lake Erie Chemical Co. and the Manville Manufacturing Co. have been called. Federal Laboratories, Inc., remains to be heard.

THE DETECTIVE BUSINESS WRAPS ITSELF IN MYSTERY

Companies under examination have tried to block the inquiry by various tactics. Even without threat of disclosure, the detective business is normally secretive. It keeps its books in code, destroys its records quickly, uses aliases, designates its operatives by number or false initials, gives blind addresses, and sends its bill on plain paper to dummy names. As the general manager of Pinkerton's testified, it withers when its industrial operatives are exposed to public view, as in the State of Wisconsin, where agencies are compelled to register their operatives. Even the necessity to register employees under the Social Security Act caused Pinkerton's to change its mode of doing business. Formerly it paid wages to informers. Now it buys information by the piece from previous informers operating as "free agents." The change proves no desire to correct or decrease the evils of spying. In this particular instance your committee must admit a negative effect of publicizing which can be overcome only by more exposure and wider study.

OBSTRUCTIONIST TACTICS

Forewarned in April by preliminary hearings, agencies purged their files before the August hearings. Apparently caught napping in the interlude, the Railway Audit & Inspection Co. at the last moment decided on a drastic course. Subpenaed to appear at 10 o'clock of August 21, 1936, six of their officials failed to answer and were at once indicted for contempt of the Senate. This January they were ordered from Pittsburgh, Philadelphia, and New York to stand trial in the District of Columbia. After their records had been subpenaed, the Atlantic, Pittsburgh, New York, Philadelphia, and St. Louis offices of this firm tore them into small pieces and disposed of them in wastebaskets. Their trash paper was secured and great amounts of it reconstructed to form substantial evidence for your committee.

Avowing fullest cooperation, other detective firms have thwarted the committee at every step. Pinkertons, after subpena, ordered written reports to cease and business to be done by word of mouth. Since the records which your committee secured by subpena were, for the most part, fragmentary, it has had to prove its case by examining witnesses who, through fear or self-interest, testified reluctantly or evasively.

INDICATIONS OF SIZE AND PROFITS OF AGENCIES

The annual dollar volume of the spy industry is unknown. That it is large is indicated by the known gross income of two leading companies in the field, Pinkerton and Railway Audit & Inspection Co., which, according to evidence, amounted, in the period under examination, to $6,511,891.

That it is a highly profitable business is learned by contrasting the salaries and dividends received by its officials and the going rate of pay for the two basic operations of their business, spying and strikebreaking. Mr. Robert A. Pinkerton, president of the Pinkerton detective agency, who in 1935 held 70 percent of its stock, received in that year $129,500 in dividends. The Pinkerton rate of pay for information was, before they stopped paying wages, from $2 to $3.50 a day, the worker turned spy receiving from $25 to $30 a month, or a dollar a day. Edgar A. MacGuffin, head of the National Corporation Service, received $36,000 in salary. The Otis Steel Co. paid the National Corporation Service from $1,000 to $1,400 a month for work done by spies whose wages and expenses averaged between $275 and $300 a month.

Strikebreakers' pay is higher, varying from $6 to $9 and $12 a day, according to time put in. In the New Orleans streetcar strike, where over a thousand strikebreakers were imported, chiefly from Buffalo, rates varied from the superintendent's $50 a day salary plus bonus and $50 a day expenses down to 80 cents an hour for guards.

VESTED INTEREST IN STRIFE

Both industrial espionage and strikebreaking thrive on industrial strife. In the years when unions were making a concerted drive under the National Industrial Recovery Act and the National Labor Relations Act, the net income of the Pinkerton Agency leaped from $76,760 in 1933 to $268,703 in 1934 and $243,351 in 1935. Pinkerton's business was admitted by its general manager to be one-third industrial, a figure raised to two-thirds by its ex-branch manager from the Southern States.

This vested interest in trouble is established in the agency's method of solicitation. Kept abreast by agency headquarters of legislation favorable to labor organization and well informed as to likely labor hot spots by their careful study of the labor press, canvassers from agencies constantly promote business by high-pressure methods. The branch manager of Railway Audit & Inspection wrote to a salesman in Tennessee:

"Now that the National Recovery Act is killed and the Government is planning to institute other proceedings equally as stringent, I do hope that we can pull together a few of the outside strings that we have and make them mean some business for us."

INDUSTRY, NOT LABOR, IS THE OBVIOUS CUSTOMER

With the double service to offer of espionage and strikebreaking, the detective agency surveys the ever-potential source of trouble between workers who are trying to organize and employers hostile to unions, and sees clearly where its money lies. Labor spends money neither on espionage nor munitions. So far as your committee has learned, management is the only prospective buyer of both. The aim is to induce management to spend freely and over as long a time as possible. Employers who are working peacefully with their employees and have no fear of trouble are talked into alarm. An ex-superintendent of one agency admitted it was common practice to send undercover men into a plant without the company's knowledge and to use their reports to sell the client on his need for spying.

PRETENSE THAT HOSTILITIES ARE DIRECTED AGAINST COMMUNISM

Although, as the investigations reveal, the employer directs his spy forces against any kind of union activity, he cloaks his hostility under the pretext that he is defending himself and the country against communism. Pinkerton officials, on the stand, strove without success to show that they accept industrial work only where the employer is anxious to stamp out communism. Lengthy questioning of six Pinkerton officials, from Mr. Pinkerton and his general manager down to his assistant superintendents, revealed that the agency had never refused to spy on unions affiliated with the American Federation of Labor and that none of them could define or describe a Communist. Detective agencies appear to make a clear distinction, however, between an independent union with bargaining power and a company union, and frankly offer to help industry in establishing the latter, boasting successful ventures in this field. This object remains to be explored.

REPRESENTATIVE CUSTOMERS

Canvassers are carefully coached by their superiors in promotion tactics. So they will seem to have technical knowledge of the industry in question, they are rehearsed in sales talks. They study business lists, check prospective clients on maps, set forth in automobiles to tour their regions thoroughly, being told not to neglect any "little mill along the road."

The success of these soliciting methods can best be gaged by a study of the customers they serve. One list, known to be far from complete, gives the various kinds of employers known to hire spies. Among them are 36 employers' associations; 14 corporations of Nation-wide scope; 27 railroads; 29 traction, utilities, and bus companies; 52 metallurgical and machinery companies; 32 mining companies; 28 employers in the automobile industry; 20 steamship lines; and 28 food companies.

A partial list of industrial firms serviced by Pinkerton alone includes 98 names. Composed of firms well established in the public mind, it includes General Motors Corporation, which, with its subsidiaries, paid Pinkerton $167,586 in 1935; Bethlehem Steel Co.; Radio Corporation of America; Campbell Soup Co.; Curtis Publishing Co.; the Baldwin Locomotive Works; Shell Oil Co.; Montgomery Ward & Co.; and the Pennsylvania Railroad Co.

The National Corporation Service has been since 1933 in the employ of 142 known industrial clients, including such firms as Otis Steel, Midland Steel, Wheeling Steel Co., Hazel Atlas Glass, the Goodrich Rubber Co., and Fostoria Glass.

Railway Audit & Inspection Co., whose records were mutilated, is known from various authenticated sources to have serviced 67 companies, including the Aluminum Co. of America; the Borden Milk Co.; the Consolidated Gas Co. of New York; Frigidaire Corporation; Carnegie-Illinois Steel Corporation and H. C. Frick Coal & Coke Co., both subsidiaries of United States Steel; Kelvinator Sales Corporation; National Dairy Products; Truscon Steel; Western Union; Westinghouse Electric & Manufacturing Co.; Woodward Iron & Coal Co.; and the Pennsylvania Railroad.

SPIES FROM WITHIN OR WITHOUT

Sometimes operatives are brought in from without. Sometimes the client prepares a list of his own workers who he thinks could be corrupted by bribery to spy upon their fellows. If he is given no such list, the operative or contact man upon the case, ordinarily known as "hooker", must himself locate a likely candidate for stoolpigeon. An ex-officer for the National Corporation Service said that out of the some 300 operatives upon whom he had kept records, 70 percent were "hooked" men.

HOW THE SPY IS PROCURED

The stool pigeon has several qualifications which make him useful to the agency and the employer. C. M. (Red) Kuhl, strikebreaker and hooker with 20 years' experience, testified:

"Well, first you look your prospect over and if he is married, that is preferable. If he is financially hard up, that is number two. If his wife wants more money or he hasn't got a car, that all counts."

It is apparently considered even more important that a prospective undercover man should be a union member. One Pinkerton superintendent estimated that 25 percent of his informants were members of unions. Another testified that he instructed his undercover men to join the union. A list prepared for a hooker by the Republic Rubber Co. was composed strictly of "out-and-out union men." It is considered ideal procedure to hook the president or treasurer of a union, since he is in a position not only to reveal union membership rolls but to formulate and carry out policies which will lead to its weakening or destruction.

Hooking is usually done by roving operatives of the detective agency who assume such roles as appraisers, bankers' agents, and newspapermen. One favorite subterfuge is to represent themselves as coming from a group of stockholders in the company who are said to be fearful lest labor is being discriminated against by the current management. The extent to which operatives assume the guise of Federal agents is difficult to determine, but in at least one instance your committee found that a hooker posed as a Government official looking for someone to make special reports for the Government.

HOW THE SPY OPERATES

The job of the hooked man is to report what he sees and hears. Typical spy procedure was described by a Reading hosiery worker who answered an advertisement for a full-fashioned knitter at $100 a week, and found he was applying for a job at the Railway Audit & Inspection offices. He was told to get acquainted with as many employees as possible, to win their confidences about the union, and to eavesdrop when they talked in groups. Daily he was to send union information, signed by an arbitrary number, in an envelope without return address. He must be careful not to use the same mail box often.

FALSIFICATION OF REPORTS

Operatives' reports are edited, censored, padded, and falsified by the head office of certain agencies to make the client think he is receiving enough for his money. One instructor said he told a green operative to use his imagination if he wanted to keep his job. As a result, the employer often receives untrue, inflammatory pictures of industrial difficulties in his plant.

EMPLOYERS' MONEY IS PAID TO CORRUPT THEIR WORKERS BY BRIBERY

Pinkertons, who for the first 7 months of 1936 spent something like $250,000 of employers' money for corrupting men to sell out their fellow workers, and who assert that their company does no work on divorce matters, tells in the ironical words of its general manager what they require for character in their informants: "We make inquiries in the neighborhood in which they live, to learn what their standing in the community is, whether they are considered honest, trustworthy, law-abiding people." In striking contrast to this character reference, is a hooked man's description of his work: "I have known Ferguson for 20 years and Kepler for 10 years (both of them union men), and now I am selling them out as they tell me most anything."

WHAT HAPPENS AFTER UNION SECRETS HAVE BEEN LEARNED

On the basis of evidence, your committee believes that the employer, in possession of the facts he has paid to obtain, may proceed according to something like the following formula. He may disperse lesser sympathizers by threat of dismissals and summarily discharge the more important ones. He may frame the organizers on charges of dishonesty or outrageous personal conduct intended to discredit them among their followers. He may have them "taken for a ride", "for a fishing trip", or "worked on", terms used to convey that he hires thugs to beat them, even into unconsciousness.

If the employer is part of an integrated industry he may blacklist union members for further employment, this being probably of all penalties the most ruthless device, since it is intended to produce, and often does produce, permanent loss of livelihood. It was developed by testimony that a blacklist may include more than 900 firms covering the major part of an industry. Thus a blacklisted person may be almost universally barred from working at his given trade. This is a loss to industry also, because the blacklist often affects the most stable and most efficient workers.

These practices are known to exist. Their extent is unknown. Industry's estimate as to what espionage services are worth for their disruptive effect is the amount which employers are known to pay for them.

INDUSTRY'S OWN SPY SYSTEM YET TO BE INVESTIGATED

By no means will the spy investigation be completed until your committee has studied private detective systems maintained by single employers or by employers collaborating in their anti-labor policies. Far more powerful and less subject to control than professional agencies, the private police corps appears to be more sinister, insofar as it is inextricably woven into every other condition of employment in the company town. Through it the worker may be coerced into buying his food at the commissary. Because of it the grand jury may fail to throw around him the protective processes of the law. In one instance testimony was given that persons known to have company connections could never be indicted; that grand jurors would not dare to return anything but "no bill."

CONSTITUTION IS DERIDED

From your committee's still fragmentary inquiry in this field of its investigation, it is clear that espionage has become the habit of American management. Until it is stamped out the rights of labor to organize, freedom of speech, freedom of assembly will be meaningless phrases. Men cannot meet freely to discuss their grievances or organize for economic betterment; they may not even express opinions on politics or religion so long as the machinery of espionage pervades their daily life. Nor can industry itself do aught but multiply suspicion and distrust. Industry from fear pays millions a year to live in more fear.

What legislative means can be adopted by Congress to curb these anti-American practices will not be apparent until the custom is shown in all its ramifications.

STRIKEBREAKING

When the employer's hostility is forced into the open, the detective agency puts a second service at his disposal. It furnishes guards, ostensibly for plant protection, but actually for breaking strikes or provoking disorder. Strikebreakers are recruited from certain well-known hangouts. In New York they may be found at Forty-second and Broadway; in Chicago, near Randolph Street, in the Loop; in Philadelphia, around the Reading Depot. By some grapevine system of communication, the word of a strike is instantly relayed outward from these centers to those of the strikebreaking profession who do not happen to be on hand.

A well-defined caste system exists within the ranks of strikebreakers. The foreman is a noble. Privates are known as finks or guards. Finks should not be confused with scabs who attempt to break strikes by taking their jobs from striking workers. Often the employer pretends that the strikebreaker is a bona-fide craftsman and is being brought in permanently to supplant his striking workers. This is almost invariably fiction, one illustrious instance being that of the hosiery salesman who turned up as an electrical lineman. The word "slugger" defines itself. A roper is less well defined, the term being used to describe shadower, informant, and hooker. A still further variety of strikebreaker is the missionary who travels from door to door, usually in the role of salesman, and talks derogatorily of the strike to the strikers' families in order to break down their morale.

CRIMINAL RECORDS OF STRIKEBREAKERS

Drawn from the underworld, a large number of these men have criminal records. An interesting example is Sam Cohen, alias Sam Goldberg, alias Chowderhead Cohen, alias Charles Harris, who testified before the committee. His preparatory work in industrial relations included a term in Atlanta for conspiracy, 4 years in State's prison, and 4 years in Sing Sing for burglaries, and detention as material witness in a notorious murder case. Out of 13 strikebreakers furnished by Railway Audit & Inspection for the General Material strike in St. Louis in 1932, seven were wanted by the police of other cities on charges including burglary, forgery, larceny, inciting to riot, and assault. A large proportion of the strikebreakers furnished to the Pioneer Paper Stock Co. of Philadelphia by Mickey Martel, a character known to the police, turned out to have police records. One had been found guilty, among other things, of stealing an automobile, robbery by hold-up, receiving stolen goods, assault and battery, and aggravated assault and battery with intent to kill. Another was arrested for being in possession of narcotics. A third, arrested for attempted larceny, held at the time of his arrest a 6-inch iron pipe wrapped in paper for use in breaking open doors of automobiles. The list reads similarly to its end and is duplicated in other instances when the authorities have made the effort to learn the character of men brought in by employers allegedly to keep the peace.

THE BYRNES LAW IS EVADED

These men are sent by train or car to the strike scene, sometimes long distances. The Byrnes law, which went into effect in June 1936, made it a felony to transport men across State lines with the intent to employ them to interfere with peaceful picketing. There is indication that its terms are being evaded by the fiction of hiring guards on the spot of the strike, although they are recruited and given their traveling expenses in another State. The usefulness in the law of the word "intent" can be questioned, since intent cannot be proved. Creating violence, once they have arrived upon the scene, is a corollary of their employment.

THE DOUBLE INTEREST IN VIOLENCE

It is being developed that employer and agency have two separate vested interests in violence. The agency's interest in violence, and by the same token that of the strikebreakers, is that it will prolong and embitter the fight so that a stronger guard will be called out and more money expended through the agency. The employer's interest in violence is that it shall, by being attributed to the workers, bring discredit to them, thus alienating public sympathy for their cause. In those States where antipicketing injunctions are still freely served, violence is provoked in order to obtain an injunction against the strikers. If blame for violence can be pinned on any individual, he may be prosecuted and convicted on criminal charges. The local leader of a textile union in Burlington, N. C., together with several textile strikers, in January 1936, entered prison to serve terms up to 10 years, after conviction as dynamiters. These convictions were obtained primarily on evidence given by or obtained through four police officers from Uniontown, Pa., later found by the Labor Board to be known undercover agents; two were "looked upon as dangerous characters and considered as experts with the use of dynamite; one had been arrested for bigamy; another had been indicted for felonious shooting with intent to kill; a third served a year for assault." All four had served as deputies in Pennsylvania under the direction of H. C. Frick Coal & Coke Co.

These two separate interests work harmoniously for the provocation of violence. A force to create it is on hand, best described by a letter to a solicitor from a Railway Audit & Inspection superintendent:

"A former police commissioner of the city of New York * * * came south during the last textile strike with about 300 guards * * * recruited from the gutter and dregs of New York, Chicago, and Detroit. They were gunmen of the first water and, believe you me, they used every kind of roughneck method known to them to quell the disturbances."

IRRESPONSIBLE MEN MADE INTO OFFICERS OF THE LAW

The next step is to try to relieve employer, agency, and the perpetrator of responsibility for damage done to person or property. It would appear that this is attempted by having dangerous and questionable persons deputized as officers of the law. The quoted letter continues:

"We (R. A. & I.) would not take over the job unless we secured for our men deputization by the local police or the sheriff. If you run into a strike job, tell the president or the owner of the mill that we will not handle the matter unless we secure the help and assistance of the local sheriff as well as his cooperation. It is dangerous to do otherwise."

A Chicago guard, who took 21 armed men from New Orleans to Lake Charles to operate against a longshoremen's strike, testified that he "and these men were all sworn in by the harbor and terminal police of the State." Although on private pay rolls, accepting employer's money through the agency, and although taking orders from both employer and agency, they wear the authority of the State.

HOW VIOLENCE IS STARTED

Violence is started in a number of ways. Trouble is created in open meeting. Street operatives pose as strikers and start slugging. Charges of injury by strikers are faked, as in the mysterious assaulting of a guard in a hosiery strike in Reading. Early in the morning he appeared with a bandaged eye; on the strength of this all guards were deputized. Strikers are provoked into defensive measures which look like attack. During the course of a peaceful strike in Reading, Pa., an organizer was attacked when walking to his hotel. He was stabbed three times, beaten up, run over by a car, his ankle crushed, one vertebra broken, his sacroiliac dislocated.

That violence is all in the day's work was told in Michael Casey's testimony concerning his work as guard on a streetcar strike for the Public Service Utility Corporation of New Orleans. "The only violence", said Mr. Casey, "was blowing up streetcars and stuff like that. The first day there were three of them, I think, got killed—or two." In the 7-hour battle of the Lake Charles strike, in which three men were killed and eight wounded, guards were equipped by the company with machine and riot guns. The Wisconsin Light & Power Co. brought 700 men into Milwaukee from Chicago and New York. It was testified that the management distributed pickax handles to the guards and connected steam hoses with the boilers so that live steam could be turned upon the pickets.

STRIFE IS THE PURPOSE AND PRODUCT OF USING STRIKEBREAKERS

Your committee has yet to investigate the status of special deputies, privately paid, under State laws. It is clear, however, that to clothe men of the type who seek employment as strikebreakers with the authority of law and to permit them to be paid by one of the parties to an industrial dispute is a practice which must almost inevitably produce strife and prevent an orderly settlement. In fact, the creation of strife and the prevention of peaceful collective bargaining is its obvious dual purpose.

COMPANY POLICE CORPS YET TO BE INVESTIGATED

As is true of espionage, there is a further phase of strikebreaking which the committee must investigate. This is the private police system of industry, by which one employer or a group of employers maintains a force of armed guards sworn as public officials. Kept on industry's pay roll and charged to labor overhead, these pseudo peace officers are used to protect the employer's interests against those of his workers. The employer's whim is clothed with legal sanction by this device, and he can from day to day direct the local course of law as he sees fit. This travesty of police power is called into being to move against the constitutional right of freedom of assembly. Not until your committee has examined this subject will it be able to make to the Congress legislative recommendations for its suppression.

MUNITIONS

Into the hands of such protectors of the peace the employer puts the tear and sickening gas, the rifles and machine and submachine guns upon which the munitions manufacturers make their money.

Since Federal Laboratories, Inc., the largest dealers in private armaments, have not yet been examined, the total business of industrial armament is unknown. Evidence at hand consists largely of invoices of shipment and known locations of registered arms in private industry. These indicate a large traffic. Two companies making gas and gas equipment have been examined, the Lake Erie Chemical Co., and a smaller, newer concern, the Manville Manufacturing Co.

The volume of gas sold to industry in the years 1933 to 1936 is over $450,000. Known locations of machine guns and known destinations of shipments of gas establish the facts that these two kinds of garrisons coincide on the map and that warfare materials are concentrated in every center of industrial population in the country. Lists of the buyers of these goods read much like the lists of those who hire strikebreakers and spies.

ONLY ONE SIDE ARMED—SECRECY IN SHIPMENT

The size of private stocks of munitions is no indication of their effectiveness in the intimidation of striking workers, since only one side is armed. Workers do not buy either armaments or gas; the record to date shows but one union purchase of $51 worth of gas. Nor does the known yearly volume of business done give any accurate clue to the size of cumulative private garrisons established over a long period.

Concealed shipments of munitions to industry are the rule. Goods destined for plant use are delivered to homes, to railroad offices, or even to the public police, in packages fraudulently marked as hardware or other merchandise. Bills are submitted to home addresses, manufacturers' associations, or to the personal attention of the highest officials to avoid scrutiny by clerical employees. Sometimes the name of the buyer is withheld even from the salesman. The general manager of the Lake Erie Chemical Co., Cleveland, Ohio, wrote to Salesman B. C. Dinius concerning a sale of gas and gas equipment amounting to nearly $3,900, saying that the order had been shipped to Mr. L. T. Benson, special agent of the C. M. & St. Paul, he added:

"We are certain this material was for the Anaconda Copper Co., athough Mr. Benson did not disclose that to us, and you will have to handle the matter diplomatically in order to explain how you happen to know it."

Sometimes lawyers act as intermediaries. Mr. Dinius wrote from Seattle:

"I have been working with a prospect here, attorneys for a large corporation that are doing business up and down the coast, and they were to order gas equipment for Washington and Oregon. They would not tell me who their clients were.

A letter to the Erie Chemical Co. from a salesman in Detroit in 1933, instructing them to ship guns, clubs, and shells to James Mills, chief of Flint city police, says:

"Do not bill the city of Flint for this material. Instead bill to the Manufacturers' Association of Flint, 901 Industrial Bank Building. For your information only, I have reason to believe this material is for the Chevrolet Motor Co., but they do not want it advertised or generally known that they are the buyers."

COOPERATION BETWEEN POLICE AND MUNITIONS FIRMS

The committee has not yet investigated the extent to which peace officers may be subservient to industry. Much evidence points to cooperation between private employers and police in obtaining both arms and gas. There seems to be an assumption that a legitimate function of local police officers in certain districts is to aid existing industries against their workers.

The Bureau of Internal Revenue had occasion to investigate the purchase of four machine guns through the West Point, Ga., police. These were paid for by the West Point Manufacturing Co. and were loaned to other employers. In extenuation of this affair the head of the Atlanta office of Railway Audit & Inspection wrote:

"Those people have been so long in a small community without any outside interference whatsoever that they run things to suit the best interest of everyone concerned within the small community. I happen to know that the police department and the mill officials are very close."

JOINT INTERESTS OF DETECTIVE AGENCIES AND MUNITIONS FIRMS

He signed this letter as district manager of Federal Laboratories, Inc., and testified that for a year and a half he had run the munitions and detective businesses from one office. In New Orleans these two firms openly conducted their offices together, having both names upon the door. Commissions are given to detective agencies for sale of gas and arms. E. E. MacGuffin, head of National Corporation Service, was a taker of these commissions from the Lake Erie Chemical Co.

Exerting all possible pressure upon local police systems, both detective agencies and munitions firms strive to give the impression that their salesmen and strikebreakers are openly allied with governmental police machinery. The Lake Erie Chemical Co. hired as its representative Col. J. J. Johnston, of whom the general manager wrote:

"We have moved $3,000 or $4,000 worth of stuff down to the sheriff's office (in Akron) in care of Colonel Johnston in preparation for immediate delivery should serious trouble break out. * * * Colonel Johnston has been appointed chief assistant to the sheriff without pay; and it does seem that if there is any business to be gotten that we will get it."

Wherever possible, munitions companies maneuver to give demonstrations before police and other military organizations. Ignatius McCarty, Lake Erie representative for California, obtained police convoy to escort him through rural strike areas.

PROFIT IN TROUBLE

Sales-promotion methods for gas differ not at all from the means employed by canvassers for detective agencies. Threat of industrial strife is exploited. In July of 1936 a Lake Erie salesman reported to his home office that he was calling on United States Steel, placing his hope that "the proposed drive for the unification of this industry will certainly stir up a lot of trouble sooner or later." Another salesman wrote in:

"I am doing a lot of missionary work in anticipation of a strike this spring and I am in a position to send in some good orders if it will only mature. Wish a hell of a strike would get under way."

And later:

"Hope that this strike matures, and that it is a damn bad one; we need the money."

ASSUMPTION THAT EITHER GAS OR GUNS IS NECESSARY

Much is alleged about the humanitarian characteristics of gas as against bullets and guns, the implication being that one or the other is necessary. Indeed, most sales literature classes the striking worker with mail robbers, escaped criminals, or insane persons.

A work-order of the Lake Erie Chemical Co., elucidated on the stand by its vice president, gives a picture of various gas devices promoted for the suppression of strikers, described in circulars as "rioting mobs." These include gas fountain pens; Baby Giant gas projectors; Baby Giant gas shells; hand grenades; Universal CN, meaning tear gas; and DM, meaning nauseating gas; long-range field guns, long-range shells.

One of Lake Erie Chemical Co.'s most touted products discharges its gas invisibly "making it more effective and terrifying." In other words, the victims, unaided by their sense of sight, will not know what has happened until they begin to inhale the gas. Exploding violently, the iron or steel container tears into ribbons, which are thrown with considerable force in all directions from the point of burst, "with possible severe injury to anyone within a

radius of approximately 15 feet thereof." The instructions sent out for using this grenade caution against its being thrown into a crowd unless very severe treatment is necessary, "as the pain from the high concentration of this gas in the eyes, nose, and throat is almost unbearable."

PERMANENT EFFECTS OF GAS UNKNOWN

Tear and nauseating gases are admittedly in the experimental stage of development. No one knows their powers of permanent injury. Companies formulate their sales talk to create one of two different impressions. Customers who wish to be assured that it is harmless receive comforting statements as to the mildness of its effect. This occurred in June 1936, when certain anthracite companies purchased $17,000 worth of gas which they proposed to use in stopping bootleg coal operations (these plans were abandoned after your committee exposed them). The general manager of the Philadelphia & Reading Coal & Iron Co. expressed fear of results and was assured that the gas was so unbearable it would drive out any intruders before they could sustain permanent injury. When the customer indicates that he means business, he receives such assurances as this sales circular provides:

"When rioters have been subdued with nauseating gas, they will not invite another dose until the memory of the last experience becomes very dim indeed."

The experience is graphically described as including violent nausea and vomiting; a sence of suffocation, as if several men were sitting on the chest, and intense pain in chest and head.

Lake Erie claims that its long-range True-Flite shell, developed within the last year, is designed to be used against barricaded bandits only. Yet before it was completed they heard from a salesman:

"I hope you have something definite as to the new long-range guns, as we will be in a bad way if this strike gets under way and we have no long-range guns."

Of this product its manufacturers say:

"All purchasers of True-Flite projectiles are warned that serious injury or death may be caused should the projectile strike any person while in flight. This shell is not suitable for use against mobs if serious injury or death are to be avoided."

MUNITIONS MAKERS BOAST THAT THEY BREAK STRIKES—FACTS UNKNOWN

Munitions firms confidently state their products have broken many strikes. Out of hundreds of strikes enough may be known about a few scattered conflicts to support their contention. Little is known about efficiency of terrorization. For obvious reasons, neither labor nor management fully publicizes its experience with violence. In estimating the disruptive strength of war equipment we must again depend upon the valuation industry places upon it, or the money volume of business transacted in these goods. The committee has yet to take up the great burden of labor's testimony, which workers stand ready to give.

That private persons or interests should be allowed to maintain arsenals is surprising enough. That industry should be permitted to arm unscrupulous men under their own pay, gravely wearing the badge of the law is startling. That there is allowed to flourish a gigantic commercial enterprise in which employers collaborate with professional spies in assaulting citizens because they exert their lawful right to organize for collective bargaining, is shocking to any true defender of constitutional government.

CONCLUSION

This partial report of findings must reveal that your committee has discovered so far little more than the basis of a colossal, daily drive in every part of the country to frustrate enunciated labor policy and to neutralize American labor laws. In this intricate problem it is not enough to know the existence of the evil in order to correct it. Determined antilabor forces quickly divert themselves around each new obstacle put in their way. To make legislation without loopholes, and to give it the enforcing support of public understanding, Congress must first obtain more complete information concerning the operation of this machine.

But two phases of the original agenda laid down by the committee have been touched upon, and the findings in these fields are only fragmentary. There remains a much broader and more important work to be done. Among its other obligations in this inquiry, your committtee must study vigilante and violence groups such as the Black Legion. It must survey the private espionage and strikebreaking forces maintained by industry itself. It must inquire into evidence of individual and communal violations of free speech and assembly by various authorities and organizations. It should analyze relevant State and community statutes and their workings. Your committee respectfully submits that this inquiry should not be put to rest until enough is known about these practices to make a sound foundation for laws to end them.

BILLS AND JOINT RESOLUTIONS INTRODUCED

The VICE PRESIDENT. The introduction of bills and joint resolutions is in order.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

Mr. ASHURST. Mr. President, if I may secure recognition at this time——

The VICE PRESIDENT. The Chair recognizes the Senator from Arizona.

Mr. ASHURST. A moment or two ago I prematurely attempted to introduce a bill. I now introduce the bill and ask that it be read by title. I thank the Senator from Oregon [Mr. McNARY].

By Mr. ASHURST:

A bill (S. 1392) to reorganize the judicial branch of the Government; to the Committee on the Judiciary.

Mr. KING. Mr. President, may I ask the Senator from Arizona if the bill which he has just introduced is textually the same as the bill attached to the President's message of a few days ago?

Mr. ASHURST. It is, except that the chairman of the Committee on the Judiciary has added a title thereto.

By Mr. SHEPPARD:

A bill (S. 1393) for the relief of R. F. Lane; to the Committee on Claims.

A bill (S. 1394) to authorize the coinage of 50-cent pieces in commemoration of the heroes of the Alamo; to the Committee on Banking and Currency.

By Mr. McGILL:

A bill (S. 1395) to authorize a preliminary examination and survey of the Little Osage River, with a view to the construction of a dam in Bourbon County, Kans., at or near Highway No. 3; to the Committee on Commerce.

By Mr. LOGAN:

A bill (S. 1396) to confer the Distinguished Service Medal on Col. Richard C. Patterson; to the Committee on Military Affairs.

By Mr. POPE:

A bill (S. 1397) to create a Federal Crop Insurance Corporation, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. BORAH:

A bill (S. 1398) to amend paragraph (8) of section 1 of the Interstate Commerce Act, as amended; to the Committee on Interstate Commerce.

By Mr. CHAVEZ:

A bill (S. 1399) to prohibit the interstate transportation of anhalonium in certain cases, and for other purposes; to the Committee on Interstate Commerce.

By Mr. WHEELER:

A bill (S. 1400) to amend the Interstate Commerce Act, as amended, by providing for the regulation of the transportation of passengers and property by water carriers operating in interstate and foreign commerce, and for other purposes; to the Committee on Interstate Commerce.

By Mr. LA FOLLETTE:

A bill (S. 1401) for the relief of Willard Collins;

A bill (S. 1402) for the relief of P. S. Everest; and

A bill (S. 1403) for the relief of George H. Hauge; to the Committee on Claims.

A bill (S. 1404) for the relief of Charlotte E. Hunter; to the Committee on the District of Columbia.

A bill (S. 1405) granting a pension to Marcella Kostermann; to the Committee on Pensions.

By Mr. WALSH:

A bill (S. 1406) to authorize distribution of products of the fishing industry; to the Committee on Commerce.

A bill (S. 1407) to authorize the Commissioner of Education in the Department of the Interior to conduct a study and disseminate his findings and recommendations regarding suitable aviation instruction courses for the public schools, and for other purposes; to the Committee on Education and Labor.

A bill (S. 1408) to authorize the Secretary of the Treasury to purchase the building in Boston, Mass., under lease for garage purposes to the Post Office Department; to the Committee on Public Buildings and Grounds.

By Mr. CAPPER:

A bill (S. 1409) forbidding the payment of ransom or reward in kidnaping cases; to the Committee on the Judiciary.

By Mr. McNARY:

A bill (S. 1410) to amend the Inland Waterways Corporation Act, approved June 3, 1924, as amended, authorizing the Secretary of War to extend the services and operations

of the Inland Waterways Corporation to the Columbia River; to the Committee on Commerce.

By Mr. LUNDEEN (for Mr. SHIPSTEAD):

A bill (S. 1411) for the relief of James Darcy, alias James Hurley; to the Committee on Military Affairs.

A bill (S. 1412) for the relief of the Cold Spring Brewing Co., of Cold Spring, Minn., and the Schuster Brewing Co., of Rochester, Minn.; to the Committee on Claims.

By Mr. BAILEY:

A bill (S. 1413) for the relief of Capt. Eugene Blake, Jr., United States Coast Guard; to the Committee on Claims.

By Mr. NEELY:

A bill (S. 1414) for the relief of Jack J. Wick; to the Committee on Claims.

By Mr. TYDINGS:

A bill (S. 1415) to extend the benefits of the United States Employees' Compensation Act of September 7, 1916, to Anna S. Matthews; to the Committee on Claims.

(By request.) A bill (S. 1416) for the relief of Benjamin Niewood (alias Harry Ances); to the Committee on Immigration.

By Mr. REYNOLDS:

A bill (S. 1417) for the relief of Kate Durham Thomas; and

A bill (S. 1418) for the relief of Maggie Day Reece; to the Committee on Claims.

A bill (S. 1419) for the relief of Taylor Marlor; and

A bill (S. 1420) for the relief of Joe McIntosh; to the Committee on Military Affairs.

By Mr. DIETERICH:

A bill (S. 1421) to confer the Distinguished Service Medal on Ira Nelson Morris; to the Committee on Foreign Relations.

By Mr. GUFFEY:

A bill (S. 1422) granting an increase of pension to May Pennington; to the Committee on Pensions.

By Mr. THOMAS of Oklahoma (by request):

A bill (S. 1423) for the relief of G. A. Trotter;

A bill (S. 1424) to repeal that provision in the act of March 2, 1917 (39 Stat. L. 976), directing the making of allotments to Indians of the Mission Indian Reservations, Calif.; and

A bill (S. 1425) to amend section 4 of the act of May 31, 1933, enacted to safeguard the interests and welfare of Indians of the Taos Pueblo, N. Mex., in certain lands within the Carson National Forest; to the Committee on Indian Affairs.

By Mr. McKELLAR:

A bill (S. 1426) to protect more effectively the governmental monopoly of the carriage of mail; and

A bill (S. 1427) to transfer all functions of the Interstate Commerce Commission relating to air mail and air-mail contracts to the Postmaster General; to the Committee on Post Offices and Post Roads.

By Mr. OVERTON:

A bill (S. 1428) to protect domestic producers of sugar beets and sugar cane and to encourage the domestic production thereof by the regulation of foreign and interstate commerce in sugar; to provide for the fixing and revision of yearly quotas of sugar that may be imported into, transported to, or received in continental United States; to maintain a continuous and stable supply of sugar in continental United States for the benefit of both producers and consumers; and for other purposes; to the Committee on Finance.

By Mr. POPE:

A joint resolution (S. J. Res. 69) to authorize an investigation of the proposed Sawtooth National Park in the State of Idaho; to the Committee on Public Lands and Surveys.

By Mr. PITTMAN:

A joint resolution (S. J. Res. 70) relating to the participation by the United States in the International Exposition of Paris, 1937; to the Committee on Foreign Relations.

PRINTING TRANSACTIONS OF WORLD POWER CONFERENCE AND CONGRESS ON LARGE DAMS

Mr. NORRIS. I ask consent to introduce a joint resolution providing for printing the transactions of the Third World Water Power Conference and of the Second Congress on Large Dams, recently held in Washington, and that it, together with the accompanying papers, be referred to the Committee on Printing.

The VICE PRESIDENT. The resolution will be received and referred as requested by the Senator from Nebraska.

The joint resolution (S. J. Res. 71) authorizing the printing of the transactions of the Third World Water Power Conference and of the Second Congress on Large Dams was read twice by its title, and, with the accompanying papers, referred to the Committee on Printing.

HEARINGS BEFORE COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

Mr. CONNALLY submitted the following resolution (S. Res. 79), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Public Buildings and Grounds, or any subcommittee thereof, hereby is authorized, during the Seventy-fifth Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer at a cost not exceeding 25 cents per hundred words to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

FLOOD CONTROL—ADDRESS BY SENATOR BILBO

[Mr. ELLENDER asked and obtained leave to have printed in the RECORD an address on the subject of flood control, delivered over the radio by Senator BILBO on Feb. 5, 1937, which appears in the Appendix.]

HIGHWAY CONTROL—ADDRESS BY SENATOR TRUMAN

[Mr. CLARK asked and obtained leave to have printed in the RECORD a radio address by Senator TRUMAN relative to highway control, which appears in the Appendix.]

SAFETY IN AUTOMOBILE DRIVING—ARTICLE BY SENATOR REYNOLDS

[Mr. RUSSELL asked and obtained leave to have printed in the RECORD the first of a series of articles by Senator REYNOLDS on the subject of safety in automobile driving, published in the New York Herald Tribune of Sunday, Jan. 31, 1937, which appears in the Appendix.]

SAFETY IN AUTOMOBILE DRIVING—ARTICLE BY SENATOR REYNOLDS

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD the second of a series of articles by Senator REYNOLDS on the subject of safety in automobile driving, published in the New York Herald Tribune of Sunday, Feb. 7, 1937, which appears in the Appendix.]

POSTMASTER GENERAL FARLEY

[Mr. OVERTON asked and obtained leave to have printed in the RECORD an editorial published in the Shreveport Times of Feb. 4, 1937, entitled "James Farley Honored", which appears in the Appendix.]

PROPOSED ENLARGEMENT OF THE SUPREME COURT

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an editorial from the Emporia Gazette of Feb. 6, 1937, relative to the proposed enlargement of the United States Supreme Court, which appears in the Appendix.]

ADDITIONAL FEDERAL JUDGESHIPS

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an article from the New York Herald Tribune of Feb. 7, 1937, relative to additional Federal judgeships, which appears in the Appendix.]

FLOOD CONTROL—ARTICLE BY GIFFORD PINCHOT

[Mr. NORRIS asked and obtained leave to have printed in the RECORD an article by Gifford Pinchot on the subject of flood control, published in the Washington Post of Monday, Feb. 8, 1937, which appears in the Appendix.]

FLOOD CONTROL—EDITORIAL FROM MERIDEN (CONN.) RECORD

[Mr. MALONEY asked and obtained leave to have printed in the RECORD an editorial on the subject of flood control, published in the Meriden Record of Feb. 5, 1937, which appears in the Appendix.]

RESERVE REQUIREMENTS AND BANK CREDIT

[Mr. WAGNER asked and obtained leave to have printed in the RECORD an address on the subject Reserve Requirements and Bank Credit, delivered by Joseph A. Broderick before

the Boston Chapter, American Institute of Banking, Thursday, Feb. 4, 1937, which appears in the Appendix.]

REIMBURSEMENT OF CERTAIN ENLISTED MEN OF NAVY

The VICE PRESIDENT. Morning business is closed. The calendar, under rule VIII, is in order, and the first bill will be stated.

The bill (S. 766) to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects destroyed in a fire at the radio direction finder station, North Truro, Mass., on December 27, 1934, was announced as first in order.

Mr. SCHWELLENBACH. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

Mr. WALSH subsequently said: Mr. President, I ask unanimous consent to return to Order of Business No. 6, being Senate bill 766, relative to the reimbursement of certain enlisted men of the Navy.

The VICE PRESIDENT. Is there objection to the request of the Senator from Massachusetts? The Chair hears none.

Mr. WALSH. The Senator from Washington [Mr. SCHWELLENBACH], a member of the Committee on Claims, very properly objected to the consideration of the bill in order to determine that the policy of the Committee on Naval Affairs, in passing upon a bill of this kind, is not in conflict with the policy of the Claims Committee, which passes on similar bills relating to other departments of the Government. I understand the position of the Committee on Claims is that where losses occur to Government employees, as well as members of the Army and Navy, due to so-called "acts of God", there should be no relief by the Federal Government. With that principle, the Committee on Naval Affairs is in accord.

The circumstances in this particular case clearly indicate that the fire which resulted in the losses to the beneficiaries of this bill—and the damages are only $527 for loss of personal effects—was due to a defective chimney.

The facts and circumstances of this case are substantially as follows: At about 5:20 p. m., on December 27, 1934, a fire was discovered in the chimney casing of the crew's barracks at the radio direction finder station, North Truro, Mass. The main chimney of the barracks, where the fire started, was of single-brick construction with no insulation other than a 4-inch air space between the chimney and the pine chimney casing. The chimney was not lined. After the fire had burned the section of the roof near the top of the chimney, the upper part of the chimney collapsed. The fire completely destroyed the barracks and its contents.

The board of investigation that inquired into the circumstances of the fire expressed the opinion that it resulted from a defective chimney; that no responsibility on the part of claimants exists, therefore, the defect being due to the long use of the chimney and the fact that it was so enclosed as to be impracticable to examine its condition during routine inspection. The personnel of the station, aided by outside assistance, made every possible effort to subdue the fire and save the property of the Government. The board commended them for restricting the damage to the property destroyed.

Claims were submitted by five enlisted men for losses occurring in the fire. These claims were submitted to the Navy Department Claims Board, which found the total value of the articles destroyed to be $527.89, which amount is considered to be reasonable. The committee is of the opinion that as the losses of claimants' effects occurred without fault or negligence on their part and consisted only of articles of wearing apparel and personal effects, they should be reimbursed for the losses sustained.

The above claims were submitted to the Navy Department for settlement under the act of October 6, 1917 (sec. 981, title 34, U. S. C.), but could not be adjusted thereunder on account of the fact that the fire was not a "marine disaster." There is no other existing authority of law for the adjustment of these claims.

In view of that statement, I think it is an undisputable fact that the losses to the enlisted men were due to the negligence of the Government itself, and that we are within the principle recognized by the Committee on Claims of permitting in certain cases of this kind the recovery of damages. Therefore, I hope the bill will pass. Furthermore, the bill was introduced at the request of the Navy Department and is approved by it.

Mr. SCHWELLENBACH. Mr. President, in view of the statement of the Senator from Massachusetts that the loss in this case was the result of negligence on the part of the Government, I withdraw my objection.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $527.89, or such portion as may be necessary, to pay claims of enlisted men and former enlisted men of the United States Navy for the value of personal effects destroyed as the result of a fire at the Radio Direction Finder Station, North Truro, Mass., on December 27, 1934: *Provided*, That the Secretary of the Navy shall determine the amount to be paid hereunder to each claimant: *And provided further*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $1,000.

RESOLUTION, BILL, AND JOINT RESOLUTION PASSED OVER

The resolution (S. Res. 8) limiting debate on general appropriation bills was announced as next in order.

Mr. McNARY. Over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 365) for the relief of Capt. James W. Darr was announced as next in order.

Mr. KING. Over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 21) directing the Comptroller General to readjust the account between the United States and the State of Vermont was announced as next in order.

Mr. BURKE. Let the joint resolution go over.

The VICE PRESIDENT. The joint resolution will be passed over.

REGULATION OF SALES OF GOODS IN DISTRICT OF COLUMBIA

The bill (S. 936) to regulate the sale of goods in the District of Columbia was announced as next in order.

Mr. McNARY. Mr. President, I am not at all conversant with the bill. I should like to have an explanation.

Mr. KING. Mr. President, if the Senator from Kansas [Mr. CAPPER] were here, I would ask him to explain the purpose of the bill. It is textually the same as a bill which passed the Senate at the last session of Congress. It is a bill regulating sales of goods and is in conformity with laws already existing in 42 States.

Mr. ROBINSON. Mr. President, I think there is necessity for a fuller explanation than has been given. What are the regulations sought to be imposed on the sales of goods in the District of Columbia? Why are such regulations necessary?

Mr. KING. As I attempted to state, though I did not go into it very fully, there have been enacted in subtantially all the States uniform laws regulating the sale of goods. The provisions of the bill were worked out after investigation by lawyers and representatives of various States in order to provide a uniform sales law. Merchants in the District of Columbia and the District Commissioners concluded that a law similar to the sales laws found in 42 States was necessary in the District of Columbia. There is no substantial statutory law regulating sales within the

District of Columbia and there is considerable confusion in the application of common law to transactions occurring in the District. The development of the metropolitan area surrounding Washington extending into Maryland and Virginia, both of which have adopted the provisions of the uniform sales law, tends toward confusion in commercial transactions to the detriment alike of the merchants and customers.

The provisions of the Uniform Sales Act have been tested by innumerable judicial constructions, the influence of which are reflected in the current draft. The bill, as reported by this committee, defines the rights of vendor, vendee, and third persons in sales and related transactions. It does not cover the field of conditional sales which may be treated in separate legislation.

Mr. ROBINSON. I think there ought to be some explanation of what the regulations are to be. The bill comprises 50 printed pages. Manifestly it proposes a marked change in the existing law, else what is the necessity for encumbering the statutes with a 50-page law regulating the sales of goods in the District of Columbia? What are the difficulties to be regulated? What are the bad practices which are sought to be prevented by the bill?

Mr. KING. All I can say, without going into great detail, is that the bill is in harmony with the sales laws of almost every State, including the State represented in part by the distinguished Senator from Arkansas himself.

Mr. LOGAN. Mr. President, may I ask the Senator from Utah if the bill relates to sales in bulk?

Mr. KING. No; it does not deal with that subject.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. McNARY rose.

Mr. KING. Mr. President, in view of the apparent desire for a more complete explanation, I suggest that the bill go over.

Mr. McNARY. I was about to suggest that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

WILLIAM FRANK LIPPS

The bill (S. 56) for the relief of William Frank Lipps was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers William Frank Lipps, who was a member of Troop D, Fifteenth Regiment United States Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 29th day of January 1904: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

MAJ. CHARLES H. SPRAGUE

The bill (S. 508) to authorize the award of the Purple Heart decoration to Maj. Charles H. Sprague was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized to cause the recommendation for the award of the Purple Heart Medal to Maj. Charles H. Sprague, formerly captain, Medical Reserves, One Hundred and Third Ambulance Company, Twenty-sixth Division, to be considered by the proper boards or authorities, and such award to be made to Major Sprague if it is found by such boards or authorities that he was wounded in combat with an enemy of the United States during the World War.

JAMES J. JORDAN

The Senate proceeded to consider the bill (S. 211) for the relief of James J. Jordan, which had been reported from the Committee on Military Affairs with an amendment, on page 1, line 9, after word *"Provided"*, to strike out "That no pension shall accrue prior to the passage of this act" and to insert in lieu thereof the words "That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act", so as to make the bill read:

Be it enacted, etc., That in the administration of the pension laws and the laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, James J. Jordan shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of the Thirty-third Company, United States Coast Artillery Corps, on February 19, 1901: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PRACTICE OF LAW IN THE DISTRICT OF COLUMBIA

The bill (S. 204) relative to the qualifications of practitioners of law in the District of Columbia was announced as next in order.

Mr. GIBSON. Let the bill go over.

Mr. ROBINSON. Mr. President, I notice by the calendar that the bill was introduced by the Senator from Utah [Mr. KING], who is chairman of the Committee on the District of Columbia. I should be glad to have him analyze the bill for the benefit of myself and other Senators.

Mr. KING. Mr. President, the Senator from Nevada [Mr. McCARRAN], who prepared the report and reported the bill, is perhaps better able to offer an explanation than am I.

Mr. ROBINSON. The record shows that the Senator from Utah introduced the bill and reported it.

Mr. KING. I may add that most of the bills relating to the District come to us from the Commissioners after they have made thorough examination thereof and the bills have their approval as well as the approval of their counsel.

I may say in brief that there is no law in the District of Columbia relative to the practice of the legal profession. That situation has been the subject of a great deal of controversy and complaint.

The Bar Association, in conjunction with the District Commissioners and their counsel, took up this matter at the last session of Congress, and a bill was worked out which met the approval of the Bar Association, the District Commissioners, and the District's corporation counsel. That bill was unanimously reported from the Committee on the District of Columbia, unanimously passed the Senate, and went to the House. There, owing to the opposition of a certain individual whom I shall not name, the bill was not placed on the calendar, and the session adjourned without the bill being passed. The Senator from Vermont [Mr. AUSTIN] has gone over the bill very carefully, as well as the other lawyers upon the committee and the attorney for the District of Columbia, and they heartily approved of it.

Unfortunately, there are in the District of Columbia men pretending to be lawyers who are not, and they trade upon the credulity of the people, and advertise themselves as lawyers.

Therefore, it is believed that some measure should be adopted which will regulate the practice of law in the District of Columbia as it is regulated in every State in the Union, so far as I know. This bill is generally in harmony with the practice prevailing elsewhere.

Mr. McNARY. Mr. President, has the District Bar Association recommended and approved the proposed legislation?

Mr. KING. Yes; and the bill was largely drafted by a committee of the bar association.

Mr. McNARY. Do I understand that a similar bill passed the Senate last year?

Mr. KING. Unanimously.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. GIBSON. Mr. President, I ask that the bill be passed over.

This bill must have careful consideration. It is far-reaching in its provisions. I object to its consideration at this time.

The VICE PRESIDENT. Objection being made, the bill will be passed over.

Mr. KING subsequently said: Mr. President, I inquire of the able Senator from Vermont [Mr. GIBSON] whether he persists in his objection to the consideration at this time of the so-called lawyers' bill.

Mr. GIBSON. I do object at this time. I desire more time to study the bill, after which I shall confer with the Senator from Utah.

Mr. KING. I may say to my friend that in view of his objection I shall not move to take up the bill now; but I respectfully give notice that at the next call of the calendar, when the bill is reached, if the able Senator from Vermont still has objections, I shall move to take up the bill for consideration.

CONDUCT OF LOTTERIES, ETC., IN THE DISTRICT

The bill (S. 711) to amend an act entitled "An act to establish a Code of Law for the District of Columbia", approved March 3, 1901, as amended, and particularly sections 863, 911, and 914 of the said code, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act entitled "An act to establish a Code of Law for the District of Columbia", approved March 3, 1901, and the acts amendatory thereof and supplementary thereto, constituting a Code of Law for the District of Columbia, be, and the same hereby are, amended as follows:

Section 863 of such act is hereby amended to read as follows:

"SEC. 863. If any person shall within the District keep, set up, or promote, or be concerned as owner, agent, or clerk, or in any other manner, in managing, carrying on, promoting, or advertising, directly or indirectly, any policy lottery, policy shop, or any lottery, or shall sell or transfer any chance, right, or interest, tangible or intangible, in any lottery or shall sell or transfer any ticket, certificate, bill, token, or other device, purporting or intended to guarantee or assure to any person or entitled him to a chance of drawing or obtaining a prize, to be drawn in any lottery, or in a game or device commonly known as policy lottery or policy or shall, for himself or another person, sell or transfer, or have in his possession for the purpose of sale or transfer, a chance or ticket in or share of a ticket in any policy lottery or any such bill, certificate, token, or other device, he shall be fined upon conviction of each said offense not more than $1,000 or be imprisoned not more than 3 years, or both. The possession of any such tickets, certificates, bills, slips, tokens, or other device shall be prima-facie evidence of purpose or intent of selling, transferring, exchanging, or negotiating the same."

SEC. 2. There is hereby added to said act a new section to be known as section 863 (a), to read as follows:

"SEC. 863. (a) If any person shall within the District have in his possession, knowingly, any ticket, certificate, bill, slip, token, paper, writing, or other device used, or to be used, or adapted, devised, or designed for the purpose of playing, carrying on, or conducting any lottery, or the game or device commonly known as policy lottery or policy, he shall be fined upon conviction of each said offense not more than $500 or be imprisoned for not more than 6 months, or both."

SEC. 3. Section 911 of such act is hereby amended to read as follows:

"SEC. 911. Upon complaint, under oath, before the police court or a United States commissioner, setting forth that the affiant believes and has good cause to believe that there are concealed in any house or place articles stolen, taken by robbers, embezzled, or obtained by false pretenses, forged or counterfeited coins, stamps, labels, bank bills, or other instruments, or dies, plates, stamps, or brands for making the same, books or printed papers, drawings, engravings, photographs, or pictures of an indecent or obscene character, or instruments for immoral use, or any gaming table, device, or apparatus kept for the purpose of unlawful gaming, or any lottery tickets or lottery policies, or any book, paper, memorandum, or device for or used in recording any bet or deposit of money or thing or consideration of value received for any share, ticket, certificate, writing, bill, slip, or token in any pool or lottery or as a wager on or in connection with any race, game, contest, election, or other gambling transaction or device of an unlawful nature as defined in sections 863, 864, 865, 866, 868, and 869 of the act of March 3, 1901, as amended and supplemented, particularly describing the house or place to be searched, the things to be seized, substantially alleging the offense in relation thereto, and describing the person to be seized, the said court or United States commissioner may issue a warrant to the marshal or any officer of the Metropolitan Police commanding him to search such house or place for the property or other things, and, if found, to bring the same, together with the persons to be seized, before the police court.

"The said warrant shall have annexed to it, or inserted therein, a copy of the affidavit upon which it is issued, and may be substantially in the form following:

"'Whereas there has been filed before ———— an affidavit, of which the following is a copy [here insert]. These are therefore to command you to enter [here describe the place] and there diligently search for the said articles, goods, or chattels in the said affidavit described, and that you bring the same, or any part thereof, found on said search and also the body of ———— before the police court, to be dealt with and disposed of according to law.'"

SEC. 4. Section 914 of such act is hereby amended by adding a new paragraph thereto, the same to read as follows:

"If the property seized be articles, games, devices, or contrivances maintained, kept, set up, or used in violation of sections 863, 863 (a), 864, 865, 866, 867, 868, or 869 of this code, they shall be ordered destroyed, under direction of court, irrespective of any trial or the outcome thereof."

If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

The VICE PRESIDENT. That completes the calendar.

Mr. ROBINSON subsequently said: Mr. President, earlier in the day the Senate passed Senate bill 711, to amend an act entitled "An act to establish a Code of Law for the District of Columbia", approved March 3, 1901, as amended, and particularly sections 863, 911, and 914 of the said code. Upon investigation I find that while the bill had been reported by one committee, because of its subject matter it had been referred to the Committee on the Judiciary, and is pending there.

I therefore ask unanimous consent that the votes by which the bill was ordered to be engrossed for a third reading, read the third time, and passed, be reconsidered and that the bill be restored to the calendar.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arkansas? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION

Mr. ROBINSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

He also, from the Committee on Appropriations, reported favorably the following nominations:

William R. Lawson, of California, to be State administrator for California in the Works Progress Administration, vice Frank Y. McLaughlin, resigned;

Charles E. Miner, of Illinois, to be State administrator for Illinois in the Works Progress Administration, vice Robert J. Dunham, resigned;

Sheridan P. Gorman, of Virginia, to be State director of the Public Works Administration in Virginia; and

George S. Mitchell, of Virginia, to be regional director of the Resettlement Administration, vice Homer H. B. Mask.

Mr. WALSH, from the Committee on Naval Affairs, reported favorably the nomination of Capt. Harold R. Stark to be a rear admiral in the Navy from the 1st day of January 1937, and also the nominations of sundry other officers in the Navy.

Mr. HUGHES, from the Committee on the Judiciary, reported favorably the nomination of John Biggs, Jr., of Delaware, to be United States circuit judge, third circuit, to fill an existing vacancy.

The VICE PRESIDENT. The nominations will be placed on the Executive Calendar.

If there be no further reports of committees, the clerk will state the first nomination in order on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

IN THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. SHEPPARD. I ask that the Army nominations be confirmed en bloc.

The VICE PRESIDENT. Without objection, the Army nominations are confirmed en bloc.

STATE ADMINISTRATOR OF PUBLIC WORKS, MASSACHUSETTS

Mr. McKELLAR. Mr. President, the Senate has today received from the President of the United States the nomination of John J. McDonough to be State administrator for Massachusetts in the Public Works Administration. Under a different spelling of the name the nomination of this official has already been confirmed. The nomination just received is for the purpose of correcting the spelling of the name, so I ask that the nomination received today be confirmed.

Mr. WALSH. Mr. President, I desire to confirm what has just been stated by the Senator from Tennessee. Mr. McDonough was nominated last week and the nomination was confirmed, but due to an error in the spelling of the name, Mr. McDonough's name has again been presented. I hope favorable action will be taken.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

CONDUCT OF BUSINESS

Mr. ROBINSON. I move that the Senate return to the consideration of legislative business.

The motion was agreed to.

Mr. ROBINSON. Mr. President, it must have been observed by all Senators that particularly during the transaction of morning business, when petitions are to be presented, when bills and joint resolutions are to be introduced, and when other action is to be taken, there is normally needless confusion. I merely desire to give notice that hereafter the proceedings of the Senate will be in conformity with the rules, and that business shall be presented at the time the rules contemplate it shall be presented. This is for the reason that every Senator is entitled to know what business is being transacted, and that is impossible under any other system or plan than that provided by the rules.

I do not wish to be in any sense offensive to my friends in the Senate, but the habit has grown up of presenting bills and joint resolutions when their presentation is not in order, and after full opportunity has been given to introduce them. Hereafter, as a part of my duty, I shall suggest that unless there is some reason for a contrary course, the rules of the Senate shall be followed. The benefit of such action will be apparent to everyone.

I desire also to call attention to another matter. There is frequently too much noise on the floor when business is being transacted, and I shall ask that the rule of the Senate with respect to the orderly conduct of business be enforced.

There is no business before the Senate at this time. The House of Representatives is probably now considering the conference report on the so-called general relief bill, the bill passed by the Senate some days ago, a controversy having arisen over a certain amendment with which the Senate is familiar.

Necessity has arisen for the immediate enactment of this proposed legislation. In view of the situation which exists, I shall move that the Senate take a recess until 3:30 o'clock this afternoon, in the belief that by that time the conference report will reach the Senate, and the Senate may be afforded an opportunity to consider and dispose of it.

I do not go into the subject matter in detail at this time as to the necessity of prompt or early action, but unless the bill shall be enacted immediately it will be necessary for the relief organizations to suspend their pay rolls, and immeasurable confusion will arise.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. ROBINSON. I yield.

Mr. CLARK. In view of the fact that there has been a controversy between the Senate and the House over the bill to which the Senator has referred, on which, according to what I have read in the newspapers, a compromise has been reached, would it not be possible at this time to have the conference report ordered printed so that it may be available when the Senate shall meet this afternoon?

The VICE PRESIDENT. The Chair is informed by the clerk that the report is already available in printed form.

RECESS

Mr. ROBINSON. Mr. President, in view of the situation to which I have referred, I move that the Senate take a recess until 3:30 o'clock this afternoon.

The motion was agreed to; and (at 12 o'clock and 35 minutes p. m.) the Senate took a recess until 3:30 o'clock p. m. this day.

At the conclusion of the recess the Senate reassembled.

CALL OF THE ROLL

Mr. ROBINSON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Clark	Johnson, Calif.	Pope
Andrews	Connally	Johnson, Colo.	Reynolds
Ashurst	Davis	King	Robinson
Austin	Dieterich	La Follette	Russell
Bachman	Duffy	Lee	Schwartz
Bailey	Ellender	Lodge	Schwellenbach
Black	Frazier	Logan	Sheppard
Bone	Gerry	Lundeen	Thomas, Okla.
Borah	Gibson	McAdoo	Thomas, Utah
Bridges	Gillette	McCarran	Townsend
Brown, Mich.	Glass	McGill	Truman
Brown, N. H.	Green	McKellar	Tydings
Bulkley	Guffey	McNary	Vandenberg
Bulow	Harrison	Maloney	Van Nuys
Burke	Hatch	Murray	Wagner
Byrd	Hayden	Neely	Walsh
Byrnes	Herring	Norris	Wheeler
Capper	Hitchcock	Overton	White
Caraway	Holt	Pepper	
Chavez	Hughes	Pittman	

Mr. ROBINSON. I again announce the absence, for the reasons then stated, of Senators whose names were mentioned by me on the first roll call today.

The VICE PRESIDENT. Seventy-eight Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes; and that the House had receded from its disagreement to the amendments of the Senate nos. 5 and 9 to the bill and concurred therein, each with an amendment, in which it requested the concurrence of the Senate.

FIRST DEFICIENCY APPROPRIATIONS—CONFERENCE REPORT

Mr. ADAMS submitted the following report, which was read:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 10, 14, and 15.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 6, 7, 8, 12, and 13, and agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lines 16 and 17 of the matter inserted by said amendment strike out the words "and to remain available until expended" and insert in lieu

thereof the following "to remain available during the fiscal year 1938"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 5 and 9.

ALVA B. ADAMS,
CARTER GLASS,
KENNETH MCKELLAR,
CARL HAYDEN,
FREDERICK HALE,
Managers on the part of the Senate.

J. P. BUCHANAN,
EDWARD T. TAYLOR,
C. A. WOODRUM,
(Except as to amendment no. 5:)
JOHN TABER,
ROBERT L. BACON,
Managers on the part of the House.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. McNARY. Mr. President, I assume the chairman of the conferees on the part of the Senate will make a statement with regard to the attitude of the conferees.

Mr. ADAMS. Mr. President, the report as submitted and as supplemented by the action of the House leaves really but one item in disagreement, that being what is described as amendment no. 9, which is in reference to the use of employees of the departments of the Government by special committees of the Senate and the House.

On amendment no. 5, as to which there was a disagreement, the House has receded. In the customary form of appropriations for expenses of Senate committees there has been a limitation, that not more than $3,600 per annum could be paid to any employee. The Senate changed that by removing the limitation. The House conferees suggested that in the place of the complete elimination of a limit there be inserted a provision that the salaries paid should not exceed those provided in the Classification Act; and that was agreeable to the conferees on the part of the Senate.

As to amendment no. 9, there is at this time a definite disagreement.

The VICE PRESIDENT. The Chair is informed that the report now before the Senate resolves all questions in controversy except as to amendment no. 5 and amendment no. 9.

Mr. McNARY. Mr. President, what is the motion of the Senator in charge of the conference report? Does he insist on the disagreement and ask for a further conference?

Mr. ADAMS. Mr. President, I understand that the House has considered the conference report and has not just referred it back to the committee but has returned it to the Senate with an amendment, so that the problem before us in reference to amendment numbered 9, as I understand, is whether or not we will accede to the amendment of the House to our amendment to the bill.

Personally, as a member of the committee of conference, I may say that we have not had a meeting since this report was agreed to, and there are those in the Senate who are interested in this matter and who I think should be heard. I understand there is to be a suggestion of an amendment to the House amendment.

Mr. President, I move that the Senate concur in the amendment of the House to Senate amendment numbered 5.

The VICE PRESIDENT. As the Chair understands the parliamentary situation, the question is on agreeing to the conference report. If the report should be agreed to by the Senate, the Senator from Colorado would then propose to take up amendment numbered 5 and amendment numbered 9, and make such motion as he desires to make concerning those two amendments. Whether the Senate will agree to the House amendments or not, the Chair does not know.

Mr. ADAMS. I move that the conference report be agreed to.

The VICE PRESIDENT. The question is on the motion of the Senator from Colorado that the Senate agree to the report.

Mr. FRAZIER. Mr. President, may we not have the conference report explained? I do not know a thing about it, and have not seen it.

Mr. ADAMS. The conference report has been printed and is on the desks of Senators.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

Mr. ADAMS. Mr. President, I move that the Senate concur in the amendment of the House to the amendment of the Senate numbered 5.

The VICE PRESIDENT. The clerk will state the amendment of the House to the amendment of the Senate numbered 5.

The CHIEF CLERK. The House amendment is to strike out all of the matter proposed to be inserted by Senate amendment numbered 5, after the word "amended", in line 9, and to insert the following:

Provided further, That the rate of compensation for any position under the appropriations now available for, or herein or hereafter made for, expenses of inquiries and investigations of the Senate or expenses of special and select committees of the House of Representatives shall not exceed the rates fixed under the Classification Act of 1923, as amended, for positions with comparable duties; and the salary limitations of $3,600 attached to the appropriations heretofore made for expenses of inquiries and investigations of the Senate or for expenses of special and select committees of the House of Representatives are hereby repealed; and.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Colorado that the Senate agree to the amendment of the House to the amendment of the Senate numbered 5.

Mr. McNARY. Mr. President, I desire to ask the Senator in charge of the conference report if the action suggested meets with the unanimous support of all the Senate conferees.

Mr. ADAMS. It does.

Mr. McNARY. Was the Senator from Maine [Mr. HALE] present when the report was agreed to?

Mr. ADAMS. He was.

Mr. ROBINSON. Mr. President, as I understand, the effect would be to limit the compensation of persons employed by committees of the Senate to what they would receive under their respective classifications.

Mr. ADAMS. The report fixes that as a maximum.

Mr. ROBINSON. And does not establish a maximum of $3,600; it abandons that?

Mr. ADAMS. That is correct.

Mr. KING. Mr. President, under the agreement which has been entered into, if $100,000 is allocated to a committee for conducting examinations or investigations, may they draft employees from various departments of the Government without reimbursing them from the $100,000 appropriation?

Mr. ADAMS. Mr. President, I may say to the Senator from Utah that that question is not involved in the consideration of amendment no. 5. Amendment no. 5 deals solely with employees of committees where a committee employs someone and fixes his salary. As the practice has been heretofore, a Senate committee could not pay more than $3,600 per annum to any employee, expert, or professional person of any kind. The Senate adopted an amendment removing the $3,600 limitation, and leaving it to the discretion of the committee to fix the compensation. The original provision as it was adopted by the Senate fixed no maximum. The result of the conference is a provision that there shall be fixed as the limit of salary of any person employed by a committee the amount fixed in the general Classification Act as the maximum salary to be paid to such employee. It has nothing to do with amendment no. 9, which deals with the drawing of employees from departments.

Mr. KING. Then it would permit the payment of more than $300 a month, which heretofore has been the maximum allowed to attorneys employed by committees.

Mr. ADAMS. The maximum would be $9,000; that is, they would have to meet the requirements of the Classification Act. As the Senator knows, there is a rather gradual advance of salaries in the Classification Act.

Mr. KING. Does this mean that the maximum must be paid?

Mr. ADAMS. No; this fixes a maximum, not a minimum.

Mr. KING. It seems to me that the adoption of this amendment would result in increasing materially the cost of all investigations.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Colorado that the Senate agree to the amendment of the House to the amendment of the Senate numbered 5.

The motion was agreed to.

Mr. ADAMS obtained the floor.

Mr. SCHWELLENBACH. A parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. SCHWELLENBACH. Assuming that the Senator from Colorado will make a similar motion in reference to amendment numbered 9, I should like to inquire whether the House amendment to amendment numbered 9 would still be open to amendment.

The VICE PRESIDENT. Amendment numbered 9 has not as yet been brought before the Senate. The Chair has just recognized the Senator from Colorado, and understands he is about to make the same kind of a motion in reference to amendment numbered 9 that he made as to amendment numbered 5.

Mr. SCHWELLENBACH. I am inquiring as to whether or not, if he makes a similar motion in reference to amendment numbered 9 that he made in reference to amendment numbered 5, it would still be open to amendment.

The VICE PRESIDENT. It would be.

Mr. ADAMS. I may say to the President that that answers, perhaps, the parliamentary inquiry I was about to propound, as to whether, if a motion were made to refuse to concur, the amendment would then be open to amendment.

The VICE PRESIDENT. It would be.

Mr. ADAMS. I move that the Senate decline to concur in the House amendment to Senate amendment numbered 9.

Mr. SCHWELLENBACH. Mr. President, I send to the desk an amendment to the House amendment.

The VICE PRESIDENT. Does the Senator desire to make a motion with reference to the disagreement?

Mr. SCHWELLENBACH. My understanding was, following the inquiry of the Senator from Colorado, that the Chair had ruled that after his motion was made, a motion to amend would be in order.

The VICE PRESIDENT. That is correct. The Chair has not yet put the question. The clerk will state the amendment of the House to Senate amendment numbered 9.

The Chief Clerk read the amendment, as follows:

In lieu of the matter inserted by the Senate amendment, insert the following: "or of any appropriation or other funds of any executive department or independent executive agency shall be used after June 30, 1937, to pay the compensation of any person detailed or loaned for service in connection with any investigation or inquiry undertaken by any committee of either House of Congress under special resolution thereof."

The VICE PRESIDENT. The question is on the motion of the Senator from Colorado [Mr. ADAMS] that the Senate disagree to the amendment of the House to the amendment of the Senate. An amendment to that motion takes precedence of the motion itself.

Mr. SCHWELLENBACH. Mr. President, I send to the desk an amendment, which I ask to have stated.

The VICE PRESIDENT. The amendment proposed by the Senator from Washington will be stated.

The CHIEF CLERK. It is proposed to amend the House amendment to Senate amendment numbered 9 by striking therefrom the words "or of any appropriation or other funds of any executive department or independent executive agency."

Mr. SCHWELLENBACH. Mr. President, first I desire to call to the attention of the Senate the situation which would result from concurrence in the amendment which has been sent over from the House.

Senators will remember that as the bill came from the House, and as it was presented to the Senate by the Senate Committee on Appropriations, it provided that no funds from the appropriation under consideration or from the Relief Act of 1936 could be used for the purpose of obtaining employees to work for regular or special committees of either House which were conducting investigations. We amended that bill last week by adding to the language the words "or of any appropriation for any executive department or independent executive agency", and then provided that such funds could be used if either the relief agency or any governmental department should, before the 10th of each month, file a report with the Clerk of the House or the Secretary of the Senate.

The amendment which the House now proposes goes further than the original bill as it was submitted to the Senate. The proposal made by the House would, after June 30, prevent any committee of either the House or the Senate using the services of any employee of the Government.

The amendment which I propose would eliminate from consideration at the present time employees of the executive departments or the independent agencies, and would leave the matter for discussion at a later date.

I recognize that when debating a question involving employees of our committees we are told that relief funds are about to expire tomorrow or the next day, we are possibly subject to the criticism that we are preventing people from getting necessary relief funds because of the time taken to discuss the question of the employees of our committees.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. SCHWELLENBACH. I yield.

Mr. CLARK. The Senator also realizes, of course, that by reason of the fact that relief funds are almost exhausted, and that further appropriation is necessary in what is essentially a relief bill, an effort is being made to compel this body to accede to the wishes of one man, no matter what he may be supporting, by putting into a relief deficiency bill legislation that should be, and is, subject to a point of order in both branches of Congress.

Mr. SCHWELLENBACH. I thank the Senator. It is because of a realization of that fact that I am offering my amendment.

Mr. CLARK. I realize that very fully, Mr. President.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. SCHWELLENBACH. I yield.

Mr. BLACK. I was out of the Chamber for a moment, during which time action was taken agreeing to the amendment of the House to the amendment of the Senate numbered 5; and I ask unanimous consent that the Senate reconsider the vote by which it agreed to the amendment of the House to the amendment of the Senate numbered 5.

As I said, I was not on the floor of the Chamber when that action was taken. I desire to object to the House amendment both on the ground that it is not in order and because it is not proper.

I ask unanimous consent for a reconsideration in order that the question may be discussed. I do not think any Senator knew the nature of the matter being considered.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Alabama for unanimous consent to reconsider the vote by which the Senate agreed to the amendment of the House to the amendment of the Senate numbered 5? The Chair hears none, and the vote is reconsidered.

The question now before the Senate is on agreeing to the amendment of the Senator from Washington [Mr. SCHWELLENBACH] to the amendment of the House to Senate amendment numbered 9.

Mr. KING. Mr. President, will the Senator yield to permit an inquiry?

Mr. SCHWELLENBACH. Certainly.

Mr. KING. When an investigation is authorized by either branch of Congress, and an appropriation is carried in the resolution authorizing the investigation, and the limit is fixed at any given sum, if employees are then drawn from departments of the Government by the investigating committee, who is to pay such employees? Is the amount to come out of the fund carried in the resolution authorizing the investigation, or must the department from which such employees are drawn pay their expenses and their usual salaries according to the Classification Act?

Mr. SCHWELLENBACH. I will say in answer to the question of the Senator from Utah that at the present time and in the past such persons have been paid by the Department out of its regular appropriation. Recognizing the evil existing in such a situation, I offered last week the amendment which would require a report to be submitted to the Senate every 30 days, so that Senators, and particularly the members of the Appropriations Committee, would know that in connection with the investigation by a committee, moneys were being expended in excess of the amount that had been allowed through the Committee to Audit and Control the Contingent Expenses of the Senate. I felt that that amendment met the particular evil which I frankly recognized as one regarding which some sort of action should be taken on the part of the Senate.

Mr. KING. Then, if the Senator's amendment should be agreed to, I understand his position to be that if, for example, $10,000 is allowed for an investigation, and employees are taken from some department of the Government for use by the investigating committee, such employees must be paid out of the $10,000, and not out of the fund allocated to the department from which the employees are drawn?

Mr. SCHWELLENBACH. No; but the amendment, if agreed to, will result in giving us a check every 30 days on the work of such committee, which I feel will enable the Senate to obviate any abuses which might arise.

Mr. GLASS. Mr. President, will the Senator yield?

Mr. SCHWELLENBACH. I yield.

Mr. GLASS. If reports as to the use of departmental employees were made every 30 days by committees, what good would result from such reports, when investigating committees sit during the recess of Congress, and in view of the fact that most of the money complained of is expended during the recess of Congress? What good would the reports do after all the money is gone?

Mr. SCHWELLENBACH. I recognize, with the Senator from Virginia, that the reports will not be fruitful of any great benefit; but I want to discuss the question as to whether or not committees should be permitted to use employees from the various governmental agencies.

Mr. GLASS. Mr. President, I think the Congress ought to know what it is going to cost the taxpayers before committees are permitted to use such employees. No one desires to stop any investigation that is now being pursued by any committee. Such a suggestion or thought is mere imagination. What we desire to do is to prevent hereafter any committee of the Senate using $500,000—half a million dollars—of the time of employees of the departments without the Senate knowing anything about it. I think the investigation conducted by the Interstate Commerce Committee has revealed a great many startling facts. I think those facts could have been obtained, however, by asking for an appropriation from the contingent fund of the Senate.

Mr. SCHWELLENBACH. Insofar as concerns investigations conducted during the recess of Congress, the argument of the Senator from Virginia is very pertinent. However, I believe I can convince the Members of the Senate, using the one example of the use of the Interstate Commerce Commission's employees, that it is desirable to make use of such employees; and it has been my thought that if we had a check upon their use every 30 days during the time Congress was in session, abuses would not creep into the methods of using these employees.

Mr. GLASS. If the Interstate Commerce Commission itself has so little use for these thirty-odd employees that it may detail them to the use of a Senate committee carrying on an investigation, it ought to get rid of them altogether.

Mr. SCHWELLENBACH. If the question of the use made of these employees were fully gone into, I think I could convince the Members of the Senate that that is not the correct conclusion to draw.

Mr. WHEELER. Mr. President, will the Senator yield to me?

Mr. SCHWELLENBACH. I yield.

Mr. WHEELER. I thought I had explained this matter fully the other day. I desire again to call to the attention of this body the fact that in connection with the investigation of railroads the Committee on Interstate Commerce was confronted with a most unusual situation.

In the first place, when we proposed to investigate railroad financing the subject went before the full membership of the Interstate Commerce Committee. The committee held hearings upon the necessity for going into the question. Commissioner Eastman, Commissioner Mahaffie, Hon. Jesse Jones of the Reconstruction Finance Corporation, and several others came before the committee and testified as to the necessity for carrying on the investigation.

After that the matter was the subject of hearings before the Committee to Audit and Control the Contingent Expenses of the Senate; and Mr. Kennedy, of the Securities and Exchange Commission, came before that committee and testified as to the necessity for the investigation, and again Commissioner Eastman came before the committee and testified as to the necessity for the investigation. If my memory serves me correctly, Hon. Jesse Jones also appeared before the committee. I am not sure about that. However, he testified before the Interstate Commerce Committee.

At that time the Committee to Audit and Control the Contingent Expenses of the Senate did the unusual thing of amending the measure by directing that the Interstate Commerce Committee use the Interstate Commerce Commission employees and use the employees of the various other departments. That provision was not put in at my suggestion. It was put in at the instance of the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. BYRNES. Did not the language referred to authorize the committee, and not direct it, to take such action?

Mr. WHEELER. If I am not mistaken, the language both authorized and directed. However, the resolution will speak for itself.

On the question of using the time of employees to the value of half a million dollars, let me say to the Senator from Virginia that he is apparently in error.

I am aware that the Secretary of the Interstate Commerce Commission or an employee of the Commission testified before the House Appropriations Committee in such a way that if Senators will read that testimony they will come to the conclusion that the committee itself had arbitrarily taken so much money from the Commission and used it. I read here the other day, in the absence of the Senator from Virginia, a letter from Commissioner Eastman, in which he says:

DEAR SENATOR: This letter is written in my capacity as the member of the Interstate Commerce Commission to whom its Bureau of Accounts reports.

I may say that Commissioner Eastman is chairman of the Bureau of Accounts; he particularly handles and is the one in charge of that Bureau, and this is what he says, among other things:

As fully set forth in the annual reports of the Commission to Congress for the years 1935 and 1936, accountants of that Bureau have, since July 1935, been used to assist your committee in the investigation authorized by Senate Resolution 71, and in 1936 this work absorbed the services of about one-half of the force available for field work. While this has lessened the routine work of the Bureau, I believe, and we have so reported to Congress, that the work which these accountants have been and are doing under Senate Resolution 71 is of great general value and also of special value to the Commission in the regulation of railroads, including the regulation of their accounting.

I read again from another paragraph of the letter of Commissioner Eastman, in which he says:

The effect of the resolution has been to decrease the amount of work done under the function no. (2) above, i. e., general accounting examinations, and to increase the amount done under function (3), i. e., special investigations, which are going particularly into the financial affairs of the carriers. In other words, we are, for the time being, concentrating on a more or less specialized matter, with lessening of the more routine work of policing the accounts.

Again he says:

To a considerable extent we might have conducted such an inquiry on our own account, but I am glad that your committee has undertaken it for these reasons:

First. Our powers of inquiry are largely confined to the carriers, but these financial matters ramify into banking and holding-company activities which your committee has powers to investigate but we have not.

Second. The bringing to public attention of any abuses that may be discovered is in itself of great importance, and an investigation conducted by a Senate committee is more effective in this respect than an investigation conducted by the Commission.

Third. If the abuses can and should be corrected by legislation, it is of great advantage to have the investigation in charge of a committee of Congress which is in the best possible position to seek the necessary legislation. As a matter of fact, examination of the reports made to Congress by this Commission in the past will show that the present inquiry is again disclosing abuses and opportunities therefor. * * *

Fourth. Your committee has been able to employ for the investigation, in addition to our accountants, other men equipped by training for the work, thus magnifying largely the results which we would have been able to obtain unaided.

I now wish to call attention to the Senate resolution itself. On page 2 it is provided:

That the Committee on Interstate Commerce, or any duly authorized subcommittee thereof, is authorized and directed to obtain such facts——

Mr. ROBINSON. Mr. President, I do not wish to interrupt the remarks of the Senator from Montana [Mr. WHEELER], but I am going to suggest a course of procedure with a view to facilitating the final passage of this bill.

As was stated this morning, there is the necessity now for prompt, I might say immediate, action on this bill. If it does not pass today, if it is not enacted today, there will be a large number of projects discontinued tomorrow, when thousands who are now upon the pay roll will go off the pay roll temporarily, resulting in endless confusion. We all know that the sentiment of the Senate was emphatically expressed a few days ago when the vote on this question was taken, it being a unanimous vote, something that seldom occurs in the Senate. There were 72 votes to 0 in favor of the Senate's substitute for the House provision.

The Senator from Washington [Mr. SCHWELLENBACH] has offered an amendment which will make the provisions of this proposed legislation applicable alone to the appropriations in the pending bill, and will necessarily leave the general subject matter open to consideration and discussion on bills hereafter to be presented to the two Houses which are not affected with that degree of emergency that is attached to this measure. The Senate passed this bill several days ago, and the one thing that has occasioned delay is the controversy that is involved in this amendment.

There are, of course, other amendments, but none of them has presented the difficulties which this amendment involves.

I am going to make the suggestion that the Senate agree to the amendment of the Senator from Washington and dispatch the bill back to the House of Representatives, which body is now in session, with the assumption that the House will take cognizance of the action of the Senate. Then I shall ask that the Senate stand in recess again, with a view of having the Senate resume its session at the call of the Presiding Officer, so that if it becomes necessary to take further action the Senate may be in a position to do so today. I do not wish the Senate to adjourn in the situation in which we find ourselves.

Therefore if the Senator from Montana, the Senator from Virginia, the Senator from Washington, and the Senator from Colorado, all of whom are especially interested in the subject, are willing to have that course taken, I should like to see it taken at once.

Mr. GLASS. Mr. President, I may say for myself that that would be as satisfactory to me, in the circumstances, as would any other proposition.

I may say, without trying to prolong the debate, that the Senator from Montana is mistaken in saying that I am in error. If any error has been committed, it has been by the Interstate Commerce Commission and not by me. I based my remarks exactly on what the Interstate Commerce Commission set forth.

Mr. WHEELER. Mr. President, I do not want to get into any controversy with the Senator from Virginia, and if the Interstate Commerce Commission gave the Senator the facts, then I say the Commission was mistaken.

Mr. ROBINSON. Mr. President, if the suggestion I have made is satisfactory to the Senators, then I should like to have that action taken.

Mr. SCHWELLENBACH. Mr. President——

Mr. ROBINSON. Let me finish this statement, if the Senator will be kind enough.

Mr. SCHWELLENBACH. Certainly.

Mr. ROBINSON. At the instance of the Senator from Alabama, an amendment that was agreed to has been reconsidered. It will be necessary to take some action on that, I assume, before the bill goes back to the House. The point, however, is that the Senate ought to act. We discussed this amendment which is the principal subject matter of controversy very fully in the Senate on previous days, and we have heretofore acted on it. Now the two Houses find themselves in disagreement about the matter. If this were an ordinary appropriation bill or if the situation had not arisen which I have already described, I would be entirely content to fight it out indefinitely, in the hope that a final conclusion might be reached on the subject, but the practical thing to do is to get this bill through. Let us not stop all the projects that are under construction and disarrange all the pay rolls to the unhappiness of perhaps thousands and possibly hundreds of thousands of people. I am informed that this is the last day on which the Works Progress Administration may be able to carry on without additional funds being provided.

Mr. GLASS. Mr. President, I hope the course suggested by the Senator from Arkansas will be followed.

Mr. WHEELER. The suggestion is agreeable to me.

Mr. SCHWELLENBACH. Mr. President——

The PRESIDENT pro tempore. The Senator from Washington has the floor.

Mr. SCHWELLENBACH. Mr. President, I should like to conclude with the statement that the opportunity to fight this question to a conclusion at a time when we will not be under pressure will come in connection with the consideration of the independent offices appropriation bill. The House has already raised the issue on that bill, and, presumably, we will have it before the Senate within the next 2 or 3 weeks.

Mr. GLASS. Mr. President, let me say to the Senator that that bill is now under consideration by the Senate Committee on Appropriations.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Washington [Mr. SCHWELLENBACH] to the amendment of the House to Senate amendment numbered 9.

The amendment of Mr. SCHWELLENBACH to the amendment of the House to the amendment of the Senate numbered 9 was agreed to.

Mr. ADAMS. I now move that the Senate agree to the amendment of the House to the amendment of the Senate numbered 5.

The PRESIDENT pro tempore. The question now is on the motion of the Senator from Colorado [Mr. ADAMS] to agree to the amendment of the House to the amendment of the Senate numbered 5.

Mr. BLACK. Mr. President, I have not had time, of course, to study the effect of this amendment. I have already shown it to the Senator from Montana and he likewise is not able at this time to state how far it will affect his committee. This is an amendment which was added in the other House, and it provides another limitation and restriction upon the activities not only of his committee but the committee of the Senator from Wisconsin [Mr. LA FOLLETTE] and all other committees, as I read the amendment hurriedly, that may now or hereafter be appointed. It may be possible that the limitation is of such a nature that it is justifiable; but I am not sufficiently familiar with the Classification Act to know as to that.

The amendment provides, with reference to the expenditure of the $125,000 appropriated in this bill for investigating purposes—and I invite the particular attention of the Senator from Wisconsin [Mr. LA FOLLETTE] to this point—that there shall be a limitation upon what may be paid any employee of any commitee hereafter as a matter of general

law, which compensation shall not exceed the rate fixed under the Classification Act of 1923, as amended. The provision contained a limitation of $3,600 when it was previously before the Senate.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Wisconsin?

Mr. BLACK. Certainly.

Mr. LA FOLLETTE. I suggest to the Senator from Alabama that the amendment adopted by the House is certainly a great improvement over the existing law. The existing law limits salaries paid from any funds appropriated from the contingent fund of either House to exceed $3,600 per annum. This amendment would provide that from money appropriated to committees from contingent funds, the maximum salary which could be paid would be the salary fixed by the Classification Act for similar services performed in other branches of the Government. Therefore, for example, so far as an attorney is concerned, a committee using funds from the contingent fund of the Senate or the House could pay not to exceed the same rate of salary that is paid to attorneys in the various departments of the Government. Consequently the Senator should regard this compromise as a step forward so far as obtaining competent personnel is concerned.

Furthermore, those employees who might be loaned from other departments to investigating committees would be subject to the Classification Act in any case.

Mr. BLACK. May I ask the Senator a question at that point? As I stated in the beginning when I invited the Senator's attention, I have not had time to find out what the effect would be. Who would determine under the amendment what salary should be paid? I am not sure that the provision as it is now worded would place that responsibility. Would it be the Comptroller General?

Mr. LA FOLLETTE. As I read the amendment adopted by the House, the limitation would be imposed upon the particular committee which was about to employ an individual. It would be the responsibility of the chairman of the committee signing the voucher and of the disbursing officer of the Senate paying under the voucher to make certain that they were paying the going rate of pay under the Classification Act for similar services. For example, if an attorney should be employed, it would be necessary for the chairman of the particular committee to make certain that he was paying the attorney the going rate of pay provided by the Classification Act for attorneys performing similar services in the various departments of the Government.

Mr. CLARK. Mr. President, will the Senator from Alabama yield?

Mr. BLACK. I yield.

Mr. CLARK. As I see it, the amendment fixes no responsibility in any place for the determination of the comparable duties to which the rule of the classified service could be applied. If the responsibility is imposed on the Comptroller General, he might very readily fix the rate in the classified service which was imposed on some attorneys in one case about which I was told 2 years ago by a judge of the circuit court of appeals. He told me he believed a very important case, having to do with the antitrust prosecutions, had not been properly presented on the part of the Government because two lawyers who presented the case on behalf of the Government were young and inexperienced. They were very able young lawyers, possibly, but inexperienced. One of them was drawing $2,400 per annum and the other $3,000 per annum, and were opposed by several of the most eminent lawyers in the State.

No matter how reasonable the salary might be which the Senate committee proposes to pay for attorneys, nevertheless under the terms of the amendment the Comptroller General would be able to say, "In the Harvester Trust case the attorney representing the Government received only $2,400; therefore, that salary would be comparable, and no more should be paid in this case."

Mr. BYRNES. Mr. President——

Mr. LA FOLLETTE. Mr. President, will the Senator from Alabama yield further?

Mr. BLACK. Certainly.

Mr. LA FOLLETTE. I should like to say, in response to the remarks of the Senator from Missouri, that I do not believe the Comptroller General would have anything to do with passing upon moneys appropriated by the Senate or the House from their respective contingent funds.

Mr. CLARK. Then who would possess the authority?

Mr. LA FOLLETTE. The limitation would be upon the committee. Heretofore there has been a limitation upon salaries of $3,600, which was binding upon the chairman of a committee and upon the disbursing officers of the respective Houses. In addition to that there is a provision of statute that no special or select committee of the Senate conducting an investigation shall incur a deficit. There is no punishment for a violation of that act; but, of course, every Senator or Representative responsible to his party for discharging his duties would make absolutely certain that no deficit was to be incurred because of the statutory provision to the effect just stated. I believe this is simply a standard or guide by which the chairmen of the respective committees of the House and Senate would be governed in fixing salaries and that its provisions would be conscientiously followed.

Mr. BYRNES. Mr. President——

Mr. LOGAN. Mr. President, will the Senator from Alabama yield at that point?

Mr. BLACK. Certainly.

Mr. LOGAN. I desire first to make a suggestion which perhaps under different circumstances might be considered as impertinence. I know not whether the amendment of the House be right or whether it be wrong. It seems to me it is insignificant just now.

In Kentucky several hundred thousand women and children are homeless and in need. They are solely dependent upon W. P. A. workers to furnish them the necessities of life. If we are to continue this discussion—and I say this in all kindness—until the House adjourns, and we do not get action today, it is very likely that two or three hundred thousand people in my State will be deprived of the assistance which we can give them by disposing of this matter promptly.

I have not said anything during the consideration of the relief measure. Congress has been very generous to my State. However, unless something is done promptly, as I am advised directly, by tomorrow many thousands of workers will have to cease work because there will be no funds with which to pay them.

Mr. CLARK. Mr. President, will the Senator from Alabama yield?

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Missouri?

Mr. BLACK. Let me yield first to the Senator from South Carolina [Mr. BYRNES], who has been seeking an opportunity to speak. I may say to the Senator from Kentucky that I think we would have finished before he concluded his remarks. We had just about reached an agreement, and now we shall try to reach one.

Mr. LOGAN. I hope no one else will cause any further discussion.

Mr. BLACK. I hope so. I hope the vote will not be delayed 5 more minutes.

Mr. BYRNES. Mr. President, as I understand, the action of the House is in accordance with the view expressed by the Senator from Wisconsin [Mr. LA FOLLETTE]. It simply substitutes the salaries provided for in the classification law for the $3,600 limitation which has heretofore governed the payment of all salaries by Senate committees.

When a Senate committee acts now, it spends its money for such salaries as are fixed by the Committee to Audit and Control the Contingent Expenses of the Senate. There is nothing in this amendment which could take from a Senate committee the right to spend money from the contingent fund of the Senate in the same manner it has heretofore spent it. Under the classification laws as high as $9,000 a year may be

paid for professional services, which is almost $6,000 more than the existing limitation, and I hope the Senator from Alabama will not object to the adoption of the amendment.

Mr. BLACK. Mr. President, my reason for calling attention to this particular amendment was that I thought it was vague and indefinite and that for that reason it was perhaps not wise to agree to it as a general law; but with the explanation of the Senator from South Carolina I will state that I have no objection whatever to the adoption of the amendment.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Colorado [Mr. ADAMS] that the Senate agree to the amendment of the House to the amendment of the Senate numbered 5.

The motion was agreed to.

RECESS

Mr. ROBINSON. I move that the Senate stand in recess until called to order by the Chair.

The motion was agreed to: and (at 4 o'clock and 22 minutes p. m.) the Senate took a recess, subject to the call of the Chair.

At 6:57 p. m. the Senate reassembled, being called to order by the Vice President.

MESSAGE FROM THE HOUSE—FIRST DEFICIENCY APPROPRIATIONS

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had disagreed to the amendment of the Senate to the amendment of the House to Senate amendment no. 9 to the bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes, requested a further conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BUCHANAN, Mr. TAYLOR of Colorado, Mr. WOODRUM, Mr. TABER, and Mr. BACON were appointed managers on the part of the House at the further conference.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the amendment of the House to Senate amendment no. 9 to House bill 3587, the first deficiency appropriation bill, and requesting a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ADAMS. I move that the Senate insist upon its amendment to the amendment of the House to Senate amendment no. 9 to the bill, accede to the request of the House for a further conference on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. ADAMS, Mr. GLASS, Mr. MCKELLAR, Mr. HAYDEN, and Mr. HALE conferees on the part of the Senate at the further conference.

RECESS

Mr. ROBINSON. I move that the Senate again stand in recess until called to order by the Chair.

The motion was agreed to; and (at 6 o'clock and 59 minutes p. m.) the Senate took a recess, subject to the call of the Chair.

At 7:25 o'clock p. m., the Senate reassembled, being called to order by the Vice President.

FIRST DEFICIENCY APPROPRIATIONS—CONFERENCE REPORT

Mr. ADAMS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 9 and amendments thereto to the bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 9:

That the House recede from its disagreement to the amendment of the Senate to the amendment of the House to the amendment of the Senate numbered 9, and agree thereto with an amendment as follows: In lieu of the matter proposed to be inserted by Senate amendment numbered 9 and the amendment of the House thereto and the amendment of the Senate to such House amendment, insert the following: "or of the appropriation in the Emergency Relief Appropriation Act of 1936 shall be used to pay the compensation of any person, not taken from relief rolls, detailed or loaned for service in connection with any investigation or inquiry undertaken by any committee of either House of Congress under special resolution thereof. This proviso shall not take effect until thirty days after the date of the enactment of this act"; and the Senate agree to the same.

ALVA B. ADAMS,
CARTER GLASS,
KENNETH MCKELLAR,
CARL HAYDEN,
Managers on the part of the Senate.

J. P. BUCHANAN,
EDWARD T. TAYLOR,
C. A. WOODRUM,
JOHN TABER,
Managers on the part of the House.

Mr. ADAMS. Mr. President, before making a motion I wish to advise the Senate that this report represents a complete agreement, and if the Senate agrees to it, it will mean the passage of the bill.

I move the adoption of the conference report.

The report was agreed to.

AUTHORITY TO SIGN ENROLLED DEFICIENCY BILL

Mr. ROBINSON. I ask unanimous consent that the Vice President be authorized to sign the enrolled deficiency bill during the recess or adjournment of the Senate to follow this session.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

ADJOURNMENT TO WEDNESDAY

Mr. ROBINSON. I move that the Senate adjourn until Wednesday next at 12 o'clock noon.

The motion was agreed to; and (at 7 o'clock and 28 minutes p. m.) the Senate adjourned until Wednesday, February 10, 1937, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 8, 1937

ASSISTANT ATTORNEY GENERAL

Sam E. Whitaker, of Chattanooga, Tenn., to be Assistant Attorney General of the United States to fill an existing vacancy.

UNITED STATES DISTRICT JUDGE

Alfred P. Murrah, of Oklahoma, to be United States district judge, eastern, northern, and western districts of Oklahoma, to fill an existing vacancy.

PUBLIC WORKS ADMINISTRATION

David R. Kennicott, of Illinois, to be State director of the Public Works Administration in Illinois.

WORKS PROGRESS ADMINISTRATION

John J. McDonough, of Massachusetts, to be State administrator in the Works Progress Administration for Massachusetts. (This nomination is submitted at this time for the purpose of correcting an error in the nomination as submitted to the Senate on Jan. 8, 1937.)

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

TO QUARTERMASTER CORPS

Capt. Andral Bratton, Field Artillery, with rank from August 1, 1935.

Capt. Harold Patrick Henry, Infantry, with rank from August 1, 1935.

TO SIGNAL CORPS

First. Lt. Arthur Alfred McCrary, Coast Artillery Corps, with rank from June 13, 1936, effective May 8, 1937.

PROMOTIONS IN THE REGULAR ARMY

TO BE COLONELS

Lt. Col. John Kimball Brown, Cavalry, from February 1, 1937.

Lt. Col. Charles Hartwell Bonesteel, Infantry, from February 1, 1937.

Lt. Col. Richard David Newman, Cavalry, from February 1, 1937.

TO BE LIEUTENANT COLONELS

Maj. Benjamin Willis Mills, Infantry, from February 1, 1937.

Maj. Thomas Fenton Taylor, Infantry, from February 1, 1937.

Maj. Marshall Henry Quesenberry, Infantry, from February 1, 1937.

Maj. Richard Wilmer Cooksey, Cavalry, from February 1, 1937.

TO BE MAJORS

Capt. LeRoy Welling Nichols, Infantry, from February 1, 1937.

Capt. Charles Martin Chamberlain, Jr., Infantry, from February 1, 1937.

Capt. LeRoy Allen Whittaker, Coast Artillery Corps, from February 1, 1937.

Capt. Harry Barnes Sepulveda, Adjutant General's Department, from February 1, 1937.

Capt. John Robert Hubbard, Quartermaster Corps, from February 1, 1937.

PROMOTIONS IN THE NAVY

MARINE CORPS

Lt. Col. Charles D. Barrett to be a colonel in the Marine Corps from the 1st day of February, 1937.

Maj. Walter T. H. Galliford to be a lieutenant colonel in the Marine Corps from the 1st day of February, 1937.

Capt. Otto E. Bartoe to be a major in the Marine Corps from the 1st day of February, 1937.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 8, 1937

WORKS PROGRESS ADMINISTRATION

John J. McDonough, to be State administrator in the Works Progress Administration for Massachusetts.

APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS IN THE REGULAR ARMY

TO BE MAJOR

Delmar Hall Dunton
Orvil Arson Anderson
Emile Tisdale Kennedy

APPOINTMENTS IN THE CORPS OF ENGINEERS OF THE REGULAR ARMY

TO BE SECOND LIEUTENANTS

Vincent Camden Frisby
Edmonde Bernard Kelly
Robert James Jagow
William Perry Jones, Jr.
Alvin Berthold Auerbach
Willard Paul McCrone
Dean Edwin Swift
Aldo Hector Bagnulo
Francis James Loomis
Edward Henry Dillon
Jack Graham
Christian Hanburger
Miles Howlett Thompson
James Walter Sloat
Karl Fred Eklund
Howard James Lowe
William Edward Leonhard
Henry Wright Hurley

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

Maj. Earl Newell Hackney to Quartermaster Corps.

Capt. Alexander Andrew Dobak to Quartermaster Corps.

Capt. Chester Howard Elmes to Quartermaster Corps.

Lt. Col. Clarence Brewster Lindner to Finance Department.

First Lt. William James Given to Signal Corps.

First Lt. Jacquard Hirshorn Rothschild to Chemical Warfare Service.

PROMOTIONS IN THE REGULAR ARMY

Paolo Hoffoss Sperati to be major, Infantry.

Frederick Hultman Foucar to be colonel, Medical Corps.

Paul While Gibson to be colonel, Medical Corps.

Henry Poindexter Carter to be colonel, Medical Corps.

Robert Clarence McDonald to be colonel, Medical Corps.

Clemens Wesley McMillan to be colonel, Medical Corps.

James Franklin Johnston to be colonel, Medical Corps.

Samuel Smith Creighton to be colonel, Medical Corps.

Henry Clay Michie, Jr., to be colonel, Medical Corps.

Albert Patton Clark to be colonel, Medical Corps.

Gouverneur Vincent Emerson to be lieutenant colonel, Medical Corps.

William Archer Hagins to be lieutenant colonel, Medical Corps.

William Oscar Hampton Prosser to be lieutenant colonel, Medical Corps.

George Corwin Beach, Jr., to be lieutenant colonel, Medical Corps.

Jesse Irving Sloat to be lieutenant colonel, Medical Corps.

David Norvell Walker Grant to be lieutenant colonel, Medical Corps.

James Stevens Simmons to be lieutenant colonel, Medical Corps.

Cyrus Boynton Wood to be lieutenant colonel, Medical Corps.

Alvin Jay Bayley to be lieutenant colonel, Medical Corps.

John Francis Corby to be lieutenant colonel, Medical Corps.

Roy Edward Fox to be lieutenant colonel, Medical Corps.

Herbert DeWitt Porterfield to be lieutenant colonel, Medical Corps.

Dean Flewellyn Winn to be lieutenant colonel, Medical Corps.

Alva Burton McKie to be lieutenant colonel, Medical Corps.

Albert Walton Kenner to be lieutenant colonel, Medical Corps.

Arturo Carbonell to be lieutenant colonel, Medical Corps.

Fred William Seymour to be captain, Medical Corps.

Lester Orville Crago to be captain, Medical Corps.

Joseph Arthur Baird to be captain, Medical Corps.

Allan Arthur Craig to be captain, Medical Corps.

Ernest Eugene Hodgson to be major, Veterinary Corps.

James William Elder to be chaplain with the rank of captain, United States Army.

John Castle Hampson to be captain, Dental Corps, with rank from February 17, 1937.

APPOINTMENT IN THE NATIONAL GUARD

GENERAL OFFICER

William Irwin Rose to be brigadier general, National Guard of the United States.

POSTMASTERS

NEW YORK

Eleanor Ann Coonan, Champlain.
Harry B. Hickey, Fredonia.
Bert E. Holden, Peru.
William F. Delaney, Rosendale.
Charles F. Schreier, Sag Harbor.

NORTH CAROLINA

Rufus Jennings White, Conway.
Hazel A. Martin, Dobson.
Claude W. Walston, Pinetops.
Oliver L. Ammons, Robbinsville.
Ella Kate Phillips, Swepsonville.

PENNSYLVANIA

Samuel M. Woods, Blain.
Howard C. VanKirk, Danville.
Wesley A. Galloway, Lincoln University.
Luke Binder, Renovo.
Galen L. Brookmyer, Smoketown.
Milton J. Porter, Wayne.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 8, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou who sittest in the seat of everlasting love, may our hearts respond to that praise and gladness worthy of the children of God. Do Thou, morning, noon, and night, inspire in us those nobilities which enrich human life. We pray Thee that the gospel of peace may spread throughout our Nation. In that spirit that liberalizes, bring men nearer to one another and make them feel more the ties of common brotherhood; hand in hand and heart to heart may they labor. We beseech Thee that truth may triumph against error, justice against oppression, and humanity against wrong. Heavenly Father, be with our honored Speaker and the Congress throughout the coming week; may their deliberations be worthy of their high calling. Bless us with Thy merciful providence out of the heart of heaven. In the name of Jesus our Savior. Amen.

The Journal of the proceedings of Friday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 113. An act for the relief of Daniel Yates;

S. 292. An act for the relief of Thomas Salleng;

S. 327. An act for the relief of Felix Griego;

S. 418. An act for the relief of Robert H. Muirhead;

S. 461. An act to settle claims of farmers whose lands were damaged by waters from Kelly Field, Tex.;

S. 530. An act to repeal a proviso relating to teaching or advocating communism in the public schools of the District of Columbia, and appearing in the District of Columbia Appropriation Act for the fiscal year ending June 30, 1936; and

S. 686. An act for the relief of Anthony J. Constantino.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 974. An act to create the Capital Auditorium Commission.

THE LATE CHARLES R. CRISP

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON of Georgia. Mr. Speaker, it is with profound sorrow that I announce to the House the death of former Congressman Charles R. Crisp, which occurred yesterday at his home at Americus, Ga.

Few men have ever come to this House better trained and equipped than he, for in his early days he was practically reared in the atmosphere of this Chamber.

At the age of 21 he was chosen Parliamentarian by his distinguished father, Speaker Crisp, and served in that capacity from 1891 to 1895. He was again appointed Parliamentarian during the Sixty-second Congress for the late Speaker, Champ Clark.

He was an authority on the rules and procedure of this body and will ever be remembered as one of the great Parliamentarians of the House.

He was elected to the Sixty-third Congress from the Third Congressional District of Georgia and served continuously for 20 years, retiring voluntarily from the House in 1933 to enter the race for the Senate.

From the first day of his service to the last he occupied a prominent place in the House, and during the long period of time that he served he was one of the recognized leaders.

He gained a national reputation in 1932 as acting chairman of the House Ways and Means Committee. He was the Democratic member on the Foreign Debt Refunding Commission. While strictly a party man, he always placed the welfare of his country above that of his party.

He was beloved by the people of his district and the State and during his long service he was only opposed once.

After his retirement from the House, for a time he served as a Democratic member of the Tariff Commission, and shortly thereafter resigned to engage in the practice of law here in Washington where he enjoyed a lucrative practice.

He was held in the highest esteem and respect by the membership of this House, and those of us who knew him and with whom he served will mourn his passing away.

EXTENSION OF REMARKS

Mr. COCHRAN and Mr. WHITE of Idaho asked and were given permission to extend their remarks in the RECORD.

PERMISSION TO ADDRESS THE HOUSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 3 minutes.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that the Clerk may read a resolution which I am today introducing in the House.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as follows:

H. Res. 111

Whereas the President has forwarded to the Congress a message on the State of the Union in which he questions the ability and capacity of men over the age of 70½ years to perform the duties of judges or justices of the various courts of the United States by virtue of the infirmities of mind and body which he suggests are inevitable in all such persons and has urged solely for that reason that he be authorized to select additional judges or justices to help any of these poor enfeebled men who refrain from voluntary retirement perform such duties; and

Whereas either through inadvertence or a tender solicitude for the feelings of the Congress, the President failed in such message to call attention to the fact that the duties of a Representative or a Senator are still more arduous, confining, and continuous than those of a judge or justice, embracing as they do, along with manifold other duties, the consideration before enactment of the constitutionality of all acts of Congress, while the courts must consider only those specifically challenged in litigation; and

Whereas each House of the Congress is the sole judge of the qualifications of its Members and has untrammeled authority to expel any Representative or Senator found unfit for the performance of his or her duties; and

Whereas it seems appropriate that the House should consider whether it has any motes in its own eyes before the President shall call specific attention thereto or it shall start consideration of any beams which may exist elsewhere in the Government: Therefore

Resolved, That the Speaker do appoint a select committee of five members to make inquiry and report to the House prior to the consideration of any legislation affecting the judiciary upon the following questions, to wit:

1. Whether Members of the House who have passed the age of 70½ and who, therefore, date from the "horse and buggy" days, are incapable of performing their full duties as such Members, including specifically the primary duty of considering the constitutionality of pending legislation.

2. Whether the House has the power to expel Members who have passed the age of 70 years because of such infirmity, if any, or whether the less drastic remedy should be applied of supplying them with associates to do their work.

3. Whether the Congress has the power to provide for the appointment by the President of associate Representatives in Congress, to relieve such aged and infirm Representatives of their full responsibilities and prerogatives, including the control of patronage.

4. Whether the House should act along these lines with great promptness, to forestall the possibility of being asked to do so.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

Mr. O'CONNOR of New York. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. O'CONNOR of New York. Mr. Speaker, in the opinion of the Chair, to what committee would this resolution be referred?

The SPEAKER. It is the opinion of the Chair, after a cursory examination of the resolution, that it would be referred to the committee of which the gentleman from New York is chairman.

Mr. O'CONNOR of New York. Mr. Speaker, the Committee on Rules is perfectly willing to relinquish its jurisdiction in this matter and suggests that the resolution be referred to the Committee on Disposition of Useless Papers.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

Mr. MARTIN of Colorado. Mr. Speaker, reserving the right to object, may I ask whether the gentlewoman from Massachusetts has the time and inclination to answer a question?

Mrs. ROGERS of Massachusetts. I will gladly answer any question I can.

Mr. MARTIN of Colorado. May I inquire of the gentlewoman from Massachusetts whether she has given any thought to the matter of a $20,000 pension for retired Members of Congress over 70 years of age, like the Supreme Court Judges?

Mrs. ROGERS of Massachusetts. Not as yet, but if the Rules Committee will grant us a hearing, we can consider that matter also.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. LAMNECK. Mr. Speaker, I ask unanimous consent that on Wednesday next after the reading of the Journal and disposition of matters on the Speaker's table I may be permitted to address the House for 45 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. RAYBURN. Mr. Speaker, reserving the right to object, I may say to the gentleman from Ohio that on the last three Wednesdays we have asked and secured unanimous consent for the waiving of the right to call the calendar. It is not my intention to ask unanimous consent that that be done this coming Wednesday. Just what committees may have bills pending on the calendar for next Wednesday I do not know, but it is our purpose to preserve insofar as we can Calendar Wednesday for the various committees. I do not like to object to the request of the gentleman from Ohio, but it would seem to me that some of these committees which may have bills to be considered next Wednesday and which may be passed and not reached again this session might have something to say about the matter. If they do not desire to use the 45 minutes, which is their right, I would not feel like objecting myself, but I am calling this to the attention of the chairmen of the committees involved and to the committees themselves, because they may miss being called on that day.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

EXTENSION OF REMARKS

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks as of February 4 for the permanent RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

(Mr. COLLINS and Mr. LEA asked and were given permission to extend their remarks in the RECORD.)

LEAVE OF ABSENCE

Mr. McSWEENEY. Mr. Speaker, I ask unanimous consent to proceed for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McSWEENEY. Mr. Speaker, my colleague the gentleman from Ohio [Mr. FLETCHER] has gone to Ohio to attend the funeral of our distinguished fellow Ohioan, Hon. R. W. Durbin. Mr. FLETCHER is there representing the Ohio delegation. If he were present today he would be much interested in the juvenile court bill, which is coming up.

Mr. Speaker, I ask unanimous consent that he may be granted leave of absence.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

DEFICIENCY APPROPRIATION BILL—CONFERENCE REPORT

Mr. BUCHANAN. Mr. Speaker, I call up the conference report on the bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes, and ask unanimous consent that the statement may be read in lieu of the report.

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, may I have the privilege of presenting a privileged resolution?

The SPEAKER. Does the gentleman simply desire to introduce a privileged resolution without making any remarks?

Mr. HOFFMAN. That is all.

The SPEAKER. The gentleman has the right to drop his resolution in the box.

Mr. HOFFMAN. I wanted the resolution read.

The SPEAKER. The gentleman from Texas asks unanimous consent that the statement may be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 10, 14, and 15.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 6, 7, 8, 12, and 13, and agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lines 16 and 17 of the matter inserted by said amendment strike out the words "and to remain available until expended" and insert in lieu thereof the following: "to remain available during the fiscal year 1938"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 5 and 9.

J. P. BUCHANAN,
EDWARD T. TAYLOR,
C. A. WOODRUM,
(Except as to amendment 5:)
JOHN TABER,
ROBERT L. BACON,
Managers on the part of the House.
ALVA B. ADAMS,
CARTER GLASS,
KENNETH McKELLAR,
CARL HAYDEN,
FREDERICK HALE,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3587) entitled "A bill making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes", submit the following statement in explanation of the effect of the action recommended and agreed upon in the accompanying conference report as to each of such amendments, namely:

On nos. 1, 2, 3, 4, and 6, relating to the Senate: Inserts the appropriations, proposed by the Senate, for salaries and expenses of the Senate.

On no. 7: Appropriates $30,000, as proposed by the Senate, for salaries and other expenses of the Joint Committee on Government Organization.

On no. 8: Appropriates $789,000,000, as proposed by the Senate, instead of $790,000,000, as proposed by the House, for relief and work relief.

On no. 10: Strikes out the limitation, proposed by the Senate, relating to the employment of administrative or supervisory personnel under the appropriation for relief and work relief.

On no. 11: Inserts the appropriation, proposed by the Senate, for salaries and expenses for the Charles Carroll of Carrollton Bicentennial Commission.

On no. 12: Appropriates $50,000,000, as proposed by the Senate, to enable the Farm Credit Administration to make crop-production and harvesting loans under the act approved January 29, 1937.

On no. 13: Strikes out, as proposed by the Senate, the appropriation of $100,000 for the fiscal year 1936 for contract air-mail service under the Post Office Department.

On nos. 14 and 15: Appropriates for payments to Federal land banks on account of reductions in interest rates on farm mortgages in the phraseology proposed by the House bill, which follows existing law.

The committee of conference report in disagreement the following Senate amendments:

No. 5: Appropriating $125,000 for inquiries and investigations of the Senate and removing the salary limitation of $3,600 per person per annum on previous appropriations made for that purpose.

No. 9: Relating to the use of funds of the executive departments and other executive agencies in the payment of personnel detailed or loaned in connection with investigations or inquiries undertaken by either House of Congress under a special resolution.

J. P. BUCHANAN,
EDWARD T. TAYLOR,
C. A. WOODRUM,
(Except as to amendment 5:)
JOHN TABER,
ROBERT L. BACON,
Managers on the part of the House.

Mr. BUCHANAN. Mr. Speaker, I yield to the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM. Mr. Speaker, we think the statement fairly represents what is in the conference report with the exception of one or two amendments which will come up afterward. As soon as the conference report is adopted, the amendments will be before the House and I would like to inquire of the gentleman from New York whether he wishes to discuss the report because, otherwise, I shall move its adoption and move the previous question.

Mr. TABER. Mr. Speaker, it seems to me there can be no reasonable objection on the part of any Member of the House to the items contained in the conference report, regardless of what their position may have been on some of the items originally in the bill, and therefore I can see no logical objection to the adoption of the report.

Mr. WOODRUM. Mr. Speaker, I move the adoption of the report, and on that I move the previous question.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment no. 5: Beginning on line 11, page 2, insert the following:

"For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, fiscal year 1937, $125,000: *Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the Subsistence Expense Act of 1929, approved June 3, 1926, as amended: *Provided further*, That any money heretofore appropriated and now unexpended for inquiries and investigations of the Senate shall not be subject to the limitation of $3,600 per annum for personal or professional services."

Mr. BUCHANAN. Mr. Speaker, I yield to the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM. Mr. Speaker, I move to recede and concur with an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Mr. WOODRUM moves that the House recede from its disagreement to the amendment of the Senate numbered 5 and agree to the same with an amendment as follows: Strike out all of the matter proposed to be inserted by such amendment after the word "amended" in line 9 and insert in lieu thereof the following: ": *Provided further*, That the rate of compensation for any position under the appropriations now available for, or herein or hereafter made for, expenses of inquiries and investigations of the Senate or expenses of special and select committees of the House of Representatives shall not exceed the rates fixed under the Classification Act of 1923, as amended, for positions with comparable duties; and the salary limitations of $3,600 attached to appropriations heretofore made for expenses of inquiries and investigations of the Senate or for expenses of special and select committees of the House of Representatives are hereby repealed."

Mr. TABER and Mr. BOILEAU rose.

Mr. TABER. Mr. Speaker, I make the point of order against the amendment that it is not within the range of the conference or the differences between the two Houses.

The SPEAKER. The Chair overrules the point of order. All that is required is that the amendment shall be germane to the Senate amendment. The Chair will quote the syllabus which may be found in Cannon's Precedents, volume 8, section 3189:

In amending a Senate amendment the House is not confined within the limits set by the original bill and the Senate amendments.

The Chair therefore overrules the point of order made by the gentleman from New York.

Mr. BOILEAU. Mr. Speaker, I desire to offer the preferential motion that the House recede and concur in the Senate amendment.

The SPEAKER. The gentleman from Wisconsin offers the preferential motion that the House recede and concur in the Senate amendment, which the Clerk will report.

The Clerk read as follows:

Mr. BOILEAU moves that the House recede and concur in the Senate amendment.

Mr. WOODRUM and Mr. O'MALLEY rose.

Mr. WOODRUM. Mr. Speaker, I ask for a division of the motion.

Mr. O'MALLEY. A point of order, Mr. Speaker.

The SPEAKER. The gentleman will state his point of order.

Mr. O'MALLEY. Mr. Speaker, I make the point of order that there is not a quorum present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and twenty-four Members present, a quorum. The gentleman from Virginia asks for a division on the motion to recede and concur. The question is, Shall the House recede from its disagreement to the Senate amendment?

The question was taken; and on a division (demanded by Mr. WOODRUM and Mr. TABER) there were 175 ayes and 35 noes.

So the House voted to recede.

Mr. WOODRUM. Mr. Speaker, I move to concur in the Senate amendment with an amendment which I send to the Clerk's desk.

The Clerk again read the amendment.

Mr. BOILEAU. Does the gentleman offer his amendment to amendment numbered 5?

Mr. WOODRUM. Yes. It changes the language of the salary limitation.

Mr. MAPES. Is that all it does?

Mr. WOODRUM. Yes.

Mr. MAPES. It repeals the $3,600 a year limitation upon employees of investigating committees?

Mr. WOODRUM. Yes.

Mr. MAPES. That is all the gentleman's amendment does?

Mr. WOODRUM. Yes.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM. Yes.

Mr. KNUTSON. Under the gentleman's amendment there will be no limitation upon the salaries that could be paid?

Mr. BUCHANAN. Mr. Speaker, if the gentleman will permit. This amendment repeals the $3,600 salary limitation on what an investigating committee of either House can now pay any person it hires, and it places a new salary limitation upon a basis not to exceed the salary that an employee would get under the Salary Classification Act for comparable duties. In other words, it places the compensation of employees of investigating committees at not to exceed the standard Government rates as fixed by the Classification Act for comparable duties.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM. Yes.

Mr. SNELL. What would be that limit?

Mr. WOODRUM. The limit would be the limit they now get—either eight or nine thousand dollars.

Mr. SNELL. It would raise it from $3,600 to $9,000?

Mr. WOODRUM. Yes. That is, they would receive a salary classification the same as those doing comparable work would receive in the various departments.

Mr. BOILEAU. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM. Yes.

Mr. BOILEAU. Assuming that a House or Senate investigating committee had working for them an attorney to do the job of work, comparable to the work done by attorneys during the last session of Congress, what would they get under this amendment?

Mr. WOODRUM. Whatever they would be entitled to under the regular classification schedules as passed by Congress.

Mr. BOILEAU. I regret that that does not mean anything to me. I wonder if the gentleman is able to give the House the information.

Mr. WOODRUM. The reason I cannot give the gentleman a specific answer is because he does not give me specific information as to what the attorney is going to do. If the attorney is going to perform work of an ordinary junior attorney, he would get the classification under the schedule. If he is going into trial work he would get the rate of a senior attorney, perhaps.

Mr. BOILEAU. What would Ferdinand Pecora have received when he was acting on the Senate committee; what would his rate of pay be under the classification if this amendment should prevail?

Mr. WOODRUM. I cannot answer the gentleman specifically, because I have not at my fingers' ends the formula of the Civil Service Commission or the details of the Classification Act, but I should imagine between five and nine thousand dollars.

Mr. BOILEAU. But as a private attorney he works only for a few months and he does not have the opportunity of building up a clientele through length of service.

Mr. WOODRUM. He could not get over $9,000 unless Congress took specific action to pay it to him.

Mr. BOILEAU. That is all well and good, but my understanding—and I am not sure of my ground—is that a man such as he doing the work for a committee under the provisions of this amendment would get very much less than five or nine thousand dollars, but his compensation would be somewhere around $3,500.

Mr. WOODRUM. I think the gentleman is vastly in error.

Mr. BOILEAU. I do not claim to know definitely, but if the gentleman says that he is positive, I am willing to take his statement for it. If he does not know for sure I think we should have that information from someone who does know.

Mr. WOODRUM. I say this, based on this fact, that if Mr. Smith or Mr. Pecora, or anybody else were being graded in the Interstate Commerce Commission for a legal position based on his character as an attorney, and the character of the clientele he had, and experience, he would be put in brackets under the classification act very much higher than $3,000, and, if so, he would be paid according to the salary provided for that bracket.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. RAYBURN. Is this not a fact: If an investigating committee employ a man, they can pay him only $3,600 a year, but if they want a man in the Interstate Commerce Commission, the Power Commission, or any other commission of the Government furloughed to this committee, he would here receive the same salary that he receives in that commission? If he is receiving $5,000 there, he would receive $5,000 here; $7,500 there, he would receive $7,500 here; and so on, up to $9,000. Of course, I think hardly anyone could answer the question asked by the gentleman from Wisconsin [Mr. BOILEAU] because, as the gentleman from Virginia [Mr. WOODRUM] has said, the man would not be classified by the Civil Service Commission.

Mr. WOODRUM. That is correct.

Mr. BOILEAU. Mr. Speaker, will the gentleman yield further?

Mr. WOODRUM. I yield.

Mr. BOILEAU. It has been my observation that in these investigations quite often they do not employ the services of a man who is in the employ of the Government at the time the investigation is held, but they get some outside attorney, some man who is not classified under the Civil Service Act or the Classification Act; some man whom they consider especially expert, or for some reason the committee employs someone who does not have this classification. The information I have received is that those men would not be paid for their services properly in comparison with their ability or their experience for the type of work they are doing.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. McCORMACK. Do I understand that if the special committee desires to employ outside counsel, they are limited to $3,600?

Mr. WOODRUM. They are under existing law.

Mr. McCORMACK. But under the proposed amendment?

Mr. WOODRUM. Under the proposed amendment they are limited to the salary schedule in the Classification Act, unless the Congress specifically gives them authority to go over that, under the resolution of investigation.

Mr. McCORMACK. In other words, if the committee were to present evidence in support of the man's qualification, occupying a position comparable to a senior attorney, he would receive $5,000 a year as a senior attorney in a department, and the committee could employ an attorney and pay him compensation in the sum of $5,000 a year. Is that an illustration?

Mr. WOODRUM. Absolutely.

Mr. O'MALLEY. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. O'MALLEY. Who is going to decide what classification these attorneys from the outside who may be employed by an investigating committee will be in? The Civil Service Commission?

Mr. WOODRUM. The Civil Service Commission as it does now.

Mr. O'MALLEY. And not the committee?

Mr. WOODRUM. Not the committee.

Mr. McCORMACK. Will the gentleman yield further?

Mr. WOODRUM. I yield.

Mr. McCORMACK. But the committee in the first instance would present the facts, and it is highly probable that the Civil Service Commission would not take issue with the special committee who presented the facts showing a man to be qualified as a senior attorney, for example?

Mr. WOODRUM. That is true.

Mr. TARVER. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. TARVER. I desire to direct the gentleman's attention to amendment no. 10, which prohibits the employment of more than one-half of 1 percent of the employees of any administrative agency who are nonresidents of a State or region where employed.

Mr. WOODRUM. We have not come to that.

Mr. BUCHANAN. I beg the gentleman's pardon. That was in the conference report. That has been eliminated.

Mr. TARVER. The conference report eliminates that?

Mr. BUCHANAN. It does.

Mr. TARVER. I wish to express my regret that the conference committee has seen fit to eliminate a provision which would prevent sending people from other parts of the country into a State to fill positions that could be filled within the State, particularly under W. P. A. Can the gentleman give the House some reason why that amendment has been eliminated in conference?

Mr. WOODRUM. I will say to the gentleman, without going into a lengthy discussion of it, that it was absolutely unworkable, for the reason that there are so many border

States. For instance, take the State of New York, where hundreds of thousands of people working in New York live in New Jersey. Under that amendment there would have been possibly hundreds of people who are working for the relief administration in New York City, who happen to have their residence in New Jersey or in Connecticut, who would have to be eliminated.

Mr. TARVER. Could not the gentleman's committee have worked out some substitute that would have prevented sending people from New York down to my State, for example, to do work that people in my State could very well do?

Mr. WOODRUM. The committee was especially interested in the gentleman's State, and found, to its utter satisfaction, that the carpetbagger to whom the gentleman has been objecting has been removed and he is no longer down there.

Mr. TARVER. The gentleman is mistaken in limiting the carpetbagger to one. [Laughter.]

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. SNELL. As I understand the gentleman's amendment, the real reason is to give the investigating committee the right to pay more than $3,600 a year for counsel, and they may go as far as $9,000. Is not that the real reason of the whole proposition?

Mr. WOODRUM. The purport of it is to standardize the salaries paid to attorneys and other investigators on investigations on the same basis that they are paid when they are employed by a Government department.

Mr. SNELL. But the real reason is to increase the amount that will be paid to these people?

Mr. WOODRUM. No; I would not say that is the real reason.

Mr. SNELL. But today you have a $3,600 limit.

Mr. WOODRUM. I do not think the gentleman would say that for $3,600, on an annual basis, we would be able to employ some of the type of people who should work on some of these investigations.

Mr. SNELL. I do not take that position, but I say the reason you are bringing in this amendment is to give the committee an opportunity to pay larger salaries?

Mr. WOODRUM. Give them more latitude.

Mr. O'CONNOR of New York. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. O'CONNOR of New York. In connection with what the minority leader said, the reverse of that is true also, that under the existing situation, people may be paid $3,600 who were clerks, and so forth, and under the amendment they would not receive that amount. They might receive as low as $1,000 because they were within that classification bracket.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. RICH. Would this amendment affect in any way the amount that is to be paid to the secretaries of these investigating committees?

Mr. WOODRUM. We think it will have the effect of scaling down all those salaries; that is, that it will be in the interest of economy, efficiency, and balancing the Budget. This is really a Budget-balancing proposition, I will say to my friend from Pennsylvania.

Mr. RICH. If the gentleman has a Budget-balancing proposition we all ought to vote for it.

Mr. WOODRUM. I knew that would appeal to my friend.

Mr. RICH. I am afraid this amendment will only open up the door to pay higher salaries unless the Government knows that the individual is worth the amount he is going to receive for the work he is going to do for the Government.

Mr. WOODRUM. I may say to the gentleman from Pennsylvania that under the present administration the prime consideration is to get people who are worth what they are being paid.

Mr. RICH. It is my observation that never in the world have such salaries been paid to people in public office as are being paid by this administration.

Mr. WOODRUM. I agree with the gentleman that they are much too low.

Mr. RICH. If the gentleman from Virginia would look at this statement of the current condition of the Federal Treasury I would ask him: "How are you going to get the money?"

Mr. WOODRUM. I am interested in this, too; but I wish my friend would tell us how business is with the Rich Bros. [Laughter.]

Mr. RICH. The Rich Bros. manage their business well, and they are doing a good business.

Mr. WOODRUM. I am sure they are.

Mr. RICH. But in spite of this administration. [Laughter.]

Mr. KELLER. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. KELLER. Can the gentleman tell us how much was really paid to Mr. Pecora in that great investigation?

Mr. WOODRUM. I cannot answer the gentleman; I do not know.

Mr. BUCHANAN. He was paid at the rate of $3,600 per year.

Mr. KELLER. It should have been multiplied 10 times.

Mr. O'MALLEY. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. O'MALLEY. Since this subject has been opened, I noticed that the gentleman from Virginia assured the gentleman from Georgia that the carpetbag evil under which he was struggling had been removed. I am wondering if the gentleman can give me—in private, of course—the method by which that carpetbagger was removed from Georgia so I can work it in my district?

Mr. WOODRUM. I shall be very glad to confer with the gentleman as soon as I leave the floor.

Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, the effect of this particular amendment is, as stated by the gentleman from Virginia, to remove the limitation which this House and the Congress very wisely placed upon an appropriation bill to keep the expense of investigations down, and to prevent those performances which have so disgraced Congress in times past. Frankly, I do not believe that any difficulty whatsoever has been experienced in finding people to do the work, even with the $3,600 limitation.

We have had this matter up many times in the last 3 or 4 years. A year ago on this particular question the House voted to stick to the $3,600 limitation. I hope that this particular amendment repealing the $3,600 limitation will not be adopted. There is no question whatever but what it will mean that clerks on a lot of these committees will be rated way up. I would expect several of them to receive the $9,000.

Further, there is nothing in this amendment which would limit expenditures to those made from the contingent fund of the House and the Senate.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. KNUTSON. I am not a lawyer. Would the gentleman tell the House if there is a statute on the books now under which the Government could bring action to recover for overpayments made to investigators in the past?

Mr. TABER. The worst of it is there is no such statute, and it is absolutely impossible to have any check whatever upon these committees.

Mr. KNUTSON. This amendment will multiply the evils under which we are now laboring.

Mr. TABER. By three.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. SNELL. Has the amount of salary a committee could pay to a high-class investigator ever been an obstacle in getting high-class and competent men to do the work of these committees?

Mr. TABER. Never. These people have been ready to do it, because of the publicity and advertising they would get out of it.

Mr. SNELL. And they would not undertake to do the work any more readily because the salary were higher?

Mr. TABER. Not a bit.

Mr. Speaker, I hope the House will reject this amendment and that we will stick to some idea of economy. This amendment will result in the spending by committees of a great many thousands of dollars; and we shall have to answer for these expenditures to our constituents when we go home.

I hope this amendment will be voted down.

Mr. WOODRUM. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. BOILEAU].

Mr. BOILEAU. Mr. Speaker, I want to refer very briefly to the parliamentary situation, because I wonder if some Members realize that the other day when the bill was before us, when it came back from the Senate, by unanimous consent we disagreed to the Senate amendments.

Just a moment ago a motion to recede from our disagreement was passed. Then the gentleman from Virginia offered as a substitute to my motion to concur a motion to concur with an amendment.

If we vote down the gentleman's motion to concur with an amendment we shall be in position to accept the Senate amendment. The Senate amendment, in my judgment, gives the Senate committees opportunity to employ counsel and compensate them in proportion to their real worth.

Unfortunately, in the past, when these investigating committees employed investigators and lawyers who were compelled to go up against the highest-priced investigators and lawyers in the country, there has been a salary limitation of $3,600 a year. In other words, if a lawyer worked for an investigating committee 2 months he was paid the handsome salary of $600 for the 2-month period; $300 a month is the most that can now be paid for the time actually spent for the committee. This is under the existing provisions of the law, as I understand it, which applies to these investigations.

The Senate amendment will remove the limitation so that Senate committees may pay in excess of $3,600 a year.

Mr. TABER. Will the gentleman yield?

Mr. BOILEAU. I yield to the gentleman from New York.

Mr. TABER. As I understood the gentleman, he stated that the House had already agreed to the Senate amendment.

Mr. BOILEAU. No; I did not say that.

Mr. TABER. I do not understand that we have agreed to anything which would increase these salaries.

Mr. BOILEAU. If I said the House agreed to the Senate amendment, I was in error, and I thank the gentleman for correcting me.

We have in a perfunctory way disagreed to the Senate amendments, but the matter pending before us at this time is whether or not we are going to accept a Senate amendment which removes this limitation of $3,600 a year. In other words, in the past these men who have been working for the Senate and House committees have been obliged to work for a fee that was entirely inadequate for the type of service they were performing and were capable of performing. If this is put under the classification act, I do not know how much they would receive, and I have not had any satisfaction from those who should know. I would like to have the gentleman from Texas or the gentleman from Virginia state to the Members of the House how much these men would get for their services, and how much these attorneys would get who are now working for the Wheeler and La Follette committees. How much would these men be paid under the classification act, I do not know. I am sure the Members of the House would like to know, and I hope the gentlemen over there will be able to give us the information.

Mr. BUCHANAN. Will the gentleman yield?

Mr. BOILEAU. I yield to the gentleman from Texas.

Mr. BUCHANAN. In the first place, the attorneys would receive just what their duties would entitle them to receive when measured by the standards of pay fixed for positions with similar duties under the Classification Act.

Mr. BOILEAU. Who determines that?

Mr. BUCHANAN. The investigating committee, and they can get the help of the Classification Division of the Civil Service Commission. They can write out the duties of the attorney and the Civil Service Commission will take that specification of duties and classify the position just like the Civil Service Commission has been classifying thousands of positions in the Government departments. There is no complication about that.

The gentleman talks about the Senate amendment. What does the Senate amendment do? It repeals the $3,600 so far as it applies to the Senate, and no further. The gentleman would have the conference committee raise the limitation so far as the Senate is concerned and leave the $3,600 limit applicable to the House. Would he have this unequal treatment? I think not. I think the Members of the House would not appreciate that either.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. BOILEAU. I yield to the gentleman from New York.

Mr. O'CONNOR of New York. In other words, the House would be bound by the $3,600 limitation and if the gentleman from Wisconsin had his way, the Senate would have no limitation. They could pay $9,000 or $90,000.

Mr. BOILEAU. That is right, except I would expect in the near future to remedy that situation and give the House committees the same privileges.

[Here the gavel fell.]

Mr. WOODRUM. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. BOILEAU. Mr. Speaker, may I ask the gentleman a question? This Senate amendment affects the Senate investigating committees that are now functioning. I would ask the gentleman, in view of the fact it applies to these particular committee counsel, how much will these counsel now employed by the La Follette committee and the Wheeler committee receive? That is the question. How much would they receive?

Mr. WOODRUM. The committee does not have that information.

Mr. BOILEAU. We do not know. We are adopting an amendment here we know nothing about. Let us for the time being at least have confidence in the Senate committee. We can work it out. If we want to work out something for the House and Senate, let us do so knowing what we are doing. The Members of the House are legislating here, and they do not know what it is all about. We cannot be told whether under the substitute amendment those attorneys would receive $2,400 a year or $9,000 a year. I submit if we do not have this information the House should properly turn down the motion to concur in the amendment and accept the Senate amendment, which will give the Senate committee the right to fix salaries in excess of $3,600 a year if they see fit, at least until such time as we work out a suitable solution.

[Here the gavel fell.]

Mr. WOODRUM. Mr. Speaker, this is an effort to equalize and standardize the payment of salaries by investigating committees. The attorneys employed by Senate investigating committees will be paid on the same basis of qualification and experience and service rendered as attorneys in every Government department in Washington. Certainly there cannot be any objection to that.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. WOODRUM moves that the House recede from its disagreement to the amendment of the Senate numbered 5 and agree to the same with an amendment as follows: Strike out all of the matter proposed to be inserted by such amendment after the word "amended" in line 9 and insert in lieu thereof the following: ": *Provided further*, That the rate of compensation for any position under the appropriations now available for, or herein or hereafter made for, expenses of inquiries and investigations of the Senate or expenses of special and select committees of the House of Representatives shall not exceed the rates fixed under the Classification Act of 1923, as amended, for positions with comparable duties; and the salary limitations of $3,600 attached to appropriations heretofore made for expenses of inquiries and investigations of the Senate or for expenses of special and select committees of the House of Representatives are hereby repealed."

The SPEAKER. The question is on the motion of the gentleman from Virginia to concur in the Senate amendment with an amendment.

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 135, noes 75.

Mr. TABER. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The Chair will count. [After counting.] Forty-nine gentlemen have arisen, a sufficient number.

The yeas and nays were ordered.

The question was taken; and there were—yeas 227, nays 132, not voting, 73, as follows:

[Roll No. 12]

YEAS—227

Aleshire	Doxey	Kitchens	Peterson, Fla.
Allen, Del.	Drew, Pa.	Kleberg	Peterson, Ga.
Allen, La.	Driver	Kocialkowski	Peyser
Allen, Pa.	Duncan	Kopplemann	Pfeifer
Anderson, Mo.	Dunn	Kramer	Phillips
Arnold	Eberharter	Lambeth	Poage
Barden	Eckert	Lamneck	Quinn
Barry	Edmiston	Lanham	Rabaut
Beam	Evans	Lanzetta	Ramsay
Beiter	Faddis	Larrabee	Ramspeck
Bell	Fernandez	Lea	Randolph
Biermann	Fitzgerald	Lucas	Rayburn
Binderup	Fitzpatrick	Luckey, Nebr.	Reilly
Bland	Flannagan	Ludlow	Richards
Bloom	Flannery	McAndrews	Rigney
Boehne	Fieger	McClellan	Robinson, Utah
Boland, Pa.	Forand	McCormack	Sabath
Boyer	Ford, Calif.	McGrath	Sacks
Boykin	Frey, Pa.	McKeough	Sanders
Boylan, N. Y.	Fuller	McLaughlin	Schaefer, Ill.
Bradley	Gambrill	McMillan	Schuetz
Brooks	Garrett	McSweeney	Schulte
Buchanan	Gasque	Magnuson	Scott
Bulwinkle	Gavagan	Mahon, S. C.	Srugham
Burch	Gingery	Maloney	Shanley
Byrne	Goldsborough	Mansfield	Sheppard
Caldwell	Green	Mapes	Smith, Conn.
Cannon, Mo.	Greenwood	Martin, Colo.	Smith, Va.
Cartwright	Gregory	Massingale	Smith, Wash.
Celler	Griffith	Maverick	Smith, W. Va.
Champion	Griswold	Mead	Snyder, Pa.
Chandler	Haines	Meeks	South
Citron	Hamilton	Merritt	Sparkman
Clark, Idaho	Hancock, N. C.	Miller	Stack
Claypool	Harlan	Moser, Pa.	Starnes
Cochran	Harter	Mosier, Ohio	Steagall
Coffee, Nebr.	Healey	Mouton	Sullivan
Colden	Hendricks	Murdock, Ariz.	Sutphin
Cole, Md.	Hennings	Murdock, Utah	Swope
Collins	Hill, Ala.	Nelson	Tarver
Cooper	Hill, Wash.	Norton	Terry
Costello	Hope	O'Brien, Ill.	Thomas, Tex.
Cravens	Houston	O'Brien, Mich.	Thompson, Ill.
Crowe	Hunter	O'Connell, R. I.	Tolan
Culkin	Isac	O'Connor, Mont.	Umstead
Cullen	Jarman	O'Connor, N. Y.	Vinson, Ga.
Cummings	Jenckes, Ind.	O'Day	Vinson, Ky.
Curley	Johnson, Okla.	O'Leary	Wallgren
Dcen	Johnson, Tex.	O'Neill, N. J.	Walter
Delaney	Johnson, W. Va.	O'Toole	Welch
DeRouen	Kelly, Ill.	Palmisano	West
Dickstein	Kelly, N. Y.	Parsons	Whittington
Dingell	Kennedy, Md.	Patman	Wilcox
Disney	Kennedy, N. Y.	Patrick	Williams
Dixon	Kenney	Patterson	Woodrum
Dockweiler	Keogh	Patton	Zimmerman
Doughton	Kirwan	Pearson	

NAYS—132

Allen, Ill.	Engel	Lemke	Rees, Kans.
Amlie	Englebright	Lewis, Colo.	Rich
Andresen, Minn.	Fish	Lord	Robsion, Ky.
Andrews	Focht	Luce	Rogers, Mass.
Arends	Ford, Miss.	Luecke, Mich.	Ryan
Ashbrook	Fries, Ill.	McFarlane	Sauthoff
Bacon	Gearhart	McGehee	Schneider, Wis.
Bates	Gehrmann	McLean	Secrest
Bernard	Gray, Pa.	Maas	Short
Boileau	Greever	Mahon, Tex.	Smith, Maine
Brown	Guyer	Martin, Mass.	Snell
Buckler, Minn.	Gwynne	Mason	Stefan
Burdick	Halleck	May	Taber
Carlson	Hancock, N. Y.	Michener	Taylor, S. C.
Carter	Harrington	Millard	Teigan
Casey, Mass.	Hartley	Mills	Thom
Church	Havenner	Mitchell, Ill.	Thomas, N. J.
Clason	Hildebrandt	Mitchell, Tenn.	Thomason, Tex.
Cluett	Hoffman	Mott	Thurston
Coffee, Wash.	Holmes	O'Connell, Mont.	Tinkham
Cole, N. Y.	Hull	O'Malley	Tobey
Colmer	Imhoff	O'Neal, Ky.	Transue
Connery	Jacobsen	Oliver	Turner
Cox	Jenkins, Ohio	Owen	Warren
Crawford	Jenks, N. H.	Pettengill	Whelchel
Creal	Johnson, Minn.	Pierce	White, Idaho
Crosser	Keller	Plumley	White, Ohio
Dempsey	Kinzer	Polk	Wigglesworth
Ditter	Kloeb	Powers	Withrow
Dondero	Kniffin	Rankin	Wolcott
Dowell	Knutson	Reece, Tenn.	Wolfenden
Eaton	Kvale	Reed, Ill.	Wolverton
Ellenbogen	Leavy	Reed, N. Y.	Woodruff

NOT VOTING—73

Atkinson	Drewry, Va.	Kee	Sirovich
Bigelow	Eicher	Kerr	Somers, N. Y.
Boren	Farley	Lambertson	Spence
Brewster	Ferguson	Lesinski	Stubbs
Buck	Fletcher	Lewis, Md.	Sumners, Tex.
Buckley, N. Y.	Fulmer	Long	Sweeney
Cannon, Wis.	Gifford	McGranery	Taylor, Colo.
Case, S. Dak.	Gilchrist	McGroarty	Taylor, Tenn.
Chapman	Gildea	McReynolds	Towey
Clark, N. C.	Goodwin	Nichols	Treadway
Cooley	Gray, Ind.	Pace	Voorhis
Crosby	Hart	Robertson	Wadsworth
Crowther	Higgins	Rogers, Okla.	Wearin
Daly	Hill, Okla.	Romjue	Weaver
DeMuth	Hobbs	Rutherford	Wene
Dies	Honeyman	Sadowski	Wood
Dirksen	Hook	Seger	
Dorsey	Jarrett	Shafer, Mich.	
Douglas	Jones	Shannon	

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Somers of New York (for) with Mr. Wadsworth (against).
Mr. Buckley of New York (for) with Mr. Dirksen (against).
Mr. Taylor of Colorado (for) with Mr. Crowther (against).
Mr. Robertson (for) with Mr. Treadway (against).
Mr. Drewry of Virginia (for) with Mr. Douglas (against).
Mr. Hart (for) with Mr. Seger (against).
Mr. Jones (for) with Mr. Gifford (against).
Mr. Lewis of Maryland (for) with Mr. Goodwin (against).

Until further notice:

Mr. McReynolds with Mr. Brewster.
Mr. Sumners of Texas with Mr. Gilchrist.
Mr. Kerr with Mr. Case of South Dakota.
Mr. Chapman with Mr. Jarrett.
Mr. Dies with Mr. Taylor of Tennessee.
Mr. Fulmer with Mr. Lambertson.
Mr. Romjue with Mr. Rutherford.
Mr. Buck with Mr. Shafer of Michigan.
Mr. Clark of North Carolina with Mr. Towey.
Mr. Wearin with Mr. Atkinson.
Mr. Higgins with Mr. Pace.
Mr. Nichols with Mr. Daly.
Mr. Stubbs with Mr. Boren.
Mr. Ferguson with Mr. Gray of Indiana.
Mr. Eicher with Mrs. Honeyman.
Mr. Shannon with Mr. Long.
Mr. Spence with Mr. Bigelow.
Mr. Sweeney with Mr. DeMuth.
Mr. Cannon of Wisconsin with Mr. Voorhis.
Mr. Lesinski with Mr. Crosby.
Mr. Farley with Mr. Wene.
Mr. Hook with Mr. Dorsey.
Mr. Weaver with Mr. Fletcher.
Mr. Kee with Mr. Wood.
Mr. Hobbs with Mr. Gildea.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. O'CONNOR of New York). The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment no. 9: Strike out, after the word "appropriation", the following language "or of the appropriation in the Emergency Relief Appropriation Act of 1936 shall be used hereafter to pay the compensation of any person, not taken from relief rolls, detailed or loaned for service in connection with any investigation or inquiry undertaken by any committee of either House of Congress under special resolution thereof" and insert "or of any appropriation for any executive department or independent executive agency shall be used hereafter to pay the compensation of any person detailed or loaned for service in connection with any investigation or inquiry undertaken by any committee of either house of Congress under special resolution thereof, unless the department, agency, or establishment from whose staff such person is detailed or loaned shall render to the Secretary of the Senate or the Clerk of the House of Representatives (according as the Senate or the House of Representatives shall have ordered such investigation or inquiry) a statement on or before the 10th day of each month of the number, grade, or status, and monthly compensation of the persons so detailed or loaned from the staff of such department, agency, or establishment during the preceding calendar month."

Mr. WOODRUM. Mr. Speaker, I move to recede and concur in the Senate amendment with an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Mr. WOODRUM moves that the House recede from its disagreement to Senate amendment no. 9 and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "or of any appropriation or other funds of any executive department or independent executive agency shall be used after June 30, 1937, to pay the compensation of any person detailed or loaned for service in connection with any investigation or inquiry undertaken by any committee of either house of Congress under special resolution thereof."

Mr. ELLENBOGEN. Mr. Speaker, I offer a preferential motion, which I send to the Clerk's desk.

The Clerk read as follows:

Mr. ELLENBOGEN moves that the House recede and concur in Senate amendment no. 9.

Mr. WOODRUM. Mr. Speaker, I ask for a division of the question.

The SPEAKER pro tempore. The gentleman from Virginia demands a division of the question. The question is, Shall the House recede from its disagreement to the Senate amendment?

The question was taken, and the motion to recede was agreed to.

Mr. WOODRUM. Mr. Speaker, I move to concur in the Senate amendment with an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Mr. WOODRUM moves that the House concur in the Senate amendment with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "or of any appropriation or other funds of any executive department or independent executive agency shall be used after June 30, 1937, to pay the compensation of any person detailed or loaned for service in connection with any investigation or inquiry undertaken by any committee of either House of Congress under special resolution thereof."

Mr. ELLENBOGEN. Mr. Speaker, I make the point of order that the motion of the gentleman from Virginia violates the rules of the House in that it is legislation on an appropriation bill.

The SPEAKER pro tempore. The Chair will state that the Senate amendment is legislation, and the amendment to that amendment offered by the gentleman from Virginia is not out of order because it contains legislation. The Chair therefore overrules the point of order.

Mr. O'MALLEY. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. O'MALLEY. Mr. Speaker, I make the point of order that the amendment of the gentleman from Virginia is not germane, since it limits the Senate amendment by date.

The SPEAKER pro tempore. The Chair will state that it deals with the same subject matter, and the mere limitation of the Senate amendment by date does not destroy its germaneness, and the Chair therefore overrules the point of order.

Mr. WOODRUM. Mr. Speaker, in explanation of the motion before the House I will say this, that the purpose of the Appropriations Committee has always been simply to try and protect the appropriation acts of Congress.

Now, there has been a lot of cheap emotionalism injected into this matter by a few crackpot newspaper interviews with gentlemen serving in another branch of the legislative body, which parliamentary precedents prevent my calling by name, to the effect that sinister influences were coming to Washington to move upon Congress to throttle great beneficial measures in relation to this and that.

That is what a former great Governor called "baloney." The Appropriations Committee is not concerned with the merits or demerits of congressional investigations. That is a matter for the House and a matter for the Senate.

The House can order an investigation whenever it chooses. It can investigate the capacity of men past 70 years of age, as suggested in the resolution read at the desk this morning. It can go into any sort of investigation it sees fit to undertake, but what the Appropriations Committee is going to insist on is that when an investigation is ordered the money to pay for it shall be over and above board. Now, that is right and logical.

To put the matter briefly, because I do not want to consume too much time as there are important matters to come up this afternoon, this language we have brought here appears to be about the best we can get. This language will compel investigating committees to come directly to Congress for their money. The language does not apply to standing committees of the House or the Senate, where those committees wish to avail themselves of the ability of technical advisers from the departments when they need such advice in pursuit of their hearings on legitimate matters. It applies specifically to investigating committees, and will compel them to come to Congress for their appropriations when they desire to make investigations. That is the sum and substance of the whole language.

Under the language now proposed, it will not affect any standing committee of the House or the Senate. Standing committees still have the right to draw upon the establishments for expert advice and counsel or help, but it does prohibit, on and after June 30, the lending of personnel to investigating committees. The date of June 30 was put in for the purpose of not interfering with two existing investigations which are under way in the Senate.

Mr. ELLENBOGEN. Mr. Speaker, a parliamentary inquiry.

Mr. WOODRUM. Mr. Speaker, I do not yield for the purpose of a parliamentary inquiry.

Mr. O'MALLEY. Mr. Speaker, will the gentleman yield for a question?

Mr. WOODRUM. Yes; I yield.

Mr. O'MALLEY. Would not the language of the gentleman's amendment mean that at the date set no Senate committee or House committee investigating any problem could borrow personnel from that date on without legislation by the Congress?

Mr. WOODRUM. The gentleman is correct. That is the purpose of it. The Appropriations Committee thinks investigations should come with a budget or an estimate of their costs and expenses and Congress should directly appropriate for them just as it does for other Government activities. This is the whole issue involved.

Mr. O'MALLEY. Mr. Speaker, will the gentleman yield further?

Mr. WOODRUM. Yes.

Mr. O'MALLEY. Why not continue the authority to borrow in this way until the next appropriation year instead of cutting it off at the end of the session or at the end of the fiscal year?

Mr. WOODRUM. I may say to the gentleman that the House Appropriations Committee wanted to cut it off right now.

Mr. O'MALLEY. I know that, but the House proper may think otherwise.

Mr. WOODRUM. It appears there are two investigations under way in the Senate, and a good many people have been borrowed from the departments and are working on these investigations, and it was not desired to upset those investigations but to bring about a cure for the evil at the conclusion of those investigations or at the end of the fiscal year.

Mr. O'MALLEY. The gentleman will admit that his amendment totally destroys or changes the Senate amendment.

Mr. WOODRUM. It certainly modifies the Senate amendment.

Mr. O'MALLEY. About 99 percent.

Mr. WOODRUM. If I had my way, I would modify it 100 percent.

Mr. CONNERY. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. CONNERY. I want to be sure I understand the situation thoroughly. Under the motion we just passed we receded from the House amendment and now the gentleman is offering a motion to concur in the Senate amendment with an amendment. Suppose the Rules Committee should bring in a favorable report upon my resolution to investigate the radio monopoly in the United States by a special or select committee of this House, do I understand we could not get any experts from the Government; that we could not get any lawyers from the Radio Commission or the Interstate Commerce Commission without having a specific appropriation made for the proposed committee of seven?

Mr. WOODRUM. You could not get personnel from those departments to put in full-time work with your committee unless you came in here with a budget or an estimate and there was an appropriation made for that purpose to be

taken out of your appropriation. In other words, you would have to make the investigation and could not get a resolution passed and then have the Communications Commission make the investigation. The gentleman knows quite well that the House will give sufficient funds for any investigation it orders to get personnel, and if the gentleman believes there is certain personnel in a department which he should have detailed to his committee, it is a very simple matter of bookkeeping to transfer them to the payroll of his committee after the appropriation is made; but we want your investigating committee to have the funds and pay the costs of its own investigation and not have the cost come out of the general funds which we provide for the departments.

Mr. CONNERY. That is theory. But coming down to practicalities, does not the gentleman know that to reach a thorough investigation by a special committee is difficult, almost impossible to get a thorough investigation if you tie their hands so that they cannot get men from these departments?

Mr. WOODRUM. My experience has not been such as my friend indicates. You can get almost any kind of a resolution passed through the House if the gentleman will assure the House that it will not cost anything. But it is a different situation if you are going to take people out of the Interstate Commerce Commission for a year and a half and run the cost up to $400,000.

Mr. RANKIN. Will the gentleman yield me some time in opposition? We ought to have some time.

Mr. WOODRUM. Yes; I will yield the gentleman some time, but I now yield to the gentleman from Connecticut [Mr. HEALEY] for a question.

Mr. HEALEY. The gentleman's amendment will not bar the use of department employees for an investigation, but will prohibit the department from paying for their services out of an appropriation made for that department.

Mr. WOODRUM. The gentleman is right. Mr. Speaker, I now yield to the gentleman from Illinois [Mr. SABATH] 5 minutes.

Mr. SABATH. Mr. Speaker, I take it for granted that the figures of the gentleman from Virginia, as given to the House, are correct.

I know that the select committee of which I have the honor of being chairman has received aid from some of the departments, notably the Treasury Department. H. R. 79, which passed the House in February 1935, provided that—

> Whenever, in the opinion of the committee, evidence is developed in connection with the investigation which discloses or tends to disclose any violation of any Federal law, the committee is authorized and directed to request the Department of Justice, the Post Office Department, the Treasury Department, or any other Federal agency, whichever department or agency has jurisdiction to administer such law, to assign attorneys or agents thereof to the committee.

Your select committee was faced with the problem of conducting Nation-wide investigations into the activities of protective committees, affecting over 5,000,000 bondholders and involving over $20,000,000,000. To do this it has had in the 2 years of its existence $110,000. Without assistance from the departments it could never have done this, and the assistance rendered us by the departments has resulted in savings to the Government of a hundred times the sum we have spent.

As a good example, let me call attention to the reports of the Internal Revenue Department for the fiscal years ending June 30, 1935, and June 30, 1936, wherein is reported collections of income tax from reorganization, bankruptcy, and receivership proceedings of over $11,000,000. This committee has been responsible for the major portion of those collections, which would otherwise never have been made, and I say that the assistance we rendered the Department in these matters and the part we played in calling their attention to hundreds of cases and submitting to them the results of our investigations more than justifies the money we have spent. This represents a continuing saving to the Government. Next year I anticipate that as great a sum, if not greater, will be collected. [Applause.]

Within a month after our committee started its work we found that we were indeed confronted with a tremendous task. In thousands of cases throughout the country it developed that mortgage bankers, investment bankers, lawyers, and others were securing control of bonds, forming their own "protective" committees, and gaining control of billions of dollars' worth of property. Our preliminary report of January 29, 1935, consisting of 20 pages, and supplemental report of June 19, 1936, with 122 pages, gives a condensed report of numerous cases throughout the Nation. Our next report will go into many other cases.

I wish that it were possible for all the Members to read those reports. If the House were fully cognizant of the extent to which bondholders have been and are being mulcted, I know that we would not have to seek assistance from any department. We would be given an appropriation large enough to carry on our work. I only hope that such an appropriation will be made available to us to continue our investigations. [Applause.]

The reports I mention show how the select committee has saved thousands of bondholders, has forced the turning over of properties to them, and enforced the payment of interest on their bonds. Thousands of persons have been taken off the relief rolls because of our activities.

We held open hearings in Chicago, New York, Washington, Philadelphia, Boston, Manchester, St. Louis, Detroit, San Francisco, Los Angeles, and Miami, not only on real estate and industrial reorganizations but on municipal, drainage, and life-insurance reorganizations.

In connection with the life-insurance cases I might mention that the committee some time ago secured the services, without compensation, of a few expert actuaries, and since then we have conducted thorough investigations of this phase. I believe this racket—I can call it by no other name—is one of the worst we have encountered. It affects labor, charitable, benevolent, and fraternal organizations. We found that by the use of but a few thousand dollars as many as 32 insurance and other companies came under the control of one small group. The policyholders paid the bill. Their premiums were raised as high as 400 percent. I do not believe there are many Members who realize the gravity of this situation.

Many attempts have been made to delay, embarrass, and impede our work. Even today strong pressure is being brought by many of the country's outstanding lawyers, representing these committees, receivers, trustees, and the conniving and thieving protective committees, hoping to halt our investigations. But our work is not completed. I might say, in answer to the question which was raised as to how many indictments and convictions the committee had secured, that the committee is not a grand jury or a prosecuting attorney but an investigative body whose duty it is to bring before this House the result of its penetrations into a great abuse. However, we have secured many indictments and many convictions, and hardly a week passes without a new conviction or indictment resulting from our investigations being reported. [Applause.]

I am proud of the work this committee has done. Over 8,000 pages of printed hearings give the result of its work, and 5,000 pages remain to be printed. The committee has saved thousands from the relief rolls, has put a halt to the greedy practices of those who prey on the poor and the weak, and has been and is now assisting the courts in many reorganization proceedings, to assure proper and equitable treatment to small investors.

In the near future I will more thoroughly explain, in full detail, the activities and accomplishments of this small committee.

In conclusion let me state that the money spent by this committee—the money certain departments spent in aiding it—has not been wasted. It has been returned to the Government a hundredfold, and to the public of the Nation a thousandfold. [Applause.]

Mr. WOODRUM. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. ELLENBOGEN].

Mr. ELLENBOGEN. Mr. Speaker, let us examine what effect the passage of the motion of the gentleman from Virginia [Mr. WOODRUM] would have. If a select committee

is appointed to investigate a certain matter, that committee is charged by either the House or the Senate with the investigation of a subject matter, because the House or the Senate believes that the particular matter needs to be investigated in order to supply facts and information which we need to legislate intelligently. I believe we should aid and encourage our select committees in every possible way so that they may get the information upon which we base future legislation.

What will be the effect of the motion of the gentleman from Virginia? That motion would hinder, it would delay, it would curb the investigations. It may in many cases prevent the discovery of information which is vitally needed to draft legislation which we should enact. Some people seem to consider investigating committees a nuisance, which must be curbed, instead of an aid in the performance of our duty. I cannot conceive that the House will deliberately cripple its own arms or the arms of the Senate so that needed information may be withheld from the legislative branch.

Mr. CONNERY. Mr. Speaker, will the gentleman yield?

Mr. ELLENBOGEN. Yes; I gladly yield to my distinguished colleague from Massachusetts.

Mr. CONNERY. The best insurance the United States has, as the gentleman from Illinois [Mr. SABATH] says, in saving millions of dollars are these special investigations.

Mr. ELLENBOGEN. Certainly; and any money used by them for the purpose of bringing out these facts is well spent. Why should we not go to the Government bureaus for men who have the peculiar knowledge, the experience, and the talent which these committees need in order to discover and to assemble the facts and to perform their job intelligently and effectively?

It has been said during the argument on this amendment that a large part of the appropriation made for the Bureau of Accounts of the Interstate Commerce Commission has been spent in aiding the investigation of the Wheeler Committee and that this has interfered with the proper functioning of that Bureau. This statement is contradicted by a letter which was written on February 1, 1937, to Senator WHEELER by Mr. Joseph B. Eastman, who is the member of the Interstate Commerce Commission to whom the Bureau of Accounts reports. I am advised that this letter has the approval of the entire Commission. In his letter, Commissioner Eastman says that—

> While this has lessened the routine work of the Bureau * * * the work which these accountants have been and are doing under Senate Resolution 71 is of great general value and also of special value to the Commission in the regulation of railroads, including the regulation of their accounting.

After discussing the normal functions of the Bureau of Accounts, Commissioner Eastman then goes on to say:

> To a considerable extent we might have conducted such an inquiry on our own account, but I am glad that your committee has undertaken it for these reasons:
>
> First. Our powers of inquiry are largely confined to the carriers, but these financial matters ramify into banking and holding company activities which your committee has power to investigate, but we have not.
>
> Second. The bringing to public attention of any abuses that may be discovered is in itself of great importance, and an investigation conducted by a Senate committee is more effective in this respect that an investigation conducted by the Commission.
>
> Third. If the abuses can and should be corrected by legislation, it is of great advantage to have the investigation in charge of a committee of Congress which is in the best possible position to seek the necessary legislation. As a matter of fact, examination of the reports made to Congress by this Commission in the past will show that the present inquiry is again disclosing abuses and opportunities therefor, such as we have on several occasions brought to the attention of Congress, but ineffectively, probably because there were no Members of Congress who had special knowledge of and interest in these matters.
>
> Fourth. Your committee has been able to employ for the investigation, in addition to our accountants, other men equipped by training for the work, thus magnifying largely the results which we would have been able to obtain unaided.
>
> Fifth. I am very hopeful that one of the results of the investigation will be to demonstrate to your committee the amount of work involved in accounting and financial investigations and the need for placing the Commission in a position to do such work adequately.
>
> I may add that it is my hope, and also my expectation, that the inquiry which your committee is now conducting will have broadly constructive results, and particularly in leading to some effective Federal control over the creation and uses of holding and other corporations. There has long been sore need for such control, which will go to the root of many of the abuses in the conduct of private business from which the country has suffered.

This letter is printed in full in the CONGRESSIONAL RECORD on page 700. I hope that my colleagues will have the time to read it carefully. I believe it answers most of the arguments made on behalf of the Woodrum amendment.

I yield back the remainder of my time, and ask unanimous consent to extend and revise my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. WOODRUM. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Speaker, I am opposed to this amendment. I think it very unfortunate that it is brought before the House at this time, and I can see nothing in it except an effort to curb the Senate investigating committees that have rendered such wonderful services in the past. In other words, this amendment, if adopted, will simply tend to curb those Senate special committees, and those in the House also, that have rendered such wonderful services, from Teapot Dome to Wall Street investigation and on down through the Power Trust and the munitions investigation now going on. [Applause.]

Why should they not be permitted to use men already on the Government pay roll? I cannot seriously consider the argument that it would pile up governmental expenses to permit men already on the pay roll, and whose peculiar qualifications and peculiar talents and opportunities to secure information and adaptability to coordinating it, men who are already on the pay roll, to come before these special committees as they have done from Teapot Dome to the present day.

I am proud of the record these Senate committees have made. They have done much to curb some of the worst evils that have crept into this Government, and the American people today are behind those committees that are investigating and using the powers of the Government to stop those corruptions that are undermining the very foundation of American institutions.

Mr. GOLDSBOROUGH. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. Yes.

Mr. GOLDSBOROUGH. There has never been any claim that these men's services down here are interfered with by coming up to the Capitol?

Mr. RANKIN. Not in the least. There has not been a single department that I ever heard of that has complained that it is in the least embarrassed by furnishing its men to help special investigating committees to bring to light those facts that have been so important to the American people in these far-reaching, valuable, and effective investigations.

Mr. GOLDSBOROUGH. Their salaries are not any more, are they?

Mr. RANKIN. No.

Mr. WOODRUM. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. WOODRUM. I know the gentleman would like to have enlightenment. The Interstate Commerce Commission spent $434,000 of money which our committee appropriated for them to do the job that Congress has put upon them. They had to divert that personnel to the full-time service of a committee of the Senate, and when they came before our committee we asked them why they had not done the job. They said they did not have the people with which to do it. We said, "We gave you the money to employ the people." They said, "Yes; we employed the people, but they had to work for the Senate committee."

Mr. RANKIN. And the Senate committee's investigation was worth a billion dollars to the American people. Besides, these people would have drawn the same amount of pay if there had been no Senate investigation.

Mr. WOODRUM. But what objection does the gentleman have to appropriating the money directly to the committee that is making the investigation?

Mr. RANKIN. Oh, I know what it means. The object of this amendment is to try to stop these investigations. The Power Trust will thank you for that.

You are going to try to force a Senate committee and all these other investigating committees to have those men who are already educated and prepared to do this work thrown out and come here and ask for a special appropriation. No, Mr. Speaker, in my humble opinion, the passage of this amendment offered by the gentleman from Virginia will be one of the worst blows we could deliver at the great work that is now being done and will be done in the future by these patriotic, sincere, and courageous men in the Senate, who have done such wonderful work in the last 10 years in helping to redeem American institutions and to save the people of this country from being plundered as they have been in the past.

You cannot get investigations otherwise. I have seen it tried. I have tried it myself. The only way you can get a thorough investigation is through a special committee. To say to them that they cannot use men already on the pay roll, but that they must come here and argue for days and days for a special appropriation simply means squelching those investigations.

I hope the House votes down the amendment. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

Mr. WOODRUM. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. O'MALLEY].

Mr. O'MALLEY. Mr. Speaker, this subject has particular interest for me as it did for my good colleague, the dean of this House, chairman of the select committee upon which I have served for some 2½ years. This committee to investigate defaulted real-estate bonds, affecting the lives of nearly 15,000,000 people and their savings and affecting nearly $20,000,000,000 worth of property, was set up with an original appropriation of $15,000. In 2½ years this committee has received around $110,000 from this House. How many expert accountants could that committee have employed, at $3,600 a year, with $110,000? How many lawyers, who could be called lawyers, could have been employed? We could not have employed 10, yet we had the problem of investigating nearly 20,000 separate and distinct committees, nearly 15,000 banks and their books, and we had to go to the Treasury Department and the W. P. A. to borrow trained personnel. We went there because they had expert accountants that we could not afford to hire. Those accountants and clerks helped us with reports that have enabled the Government to recover $11,000,000 in income taxes, and they today have income-tax cases pending, which, if half of them are successfully prosecuted, will recover for the Federal Government $20,000,000 or more in additional taxes. Did the employees of our committee, borrowed from this Department, cost the Government any money? They did not. They made money for the Government.

We know the impossibility of coming before this House in advance and telling you Members how many employees we are going to need or how much money we need when an investigation is authorized. We cannot estimate it, and no committee can tell until they start upon the investigation what work must be done.

Mr. McGRANERY. Mr. Speaker, will the gentleman yield?

Mr. O'MALLEY. I yield.

Mr. McGRANERY. Can the gentleman furnish any information giving the number of convictions that have grown out of indictments as a result of the Sabath committee?

Mr. O'MALLEY. I will say to the gentleman that out of the indictments brought under State laws in the State of New York there were two or three convictions. There were 16 or 17 indictments in the city of Philadelphia, from which the gentleman comes, and I do not know what has happened to them; but I will say there is nothing that some interests in this Nation would like better than to have the Congress hampered in making special investigations. There are special interests who know they can stall off accounting for their sins beyond the statute of limitations, and the only thing they do not like is a senatorial or congressional investigation, because that investigation shows them up and gives them publicity that they cannot stand, and crooks of all stripe hate investigations and public exposure.

If you pass the amendment offered by the gentleman from Virginia [Mr. WOODRUM], you will hamstring the investigating powers of Congress which vicious special interests have long hoped to accomplish. You sabotage the Congress of the United States in getting after those special interests and exposing them in the only way the Federal Government can get effective action and stop vicious practices. [Applause.]

[Here the gavel fell.]

Mr. WOODRUM. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I should like to clear up a little some of the emotionalism that has been injected into this thing. All this talk about trying to hamstring investigations and to prevent wonderful disclosures, if there have been wonderful disclosures, made by this, that, or the other, is entirely aside from the point. I think I have voted for most of the investigations. I say it somewhat blushingly. I am not proud of it, but I have voted for most of them that have been initiated in the House, and helped to appropriate the money for them. Nobody is trying to stop any investigation or activity that should be continued or the disclosure of any fact that ought to be disclosed; but what we do want to do is that when we make an investigation to put on the books and to charge to the investigation the personnel and the cost of making it.

Mr. O'MALLEY. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. O'MALLEY. Does not the Senate amendment, which requires a report of the cost, put on the books what the cost is?

Mr. WOODRUM. Yes; it puts it on the books.

When Congress appropriates money for personnel of a department, thinking they are going to carry out the functions of the department, committees of Congress have no right to take that personnel away from them on the theory that it is all right to do that so long as they file with the Secretary of the Senate a list of the people that they have called. That is not what we want.

There is no earthly reason why any investigating committee of either branch of this Congress may not draw any personnel it needs on a legitimate investigation from any department. What the committee wants them to do is to transfer that personnel from the departmental pay roll to the pay roll of the investigating committee—have the thing open and aboveboard and not camouflage it before the American people. [Applause.]

I do not know what the Wheeler investigating committee has done, but I think you may be interested in knowing how much money they have spent—and they have spent hundreds of thousands of dollars. Maybe it is worth it; I do not know—I hope it is. We may go upon the assumption that it is; but if it is open and aboveboard and if it is worth it, then there is no reason under high heaven why we have got to camouflage it and hide it under the cloak of Congress.

The Appropriations Committee of the House resent the inference—I do not care where it comes from—of anybody who says we are trying to stop any investigation. We are not trying to stop any investigation, and we specifically provide that these two pet investigations some of our colleagues are so much interested in may run through this Congress up to July.

Mr. ELLENBOGEN. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. ELLENBOGEN. Under the gentleman's amendment if a select committee were appointed by the House or the Senate to make a special investigation during a recess of Congress and then were to discover certain facts that cannot be developed without departmental assistance, they would be prevented from carrying out the investigation because they could not get funds to pay this transferred personnel.

Mr. WOODRUM. They could ask the department for the facts but could not take personnel from the department and

put them on the committee work, unless the committee got the money to pay for it.

Mr. MARTIN of Colorado. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. MARTIN of Colorado. The only difference under the gentleman's amendment is that while personnel would still be taken out of the departments, they would be paid out of a special committee appropriation instead of from the general funds of the department. The department, however, would still be deprived of their personnel.

Mr. WOODRUM. They will be deprived of it, but we will not have the anomalous situation of appropriating money for a department for one purpose and seeing them use it for something else.

Mr. MANSFIELD. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. MANSFIELD. I understand that the gentleman's proposition is that the record shall show the cost of an investigation?

Mr. WOODRUM. That is right.

Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. CONNERY].

Mr. CONNERY. Mr. Speaker, there is a thing called sabotage. Sabotage is where people go onto a steamer or into a factory and destroy the machinery so that those who use that machinery cannot work any longer. This amendment of the gentleman from Virginia is a nice way of sabotaging congressional special investigations.

We all understand the intent of the gentleman from Virginia. He wants us to be able to use employees from the Government departments, but they must be paid for out of the fund which is appropriated by the Appropriations Committee to that special committee. In other words, you cannot borrow a man from a department and have that department of the Government pay for him.

The gentleman from New York [Mr. FISH] will remember that some years ago we had a congressional investigation in reference to veterans. At that time grafters and crooks were sending out lead pencils to the people of the United States under the representation that it was from a disabled veterans' organization soliciting funds to aid the disabled veterans. Funds came in $1 at a time from all over the country until this outfit had raised some $500,000. Of this, about $14,000 was spent for the veterans, the rest going to the promoters of the scheme. At that time we had to use employees from departments of the Government to get this information, but as a result of that investigation we broke up that graft ring completely and stopped the despoiling of the American people at the hands of these crooks. Then there was the Teapot Dome investigation, and the Sabath investigation, and the veterans' investigation, as a result of which Mr. Forbes went to jail.

Had it not been for the ability of these special committees to use employees of the Government departments, if these committees could not have borrowed them but had to depend upon the money set aside by Congress for the special committees, we never would have gotten the results we did get from these great investigations, which saved so many millions of dollars to the American people and did so much good for the Nation.

Mr. O'MALLEY. Will the gentleman yield?

Mr. CONNERY. I yield to the gentleman from Wisconsin.

Mr. O'MALLEY. Is it not a fact that under the amendment offered by the gentleman from Virginia it will be entirely possible for the Appropriations Committee of this House to decide how many employees an investigating committee shall have and how much each employee shall receive?

Mr. CONNERY. That is true. Of course, I have no intention of criticizing the good faith of my dear friend, the gentleman from Virginia [Mr. WOODRUM], or any member of the Appropriations Committee. Those gentlemen are the watchdogs of the Treasury. Their job is to keep down the expenditures of the Government, and I honor them for that. I believe, however, that the amendment offered by the gentleman from Virginia is a form of sabotage which will break down and destroy the machinery of all congressional investigations. These investigations, I may say, are absolutely in the interest of the people of the United States.

Mr. TABER. Will the gentleman yield?

Mr. CONNERY. I yield to the gentleman from New York.

Mr. TABER. Does not the gentleman know that the Committee on Accounts has jurisdiction of the amount that shall be recommended to the House for all special committees and that the Appropriations Committee has nothing whatever to do with that matter?

Mr. CONNERY. Well, then the Committee on Accounts goes to the Appropriations Committee afterward.

Mr. TABER. No; the gentleman is in error.

Mr. RANKIN. Will the gentleman yield?

Mr. CONNERY. I yield to the gentleman from Mississippi.

Mr. RANKIN. If the amendment of the gentleman from Virginia had been in effect 10 or 12 years ago the Senate investigating committee could not have investigated the Teapot Dome scandal, and thus those thieves would have stolen a hundred million of dollars of Government property.

Mr. CONNERY. The gentleman is quite correct.

Mr. Speaker, I hope the amendment offered by the gentleman from Virginia will be rejected and that the Members may have the opportunity to vote on the privileged motion to concur in the Senate amendment offered by the gentleman from Pennsylvania [Mr. ELLENBOGEN].

Mr. WOODRUM. Mr. Speaker, I yield 15 minutes to the gentleman from Texas [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the Clerk may read an item in the newspaper which I have sent to the desk.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read as follows:

HOUSE IMPERILS SENATE INQUIRY, SAYS WHEELER—CHARGES BIG INTERESTS SEEK TO LIMIT USE OF GOVERNMENT AGENTS

Behind a House vote to halt the use of workers from emergency Government agencies by congressional investigating committees, Senator BURTON K. WHEELER (Democrat), Montana, yesterday saw the hands of "the railroads, the bankers, and the House of Morgan."

He said:

"They're behind this paralyzing move. They want to cripple the investigations into railroad finances and into labor espionage. It's difficult to say that anyone came down from Wall Street to see anybody in the House—but they're behind the real opposition.

"It's an idiotic thing * * * Some of the smaller fry are working against Senate investigations. But I'm as much opposed to House interference with Senate investigations as I would be to Senate interference with House investigations."

Mr. BUCHANAN. Mr. Speaker, some of the "small fry" voted for the original amendment to the House bill which prohibited the money we appropriated to relieve distress and unemployed being used for Senate investigating committees. The "small fry" voted for that obnoxious piece of legislation; that is, that money that we appropriated to feed the hungry should not be diverted to Senate investigating committees.

A year ago this same subject was up for consideration in the Senate, and W. P. A. workers were denied the right and opportunity to work for Senate committees. Not a single voice in the Senate justified it, but everyone who spoke condemned it. Even Senator NYE himself denied responsibility. It was stated on the floor of the Senate that the Senate not only should not approve it but they ought to condemn it as a bad practice.

Let me get back to just exactly what we have before us. The original provision that the Appropriations Committee brought in on this deficiency bill, and which you passed overwhelmingly, put a limitation only on relief funds being used by investigating committees. That went to the Senate. The Senate proceeded to broaden the amendment and make it apply to all funds for all governmental departments and independent agencies. Then they proceeded to add an amendment that killed the whole thing.

What did the Senate amendment do? It stated that no governmental department or independent agency should lend employees to investigating committees created by special resolution. Then it said no part of the money shall be used

to pay the salaries of anyone so lent; that the department furnishing those employees shall file a statement with the Clerk of the House or the Clerk of the Senate giving the number, the class, and the salary of the various employees a month after the department had furnished them. Let us apply that here. That was a pure camouflage—utter damn foolishness. That is all it is.

Suppose we should adjourn here, say the 1st of August, which will be pretty nearly the time we will adjourn, and several investigating committees have been created by this Congress. Those committees will not start work until we adjourn, because the Members will be busy in the meantime. After the Congress adjourns these committees call on the departments to furnish certain men who will be loaned to these various committees. Then a statement is filed with the Clerk of the House or the Secretary of the Senate showing the number turned over to the committee, and this will continue for 6 months before Congress can meet and stop the practice, if a committee is overdoing the thing. It is just utter foolishness and nothing more.

Mr. MANSFIELD. Is there no limitation?

Mr. BUCHANAN. There is no limitation anywhere except the unbridled will of one man, the chairman of the special committee, and yet you representatives of the people, who are supposed to protect their interests, propose to vote to let one man who happens to be the chairman of an investigating committee control the whole thing. He may not have good judgment, but he could call on the various departments for all the employees that his sweet will might dictate. Do you call that common sense?

A Member got up here and said they would never have investigated Teapot Dome if this amendment had been in effect. Does anybody believe that? When a proposition is put before this House that a lot of fellows are trying to steal some Government property worth hundreds of millions of dollars, do you not think the House would vote all the money necessary to prevent that steal? Has my friend, the gentleman from Mississippi, no greater confidence in the judgment, the intelligence, and the patriotism of his colleagues in this House? Shame on him.

Mr. RANKIN. Will the gentleman yield?

Mr. BUCHANAN. Yes; for a question only.

Mr. RANKIN. Did the gentleman know they had stolen a hundred million dollars worth of property at Teapot Dome until the Walsh committee had investigated the matter?

Mr. BUCHANAN. We would have investigated it anyhow, and the Senate and House would have voted all the money necessary to carry on the investigation.

Mr. RANKIN. Not if this amendment had been in effect.

Mr. BUCHANAN. Certainly they would.

Mr. MAPES. Will the gentleman yield for a question?

Mr. BUCHANAN. I yield to the gentleman from Michigan.

Mr. MAPES. What is the obligation on the departments to lend employees on request of an investigating committee?

Mr. BUCHANAN. That brings up another question I want to discuss. My good friend the gentleman from Massachusetts [Mr. CONNERY] stated the reason he thought this amendment ought not to be adopted is because they could not get a sufficient amount of money from the Appropriations Committee or from the Committee on Accounts to make the investigation.

He admitted he is not willing to submit his case for an investigation to the fair and honest judgment of the majority of the House. He admits this. All right, he cannot get it from the House and cannot get it from the Senate, but if you are chairman of an investigating committee and chairman of the legislative committee involved, you can make that Department send these men to you, and the Department will send them. Why? Not because it is their duty, not because they want to but they do not want to incur the enmity of that committee of Senators or that committee of Members of the House for fear of coercion or failure to get from them desired legislation or some appropriation.

Mr. MAPES. It is within their discretion?

Mr. BUCHANAN. No; it is not in their discretion. It never has been in their discretion. It has always been a positive violation of the law of this land, and I will read the law to you.

Mr. MAPES. Perhaps I did not make myself clear. Aside from the desire not to antagonize the committee, it is within the discretion of the Department to lend these men or not, as it may see fit.

Mr. BUCHANAN. It is not, as I told the gentleman, and never has been. Here is the law of 1809. While I do not know, I presume it was signed by Thomas Jefferson, a good Democrat:

> All sums appropriated for various branches of expenditures in the public service shall be applied solely to the objects for which they are respectively made and for no other.

Mr. HEALEY. Mr. Speaker, will the gentleman yield for a question?

Mr. BUCHANAN. Yes.

Mr. HEALEY. I do not understand that the gentleman has cleared up the situation yet. Is it not true that the department head is under no obligation to furnish these employees simply because some chairman of an investigating committee asks for them?

Mr. BUCHANAN. They are absolutely under no obligation to furnish them, but they are under a prohibition of law not to furnish them, and I have here the law.

Mr. O'CONNOR of Montana. Mr. Speaker, will the gentleman yield?

Mr. BUCHANAN. I yield.

Mr. O'CONNOR of Montana. Is it not a fact, with reference to the investigation carried on by the immortal Senator Walsh concerning the stealing of the Teapot Dome property, that he was working upon that investigation for more than a year——

Mr. BUCHANAN. I did not yield for a speech but for a question. I refuse to yield any further.

Mr. O'CONNOR of Montana. That he worked on that investigation for more than a year before he could ever get the ear of the United States Senate with respect to the subject?

Mr. BUCHANAN. No; I do not think so.

Mr. O'CONNOR of Montana. That is the fact; and it is a further fact that they had to get a united press to help him secure an appropriation from Congress before such appropriation could be secured.

Mr. BUCHANAN. Mr. Speaker, I did not yield for a speech and must decline to yield further.

Mr. JOHNSON of Texas. Mr. Speaker, will the gentleman yield for a question?

Mr. BUCHANAN. I yield for a question.

Mr. JOHNSON of Texas. The gentleman has stated that the departments have no discretion in the matter and that it is against the law to furnish these people. How many have they furnished?

Mr. BUCHANAN. God only knows. I do not.

Mr. JOHNSON of Texas. Has the gentleman any statistics?

Mr. BUCHANAN. I have statistics that they have furnished nearly half a million dollars' worth so far and the amount is piling up as I investigate.

Mr. O'MALLEY and Mr. SABATH rose.

Mr. BUCHANAN. I am going to finish my statement before I yield further.

Here is the law, and it has been the law for over 100 years. The law provides that all appropriations for expenditures in the public service shall be applied solely to the objects for which they are appropriated and no other. To the Interstate Commerce Commission in the last Congress and the Congress before last we appropriated about $1,600,000 for what purpose? Specifically for the purpose of carrying out section 20 of the Interstate Commerce Act which authorized them to prescribe a system of bookkeeping for the railroads, giving them authority to investigate, inspect, and compel the railroads to keep their books so they can ascertain the income and outgo of the railroads in order that they may know how to regulate and fix rates. This money was

appropriated for this specific purpose, and $388,000 of it was diverted to a Senate investigation. What was the result? It disorganized that work of the Interstate Commerce Commission and put them behind in their work. A question comes before the Interstate Commerce Commission about fixing rates and they say, "We cannot fix the rates intelligently because our bookkeeping section is not up with their work with respect to the receipts and expenditures of the railroads."

So this disorganizes the work throughout the executive departments. What do we recommend? We recommend that if the House wants to conduct an investigation, let it order the investigation and appropriate the money necessary to make it. If the Senate wants to make an investigation, let them order it and appropriate the money necessary to do it. If they want an expert from any of the departments, let them ask for him and the department can furlough that expert and have him put on the pay roll of the investigating committee and paid out of the funds appropriated for that purpose. If you want to go on record as saying that investigating committees can quietly or secretly demand of this department or that department that they furnish so many employees, then say so.

Mr. SHORT. Mr. Speaker, will the gentleman yield for a question?

Mr. BUCHANAN. I yield for a question.

Mr. SHORT. In view of the facts that our able chairman of the Appropriations Committee has disclosed, I wonder if he might not recommend an investigation of the investigators?

[Here the gavel fell.]

Mr. WOODRUM. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. BUCHANAN. Do you know what I would do if I were a Member of the Senate and had the power? I would say to the Senate, "Here is a special investigation you ordered 18 months ago. The investigation is supposed to have gone on for 18 months and has consumed $100,000 out of the contingent fund of the Senate and $400,000 out of the funds of the Interstate Commerce Commission, making a total of $500,000, and some funds of W. P. A. and some other agencies, perhaps. For God's sake, make at least a partial report and show what you are doing and let us see whether you ought to stop or continue." That is what I would say.

Now, I am not fighting investigations but I am fighting for appropriations to be made in an orderly manner. I want to protect the taxpayers' money by making all expenditures go through the Budget. I want all appropriations for the committees for the House and Senate to go through Congress and be approved. [Applause.]

Mr. SHORT. Will the gentleman yield?

Mr. BUCHANAN. For a question.

Mr. SHORT. Are any of the investigators on the Commission's pay roll?

Mr. BUCHANAN. I hope to find out.

Mr. SCOTT. I think it would be very interesting for Members of the House to know.

Mr. BUCHANAN. It would be interesting for someone to find out how much money we are spending on these investigations.

Mr. O'MALLEY. Will the gentleman yield for a question?

Mr. BUCHANAN. No.

Mr. O'CONNOR of Montana. Will the gentleman yield?

Mr. BUCHANAN. No. I do not mean to be discourteous. I do not mean any harm by my refusal, but I want to make this statement in all seriousness: Do you want to know how the Appropriations Committee is carrying out the acts of Congress that you pass? Do you want the committee to stand for the purpose that is authorized and specified in the bill? If you appropriate money, do you want it spent for something else? If you let the investigating committees call on the departments for aid and spend the money given the department for other purposes, then there is no end to it.

Is the law of our Government master of the fiscal affairs or are special investigating committees created by the House or Senate alone the dominating authority in our Government in spending the taxpayer's money, disorganizing the orderly work of the governmental departments, causing delay and confusion and deficiencies.

It is a wholesome law that requires money drawn from the Treasury though appropriations by Congress be expended for those purposes for which it was specifically appropriated.

If we are to have an economical Government, the expenditure of the public funds must be controlled by law and not be at the discretion of an aggregation of men and women composing the House or Senate, either of itself possessing no legislative power over anything except its own organization.

When the Senate or House or the committees of either descend to the level of violating the positive law of the land in order to permit some of their colleagues who may stand high in the counsels of the Nation to have free and unlimited authority to expend money or to compel, through coercion or the fear of animadversion, governmental departments to furnish an unlimited and undefined number and class of their employees to such lawmakers whether they compose committees or not of such legislative body, then we have a Government not of law and order but of the unbridled discretion of men, a Government of extravagance and irresponsibility in the expenditure of money.

Mr. McFARLANE. Will the gentleman yield?

Mr. BUCHANAN. For a question.

Mr. McFARLANE. I am wondering if the gentleman has any specific evidence which shows that the investigating committees have called on the departments for help where there was a reckless expenditure of money?

Mr. BUCHANAN. Evidently.

Mr. McFARLANE. Where?

Mr. BUCHANAN. I cannot give it to the House now. Now, gentlemen, I ask Members of the House to stand by the Appropriations Committee and maintain integrity in the expenditure of public funds. [Applause.]

Mr. WOODRUM. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Virginia to concur in the Senate amendment with an amendment.

Mr. ELLENBOGEN. Mr. Speaker, on that I demand a division.

Mr. LAMBETH. Mr. Speaker, may we have the motion again reported?

There being no objection, the Clerk again reported the motion as follows:

Mr. WOODRUM moves that the House recede from its disagreement to Senate amendment no. 9 and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "or of any appropriation or other funds of any executive department or independent executive agency shall be used after June 30, 1937, to pay the compensation of any person detailed or loaned for service in connection with any investigation or inquiry undertaken by any committee of either house of Congress under special resolution thereof."

The House divided; and there were—ayes 178, noes 70.

Mr. RANKIN. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 257, nays 101, not voting, 74, as follows:

[Roll No. 13]

YEAS—257

Aleshire	Boehne	Cartwright	Creal
Allen, Del.	Boland, Pa.	Champion	Crowe
Allen, Ill.	Boren	Chapman	Cullen
Allen, La.	Boyer	Church	Cummings
Anderson, Mo.	Boykin	Clark, Idaho	Curley
Andresen, Minn.	Boylan, N. Y.	Clason	Deen
Andrews	Brooks	Claypool	Delaney
Arends	Brown	Coffee, Nebr.	Dempsey
Arnold	Buchanan	Colden	DeRouen
Ashbrook	Buck	Cole, Md.	Dickstein
Barden	Bulwinkle	Cole, N. Y.	Dingell
Barry	Burch	Colmer	Disney
Bates	Byrne	Cooper	Ditter
Beiter	Caldwell	Costello	Dixon
Biermann	Cannon, Mo.	Cox	Dockweiler
Bland	Carlson	Cravens	Dondero
Bloom	Carter	Crawford	Doxey

Drew, Pa.	Jarman	Miller	Shafer, Mich.
Drewry, Va.	Jenckes, Ind.	Mills	Shanley
Driver	Jenkins, Ohio	Mitchell, Tenn.	Sheppard
Duncan	Johnson, Okla.	Moser, Pa.	Short
Eaton	Johnson, Tex.	Mosier, Ohio	Smith, Conn.
Edmiston	Johnson, W. Va.	Mouton	Smith, Maine
Engel	Kelly, N. Y.	Murdock, Ariz.	Smith, Va.
Englebright	Kennedy, Md.	Murdock, Utah	Smith, W. Va.
Evans	Kennedy, N. Y.	Nichols	Snell
Faddis	Keogh	Norton	Snyder, Pa.
Fernandez	Kinzer	O'Brien, Ill.	Sparkman
Fish	Kitchens	O'Connell, R. I.	Stack
Fitzpatrick	Kleberg	O'Connor, N. Y.	Starnes
Flannery	Kloeb	O'Leary	Sutphin
Focht	Kniffin	O'Neal, Ky.	Taber
Forand	Knutson	O'Neill, N. J.	Tarver
Ford, Miss.	Kocialkowski	O'Toole	Taylor, S. C.
Frey, Pa.	Kramer	Patman	Terry
Fuller	Lambertson	Patton	Thom
Fulmer	Lambeth	Pearson	Thomas, N. J.
Gambrill	Lamneck	Peterson, Ga.	Thomas, Tex.
Garrett	Lanham	Pettengill	Thomason, Tex.
Gavagan	Larrabee	Peyser	Thompson, Ill.
Gearhart	Lea	Pfeifer	Thurston
Gingery	Lewis, Colo.	Plumley	Tinkham
Gray, Ind.	Lord	Poage	Tobey
Gray, Pa.	Lucas	Polk	Towey
Green	Luce	Powers	Umstead
Greenwood	Ludlow	Quinn	Vinson, Ga.
Greever	McAndrews	Rabaut	Vinson, Ky.
Gregory	McGehee	Ramsay	Walter
Griffith	McLaughlin	Ramspeck	Warren
Griswold	McLean	Randolph	Wene
Guyer	McMillan	Reece, Tenn.	West
Gwynne	McSweeney	Reed, Ill.	Whelchel
Haines	Mahon, S. C.	Reed, N. Y.	White, Ohio
Halleck	Mahon, Tex.	Rees, Kans.	Whittington
Hamilton	Maloney	Rich	Wigglesworth
Hancock, N. Y.	Mansfield	Rigney	Wilcox
Hancock, N. C.	Martin, Mass.	Robinson, Utah	Williams
Harlan	Mason	Robsion, Ky.	Wolcott
Harter	Massingale	Rogers, Mass.	Wolfenden
Hennings	May	Romjue	Woodruff
Hill, Okla.	Mead	Sanders	Woodrum
Hoffman	Meeks	Schaefer, Ill.	Zimmerman
Holmes	Merritt	Schuetz	
Hope	Michener	Schulte	
Houston	Millard	Secrest	

NAYS—101

Allen, Pa.	Fries, Ill.	Luckey, Nebr.	Reilly
Amlie	Gasque	Luecke, Mich.	Richards
Bell	Gehrmann	McClellan	Sabath
Bernard	Goldsborough	McCormack	Sacks
Binderup	Harrington	McFarlane	Sauthoff
Boileau	Havenner	McGranery	Schneider, Wis.
Bradley	Healey	McGrath	Scott
Buckler, Minn.	Hildebrandt	McKeough	Scrugham
Burdick	Hill, Ala.	Mapes	Smith, Wash.
Case, S. Dak.	Hill, Wash.	Martin, Colo.	South
Casey, Mass.	Hull	Maverick	Stefan
Citron	Hunter	Mitchell, Ill.	Swope
Coffee, Wash.	Imhoff	Nelson	Teigan
Connery	Izac	O'Brien, Mich.	Tolan
Crosser	Jacobsen	O'Connell, Mont.	Transue
Culkin	Jenks, N. H.	O'Connor, Mont.	Turner
Dowell	Johnson, Minn.	O'Day	Voorhis
Dunn	Keller	O'Malley	Wallgren
Eberharter	Kelly, Ill.	Oliver	Wearin
Eckert	Kenney	Palmisano	Welch
Eicher	Kirwan	Patrick	White, Idaho
Ellenbogen	Kopplemann	Patterson	Withrow
Fitzgerald	Kvale	Peterson, Fla.	Wood
Flannagan	Lanzetta	Phillips	
Fleger	Leavy	Pierce	
Ford, Calif.	Lemke	Rankin	

NOT VOTING—74

Atkinson	Dirksen	Jones	Sadowski
Bacon	Dorsey	Kee	Seger
Beam	Doughton	Kerr	Shannon
Bigelow	Douglas	Lesinski	Sirovich
Brewster	Farley	Lewis, Md.	Somers, N. Y.
Buckley, N. Y.	Ferguson	Long	Spence
Cannon, Wis.	Fletcher	McGroarty	Steagall
Celler	Gifford	McReynolds	Stubbs
Chandler	Gilchrist	Maas	Sullivan
Clark, N. C.	Gildea	Magnuson	Sumners, Tex.
Cluett	Goodwin	Mott	Sweeney
Cochran	Hart	Owen	Taylor, Colo.
Collins	Hartley	Pace	Taylor, Tenn.
Cooley	Hendricks	Parsons	Treadway
Crosby	Higgins	Rayburn	Wadsworth
Crowther	Hobbs	Robertson	Weaver
Daly	Honeyman	Rogers, Okla.	Wolverton
DeMuth	Hook	Rutherford	
Dies	Jarrett	Ryan	

So the motion was agreed to.

The Clerk announced the following additional pairs:

General pairs:

Mr. Doughton with Mr. Treadway.
Mr. Somers of New York with Mr. Wadsworth.
Mr. Lewis of Maryland with Mr. Goodwin.
Mr. Cooley with Mr. Maas.
Mr. Sullivan with Mr. Wolverton.
Mr. Jones with Mr. Gifford.
Mr. Weaver with Mr. Bacon.
Mr. Hart with Mr. Seger.
Mr. Spence with Mr. Mott.
Mr. Dies with Mr. Taylor of Tennessee.
Mr. Kerr with Mr. Rutherford.
Mr. Buckley of New York with Mr. Dirksen.
Mr. Clark of North Carolina with Mr. Hartley.
Mr. McReynolds with Mr. Brewster.
Mr. Sumners of Texas with Mr. Gilchrist.
Mr. Owen with Mr. Cluett.
Mr. Robertson with Mr. Douglas.
Mr. Cochran with Mr. Jarrett.
Mr. Taylor of Colorado with Mr. Crowther.
Mr. Steagall with Mr. Daly.
Mr. Hobbs with Mr. Gildea.
Mr. Hook with Mr. Dorsey.
Mr. Lesinski with Mr. Crosby.
Mr. Sweeney with Mr. DeMuth.
Mr. Shannon with Mr. Long.
Mr. Higgins with Mr. Pace.
Mr. Collins with Mr. Hendrickson.
Mr. Kee with Mr. Fletcher.
Mr. Stubbs with Mr. Farley.
Mr. Beam with Mr. Rogers of Oklahoma.
Mr. Parsons with Mrs. Honeyman.
Mr. Sirovich with Mr. Ryan.
Mr. Celler with Mr. Ferguson.
Mr. Atkinson with Mr. Cannon of Missouri.
Mr. Chandler with Mr. Bigelow.

Mr. BACON. Mr. Speaker, I was attending a hearing before the Committee on Appropriations, and my name was being called just as I entered the Chamber. I do not know whether I can qualify under those circumstances or not.

The SPEAKER. Was the gentleman within the Chamber when his name was called?

Mr. BACON. I was at the door.

The SPEAKER. The gentleman does not qualify under the rule.

Mr. BACON. If I had been present, I would have voted "aye."

The result of the vote was announced as above recorded.

Mr. WOODRUM. Mr. Speaker, I ask unanimous consent that, notwithstanding the adjournment of the House, the Speaker may be permitted to sign the enrolled bill H. R. 3587.

The SPEAKER. Is there objection?

There was no objection.

Mr. WOODRUM. Mr. Speaker, I ask unanimous consent that those who have spoken on the bill may be permitted to extend their own remarks.

The SPEAKER. Is there objection?

There was no objection.

DISTRICT BUSINESS

The SPEAKER. Today is District day.

TEACHING OF COMMUNISM IN THE DISTRICT SCHOOLS

Mrs. NORTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 148) to repeal a proviso relating to teaching or advocating communism in the public schools in the District of Columbia, and appearing in the District of Columbia Appropriation Act for the fiscal year ending June 30, 1936. Pending that motion, I ask unanimous consent that debate be limited to 1 hour, to be confined to the bill, one-half to be controlled by the gentleman from Missouri [Mr. SHORT] and one-half by myself.

The SPEAKER. The gentlewoman from New Jersey moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 148. Pending that, she asks unanimous consent that general debate be limited to 1 hour, to be confined to the bill, to be controlled one-half by herself and one-half by the gentleman from Missouri. Is there objection?

Mr. SHORT. Mr. Speaker, I reserve the right to object. I shall be greatly pleased if we can finish this bill within an hour, but we have so many requests for time on this side of the aisle that I think the Members would appreciate it if the gentlewoman from New Jersey would extend her request to one hour and a half, giving 45 minutes on a side.

Mrs. NORTON. That is perfectly agreeable, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentlewoman from New Jersey, who modifies her request, that general debate be limited to one hour and a half, to be

confined to the bill, one-half of that time to be controlled by herself, and one-half by the gentleman from Missouri [Mr. SHORT].

There was no objection.

The SPEAKER. The question now is on the motion of the gentlewoman from New Jersey that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 148.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 148, with Mr. WOODRUM in the chair.

The Clerk reported the title of the bill.

The CHAIRMAN. Without objection, the first reading of the bill will be dispensed with.

There was no objection.

Mrs. NORTON. Mr. Chairman, we have heard a great deal about this bill during the past year. It has been the subject of much discussion in the press, on the street, in the clubs of the city, in fact everywhere throughout the District. It has even been discussed in our own cities and by the National Educational Association in convention assembled. At first it seemed strange that a bill concerned with the District of Columbia, and apparently local in character, could arouse so much intense feeling everywhere, but upon examination of the bill the peculiar method used to bring about its enactment and the far-reaching consequence it has assumed with regard to our public-school system we can readily understand the reason for this intense feeling on the part of every liberty-loving American.

Let us examine this so-called "red rider" and the effect it has had upon this community. At the same time let us bear in mind that it is only because of the peculiar type of government in the District that such a thing could happen. In your city and mine we have a board of education responsible to the people. It is either elected by the people or appointed by the city mayor or council and therefore either directly or indirectly responsible to the people who have the power of the vote. The people of the District having no power must accept the direction of Congress and that brings me to the point that we are responsible for this ridiculous "red rider" and the circumstances surrounding it.

Today it is my purpose to bring to your attention the evil caused by this thing we have heard so much about and ask you to join with me in repealing this law that is absolutely unjust and offends every person who believes in the public-school system of America.

What is the "red rider" and what has been its effect on our educational system in the District?

It is a rider in the Appropriation Act for the fiscal year ending June 30, 1936, under the heading "Public Schools" and provides:

> That hereafter no part of any appropriation for the public schools shall be available for the payment of the salary of any person teaching or advocating communism.

The Board of Education being unable to decide exactly what was intended by the words of the statute submitted same to the corporation counsel, Mr. Prettyman, for interpretation. Mr. Prettyman examined the bill and submitted a well-considered and complete opinion on the meaning of the statute which you will find in the committee report on page 2, and I ask every Member interested in the bill to read the committee report.

This opinion is clear and logical and was accepted by the Board of Education. Subsequently Comptroller McCarl ruled that all employees of the public-school system of the District of Columbia must sign a statement before receiving their monthly pay check that they have not "taught or advocated" communism, but failed to define his meaning of the word "teach." The effect of this has been that the teachers of the public schools and the Board of Education were completely confused, and as a result mention of the Russian form of government in teaching history has been avoided. As one pupil said, "Our teacher said, 'We will skip Russia.'" This has led to an amount of curiosity on the part of pupils and has resulted in the sale of much communistic literature very dangerous to the adolescent mind.

For the benefit of those who are not familiar with the peculiar set-up in Washington I would like you to know that the Board of Education is appointed by the District Court of the United States for the District of Columbia. The board is charged by law with the responsibility of supervision of courses of study in the schools. Said board is invested with full authority to dismiss any employee who violates his oath of office or disobeys the rules of the board. All employees of the school system are obliged to take the same oath that we take as Members of Congress, "to uphold and defend the Constitution of the United States." The members of the Board of Education here, as in our own communities, are fine, patriotic citizens, contributing their services to the community, and would no more tolerate the teaching of communism in our public schools than we would of supporting bills suggestive of anything contrary to our form of government. It is absurd and stupid to believe that your committee would bring a bill to the floor of this House that would in any way suggest our sympathy with communism, and I, as chairman of the District of Columbia Committee, resent the charges that have been flung at your committee and also at the public-school system of Washington. Dr. Ballou, the superintendent of schools, came to Washington from the State of Massachusetts with a splendid record of school service. He is recognized by the National Education Association as one of the most outstanding educators in this country. I have taken a great deal of trouble to investigate that, and find it to be true. Our teachers all are well qualified American citizens. They have been selected because of their ability, integrity, and loyalty to American principles.

With this background it can be readily understood why there is so much confusion, because the rider is not only an innovation, in that there is no legislative body which prescribes courses of study in the several States, but it is contrary to our traditional American system of conducting public schools. With all the agitation of the past year it seems strange that your committee has not received one complaint from a parent in the District, and I have been advised by the Board of Education that it has no knowledge of any complaint concerned with the teaching or advocating of communism in the public schools. Every civic organization in the District of Columbia has expressed strenuous opposition to the rider. The people here are practically unanimous in asking its repeal.

Considering the fact that no other State has any similar law, it is apparent that this rider reflects not only on the loyalty of our teachers but the competence of the Board of Education. It would have been repealed in the last session of Congress were it not for the fact that certain people succeeded in making it a political football. No sane person believes that a Member of Congress would advocate communism, but it has been made to appear that those voting in favor of repeal of this ridiculous law are advocating the teaching of communism in our schools. Nothing could be more absurd. By voting to repeal this law we are merely righting a wrong, restoring the confidence in the Board of Education of the District of Columbia that each Member here has in the board of education of his own community.

I have attempted to present to you briefly the facts concerned with the situation that has arisen since the enactment of this rider to the appropriation bill. I am firmly convinced that the majority of the Members of the House feel as I do—that Congress overstepped its prerogative when it passed this unwarranted legislation. I am hoping that we shall have the courage to acknowledge our mistake today and do our duty not only to the public-school system of Washington but to the American principles of public-school education by joining with the Senate to repeal this unwise and unnecessary rider. [Applause.]

Mr. Chairman, there is just one thing I desire to say in conclusion. Many Members have come to me today and said, in effect, "I think this was all wrong; this rider should not have been enacted; I do not believe in it; but now since it has been enacted, I do not think we should repeal it." There

is no logic in that. It is said that women are not logical. Is there any logic in that kind of an argument? If we have made a mistake, as we do very often, I have no doubt, then for goodness sake let us have the courage to admit it and do everything we possibly can to correct that mistake. [Applause.]

Mr. GREEN. Mr. Speaker, will the gentlewoman yield?

Mrs. NORTON. Yes.

Mr. GREEN. I understand that practically all of the church people and the fraternal organizations in the United States are united against the repeal of this amendment.

Mrs. NORTON. United against repealing it?

Mr. GREEN. They are not Communists. Why is it the school teachers of this District desire its repeal if they are such good Americans?

Mrs. NORTON. Will the gentleman please give me a list of those people, because we have received nothing of that kind.

Mr. GREEN. Does the gentlewoman mean to say that none of the fraternal and patriotic organizations have protested the repeal of this rider?

Mrs. NORTON. I mean that every organization I have heard from in the District of Columbia, and many outside of the District, have been for the repeal of this iniquitous law.

The CHAIRMAN. The time of the gentlewoman from New Jersey has again expired.

Mr. SHORT. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the so-called "red rider" which was inserted in the District of Columbia appropriation act for the fiscal year ending June 30, 1936, approved June 14, 1935, providing that "hereafter no part of any appropriation for the public schools shall be available for the payment of the salary of any person teaching or advocating communism", never should have been enacted into law. [Applause.] It is obnoxious to conscience, repugnant to reason, and totally contrary to the spirit and genius of the American people, our traditions, and our institutions.

It would be interesting particularly to the new Members of this body to know just how this rider was attached to the appropriation bill and became a law. Without any debate whatever, without any consideration before the proper committee, or even without any discussion on the floor of the House our former colleague, Mr. Blanton, of Texas, a very astute and resourceful parliamentarian, succeeded in attaching the rider to the District appropriation bill and it passed unnoticed. No doubt the gentleman from Texas had good intentions, but we all know the place that is paved with good intentions. While this measure was designed to curb or prohibit the advocacy of communism, in my opinion, the proponents of the "red rider" have done more to foster and encourage communism and the spread of it in this country than any other group of people. [Applause.]

It matters not about the merits or demerits of communism itself. That is wholly beside the point in the consideration of this immediate measure. I do not think there is much difference really between the opponents and the proponents of this measure as far as the aim or purpose is concerned, but we do differ widely and decidedly upon the method that shall be employed in order to prevent the spread of communism. By denying the teachers of the District of Columbia their American right and privilege to impart the facts and knowledge of communism we have naturally aroused on the part of the students in the various schools curiosity that has impelled them to seek their knowledge from other sources.

Mr. Chairman, persecution promotes propagation. Such legislation as this is a poor instrument with which to combat ideas. The only way we can overcome a bad philosophy is with a better philosophy, in the open court of conscience and in the forum of reason. [Applause.]

I do not know why anyone should be afraid of communistic teaching or any other teaching as long as we do not indoctrinate, as long as we do not advocate its substitution for American democracy. But no one appeared before our subcommittee, over which our colleague from Maryland [Mr. KENNEDY] so ably presided, giving any information whatever that the teachers of the District of Columbia, the superintendent of schools, Dr. Ballou, or members of the school board were advocating communism in the District of Columbia.

Mr. O'MALLEY. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield.

Mr. O'MALLEY. Would not the problem be solved by simply striking out of the present rider the words "teaching or", and make the prohibition solely against advocating? The gentleman has just said he has no objection to teaching.

Mr. SHORT. I agree with the gentleman. That distinction was drawn in the committee during the hearings, but, in my opinion, this whole matter is without the scope of legislation, and is wholly a matter of administration. You cannot legislate patriotism any more than you can legislate morality or prosperity. [Applause.] For my own part, I do not believe there is any group of our American citizens who are more loyal, more patriotic, and more devoted to the principles of our Government and its Constitution than are our teachers. [Applause.]

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield.

Mr. McCORMACK. Then why do we not repeal the law making Communists deportable, and why do we not repeal the immigration law prohibiting the entrance of Communists into the United States?

Mr. SHORT. That statement is wholly irrelevant and not at all analogous. It does not apply in this case. They are two different propositions entirely.

The CHAIRMAN. The time of the gentleman from Missouri [Mr. SHORT] has expired.

Mr. SHORT. Mr. Chairman, I yield myself 2 additional minutes.

Mr. Chairman, when the wind is blowing dust in our eyes we should not play the foolish part of the ostrich by burying our heads in the sand and trying to convince ourselves that there is no storm. After all, communism is not a theory. It is a fact. Any well-informed person knows that the great conflict today in Europe is between the diametrically opposite, irreconcilable philosophies of communism on the one hand and fascism on the other hand.

For my own part, Mr. Chairman, I do not think we have place in the United States of America for either communism or fascism. [Applause.] We have room for only one "ism", and that is Americanism; but when you pass legislation like this you are employing the methods of the Communists rather than following the principles laid down by our fathers. [Applause.] Unless we can by full, fair, and free discussion impart this knowledge in the way it should be given, I fear for the future of our country. In order to catch a fox, one must know something about his habits. In order to combat communism, one must know something about its teachings. Problems are not solved by running away from them. The quickest and best way around any difficulty is straight through it. Any attempt to ignore or prohibit by coercion the study of communism will meet with the same success as shooting at the stars. "Ignorance is sin; knowledge is virtue", said Socrates, three centuries before Christ. Times and conditions have changed; truth has not. Ignorance is both deplorable and dangerous; prudence dictates that we face the facts, however unpleasant and disconcerting they might be. No one in this body has ever accused me of being a wild-eyed radical. Perhaps some are amazed to find me in my present position; but for one I think that the legislation is unwise, unsound, and un-American; and I trust that the membership of this House, regardless of what our opinions on communism or fascism might be, will vote overwhelmingly to repeal this awful and vicious measure. [Applause.]

Mrs. NORTON. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. FORD].

Mr. FORD of California. Mr. Chairman, I favor the unconditional repeal of the "red rider" because it is an un-American attempt to censor education and to suppress free inquiry and unbiased study of systems of government differing from our own.

Under the "red rider", education would tend to degenerate into something prescribed, lacking vitality and lacking the liberty to examine all facts freely and openly and without restraint. Truth never harmed a student. It is attempts to hide the truth, to fence it in with taboos, to force pupils to accept as facts the opinions of their elders without examination, that is stultifying and harmful.

Certainly we as Americans need not fear to permit our schools to present the facts in regard to communism and every other governmental system. We have confidence in our own system—democracy—and believe that by comparing our system with others its superiority for us will be doubly apparent.

Education should be enlightenment. It should encourage an open-minded and eager interest in all phases of activity. It should not be the vehicle to inculcate a narrow patriotism, bred in ignorance and fostered by a censorship from above.

The American plan of leaving the curriculum to educators, under school boards made up of elected representative citizens, has proven wise. What shall be taught in the schools and what shall be prohibited is not for legislative bodies to determine. From such attempts come well-meaning but thoughtless censorship that handicap and annoy instructors and limit and discourage scholarship.

May I ask this question in all seriousness?

Is not the "red rider", so-called, designed no doubt in all sincerity to check the growth of communism, identical with the practice in Russia, where education is restricted to the teaching of communism and to the exclusion of any facts other than derogatory to all other governmental systems or philosophies?

Do we want to imitate Russia in the free United States?

Once we countenance censorship in education, we may readily slip into permitting a censoring of the press, and finally, regardless of our Bill of Rights, free speech will go the way of censored education and a censored press.

Communism as practiced in Russia under the Soviet regime is distasteful to me. Like other forms of dictatorship, it is the antithesis of democracy. Believing that as I do, I want none of it. Wanting none of it, I repeat, for God's sake, for the sake of those great principles of democracy which we all hold dear, let us not, by refusing to repeal this vicious law, imitate the Russian method of regimented education.

It is my hope that this Congress will take a definite and strong stand and repeal this "red rider" and every other attempt at censorship. [Applause.]

Mr. SHORT. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. SHAFER].

Mr. SHAFER of Michigan. Mr. Chairman, my State, Michigan, through its legislature in 1935 passed an anticommunistic law; that is, a law against the teaching of communism in our schools; but I say to you on the floor of this House that Michigan today regrets that that law was ever passed, for it has done more to foster communism in the State of Michigan than all the propaganda the Communists have at their command. At the present time in the State of Michigan efforts are being made to repeal this law, and I predict the repeal will be accomplished.

I shall always oppose legislation of any character whatsoever that infringes upon free speech as granted to us under our Constitution.

I personally am opposed to the doctrine of communism, but I do believe that the students of our schools are entitled to factual information regarding it. I urge the repeal of the so-called "red rider." [Applause.]

Mr. Chairman, I yield back the balance of my time.

Mrs. NORTON. Mr. Chairman, I yield 6 minutes to the gentleman from Illinois [Mr. LUCAS].

Mr. LUCAS. Mr. Chairman, it is exceedingly doubtful that any District legislation proposed during the last decade has created more poignant grief and rancor in and out of Congress than the so-called "red rider" which provides that "no part of any appropriation for the public schools shall be available for the payment of the salary of any person teaching or advocating communism."

After the enactment of this law the Comptroller General of the United States issued an order requiring every teacher or other employee of the District schools to declare each month that he or she did not at any time during said month teach or advocate communism in any school in the District of Columbia or elsewhere. The Comptroller General's order was based on the fact that Congress places specific limitations on the uses of the appropriation for the payment of salaries of those employed in the public schools of the District of Columbia.

The proponents of these measures were without doubt deeply concerned for the future welfare of our country. Their sincerity upon this patriotic issue is not questioned, but subsequent events disclose that the course they traversed was not marked with wisdom and that the end they sought to accomplish has been the scene of bitter and acrimonious debate.

It is universally agreed that communism seeks by force and violence to overthrow our republican form of government guaranteed by the Constitution. The Communist would abolish the three branches of government. The Communist believes in the confiscation of private property without due process of law as guaranteed by the Constitution. The Communist would nullify the first amendment granting freedom of religious worship, freedom of speech, and freedom of the press. It is perfectly obvious that the doctrine of communism, if in force and effect in this country, would completely destroy the American theory and form of government. But in this debate any argument that is made must flow in the first instance from the Constitution of the United States, and not from a conception of communism.

And so long as the Congress is responsible for the legislation in question it is well for the record to show that each of us takes an oath to support and defend the Constitution of the United States against all enemies, foreign and domestic, and to well and faithfully discharge the duties of our offices. My colleagues, the teachers of the District of Columbia are required to take the same oath of loyalty to the Constitution of the United States. Yet, notwithstanding the fact that they take the same oath as Members of Congress, the Comptroller General's ruling says in substance, "Your patriotism is questioned, and therefore you must make an additional certification or oath that you have not taught or advocated communism as a condition precedent to receiving your monthly salary." Not only are teachers involved in this ruling, but clerks, officers, and janitors are compelled to sign this silly and ridiculous declaration.

I make this inquiry in all sincerity: Is there a single Member of this legislative body who would vote for a bill which compelled a Member of Congress to take an anticommunistic oath before he could receive his salary? Is there a Member who would compel the fathers and mothers of this land to take an oath not to teach or advocate communism to their children as a condition precedent to the right of franchise? Is there a single Member in this House who believes that his patriotism and loyalty to the American philosophy of government are superior to those of the school teachers of the District? There is not a single congressional district in America in which the school teachers are subject to such discrimination. Under such circumstances do you conscientiously believe that teachers in your own districts are devoted to the ideals of free government, while here in the Nation's Capital you measure their patriotism and loyalty in lights and shades of subversive doctrines? If you are willing to vote for the continuation of this humiliating class legislation, and continue to place the stigma of disloyalty upon 2,900 teachers in Washington, you should not hesitate to advocate and fight for similar laws throughout the United States, because this legislative monstrosity abridging the privileges of free citizens is the only one of its kind in all America. What would be your vote if you had a sister or brother teaching in the public schools? Suppose the brother were a veteran who possessed the Distinguished Service Cross for bravery in action. Is there a single man or woman in the House who would insult the patriotism of that patriot by compelling him to take the anticommunistic oath?

Even a criminal, under the Constitution, is innocent until proved guilty beyond all reasonable doubt; but in the case at bar we have invoked the severity of the ancients. We place

the burden upon the teachers to prove themselves not guilty of teaching or advocating communism by confessing or signing upon the dotted line before their salaries are paid. Ah, what a travesty upon justice! What a slander upon the Constitution as we witness the torture and enslavement of the Bill of Rights! Can you imagine the janitors and charwomen being compelled to make that kind of a confession? Let me admonish you that there is no short cut to patriotism. You either have it or you do not have it. Legislation of this type will utterly fail to reach those whom society really needs to instruct upon the question of communism. If this were not so serious from the standpoint of free and orderly government, these innovations in the communistic field would become high spots on the stage of comedy among students of the Constitution.

Liberty and freedom of speech, guaranteed to every citizen under the Constitution, should have protected these teachers from this blanket indictment of un-Americanism. If this becomes permanent legislation, then history is repeating itself. Intolerance once started in popular governments will restrain the development of freedom and character, and, if carried far enough, become a dangerous foe of our republican form of government. For these basic reasons, if for nothing more, this legislation should be repealed.

Aside from the controlling principles of freedom, justice, and democracy, let us examine the proof in order to ascertain the truth or the falsity of these legislative conclusions. The evidence discloses that the public schools of Washington are all controlled by a board of nine members under an act passed by the Congress in 1906. The board members responsible for the employment of all teachers, officers, clerks, and janitors are appointed by the Supreme Court judges of the District. The evidence further adduced at the hearings shows that not a single shred of material and competent evidence has ever been filed in a proper forum charging a single teacher among the thousands in the District either before or since the passage of the legislation with teaching or advocating communism in the public schools. It is rather a paradox to find that in almost every instance when the question is raised the teachers of the District are lauded and praised for their devotion to duty, their integrity, and their high sense of patriotism to the American form of government. Many citations could be made to prove this assertion. Time prohibits me from quoting many of them, but I shall refer to one which comes from the opposition. On page 60 of the hearings before the Subcommittee on Education of the Committee on the District of Columbia in the Seventy-fourth Congress the gentlewoman from Indiana [Mrs. JENCKES], who opposes the repeal of this law, is quoted as saying, among other things:

> While I condemn in the most emphatic terms the inefficient and disloyal acts of the board of education of the District of Columbia, I praise in the highest terms the loyal services rendered by the teachers in the public schools of the District of Columbia.

However, the indictment which has been returned through this legislation is against the school teachers of the District and not the school board of which the gentlewoman from Indiana complains. The school board is not on trial. And even if it were, there is no concrete evidence submitted through testimony which attacks the integrity or the patriotism of the members of the board of education, and when I say concrete evidence that must be distinguished from rash conclusions made but not substantiated.

A careful examination of all of the evidence adduced in the various hearings will disclose that not even a prima-facie case was made that a single teacher was openly advocating and teaching communism in the District schools. The worst that can be said is that two or three teachers were smeared with communistic veneer by adverse witnesses in what seemed to be an ex-parte hearing growing out of the teaching of a course placed in the schools known as character education. The record is also uncontradictable that at no time in the history of the oldest member of the school board has there ever been the slightest evidence submitted to the board to prove that any teacher or officer, clerk, or janitor of the local public-school system was guilty of teaching or advocating subversive doctrines.

Yet, notwithstanding this record of fidelity and patriotism, we find the "red rider" attached to the appropriation bill of 1935 being passed with little or no consideration and without a single overture of discussion. It was one of those innocent little legislative riders full of high explosives and dynamite that no one knew anything about. Certainly no one realized the repercussions that would originate therefrom, or it would never have been passed. Will anyone in this House seriously contend that in this legislation and the McCarl certification flowing therefrom there does not lie human tragedy, heartaches, and pains as 2,900 teachers and some 1,100 other employees are directly charged with being untrue to the American philosophy of government without a scintilla of supporting evidence?

My colleagues it was never contemplated that the Congress of the United States should assume any responsibility for the creation of any part of the school curriculum. The traditional American system of conducting public schools has been an administrative, and not a legislative, function. This distinction is as old as government itself; it is far-reaching; and the slightest encroachment by the Government upon this fundamental principle may ultimately lead to political chaos and disorder in the public schools of America. If there is anything wrong with the school system of the District of Columbia, Congress should hold the Board of Education responsible. Changing the personnel of the Board, and not legislation affecting innocent teachers, is the answer. From the standpoint of substantive law, from the viewpoint of the future, and as a protection to a vital American precedent, this whole question is of tremendous importance.

Mr. Chairman, throughout my life, and especially since the war, I have been diligent and militant in my opposition to the ugly and un-American philosophy of communism. It is repugnant to American ideals. It does violence to our religious and moral sentiments. It holds in hollow mockery the traditions and history of a brave and heroic people. My colleagues, I detest the Communistic mentality. I denounce his ungodly commitments. I despise his subversive methods. And yet, with this legislation remaining upon the statute books, we continue to give the communistic cause free advertising and exploitation, and not only that, but we advise the Communists that we are unable to meet their challenge through the arts of education and are compelled to do it through legislation. I shall never grant the Communist an opportunity to boast or comment that my vote was secured because of my fear of him or my fear of the advancement of his unholy, irreverent, and un-American cause.

I have been honored as department commander of the American Legion of Illinois and as national judge advicate of the national organization of the American Legion. No one is more interested in driving communism from our shores than the gentleman from Illinois, but I submit in all sincerity that you cannot do it through ignorance of Communistic principles. You cannot do it by closing the safety valve of free speech through legislation. Let us end this acute controversy once and for all by voting to repeal this legislation and voting down all amendments, thereby demonstrating to the world that Members of Congress are just as tolerant, liberal, and unrestrained in these modern days as the great Thomas Jefferson was when he caused the Bill of Rights to become a part of the Constitution of the United States.

There are some who believe we should amend by permitting the teaching of communism in the schools but eliminating the theory of advocacy. In my opinion that is dodging the issue. This is a compromise which in no way alters the argument I have made. It merely lessens the degree of disloyalty attached to the teachers. It will not keep the Comptroller General from compelling them to certify that they have not advocated communism during the month before their salary is paid. No, my friends, this is a distinction without a difference when applied to the merits of the controversy. [Applause.]

Mr. SHORT. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, I am for the unqualified repeal of this so-called "red rider." [Applause.] It is a

travesty, a mockery, and an utter legislative absurdity. It never should have been written into the law, and the best thing we can do is to take it out immediately. It is an insult to the school teachers of America for Congress to say to them that they must submit affidavits that they are not teaching or advocating communism. It would be an insult to us if some higher authority said that before we got our monthly pay we would have to make similar affidavits.

No one loathes and abhors communism more than I, but this character of legislation promotes communism. There is only one way in which to oppose communism, and that is through education, through telling the people back home exactly what communism is and what the purposes and objectives of those advocating communism are. If you do this you need not fear the spread of communism in free America, because communistic principles and doctrines are absolutely the opposite of everything in which we believe. What are the doctrines of the Communists? They teach hatred of God and of all religion and of all religious faiths, Protestant, Catholic, Jewish, and Moslem. They teach the bitterest kind of class hatred, the destruction of private property and inheritance, the use of the Third Internationale at Moscow to stir up conflicts, riots, sabotage, and industrial unrest in all noncommunist countries. They seek to promote a class or civil warfare and to establish a communistic form of Government under the red flag with a world capital at Moscow.

If the Congressmen themselves know what communism is, if the school teachers of America know what communism is, and these two groups of people tell the people the aims and purposes of the Communists we shall have nothing to fear in America from the spread of communism. This is the best way in which to combat it or prevent its spread. We should not combat it through the use of force, violence, or coercion and the laying down of such absurd laws to the school teachers or any other group.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield.

Mr. SHORT. While communism may be dangerous, ignorance of communism and the facts is even more dangerous.

Mr. FISH. The gentleman is correct. In this country we have no need to fear that a handful of Communists can overthrow our Government by force and violence. There are only a million Communists and their sympathizers in America. Let us not be hysterical. If a million Communists by force and violence should seek to overthrow our free institutions they would, to use a Russian phrase, be liquidated overnight by the American Army, the National Guard, the American Legion, and the Veterans of Foreign Wars.

Communism presents the most serious question in the world today, because there are millions of Communists in Italy, Germany, Spain, France, and other countries. Thank God we have but very few in our own. The reason we have very few is that we are a free country, that we have the rights of free people, including freedom of speech. So long as the American people have these rights, and so long as labor is treated squarely we need have no fear whatever of communism—unless we become hysterical and put on the statute books laws of this kind backed by coercion, and tell the public school teachers what they should teach.

I would like to have every school teacher in America teach the children just what communism is; but if a single school teacher should attack our free institutions, and our republican form of government guaranteed by the Constitution, he or she ought to be fired overnight. This is the way I would stop the spread of communism in America, and I would put the responsibility on the school authorities.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield.

Mr. HOFFMAN. What the gentleman desires is to have the school teachers teach his version of communism, not their version.

Mr. FISH. Yes; I want them to give only the facts. I am not concerned with anything but the facts; and the school teachers can very easily find out what the facts are.

I feel a little strongly on this subject. I believe we are getting a little bit hysterical.

I may say I am rather ashamed of some of my Republican friends. [Laughter and applause.] When I say "a little bit" I am understating it. [Laughter and applause.]

They passed around the word for those speaking for the party to try to make out that the President of the United States was a Communist and, coming from his district and knowing the President, and disagreeing with him on many, many things, I did not propose to stultify myself, because I know the President of the United States is not a Communist. [Applause.] I know the President of the United States does not want to destroy religion. I know that the President of the United States does not want to haul down the American flag and run up the red flag. If we had wanted to say that the President of the United States is a radical, that he is a near Socialist, that he is trying to socialize industry and change our form of government in many respects, that is a different thing, and we would have been within our rights. But to call him a Communist only promotes communism and encourages the Communists.

What I propose we should do with Communists is to say, first, that the Communist Party should be taken off the ballot in every State of the Union, because it is not an American party. [Applause.] It is a section of the Communist International at Moscow, and takes its orders from Moscow and is not an American party and has no place on the ballot.

Second, I would deport all the alien Communists in the United States who seek to spread class poison and hatred against our free institutions and urge the overthrow of our republican form of government by force and violence, and give their jobs to loyal American citizens who are now walking the streets. That would be the most effective way to combat communism.

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. Does the gentleman approve of the attitude or the conduct of the President of the United States in recognizing Russia, in view of the fact every President from Woodrow Wilson down to the present President refused to do so?

Mr. FISH. The gentleman knows that the American Federation of Labor, the American Legion, and I possibly more than anyone else opposed recognition; but the fact that the President recognized Soviet Russia does not make him a Communist, because practically every civilized nation in the world had already recognized Soviet Russia. I thought it was a mistake and a gigantic hoax. I think we have lost out by recognition, but it does not make the President of the United States a Communist.

Mr. Chairman, for the reasons enumerated, I hope the "red rider" will be repealed by unanimous vote of the Members of the House of Representatives, unless an adequate amendment is proposed to permit teachers to tell the truth about communism. [Applause.]

[Here the gavel fell.]

Mrs. NORTON. Mr. Chairman, I yield 3 minutes to the gentleman from South Carolina [Mr. GASQUE].

Mr. GASQUE. Mr. Chairman, I dislike to find myself in discord with so many of my associates here today. However, I know something about the history of the so-called "red rider." I do not think the gentleman from Indiana is as familiar with its history as I am.

It was my good fortune or misfortune to have served as a member of the District Committee for about 8 years. Almost continuously during that time my office, as well as that of Mr. Blanton, was stormed with certain patrons of the public schools here, not by the teachers, not by the superintendents, not by the Board of Education, but by the patrons, who were bitterly complaining that there were teachers in the District of Columbia who were teaching and advocating communism. That was really the beginning and the cause of this "red rider."

I might agree with my good friend the gentleman from New York [Mr. FISH] and others that this amendment should never have been adopted, but it has been adopted. It has

been written into the law. Let us see from a psychological standpoint what effect repealing this is going to have. The "red rider" provides that the teachers shall make a statement that they have not taught or advocated communism. Repeal would say to the Communists of the country, Our schools are open for your advocacy of communism. Put all the teachers who believe in communism in them and advocate it all you please. What good American citizen wants to have the doctrine of communism advocated to his children in the schools here in the way that the communistic teacher would advocate it; not like the gentleman from New York [Mr. FISH] would teach it, but like the communistic teacher would teach it?

Mr. Chairman, those people teach it in such a subtle manner the children nor their parents ever know they are getting it across. I may say if the countries of Europe had been more careful about this matter the various European countries would not be flooded with communism and fascism today.

Mr. KENNEDY of Maryland. Will the gentleman yield?

Mr. GASQUE. I yield to the gentleman from Maryland.

Mr. KENNEDY of Maryland. In the gentleman's experience as a member of the District Committee, has any evidence been submitted to the committee charging any teacher with advocating or teaching communism in the schools of the District of Columbia?

Mr. GASQUE. None, except the personal visits of the parents. But I have had in my office 40 or 50 parents who came to the office suggesting the adoption of the "red rider", or something of like manner, wanting something done to stop the teaching of communism in the public schools.

Mr. KENNEDY of Maryland. Did the gentleman do anything to correct the condition?

Mr. GASQUE. Mr. Blanton introduced the so-called red rider. I have said I thought that it was a mistake, but as it has been adopted and is a part of the law I am opposed to striking it out.

Mr. KENNEDY of Maryland. No; that was long after.

[Here the gavel fell.]

Mr. GASQUE. Mr. Chairman and gentlemen, what is communism? I am afraid that many of us do not even know, but as I understand it, communism is against God, against the churches, against our form of government, and even against the family unit. While I say it may be all right to teach to the children what it is, what American citizen wants his children to have a teacher who advocates this doctrine in the schools while the child's mind is young and is at that stage when impressions are so easily made?

The advocates for repeal, however, state that they want freedom of instruction in our public schools. Personally, I do not believe the "red rider" in any way prevents teachers from explaining to children in their schools in a general way the facts concerning communism, but to advocate it is another thing. Mr. Prettyman at the time that this "red rider" was passed and who was then corporation counsel, stated as follows:

> To state that communism exists is not to teach it. To state what Communists believe is not to teach communism within the meaning of this statute, provided that the method or manner of statement does not imply approval. Thus I am of the opinion that the mere recitation or study of actual data is not teaching prohibited by this statute.

We have no objection to this being done, provided approval is not "implied" which would mean advocacy.

Let us note some of those who have advocated the repeal of the "red rider": First, Communistic Party of Washington, D. C. (resolution adopted Nov. 17, 1935, and later official communication issued Jan. 13, 1937). Second, so-called American Civil Liberties Union. Most of us know what that union is.

Third. American Federation of Teachers who voted at its convention in August 1936 to appropriate $5,000 immediately for the Spanish "reds"—misnamed Spanish "loyalists"—and which organization of public-school teachers is also shown to have received aid from the Communist-giving Garland fund.

Fourth. The outstanding leaders of the "red" group of college professors, some of whom are actually serving on the national advisory council of the University of Moscow.

Fifth. The Communist-aiding press; that is to say, the sections of the public press which persist in terming the Spanish "reds" "loyalists", and urge the public not to take communism too seriously by doing anything against it but to believe as true the false assertion that Stalin has abandoned violent world revolution and adopted instead a policy of internal development of Russia itself, and which sections of the press have been resorting to persistent distortion about the District of Columbia "red rider" to deceive the public into believing that it forbids mention or discussion of Russia or communism in the public schools of the District of Columbia.

I am convinced that the most insidious and dangerous propaganda that we in America have to combat today is the advocacy of communism. I regret very much that I cannot vote with my friends who advocate the repeal of this "red rider" and say to the world that the District of Columbia public schools are wide open for the teaching and advocacy of communism. Communists, send in your teachers as much as you please. I could not vote that way and call myself a real American citizen, and I admit that I am too dumb to understand why so many of those in this House who I know to be real American citizens and who I feel are perfectly honest in what they have said can advocate striking out all of this "red rider."

Mr. SHORT. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. McCORMACK. Mr. Chairman, to date we have had 3 minutes allowed those in opposition to the repeal measure, and I assume during the rest of the general debate there will be very little time given those who oppose outright repeal.

At the outset I want my position very clearly understood. Nobody accuses any of the proponents of this bill of being anything but what they are—real, fine, stalwart Americans—and the gentlewoman from New Jersey and the others who have expressed themselves need have no fear, no matter what the outcome of this bill may be, that anyone would be justified in entertaining any other thought with reference to them.

Furthermore, I want it clearly understood that I stand for the great principle of academic freedom, I stand for the principle of free inquiry, I stand for the principle of free communications, but I do not stand for the principle of one advocating one's own personal views. Academic freedom does not mean the right of any person to advocate dogmatically. Academic freedom means freedom of research, freedom of expression, conveying to the students in the higher institutions of learning the views of all experts, conveying views and opinions impersonally, not for the purpose of trying to convert a student to a teacher's own personal views but trying to give him the benefit of all persons' views, in order that he might form his own personal opinions. The objective of the great principle of academic freedom is not for the teachers to instruct a student what to think but to instruct students along lines so they will be able to think as their minds dictate; in other words, how to think. The line of demarcation between proper use and abuse of the great principle of academic freedom is when the teacher tries to inculcate into the mind of a student what to think as distinguished from how to think. I stand for teaching all schools of science, political and otherwise. I believe it is a good thing to give factual information—to teach history. There is nothing in the "red rider" which prevents this, and yet I am not in favor of the "red rider" in its present form.

If a bill were brought in, such as the newspapers stated the gentleman from Maryland [Mr. KENNEDY] was going to bring in, I would be here supporting that bill. The present situation, unless an amendment which might be offered is adopted, gives me no option except to oppose this bill because the word "advocate" is contained in the measure and will be repealed by its passage.

Mr. KENNEDY of Maryland. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. KENNEDY of Maryland. Is it not true that under the Prettyman decision you could teach communism in our schools, but subsequent to that the Comptroller General ruled that you could not teach it?

Mr. McCORMACK. Correct in substance. Teaching and advocating, according to Mr. Prettyman's opinion, were synonymous. On a criminal statute I agree with him, but on a noncriminal statute I would be inclined to disagree. I would like to see the word "teach" stricken out, and also the necessity for teachers signing as they do when they receive their salary. You could have accomplished your objective by bringing in a proper bill. That has, unfortunately, not been done.

Since when has my friend in charge of the time on the Republican side arrived at the conclusion that it is un-American to prohibit the advocacy of communism? Let me go a step further——

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. SHORT. Does the gentleman know of one single, individual teacher in the District of Columbia who has ever been charged with advocating communism in our schools?

Mr. McCORMACK. If that is so, why should the teachers—and they are real Americans——

Mr. SHORT. That is exactly why this is altogether unnecessary.

Mr. McCORMACK. As a matter of fact, I will answer the gentleman's question affirmatively. The hearings before the Subcommittee on Appropriations show that Superintendent Ballou was associated with Chartres and Beard, men who believed in indoctrinating the students' minds.

He is or has been on the same committee with them or associated with them. Some of his associates believe that academic freedom permits indoctrination. They are wrong and they know it or should know it. The so-called intellectual opponents of our form of government operate, indirectly, not openly, because they may be subject to attack; but indirectly they inculcate into the mind of the youth the germ that will prompt the youth to think as they do. They do not teach—they argue their own personal views. That came out of the subcommittee hearings of the Committee on Appropriations, and if the gentleman from Missouri [Mr. SHORT] will read the hearings he will see that what I say is true. Mr. Chairman, I was chairman of a special committee that investigated nazism, communism, and other un-American activities in this country. I do not believe in driving under cover our enemies. Their actions and expressions should be controlled in the interest of our people who overwhelmingly love our country. My committee made two recommendations directed toward communism, one of which was to make it a crime "to willfully and knowingly advocate the overthrow of government by force and violence." Yet, that bill has received hidden and bitter opposition, and what American is opposed to such a bill. I refer to the recommendations of the committee of which I was chairman simply to show that my committee did not feel that driving under cover, or denying the proper exercise of the principle of academic freedom, was the best way to meet this vicious destructive movement of hatred, a movement that has as its ultimate objective the violent overthrow of our Government, and the destruction of personal liberty, so precious and essential to liberty-loving people. I do not believe in driving them under the surface. I believe in keeping them exposed. The advocating of communism is not freedom of speech. It is the abuse of speech—it is a mere license. Anyone who advocates communism, or the overthrow of our Government by force and violence, is doing something that we are justified in legislating against. The advocacy of force and violence is the line of demarcation between freedom of speech and abuse of speech, between a constitutional right and a license, and we always have a right to legislate against license.

Mrs. JENCKES of Indiana. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Yes.

Mrs. JENCKES of Indiana. Does the gentleman know that the Board of Education brought Dr. Chartres here once a week at $50 a day and expenses?

Mr. McCORMACK. I thank the gentlewoman for her contribution. What does "to advocate" mean? It means to plead. That is not academic freedom. It is one who advocates a principle or opinion or espouses any cause by argument. That is not academic freedom. I recognize the great principle of academic freedom. A radical is just as dangerous to the existence of that principle as the reactionary. Both operate in opposite directions, but they arrive at the same result. Both of them believe that academic freedom is to advocate what they believe is right, their right to indoctrinate. In advocating, when attacked, they demand the protection of this great principle when they are in the minority, but when in the majority, they want to destroy the right of anyone else to possess it whose views or opinions conflict with theirs. Witness Germany of today, where the great principle of academic freedom was born over 200 years ago. Witness Russia and other countries, with their so-called dictatorships of the right or of the left.

Mrs. NORTON. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Yes.

Mrs. NORTON. To ask the gentlemah if he has this law in his own city or State; and if he does not, does he not think it would be a good thing to advocate it? Does the gentleman approve of having this law in his own State?

Mr. McCORMACK. I have no objection to a law being passed anywhere prohibiting the advocacy of communism.

Mrs. NORTON. I asked the gentleman a question.

Mr. McCORMACK. Pardon me, but I have answered the question. I do not believe in the signing of a paper for a teacher to receive her salary. Throughout my whole remarks I have confined myself to "advocacy." I believe it is proper to pass a law to prohibit teachers anywhere advocating communism. It is contrary to our institutions. It is in opposition to our very scheme of government, and it is contrary to the great principles of academic freedom.

Mrs. NORTON. How about defining the words "teach and advocate"? Had we been able to define these words this thing would not have happened.

Mr. McCORMACK. The opinion of Mr. Prettyman did not stop teaching the philosophy of communism as other subjects of political science are taught in the schools, did it?

Mrs. NORTON. Absolutely; yes.

Mr. McCORMACK. Oh!

Mrs. NORTON. Absolutely; yes—teaching the facts of communism.

Mr. McCORMACK. Let me read from his opinion:

> Thus, I am of opinion that the mere recitation or study of factual data is not the "teaching" prohibited by this statute. But I am also of the view that any shadow of favor or support of communism shown by or reasonably to be drawn from such recitation or study is prohibited.

His opinion did not stop teaching in accordance with the principle of academic freedom.

Mr. KENNEDY of Maryland. Is not that contrary to the gentleman's former statement?

Mr. McCORMACK. Oh, no; there is nothing to stop teaching now. It is advocacy.

The Encyclopedia of Social Sciences, which gives the history of the great principle of academic freedom and its meaning, states, in part:

> Academic freedom is a prerequisite condition to the proper prosecution, in an organized and adequately endowed manner, of scientific inquiry and communication of its results to the public and to students into the higher stages of their initiation into the intellectual life of their age. In the needs and rights of such students a further reason for maintaining the teacher's freedom is apparent. They are entitled to learn the contemporary situation in each science, the range and diversity of opinion among specialists in it; it is not the pedagogic province of the university to acquaint students merely with facts of common knowledge and with opinions accepted by the general public or the donors of endowments. The same rights of the student, however, demand of the university teacher, in his function of instruction as distinct from investigation and publication, special care to avoid the exclusive or one-sided presentation of his personal views on questions upon which there is no agreement among experts. He is not entitled to take advantage of his position to impose his beliefs dogmatically upon his students; the nature of his office requires that alternative opinions be fairly expounded and that the student be encouraged

and trained to reach his own conclusions on such questions through critical reflection and carefully ascertained facts.

To "teach a theory", as the Encyclopaedia further says—

Might mean merely to expound it, or to expound it and also state the arguments of its adherents; or to do both of these and also to indicate the prevailing opinions of experts with regard to it, or to let the teacher's own opinion concerning it be known; or to inculcate it dogmatically or to proselytize in behalf of it. If laws prohibiting the "teaching" of certain theories in State institutions are construed only in the last, i. e., in the strictest, sense, they do not essentially conflict with the principle of freedom of teaching as above set forth. They would leave entire liberty of inquiry, discussion, and undogmatic expression of personal opinion to both teacher and student.

In this country we possess democratic processes of government. There is no disagreement on that. So far as our people are concerned, there is no division of thought as to whether or not our form of government is the best. It is our Government and we are satisfied with it. While it is the right of a teacher to instruct on the various schools of science, political and otherwise, it is not their right, under the guise of academic freedom, to impose their personal views on the student's mind, if their views are that some other form of government is preferable to ours. "Science and the teaching of it are free", but that does not mean that one has not the right to "advocate."

Another writer has well said, showing how both the radical and the reactionary in their efforts unconsciously work together in the destruction of the principle of academic freedom, "What the radical now wants is what the reactionary usually wants." They both now believe that school is no longer a place where students should be exposed to conflicting ideas. Unlike the logical liberal, he believes with the conservative that the school is, on the contrary, a place where "correct" opinions should be inculcated, and he proposes in the future to fight with the conservative not over the right either to be in partial but primarily over the question of what is and what is not "correct" opinion.

The radical no longer holds, as he once did, that the right of free speech, along with the other civil liberties, is both an end in itself and a necessary condition for any continuing health in society. He may insist for the present upon his theoretical right to the civil liberties established by democracy, but that is merely because he is a member of a minority and knows that only by claiming minority rights can he hope to be allowed to continue his various activities. At the same time he is inclined to argue that the very granting of such rights is evidence that the present order lacks faith in itself and he makes no pretense of believing that the new society for which he is fighting will permit similar freedoms to "counterrevolutionary" minorities. The new society will have neither the doubts about itself nor the uneasy conscience characteristic of our form of democracy and it will, therefore, have no reason to tolerate error. In such a society the "free school" will obviously have no more place than the "free press' or the "free church." The state would be "totalitarian" and all the institutions concerned with the spread of ideas would naturally be controlled by a central authority, part of whose functions would be to harmonize them with one another and with the official doctrine of the Government itself.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mrs. NORTON. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. MAVERICK].

FAKE RACKETEERING ORGANIZATIONS ABOUND IN WASHINGTON

Mr. MAVERICK. Mr. Chairman, the gentleman from Massachusetts [Mr. McCORMACK] referred to the gentleman from New York [Mr. O'CONNOR]. I believe the gentleman from New York [Mr. O'CONNOR] made the most statesmanlike speech I have heard during this session of the Congress. [Applause.] As we all know, the gentleman from New York [Mr. O'CONNOR] is eligible for membership in all kinds of patriotic societies. I do not know whether he belongs or not. He is a member of a church.

He knows the foolishness of a great many fake, racketeering organizations that come into Washington. There are dozens of organizations which say they represent churches which do not represent churches. If we are going to put this on the basis of patriotic societies, I belong to the Sons of the American Revolution. I could be a D. A. R. [laughter], if I were a lady.

YOU DON'T HAVE TO BELONG TO A PATRIOTIC SOCIETY TO BE A PATRIOT

I do not think that is anything against me or anything for me. I do not think it has anything to do with the subject; you don't have to join a club or society that professes moral uplift or patriotism to be decent or patriotic.

This amendment provides that a person should not advocate "un-American" doctrines. During this campaign I seem to remember having heard that the Democratic Party, headed by Mr. Roosevelt, was "un-American." People said that Democracy was un-American. Do you know what is liable to happen if we get this un-American stuff in here? The Republicans might get in power and they might not let us talk any more. [Laughter.]

Now, in the name of common sense, what is "un-American"? Pray tell me, what is un-American? Well, perhaps the Farmer-Labor Party of Minnesota is un-American. We may be un-American. Even the Republican Party may be. It is a rigamarole of nonsense.

THE "RED RIDER" SHOULD BE WIPED OFF

Let us do as the gentleman from New York (Mr. O'CONNER) said, let us wipe this off the statute books and get down to the issues. Let us wipe it off; let us be grown men; let us not sit around and say: "Well, our people back home are going to think we are Communists."

Mr. McFARLANE. Mr. Chairman, will the gentleman yield for a question?

Mr. MAVERICK. I yield.

Mr. McFARLANE. Is not this the first time the gentleman ever agreed with anything said by the gentleman from New York, Mr. O'CONNOR? [Applause and laughter.]

Mr. MAVERICK. Not only that, but it is the first time that I ever agreed with HAM FISH. [Applause and laughter.]

O, my colleagues, let us be sensible. Let us repeal this thing and forget all this nonsense about "advocating" or "teaching" communism. Nobody in our schools is advocating communism. Our teachers are just as patriotic as we are.

Just imagine! Going out and getting our little girls and boys to overthrow the Government. Why! It is nonsense, it is foolishness. Let us be intelligent and repeal this law. [Here the gavel fell.]

Mr. SHORT. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, it seems to me we are making a mountain out of a molehill. I came on the floor to defend my vote this afternoon, because I have listened very carefully to the remarks that were being made about this particular bill.

In the first place, I do not believe the law should ever have been placed upon the statute books, but the fact of the matter is it is there. It is now the law of the District. It is the law of the land. When we vote to repeal it, are we going to give our consent to the advocating of communism in this country, if some teacher chooses to do it? That is the question. Are we going to advocate communism? If there is any teacher in the District schools or in the schools of the United States who are advocating communism, they ought to be expelled from the school at once. If there is any teacher who is honorably, honestly, and conscientiously trying to teach things that are American and uphold the Constitution, they do not need to fear this law; it will not hurt them nor injure their character nor their standing as a teacher.

I am going to quote from the former corporation counsel, Mr. Prettyman, in regard to this law:

Clearly any teaching of communism which has for its purpose or its intended effect the nurture, the training, or the indoctrination of the pupils in communistic thought is forbidden by this statute.

And again I quote from the same opinion:

But I am of the opinion that the mere informing of pupils concerning the history, existence, or theories of the communistic governments or parties is not prohibited. Obviously Congress did not

mean to prohibit comment or instruction which is adverse to communism—that is, teaching against it.

Mr. KENNEDY of Maryland. Mr. Chairman, will the gentleman yield?

Mr. RICH. I do not yield until I finish my statement. After I have finished, if I have the time, I will be glad to yield.

As I said before, if a man is honest he can get up and say anything about communism he wants to, as long as he does not advocate it. If we repeal this law, what will happen? Those who are advocating communism, in my judgment, will be permitted to go into the schools and advocate communism and teach destruction and the overthrow of this Government.

I took an oath and obligation to support the Constitution of the United States. I am not in any way going to compromise with anybody my rights to try to uphold the Constitution. I am not going to permit, if it is within my power, anybody in this country to advocate communism. I am against it in every conceivable way. If I should vote to do away with this law the people of this country right away will say to me, "You are going to permit people to advocate communism." It is not a fact. The only thing I can do is to vote against this bill to substantiate my thoughts, as far as my own mind is concerned. If you people think you can permit the teaching of communism in the schools, and by the elimination of this law you will do away with the advocating of communism, I do not believe you will accomplish that end.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. RICH. No; I am sorry. I said before I could not yield to anybody until I finished making my statement, and I do not intend to do it.

Statements are being made by men of note, educated people in this country, who are not in any sense desirous of having a law like this on the statute books, and they oppose its removal. I would not vote to put a law like that on the books, but I am not going to vote to take it out now since it is there. It injures no one but an advocate of communism. I am not going to sanction communism or the advocating of it in this country with any vote of mine.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. RICH] has expired.

Mr. SHORT. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. SNELL].

Mr. SNELL. Mr. Chairman, I simply rise to get some definite information. As I understand the provisions of this law, it would prohibit a teacher in the schools of the District of Columbia saying he or she is opposed to communism. I would like the chairman of the subcommittee to answer that question. That is entirely the opposite to what the gentleman from Pennsylvania [Mr. RICH] has said.

Mr. KENNEDY of Maryland. As I understand from information given our committee, they could not even mention communism.

Mr. SNELL. That is what I understood. The gentleman from Pennsylvania said they could teach against it but not for it.

Mr. KENNEDY of Maryland. That is not true. As a matter of fact, it is totally ignored in the schools of Washington now.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. SNELL. Yes.

Mr. SHORT. Furthermore, the gentleman from Pennsylvania [Mr. RICH] and the gentleman from Massachusetts [Mr. MCCORMACK] said that teachers had nothing to fear from this "red rider." I want to say that many teachers did appear before our subcommittee and voiced their distinct protest, because it intimidated and cramped them in their teaching of factual data on communism.

[Here the gavel fell.]

Mr. SHORT. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Chairman, I am very much troubled about this piece of legislation. I am in agreement with preceeding speakers who have said that it never should have been placed upon the statute books in the first instance; but I am wondering, if Congress were to repeal this legislation, if it might not be construed by the people of the District that Washington school teachers are at liberty to go ahead and teach communism in the city schools if they so desire. That is the crux of the whole thing so far as I am concerned.

Mr. KENNEDY of Maryland. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. KENNEDY of Maryland. There was no evidence as to that before the committee, and we took 285 pages of testimony. It seems passing strange that if that be the situation in the District of Columbia it does not exist in a great many cities of the Nation and even in the gentleman's own city.

[Here the gavel fell.]

Mr. SHORT. Mr. Chairman, I yield additional time to the gentleman from Minnesota.

Mr. KNUTSON. What I am afraid of, Mr. Chairman, is that if we repeal this "red rider" it will be construed as authorization from Congress to go ahead and teach communism if it is so desired.

Mr. SCHULTE. Not any more than it would be in any other part of the country.

Mr. KNUTSON. Congress, of course, cannot legislate on such matters for any other part of the country. We are here concerned only with the District of Columbia, and it would seem to me that the Washington schools should be a model for the schools of the country.

I do not know whether communism is taught or advocated in any of the public schools in the country, but it is a matter of common knowledge that in a number of our colleges the doctrine is openly advocated, and that is something that our people should put a stop to.

In my opinion the amendment of the gentleman from Massachusetts [Mr. MCCORMACK] should include fascism because both doctrines are subversive and destructive to individualism, the home, and the church. It has been stated in the debate held upon the proposal to repeal the "red rider" that there are not to exceed 50,000 Communists in this country. Mr. Chairman, if that be true I will say without hesitation or qualification that there are 50,000 too many Communists in the United States.

Communism and fascism have no place in a democracy. Both theories of government are predicated upon absolutism and the submergence of the individual. After all, our country was developed through the efforts of the individual, and while there are many who profess to sneer at "rugged individualism" the fact nevertheless remains that individualism is necessary to the perpetuity of our Government, which rests upon the freedom and the well-being of our people.

I shall vote for the McCormack amendment with a clear conscience, knowing that in doing so I am voting to preserve our glorious form of government, which has in years past given an asylum to millions of oppressed from other and less favored lands. The advocacy of any political doctrine in our public schools is un-American and wherever indulged in should be suppressed. I can well imagine the howl that would go up from the radicals if we permitted instructors in our schools to indoctrinate the youth with the principles of the Democratic or Republican Parties. What the McCormack amendment proposes is to prohibit the advocacy of a political doctrine in the public schoolrooms of Washington. There can be only one stand to take upon that proposal.

Mrs. NORTON. Mr. Chairman, I yield 1 minute to the gentleman from Colorado [Mr. MARTIN].

Mr. MARTIN of Colorado. Mr. Chairman, this is the most extraordinary situation I have ever seen in the American Congress. This "red rider" is unquestionably the most unwelcome stray dog that the people of Washington ever found on their doorsteps. [Applause and laughter.] They unanimously want to kick it out, and we are asked by some gentlemen here not to do the kicking.

This "red rider" expresses all that remains in this country of religious and racial intolerance and the spirit of inquisition. It is an insult not only to the teachers of the city of Washington but of the Nation. They unanimously condemn it. The press of the Nation is almost unanimous in its condemnation of it. This Congress can vindicate itself as the representative voice of democracy and the American people only by voting to repeal it. [Applause.]

Mr. Chairman, it is incredible that the Board of Education in the city of Washington, made up of leading citizens of the Capital of the Nation, and appointed by its supreme court, would either foster or tolerate the teaching of communism in the public schools. If they were doing so, it is incredible that the very conservative newspapers of the city of Washington would be backing the school board and demanding the unconditional repeal by Congress of the so-called "red rider." These papers claim in so many words—and as a sample I quote from a Washington Post editorial of April 18 last—that with the passage of the repeal bill, "the principles of Americanism will be restored for local education." When it is known that the nearly 3,000 school teachers of the District of Columbia, in order to draw their pay, must take an oath every 2 weeks that they have not taught or advocated communism in the schools, it is enough to make a man pinch himself to see if he is awake and in the United States. Such a requirement is a reflection on the Congress rather than on the school teachers.

The "red rider" stands condemned not only by most of the newspapers of Washington but of the country, and not only by the educators of Washington but of the country. You will be told by others who have had more time and opportunity than I to study this question in detail and amass data on it, as to the identity and extent of the opposition to the "red rider" and the support of the pending bill to repeal it.

Mr. Chairman, if the time has come in this country that the great teaching profession of the schools and colleges is so inoculated with communism that it must be muzzled, that we must pass suppressive legislation—and that is just what such legislation means—it is high time we took stock of the state of the Union and ascertain, if possible, as the black crow said, "what causes that."

In my brief time I shall leave the curriculum of the District of Columbia to others and consider this question from a different angle. Assured that the "reds" will be properly taken care of, I want to make some observation about "red baiters." It may not be true in every case that you can scratch a "red baiter" and find a reactionary. But it is true that you can scratch a "red baiter" and rarely find one who has made any notable contribution in behalf of the submerged millions of America, or the amelioration of the conditions which make good citizens see red.

A few years ago the country was shocked by the disclosures made by the Federal Trade Commission that certain powerful interests were subsidizing the schools and colleges of America, the teachers and professors, and infiltrating the school studies with corporate propaganda. Where then was the voice of the "red baiter"? Apparently it is all right to invade the schools and churches of the country and hire the teachers and preachers to poison the minds of both young and old with propaganda to perpetuate special privilege in America, but it is all wrong to let them know that such a dangerous thing as communism even exists in the world.

I hold no brief for the polar despotism that rules Russia. It is so alien to the thought, the traditions, the atmosphere of America, that I cannot visualize its transplantation in this country. The American people, rooted in individualism, in liberty of thought and action, in the art of self-government, are as far from the conditions which produced the communism of Russia as the east is from the west. Communism as applied by the "red baiters" in this country would seem to need redefinition. Some Members give a very liberal range to the term. The District of Columbia rent-regulation bill was denounced on the floor as communistic. A political convention in Arizona condemned the "communistic regimentation" of the people by the President, naming him. These definitions, and there are many such, take in a lot of territory. Nearly all the major legislative measures of this administration are frequently characterized as communistic and fascistic. The term would seem to include every one who does not believe that this Government ought to be administered mainly for the benefit of the greatest aggregation of private interests that ever flourished on the face of the earth.

Mr. Chairman, I appeared before the District Subcommittee on Education in behalf of the repeal bill and expressed some views offhand which I shall insert as part of my remarks, in which I stated that my cure for most of the so-called radicalism in this country would be jobs. I also related some incidents which had fallen under my observation indicating that free speech might be a better remedy than putting on the lid. In support of this view I was delighted to run across the same thought the other day in a posthumous publication of the writings of the greatest common-sense philosopher and statesman of our time. I want to quote a paragraph from the McNaught Syndicate of hitherto unpublished writings of Will Rogers. I quote:

> When thousands of police from the White House to Claremore were fighting the "reds" to keep them from marching, the mayor of San Francisco helped 'em form in line, had his men show them where the city hall was, fixed a stand for 'em to speak on, thanked 'em for coming to see him, and a good time was had by all, except the women who were unable to get arrested.
>
> But ain't it funny, only one man in public office in America that had sense of humor enough to kid 'em along.

I don't know when this item was written, but it sounds as if it had been written about the time a certain man in the White House permitted the Federal troops to be called out to eject the first bonus army from Washington, resulting in what has been referred to as the Battle of Pennsylvania Avenue. Subsequently, another bonus army invaded Washington, but with another type of man in the White House. He gave them jobs. It dispersed the army. The privates accepted the jobs, the generals registered a dying wail in the Washington papers, and the second bonus army faded from the scene. The wife of the President visited the veterans and talked to them in their camp. There is food for serious thought in these two vastly different methods of handling identical situations.

Mr. Chairman, if there is a "red" peril in this country, the very last way to eradicate it would be by laws suppressing free speech. Every other remedy ought to be exhausted before we "Heil Hitler." A good many years ago a thought occurred to me which gave me some reassurance and helps me to preserve some sort of balance under stress. It was this, that a majority of the American people never go crazy about the same thing at the same time. Some may go "red", others may go "red rider", but the great body of the people go along the even tenor of their way. Congress will reflect the national common sense by repealing this excrescence on local legislation, but which has national implications. The District of Columbia got along without it for 135 years. The States of the Union, every one of them, have gotten along without it, all the colleges and universities of the Nation get along without it. It ought to be repealed.

STATEMENT OF HON. JOHN A. MARTIN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF COLORADO, BEFORE THE DISTRICT OF COLUMBIA SUBCOMMITTEE

Mr. MARTIN. Mr. Chairman and members of the committee, I have just had a 20-minute debate before the Committee on Rules, and I am a little hot yet. I was invited to make a brief statement for this bill, but do not think I can make any contribution to this question excepting for a couple of observations.

I suppose this inquiry revolves more or less around the general right of free speech, and the best thing I ever heard on that is something which has remained on my mind for years, and I think it influenced the man who told me. It was an incident related to me by a friend from out in my home town, a man who might be mildly termed a rabid reactionary, who went out to Seattle, and he happened to stray down on the water front, in the soapbox section in which they set out boxes for the orators. I had been in the section myself so that I could get the locus of the incident in my mind. He paused before a fellow on a soap box who was raising hell with the existing order of things. A big officer was standing calmly by, and after my friend listened to this tirade a moment he rushed up to the officer and said, "Officer,

you are not going to stand here and permit that to go on, are you?" And the officer looked down at him and said, "Get a box, me boy, get a box."

We hear a lot about the philosophy of the British system at Hyde Park, in London. If a man wants to tear the Government down, they let him take a soap box and get on it and get it off his chest. Seattle appears to have modeled after it, and I rather like the idea. It doesn't hurt the air.

Another friend told me something which gave me a little kick. He has sort of a hobby listening to those people and he said that he noticed that as long as they just raised the devil with the existing order of things the crowd stayed with them and hung on every word but when they commenced to talk of their own plans of salvation, the crowd began fading away, and when they ended up they were talking to the empty street.

I got a letter a couple of years ago from a great organization of which I am proud to be a member. I was connected with the commission of that organization which had jurisdiction over Americanism, and a headquarters official wrote me a letter about the program which had been gotten up by a leader of the organization, which he was proposing to have adopted, against subversive teachings and activities.

I think we should all agree that any program which would be calculated to offset really subversive activities to overthrow or change the Government by force should be given hearty support. I wrote back to him and I recalled to his mind a different sort of propaganda, subversive propaganda which had been recently disclosed in this country, where teachers and educators were on the pay rolls of certain great special interests, and it was even in the schoolbooks. [Laughter.] And they were inculcating in the minds of the youth of the land the thought that God made these interests also and "saw that they were good." Now, I said, to my mind that kind of teaching will be more dangerous in the long run, it will prove to be more subversive, than the character of propaganda at which your program is aimed, and I said if you double them up and put both programs together, I will go along with you; but I observe that the more enthusiasm a man has for the suppression of one of the so-called subversive programs the less interest he has in the other program. If it is wrong to teach one kind of thing, it is all right to teach the other.

I think this country has greater problems to grapple with than trying to make it an offense for a school teacher to teach historical facts about Russia or any other country. When the people stand for what they are getting here at home, we are not in much danger from imported stuff.

Out in Iowa we had the spectacle of the mobbing of a district judge. They almost lynched him. Those men were not Communists; they did not know anything about communism, they did not care anything about it; you could not keep those men awake 5 minutes talking communism. They were American farmers. Also, we had in Missouri another outbreak of farmers who sought to restrain by force the legal selling of a farm and the eviction of the tenant, and they defied the Federal judge of the State of Missouri and challenged him to come to that town. Now, those incidents may be deplorable—my sympathies went to those farmers in both cases—I considered those outbreaks regrettable; but in my judgment the real thing to worry about is, as the Black Crow said, "What causes that?" That underlying cause of those outbreaks among the very best American type of farmers in the United States?

This organization that I mentioned, by the way, did not accept my proposition. This organization the other day published a report on its activities along these lines, and it wound up with the conclusion that the cure for communism and radical propaganda in the United States was education. Well, it has an important place; but in my judgment there is another cure that would be more effective than education, and that would be jobs; that would be my cure for much of this so-called communism—it would be jobs. I have had a lot of contact with the common herd; I was born among them, I was raised among them, I speak their language, and I am still one of them; and it is my judgment that 9 out of 10 of all the radicals throughout this country are people who have not got jobs. If you could pick up the first 10 and give them jobs, you would corrupt 9 Communists. The tenth might be incurable. [Laughter.]

So, if we could address ourselves to the eradication of the cause of radicalism in this country, the effect I think very largely would disappear. I think I have used up all of my time. However, you cannot discuss a big subject like this in a few minutes.

I got some amusement out of the controversy over in the House as to how this particular legislation, the so-called "red rider", was enacted.

Mr. SCHULTE. May I interrupt the gentleman to ask a question? I just inferred or I believe you insinuated that about 90 percent of the unemployed are radicals; is that right?

Mr. MARTIN. No; I said that 90 percent of the radicalism in this country was due to the economic conditions and distress, unemployment among both farmers and workers, and the masses of the people generally. No; I did not say that.

Mr. SCHULTE. I did not think there was any radicalism in the United States.

Mr. MARTIN. You did not?

Mr. SCHULTE. No; I did not.

Mr. MARTIN. Well, I might show you some of my mail once in a while. [Laughter.] Yes; I think there is a little radicalism in the United States. Let me tell you——

Mr. KENNEDY. How long will it take?

Mr. MARTIN. Just a minute—suppose we just cut the rest of it. There has been a lot of criticism about this so-called "red rider" getting through Congress. One Member on the floor was charging two members of the District subcommittee with having put this thing over. You know, when the District of Columbia is called on the calendar the great majority of us break for the door, as we have more important things to do than play town council for Washington, so we rush out and do it. So this Member was charging that these two members of the subcommittee took advantage of the situation and framed this up and that they had a bit of conversation between themselves and one of these members mumbled in a low tone to the other and the other mumbled in a low tone to the Speaker, and the amendment was adopted.

Now, the truth of the matter was this: Those two gentlemen were not framing up anything. They were speaking in a low tone because they were afraid if they spoke in the usual congressional tone of voice they would wake up the other three Members. [Laughter.]

Mr. SHORT. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. FADDIS].

Mr. FADDIS. Mr. Chairman, I hold in my hand a yellow pamphlet, distributed throughout this city, advocating the repeal of the so-called "red rider." In this yellow pamphlet various arguments are advanced for repeal, and it is charged that it is un-American, and various other charges are made against it. The pamphlet, Mr. Chairman, is signed in this manner:

Issued by: City Committee, Communist Party of Washington. Read the Daily Worker.

Mr. Chairman, here is one organization out working for the repeal of this "red rider", which does not conceal its identity. We all know the purposes of the Communist organization.

Mr. Chairman, I ask unanimous consent to include this pamphlet in an extension of my remarks.

Mr. MICHENER. Mr. Chairman, reserving the right to object, does the gentleman know that this was propaganda by the Communist Party, or is it propaganda put out the other way?

Mr. FADDIS. I must presume that it is genuine. It is signed by the City Committee of the Communist Party of Washington.

Then on the bottom follows a sentence as follows:

I want more information about the Communist Party.
Name ---------- Address ----------
Mail to post-office box 1817.

Evidently this organization has a mailing address and someone to attend to its business.

Mr. KELLER. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield.

Mr. KELLER. Would it make any difference if it had been printed on white paper?

Mr. FADDIS. It seems as though the color better suits the party that printed it. [Applause.]

Mr. GASQUE. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield.

Mr. GASQUE. Do they not also volunteer to give further facts as to why this "red rider" should be repealed?

Mr. FADDIS. Yes; they offer to furnish further information regarding communism, and seem anxious to do so.

Mr. GREEN. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield.

Mr. GREEN. Has the gentleman received letters from fraternal and religious organizations of all denominations in this country for the repeal of the "red rider"? Not one, has the gentleman?

Mr. FADDIS. No; I have not. The principal source of propaganda in favor of repeal of the "red rider" has come from un-American sources.

Mr. KENNEDY of Maryland. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield.

Mr. KENNEDY of Maryland. No such communications came before the committee, and I may say as to the pamphlet the gentleman holds in his hand that while I know nothing about it, we are in receipt of any number of requests for the repeal of the so-called "red rider" from the decent, respectable people of this District who sign their names and do not hide under the cloak of anonymity.

Mr. FADDIS. That may be, but for my part I believe if there is any time in the curriculum of our public schools

for any additional teaching, the time would be much better devoted to giving the students of this Nation a thorough course about our Constitution and the incidents and proceedings leading to its adoption. If this were done, there would be more information among our citizens about this great document for the American people. Let us be rid of any suspicion of the teachings of subversive doctrines from any land and teach American principles of government.

Mr. O'MALLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. O'MALLEY. Was the request of the gentleman from Pennsylvania to insert the pamphlet to which he referred in his remarks acted upon?

The CHAIRMAN. The gentleman from Michigan has reserved the right to object.

Mr. MAVERICK. Mr. Chairman, reserving the right to object, the other day I asked permission to include in an extension of my remarks a speech made by a Democrat, Mr. Robert Jackson, Assistant Attorney General. It was objected to on the ground that it was improper matter. I want to know if it is proper to insert communistic matter but improper to put in Democratic matter? [Laughter.]

The CHAIRMAN. The Chair advises the gentleman from Pennsylvania that a request to insert extraneous matter in remarks should be made in the House and not in Committee. The gentleman can submit his request when the Committee goes back into the House.

Mrs. NORTON. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. HARLAN].

Mr. HARLAN. Mr. Chairman, we are all agreed that the factual teaching of communism is not objectionable. But if you were a teacher in the District schools, with the ruling of the Comptroller General before you in reference to this matter, would you take a chance on teaching anything about communism? When your pupils saw this big spot on the map known as Russia and asked you what form of government is there, would you tell them communism, or would you say anything about it? If you had a pupil in one of these schools who is dumb enough not to want to know what kind of government exists in Russia or anywhere else, what would you think of that child?

We are all agreed that to advocate communism is a bad thing. We do not want the teachers to advocate communism. We do not want them to advocate embezzlement. We do not want them to advocate stealing chickens. We do not want them to advocate smuggling. But we do not put it in the law. [Applause.]

To put that in the law is an imputation against the intelligence, honesty, and patriotism of our teachers, in whom we have placed the future hopes of our democracy, and I speak as a former teacher and as a son of a teacher, knowing something about their problems. Control of matters of instruction is not a subject of law in a democracy. They are and ought to be a matter of administration by the board of education and the supervisors. That is the condition in your district and mine. No "red riders" are tolerated there. Let us not use one vote on District of Columbia matters to lure the support of nut groups and piffle patriots in our own districts. There has been too much of that in the past.

[Here the gavel fell.]

Mrs. NORTON. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. KVALE].

Mr. KVALE. Mr. Chairman, my only purpose in requesting this time is to combine my protest with others against this un-American and unfair restriction upon free education in America as represented by the particular jurisdiction we hold over the District. I see no more purpose in this law than I do in demanding of every Member of Congress that he take some religious oath, or an oath not to mention the word "communism", and God help some of us. It would take the words out of the mouth of a good many of us.

Mr. LUCAS. Will the gentleman yield?

Mr. KVALE. I yield to the gentleman from Illinois.

Mr. LUCAS. Is it not a fact if we leave this "red rider" on the statute books, the Members of Congress place their patriotism on a higher plane than the school teachers of the District?

Mr. KVALE. Yes. I thank the gentleman for his contribution.

[Here the gavel fell.]

Mrs. NORTON. Mr. Chairman, I yield 1 minute to the gentleman from Alabama [Mr. PATRICK].

Mr. SHORT. Mr. Chairman, I also yield the gentleman from Alabama [Mr. PATRICK] 1 minute.

Mr. PATRICK. Mr. Chairman, I get a minute from each side, so that makes us even. I happen to represent the younger Members that came in the first of this year. I did not know that everyone was going to be with us when I requested time away back yonder. I hope there will never be a time in America when anything as un-American and as undemocratic as this will get on the statute books again. I hope it will never have to be acted on again in America.

Mr. Chairman, there are a few things that are beyond the reach of legislative activity. They are economic and civic in their nature and any attempt to make laws against them is so foolish and unavailing that it leaves us sitting high and dry with the world laughing at us. This happens to be one of those.

There is just one place in the United States that communism can exist, and that is in the slack of Uncle Sam's breeches. Let him take up the slack, and good-bye communism.

Mr. Chairman, we want to make this as nearly unanimous as we can, and it seems to be going that way. The far extremes on either side have indicated a favorable trend toward this; therefore, I will not say anything further except whenever an opportunity like this comes up no one raised in democratic America should have any doubt as to how to vote.

[Here the gavel fell.]

Mrs. NORTON. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. LUECKE].

Mr. LUECKE of Michigan. Mr. Chairman, this is a most vicious piece of legislation. It is not a blow at communism, but, rather, it is an act to curb democracy. It has the opposite effect. The danger in that sort of legislation is that, like everything else, it will grow, one way or the other, and in the end we will have amendments attached to it prohibiting free speech and free assemblage and free press.

If the proponents of this legislation are sincere in their efforts to curb communism, why do they not wipe out the breeding grounds? Communism or any other "ism" springs from discontent and injustices. The way to wipe out communism is to wipe out the slums of our Nation, be they in the city or in the rural districts. The fact that a great many of our people are unemployed and not able to provide themselves with the means of keeping body and soul together is a potential breeding ground for subversive thought and action. When a person has reached the end and there is no hope in the present social order it is only natural that he should seek other means to preserve himself. And, like a man who is drowning, he will grab at anything to save himself.

If the proponents of this type of legislation are sincere in their efforts to save democracy—and I suppose they are—why do they not study the causes of antisocial thought? Let them go into the slums. Let them go into the sweatshops, where the entire family must work from daylight to dark to earn enough to exist. Let them go into mills where the workers do not earn more than five or six dollars a week. Let them go into the rural districts, where the farmer is hard-pressed to keep his farm from being sold out from under him. Let them go down to the South and visit with the sharecropper who does not know what it is to hold a dollar in his hand. Let them go into the company-owned towns and hear the tales of the loyal, hard-working folk who work year after year and never are out of debt. There is where communism is bred and nurtured.

When the farmers of the West went into a court and dragged a judge off his bench, were they prompted by the teaching of communism? Of course not. And yet that was revolution, that was rebellion. I do not remember what State that happened in, but a thousand "red riders" would not have prevented that regretful incident. And since those

farmers have been taken care of and their situation relieved such incidents are not happening any more.

The worker and the farmer do not ask for much. But they do ask for a living. Give the average man a fair wage and a job which he knows that he can depend on and there will never be any need for any anxiety as to the stability of our democracy. And the same applies to the farmer. They are easily satisfied, all too easily, perhaps.

The so-called "red rider" is an insult to the teaching profession. It so happens that I have had many contacts with the teachers in my State, and I can say that they are 100 percent for democracy. To suggest that they or that some of their profession stand ready to overthrow our Government is libel to that splendid body of citizenry. In all my dealings with them I do not know of one person that I can say held radical views. Oh, here and there you will find a divergence of thought. But that is only natural.

You cannot regulate schools of thought by legislation. What happens when such steps are taken is to arouse curiosity on the part of the students and teaching body, and then the trouble begins. That is when ideas spread, when they are suppressed. The way to freedom, to democracy, is to be free. You cannot perpetuate democracy in an undemocratic way.

In my district live a small colony of Communists. At least, that is what they are called. They have lived there for many years. And here is the queer thing about it: They are growing smaller in number year after year. And why? Because they are tolerated and forgotten.

Some time ago they came to the authorities and asked for permission to hold a meeting in the open. They were granted the permission. The meeting was held, and about 75 people attended.

Now, what would have happened had they been run out of town? They would have gotten thousands of dollars' worth of advertising. They would have resisted and been thrown into jail, perhaps; and, by the way, that is just what they wanted. When they were permitted to go ahead, they were disappointed. The meeting came to an end and so did their publicity. The day after it was forgotten. But that would not have happened under any other way in handling the situation. Let them get it out of their systems and then they will feel better.

This "red rider" has given the Communists a million dollars' worth of advertising—and all because some overzealous patriot slipped in an amendment which he thought was going to save the Nation.

England is the most secure nation on the face of the earth today. And why? They have their Hyde Park over there, where speech is truly free. It is the safety valve which lets off pent-up steam. And that is the virtue of free speech. It gives everyone a right to be heard; to be recognized. And that being true, it makes him a better citizen. Again, I repeat, the way to perpetuate freedom is to be free. [Applause.]

Mr. SHORT. Mr. Chairman, I yield 1 minute to the gentleman from Washington [Mr. HILL].

Mrs. NORTON. Mr. Chairman, I yield the gentleman another minute.

Mr. HILL of Washington. Mr. Chairman, De mortuis nil nisi bonum—Of the dead nothing but good. Politically the author of this "red rider" is dead and I say "thank God."

May I say to the new Members of this Congress you probably do not know that the "red rider" was brought in here when there were only a half dozen Members present, and they did not know what was going on? It was passed in that way. That is the way it went through the House and through the Senate. Last year we who were opposed to this tried our level best to repeal it, but by every parliamentary practice known the author prevented it from coming on to the floor of this House for consideration. Some of those who are today for repeal helped him at that time.

There have been two Members on the floor of the House today who have stated they did not want this "red rider" in the first place, but now that it is on the statute books they are for it. I have been a teacher for years. Do you know that the National Education Association has gone on record unanimously against this? I challenge the Member from Massachusetts, and also the Member from Pennsylvania, to go back home and urge this same law upon their teachers.

Mr. McCORMACK. Will the gentleman yield?

Mr. HILL of Washington. No.

Mr. McCORMACK. When the gentleman challenges a Member he ought to yield.

Mr. HILL of Washington. Mr. Chairman, let us see where everyone stands on this thing and how they vote. I trust we may have a record vote on this matter so the issue cannot be dodged.

Mrs. NORTON. Mr. Chairman, I yield the balance of the time on this side to the chairman of the subcommittee, the gentleman from Maryland [Mr. KENNEDY].

Mr. SHORT. Mr. Chairman, I yield 3½ minutes of my time to the gentleman from Maryland.

Mr. KENNEDY of Maryland. Mr. Chairman, I am sure I shall not take up all the time allotted me because I do not believe it will be necessary. I simply want briefly to call the attention of the Members of the House to the history of this legislation. It was brought before the House in a very irregular manner in that it was not submitted to the proper committee.

Under the rules of the House we have a Committee on the District of Columbia which is charged with administering the legislative affairs of the District. This so-called "red rider" was never submitted to that committee, as far as I can ascertain from the record. It was attached as a rider to a conference report to a District appropriation bill; it was not debated at all, and like many of these items, very few, if any, of the Members considered the serious effect it would have on the school system of the District of Columbia. If this was a matter for legislation, it should have been submitted in bill form and referred to the Committee on the District of Columbia, and through that committee presented to the House for action in an orderly way under the rules of the House governing such legislation.

The gentleman from South Carolina [Mr. GASQUE] has stated here today that he was a member of the District Committee for about 8 years, and that during that time he was stormed with bitter complaints that there were teachers in the District of Columbia teaching and advocating communism. I asked the gentleman if he did anything to correct this condition. Of course, the RECORD will show he replied as follows:

> Mr. Blanton introduced the so-called "red rider." I have said I thought that it was a mistake; but as it has been adopted and is part of the law, I am opposed to striking it out.

In considering this legislation the subcommittee on education of the Committee on the District of Columbia, of which I have had the honor of being chairman, not only considered an outright repeal bill, but if you will refer to the hearings of the subcommittee conducted on February 25, March 2, and March 9, 1936, you will find in those hearings that the committee considered also a bill to modify the so-called "red rider" and to change it in a way that has been suggested and, I have no doubt, will be again suggested today by an amendment offered when my bill reaches the amendment stage. In other words, two bills were under consideration during the hearings, both having been introduced by a former Member from the State of New York—one designed to modify the so-called "red rider" as just described and one providing for the outright repeal, the same as the one we are considering today.

Mr. SCHULTE. Mr. Chairman, will the gentleman yield for a question?

Mr. KENNEDY of Maryland. I yield to the gentleman from Indiana.

Mr. SCHULTE. The gentleman is referring to an amendment which may be offered in the committee this afternoon. In the event this amendment is accepted, striking out the

word "teaching", is it not true that the teachers will be forced to sign an affidavit stating they have not advocated communism?

Mr. KENNEDY of Maryland. I do not so understand. I believe there is a provision in the proposed amendment to the effect that there shall be no requirement of a teacher to report that he or she has not violated the law or that he or she has not taught or advocated communism in the schools of the District.

Mr. COLE of Maryland. Mr. Chairman, will the gentleman yield?

Mr. KENNEDY of Maryland. I shall be pleased to yield to my colleague the gentleman from Maryland.

Mr. COLE of Maryland. The "red rider" having originated in the Senate and not in the House, I should like to inquire whether the bill which passed the Senate last week and which came over to the House today repealing the "red rider" is identical with the provisions of the bill introduced by the gentleman now occupying the floor?

Mr. KENNEDY of Maryland. The Senate has passed a bill identical with the bill we are considering today, and it was passed by a unanimous vote of that body.

Mr. GREEN. Mr. Chairman, will the gentleman yield?

Mr. KENNEDY of Maryland. I yield to the gentleman from Florida.

Mr. GREEN. Would it be agreeable to those who desire this measure repealed to amend it so that the teachers would not have to make these reports, so we would not be left in the ridiculous position of sanctioning the teaching of all kinds of isms in our schools? That is foolish.

Mr. KENNEDY of Maryland. As I have previously stated, the subcommittee had before it two bills; one provided for the modification of the so-called "red rider" and the other provided for its outright repeal.

Mr. SCOTT. Mr. Chairman, will the gentleman yield?

Mr. KENNEDY of Maryland. I yield to the gentleman from California.

Mr. SCOTT. Would it not be possible once more, however, for the Comptroller General to override the idea Congress has in mind, even when it expresses itself by such legislation and require such affidavits to be made?

Mr. KENNEDY of Maryland. I do not think there is any question about that.

Mr. KVALE. Mr. Chairman, will the gentleman yield?

Mr. KENNEDY of Maryland. I yield to the gentleman from Minnesota.

Mr. KVALE. Would the gentleman from Florida or the gentleman from Massachusetts or any other gentleman in this Chamber object to the lifting of a voice here advocating Farmer-Labor doctrines, perhaps, or Republican doctrines, or Progressive doctrines from the State of Wisconsin, or any of the others?

Mr. GREEN. They are all American.

Mr. KENNEDY of Maryland. I will leave that to the gentlemen from Florida and Massachusetts to answer.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. KENNEDY of Maryland. I yield.

Mr. DONDERO. May I suggest to the gentleman that the question raised by the gentleman from Florida might properly be eliminated by administration methods in the school board.

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield for a question?

Mr. KENNEDY of Maryland. I shall be pleased to yield.

Mr. PHILLIPS. I am a new Member here, but, perhaps, there are others like me who are open-minded on this matter. While we believe in repealing anything that is in anyway un-American, however, I am open-minded about the matter of repeal and should like to ask the gentleman this question for information. I read in the public press that the gentleman was in favor, as I understood it, of an amendment to the bill which we have before us today, the amendment in effect not allowing advocacy, but still allowing teaching. This is what I should be in favor of.

Mr. KENNEDY of Maryland. My answer to the gentleman's question is, it is true that I did state to the press that I was considering several amendments in the hope that I might be able to adopt one amendment which would be satisfactory to all sides. However, after consulting with many persons in favor of, and many persons opposed to, the repeal I came to the conclusion that no such amendment, in my opinion, could be offered to properly cover the situation. In giving this matter serious consideration and honestly striving to reach a satisfactory compromise, I continuously found myself back to my original opinion that this legislation is improperly upon the statute books, and, it being admittedly wrong legislation, the only and correct cure is to remove it in its entirety.

I might state here that in considering an amendment, it is altogether possible that any attempt to write into the law the prohibition of the teaching and/or advocacy of communism specifically, might indicate sanctioning of other equally objectionable teachings.

There is a matter of principle involved, which is paramount to all other considerations, and I do not believe that you can compromise principle under any conditions.

Mr. MAVERICK. Does not the gentleman think the best way to clear it up is just to repeal the provision and leave it to the discretion of the school board and trust the school board here like other school boards all over the country?

Mr. KENNEDY of Maryland. I think so because the school authorities are in the best position to properly administer the affairs of the schools of the District—and they are unanimously for the outright repeal of this rider. Also, I might say that all three of the District Commissioners are in favor of the outright repeal of this rider.

I further think the repeal is best because there never was any need for the enactment of the so-called "red rider." If we need such a provision in the District of Columbia laws, we need it in the city of Baltimore, we need it in the city of New York, we need it in every other city of this Union. I say that we cannot consistently favor this "red rider" for the District of Columbia, applying to 2,900 teachers, and not favor it for the rest of the country.

It might be well here to point out to the Members that the teachers in the District of Columbia affected by this legislation are required to take the following oath upon entering their duties as teachers:

> I (then fill in the name) do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

I can see no sensible reason for requiring the school teachers to go beyond the obligation of this oath any more than it would be logical to require Members of Congress or other Government employees to take some additional specific or special oath. It can be readily seen that under this oath of office anyone advocating communism or any other "isms" which would tend to give thought to or encourage the overthrowing of our Government would be certainly violating the Constitution and thereby violating this oath of office. Such a violation would call for the person or persons guilty to be dealt with as severely under this oath as under any special legislation such as the so-called "red rider." Therefore, is not the so-called "red rider" entirely unnecessary and superfluous, and does it not discriminate unfairly against a specific group of American citizens, namely, the school teachers of the District of Columbia? In a few words, there is no need or excuse for such legislation as the so-called "red rider", and it should be absolutely eliminated.

At no time during the 2 years or more discussion of this matter, and nowhere in all the 283 pages of printed testimony before the committee, has anyone made a single allegation, or even insinuated, that anyone connected with the school-teaching system of the District of Columbia could be even suspected of being a Communist or of having communistic tendencies. Under these circumstances, it seems to me that it is little short of silly for the Members of Congress to be on record, under these known conditions, as approving and passing such unfair and iniquitous legislation, aimed solely at such a fine body of citizens as make up the teachers

and the authorities associated with the schools of the District of Columbia.

I am somewhat amazed at the attitude of some of my fellow Members on the floor here today that they agree that this legislation should never have been enacted, but due to the fact that it is on the books, even though it is unfair and unnecessary, they are hesitant about voting for its repeal, fearing they may be misunderstood as favoring communism. I cannot see the logic of this contention. I believe it is the conscientious duty of every Member of this House, if he believes the so-called "red rider" is wrong, to vote for its repeal—thereby correcting an admittedly wrongful condition.

While this legislation, technically speaking, is local in character, yet the principle could and might affect each district represented by the membership of this House.

We have heard discussed in this Chamber over and over again matters of personal liberty, freedom of speech, freedom of the press, and academic freedom. I should like to call the attention of the Members of this House to the following excerpts from sayings of some of our forefathers—which seem to me to be particularly pertinent to my appeal for elimination of the legislation in question:

"We are bound to maintain public liberty * * * If we fail in this, our disaster will be signal and will furnish an argument stronger than has yet been found, in support of those opinions which maintain that government can rest safely on nothing but power and coercion."—Daniel Webster on the matter of liberty.

"They that can give up essential liberty to obtain a little temporary safety, deserve neither liberty nor safety."—Benjamin Franklin.

"Error of opinion may be tolerated where reason is left free to combat it."—Thomas Jefferson.

"It is error alone which needs support of government. Truth can stand by itself."—Thomas Jefferson.

"He that would make his own liberty secure, must guard even his enemy from oppression, for if he violates this duty he establishes a precedent which will reach himself."—Thomas Paine.

"If rulers succeed in silencing every voice but that which approves them; if nothing reaches the people but what will lend support to men in power—farewell to liberty. The form of a free government may remain, but the life, the soul, the substance is fled."—William Ellery Channing.

"Let us always remember that he does not really believe his own opinions who dares not give free scope to his opponent. Persecution is really want of faith in our creed."—Wendell Phillips.

"If there is any principle of the Constitution that more imperatively calls for attachment than any other, it is the principle of free thought—not free thought for those who agree with us but freedom for the thought that we hate." Mr. Justice Holmes, in his dissenting opinion in the Rosika Schwimmer case. This was the case of a well-known pacifist seeking citizenship in the United States.

The worst thing you can do with a notion with which you do not agree is to try to suppress it by force—that only makes it dangerous. If a doctrine is sound, it ought to be heard freely so that it can be spread and approved. If it is unsound, it ought to be heard so that it can be refuted and discredited.

I urge that my remarks, which have been prompted by a sincere, thorough, and extensive study of the legislation in question, be carefully considered by each and every one of my colleagues—that each and everyone read the committee's report made on my bill, H. R. 148, and also the hearings before the Subcommittee on Education, which I have already referred to, and, finally, that this so-called "red rider" be repealed by the passage of my bill.

The CHAIRMAN. All time has expired, and the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the proviso appearing in the fourteenth paragraph, under the subheading "Miscellaneous", under the heading "Public Schools", in the District of Columbia Appropriation Act for the fiscal year ending June 30, 1936, approved June 14, 1935 (49 Stat. 356), and reading as follows: "*Provided*, That hereafter no part of any appropriation for the public schools shall be available for the payment of the salary of any person teaching or advocating communism", is hereby repealed.

Mr. O'CONNOR of New York. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent that I may proceed for 5 additional minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for 10 minutes. Is there objection?

Mrs. NORTON. I object.

The CHAIRMAN. Objection is heard.

Mrs. NORTON. Mr. Chairman, I withdraw the objection.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. O'CONNOR of New York. Mr. Chairman, this little byplay over my request for additional time is fairly typical of the whole attitude toward this issue. It is all much ado about nothing, and has been such for 2 years to my knowledge.

A lot has been said on both sides today and before. We ought to end it finally and forever right now. The only way to end it is to wipe it off the statute books. [Applause.]

We should wipe it off—take a sponge and wipe out this blot on the Federal statute books.

I am a graduate of the public schools, of which I am very proud. I think they are the greatest single institution in the United States of America. [Applause.]

I taught in the public schools, but I never thought that I would live to see the day when this rider could be put on the Federal statute books. I am satisfied that it could never be put on any State statute book.

Now, much has been said about advocating communism. What does "advocating" mean? Who is going to say when you do "advocate" and when you do not "advocate" when you talk about a subject? Who is going to draw the line between when you talk on a favorite subject and when you "jam" it?

There are a lot of people in this country who have very little to do, and they think up making trouble for other people. [Laughter.] They devise means of interfering with the liberty of speech, with the liberty of action of the people of America. They are irresponsible to everybody. For instance, they want everybody jailed for at least 5 years who do not raise their hats when the American flag goes by down the avenue. They would require that every Member of Congress, in order to qualify, first recite the first two stanzas of The Star-Spangled Banner.

Such bills have been actually proposed by people who have very little to do and have no real conception of what our Government stands for.

They claim to be "patriots." They shout "Down with communism", whatever that may mean. Why, I am as much against what I think "communism" is as any of these "patriots."

The Communists have fought me in my district. I hate every principle they stand for, but I would not muzzle them so they could not peacefully announce their principles. And until they actually commit an overt act to "overthrow the Government", whatever that means, I would not raise one hand to still them. I would let them go on as they are allowed to do in Hyde Park. [Applause.] I would let them go on as they do in our Union Square in New York City, when some 10,000 get together and let the steam off their chests, and then one Irish cop disperses them. [Applause and laughter.]

If there ever was an example of "patriotism by compulsion", this little "red rider" is. You are not going to make patriots by putting them in front of a firing squad or threatening to burn them at the stake.

Another great habit of those people having nothing to do is to advocate a provision that if a man does not become an American citizen within a certain time after he is in this country he should be deported. Everybody with sense knows what would happen if a Congress lost its senses long enough to pass such a law. Rather than be deported, the alien would hold up his right hand, place it on the Bible, swear in English and his native tongue that he would be loyal to this country—not to become an American citizen but not to be deported. What an American citizen!

Mr. Chairman, we have more serious things to do in this Congress than to be debating all these ideas of these groups

of people throughout the country, whether you call them patriotic societies or other organizations, who have so little to do that they conjure up these proposals—how to make better American citizens, how to teach our children, or what not to teach them, and so forth.

Well, the children of this country have been taught pretty well in the public schools for 150 years, and no man or woman here can conceive of a teacher, man or woman, standing up in a public school and "advocating" communism as I interpret the word advocating, as, for instance, saying, "Now, Johnny, you should become a Communist; you should not be an American. This form of government of yours is all wrong. You should get your papa to give you a nice bomb and go down and blow up the Capitol and the White House. Then you would be a Communist." Short of that I do not know what advocating communism is. Of course a number of these organizations that are changing the names of mountains, changing the calendar, and advocating the official recognition by Congress of The Star-Spangled Banner are organizations having paid secretaries and other paid personnel in their employ. Whether some are rackets, I do not know.

Why, I was such an un-American person some years ago that I fought one of the amendments that was in the Constitution of the United States. I did not agree with it. I was once arraigned at the bar of this House to be impeached because I said I would violate the eighteenth amendment. [Laughter and applause.] Only that we had a Speaker in the chair with a great deal of common sense, the distinguished gentleman from Ohio, Mr. Longworth, something might have happened to me.

Let us be serious. This "red rider" was a great mistake. It was a great mistake to put it on the books in the first place. No part of it should have been put on; no part of it should be left on. This talk about stultifying ourselves or the psychology of a repeal is all nonsense. Does anyone think our people back home would interpret our actions here today, if we vote to take the rider off the statute books, as endorsing communism? What man here thinks that his people will believe for 1 minute that he is in favor of communism?

Mr. Chairman, this is a great country if we would only let it alone. [Laughter and applause.] Every night when I kneel down alongside my bed I utter that prayer. When this "red rider" was stuck into an appropriation bill, somebody did not let the country alone. Let us wipe the slate clean today; let us get rid of compulsory patriotism. [Applause.]

Mr. McCORMACK. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. McCORMACK: On page 1, line 11, after the word "communism", strike out "is hereby repealed" and insert in lieu thereof "is hereby amended to read as follows: '*Provided*, That hereafter no part of any appropriation for the public schools shall be available for the payment of the salary of any person advocating communism or other un-American doctrine, or treating any such doctrine with favor or support, but no official or teacher shall be required to make any special declaration of nonviolation hereof as a condition for payment of salary.'"

Mr. MAVERICK. Mr. Chairman, I make the point of order that that is not germane to the bill.

The CHAIRMAN. Does the gentleman desire to discuss the point of order?

Mr. MAVERICK. I shall leave that to the Chairman.

Mr. SHORT. Mr. Chairman, I would like to have the author of the amendment tell us what is an un-American doctrine.

The CHAIRMAN. Does the gentleman from Texas reserve the point of order on the amendment?

Mr. MAVERICK. I make the point of order.

The CHAIRMAN. The Chair thinks that the test of the amendment offered by the gentleman from Massachusetts is whether it would have been germane to the so-called "red rider" amendment. If it would have been germane to that amendment, it is germane to this bill. The amendment offered by the gentleman from Massachusetts simply deletes from the so-called "red rider" the inhibition against teaching but retains the advocacy of such doctrine, and the Chair thinks it would have been germane to the original amendment, and, therefore, is germane to the pending bill. The Chair overrules the point of order.

Mr. McCORMACK. Mr. Chairman, the purpose of my amendment, as I stated frankly when I spoke before, is to eliminate the necessity of teachers signing any paper as a condition precedent to obtaining their salary as exists now, and to remove any doubt at all as to what the meaning of "teaching" might be. Some future corporation counsel might draw a distinction between the words "teach" and "advocate" in a noncriminal statute, and those words in a criminal statute, where they both mean the same. This amendment will clarify the whole situation.

Mr. BARRY. Is it not a fact that if this "red rider" had never been advocated, if a teacher had advocated communism and charges of advocating communism were preferred against her, which were later on found to be true, could she not have been removed?

Mr. McCORMACK. I am not prepared to answer that.

Mr. BARRY. If that is true, why is there any necessity for the "red rider"?

Mr. McCORMACK. The "red rider" went through by unanimous consent. Most of the Members who have spoken had the opportunity to object. The word "advocate" is entirely different from the word "teach." To advocate, in my opinion, constitutes a violation of the great principle of economic freedom. I think we all agree as to the objective desired. We all agree that we want to permit the facts to be taught—the truth. I know I do. I do not want to have a veil of blindness thrown around our children. We are all in agreement with reference to that. I have previously stated my understanding of what the principle of academic freedom stands for and I will not now repeat. This amendment accomplishes the entire purpose desired. If we adopt this amendment everyone has accomplished what they have in mind. A teacher can teach without fear, and the teacher will not have to sign an affidavit before she can obtain her salary.

I listened to the gentleman who preceded me. The satire was very nice. But these patriotic societies play an important part in our life. Our churches play an important part in our life. I do not like to see any kind of a church or any kind of a religion, directly or indirectly, criticized and condemned.

I do not want to see any patriotic society directly or indirectly condemned. My good friend from New York comes from an organization city, but there are many Members of this House who do not come from organization cities. It is easy to talk one way on some subjects when one comes from an organization city, but it is sometimes different when one does not come from an organization city. We are also warranted in examining the pending bill from a practical angle. This amendment which I have offered accomplishes the purpose which everyone apparently has in mind, and at the same time does not give communism a legislative blessing. It remedies the present situation with reference to the teacher. In no way is it a violation of the great principle of academic freedom. It prohibits the advocacy of communism, and I would rather go before the people of my district any day saying that I voted for an amendment which would prohibit the advocacy of communism in our schools than to say I voted for the repeal of a bill which opens up the whole situation and could permit of the advocacy of communism in our schools. The committee went too far in reporting outright repeal. My amendment constitutes a proper solution of this question.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. McCORMACK] has expired.

Mr. PALMISANO. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I wish to call attention to the fact that the placing of this amendment on this question of "advocating" is an insult to the school teachers of the country by implication. You know, we appropriate millions and millions of

dollars throughout the various schools of the country by the matching system. If you were to carry this rider by prohibiting "advocating", we must be fair in all appropriation bills in the future which appropriate money to the various schools of the country, and we must put in the same rider and say to the teachers of the country in every State of the Union, "You are prohibited from advocating communism", thereby implying that they are not true American citizens. I say it is an insult to the teachers of the country to pass this amendment. In the long run you will have to put the amendment on all future school appropriations in the various States.

[Here the gavel fell.]

"RED RIDER" ONLY ONE OF KIND IN WORLD

Mr. MAVERICK. Mr. Chairman, I think it is time for us to cool off and talk about this in a sensible way. Let us agree that we live in a democracy, where one can express himself either as a conservative or as a radical or as a liberal.

Let us discuss the schools of the District of Columbia. I have my daughter in those schools, and I would not let her go to a school that I did not think was a good school. I have investigated the schools and they are all right. Concerning the "red rider", I had the Congressional Library and the National Educational Association and the Association of University Professors to investigate; they found that in the history of the entire world no such law as in the District of Columbia has ever been enacted. This is the most barbaric law that was ever instituted in the mind of man.

CONGRESSMEN HONORABLE—TEACHERS, TOO

Let us take ourselves. We are Congressmen, and we take an oath of allegiance to support the Constitution. A school teacher takes the oath of allegiance just exactly as we do. We are honorable men. But the school teachers are honorable men and women. Yet we as Congressmen set ourselves above them and say, "You have to take more oaths than we do." "You must take an oath every 2 weeks or every month." "We are patriotic, and we are going to watch you because your patriotism is doubtful." In other words, we take one oath of allegiance for 2 years and they have to take somewhere between 24 and 50 of them for their 2 years. There is no reason for that.

KING GEORGE INSTEAD OF OUR GEORGE, A HESSIAN GENERAL INSTEAD OF LAFAYETTE

Now let us look at the history of the United States. We find oaths do not alter the course of history at all. If we had lost the Revolution you would have a picture up there of King George III instead of Washington, and we would have a Hessian general over there instead of Lafayette. If we go to the Civil War we will see there were whole bodies of men, fathers and grandfathers of most of us who are southern Democrats, who fought against the United States Government for 4½ years. I am not ashamed of it at all. I am proud of it. [Applause.]

DEMOCRACY CANNOT BE SAVED BY USING FASCIST AND COMMUNIST METHODS

Mr. Chairman, if you can prohibit the teaching of communism you can prohibit the teaching of Catholicism. Then you can prohibit the teaching of anything, you can prohibit knowledge. Fascism and communism puts knowledge in a strait jacket. If you restrict knowledge of one kind you can restrict knowledge of another kind. [Applause.] We are a democracy. When we adopt a principle like this we are adopting the principles of communism and fascism. We should not adopt the principles of communism and fascism to show that we are a democracy. Democracy means freedom of speech, free religion, free education, and academic liberty. Let us vote to repeal this law. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. GREEN. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, it seems to me the McCormack amendment is very good middle ground for those of us who understand this proposition one way and also those who look upon it the other way.

I think our committee members are very sincere in their conviction that this should be wiped off the books, but I am thinking of our constituents back home. My constituents—have no doubt about it—are against communism, fascism, and nazi-ism in the main and so am I. We have a few Communists in all districts, it is true; but I do not grant to them the right to take American taxpayers' money and use it to pay school teachers in the Capital of the United States to advocate communism.

Mr. PALMISANO. Mr. Chairman, will the gentleman yield?

Mr. GREEN. I cannot. I could not get any time from either side except half a minute from the Republicans, and I have only 5 minutes. I am sorry. I appreciate the time offered by my colleague [Mr. SHORT].

I do not believe we have the right to take, and as an American citizen I do not subscribe to the principle of using, the taxpayers' money to pay teachers in the District of Columbia to teach the overthrow of our Government—and that is in effect the result of the advocacy of communism.

The amendment offered by the gentleman from Massachusetts prevents the advocacy of communism by the public-school teachers of the District. Do you want them to advocate communism in the public schools of the District? Remember, you and I are, in a way, the trustees of the District schools. If you do, then vote down the McCormack amendment. If you want your teachers in your district to realize that Congress is for Americanism rather than the other "isms", then give them this protection and prevent their advocating the teaching of communism. If they want to advocate communism, they should resign forthwith.

Is the communistic form of government friendly to the American republican form of government? According to the pamphlet read by the gentleman from Pennsylvania [Mr. FADDIS], I do not believe it is. I believe if you pass the bill without the McCormack amendment there will be the greatest rejoicing tonight in Moscow that they have had in many, many years.

We can relieve our official life of this embarrassment by accepting the McCormack amendment.

If you reject the McCormack amendment, someone may come in and advocate the teaching of nazi-ism to run the good American Jews out of this country. I am opposed to it. The American Jew is an American the same as I am, the same as you are. How about fascism?

They may undertake to teach it in the schools if you encourage them to advocate communism. Take the middle ground by voting for the McCormack amendment. Let them teach if they desire, but when they advocate, take them off the pay roll. I oppose bitterly the teaching of communism in our schools. I believe that is the kind of vote I can cast and still face the American citizens in my district.

Yes, churches of all denominations, fraternal orders—those to which I belong and those to which I may not be eligible—not a single one of either group have requested me to advocate the teaching of communism in the District schools. To the contrary, they are lined up to a man in favor of the McCormack amendment and against communism and the overthrow of our democratic form of government. They are on guard as good Americans, and so am I.

[Here the gavel fell.]

Mrs. NORTON. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

The CHAIRMAN. With the indulgence of the Committee, the Chair will divide the time between the Members who have indicated a desire to be heard on amendments.

The Chair recognizes the gentleman from California [Mr. SCOTT].

Mr. SCOTT. Mr. Chairman, I think I can ascribe to the gentleman from Massachusetts [Mr. McCORMACK] a sincere desire to accomplish the thing he had in mind; and I think that a lot of the Members of the House are in favor of the gentleman's amendment as a way of getting around the implication at home that they may be fostering communism and voting to allow it in the schools. I call attention, however, to certain further provisions of the amendment. It reads in part:

That the person advocating communism or other un-American doctrines or treating any such doctrine with favor or support.

I think the gentleman has a whole lot more in the amendment than he intended putting in.

Mr. McCORMACK. Mr. Chairman, if the gentleman will yield for a statement, I may say that another amendment will be offered to correct that.

Mr. SCOTT. Time after time on the floor of this House a Member proposes an amendment and from the opposite side comes the criticism, "That is an un-American doctrine." Are you going to prevent the teachers from saying anything about that?

Or treating any such doctrine with favor or support.

Who is going to determine the doctrine? Who is going to interpret their good faith?

I think this confusion in the attempt to compromise the situation indicates its dangers. What we want to do is to take the teachers from under this gratuitous insult that they have been indoctrinating communism in the schools by their teaching or advocating methods, if such exists, and that the thing we want to do is to take this onus away from them.

So I ask the Members of the House in all fairness to stop the whole thing once and for all. Let us not have another situation come up here with attempts to do away with the amendment of the gentleman from Massachusetts. I repeat what I said. I know that he is absolutely in good faith, and I ascribe no ulterior motive to him.

Mr. GRAY of Pennsylvania. Will the gentleman yield?

Mr. SCOTT. I yield to the gentleman from Pennsylvania.

Mr. GRAY of Pennsylvania. If it is an insult to the teachers of the District to pass a law prohibiting the teaching of communism, then it is an insult to every American to pass a law prohibiting crime.

Mr. SCOTT. No; because the teachers have not been indoctrinating crimes. There is no evidence or proof of the fact that the American public-school teacher has been indoctrinating or teaching crime. If I were a teacher, I would consider it a gratuitous insult to myself.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I am in favor of the amendment offered by the gentleman from Massachusetts [Mr. McCORMACK], and against the repeal of the "red rider." I base that upon the supposition that we are legislating here concerning the effect of certain teachings upon very immature minds.

I hope you will pardon a reference to a personal experience. When I was 16 years old I thought I would get smart and elevate myself above the rank and file of my fellow scholars; so I read Herbert Spencer's Synthetic Philosophy and Herbert Spencer's First Principles. I read with a great deal of interest Thomas Paine's Age of Reason as well as a lot of Robert Ingersoll. I should have been spanked, because for years afterward I viewed my Christian religion in the light of the philosophy of Herbert Spencer, Thomas Paine, and Robert Ingersoll. It was not until I reached maturity that I completely overcame those unfortunate influences.

Mr. Chairman, I am going to vote against this bill to repeal the "red rider", because I want to save the youth of our Nation, at least those in the District of Columbia, from the experience I have had in this respect. Their immature minds are too easily impressed by the novel and unusual; they do not have the mental competence or equilibrium to enable them to treat communism as purely an academic question.

There was a great man, Clemenceau, one of the leading statesmen of our generation who, being chided in his later life because he had been a radical in his youth and in his older life a conservative, made this statement:

My friend, any man who at 20 is not a Socialist has no heart. Any man who at 40 is still a Socialist has no head.

Mr. Chairman, the teachers of the District, if they had cared to, could have entered into the spirit of this legislative enactment, and would have been saved the embarrassment and humiliation which has been occasioned because of the publicity given to this matter.

[Here the gavel fell.]

Mr. BELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BELL to the amendment offered by Mr. McCORMACK: After the word "communism", strike out "or other un-American doctrine."

Mr. McCORMACK. Will the gentleman yield?

Mr. BELL. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I might say the amendment just offered by the gentleman is one I heartily concur in, and I intend to vote for it because it strikes out the words in my amendment which will permit of ambiguity and confine my amendment to the thing we are trying to get at, communism, which is the subject matter of the "red rider." Therefore, I accept the gentleman's amendment.

Mr. BELL. Mr. Chairman, may I say that the words "or other un-American doctrine" would lead to controversy; and it is for the purpose of clarifying the amendment of the gentleman from Massachusetts that I offer this amendment.

Mr. KELLER. Will the gentleman yield?

Mr. BELL. I yield to the gentleman from Illinois.

Mr. KELLER. If either one of these amendments should become part of the bill, would it then be known as the "pink rider"?

[Here the gavel fell.]

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from Missouri to the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. KVALE and Mr. MAVERICK) there were—ayes 135, noes 65.

So the amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts, as amended.

The question was taken; and on a division (demanded by Mr. McCORMACK) there were—ayes 130, noes 90.

Mr. NICHOLS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mrs. NORTON and Mr. McCORMACK.

The Committee again divided; and the tellers reported that there were—ayes 130, noes 92.

So the amendment, as amended, was agreed to.

Mrs. NORTON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WOODRUM, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 148) to repeal a proviso relating to teaching or advocating communism in the public schools of the District of Columbia, and appearing in the District of Columbia Appropriation Act for the fiscal year ending June 30, 1936, had directed him to report the same back to the House with an amendment, with the recommendation that the amendment be agreed to and the bill, as amended, do pass.

Mrs. NORTON. Mr. Speaker, I move the previous question on the bill and amendment to final passage.

The previous question was ordered.

The SPEAKER. The Clerk will report the amendment adopted in the Committee of the Whole.

The Clerk read as follows:

On page 1, line 11, after the word "communism", strike out "is hereby repealed" and insert in lieu thereof "is hereby amended to read as follows: *'Provided,* That hereafter no part of any appropriation for the public schools shall be available for the payment of the salary of any person advocating communism or other un-American doctrine, or treating any such doctrine with favor or support, but no official or teacher shall be required to make any special declaration of nonviolation hereof as a condition for payment of salary.'"

The SPEAKER. The question is on agreeing to the amendment.

Mrs. NORTON. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 233, nays 116, not voting 83, as follows:

[Roll No. 14]

YEAS—233

Aleshire	Edmiston	Lewis, Colo.	Reed, Ill.
Allen, Del.	Engel	Lord	Reed, N. Y.
Allen, Ill.	Evans	Luce	Rees, Kans.
Allen, La.	Faddis	McAndrews	Rich
Anderson, Mo.	Fish	McClellan	Richards
Andresen, Minn.	Fitzgerald	McCormack	Robsion, Ky.
Andrews	Fitzpatrick	McFarlane	Rogers, Mass.
Arends	Flannagan	McGehee	Romjue
Arnold	Focht	McGranery	Ryan
Ashbrook	Forand	McKeough	Sanders
Bacon	Ford, Miss.	McLaughlin	Schaefer, Ill.
Barden	Fuller	McLean	Schuetz
Bates	Fulmer	McMillan	Scrugham
Beiter	Gasque	McReynolds	Secrest
Bell	Gearhart	Mahon, S. C.	Seger
Bland	Gray, Pa.	Mahon, Tex.	Shafer, Mich.
Boren	Green	Maloney	Short
Boyer	Greever	Mapes	Smith, Maine
Boykin	Griffith	Martin, Mass.	Smith, Va.
Bradley	Griswold	May	Smith, W. Va.
Brooks	Guyer	Mead	South
Brown	Gwynne	Meeks	Sparkman
Buck	Halleck	Merritt	Stack
Burch	Hamilton	Michener	Starnes
Caldwell	Hancock, N. Y.	Millard	Steagall
Cannon, Mo.	Harrington	Miller	Stefan
Carlson	Harter	Mills	Taber
Cartwright	Havenner	Mitchell, Ill.	Tarver
Case, S. Dak.	Healey	Mitchell, Tenn.	Taylor, S. C.
Chapman	Hendricks	Moser, Pa.	Thomas, N. J.
Church	Hennings	Mosier, Ohio	Thomas, Tex.
Citron	Hill, Ala.	Mott	Thomason, Tex.
Clason	Hoffman	Murdock, Ariz.	Thompson, Ill.
Cluett	Holmes	Nelson	Tinkham
Cochran	Houston	O'Brien, Ill.	Tobey
Coffee, Nebr.	Imhoff	O'Brien, Mich.	Tolan
Cole, N. Y.	Jarman	O'Connell, R. I.	Turner
Collins	Jenckes, Ind.	O'Connor, Mont.	Umstead
Colmer	Jenkins, Ohio	O'Malley	Vinson, Ga.
Connery	Jenks, N. H.	O'Neal, Ky.	Vinson, Ky.
Cooley	Johnson, Okla.	O'Neill, N. J.	Warren
Cooper	Johnson, Tex.	Owen	Wearin
Costello	Johnson, W. Va.	Parsons	Welch
Cox	Jones	Patman	West
Cravens	Kelly, Ill.	Patrick	Whelchel
Crawford	Kinzer	Pearson	White, Idaho
Crowther	Kitchens	Peterson, Fla.	White, Ohio
Deen	Kleberg	Peterson, Ga.	Whittington
Dempsey	Kloeb	Pettengill	Wigglesworth
Disney	Kniffin	Phillips	Wilcox
Ditter	Knutson	Poage	Williams
Dockweiler	Kocialkowski	Polk	Wolcott
Dondero	Kramer	Powers	Wood
Dowell	Lambertson	Rabaut	Woodruff
Doxey	Lambeth	Ramsay	Woodrum
Drewry, Va.	Lamneck	Ramspeck	Zimmerman
Driver	Lanham	Randolph	
Duncan	Lanzetta	Rankin	
Eaton	Larrabee	Reece, Tenn.	

NAYS—116

Allen, Pa.	Coffee, Wash.	Garrett	Kenney
Amlie	Colden	Gehrmann	Kirwan
Barry	Cole, Md.	Gingery	Kopplemann
Bernard	Crosby	Goldsborough	Kvale
Biermann	Crosser	Gray, Ind.	Lea
Binderup	Crowe	Greenwood	Leavy
Bloom	Culkin	Gregory	Lemke
Boehne	Drew, Pa.	Harlan	Lucas
Bolleau	Dunn	Hill, Okla.	Luckey, Nebr.
Boland, Pa.	Eberharter	Hill, Wash.	Ludlow
Boylan, N. Y.	Eckert	Honeyman	Luecke, Mich.
Buckler, Minn.	Eicher	Hope	McGrath
Burdick	Fernandez	Hull	McSweeney
Byrne	Flannery	Hunter	Magnuson
Casey, Mass.	Fleger	Izac	Martin, Colo.
Champion	Ford, Calif.	Johnson, Minn.	Mason
Chandler	Frey, Pa.	Keller	Massingale
Clark, Idaho	Fries, Ill.	Kelly, N. Y.	Maverick
Claypool	Gambrill	Kennedy, Md.	Murdock, Utah
Nichols	Pfeifer	Schneider, Wis.	Terry
Norton	Pierce	Schulte	Thom
O'Connell, Mont.	Quinn	Scott	Thurston
O'Connor, N. Y.	Rayburn	Shanley	Towey
O'Day	Reilly	Sheppard	Transue
O'Toole	Rigney	Sirovich	Voorhis
Oliver	Robinson, Utah	Smith, Conn.	Wallgren
Palmisano	Sabath	Smith, Wash.	Walter
Patterson	Sacks	Swope	Wene
Patton	Sauthoff	Teigan	Withrow

NOT VOTING—83

Atkinson	Dingell	Hildebrandt	Rogers, Okla.
Beam	Dirksen	Hobbs	Rutherford
Bigelow	Dixon	Hook	Sadowski
Brewster	Dorsey	Jacobsen	Shannon
Buchanan	Doughton	Jarrett	Snell
Buckley, N. Y.	Douglas	Kee	Snyder, Pa.
Bulwinkle	Ellenbogen	Kennedy, N. Y.	Somers, N. Y.
Cannon, Wis.	Englebright	Keogh	Spence
Carter	Farley	Kerr	Stubbs
Celler	Ferguson	Lesinski	Sullivan
Clark, N. C.	Fletcher	Lewis, Md.	Sumners, Tex.
Creal	Gavagan	Long	Sutphin
Cullen	Gifford	McGroarty	Sweeney
Cummings	Gilchrist	Maas	Taylor, Colo.
Curley	Gildea	Mansfield	Taylor, Tenn.
Daly	Goodwin	Mouton	Treadway
Delaney	Haines	O'Leary	Wadsworth
DeMuth	Hancock, N. C.	Pace	Weaver
DeRouen	Hart	Peyser	Wolfenden
Dickstein	Hartley	Plumley	Wolverton
Dies	Higgins	Robertson	

So the McCormack amendment was agreed to.

The following pairs were announced:

On the vote:

Mr. Englebright (for) with Mr. Lewis of Maryland (against).

Additional general pairs:

Mr. Doughton with Mr. Treadway.
Mr. Somers of New York with Mr. Wadsworth.
Mr. Sullivan with Mr. Wolverton.
Mr. Hart with Mr. Dirksen.
Mr. Cullen with Mr. Snell.
Mr. Dies with Mr. Taylor of Tennessee.
Mr. Kerr with Mr. Rutherford.
Mr. Clark of North Carolina with Mr. Hartley.
Mr. Sumners of Texas with Mr. Gilchrist.
Mr. Robertson of Virginia with Mr. Douglas.
Mr. Buchanan with Mr. Gifford.
Mr. Taylor of Colorado with Mr. Goodwin.
Mr. Hancock of North Carolina with Mr. Plumley.
Mr. Bulwinkle with Mr. Wolfenden.
Mr. Mansfield with Mr. Brewster.
Mr. Delaney with Mr. Carter.
Mr. Gavagan with Mr. Jarrett.
Mr. Weaver with Mr. Maas.
Mr. Cannon of Wisconsin with Mr. Buckley of New York.
Mr. Beam with Mr. Jacobsen.
Mr. DeRouen with Mr. Peyser.
Mr. Farley with Mr. Shannon.
Mr. Haines with Mr. Bigelow.
Mr. Sweeney with Mr. Pace.
Mr. Kennedy of New York with Mr. Creal.
Mr. Cummings with Mr. Stubbs.
Mr. Rogers of Oklahoma with Mr. Celler.
Mr. Fletcher with Mr. Higgins.
Mr. Curley with Mr. Atkinson.
Mr. Hildebrandt with Mr. O'Leary.
Mr. Dingell with Mr. Snyder of Pennsylvania.
Mr. Ferguson with Mr. Keough.
Mr. Daly with Mr. Sutphin.
Mr. Dickstein with Mr. Gildea.
Mr. Dorsey with Mr. Mouton.
Mr. Spence with Mr. DeMuth.
Mr. Ellenbogen with Mr. Hook.
Mr. Lesinski with Mr. Kee.
Mr. Sadowski with Mr. Hobbs.

Mr. LANZETTA and Mr. THOMASON of Texas changed their votes from "no" to "aye."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mrs. NORTON. Mr. Speaker, I demand the yeas and nays.

The question of ordering the yeas and nays was taken; and 46 Members having risen, not a sufficient number, the yeas and nays were refused.

The bill was passed.

On motion of Mr. McCORMACK, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mrs. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill.

The SPEAKER. Is there objection to the request of the lady from New Jersey?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Crockett, its Chief Clerk, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 3587 entitled "An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate no. 5 to the foregoing bill, and agrees to the amendment of the House to the amendment of the Senate no. 9 with an amendment.

CLOSED BANKS IN LIQUIDATION

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. WOLCOTT. Mr. Speaker, on February 3, in the debate on a bill which was pending at that time, I made certain statements concerning the amount of dividends paid to depositors in closed banks in liquidation. Since then I have received from the Comptroller of the Currency valuable information concerning that, and I ask unanimous consent to insert in the RECORD the letter received from the Comptroller of the Currency and attached to it the schedule giving the detailed information concerning the liquidation of closed banks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The matter referred to is as follows:

TREASURY DEPARTMENT,
COMPTROLLER OF THE CURRENCY,
Washington, February 6, 1937.

Hon. JESSE P. WOLCOTT,
House of Representatives, Washington, D. C.

MY DEAR MR. WOLCOTT: My attention has been called to your recommendations in the CONGRESSIONAL RECORD of February 3, page 988, in which you say: "In many instances as little as 2 percent in dividends have been paid to the depositors in these banks after 4 years of liquidation. We approach the same situation in respect to the Home Owners' Loan Corporation."

Knowing how careful you are with reference to facts, I am sure you would be pleased to have an accurate record with reference to percentages paid depositors in closed banks, and I am enclosing herewith an especially compiled report for your information, and perhaps you would like to insert it in the CONGRESSIONAL RECORD.

You will notice that in 394 finally closed receiverships the depositors were paid 100 cents on the dollar and over. The instances in which more than 100 cents were paid included interest; and in addition 57 of the active receiverships have paid depositors 100 cents on the dollar and over, making a total of 451. In 580 instances the depositors have received 75 to 99.9 percent, and in 825 cases the depositors have received 50 to 74.9 percent, and in 591 cases 25 to 49.9 percent, and in 508 less than 25 percent.

You will notice that out of a total of 2,955 receivership trusts 80 percent paid more than 25 percent.

You will be interested also in knowing that 474 insolvent national banks have been liquidated and finally closed from March 16, 1933 (banking holiday) to October 31, 1936, date of the annual report of the Comptroller of the Currency. In these banks there has been paid $150,998,483, or 76.1 percent of the total liabilities, and the expenses of these liquidations has been 7.5 percent. In other words, out of every dollar collected by our receivers 92.5 percent has been returned to the depositors.

I am sending you under separate cover text of the Seventy-fourth Annual Report of the Comptroller of the Currency, and figures for the last paragraph of this letter will be found on page 5.

Cordially yours,

J. F. T. O'CONNOR,
Comptroller.

Numbers of National and District of Columbia State banks placed in receivership period Apr. 14, 1865, to Oct. 31, 1936, by groups, according to percentages of dividends paid to Sept. 30, 1936

Annual report, years	100 percent and over	75 to 99.9 percent	50 to 74.9 percent	25 to 49.9 percent	Less than 25 percent	Total	Total analysis by years		
							Final	Restorations	Revocation
Apr. 14, 1865–Oct. 31, 1930 (separate annual report years not available)	216	162	210	154	232	974	898	76	----
Nov. 1, 1930–Oct. 31, 1931	14	16	23	29	17	99	91	8	----
Nov. 1, 1931, to Oct. 31, 1932	36	17	32	27	10	122	97	25	----
Nov. 1, 1932, to Oct. 31, 1933	15	13	22	15	13	78	69	8	1
Nov. 1, 1933, to Oct. 31, 1934	36	18	17	8	13	92	64	28	----
Nov. 1, 1934, to Oct. 31, 1935	38	29	34	31	31	163	152	11	----
Nov. 1, 1935, to Oct. 31, 1936	39	46	57	44	29	215	214	1	----
Total (finals and restorations)	394	301	395	308	345	1,743	1,585	157	1
1,212 active receiverships as of Oct. 31, 1936	57	279	430	283	163	1,212	----	----	----
Grand total (all banks)	451	580	825	591	508	2,955	1,585	157	1

JUVENILE COURT FOR THE DISTRICT OF COLUMBIA

Mrs. NORTON. Mr. Speaker, I call up the bill (H. R. 4276) to amend an act entitled "An act to create a juvenile court in and for the District of Columbia", and for other purposes, and I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the lady from New Jersey?

Mr. MARTIN of Massachusetts. Reserving the right to object, I would like to inquire how much longer we are going to run this afternoon?

Mrs. NORTON. As far as I know there is no controversy on this bill, and we can dispose of it in a very few moments.

Mr. O'CONNOR of New York. Mr. Speaker, I reserve the right to object. It is expected that possibly the deficiency appropriation bill may come here any minute from the Senate. It is a very important piece of legislation to provide funds for the workers. This bill will take a little time, and by the time it is completed we hope the deficiency appropriation bill will be here.

Mr. MARTIN of Massachusetts. Why is it necessary to act on this appropriation bill tonight?

Mr. O'CONNOR of New York. The money ran out the 1st of this month, and this is the 8th of this month, and there is no money with which to pay people on relief or those who are working.

Mr. MARTIN of Massachusetts. How are they being paid now?

Mr. O'CONNOR of New York. They are not being paid, as I understand it. It is a serious situation, and time is of the essence in the matter. The gentlewoman from New Jersey could use a little time now.

Mr. MARTIN of Massachusetts. I think the majority party, the organization, ought to be severely censured for waiting until this late hour. They should have had this bill passed 2 weeks ago.

Mr. O'CONNOR of New York. This is not the body that should be censured.

The SPEAKER. Is there objection to the request of the gentlewoman from New Jersey?

Mr. O'MALLEY. Mr. Speaker, I reserve the right to object. What bill is this the lady from New Jersey desires to bring up?

Mrs. NORTON. It is H. R. 4276, a bill to amend an act to create a juvenile court in the District of Columbia. It has been discussed at great length in the committee and comes in with the unanimous report from the Committee on the District of Columbia.

Mr. O'MALLEY. From the size of the copy that the gentlewoman holds in her hand it appears to be a bill of several pages, and there is a rather large report attached to it. It seems to me that any bill which has any effect upon

the courts is a controversial issue, and it should not be brought in at this late hour. Mr. Speaker, I object.

Mr. NICHOLS. I wish the gentleman would withhold that. This is a bill simply extending the juvenile court law which is in force in a majority of the States in the United States. Let me advise the gentleman what he is doing if he objects to this. In the District of Columbia today they have probably the most antiquated procedure of juvenile-court procedure in the United States. Before a boy 6 years old could be brought into the court he must be charged as a criminal.

Mr. O'MALLEY. We were held here on roll calls this afternoon on a bill that was small potatoes, so far as I am concerned, and it is now 6 o'clock. If this is so important, why cannot it be brought up 2 weeks from today so that we would have at least an hour in which to discuss it. We are told that we are being held here now because there is another bill that we are supposed to pass tonight. If the gentleman's committee is so sure the bill will pass without discussion or opposition, it may as well go over for 2 weeks, because 2 weeks will not make very much difference.

Mr. BOILEAU. Mr. Speaker, I understand this bill is almost identical with the law that we have in effect in the State of Wisconsin, and I hope that the gentleman will not object.

(Several Members called for the regular order.)

The SPEAKER. Is there objection?

Mr. MICHENER. I object if the regular order is demanded.

The SPEAKER. The regular order is demanded.

Mr. MICHENER. I object.

Mrs. NORTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4276) to amend an act entitled "An act to create a juvenile court in and for the District of Columbia", and for other purposes. Pending that, I ask unanimous consent that debate be limited to 30 minutes.

Mr. O'MALLEY. Mr. Speaker, I shall object to that.

Mrs. NORTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4276.

The question was taken; and on a division (demanded by Mr. NICHOLS) there were—ayes 123, nces 73.

Mr. MICHENER. Mr. Speaker, I object to the vote upon the ground that there is no quorum present, and I make the point of order that there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and thirty-one Members present; a quorum.

So the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4276, with Mr. O'CONNOR of New York in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Without objection, the first reading of the bill will be dispensed with.

There was no objection.

Mrs. NORTON. Mr. Chairman, I regret very much that the Members are kept here so late tonight. For that they should not blame me. This is supposed to have been District day, and as we all know the District Committee had to give over 3 hours for the consideration of an appropriation bill, so that we had very little of the day left. The District Committee has only 2 days every month and not always that. We have a great many important bills to bring before the House. I do not think that our committee should be blamed for this feeling which has come into the House this afternoon, and as chairman of the committee I protest against any such blame being laid at our door.

This is a bill that has been before the House, I think, back and forth, they tell me, since 1914. It is a fact that the District of Columbia is one of the very few places in the Union that has an unfair and archaic type of juvenile law. We are trying to amend the law in the interest of the youth of the country. I sincerely hope the Members will consider the bill on its merits. I hope you will agree with the committee, which brought in a unanimous report in favor of the bill, that it is very vitally needed in this District. I shall probably have something further to say on the bill later on, but at this time I wish to yield 10 minutes to the gentleman from Oklahoma [Mr. NICHOLS], who conducted the hearings on the bill.

Mr. NICHOLS. Mr. Chairman, there is nothing contained in this bill which is complicated. There is nothing contained in the bill which is revolutionary. As a matter of fact, the bill is almost exactly the basic bill for juvenile courts now in force in a majority of the States of the United States.

I want to give you a brief outline of what the juvenile court law now is in the District of Columbia. In the first place, the jurisdiction of the court is limited to minors under 16 years of age. Above that age it goes beyond the jurisdiction of the juvenile court. Before a boy or girl even of the tender years 4, 5, 6, 8, 9, or 10, or any age below 16, can be brought into juvenile court, under our existing law they must be charged with crime. They must be charged on complaint, just the same as any criminal would be, and before they can be heard in the juvenile court they must enter their plea of guilty or not guilty. A charge is laid against them. This bill simply changes the procedure of the juvenile court from a criminal procedure to one in chancery. It also enlarges the jurisdiction of the court to children up to 18 years of age. We bring them in not on information and complaint, charged with crime, but they are brought into the jurisdiction of the court for the purpose of doing that thing for them which is best to be done to correct the thing that is making the child delinquent. Under our present system, if there is a delinquent child over 16 years of age, the juvenile court must hold them for action of a grand jury, and before they can come in, either for the protection of the court or for the redress of the court, they must be charged by indictment from a grand jury. This bill puts them under chancery proceeding if they are minors up to 18 years of age.

This bill makes the hearings at which these children are tried, private hearings. That does not mean that everyone is excluded from the court with the exception of the child, but it does mean that the morbid curiosity seekers, the hangers-on of the usual type that you will find around courtrooms seeking a thrill are barred while this child of tender years is being talked to by the court or while the child's parents are presenting their case, or the child's case, to the court. Of course, counsel for the child is permitted, and all of the child's immediate family or relatives or those interested in or charged with the care of the child are permitted there also.

The right to a trial by jury by a juvenile court under this bill is prohibited unless a jury is demanded by either a child or its parents or the court itself. In that respect, this bill differs from the basic juvenile court bills, because they provide that a child shall not have a jury at any time, because they feel they should rob this court hearing of every aspect of a criminal trial. However, because this is a Federal jurisdiction and because the framers of the bill were afraid that unless a jury trial were provided for upon demand, the bill might be held unconstitutional, the right to a trial by jury upon demand is provided for.

I want to read to the members of the Committee the States of the Union where they have laws today almost like the law proposed here:

Arizona, California, Colorado, Delaware, Iowa, Minnesota, Montana, Nebraska, New Mexico, North Carolina, North Dakota, Ohio, Oregon, South Carolina, South Dakota, Utah, Virginia, West Virginia, Washington, Wisconsin, Alabama, Connecticut, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Michigan, Missouri, New Hampshire, New Jersey, New York, Oklahoma, Pennsylvania, Rhode Island, and Tennessee.

I venture the assertion there is not a single State in the United States today that has a law even coming close to the law that we now have on the books of the District of Columbia, whereby we bring children into our juvenile court only after being charged with crime.

If there are any questions which members of the committee would like to ask about this bill, I should be happy to reply to them now, if possible.

Mr. SEGER. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. Gladly.

Mr. SEGER. The States mentioned in the list the gentleman named differ as to the age limits?

Mr. NICHOLS. They differ as to age limits. In the last States named they differ as to the age limit for the jurisdiction of the court. Some of them run as high as 21 years and some of them stop at 16 years. This bill provides 18 years.

If there are no further questions, Mr. Chairman, I yield back the remainder of my time.

Mrs. NORTON. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. SHORT].

Mr. SHORT. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. McSWEENEY].

Mr. McSWEENEY. Mr. Chairman, I have taken the liberty to make a short statement relative to the proposed change in the Juvenile Court of the District of Columbia.

While director of the department of public welfare of the State of Ohio, I took upon myself the sad task of sitting for a few hours before the electrocution with the men who had been condemned to death. I never saw an electrocution, but I wanted to learn something from these men which would help me to help youngsters from getting on to a path of crime which would lead to a sad end similar to that of these prisoners.

I did not do this for maudlin curiosity, but I did it to get the thoughts of a man who had but a short time to live and who had wasted many of his years in crime. I bring this to the attention of the House because so many of these prisoners intimated that a faulty juvenile-court system had placed upon them unusually heavy penalties for rather minor crimes in their youth. As boys they developed a resentful attitude. They realized that incarceration at this early age marked them as criminals. They could no longer associate with their companions. They could really no longer go back to school but had to resort to a life of crime, which finally led to this sad end.

My native State of Ohio has greatly improved her juvenile court program. The success of Ohio's program makes me anxious to have the seat of our National Government also have a fine juvenile program and, in fact, set an example for the rest of the country and the world to follow.

Mr. SHORT. Mr. Chairman, I yield back the balance of my time.

Mrs. NORTON. How much time does the gentleman from Michigan want?

Mr. MICHENER. One hour.

Mrs. NORTON. Will not the gentleman take 15 minutes?

Mr. MICHENER. No; I will ask for my own time in opposition.

Mrs. NORTON. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS. Mr. Chairman, for the last 10 years I have been engaged in conducting a school and home for orphan boys in the State of California. This institution is conducted for the purpose of making a place where kids who do not have any other place to live can come and make their home, gain their education and certain experience in the way of learning to farm, to print, and in learning certain trades, as well as receiving training in citizenship. We all live there as a little community; and the 60 boys who live there, up until just the time I left to come down here and take my place in this body, have been my boys, and I have experienced with them every kind of activity of life.

Mr. Chairman, I have asked for this time in order to say that out of my own experience I can testify that there is only one proper way in which to deal with young persons if you really want to give them a decent start in life. This way is to deal with them on the assumption that they are at heart good and that they basically desire to be the kind of citizens that our country wants them to be.

Under those circumstances I have had experience with people who disagreed with me, and who have said, "Is it not frequently necessary to severely punish a boy?" I have replied, and proved it by my own experience, that the best thing you can do is to give him a feeling that there is somebody in the world who really understands and believes in him, somebody in the world who can be depended upon to understand why he does what he does and impute to him the best of motives. We all know, if we know anything, the difference between ordinary court procedure and juvenile-court procedure from this point of view. We know of some of the splendid results that have been gained from juvenile-court procedure. We know it is based upon the attempt to get the child offender or the youthful offender to have confidence in the judge before whom he is brought. It is based upon the effort of that judge to gain the confidence of the boy or girl and to guide him or her into a better way without exposing them to the experience of being treated as a criminal and possibly thrown into associations which will fix irrevocably in them a feeling that somehow or other society is against them or somehow or other this punishment that has been meted out to them has wiped out the past.

The thing we need is the very kind of thing, it seems to me, which this bill provides; and out of my own experience and in the name of American boyhood I appeal to you to vote in favor of this measure. [Applause.]

[Here the gavel fell.]

Mrs. NORTON. Mr. Chairman, I yield 15 minutes to the gentleman from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. Chairman, I am going to discuss at this time American Aviation Problems and Progress, similar to an address I delivered over the radio on February 4, 1937.

Members of Congress know that they can save time through air travel; that they can come from their homes to Washington in a fraction of the time required by other means; that when there are brief recesses during the sessions of Congress they can make flying trips to their districts which would be impossible without the airplane. They know also from experience that air transportation enables them to do necessary traveling with the minimum absence from their desks.

By way of introduction, I want to emphasize briefly the beneficial effect of air-transport timesaving to the Nation as a whole.

Go back in history to the early days of the Nation. Members of the Congress had to leave home weeks before the beginning of a session in order to be on hand for the first stroke of the gavel, and then might be delayed by bad weather and impassable roads so that they would be late. The committee entrusted with the mission of informing the President of his election had a practical purpose. Means of communication and transportation were slow and uncertain, and it was necessary to send a delegation with official notification.

As the years went on transportation and communication facilities improved. Good roads were built, railroads were established, mail delivery was bettered, telegraph and telephone service came into being. Each step forward in transportation and communication saved time, did away with inconvenience, and made possible fresh progress in virtually all fields of human endeavor.

The latest step forward in transportation and communication has come as a result of the development of the airplane. Air transportation stands ready to save time for everyone who travels, uses the mails, or has occasion to send packages which may go appropriately by air express. The cost is somewhat more than for other transportation mediums, of course, but there are many who find it advantageous to pay this extra cost and reap the benefits of the timesaving.

How many? On the scheduled air lines, 1,150,000 passengers last year. Air mail came to over 17,000,000 pounds in 1936; and air express totaled about 8,000,000 pounds. In addition to this volume of traffic on the scheduled air lines there was a great deal of activity by miscellaneous commercial and private flyers. These aircraft operators carried over a million passengers and made countless special flights with films, photographs, newspapers, and a variety of

articles that had to be moved from one place to another in a hurry.

All of this air transportation brought about advantages in the use of time, and the advantages were not only for those who actually used air transportation. The business man, saving his time by using air travel, was able to render a better service to his customers; the Congressman who flew when he traveled had additional time to devote to his duties as a lawmaker. I have been a user of such service since American Airlines operates through my city and State. The timesaving of air travel releases human energy for other important activities just as surely as the invention of an important machine releases manpower for other tasks.

There is no danger that we will overemphasize the importance of aviation, and there is every danger that we will underemphasize. No prophet is needed to foresee that many new and higher levels of achievement will be reached. We need only reflect upon what has happened recently and what is going on at this very minute.

Mr. LUDLOW. Will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Indiana.

Mr. LUDLOW. May I ask the gentleman his opinion of the feasibility and desirability of trans-Atlantic air-mail service?

Mr. RANDOLPH. I thank the gentleman for his interruption, and I will discuss that at this point.

For more than a year we have had scheduled service with air mail across the Pacific to Manila, and since October the operation has included passenger service. Plans are well advanced for a transoceanic service between the United States and Europe. Germany already has successfully operated over that ocean stretch with lighter-than-air craft, but the United States will be among the leaders in establishment of scheduled airplane service.

Postmaster General James A. Farley has announced extension of trans-Pacific air-mail service beyond Manila to the China mainland, the first flight from San Francisco being tentatively set for March 24. Inauguration of air-mail service direct from North America to China, together with announced schedule of the *Hindenburg* from Europe to this country will close the last gap which prevented circumnavigation of the world by air mail. Congress can well afford to appropriate additional funds for air-mail development. The money will be spent wisely.

On the domestic air lines, speed has been increased year after year; comfort and safety have kept pace. The next level for long distance will be 25,000 feet above sea level, a step which automatically will increase speed through lessened air resistance and put the aircraft above most of the weather disturbances which interfere with flight nearer the ground.

Present airline craft are capable of flying 3 miles a minute or more and they are fitted with every comfort and luxury known to transportation that fits into the scale. Naturally, an air liner cannot carry a swimming pool, like an ocean liner—not yet anyway—but the berths in a sleeper plane are as comfortable as any Pullman berth, the club-type airplanes for day service rank with any club railroad car ever built. To my mind, air transportation is not only the quickest, but also the most convenient and comfortable method of traveling.

I want to go on record as saying it is a safe method of travel. You doubtless have in mind the tragic series of accidents which beset the air lines in December and early January. To those persons most keenly interested in aviation and its future, the news of each accident was a personal tragedy.

But when we look at the record dispassionately, and bearing in mind that no transportation medium is free from accidents, we find much encouragement. In 1936, which was far from outstanding, the passenger-miles flown per passenger fatality were approximately 10,000,000, as computed by the Bureau of Air Commerce. In other words, you, as an airline passenger, have a reasonable expectancy of being able to fly at least 10,000,000 miles before your number would be called.

The safety level, as gaged by this index, is twice as high as it was in 1930, 1931, and 1932, and about equal to 1934. The years 1933 and 1935 were more than twice as good as 1936. I might mention also that on British Empire routes the passenger-miles flown per passenger fatality for a number of years have been two to three million. The lowest figure ever reported for American air lines was better than 4,000,000—the highest nearly 25,000,000.

This is not to say that we can rest on our laurels. On the contrary, the air lines and the Bureau of Air Commerce are making every effort to improve safety. The air lines and others held a meeting with the Bureau here February 4, 5, and 6 to consider safety from every angle and develop means of increasing it. The Bureau of Air Commerce in the past few years has, to the limits of its funds, pursued a program of modernizing and improving the air navigation aids on the Federal Airways System, and has more extensive plans for the future.

Under the work-relief program of this administration, approximately $75,000,000 has been spent in substantial achievement in the construction of airports throughout the Nation. Of the nearly 1,500 undertaken, more than 300 have been completed, a large number of these being important air-mail terminals, of which there are 196.

It is to be regretted that the Nation's Capital is not supplied with adequate airport facilities. Representatives and Senators who are members of the airport commission will render outstanding service by presenting to Congress a definite program which I trust will bring to Washington in the near future a truly great commercial airport.

A word about private flying. The rapidly mounting interest in flying is indicated by the increase in student licenses issued from 12,917 on January 1, 1935, to 25,314 on January 1, 1936, and 32,080 on January 1 of this year. These students cannot all become professional pilots, because there are not opportunities for them, and many of them have no idea of flying professionally.

This interest will be further stimulated by improvements in private-owner types which will make it simpler and more convenient for the average person to fly. The industry is improving these airplanes, and the Bureau of Air Commerce has a program with that objective in view.

Aviation is moving ahead so rapidly that many of the manufacturers are swamped with orders. One major manufacturer last summer actually had a shortage of trained workers; it simply could not hire enough skilled men to meet its needs. A major part of the business of many manufacturers consists of contracts with the Army and Navy. There is a direct link between the civil aeronautics industry and those agencies of the Federal Government concerned with national defense, but it is by no means the only way in which civil aeronautics is important to national defense.

Mr. McCORMACK. Will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Will the gentleman discuss the importance of our airports from the angle of national defense?

Mr. RANDOLPH. I will do that right now.

In time of war the scheduled air transport system would be vitally necessary as a merchant marine of the air. Speedy transportation would be tremendously more important in wartime than in peacetime. The private flyers, men who know how to use the controls of an airplane and how to set a course cross country and fly it, would constitute a reservoir from which the military services could draw men with preliminary training and put them through intensive courses in tactics.

The next war will be fought in the air. And that means that if a hostile force approaches our shores we will not only have to defend our harbors, but also our inland railroad terminals, electric power plants, factories, and warehouses. In fact, it will be at such points that an enemy would strike first with long-range bombers flying either from enemy territory or from aircraft carriers on the high seas.

In the present session of Congress appropriation measures for both the Navy and Army will come before us, and, al-

though I favor a strong Navy and Army, yet I am hopeful that the major portion of our preparedness program in the immediate future will be concerned with increasing our air forces.

The number of fighting planes owned by our Federal Government is absolutely inadequate for defense, and we suffer in comparison with other nations. I believe at the present time we have only about 1,700 fighting planes in comparison with 6,000 for Russia, 3,000 for Italy, 4,000 for France, 4,500 for Great Britain, 2,700 for Germany, and 2,100 for Japan.

The situation is a grave one and, although I am certain we all join in the prayerful hope that the United States shall not become involved in a future war, yet we must realize that the center of our national defense has been shifted from the land and sea into the air. With this fact in mind prompt preparedness at that point should be our concern. [Applause.]

Mrs. NORTON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'CONNOR of New York reported that that Committee, having had under consideration the bill (H. R. 4276) to amend an act entitled "An act to create a juvenile court in and for the District of Columbia", and for other purposes, had come to no resolution thereon.

THE DEFICIENCY APPROPRIATION BILL

Mr. BUCHANAN. Mr. Speaker, I call up the bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes, with Senate amendments, and move that the House disagree to Senate amendment to the House amendment to Senate amendment no. 9, and ask a further conference with the Senate.

The SPEAKER. The question is on the motion of the gentleman from Texas.

Mr. BUCHANAN. Mr. Speaker, before the motion is put, may I make a statement to the House? We have been in conference with certain Members of the Senate and we have about come to an agreement. We believe within 15 or 20 minutes after we go over to the Senate we can come back with a complete report. It is very important that the bill be passed tonight, because there is not money on hand to meet the pay roll of the W. P. A. right now.

Mr. CONNERY. Mr. Speaker, will the gentleman yield?

Mr. BUCHANAN. I yield.

Mr. CONNERY. Do I understand that some sort of agreement has been reached with Senator LA FOLLETTE and Senator WHEELER with reference to the matter we discussed here today?

Mr. BUCHANAN. Absolutely. Does the gentleman want to know what it is?

Mr. CONNERY. Yes; I would like to know that.

Mr. BUCHANAN. They agreed to the House amendment, with the proviso that it shall not take effect until 30 days after the act is approved.

The motion was agreed to; and the Speaker appointed as conferees on the part of the House Messrs. BUCHANAN, TAYLOR of Colorado, WOODRUM, TABER, and BACON.

RECESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that the House stand in recess for 15 minutes.

Mr. MICHENER. Mr. Speaker, reserving the right to object, when the juvenile court bill was called up a little while ago I objected to a unanimous-consent request, and I want to state why I made that objection.

This is a bill establishing a court in the District of Columbia. It has been before the Congress for 14 years, as stated by the chairman of the committee, and it contains 26 pages. It provides for the creation of a juvenile court in the District of Columbia, and it also provides for the appointment of a judge and numerous officers, assistants, commissioners, and other persons to administer the law. The bill also provides how they shall administer a juvenile court in the District of Columbia. Possibly I shall not be opposed to the bill, but it does seem to me that after the House has been in session from 12 o'clock noon until 6:30 at night the House should not be asked to pass a bill of this importance without reading, without consideration, and without any knowledge whatever about what it contains.

Mr. RAYBURN. I may say to the gentleman that we do not intend to pass the bill tonight or do anything more about it. It will be the unfinished business on the next District day.

Mr. MICHENER. If we have accomplished that, I thank the gentleman.

Mr. RAYBURN. It is not going to be called up any more tonight.

Mr. NICHOLS. The gentleman from Michigan will have 2 weeks to consider the bill.

STILL FURTHER MESSAGE FROM THE SENATE

A still further message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate insists upon its amendment to the amendment of the House numbered 9 to the bill (H. R. 3587) entitled "An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes", disagreed to by the House; agrees to a further conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ADAMS, Mr. GLASS, Mr. MCKELLAR, Mr. HAYDEN, and Mr. HALE to be the conferees on the part of the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

There was no objection.

Accordingly (at 6:48 p. m.) the House stood in recess for 15 minutes.

AFTER THE RECESS

At 7 o'clock and 32 minutes p. m. the House was called to order by the Speaker pro tempore [Mr. RAYBURN].

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the amendment of the House to the amendment of the Senate no. 9 to the bill (H. R. 3587) entitled "An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes."

DEFICIENCY APPROPRIATION BILL—1937

Mr. WOODRUM. Mr. Speaker, I present a conference report on the bill H. R. 3587, the first deficiency appropriation bill, 1937, and call it up for immediate consideration.

The SPEAKER pro tempore. The gentleman from Virginia calls up a conference report, which the Clerk will report.

The Clerk read as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 9 and amendments thereto to the bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 9: That the House recedes from its disagreement to the amendment of the Senate to the amendment of the House to the amendment of the Senate numbered 9, and agree thereto with an amendment as follows: In lieu of the matter proposed to be inserted by Senate amendment numbered 9 and the amendment of the House thereto and the amendment of the Senate to such House amendment insert the following: "or of the appropriation in the Emergency Relief Appropriation Act of 1936 shall be used to pay the compensation of any person, not taken from relief rolls, detailed or loaned for service in connection with any investigation or inquiry undertaken by any committee

of either House of Congress under special resolution thereof. This proviso shall not take effect until 30 days after the date of the enactment of this act"; and the Senate agree to the same.

J. P. BUCHANAN,
EDWARD T. TAYLOR,
C. A. WOODRUM,
JOHN TABER,
Managers on the part of the House.

ALVA B. ADAMS,
CARTER GLASS,
KENNETH MCKELLAR,
CARL HAYDEN,
Managers on the part of the Senate.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

Mr. WOODRUM. Mr. Speaker, I ask for brief recognition.

If the gentlemen will recall, the original provision in the deficiency appropriation bill which the House inserted was a provision which made it unlawful for any investigating committee to take the administrative personnel from relief and use them for investigation purposes, but did not prevent the calling of people who were on the relief rolls; that is, if the investigating committee could use them as clerks, all well and good. It prohibited the use of administrative personnel and paying for it out of relief money. That went to the Senate. The Senate struck that out and inserted a provision applying to all Government departments, not limiting it to relief as the House had done, but providing that the investigating committee should have the right to draft personnel from any department, provided it filed a list with the Secretary of the Senate or the Clerk of the House, according to which body was having the investigation made, setting out the type of personnel and the salaries. That came back to the House at noon today. We amended that by striking out that part of it and providing they could use no departmental personnel after June 30 of this fiscal year.

The effect of this provision which we have agreed upon after conferences and making concessions on both sides, is that this report goes back to the original House provision which merely continues the inhibition on relief money, providing they cannot use administrative personnel paid from relief funds for these committee investigations, but gives them 30 days' grace in which to readjust their committee situations.

Mr. RANKIN. And this merely confines it to funds provided in this bill?

Mr. WOODRUM. Relief funds in this bill and in the previous relief act, but we will reach the other question when the next bill comes.

Mr. CONNERY. It further does not go out to every department. They could use the Federal Trade Commission or the Interstate Commerce Commission, administrative employees, just as they have done.

Mr. WOODRUM. So far as this bill is concerned, but that other matter is surely coming up.

Mr. CONNERY. And in addition to that, they have 30 days for the administrative personnel on this?

Mr. WOODRUM. Yes.

Mr. BOILEAU. As I understood the reading of the amendment the word "hereafter", that was in line 12 of the original provision of the House, is eliminated. Has that any significance at all?

Mr. WOODRUM. That is eliminated because we gave them 30 days.

Mr. BOILEAU. It has no other significance at all?

Mr. WOODRUM. That is all.

Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, this is a conference report from the last emergency conference on the first emergency appropriation bill in this Congress.

For the last 4 years we have had nothing but emergency bills. Always, appropriated funds in the Treasury have been exhausted when we have gotten around to acting upon a bill. Just so long as this administration lasts, the emergency will last, and we will have nothing but emergency legislation.

Mr. WOODRUM. Mr. Speaker, I move the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER pro tempore [Mr. RAYBURN]. The question is on agreeing to the conference report.

The conference report was agreed to, and a motion to reconsider was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. DIES (at the request of Mr. JOHNSON of Texas), for today, on account of important business.

To Mr. DOUGLAS, for today, on account of illness.

To Mr. HOBBS (at the request of Mr. STARNES), indefinitely, on account of illness.

To Mr. LONG (at the request of Mr. CHAMPION), for 1 day, on account of official business.

SENATE ENROLLED BILL AND A JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled bill and a joint resolution of the Senate of the following titles:

S. 974. An act to create the Capital Auditorium Commission; and

S. J. Res. 20. Joint resolution authorizing the President to invite the Pan American Republics and the Dominion of Canada to participate in the proposed Greater Texas and Pan American Exposition.

EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks by printing in the RECORD the privileged resolution which I offered this morning.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The resolution referred to is as follows:

Resolved, That the Secretary of Labor be, and he is hereby, directed to furnish the House of Representatives all facts which he may possess or which may be available in the Labor Department and which will show or tend to show:

(a) The number of strikebreakers, nonresidents of Flint, who have been brought into or who are now in that city for the purpose of either (1) breaking up picket lines, or (2) ejecting sit-down strikers from Fisher body plant no. 1, Fisher body plant no. 2, Chevrolet plant no. 4, or any other industrial plant in said city.

(b) That General Motors Corporation, or any other corporation, firm, or individual has, directly or indirectly, employed, brought into, or caused to come to Flint any person or persons for the purpose of (1) ousting sit-down strikers from its property, or (2) breaking up picket lines, or (3) by show of force or violence preventing any person from picketing or soliciting membership in any union.

(c) If information is furnished showing that any nonresidents of Michigan, or any person or persons who reside in Michigan outside the city of Flint other than members of the National Guard or regularly appointed peace officers, have been brought or have come into Flint for the purpose of ejecting sit-down strikers who have held possession of General Motors Corporation property, or breaking up picket lines, then, in addition, facts showing the sources from which any such person or persons have derived any compensation received by them.

(d) The total number of "company" guards or "company" police employed or on duty in Fisher Body Co. plant no. 1, Fisher Body Co. plant no. 2, and Chevrolet plant no. 4 prior to the time the same were occupied by the sit-down strikers.

(e) Like information as to the number at the present time now on duty in, or employed in guarding, said three plants.

(f) The number of such "company" guards or "company" police who are (1) residents of the city of Flint, Mich., (2) nonresidents of said city, (3) residents of the State of Michigan, (4) nonresidents of said State.

(g) In what manner such "company" guards or police are armed.

(h) A recapitulation of the vote cast at the last election held under the auspices of, or supervised by, the Automobile Labor Board, appointed by the President of the United States, in the motor industry in Michigan, showing the number of votes cast by members of unions, the number belonging to each union, the number of votes cast by nonunion employees, each proposition voted upon, and the number for and against each proposition.

ADJOURNMENT

Mr. WOODRUM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 39 minutes p. m.) the House adjourned until tomorrow, Tuesday, February 9, 1937, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON FOREIGN AFFAIRS

There will be a hearing before the Committee on Foreign Affairs at 11 a. m. on February 9, 1937, on House Joint Resolution 193, to authorize an appropriation for the expenses of participation by the United States in the Eleventh International Dairy Congress, Berlin, Germany, in 1937.

COMMITTEE ON MILITARY AFFAIRS

The Committee on Military Affairs will hold a hearing on Tuesday, February 9, at 10:30 a. m., on H. R. 1954, to prevent profiteering in time of war and to equalize the burdens of war and thus provide for the national defense, and promote peace.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

The Committee on Interstate and Foreign Commerce will continue hearings on Tuesday, February 9, at 10 a. m., in the committee room, no. 1334 New House Office Building, on H. R. 1668, long-and-short haul bill. Mr. Eastman, of the Interstate Commerce Commission, will appear.

COMMITTEE ON THE POST OFFICE AND POST ROADS

The subcommittee of the Committee on the Post Office and Post Roads will hold a hearing on Wednesday, February 10, at 10:30 a. m., in the committee room, no. 213 House Office Building, on the subject of the Star Route Service.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold a hearing on Wednesday, February 10, at 10:30 a. m., in the committee room, no. 445 House Office Building, on the following bills:

H. R. 4275. To correct United States citizenship status of certain persons born in Puerto Rico, and for other purposes.

H. R. 3671. To provide for recognition of valid pardons for immigration law interpretations, and for other purposes.

H. R. 1625. To provide for the naturalization of certain veterans of the World War.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

343. A letter from the Attorney General, transmitting a draft of a bill to exempt special counsel in certain important Indian litigation from certain statutory prohibitions precluding Government officers and employees from handling cases against the Government; to the Committee on the Judiciary.

344. A letter from the Attorney General, transmitting suggested amendments to sections 181 and 186 of the Criminal Code (U. S. C., title 18, secs. 304 and 309); to the Committee on the Post Office and Post Roads.

345. A letter from the Chairman, United States Tariff Commission, transmitting a report entitled "The Importation Into the United States of Fresh and Frozen Tuna Fish and Its Effect on the Production of Tuna Fish by United States Fishing Vessels"; to the Committee on Ways and Means.

346. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to provide for the reimbursement of certain enlisted men of the Navy for the value of personal effects destroyed in a fire in building no. 125, United States navy yard, Washington, D. C., on July 16, 1935; to the Committee on Claims.

347. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to authorize certain officers of the United States Navy and officers and enlisted men of the Marine Corps to accept such medals, orders, and decorations as have been tendered them by foreign governments in appreciation of services rendered; to the Committee on Naval Affairs.

348. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill for the relief of Maude P. Gresham; to the Committee on Claims.

349. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation for the relief of G. A. Trotter, formerly superintendent of the Zuni Indian Agency, N. Mex.; to the Committee on Claims.

350. A letter from the Acting Secretary of the Treasury, transmitting a proposed bill to authorize the establishment of a permanent instruction staff at the United States Coast Guard Academy; to the Committee on Merchant Marine and Fisheries.

351. A letter from the American Academy of Arts and Letters, transmitting a report of the activities of the American Academy of Arts and Letters during the year ending December 31, 1936; to the Committee on the Library.

352. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment, House of Representatives, for the fiscal year 1938, in the sum of $19,000 (H. Doc. No. 143); to the Committee on Appropriations.

353. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill to authorize the purchase of 640 acres for the use and benefit of the Santa Rose Band of Mission Indians; to the Committee on Indian Affairs.

354. A letter from the Comptroller of the Currency, transmitting the Seventy-fourth Annual Report of the Comptroller of the Currency; to the Committee on Banking and Currency.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. WALTER: Committee on the Judiciary. H. R. 3284. A bill to transfer Crawford County, Iowa, from the southern judicial district of Iowa to the northern judicial district of Iowa; without amendment (Rept. No. 204). Referred to the House Calendar.

Mr. WALTER: Committee on the Judiciary. H. R. 3411. A bill to amend section 112 of the Judicial Code to provide for the inclusion of Whitman County, Wash., in the northern division of the eastern district of Washington; without amendment (Rept. No. 205). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALTER: Committee on the Judiciary. H. R. 2905. A bill to amend an act entitled "An act providing for the establishment of a term of the District Court of the United States for the Southern District of Florida, at Orlando, Fla.," approved June 15, 1933; with amendment (Rept. No. 206). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of the rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 4161) granting a pension to Mary M. Osborn, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. O'BRIEN of Michigan: A bill (H. R. 4470) to extend from 15 years to 20 years the maximum period of amortization of Home Owners' Loan Corporation mortgages and to amend title 12, section 1463 (d) of the Code of Laws of the United States of America; to the Committee on Banking and Currency.

By Mr. VOORHIS: A bill (H. R. 4471) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 4472) to provide for citizenship for certain classes of persons who entered the United States between June 3, 1921, and July 1, 1924; to the Committee on Immigration and Naturalization.

By Mr. ANDREWS: A bill (H. R. 4473) to provide for the apportionment of Representatives in Congress; to the Committee on the Census.

Also, a bill (H. R. 4474) to prohibit operation in the District of Columbia of vehicles for hire by officers or employees

of the Government; to the Committee on the District of Columbia.

By Mr. VOORHIS: A bill (H. R. 4475) to increase authorization of appropriations for the Public Health Service under the Social Security Act; to the Committee on Ways and Means.

By Mr. FORAND: A bill (H. R. 4476) to authorize the payment of the sum of $2,500 to the dependents of the officers and men who lost their lives on the submarine *S–4;* to the Committee on Claims.

By Mr. JENKS of New Hampshire: A bill (H. R. 4477) to extend for a period of 2 years the insurance of loans and advances for improvements upon real property; to the Committee on Banking and Currency.

By Mr. BOREN: A bill (H. R. 4478) to amend paragraph 761 of the Tariff Act of 1930 to increase duty on cashew nuts; to the Committee on Ways and Means.

By Mr. DOCKWEILER: A bill (H. R. 4479) to amend the act entitled "An act to amend the act entitled 'An act for the retirement of employees of the classified civil service, and for other purposes', approved May 22, 1920, and acts in amendment thereof", approved July 3, 1926, and May 29, 1930; to the Committee on the Civil Service.

By Mr. MAVERICK: A bill (H. R. 4480) to authorize the coinage of 50-cent pieces in commemoration of the heroes of the Alamo; to the Committee on Coinage, Weights, and Measures.

By Mr. CITRON: A bill (H. R. 4481) to make the Civilian Conservation Corps a permanent agency; to the Committee on Labor.

By Mr. RANDOLPH: A bill (H. R. 4482) authorizing the erection of a monument at Philippi, W. Va., to commemorate the site where the first important inland engagement was fought in the War between the States; to the Committee on Military Affairs.

By Mrs. ROGERS of Massachusetts: A bill (H. R. 4483) authorizing the construction of a new hospital and diagnostic center at or near Boston, Mass.; to the Committee on World War Veterans' Legislation.

By Mr. TURNER: A bill (H. R. 4484) to provide suitable accommodations for the District Court of the United States at Columbia, Tenn.; to the Committee on the Judiciary.

By Mr. GREEN: A bill (H. R. 4485) to provide for the construction of a marine hospital at Jacksonville, Fla.; to the Committee on Merchant Marine and Fisheries.

By Mrs. ROGERS of Massachusetts: Resolution (H. Res. 111) creating a select committee to inquire and report to the House in regards to the advisability of setting a definite age limit for Members of the House of Representatives; to the Committee on Rules.

By Mr. HOFFMAN: Resolution (H. Res. 112) requesting the Secretary of Labor to furnish the House of Representatives with certain information in regard to the current automobile-industry strike; to the Committee on Labor.

By Mr. WEARIN: Joint resolution (H. J. Res. 200) to amend section 3678 of the Revised Statutes relating to application of moneys appropriated by Congress; to the Committee on Expenditures in the Executive Departments.

By Mr. MAPES: Joint resolution (H. J. Res. 201) proposing an amendment to the Constitution of the United States relative to taxes on certain incomes; to the Committee on the Judiciary.

By Mr. MAVERICK: Joint resolution (H. J. Res. 202) extending and amending the joint resolution (Public Res. No. 74, 74th Cong.) approved February 29, 1936; to the Committee on Foreign Affairs.

By Mr. ANDREWS: Joint resolution (H. J. Res. 203) proposing an amendment to the Constitution to authorize representation of the seat of government in the House of Representatives and participation in the election of President and Vice President; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. RANDOLPH (by request): Joint resolution (H. J. Res. 204) creating a superhighways commission; to the Committee on Roads.

By Mr. KENNEY: Joint resolution (H. J. Res. 205) memorializing the States of the Union to require the taking of an oath of allegiance to the Constitution of the United States by all teachers of the public schools and other institutions of learning, and for other purposes; to the Committee on Education.

By Mr. SABATH: Joint resolution (H. J. Res. 206) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the State of Iowa memorializing the President and the Congress of the United States to make permanent the Federal land bank; to the Committee on Agriculture.

Also, memorial of the State of Wisconsin, memorializing the Congress of the United States to enact the pending St. Croix Valley Authority Act; to the Committee on Military Affairs.

Also, memorial of the State of Montana, memorializing the Congress of the United States for the prompt enactment of legislation to provide the necessary plans and funds to furnish adequate seed-grain supplies to the needy farmers of the State of Montana; to the Committee on Agriculture.

Also, memorial of the State of Minnesota, memorializing the Congress of the United States and the President to pass legislation providing Federal funds for the care and relief of needy, aged, and unallotted Indians in the State of Minnesota; to the Committee on Ways and Means.

Also, memorial of the State of Wisconsin, memorializing the Congress of the United States to promptly ratify any treaty which may be submitted affecting the Great Lakes-St. Lawrence seaway; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD: A bill (H. R. 4486) granting an increase of pension to Frances Casey; to the Committee on Invalid Pensions.

By Mr. CANNON of Missouri: A bill (H. R. 4487) granting a pension to Louise Eberle; to the Committee on Pensions.

By Mr. CASE of South Dakota: A bill (H. R. 4488) for the relief of H. G. Carriere, Charles E. Livingston, and John Latham; to the Committee on Claims.

Also, a bill (H. R. 4489) for the relief of Stella Van Dewerker; to the Committee on Claims.

Also, a bill (H. R. 4490) for the relief of Jonathan L. Whitney; to the Committee on Claims.

By Mr. COLE of New York: A bill (H. R. 4491) granting an increase of pension to Harriet Brownrigg; to the Committee on Invalid Pensions.

By Mr. COLE of Maryland: A bill (H. R. 4492) for the relief of John T. Armstrong; to the Committee on Claims.

By Mr. COLMER: A bill (H. R. 4493) for the relief of Charles N. Robinson; to the Committee on Claims.

By Mr. DEMPSEY: A bill (H. R. 4494) for the relief of John L. Campbell; to the Committee on Claims.

Also, a bill (H. R. 4495) for the relief of J. L. Patchen; to the Committee on Claims.

By Mr. DOCKWEILER: A bill (H. R. 4496) granting a pension to Cornelius S. Holcombe; to the Committee on Pensions.

Also, a bill (H. R. 4497) granting a pension to Cora E. Kuderski; to the Committee on Pensions.

Also, a bill (H. R. 4498) granting a pension to Mae L. Armour; to the Committee on Pensions.

Also, a bill (H. R. 4499) granting a pension to Dillon N. Coulston; to the Committee on Pensions.

Also, a bill (H. R. 4500) granting a pension to Jack A. Painter; to the Committee on Pensions.

Also, a bill (H. R. 4501) for the relief of Harry Emanuel Lynch; to the Committee on Naval Affairs.

Also, a bill (H. R. 4502) for the relief of Patrick J. Curley; to the Committee on Military Affairs.

Also, a bill (H. R. 4503) for the relief of Grover C. Van Nest; to the Committee on Military Affairs.

Also, a bill (H. R. 4504) for the relief of Jessie P. Bleakley; to the Committee on Claims.

Also, a bill (H. R. 4505) for the relief of William S. McClure; to the Committee on Military Affairs.

Also, a bill (H. R. 4506) for the relief of Norman E. Sherman and Banks W. Smith, operating under the name of California Flyers, for damages sustained by collision with Navy plane *F–4B4* by Waco cabin airplane *NC–12456*; to the Committee on Claims.

Also, a bill (H. R. 4507) for the relief of J. H. Bowling; to the Committee on Claims.

Also, a bill (H. R. 4508) for the relief of Margaret Grace and Alice Shriner; to the Committee on Claims.

Also, a bill (H. R. 4509) for the relief of Walter Goulette; to the Committee on Military Affairs.

By Mr. DOWELL: A bill (H. R. 4510) granting a pension to David A. Huckelberry; to the Committee on Pensions.

By Mr. ECKERT: A bill (H. R. 4511) granting a pension to Fred L. Lindsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4512) for the relief of Steve Bilik; to the Committee on Claims.

By Mr. EDMISTON: A bill (H. R. 4513) granting an increase of pension to Martha E. Watts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4514) for the relief of John W. Farnsworth; to the Committee on Claims.

Also, a bill (H. R. 4515) for the relief of Charles Tabit; to the Committee on Claims.

By Mr. FITZGERALD: A bill (H. R. 4516) for the relief of Stephen Joseph Faber; to the Committee on Naval Affairs.

Also, a bill (H. R. 4517) for the relief of Anthony F. Wondrasek; to the Committee on Military Affairs.

By Mr. FLEGER: A bill (H. R. 4518) granting a pension to Florence I. Steele; to the Committee on Invalid Pensions.

By Mr. GUYER: A bill (H. R. 4519) granting a pension to Virginia I. Pate; to the Committee on Pensions.

By Mr. HARRINGTON: A bill (H. R. 4520) for the relief of E. J. Riegel; to the Committee on Claims.

By Mr. HILL of Oklahoma: A bill (H. R. 4521) granting a pension to Melisa Alexander; to the Committee on Invalid Pensions.

By Mr. HOPE: A bill (H. R. 4522) for the relief of John J. Warner and W. B. Warner; to the Committee on Claims.

By Mr. HUNTER: A bill (H. R. 4523) for the relief of Richard Zielinski and his parents; to the Committee on Claims.

Also, a bill (H. R. 4524) for the relief of Jacob Santavy; to the Committee on Claims.

By Mr. JENKS of New Hampshire: A bill (H. R. 4525) granting a pension to Bertha C. Keith; to the Committee on Pensions.

By Mr. KEE: A bill (H. R. 4526) for the relief of Lake Spence; to the Committee on Claims.

Also, a bill (H. R. 4527) for the relief of Mrs. E. V. Cockerhan, mother and natural guardian of Luther Jennings Workman; to the Committee on Claims.

By Mr. FITZGERALD: A bill (H. R. 4528) for the relief of James S. Cuff; to the Committee on Naval Affairs.

By Mr. LAMNECK: A bill (H. R. 4529) granting an increase of pension to Margaret A. Allen; to the Committee on Invalid Pensions.

By Mr. LARRABEE: A bill (H. R. 4530) for the relief of John Oto Albright; to the Committee on Naval Affairs.

By Mr. MAVERICK: A bill (H. R. 4531) for the relief of Mark R. Larkin; to the Committee on Claims.

By Mr. OLIVER: A bill (H. R. 4532) for the relief of Frank Wheelock Plummer Breed; to the Committee on Naval Affairs.

By Mr. QUINN: A bill (H. R. 4533) for the relief of Walter S. Hendershot; to the Committee on Military Affairs.

By Mr. RANDOLPH: A bill (H. R. 4534) granting an increase of pension to Herbert B. Holloway; to the Committee on Pensions.

Also, a bill (H. R. 4535) granting a pension to Marcellus W. Mace; to the Committee on Pensions.

Also, a bill (H. R. 4536) to provide for the holding of an examination by the Board of Optometry of the District of Columbia for a license to practice optometry in the District of Columbia for Welton B. Hutton; to the Committee on the District of Columbia.

By Mr. ROBSION of Kentucky: A bill (H. R. 4537) granting a pension to James B. Cromwell; to the Committee on Pensions.

By Mr. JOHNSON of Minnesota: A bill (H. R. 4538) granting a pension to Henry J. Esch; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

224. By Mr. COFFEE of Washington: Petition of the Auburn Chamber of Commerce, Auburn, Wash.; to the Committee on Flood Control.

225. Also, petition of the Kent Commercial Club, Kent, Wash.; to the Committee on Flood Control.

226. By Mr. COLDEN: Senate Joint Resolution No. 5, adopted by the California Legislature and enrolled on January 29, 1937, relative to memoralizing and petitioning the Congress to enact legislation distributing the revenues obtained from naval petroleum reserves on the same basis as the revenues from other public lands leased under the provisions of the Mineral Leasing Act; to the Committee on Ways and Means.

227. Also, letter from Julian A. McPhee, chief, Bureau of Agricultural Education of California, urging the appropriation of $14,000,000 for vocational education as provided in the George-Deen Act, instead of $3,000,000 as carried in the Budget transmitted to Congress for the fiscal year beginning July 1, 1937; to the Committee on Appropriations.

228. Also, resolution adopted by the Los Angeles Post, Society of American Military Engineers on January 26, 1937, opposing a recommendation understood to have been made to the President of the United States that the present system of assigning Reserve Army, Navy, and Marine Corps officers to the Civilian Conservation Corps be discontinued and that the corps be officered by permanent civil-service employees; to the Committee on Military Affairs.

229. Also, resolution adopted at the convention of the American Federation of Labor at Tampa, Fla., November 17, 1936, suggesting the designation of the Secretary of Labor as a member of Federal Commissions on Exhibitions; to the Committee on Labor.

230. By Mr. FITZGERALD: Resolution of the Association of Marine Terminal Operators Atlantic Ports of New London, Conn., adopted at their third annual convention, that the association recommends to the President and Members of Congress of the United States that one member of the United States Maritime Commission be appointed who is familiar and sympathetic with port-terminal problems; to the Committee on Labor.

231. By Mr. FORAND (by request): Petition of Local 119, International Association of Machinists of Newport, R. I., munitions committee, relative to the manufacture of all munitions in United States Government-owned plants, under civil-service laws; to the Committee on Military Affairs.

232. Also (by request), petition of Local 119, International Association of Machinists of Newport, R. I., national youth committee, endorsing the national youth administration movement, and for other purposes; to the Committee on Military Affairs.

233. Also, petition of the General Assembly of the State of Rhode Island to make Newport, R. I., the home port of the frigate *Constellation*; to the Committee on Naval Affairs.

234. By Mr. FULMER: Resolution of the Third Assembly of the Council of State Governments requesting and urging

the Congress of the United States to relinquish the original temporary emergency nature of the Federal gasoline tax, improving yields from Federal levies, the vital importance of gasoline taxes as State revenue sources, and the essential role of gasoline as a commodity utilized in transportation and communication at the termination of the current fiscal year, or as soon thereafter as possible; to the Committee on Ways and Means.

235. By Mr. GOODWIN: Communication from the committee on legislation, Medical Society of the State of New York, urging all health activities be concentrated in a single department under the reorganization plan of the Federal Government; to the Joint Committee on Government Organization.

236. By Mr. JENKS of New Hampshire: Petition of 266 residents of the First Congressional District of New Hampshire, recommending the enactment of a law requiring the deportation of all illegal residents and forbidding the giving of employment, loans, or governmental relief to any foreigners who remain in the United States illegally; to the Committee on Immigration and Naturalization.

237. By Mr. KENNEDY of New York: Resolution of the Assembly of the State of New York, that the Congress of the United States be, and is hereby, memorialized to pass the Wagner bill relating to slum clearance at the earliest possible moment; to the Committee on Banking and Currency.

238. By Mr. KRAMER: Resolution of the Society of American Military Engineers, Los Angeles Post, pertaining to discontinuation of the present system of assigning reserve Army, Navy, and Marine Corps officers to the Civilian Conservation Corps, etc.; to the Committee on Military Affairs.

239. Also, resolution of the Santa Monica Bay Optimist Club, pertaining to proper legislative action by Congress for feasible war debt plan, etc.; to the Committee on Foreign Affairs.

240. Also, resolution of the State of California, relative to memorializing and petitioning the President and the Congress of the United States to include the Central Valley project in the national program of work relief, etc.; to the Committee on Ways and Means.

241. By Mr. O'CONNELL of Rhode Island: Resolution passed by the City Council of Providence, requesting the Secretary of the Navy to honor our State by naming one battleship the Rhode Island; to the Committee on Naval Affairs.

242. Also, resolution requesting the Senators and Representatives from Rhode Island in the Congress of the United States to take all necessary steps to prevent any change in the home port of the frigate *Constellation* and preserve for the people of Rhode Island and New England this cherished shrine; to the Committee on Naval Affairs.

243. Also, resolution protesting against the removal of the frigate *Constellation* from the United States Naval Training Station, Coaster's Harbor Island, Newport, R. I.; to the Committee on Naval Affairs.

244. By Mr. QUINN: Petition of the typothetae of western Pennsylvania, requesting the withdrawal of the Federal Government from the printing business; also endorsing the passage of House bill 89, prohibiting the sale of stamped envelopes with the return card printed thereon; to the Committee on the Post Office and Post Roads.

245. By Mr. SACKS: Telegram of the Wholesale Confectioners Association, Association of Retail Druggists, H. E. Stouffer, O. E. Kreider, George W. Fehr, Rowans Pharmacy, J. K. Aughinbaugh, Joseph W. Bongiovanni, Jules Baron, Herman & De Vine, I. Selman, Simon E. Finkelstine, Henry G. Haring, M. Heyman, Abner Simberg, Feldman Bros., H. A. Eilenberger, Mae Rubenstein, L. Greenfield, Harry C. Bingman; to the Committee on Ways and Means.

246. By Mr. SCHAEFER of Illinois: Petition of the Sixtieth General Assembly of the State of Illinois, memorializing Congress to enact measures without delay insuring the protection of the Ohio River Valley territory from such catastrophic floods as have lately been witnessed; to the Committee on Flood Control.

247. By Mr. TEIGAN: Petition of the St. Paul Trades and Labor Assembly, approving adequate funds to continue investigation being conducted by La Follette committee of the Senate regarding spying activities of certain financial and industrial interests; to the Committee on Accounts.

248. By the SPEAKER: Petition of M. T. Paine, protesting against any change in the judicial system; to the Committee on the Judiciary.

249. Also, petition of Lucy H. Shinn, protesting against any change in the judicial system; to the Committee on the Judiciary.

250. Also, petition of State Camp of Pennsylvania, Patriotic Order Sons of America, petitioning the importance of a permanent and mandatory neutrality law; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 9, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, "Thou only art holy." We thank Thee for the steps that lead to the altar of prayer. We are never lost to Thy power and mercy. Thou walkest upon the sea and in the night, upon the shore and in the twilight. We praise Thee that Thou dost pity us, knowing our frame and remembering that we are dust. As love subdues the rebellious passions in human nature, may we be kept in affiliation with Thee by having the spirit of loving sacrifice. Make it Thy right, O God, to instill in our minds and hearts wise and noble purposes. Let Thy light be our light, Thy service our joy, Thy peace our inheritance. Heavenly Father, touch our lips today that they may utter no unkind word; and touch our hearts that they may feel no wrong desires, and Thine shall be the praise forever. Through Christ our Savior. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 56. An act for the relief of William Frank Lipps;

S. 211. An act for the relief of James J. Jordan;

S. 508. An act to authorize the award of the Purple Heart decoration to Maj. Charles H. Sprague; and

S. 766. An act to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects destroyed in a fire at the radio direction finder station, North Truro, Mass., on December 27, 1934.

The message also announced that the Vice President had appointed Mr. LA FOLLETTE a member on the part of the Senate of the Joint Committee on Government Organization, provided for in Public Resolution No. 4, approved February 3, 1937, vice Mr. NORRIS, resigned.

ENROLLED BILL SIGNED

The SPEAKER. Pursuant to the authority conferred upon him, the Chair desires to inform the House that he did last night sign the enrolled bill of the House (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes.

DEBENTURES OF FEDERAL HOUSING ADMINISTRATION

Mr. O'CONNOR of New York. Mr. Speaker, by direction of the Committee on Rules, I file a privileged report (Rept. No. 208) for printing.

The Clerk read as follows:

House Resolution 113

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee

of the Whole House on the state of the Union for consideration of House Joint Resolution 127, a joint resolution to extend for a period of 2 years the guaranty by the United States of debentures issued by the Federal Housing Administration. That after general debate, which shall be confined to the bill and shall continue not to exceed one-half hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit, with or without instructions.

The SPEAKER. Referred to the House Calendar and ordered printed.

SELECT COMMITTEE TO INVESTIGATE REAL ESTATE BONDHOLDERS' REORGANIZATIONS

Mr. O'CONNOR of New York. Mr. Speaker, by direction of the Committee on Rules, I submit a privileged report (Rept. No. 209) for printing.

The Clerk read as follows:

House Resolution 78

Resolved, That the Select Committee to Investigate Real Estate Bondholders' Reorganizations of the Seventy-fourth Congress is authorized as a committee, by subcommittee, or otherwise, to continue the investigation begun under authority of House Resolution 412 of the Seventy-third Congress, and supplemented by House Resolution 39, House Resolution 79, and House Resolution 354 of the Seventy-fourth Congress, and shall have the same power and authority conferred upon it by the aforementioned resolutions.

The SPEAKER. Referred to the House Calendar and ordered to be printed.

EXTENSION OF REMARKS

Mr. VOORHIS asked and was given permission to extend his remarks in the RECORD.

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to incorporate therein a radio speech I made last evening.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

INTERNATIONAL LABOR OFFICE, GENEVA, SWITZERLAND

Mr. CONNERY. Mr. Speaker, I submit a privileged report from the Committee on Labor.

The Clerk read as follows:

House Resolution 104

Resolved, That the Secretary of Labor is hereby directed to transmit to the House of Representatives as soon as possible the names of those persons assigned to the International Labor Office at Geneva, Switzerland, in 1936 for special tasks or temporary duty to further the cooperation of the United States with the International Labor Office in drafting and administering labor law and in research, and the cost of their transportation, housing, subsistence, and incidental expenses, and the appropriation from which such expenses were paid and the authority therefor.

Mr. CONNERY. Mr. Speaker, I ask unanimous consent that the adverse report of the committee, the letter attached thereto, and the accompanying sheet showing the figures asked for by the gentleman from Massachusetts [Mr. GIFFORD] may be read.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read as follows:

The Committee on Labor, to whom was referred the resolution (H. Res. 104), requesting the Secretary of Labor to furnish the House of Representatives the names of those persons assigned to the International Labor Office at Geneva, Switzerland, in 1936, for special tasks or temporary duty to further the cooperation of the United States with the International Labor Office in drafting and administering labor law and in research, and the cost of their transportation, housing, subsistence, and incidental expeses, and the appropriation from which such expenses were paid and the authority therefor, having had the same under consideration, report it back to the House and recommend that the resolution do not pass.

The following letter from the Honorable Frances Perkins, Secretary of Labor, is submitted for the information of the House:

DEPARTMENT OF LABOR,
Washington, February 6, 1937.

Hon. WILLIAM P. CONNERY, Jr.,
House of Representatives, Washington, D. C.

MY DEAR MR. CONNERY: I have your letter of February 4 enclosing a copy of the proposed resolution of Mr. GIFFORD relative to the assignment of persons by this Department to the International Labor Office at Geneva.

This Department has no objection at all to favorable action on the part of your committee on this resolution. The fact is that during the year 1936 there was only one person assigned to the International Labor Office at Geneva. This person was Miss Margaret Sawyer, who assisted the International Labor Office in the preparation of materials required by this Department. There was no expense connected with her trip to Geneva. She bore all transportation, housing, and subsistence costs herself.

As you no doubt know, the Department of Labor maintains an office in Geneva, which is in charge of Mr. Carter Goodrich, United States Labor Commissioner. He was appointed in September 1936 as a successor to Mr. William G. Rice, Jr., who has returned to his professorship at the Law School of the University of Wisconsin. The staff of the United States Department of Labor assigned to Geneva, together with their salaries and the expenditures of this Department for transportation, housing, subsistence, and incidental expenses is shown on the attached sheet.

Very cordially,

FRANCES PERKINS, *Secretary.*

Carter Goodrich, United States Labor Commissioner	$6,500.00
W. Ellison Chalmers, Assistant United States Labor Commissioner	3,800.00
Harriet Hopkinson, stenographer	1,440.00
Francois Chalut, messenger	528.00
Eugenie Goy, janitress	72.00
	12,340.00
Housing	3,650.00
Travel and subsistence	2,869.92
Rent (office)	848.57
Incidentals	1,024.94

NOTE: These expenditures were charged to appropriation no. 66891, "S. & E. International Labor Organization, Geneva, Switzerland, Department of Labor, 1936."

Mr. CONNERY. Mr. Speaker, this is a unanimous report from the Committee on Labor. The committee felt that this resolution should be reported adversely because all of the information sought by the gentleman from Massachusetts [Mr. GIFFORD] is incorporated in the report of the committee.

Mr. Speaker, I move that the resolution be laid upon the table.

The motion was agreed to.

A motion to reconsider was laid on the table.

CORRECTION

Mr. O'CONNOR of New York. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. O'CONNOR of New York. In the matter of correcting the RECORD, as I understand it, unless it is a matter that involves the Journal or would adversely affect another Member, these minor corrections can be made by the Member going to the desk in front of the Speaker and taking it up with the reporters.

The SPEAKER. Answering the gentleman from New York, the rule is that upon insignificant or minor matters such corrections may be made at the request of the Member by submitting it to the reporter at the desk; but if it involves any substantial matter that might bring into controversy some other Member or some other controversial question, the Member must rise and ask for such correction from the floor.

FOREIGN-TRADE AGREEMENTS

Mr. DOUGHTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 96, to extend the authority of the President under section 350 of the Tariff Act of 1930 as amended.

Mr. HOFFMAN. Will the gentleman yield for a moment?

The SPEAKER. For what purpose does the gentleman from Michigan rise?

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to have read a resolution which I send to the Clerk's desk.

The SPEAKER. Does the gentleman from North Carolina yield for that purpose?

Mr. DOUGHTON. Mr. Speaker, I decline to yield for that purpose.

The SPEAKER. The question is on the motion of the gentleman from North Carolina.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further

consideration of House Joint Resolution 96, with Mr. MEAD in the chair.

The Clerk read the title of the joint resolution.

Mr. DOUGHTON. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. THOMASON].

Mr. THOMASON of Texas. Mr. Chairman, I think debate has come to be a useless thing insofar as this bill is concerned. The subject has been well covered. As I understand it, the bill has the unanimous support of all the Democratic members of the Ways and Means Committee, and I believe it is safe to predict it will have the almost unanimous support of the Democratic Members of this House, which means the bill will pass by a large majority.

I am limited to a very few minutes, and at the outset of my brief remarks I want to say that I am very much in sympathy with the principle of reciprocal-trade agreements and I expect to vote for this bill, but at the same time I should like to insert for the purposes of the RECORD some figures which I think have a bearing upon perhaps the greatest industry in my district and in my part of the great Southwest, and I refer to the livestock business. I wish it distinctly understood at this time that I do not come here to criticize the work of reciprocal-trade agreements as a whole or of the President of the United States and the Secretary of State in the promulgation of the various trade agreements, but I do undertake to say from a study of the figures relating to the cattle industry of this country that the cattlemen have not had the fair and just consideration to which they are entitled. I realize we were in the midst of a terrible depression and facing a great emergency. Our foreign trade had to be increased. Our products had to find a market and our unemployed given work. I come to submit these figures from the Department of State, the Department of Agriculture, and the Department of Commerce, which I have copied from official records in order that I may indulge the hope that when this bill is reenacted into law, as I am sure it will be, and new treaties are negotiated or present treaties renewed, there may be full, fair, and open hearings held in connection with the livestock industry of this country to the end that they be not discriminated against.

Mr. Chairman, I come from El Paso, Tex., on the Mexican border, and I represent a cattle district more than 350 miles long, which I regard as the finest ranch country in this Nation. My district is known as the home of the Highland Herefords, and it is not necessary for me to recount to the Members of the House the struggles and reverses of the cowmen all over the country during the last few years. They have had to fight the drought. They were poorly financed. They had low prices, heavy expenses, and many of them bankrupt. They were bucking a hard game, but with that courage, tenacity, and optimism characteristic of their class they figured that with just half a chance they would come out of it all right. Their condition is now much better but there is still room for improvement. But I am not going to let the record go unchallenged that their business has been vastly benefited by reason of the existing reciprocal trade agreement entered into with Canada, and which, of course, under the favored-nation clause also applies to Mexico.

Mr. Chairman, I am going to cite figures I have taken from the official records in various Government departments in Washington, which show that in January 1935 the monthly average price on beef cattle in Chicago was 9.97 cents. In January 1936, when this trade agreement went into effect, the price was 10.65 for beef cattle; yet, due to the dumping that the gentleman from New York [Mr. WADSWORTH] talked about and the great influx of Canadian and Mexican cattle into the stock markets of this country, the market that was 10.65 at the time the agreement took effect dropped in June to 7.84. The record will also show that for the entire calendar year 1936 the average market price of beef cattle dropped from 10.93 in the year 1935 to an average of only 9.17 in the calendar year 1936, making a difference of 1.76 cents. The official records in Washington also show that the imports of cattle weighing more than 700 pounds in the calendar year 1935 from Canada and Mexico amounted to 68,552 in number, of a value of $3,755,100. I hope the Members will particularly note these figures, because during last year under the Canadian agreement the imports jumped from 68,552 imported cattle from Canada and Mexico weighing over 700 pounds to a total of 165,409. Whereas the value of the cattle imported in 1935 was only $3,755,100, the value of imports during last year jumped to $7,545,825, which meant more than twice as many cattle with twice as much value. I am confining my figures to cattle weighing over 700 pounds that were rushed on our markets and came in direct competition with our own producers.

Mr. WEARIN. Will the gentleman yield?

Mr. THOMASON of Texas. I yield to the gentleman from Iowa.

Mr. WEARIN. Of course, when the gentleman from Texas refers to cattle of more than twice as much value will he not admit that the market price in the United States the second year of the agreement was substantially better than it was the year before?

Mr. THOMASON of Texas. No. The market for last year was 1.76 less, on the average, than it was during the year 1935, which, in my judgment, conclusively proves that the imports of Mexican and Canadian value were great, in spite of the drought and in spite of adverse conditions that hammered down the market to that very low point in the summer of 1936, as mentioned by the gentleman from New York [Mr. WADSWORTH]. Those Mexican and Canadian cattle were dumped on our markets in competition with that of our own cattlemen and necessarily lowered the market from what it would have been without all these foreign cattle. Any cattle imported ought to be brought in on a monthly or weekly basis of some sort, and in bringing in great trainloads of cattle to St. Paul or Chicago, Los Angeles, Portland, Kansas City, or Fort Worth it results in a great reduction in the normal price of American beef cattle. The imports ought to be staggered. The cowman in my country who ships a trainload of cattle to market has a right to expect that he will receive the fair price shown by market quotations at the time he ships. He cannot meet the competition and will be forced to accept a sacrifice price if on the day his cattle arrive at market there are several trains of foreign cattle. There is naturally a big break in the market. That is not fair to our American cattlemen and ought to be stopped.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. THOMASON of Texas. I yield for a brief question.

Mr. KNUTSON. Will the gentleman be so good as to put in his remarks the total loss sustained by the American cattle growers as a result of the treaty the gentleman is referring to?

Mr. THOMASON of Texas. I do not know that I can do that, but these figures speak for themselves, and in addition to the great increase of imports from Canada and Mexico during the last year, which necessarily had the effect of reducing the price of these cattle, let me quote you the figures which I have taken from the Department of Commerce relative to the imports of canned beef from Uruguay, Argentina, Paraguay, and Brazil.

In 1934 we imported 46,673,095 pounds of canned beef of the value of $3,015,675.

In 1935 we imported 76,262,342 pounds of canned beef from those countries, with a value of $5,564,665, but last year, and since the Canadian agreement went into effect, the imports of canned beef alone jumped to 87,763,815 pounds, which would be equivalent to about 600,000 head of cattle, and with a value of $8,384,100. There is a large and growing increase in these imports each year.

On top of all this and in spite of the protest of the American Live Stock Association, in spite of the protest of the Texas and Southwestern Cattle Raisers Association, in spite of the protest of every cattle organization in the South and West that ought to know what they are talking about, because they are sincere, patriotic men who know when their business suffers, it is now proposed to ratify a convention or treaty with Argentina by which cattle from the foot-and-mouth disease infected area of Argentina will come into this country in addition to the trouble they have already had in

connection with increased imports and lowered prices. I was glad to see from the RECORD, on page 1019, where the gentleman from Colorado [Mr. LEWIS] asked the chairman of this great committee [Mr. DOUGHTON] if there was to be any relaxation of the present sanitary regulations, and the latter replied, "Oh, certainly not; certainly not."

I know something about the foot-and-mouth epidemic of a few years ago, which was directly traceable to infection from Argentina and which brought about the present regulations. The cattle industry owes Dr. John R. Mohler, of the Bureau of Animal Industry, a debt they can never pay for the splendid work he did in this connection. In the last foot-and-mouth epidemic 22 States were affected, resulting in the loss of 172,222 head of cattle of a value of $5,865,720. In my own State of Texas 8,473 cattle had to be slaughtered, which had an appraised value of more than $300,000. That treaty ought not to be ratified and our cattlemen subjected to the hazard of another epidemic and the importation of still more meat that will come into competition with our own products.

I am not a free-trader. I am not for a high protective tariff. I think the Hawley-Smoot Tariff Act did more to destroy our foreign trade and bring about our recent terrible depression than any legislation ever passed by this body. We must have a market for our surplus products. We must buy from the other fellow before he can buy from us. We must provide employment for our people before they can buy from our farmers and ranchers. The principle underlying these agreements is absolutely sound. There is no question about business being better, and the reciprocal-trade policy of this administration has contributed much to that end, and I give same my unqualified support. Our manufacturers, and especially those selling machinery, automobiles, refrigerators, radios, and so forth, have done a big business under this particular agreement. This helped our industries and put many men back to work. An examination of the schedules under the Canadian agreement will show that nearly every line of business except the livestock industry profited by it. On the whole, I think this agreement, like perhaps all of them, was a good thing for the country. Something of the kind had to be done if we were to recover our lost markets.

My complaint, if it may be called that, is that the cattlemen did not have the consideration to which they were entitled. In short, they were out-traded. There is no finer or fairer class of people in the Nation. They have endured much. They are big-hearted and generous, but I do not want to see them discriminated against in order to help some other industry. They are not out of the woods yet, although their prices are better than they were a few years ago. Many of them owe much money and there are many hazards and hardships connected with their business. They do not want the best of it—they just want an even break.

The cattle buying and killing program by the Government helped. The drought also assisted in keeping up the price. But I predict that when production in this country gets back to normal that you will see a great reduction in prices if the terms of the present Canadian agreement are retained and enforced.

So I have taken these few minutes to give you some official figures and also to indulge the hope that those of you from cattle districts will join with me in presenting the true picture to the President and State Department in order that any injustice may be corrected. I have no doubt of favorable action when the problem of the livestock industry is thoroughly studied and understood. [Applause.]

Mr. COOPER. Mr. Chairman, by direction of the chairman of the committee, I yield 5 minutes to the gentleman from New York [Mr. CURLEY].

Mr. CURLEY. Mr. Chairman, in my humble judgment, the Reciprocal Trade Agreement Act should be extended. Notwithstanding the fact it has only been in operation for 3 years it has proven itself a useful agency in our Nation's effort to bring about harmony, peace, and happiness into a tired, nerve-shattered world market through the substitution of common sense for unbridled and unwarranted criticism by our political enemies. Unless the Congress extends this constructive measure it will expire in June this year. It has only been in effect since June 12, 1934.

When our Republican critics complain and protest against the Reciprocal Trade Agreement Act extension, and demand to know why the administration did not repeal the Republican Hawley-Smoot tariff law instead, it should be remembered the scars and wounds inflicted by the Fordney-McCumber Act under the Harding Republican administration and again under the Hoover Hawley-Smoot Tariff Act after 12 long years in operation, required a delicate diplomatic manipulation of that thing known as reason and common sense by that real statesmanship employed by the head of our efficient Department of State.

ROOSEVELT TRUSTEE AMERICAN DESTINY

In the fall of 1932 twenty-two million American citizens placed their destinies in the hands of President Roosevelt. Last November twenty-seven million American citizens went to the polls and registered their unqualified approval of his humane administration. As a matter of record 46 out of 48 States in the Nation recognized him as one of our greatest American statesmen in history. Why? Because he recognized the fundamental principle that sovereignty still resides with all the people and not special privileged groups of them; and he proved to their complete satisfaction that he has restored our Government as the servant and not the master of the people. That I believe to be a fitting answer to the reactionary Republican opponents to this resolution who thrived under special privilege in previous Republican administrations and bartered and traded away the economic birthrights of the 48 States of the Union—the right to regulate and control unfair monopolies and big business in general. Out of the maze of unbridled criticism unleashed by these critics, and notwithstanding the stinging rebuke at the polls, they fail to see "the handwriting on the wall" and as a result have reached the vanishing point in the political life of our great American Nation. President Roosevelt has proved his case with concrete human records that are convincing. After 4 long months of intense debate of the vital questions at issue in the campaign last fall he marched triumphantly through every conceivable form of attack, in the worst mud-slinging spree ever known in the history of a campaign.

LET US LOOK AT THE RECORD

So long as our friendly enemies on the Republican side of the House are looking for the sordid facts of this dark history of the gloomy days of 1929 to 1933, let us "look at the record" as it is the custom to say by those seeking truth. And here it is. From 1929 to 1932 the total foreign trade of the United States dropped from $9,641,000,000 to $2,934,000,000. In 1929 the United States share in the world trade was 13.8 percent. In 1933 it declined to 9.9 percent. By passage and enforcement of the Republican Hawley-Smoot Tariff Act in 1930 the doors of friendly foreign markets were closed to American exports, because the foreign nations affected immediately placed heavy embargoes against American goods. There you have the story, and from the record.

HIGH PROTECTIVE TARIFF RUINOUS

So you see American foreign trade was destroyed by the vicious inhuman operation of the Republican Hawley-Smoot Tariff Act. The United States used to pay debts to her creditors when she was a debtor nation in goods in settlement of her obligations held in foreign countries. The amount this country paid to Europe in interest and services exceeded $500,000,000 a year, a large part of which was paid in farm products. We had a steady market for our products in foreign countries because we owed them money and when they were glad to take our goods in payment. But by the time the war was over we had paid our debts to the foreign nations, and instead of owing the world the world owed us.

REPUBLICAN FALLACY

So that now the shoe is on the other foot. Foreign countries owe us such a tremendous debt it is said to be an economic impossibility to pay us in cash. The only way that could be done was to repay us as we paid them years

ago in goods; the method we followed before the war. However, after war and since the Republican administrations made it difficult or impossible for our debtor nations to pay anything on accounts due to us, because they raised the tariff barriers higher and higher against them. The Fordney-McCumber Act lifted the rates under the Harding Republican administration and the Hawley-Smoot Act boosted them sky high during the Hoover Republican regime. These acts, which were contrary to all economic reason and common sense, were regarded by war-ravaged foreign countries, who were anxious and eager to rehabilitate themselves by the means of trade, as affronts. Secretary Wallace said:

That for a creditor nation to raise its tariff and thus destroy its export agriculture as this Nation began to do in 1922 was insanity.

These Republican tariff measures therefore actually meant that the United States, the great creditor nation, refused to accept payment of foreign debts in anything but cash. This was exactly like a village grocer to whom a farmer was indebted demanding payment in cash on account and declining to accept potatoes or eggs or butter. The farmer would naturally be incensed at the grocer; and so the foreign countries also were irritated and made angry by the United States in the attitude taken by the Republican administrations.

FOREIGN COUNTRIES RETALIATE

It followed as a natural sequence that the angry foreign debtor nations set up substantial policies in retaliation. As reprisals and in resentment against our Republican tariff policy, they raised their own tariffs. They did much more than that. They initiated systems of exchange controls, licenses, quotas, and even embargoes to such a wide extent as to completely strangle the world trade.

UNITED STATES TRADE SUFFERS

Inasmuch as the United States must have an outlet for its surplus consumption in the foreign markets, it suffered tremendous financial losses on account of the retaliatory foreign prohibitive tariffs brought on through Republican high protective tariff. The actual financial loss to our American Nation was two-thirds of its foreign trade, which, in terms of cash, meant the enormous sum of $6,000,000,000. Charge this to the Fordney-McCumber and Hawley-Smoot Tariff Acts.

PRESIDENT ROOSEVELT RESCUES THE NATION

In 1933, on March 4, President Roosevelt took his oath of office. In addition to a Republican national deficit in our Treasury of $3,068,000,000 placed in his lap, he quickly sensed the foreign situation. He went to work at it immediately. In his inaugural address President Roosevelt said:

I will make every possible effort to restore world trade by international economic readjustment and especially by a good-neighbor policy.

This meant a policy of fair dealing and the improvement of our political and economic relations with other countries.

RECIPROCAL TRADE AGREEMENTS ACT PASSED

President Roosevelt's Democratic administration went into action at once. Through his recommendation to Congress, that body passed the Trade Agreements Act of June 12, 1934. It authorized the President to modify existing rates of duty by not more than 50 percent. Because of this vested power to adjust rates to suit special conditions, it was made possible to make reciprocal concessions to foreign countries who, in turn, made reductions in their trade barriers.

THE PURPOSE OF TRADE AGREEMENTS

The purpose of the act was to expand the foreign markets for the exportation of the goods of the United States, at the same time removing obstruction to freer movement of world trade which benefited all countries. Fifteen trade agreements have been consummated. These treaties have started the restoration of our foreign markets. The immediate effect of the agreements negotiated under the authority of the act is the apparent stimulation of the foreign trade.

FOREIGN COMMERCE INCREASES

Under the Trade Agreements Act our Government is pursuing a course of cooperation and fair dealing by treating others as you expect them to treat you and improving the condition of all instead of seeking exclusive privileges at the expense of others. By making world trade healthy as a whole, individual nations permanently will prosper.

GOOD WILL FOR THE GOOD NEIGHBOR

The good will which was present at the negotiations of all the trade agreements and the willingness of foreign countries to join with our human efforts to promote the welfare of the world brought mutual advantage to each of the nations. In fact, our foreign commerce has increased from 27 percent of the 1923–25 average normal in March 1933 to 57 percent of normal in April 1936, or, in other words, from $2,934,000,000 in 1932 to $4,329,000,000 in 1935. In the final analysis all of these foregoing human factors prove that the Reciprocal Trade Agreements Act did a mighty swell job for the American people, and especially the large group of our unemployed, which benefited to a marked degree through the increase of employment of labor. This good-neighbor policy will help materially to keep our country and others out of war. We should extend the life of the act. [Applause.]

Mr. TREADWAY. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Chairman, I am in full sympathy with the position taken by the gentleman from Texas [Mr. THOMASON], but I cannot understand how the gentleman can bring himself to vote for a renewal of this iniquitous reciprocal trade law in view of the detrimental effect it has had upon the greatest industry in his district, cattle.

Trade agreements should be mutually beneficial, and I know of none that have been negotiated to date that meet that standard. I know of no treaty entered into that has even given us an even break.

OUR TARIFF RATES SHOULD NOT BE REDUCED BELOW DIFFERENCE IN AMERICAN AND FOREIGN PRODUCTION COSTS

The Republicans, whom the preceding speaker so severely castigated, take the position that all trade agreements should be based upon domestic production costs. How can we compete with Argentina and Canada in cattle? How can we compete with New Zealand in the production of butter, or with China on eggs? Over there the cattle are out on green grass 12 months of the year, while in this country we have to feed them 5, 6, or 7 months indoors. How can we compete with the low-priced labor of Asia and Russia and portions of South America?

I have yet to hear one who can justify, at least to my satisfaction, a commercial trade agreement that does not take into consideration the production costs in this country. We have got to come to this, Mr. Chairman, if we are to maintain American living standards and American wages.

FAVORABLE TRADE BALANCE DISAPPEARING UNDER ADMINISTRATION'S PROGRAM

Some of those who have spoken on behalf of a renewal of this law have sought to tell us how beneficial it is. As the gentleman from New York, the preceding speaker, said, let us look at the record. In 1934, when the act became effective, we had a favorable trade balance of $478,000,000. In 1935 this had shrunk to $235,000,000, and last year it was only $34,000,000. At this rate, 1937 is going to show millions and millions of dollars in the red. Do you call this good business?

I do not see how any man or woman on this floor can justify the continuance of the trade-agreement law as it is now being operated. Why not be practical? Why not negotiate trade agreements that deal with noncompetitive articles and articles of which we do not produce enough in our own country?

ADMINISTRATION IS GIVING AWAY THE AMERICAN MARKET

In negotiating the trade agreement with Brazil we very foolishly, as I think, agreed to freeze babassu nuts and babassu oil on the free list, and also agreed to reduce the tariff on manganese ore from 1 cent to one-half cent a pound, notwithstanding the fact that we buy nearly $100,000,000 worth from Brazil annually and they buy less than $50,000,000 worth from us; yet we made them these great concessions to the hurt of the American farmer.

I sometimes wonder just what the people down in the State Department can be thinking about when they nego-

tiate trade agreements that are rapidly giving the American market to the foreign producer.

The Republicans take the position that while they are in favor of reciprocal-trade agreements, such agreements should be based on the cost of production here in the United States, so that we may maintain American living standards and American wages; and we will go to the country on that issue. [Applause.]

How are our farmers going to be able to meet their obligations if they do not receive cost of production plus a fair profit? That is all that my amendment proposes, and I call upon all Representatives from agricultural districts to support my amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. TREADWAY. Mr. Chairman, I yield 10 minutes to the gentleman from North Dakota [Mr. LEMKE].

Mr. LEMKE. Mr. Chairman, in 1934 I opposed the bill giving to the President sole authority to enter into trade agreements with foreign nations because of apprehensions. I felt then that the so-called reciprocal-trade agreements bill was unconstitutional. The Constitution provides that the President—

> Shall have power, by and with the advice and consent of the Senate, to make treaties, providing two-thirds of the Senators present concur * * *.

The bill gave the President the right, by agreements with foreign nations, to reduce tariffs fifty percent. It attempts to take the power to advise and consent from the Senate and lodge the entire power with the President. I stated at that time on the floor that the result of passing the bill would be that our domestic agricultural markets would be traded or sold to foreign nations.

I now oppose the resolution extending for a period of 3 years the provisions of that bill and continuing the sole authority in the hands of the President—the power to reduce tariffs 50 percent—because my apprehensions have been confirmed. The domestic agricultural markets of this Nation have to a large extent been bartered away or sold to foreign nations.

The so-called reciprocal-trade agreements made under the provisions of this act would never have been entered into if the advice and consent of the Senators had been required. They have been entered into by the Secretary of State secretly and in star-chamber proceedings with foreign diplomats. No real opportunity to protest was afforded those who were opposed to trading away the American domestic markets to other nations in exchange for foreign importations.

A trade agreement is a treaty, and any attempt to deprive the Senate of the power to advise and consent to such an agreement is in violation of the plain English language of the Constitution. Even if we should attempt to ignore the plain mandate of the Constitution, I doubt the wisdom of this kind of legislation. I do not believe it will serve the best interest of the American people. After all, the 96 Senators, coming from 48 States, are in a better position to protect and safeguard the people of this entire Nation than is the President, who comes from one State—from a State whose industrial life largely depends upon and is devoted to trading in international merchandise and international finance.

The tariff in all of these agreements has been reduced at the expense of the American farmer and the American laborer. The American domestic market has been opened to the peasants, serfs, and peons of other lands. The products of the tropics have been substituted for those of our temperate zone. We were told that the people knew nothing about the tariff—that their chosen representatives in Congress would not act as wisely as the President and the Secretary of State.

Our experience now convinces us that the people knew how to better protect their domestic markets than the Secretary of State. We now know that Congress more truly reflects the sentiment of the people and more truly protects their interest, than does the executive branch of the Government.

The law, giving to the President the sole power of entering into reciprocal trade agremeents with foreign nations, was passed in 1934 largely because the American Manufacturers Export Association, financed by the Chase and City National Banks of New York and by the international manufacturers, such as General Motors, the International Harvester Co., and others, through a well-organized lobby and publicity machine, succeeded in misleading the majority in Congress. These international bankers and manufacturers are more interested in their own selfish gain than in the welfare of this Nation.

Under this policy our Department of Agriculture is still engaged in destroying and restricting American agricultural production in the midst of hunger, want, and rags. That Department still believes that we should sell our agricultural markets to foreign nations so as "to service the foreign debt." It still believes that there is overproduction, while every intelligent person knows that our problem is underconsumption and maldistribution—that in fact there is a scarcity. There never was overproduction, but there have been overimportations. The trouble is that we are getting altogether too internationally minded. We are suffering with an inferior foreign complex.

While our Department of Agriculture talks about overproduction and of servicing the foreign debt and curtailing our people from producing all the things we need, the Department of State has been busy selling the farmer and laborer in foreign market places. That Department is still seeking foreign concessions—still chasing the illusive rainbow, the will-o'-the-wisp of international trade. It is selling our domestic agricultural markets to foreign horse traders.

This is done by means of the so-called reciprocal-trade agreements. These agreements are largely suggested by the international bankers, who gambled and speculated in foreign debts and who now desire that the American people should pay their foreign investments indirectly. These agreements are also suggested by the international manufacturers, who wish to sell their manufactured products to foreign people at the expense of American agriculture and labor. So that under this policy we have one department of Government engaged in curtailing American production and the other one entering into trade agreements with other nations, trading our domestic markets for the benefit of a few international bankers and manufacturers, entering into agreements in which the best interests of this Nation and its people are entirely forgotten.

As a result of this un-American policy our country is now being flooded with foreign agricultural and manufactured products as never before in its history, products produced and manufactured in foreign countries, with the lowest possible standard of living. At present we have restricted the immigration of European races in order to protect our American standard of living. But now we import, under trade agreements and otherwise, hundreds of millions of dollars worth of manufactured articles from Asiatic nations, articles produced by human slavery and human misery. We exclude the Asiatic because of his low standard of living, and at the same time we permit the articles that his labor produces under unsanitary, brutal, and inhuman conditions to be sold in competition with articles manufactured by labor under the American standard of living. In fact, by importing these goods we invite, we import, the oriental, the lowest standard of living, for Americans.

We still have millions on Federal relief and millions more out of employment, and yet we import the very things that these men and women should be producing under an American standard of living—not under an Asiatic standard. Why prevent our own people, who are in want and misery, from producing and manufacturing these articles in order to enrich a few importers and international dealers? We submit that this is the work of madmen. It is the work of men who know not what they are doing and do not understand or know the foundation upon which the greatness of this Nation was built. It is the work of bureaucrats who lack vision and of incompetents. We challenge not only the fallacy of this policy but we challenge its continuation.

An examination of the reports of the Department of Commerce shows that in 1935 our imports in the first six groups of commodities, which include those of farm origin, were as follows:

General imports of merchandise by articles, 1935

Animals and animal products:	
Edible	$74,708,519
Inedible	151,127,431
Vegetable food products and beverages	566,440,855
Vegetable products, inedible (except fibers and wood)	282,121,473
Fibers and textiles	306,701,119
Wood and paper (we consider these agricultural products)	208,343,001
Total	1,589,442,398

For the sake of argument let us deduct the large items which we cannot produce at home to advantage—although rayon, an American product, could and should be substituted for silk. The more obvious ones are:

General imports, 1935

Silk, unmanufactured	$96,678,897
Silk, manufactures of	7,503,018
Bananas	28,034,426
Rubber and manufactures of	122,307,405
Spices of all kinds	10,554,886
Coffee, tea, and cocoa	180,992,684
Total	446,071,280
Add for good measure for miscellaneous products	20,000,000
Grand total	466,071,280

This still leaves the value of the net balance of imports of products of agricultural origin at $1,123,371,118. When we take the average of all cultivated farm lands we find that the farmers do not average more than $15 an acre for their products. It would require 74,891,408 acres additional cultivated lands to produce the $1,123,371,118 worth of farm products imported over and above products which we can, but which we do not now produce.

These products, such as coffee, tea, cocoa, bananas, rubber, silk, and miscellaneous products up to $20,000,000, we are willing to give to the Secretary of State as trading stock in entering into trade agreements with foreign diplomats. But we do strenuously object to short-changing the farmers of this Nation by importing $1,123,371,118, through trade agreements or otherwise, of products that they have, can, and ought to continue to produce. We believe that our domestic markets belong to our people as long as they are capable of producing commodities with which to supply them.

Among the important agricultural products which we imported in 1935 we find 364,623 head of cattle and about 34,000 head of hogs. We also imported 115,159,124 pounds of meat and meat products and 18,895,241 pounds of edible animal oils and fats. All these should have been produced by the American farmer and he should have received the money that we paid to foreigners. In addition we imported 324,700,032 pounds of fish to compete with the farmers' meat products and with the fish produced by our own countrymen.

Next we come to dairy products, of which we imported $17,870,036 worth, consisting of 22,674,642 pounds of butter and 48,932,643 pounds of cheese, together with milk, eggs, and poultry. Not satisfied with that, we imported 303,475,633 pounds of raw hides and skins, valued at $45,576,877, and in addition we imported $8,168,049 worth of leather, practically all of which our own farmers could have and should have produced.

Then we imported in 1935, 43,242,246 bushels of corn, 10,106,903 bushels of oats and large amounts of barley, buckwheat, rye, rice, and wheat, amounting in all to $73,313,894. In addition we imported hay and other livestock feed from foreign countries, while all the time our Department of Agriculture was talking and dreaming of overproduction, destroying farm commodities, and prohibiting the farmers from producing the very things that we were importing. This is internationalism and national stupidity gone on a rampage.

Coming now to 1936 we find, from an examination of the reports of the Department of Commerce, that our imports in the first six groups of commodities, which include those of farm origin, were as follows:

General imports of merchandise, by articles, 1936

Animals and animal products, edible	$89,086,713
Animals and animal products, inedible	190,793,117
Vegetable food products and beverages	$643,249,311
Vegetable products, inedible (except fibers and wood)	337,701,507
Fibers and textiles	386,894,993
Wood and paper (we consider these agricultural products)	249,354,476
Total	1,897,080,107

Again, for the sake of argument, let us deduct the large items which we cannot produce at home to advantage—although rayon and other American products could, and should, be substituted for silk. The more obvious ones are:

General imports, 1936

Silk, unmanufactured	$104,163,491
Silk, manufactures of	8,520,763
Bananas	58,302,375
Rubber, and manufactures of	163,024,918
Spices of all kinds	12,526,555
Coffee, tea, and cocoa	183,338,552
Total	531,876,954
Again add for good measure, for miscellaneous products	20,000,000
Grand total	551,876,954

This leaves $1,345,203,143 worth of commodities that we imported that our own farmers ought to have produced in 1936. Again, when we take the $15 an acre, the average that the farmers receive for their products throughout the Nation, we find that in 1936 it would have required 89,680,210 acres of additional cultivated lands to have produced the things that we imported. Yet, at the same time, the farmers are told to permit their land to lie idle and pay taxes on it, so that we can import these products from foreign nations that already owe us $26,000,000,000 and refuse to pay.

Among the importations for 1936 we find 399,113 head of cattle. Assuming that the average hog weighs 100 pounds, we find 174,464 head of hogs, 29,808 turkeys, and, in addition, 152,458,645 pounds of meat and meat products, of which amount 86,919,668 pounds is mostly canned beef. We also find 26,087,850 pounds of ham and bacon and 371,205,567 pounds of foreign fish. All of these meat products and fish compete directly with the American farmer and stockman. All of these meat products should have been produced by our own farmers and the fish should have been caught by our own fishermen.

May I call your attention to the fact that you cannot go into any store in the United States and find a single can of corned beef that was manufactured and packed in this country, unless it is some of the meat canned from the cattle in drought-stricken areas for people on relief.

Look under the key, and you will find, "Inspected by the Argentine Department of Agriculture." If you do not find these words there, then turn it upside down, and you will find, "Paraguay" or "Uruguay" on the bottom of the can. What part of the United States is Paraguay, Uruguay, or the Argentine? The beef packed into these cans is bought at less than 1 cent a pound in Paraguay, Uruguay, and the Argentine. The reason that it can be bought so cheaply is because peon labor can be had to take care of the cattle for as low as 25 cents a week. This meat is then brought into the United States and sold in competition with that produced by the American farmer and the American laborer.

This is not all; in addition we imported $16,102,954 worth of dairy products, consisting of milk, butter, and cheese, and then, to compete with the farmer's wife, we imported $3,298,597 worth of poultry products.

These importations of agricultural products are made possible, not only under the so-called reciprocal-trade agreements but are aided by another bill passed at the same time that the bill here under consideration was passed. It is a bill creating free zones in our country at important ports of entry where the foreign nations can store their agricultural and manufactured products within our borders for one year without paying any duty and thus putting our foreign competitors in a position to flood our markets with their products at the opportune moment. That is, we permit the American farmer to feed our Nation when the prices are too low for foreigners, but when the prices rise they can dump on the market the goods which they have stored in the warehouses in the free zones.

Again, during 1936 we imported 310,483,593 pounds of hides and skins valued at $54,770,201. We imported $17,437,808 worth of leather and leather products, animal oils, and fats to the extent of $9,540,670, the large part of which was tallow. Why were not our own farmers and laboring people permitted to produce these articles for us? Let those who sponsor these reciprocal-trade agreements and free zones answer.

In 1936 we again imported grain and grain products to the extent of $84,468,003, hay and feed to the extent of $12,255,292, vegetables valued at $20,122,776, oil seeds to the extent of $37,629,964, of which 15,365,020 bushels was flax. Then we imported vegetable oils to the extent of $67,580,677 and tobacco to the extent of $32,925,271. What is the matter with our own tobacco growers? Are they not able to produce enough tobacco for home consumption?

Among other important articles that we imported in 1936 we find $81,607,695 worth of fur and fur manufactures, 59,848,896 pounds of cheese, 52,980,016 bushels of wheat, 31,770,923 bushels of corn, 8,143,632 bushels of barley, 301,767,154 pounds of barley malt, and 59,987,760 pounds of canned tomatoes.

Then we come to cotton and cotton manufactures, and find we imported $60,620,335 worth and, in addition, we imported $61,781,114 worth of wool and mohair and manufactures.

Now, let us take up wood manufactures and sawmill products, and we find that we imported in 1936, $34,968,097 worth, and paper stock and pulpwood to the extent of $218,513,856 worth. Why was not this woodstock and wood pulp furnished and manufactured by our own people? Last, but not least, we find that in 1935 we imported $147,087,763 worth of sugar, and in 1936 we imported $110,540,356 worth, and at the same time we have the Department of Agriculture restricting the production of beet sugar and cane sugar.

The fruit farmers are in the same predicament. We imported, in 1936, $41,333,240 worth of fruit and fruit preparations, all of which could have and should have been produced in our own orchards.

To make the picture complete, in 1936 we imported $77,549,099 worth of foreign liquor. While I do not use the stuff at all and I would advise my friends to refrain from using it, if they must use it then I would advise American booze. It will give you just as good a headache as any foreign booze ever did or ever will. I especially recommend the American brand to the Department of Agriculture and the Department of State.

The statement has been made on this floor that our foreign imports are but a small part of our total commerce. That is true, but that statement is incorrect and misleading when applied to agricultural products. As I have stated heretofore, under these trade agreements our domestic agricultural market is being sold in foreign market places in order to favor the international bankers and manufacturers. In other words, the American farmer is being short-changed and sold in foreign market places to favor the privileged few—the Chase and City National Banks, the Ford and General Motors companies, and other international manufacturers and bankers.

According to the World Almanac of 1937, page 353, the gross cash income from all the farms in the United States in 1934 was $6,227,000,000 and the net income was $3,467,000,000. In 1935 the gross cash income was $7,201,000,000 and the net cash income was $4,538,000,000, and yet we imported in 1935, $1,123,371,118 and in 1936, $1,345,203,143 worth of agricultural products that our farmers could have and should have produced.

The value of these commodities is the foreign value. The value in our own country is at least one-fourth more. From this we can see that the value of the agricultural products imported into this country, which should have been produced by our own farmers, amounts to more than one-fifth of the entire farm income and amounts to about one-sixth of the cash gross income.

Thus we see that if our own farmers had produced these commodities, as they should have, and the proceeds of them had been equally distributed among the over 1,000,000 farm families of our Nation, then each family would have received at least $1,600 more during 1936. Compare that with the allotment checks they received before the triple A was held unconstitutional and then you will realize how our farmers have been sold in foreign market places.

It is self-evident that we cannot borrow or tax ourselves out of the depression, nor can we buy ourselves into prosperity by buying agricultural and manufactured products from other nations which our own people ought to and can produce. Everyone knows that we cannot satisfy hunger, want, and poverty by scarcity. We cannot restrict or destroy ourselves into recovery.

Neither can we gain anything by selling goods produced or manufactured by our own people on credit to bankrupt nations that already owe us $26,000,000,000, and that have refused and have no intention of ever paying. Such a stupid policy will not bring recovery, but will bring devastation and destruction.

A farmer who is capable of producing all he needs but who persists in destroying and restricting his production to part of his needs, and then sells on credit what he produces to a bankrupt neighbor and buys for cash what he needs from that same neighbor will ultimately himself become a bankrupt. A manufacturer that has all the material and equipment to supply his own wants, but who buys part of the things that he is equipped to and ought to manufacture himself, and then sells his own products on credit to a bankrupt concern will in turn become a bankrupt.

Likewise a nation that destroys and restricts production so that it may buy from foreign and bankrupt nations, and then insists on selling its own products to those same nations on credit will in the end become a bankrupt. In other words, a nation that insists upon buying products which its own people can and should produce and then sells its own labor and natural resources on credit to other nations who already owe more than they are able to pay cannot long succeed. Neither can it maintain a high standard of living when it forces its people to compete with the low standard of orientals.

I repeat, the American farmer, manufacturer, and laborer cannot compete with the serf, peon, or oriental laborer of foreign countries that is satisfied with a bowl of rice, and who manages to get by without shoes, covers his body with about 50 cents worth of rags, and lives under the most insanitary conditions. We maintain that our American standard requires us to eat, drink, wear, and buy American products—America for Americans.

In this I accept the example and advice of George Washington, who at his inaugural address wore homespun, and who in his Farewell Address advised us to avoid foreign entanglements.

This $2,468,574,261 which we paid to foreign farmers and producers in place of our own spent at home and used as a revolving fund would give many billions of dollars of purchasing power. That purchasing power would have resulted in a larger demand for manufactured articles. Why should we give this purchasing power to foreign nations in order to satisfy the greed and grasping instinct of a few individuals? The fallacy of such a policy is so self-evident that we are sure the American people will not tolerate it once they know the facts.

It is time that we realized that money spent in America continues to be spent in America, and that money spent in foreign nations will continue to be spent in foreign nations. Our Federal Reserve Banking System and our Treasury Department by giving credit to foreign nations are in fact financing foreign competitors to sell their products in this country. But this same Federal Reserve Banking System and this same Treasury Department have consistently refused to do for our people that which they are doing for foreigners. They have failed to finance agriculture and industry.

Let international trade take care of itself. It has meant nothing but humiliation and loss to us in the past. It has and may again mean war, Secretary of State Hull's hallucination to the contrary notwithstanding. War, not peace, has been the result of international trade and trade agreements. Let the Secretary of State try to collect the

$26,000,000,000 that foreign nations owe us and he will have a war on his hands.

We have no objection to that part of the international trade that is the natural result of our civilization and of our intercourse among nations, that which comes to us naturally and necessarily. But why buy products produced in foreign nations that we can produce ourselves? Why make a laughing stock of ourselves and trade away our domestic markets so that a few international manufacturers may sell a few more automobiles, machinery, and electrical equipment in foreign nations on credit—all at the ultimate expense of this Nation. Our international trade has not added to the benefit or wealth of our people. In fact, it has sapped our resources to the tune of $26,000,000,000.

The United States, because of its great natural wealth and unlimited resources of raw material, has become self-sufficient and is able to develop economic freedom for all. It can, and must, abolish poverty, not by mingling it with the poverty of other nations but by an ever increasing and higher standard of living, not of the few but of the many. This Nation need no longer concern itself with international shopkeeping. It will, of course, trade with its friends, for friendship's sake, as far as essential and necessary for their mutual well-being, but it will not drive bargains or sell part of its people in foreign market places.

Mr. WOOD. Mr. Chairman, will the gentleman yield?

Mr. LEMKE. Yes.

Mr. WOOD. How does the amount of beef and cattle and tobacco imported into this country in 1934, 1935, and 1936 compare with the amount imported prior to 1932?

Mr. LEMKE. I would say that it is about three or four times as large. I have looked it up, but I have not the exact figures, but I can get them for the gentleman.

Mr. WOOD. How does the price of beef or the price of livestock and tobacco upon the open markets now compare with the price received in 1932?

Mr. LEMKE. Let us go back to 1928, if we want to make a fair comparison, or let us make a comparison between 1934 and 1932.

In 1932 at Yankton, S. Dak., I could have bought a 12-pound goose for 48 cents, and I could make other similar comparisons. Of course, we can pay these foreigners high prices if we restrict and destroy our own products, but I want the American laborer and the farmer to get those high prices, and not foreigners.

Mr. WOOD. The gentleman said that he could buy a goose for 48 cents.

Mr. LEMKE. Yes; in December 1934.

Mr. WOOD. What could you buy that goose for in 1931 and 1932?

Mr. LEMKE. About the same price.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. LEMKE. Yes.

Mr. KNUTSON. The gentleman who was interrogating the speaker overlooks the fact that we have had two droughts, one in 1934 and another in 1936, which have absolutely done away with all kinds of surpluses, and created an artificial price all along the line.

Mr. LEMKE. Yes, and further, we assassinated millions of pigs, and imported 174,000 in 1936, that the American farmers could and should have produced.

Mr. KITCHENS. Mr. Chairman, will the gentleman yield?

Mr. LEMKE. Yes.

Mr. KITCHENS. Did we export or have we been exporting any meat to friendly trade countries in the last 3 or 4 years?

Mr. LEMKE. We always have exported some, but not so much in the last 3 or 4 years.

Mr. KITCHENS. Have we exported any beef cattle?

Mr. LEMKE. Only for breeding purposes, as far as I know. Last year when the drought was on, when the Department of Agriculture advised farmers in the drought-stricken districts to sell their cattle, and when those cattle were shipped into South St. Paul in trainload lots, they came into competition with trainload lots of cattle from Canada. Then the Department of Agriculture used the taxpayers' money to buy cattle on South St. Paul and other key markets in the United States to keep the price up. Between August 5, 1936, and September 28, 1936, the Secretary of Agriculture, under the provisions made in section 32 of Public, No. 320 of the Seventy-fourth Congress, purchased 3,663 head of cattle at the cost of $107,000. I have no objection to the Department of Agriculture keeping the price up, but I want the Secretary to keep the price up by buying American cattle and not Canadian cattle shipped in under trade agreements.

Mr. COLDEN. Mr. Chairman, will the gentleman yield?

Mr. LEMKE. Yes.

Mr. COLDEN. Is not the gentleman overlooking the corresponding value to the import value, and its help not only to agriculture but to industry?

Mr. LEMKE. I am not.

Mr. COLDEN. Particularly the fruits and products of California.

Mr. LEMKE. I am not, and I shall give the gentleman the figures. In 1936 we imported agricultural products, and that includes about $18,000,000 worth of nuts in competition with California nuts. I had though we had all the nuts in Washington, but I find I was mistaken.

Mr. SOUTH. Mr. Chairman, will the gentleman yield?

Mr. LEMKE. Yes.

Mr. SOUTH. Can the gentleman tell us about how many cattle were involved in the Canadian agreement?

Mr. LEMKE. I cannot tell the exact figures, because the hearings are not public when these treaties are entered into, but the total amount of cattle that we imported in 1936 is 399,113.

Mr. SOUTH. Under the terms of the Canadian agreement we were to import at a reduction of 1 cent per pound 155,000 cattle, weighing above 700 pounds, and approximately 51,000 calves under 175 pounds. Does the gentleman know that in 1935, before we had any such agreement, there was imported into this country from Mexico and Canada 364,000 head of cattle, or 50 percent more than involved in the entire Canadian agreement?

Mr. LEMKE. That may all be true, but those importations have been made possible because we have permitted them to come in under the trade agreements and otherwise under this administration, and if we would give the farmer the cost of production and put an embargo on our foreign imports until that price was reached, we would get somewhere instead of preparing warehouses in which to store foreign commodities for foreigners to compete with our own producers.

Mr. SOUTH. But they did come in in 1935 when we did not have that agreement.

The CHAIRMAN. The time of the gentleman from North Dakota [Mr. LEMKE] has expired.

Mr. TREADWAY. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. O'CONNOR of Montana. Mr. Chairman, will the gentleman yield?

Mr. LEMKE. I yield.

Mr. O'CONNOR of Montana. Referring to the question just asked by the gentleman from Texas, is it not a fact that in 1935 the limit that was imported into the United States from Canada was 159,993 head of cattle?

Mr. LEMKE. That is correct.

Mr. O'CONNOR of Montana. And is it not a fact that under the quota system in 11 months of 1936 there were imported into this country 134,940 head of cattle?

Mr. LEMKE. That is a fact.

Mr. O'CONNOR of Montana. Is it not a fact, further, that 70 percent of the importations of Canadian cattle came into the St. Paul markets and the northwestern markets during the months of March, April, May, and June, to the almost utter destruction of the northwestern markets for the northwestern cattle producers of the United States?

Mr. LEMKE. That is correct. The Department of Agriculture had to step in and buy Canadian cattle to keep the price up.

We imported foreign goods in one year to the amount of approximately $2,500,000,000. This vast and incomprehensible sum, if it were equally distributed among the 125,000,000 people of this Nation, would mean $20 for every man, woman, and child. If this sum, which is paid to foreigners in one year, were distributed and used as a revolving fund, it would pay off many billions of the $300,000,000,000 public and private debt of this Nation.

Mr. O'CONNOR of Montana. Let the RECORD show the figures I am quoting are taken from the United States Tariff Commission in Washington.

Mr. LEMKE. The figures I have quoted are taken from reports of the Commerce Department and are undoubtedly correct. [Applause.]

The CHAIRMAN. The time of the gentleman from North Dakota has again expired.

Mr. TREADWAY. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. CROWTHER].

Mr. CROWTHER. Mr. Chairman, I had hoped to listen to some of the concluding arguments in favor of the bill, but I understand the gentleman from Kentucky [Mr. VINSON] is to have the closing argument, so I shall only be an interested listener, with no opportunity to offer suggestions or criticisms.

Let me say, however, in passing that I feel the gentleman from Kentucky is eminently qualified. He is the ablest prosecutor on our committee. Even when he is sometimes slightly baffled he never retires in confusion. He always make a very graceful exit. [Laughter.] I presume he will do so today in closing the debate on this legislation.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. CROWTHER. I yield.

Mr. McCORMACK. The gentleman is entitled to his own opinion, but he did use the word "persecutor."

Mr. CROWTHER. I shall be glad to withdraw that. [Laughter.]

Mr. McCORMACK. I was sure the gentleman would.

Mr. CROWTHER. Although some of the witnesses before the committee on various occasions have evidently come to the conclusion that they were being persecuted rather than interrogated.

Mr. McCORMACK. But "persecution" involves intent.

Mr. CROWTHER. I accept the gentleman's suggestion, because the gentleman from Kentucky [Mr. VINSON] is a friend of mine, and I would not reflect upon him in any way. I have a great deal of admiration for his ability; also the gentleman from Massachusetts, who comes as near offending along the line of prosecution as his colleague. Some of the Members of this House sitting in committee sessions can never forget they were prosecuting attorneys at some time or other. [Laughter and applause.] Witnesses realize that many times. It may be that we have a few witnesses who require that sort of treatment, but I am not willing to admit it.

However, as I have stated, reciprocity is not a new subject from a Republican point of view. I mean by that, real reciprocity. We had a reciprocity act back in 1911. In a minority report that was submitted by John Dalzell, of Pennsylvania, a distinguished supporter of the policy of protective tar..f at that time, there was outlined three outstanding policies or principles regarding reciprocity from the Republican point of view.

First. "That products admitted to the United States must not compete with those produced by us." That, of course, is of the utmost importance.

Second. "The countries traded with must be such as would take our surplus of manufactures and of farm produce."

Third. "The concessions obtained by us must be fully equivalent in the volume of trade thereby gained to those made by countries with which the arrangements were entered into."

That, to my mind, expresses the Republican point of view as regards reciprocity. Of course, at that time there was not involved the question of the most-favored-nation clause that is involved under the present reciprocal trade agreement policy, which, by the way, in passing, I think is most unfair and unjustified, in view of the fact that many of the countries obtaining concessions are still discriminating against the Government of the United States.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. CROWTHER. I will be glad to yield.

Mr. BUCK. In the interest of accuracy, would the gentleman mind stating what nations who have received concessions, are still discriminating against the United States?

Mr. CROWTHER. We endeavored in the hearings to find that out, and the only answer we could get was from Assistant Secretary of State Sayre, that a great number of nations were still discriminating against the United States.

Mr. BUCK. But not on the rates. If the gentleman from New York will recall that statement, he will remember that it concerns only matters of quotas and various other conditions that were not involved in the reciprocal trade agreement programs.

Mr. CROWTHER. I appreciate the gentleman's viewpoint. I shall quote just a few lines from the statement of Dr. Sayre:

> I think our foreign trade is still crippled by innumerable trade barriers and discriminatory practices all over the world.

Mr. BUCK. Those, however, are not customs duties; and insofar as we have been entering into agreements with countries like France, we have been able to remove those.

Mr. CROWTHER. What is the difference between customs duties, quotas, agreements, and licensing provisions if they are all defined as trade barriers? What is the difference?

Mr. BUCK. There are only two countries in the world today that are actually discriminating against the United States—Germany and Australia.

Mr. CROWTHER. With all due deference to my colleague from California, I prefer to accept the statement of the Assistant Secretary of State, Dr. Sayre, who says they are innumerable. I know, of course, that the gentleman is very ardently espousing these reciprocal-trade agreements.

At the hearings the tariff commissioner, Mr. O'Brien, commented on the fact that there were so few Republicans on the Ways and Means Committee, and I told him that the real reason was because some people in this country, at the last election, sneered at the Constitution, disregarded discussion of governmental fundamentals, and decided to be for bigger and better Santa Clauses in the United States. The gentleman from California admitted that the California Santa Claus was this reciprocal-trade agreement they had, and that in payment therefor they had helped to deplete the Republican ranks. It was because they had their Santa Claus.

Mr. FORD of California. Mr. Chairman, will the gentleman yield?

Mr. CROWTHER. No; I have only a limited amount of time.

We do not object, as I say, to real reciprocity; but we do not have real reciprocity under the present regime.

Then, again, the principal thing with which we differ is the modus operandi, the way they control the performance down here. I asked the Secretary of State if he did not think it was rather unusual. They have dubbed it a star-chamber proceeding, and perhaps that is the best description we could give. It is certainly true that the organization that listens to the appeal of the domestic manufacturers is not the group that finally enters into the trade treaties with the foreign representatives. I said to the Secretary of State that we had a great deal of publicity under the old method.

I have seen the Ways and Means Committee room crowded with a thousand people, people standing in rows around the room, and every chair occupied while the witnesses were giving their evidence. Twenty reporters were giving to the public through the newspapers every day every item that was under consideration, and the arguments pro and con. The most pitiless publicity was given to the description of the tariff bill and the preparation of it during the hearings. Then Mr. Hull, the present Secretary of State, said to me: Oh, yes; but then you went into executive session and nobody knew what you were doing."

That is true. That is the only way we could transact business; but when the Democrats passed the Underwood-Simmons bill they caucused in this Chamber for 5 or 6 days, considered every paragraph, and entered into an agreement not to allow an amendment to be made on the floor of the House. You will find that President Wilson came to this Chamber to consult with the leaders, came down to the Capitol to consult them, and did consult with them at that time. I printed the whole story in the CONGRESSIONAL RECORD 2 years ago. I have no doubt the gentleman from Texas [Mr. JONES] remembers something about it. He smiles a little. I think his memory carries him back to those days. He has been here for a long time but he has not yet reached the age of senility, 70. I rather hesitate to say anything today because I am rapidly approaching threescore years and ten, at which age men are now classed as in the sere and yellow leaf and no longer may have an opinion or express one.

And then in 1921 we had an emergency tariff bill to tide us over for the benefit of agriculture. My friend the gentleman from Texas [Mr. JONES] is an ardent exponent of protection for agriculture and has been for a long period of years, and he well remembers that bill. From 1931 on the Democratic administration promised they would repeal the Smoot-Hawley bill. You attacked it with vituperation and sarcasm, but you did not have the guts to repeal or revise it. Henry Rainey stood on that floor and said: "What, repeal this bill! Our country would be flooded with cheap merchandise made by pauper labor in foreign countries and it would ruin us." He said that before he was Speaker of the House.

No; you did it by this method suggested by John Sharp Williams, many years ago, when he was Senator-elect from Mississippi but had not yet taken his seat. A few months before that he wrote an article on the tariff for one of the leading magazines, and this is what he said:

> There is also tariff reduction by piecemeal, which is the handmaiden of the other system. This is tariff revision by reciprocal-trade agreements with other nations. Much can be done along this line by this piecemeal method of tariff reduction under a Democratic, or approximately a Democratic, law.

Somebody must have found that by digging into the records of that period.

"We shall not have to repeal the Hawley-Smoot bill", said the Democrats; "we will whittle it away a little at a time with trade agreements"; and that is what you are doing today. We have 15 at the present time. By the time we have 20 or more in effect, the whole list of dutiable commodities will be involved, and there will be what Mr. Hull and the Democrats desire—a horizontal reduction in all the rates in the whole 15 schedules involved in the tariff law.

To credit trade agreements with a gain in foreign trade during the last few years, having reference to volume and dollar value, is materially and manifestly unfair. Not one iota of credit is given to improved world conditions any more than credit was given to the fact that when our depression occurred our foreign trade as a whole fell away, and the real reason was that the rest of the world had no more money to buy from us than we had to buy from them. Strange to say, during this period of 3 or 4 years the falling off was not in dutiable goods, but in goods that came into this country on the free list.

I would say that improved conditions have been continuously ignored by the proponents of this measure. No one knows, and we have no yardstick by which we can determine, what the measure of improvement would have been if we had not had these hypodermic injections of taxpayers' money, much of it unwisely spent through the alphabetical policies. No one can determine. There is nothing to measure it by. But, in my humble opinion, there would have been a very remarkable degree of improvement in this country under ordinary conditions, even if the Reciprocal Trade Treaty Act had not been in force.

After all, there is no certainty that foreign nations will trade with us. Business is cold-blooded. Nations buy wherever they can buy the cheapest and to the best advantage. The same is true with individuals. Businessmen deal with a house they may not like at all. They may not like its actions, or they may not like the owner or his policies, but it is of material advantage for them to trade with that particular house. No promise to buy from us is binding.

I asked Mr. Sayre this question:

> It seems to me that there is a thread running through of rather unjustifiable criticism of the Hawley-Smoot bill. For instance, nothing was said about the world depression that occurred following the 1929 crash. Is it not fair to say that the drop in foreign trade was in a very large measure due to the decreased purchasing power of the world? Is it fair to lay that all at the door of the Hawley-Smoot Act?

Mr. Sayre answered as follows:

> I think that is a fair question, sir. I will agree that the Hawley-Smoot bill is not the explanation of all the evils of the world. It is one factor, however, and I think it was a powerful factor, in intensifying the depression.

He stated further:

> But just at that juncture, when you had that depression, then you jumped into that very unfortunate situation by passing the Hawley-Smoot tariff, and I think you made a bad situation infinitely worse.

Mr. Sayre said later:

> I think the explanation lies in this fact: As a result of that depression, which I think was accentuated importantly by the Hawley-Smoot tariff, other countries began employing economic devices, such as exchange control, import licenses, and other measures which strangled trade. As a result of that trade strangulation you had a cutting off of foreign exchange. I think it was largely because of the foreign countries' inability to pay for the goods which they would like to have bought that foreign trade still further sank to that terribly low level.

I stated in answer:

> I think we are really victims of a condition that developed following the depression and the general world condition.

And Dr. Sayre stated that, in his opinion, the World War and its aftermath was really the responsible element connected with the depression that developed at that time.

Mr. Chairman, very soon the people of this country are going to wake up. They are being soothed at the present time. This has been the greatest administration in the history of the country to administer to the great body politic large and frequent doses of soothing sirup. That is what the people are getting in connection with these trade agreements now. You have endeavored to soothe them in every way, shape, and form, but they are going to find out in a very short time just where this policy is leading us. I should like to know how we can expect industry to absorb the unemployment of this country when you are constantly cracking down on industry, when you are constantly hamstringing industry, taxing their undistributed earnings, and making it more difficult for them to expand their markets and expand their industrial production here in the United States. Even frequent "breathing spells" will not permit them to survive such treatment.

Now, let me say something with reference to the peace situation. I am not so sure that entering into reciprocal-trade agreements will absolutely insure against our going to war with foreign countries. A great deal has been said about the necessity for the development of the good will of the people of the world. I asked the Secretary of State a rather pointed question about that. I asked him if in the recent trip to South America there had been in a sense a swap or a trade, giving them a trade advantage by trade treaties for peace treaties or declarations for the continuance of peace. He did not answer my question directly but entered into a lengthy dissertation with reference to the state of mind of the people of that country and those who were in attendance at that conference.

Mr. Chairman, I like the Secretary of State; he is a distinguished member of the Cabinet; but on the policy of protective tariff we are as far apart as the poles. For 10 years I sat across the table from him as a member of the Ways and Means Committee away back in the days when the emergency tariff bill was passed, and we quarreled across the table over these tariff policies. I also remember the period

when we had the Fordney-McCumber bill up for consideration. I was a Member of the House at that time, and I have heard nearly every viewpoint expressed not only on this side of the House but on the Democratic side of the House. I helped to write the Hawley-Smoot bill of 1929 that was passed in 1930. I do not know how many, and I do not make it as a charge, but Member after Member on the Democratic side of the House came to me seeking protection for the commodities that were manufactured or raised in their respective States.

Mr. CONNERY. Will the gentleman yield?

Mr. CROWTHER. I yield to the gentleman from Massachusetts.

Mr. CONNERY. I remember well that in 1929 the gentleman from New York cooperated with me in reference to a tariff on shoes. At that time Czechoslovakia was sending 6,000,000 pair of shoes into the port of New York. If we had not put that tariff of 30 percent on shoes the shoe industry of this country would have been wiped out.

Mr. CROWTHER. The gentleman is correct, and I thank him for his contribution. He is one of the few Members on the Democratic side who, after espousing the cause, had the courage to vote for the bill. [Applause.]

I see my friend the gentleman from Arkansas [Mr. FULLER] smiling. He appeared before the committee on behalf of a duty on canned tomatoes, and sent his speeches throughout his district to illustrate to his people the effort he had made in their behalf, but when the roll was called he was recorded on the other side of the fence.

Mr. JOHNSON of Texas rose.

Mr. CROWTHER. I should like to yield to the gentleman from Texas. You had one of the greatest exponents of the protective-tariff system here for a long time, Claud Hudspeth, a sterling character. He was not afraid to go down there in the Well and explain to you boys the error of your ways. [Applause.]

[Here the gavel fell.]

Mr. TREADWAY. I yield the gentleman from New York 5 additional minutes.

Mr. CROWTHER. I yield to the gentleman.

Mr. JOHNSON of Texas. I was simply going to call the gentleman's attention to the fact that he made, I think, the best speech in favor of the Hawley-Smoot bill. The gentleman made the closing argument and predicted that the sunshine of prosperity was about to burst upon us through the passage of that bill.

Mr. CROWTHER. That is right; and there have been a number of prophecies made since then, none of which have been fulfilled. It is dangerous to prophesy. [Laughter.] It is dangerous to attempt to be a prophet in Congress; and, furthermore, I think there ought to be a law or a rule of the House providing that you cannot quote the RECORD on another Member of the House except within 30 days after he has made a speech. [Laughter and applause.]

But seriously, gentlemen, this is a matter of vital importance to the country. I realize the absolute futility of myself or anybody else here saying a word against this bill. Some Democrats have spoken against it and that may help, although it has not helped in the past on final passage.

I recall when we had the emergency-tariff bill on the floor when I first came to Congress under my first President, Woodrow Wilson, and the best speech I ever heard in my life in behalf of protection for agriculture and for the cattlemen was made by the now Vice President of the United States, "Jack" Garner, standing down there at that desk. That speech to most of us is merely a pleasant memory. It was not a pleasant memory to a good many Democrats, but they were relieved of embarrassment because it never saw daylight and was never printed in the RECORD. The illustrious Republican Member and the lone Republican Member from that State, Henry Wurzbach, stood in the Well of the House and offered to post a check of considerable size for the benefit of any named Washington charity if Mr. Garner would publish that speech in the RECORD, but it was never published.

Now, with respect to this peace business, I am not so sure about that. This article I am going to quote from is in line with something that the gentleman from Texas [Mr. THOMASON] said a few moments ago:

> Take automobiles, for instance. Argentina alone bought nearly 30,000 American cars last year, and could buy many more if customs duties were not as high as they are. But the Argentines want to sell their beef here and they cannot do it because of sanitary restrictions they think unjustified. Mr. Hull seems to favor the idea of a two-way let-down of official barriers to reciprocal trade.
>
> However, the American Live Stock Association, assembled at El Paso recently, warmly disapproves. "South America is the only fly in the cowman's ointment", said the association's president. "This Argentine business is Secretary Hull's idea to promote peace and world markets. He is a high-class gentleman, but he is making a mistake."
>
> Obviously political unrest and the realization that fireworks may start when least expected do not help trade. Without trade, there can be no prosperity to speak of. And prosperity, in the words of Mr. Hull, is not different from peace.
>
> So, if the achievements of the pan-American conference for the consolidation of peace are carefully strained, the only things that now remain are the brilliant oratory and the written and verbal pacts, which make neither peace nor war any more remote than they were in the first place.

This expresses very clearly my idea as to the fallacious contention that trade agreements will insure our friendly relations with the world and throttle the activities of the war god.

It is regrettable that the minority was not given adequate support at the hearings by representatives of American industry and agriculture. Organized labor should have presented a united front for the protection of American industries. The dearth of witnesses appearing against the extension of the trade agreements leads me to one of two conclusions; either our industrialists are satisfied with the present program or else they were afraid of reprisals in case they were involved in future agreements. It is my own opinion that the latter is the real reason for their nonappearance.

If this legislation is passed, wage earners in the shops and on the farms will be the victims. The figures to prove this have been presented here time and time again. The stores of our cities are flooded with foreign merchandise. This is the best market in the world and every foreign country seeks it. Give the American workman a full pay envelope and he is the best spender in the world.

One of the slogans of this Democratic administration has been the "good neighbor" policy. Let us bring the good neighbor policy home. Let us make it a domestic policy. [Applause.] Let us stop hamstringing and lighten the burdens of business. Let us give business an opportunity to spread and develop in this country and give the man a job who is our neighbor here at home and take him off the dole, and in this way restore his self-respect and normal conditions in our country. [Applause.]

Mr. TREADWAY. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. ENGEL].

Mr. ENGEL. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and include therein a letter of protest signed by every Republican Member of Congress, dated June 4, the reply of Professor Sayre on July 9, and my reply to that letter.

The CHAIRMAN. If the gentleman wishes to include statements of other Members of Congress, he should ask for it in the House.

Mr. ENGEL. Mr. Chairman, I make no pretense of being an expert on tariff matters. Unlike some of my colleagues, I have not had the benefit of years of experience on the Ways and Means Committee, nor have I had the benefit of hearing the great mass of testimony taken at those hearings before that committee during the many years the tariff has been an issue in Congress. I can only speak of my personal experience and of the way in which the reciprocal-trade agreements have and are affecting my district.

Michigan leads the world in the production of sour cherries. Ninety percent of the sour cherries grown in Michigan are grown in my district. In 1927 the cherry growers and canners of my district, with remarkable foresight, began to realize that unless an additional market was found there would be a surplus of cherries when the trees then planted

matured and came to full bearing. With this thought in mind, they began to develop the maraschino cherry. Up to that time it was believed that only the small white, sweet cherries grown in Italy and European countries could be used for the maraschino trade. In 1927 I accompanied representatives of the growers to the Agricultural Department of the State of Michigan in an attempt to develop a new maraschino cherry which would absorb a part of this threatened sour-cherry surplus. In 1930 a Republican Congress placed a tariff on the importation of cherries. This tariff was made high enough to protect the American industry and labor from the cheap labor of the southern European countries, taking into consideration the fact that as high as 80 percent of the cost of the finished product of the maraschino cherry was labor.

In 1929, 22,000,000 pounds of Italian cherries were shipped into the United States for the maraschino trade. So successful was this development of the maraschino cherry that in 1932 less than 1,000,000 pounds were shipped into this country, and in 1935 practically no foreign cherries were sold on the American market. Last year—1936 crop—25 percent of the sour-cherry crop went into the maraschino trade.

In February 1935, at the beginning of the Seventy-fourth Congress, in looking over the bulletins of the Secretary of State's office, I learned that a reciprocal-trade agreement was contemplated with Italy. I immediately became apprehensive. I feared that the tariff would be lowered on maraschino cherries; that the great amount of sour cherries now going into the maraschino trade would be thrown back on the sour-cherry market, creating a surplus and thereby ruin the price. I might add that during that time sour cherries sold as low at 1½ cents a pound and never higher than 2½ cents a pound. I called up the office of the Secretary of State and asked whether he contemplated reducing the tariff on cherries. He stated that he could give me no information on the subject; that I would have to present any facts I had to the fact-finding board of the Tariff Commission. I wrote him, asking for the same information, and received the same reply in effect. I finally wrote to the cherry interests and chambers of commerce in my district, advising them, as a matter of precaution, that they should file briefs and present their arguments, written and oral, before the fact-finding board of the Tariff Commission as to why the tariff on foreign cherries should not be reduced. They sent Mr. A. J. Rogers, manager of the Cherry Growers Packing Co., of Traverse City, Mich., to Washington. Mr. Rogers and I appeared before the fact-finding board of the Tariff Commission, argued the case, and submitted both written and oral briefs.

During the hearings and upon my questioning, I was informed by the acting chairman of the fact-finding board that he could give me no information as to whether it was contemplated to reduce the tariff on cherries or not. He further informed me that the fact-finding board could only take the testimony and submit it to the Secretary of State without recommendation. We were placed in the ridiculous position of having to argue against the reduction of the tariff on cherries without knowing whether the Secretary of State contemplated reducing the tariff on cherries. Imagine going into a court of justice and defending yourself without knowing whether you have been accused of anything. Yet that is the position in which we found ourselves. All of the facts were presented. We told the board of the development of the maraschino cherry; of the threatened surplus of sour cherries; of how at least a part of the surplus had been eliminated by the sour cherries being absorbed by the maraschino trade. We informed it of the millions of pounds of sour cherries that went into the maraschino trade and just how they were manufactured. We had with us samples of the manufactured product.

The Cherry Growers Packing Co. is a cooperative, nonprofit corporation organized, owned, and operated by some 700 farmer growers of the northern part of my district. Last year this one concern packed more than 30,000 barrels of cherries in brine for the maraschino trade, each barrel containing 250 pounds, or a total of more than 8,000,000 pounds of cherries.

Owing, undoubtedly, to the Ethiopian war, the Italian treaty was never completed, and the cherry interests of my district felt safe at least for the time being.

Imagine my amazement and surprise when a year later, or approximately the 1st of June 1936, I learned that a reciprocal-trade agreement had been made with France in which the tariff on maraschino cherries had been reduced from 9½ cents a pound plus 40 percent ad valorem to 9½ cents a pound plus 20 percent ad valorem. The State Department informed me that this reduction, upon the basis of 1934 importations, represented a reduction in the tariff of from 96 percent to 76 percent. Under the most-favored-nation clause, under which the Secretary of State is operating, every other nation, including Italy, could take advantage of this tariff reduction, even though such nation was not a party to the reciprocal-trade agreement between France and the United States. I immediately wrote a letter of protest, which was signed by 11 Republican Members of Congress from Michigan, protesting against this reduction in tariff and setting forth a part of the facts which had been presented at the hearing before the fact-finding board of the Tariff Commission. I ask unanimous consent to place into the RECORD a copy of this letter of protest.

JUNE 4, 1936.

HON. CORDELL HULL,
Secretary of State, Washington, D. C.

MY DEAR MR. HULL: We have just been informed that under the trade agreement with France the tariff on maraschino and candied cherries not in brine nor sulphur and not in their natural state was reduced from 9½ cents a pound plus 40 percent ad valorem to 9½ cents a pound plus 20 percent ad valorem. Your Department further informs us that this reduction upon a basis of the 1934 importations represents a reduction of the tariff from 96 percent to 76 percent. Under the "most-favored-nation clause" adopted by you in your reciprocal-trade agreements, this concession permits the importation of these cherries by any other nation, including Italy, with the same reduction in tariff which is given France.

For your information, approximately 22,000,000 pounds of Italian cherries, in addition to cherries from other countries, were shipped into this country for the maraschino trade in 1929, and prior to the time this tariff was placed on the importation of this product. In 1934, after this tariff had been in operation approximately 4 years and industry had had an opportunity of operating, the importation of this product was reduced to approximately 700,000 pounds. The remainder of the maraschino-cherry trade was supplied by domestic cherry growers and manufacturers. In view of the fact that there has been a surplus of cherries in this country for several years past this has been an important factor in keeping the cherry industry from being completely demoralized. The maraschino-cherry trade has absorbed from 10 to 15 percent of the total crop, which has been a decisive factor in preventing a still greater surplus, and a complete break-down of prices.

The above tariff rate was based upon the difference in the cost of production in this country and in the European countries, represented mainly in the difference of the cost of labor. The French trade agreement permits the importation of the finished product which represents approximately 80 percent labor. The price the cherry grower receives for his cherries is ultimately determined by the price the consumer pays for the finished product. All cherries in brine, either domestic or foreign, must ultimately meet this foreign competition as a finished product. A 20-percent reduction on cherries in brine, which are worth about 10 cents a pound, would have meant a reduction in the price of the finished product of approximately 2 cents a pound. We are informed that the candied or finished cherries sell for about 30 cents a pound, and therefore a 20-percent reduction would mean a reduction of 6 cents a pound. In view of the difference in the cost of labor in European countries and in this country, this reduction will throw open the door to the importation of manufactured cherries, will deprive the home grower of his market, and will add to the surplus crop of the United States in any year in which a normal crop is produced. All of these facts were presented to the fact-finding committee of the Tariff Commission a year ago.

We, the undersigned members of the Michigan delegation in Congress, protest against the reduction of the tariff on this product.

Yours truly,

Albert J. Engel, George A. Dondero, William W. Blackney, Carl E. Mapes, Roy O. Woodruff, Earl C. Michener, Clare E. Hoffman, Jesse P. Wolcott, Clarence J. McLeod, Verner Main, F. L. Crawford.

On July 9 I received a letter from the Honorable Francis B. Sayre, Assistant Secretary of State, which I also ask unanimous consent to insert into the RECORD.

JULY 9, 1936.

MY DEAR MR. ENGEL: Secretary Hull has requested me to inform you that the Department has given careful and sympathetic consideration to the letter of June 15, 1936, signed by you and 10 other Congressmen representing districts of the State of Michigan, with respect to the reduction from 9.5 cents and 40 percent ad valorem to 9.5 cents and 20 percent ad valorem in the import duty on maraschino, candied, and other prepared and preserved cherries, under the trade agreement with France. I take pleasure in giving you the following information in regard to this matter:

With reference to your statement that the duty reduction affecting maraschino and candied cherries under the trade agreement with France constitutes an increase in foreign competition for all cherries in brine, it may be pointed out that maraschino and candied cherries are made of sweet cherries, almost exclusively of the Queen Anne variety, which is grown in commercial quantities on the West coast, but not in the East. East of the Rocky Mountains sour cherries are the dominant variety grown, and are produced for kitchen and canning markets. The Michigan cherry industry is, as you doubtless know, mainly engaged in the growing of cherries of the latter variety, whose markets are not competitive with the special kinds of imported cherries on which the duty has been reduced.

According to the estimates of the Department of Agriculture, in the year 1935 only 9 percent of the Michigan cherry crop was of sweet cherries, the bulk of 91 percent being sour cherries. Moreover, it is my understanding that the bulk of the relatively small crop of sweet cherries is sold in the fresh-fruit markets. In 1934 only 6 percent of the crop of your State was reported to be composed of sweet cherries.

Unfortunately, buyers in this and other fields sometimes endeavor to secure more favorable prices by the use of arguments which do not always bear analysis. I sincerely hope that the cherry growers of your State will not allow themselves to be misled, during the coming season, as to the true significance of the duty reduction.

Sincerely yours,

FRANCIS B. SAYRE,
Assistant Secretary.

On August 7, 1936, after having verified again the facts contained in my former correspondence, I answered Mr. Sayre's letter of July 9. I ask unanimous consent to place into the RECORD my letter of August 7 from myself to the Assistant Secretary of State.

LAKE CITY, MICH., *August 7, 1936.*

Hon. FRANCIS B. SAYRE,
Assistant Secretary of State, Washington, D. C.

MY DEAR MR. SAYRE: Your letter of recent date with respect to the reduction from 9.5 cents and 40 percent ad valorem to 9.5 cents and 20 percent ad valorem in the import duty on maraschino, candied, and other prepared and preserved cherries under the trade agreement with France received. Your letter reads in part as follows:

"With reference to your statement that the duty reduction affecting maraschino and candied cherries under the trade agreement with France constitutes an increase in foreign competition for all cherries in brine, it may be pointed out that maraschino and candied cherries are made of sweet cherries, almost exclusively of the Queen Anne variety, which is grown in commercial quantities on the west coast, but not in the East. East of the Rocky Mountains sour cherries are the dominant variety grown and are produced for kitchen and canning markets. The Michigan cherry industry is, as you doubtless know, mainly engaged in the growing of cherries of the latter variety, whose markets are not competitive with the special kinds of imported cherries on which the duty has been reduced."

This statement is absolutely in error. The Cherry Growers Packing Co., of Traverse City, Mich., alone are packing this year in excess of 28,000 barrels of Montmorency cherries in brine to go to the manufacturing trade for maraschino cherries. There is one other company in Traverse City which is packing 8,000 barrels. Approximately 50,000 barrels of Montmorency cherries are being packed in brine this year for the maraschino trade. Each barrel contains 250 pounds. This means that 9,000,000 pounds of Grand Traverse region cherries are being packed this year for the maraschino cherry trade, and approximately 12,500,000 pounds of New York and Michigan cherries are being packed for that trade this year. Let me remind you that Montmorency cherries are not sweet cherries, but are sour cherries; that these 12,500,000 pounds of cherries used for the maraschino trade would otherwise go into the sour canning cherry trade, and would add to the surplus, helping to break the price in a year with an average production or a surplus of this product.

This industry grew from nothing in 1929 up to this magnitude in a few short years. The outlook for future development was good until this treaty was signed. I am informed that Italy is now offering in the United States hand-pitted and barreled-in-brine cherries at a price of 5 cents per pound, exclusive of duty, which leaves nothing in it for the grower or the labor used in hand pitting. The cost for hand pitting alone is in excess of 5 cents a pound for that type of fruit.

Mr. A. J. Rogers, of Benzonia, Mich., representing the Michigan cherry growers, accompanied me to the fact finding board of the Tariff Commission a year ago last winter protesting against taking the tariff off on cherries. All of these facts were presented to that Board, including the fact that the sour cherry is being used extensively for the maraschino trade. Now you profess an ignorance of the very facts contained in the records placed there by the representative of the cherry growers, who traveled 750 miles to testify at that hearing. This ignorance on the part of the Department of State is inexcusable. A continuation of this policy will mean ruin for the cherry industry, because it can mean just one thing—the throwing of this tremendous amount of Montmorency cherries on the sour-cherry market, creating and increasing a surplus and lowering the price.

The statement was recently made by an official of this State that "while you can plow under wheat, cotton, or corn, you cannot plow under cherry trees." I wish to again enter my emphatic protest against this action on the part of the State Department, which, if continued, will ultimately spell ruin for the cherry industry of my State and my district.

Sincerely yours,

ALBERT J. ENGEL.

On August 14 I received a letter from the Department acknowledging receipt of my letter and informing me that after due consideration the letter would be answered.

On November 30, 1936, and after the political campaign was over, I received a letter from the Assistant Secretary of State saying that approximately 5,000 pounds of cherries had been imported into the United States to the end of August and that we had not been hurt. He talked of cherries as though they could be grown as an annual crop like wheat or cotton. He failed to take into consideration the fact that cherries grow on trees, and that it takes trees a number of years to mature; that the full development of this cherry production would not be felt until additional trees had come into bearing. While only 5,000 pounds of cherries had been imported to the beginning of August, the tariff report for November 1936 shows that approximately 1,000,000 pounds of cherries had been imported, most of them during the last few months of 1936.

Every time we protest against a reduction of the tariff in a reciprocal agreement we are told by the Secretary of State that there has been no material increase in the importation of the product in which we are interested and that we are not being hurt by the reduction made. Let me remind him that a foreign country does not accept a tariff concession made by us in a reciprocal trade unless they expect to ship goods into this country under that concession. They make concessions to us in return for concessions made by us to them. The Secretary of State would have us believe that he has traded nothing for something; that the concessions made to us in these trade agreements will increase our foreign trade but that the concessions made by us to them will not increase their foreign trade. When he tells us that this trade in which a reduction in tariff on cherries was made will not hurt the cherry grower, he tells us that he gave France nothing for something he got in the way of a trade concession. Why kid ourselves? The fact is that France would not have accepted a tariff reduction in cherries in return for a tariff concession they made us unless they were convinced that this tariff reduction would enable them to ship cherries to us. When the Secretary of State wrote me on November 30, 1936, he stated correctly that only about 5,000 pounds of these cherries had been shipped into the United States. But when the November 1936 tariff report was posted to January 6, 1937, it showed that nearly a million pounds had been shipped in, and this is only a beginning. As usual under these reciprocal-trade agreements, the foreigner out-traded the Yankee.

Despite the fact that the cherry growers of my district sent their representative here, who traveled 1,500 miles to give information regarding the maraschino cherry to the fact-finding board of the Tariff Commission, telling them how 25 percent of the sour-cherry crop is going into the maraschino trade, the only answer the Secretary of State had in his letter of July 9 was to point out "that maraschino and candied cherries are made of sweet cherries, almost exclusively of the Queen Anne variety, which is grown in commercial quantities on the West coast, but not in the East", claiming that "the Michigan cherry industry is, as you doubtless know, mainly engaged in the growing of cherries of the latter variety, whose markets are not competitive with the special kinds of imported cherries on which

the duty has been reduced." Every man, woman, and child in the cherry country knows this is erroneous. This display of gross ignorance on the part of the Secretary of State in the face of the uncontradicted evidence submitted is absolutely inexcusable. This statement demonstrates the uselessness of coming down and presenting facts before the fact-finding commission. The Secretary of State would not have made the statement that sour cherries are not being used in the maraschino trade had he read the testimony that Mr. Rogers traveled 1,500 miles to give to the fact-finding board of the Tariff Commission. It is an outrage for the office of the Secretary of State to make reciprocal-trade agreements without adequate facts, and it is particularly outrageous to invite people here to testify as to facts which are uncontradicted and then not even take the trouble to look at the record which they ask them to make.

Hundreds of people are employed in hand-picking and hand-pitting these maraschino cherries. They receive good wages. The Traverse City Cherry Growers Packing Co. informed me that they can send cherries to Italy, have them hand-pitted in Italy with cheap Italian labor, send them back to the United States, paying the freight both ways, and the cost of these pitted cherries would be less than pitting them in their own plant. They inform me that these cherries are hand-pitted in Italy by women and children for 40 cents a barrel of 250 pounds each, or 7 cents a day. Eighty percent of the cost of producing the finished product of the maraschino cherry is labor, and with this difference in the cost of labor it can and will mean just one thing if the present tariff reduction is maintained or still further reduction is made, and that is that the maraschino-cherry industry will be ruined and that this 25 percent of the sour-cherry crop which is going into that market will be thrown into the sour-cherry market, breaking the price in any year of normal production.

Let me remind the Secretary of State that many times a comparatively small importation of a product added to a crop in this country is the "straw that breaks the camel's back." It breaks the domestic price by adding to a surplus or creating a surplus when there is a normal crop.

I am not particularly opposed to reciprocal-trade agreements but I am opposed to this method of making these agreements. I am opposed to sacrificing American industry in this way. I am opposed to trading Michigan cherries for southern cotton. It does not take a tariff expert to analyze these facts and come to the conclusion as to what will happen if this policy is persisted in by the Department of State. I maintain above all that the cherry growers of my district or any other industry have the right to know whether or not their product is threatened by an agreement before they are asked to come down here blindly to testify or defend themselves, not knowing whether they will be brought into court or not. [Applause.]

Mr. TREADWAY. Mr. Chairman, I yield the remainder of my time to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, the Secretary of State released for the morning newspapers of November 22, 1935, this choice statement:

> I had the experience of closely observing the conditions and circumstances attending the consideration and passage of the Payne-Aldrich tariff bill in 1909 and all subsequent tariff measures. I have seen the Capitol overrun with highly paid lobbyists representing most tariff items. They were to be observed in virtually every corridor, passageway, and dark corner from the House to the Senate end of the Capitol. Through logrolling and similar insidious methods they harrassed Congress and succeeded in securing their own abnormally high rates, especially in the notoriously unsound Hawley-Smoot Act of 1930, which, more than any other factor, was responsible for our loss of exports to Canada aggregating $600,000,000. The reeking national scandal thus attending the passage of this act is well remembered.

To whom does the Secretary of State refer as the objectionable lobbyists infesting the Nation's Capitol seeking by insidious methods to obtain abnormally high rates in the "notoriously unsound Hawley-Smoot Act of 1930"? The Secretary of State must have in mind the farm organizations, for no group obtained higher rates for their products than did the farmers, especially the dairy group. Here are some of the farm organizations that appeared and asked relief under the Hawley-Smoot Tariff Act: American Farm Bureau Federation, National Grange, American Dairy Federation, National Cooperative Milk Producers Federation, National Poultry Council, American National Livestock Association, and National Horticultural Council.

The farmers represented by these groups did get relief under this much-maligned legislation. I have cited the proof and again cite it as convincing, indisputable evidence that the farmers obtained the very relief required to save them from utter ruin from Canadian importations. Again let me quote from a Canadian publication. Here is what the Hawley-Smoot Act did, if a report of a Canadian publication voices the Dominion's views. I quote from the Canadian Forum under date of September 1932, which carried an article entitled "Canada and the American Tariff", in which the author points to the effect of the Hawley-Smoot Tariff Act upon the Canadian farmers:

> This—
>
> Hawley-Smoot—
>
> act practically wiped out Canadian export of feeder cattle and of milk and cream to the United States. The farmers of the prairies found cattle a welcome source of cash income in times of poor wheat crops, and the dairy farmers of eastern Quebec and New Brunswick had built up a profitable business selling to the metropolitan centers along the eastern seaboard of the United States.

Now, then, in the face of this statement showing conclusively the benefits to the dairy farmers from the rate of 56.6 cents per gallon on imported cream, the Secretary of State in the Canadian trade agreement reduced the tariff to 35 cents per gallon.

The tariff on imported Canadian beef was reduced from 3 cents per pound to 2 cents per pound.

All of these duties were reduced as follows: Calves from 2½ cents to 1½ cents per pound, dairy cows from 3 to 1½ cents per pound, cheese from 7 cents to 5 cents per pound, live poultry from 8 cents to 4 cents per pound, horses from $30 to $20 per head, maple sugar from 6 cents to 4 cents per pound, apples from 25 cents to 15 cents per bushel, fresh strawberries from 1¼ cents to three-fourths cent per pound, cherries from 2 cents to 1 cent per pound, peas from 3.9 cents to 2 cents per pound, potatoes from 75 cents to 45 cents per 100 pounds.

I quote from the Montreal Star, under date of September 26, 1936, pointing out the tremendous increase in Canadian exports to the United States in 8 months under the reciprocal-trade agreements:

> The biggest export, affected only by a guaranty of free entry, was in newsprint, rising from $45,000,000 to $52,000,000. * * * Planks and boards rose from $4,957,000 to $7,409,000. Pulpwood increased by $460,000 to $4,746,000. * * *
>
> Big business is being done in beef cattle, which increased from $4,435,000 to $7,210,000, dairy cattle from $1,017,000 to $1,771,000.

Again I call your attention to the later report of the chief trade commissioner in the United Kingdom, made January 1, 1937:

> The agreement came into operation on January 1, 1936; by the end of June the long-standing adverse balance against Canada was converted into a favorable one by over $32,000,000.

I doubt if it is generally known by the membership of this House that the Canadian trade agreement contains a reservation which authorizes the Canadian Parliament by legislation to afford an opportunity for appeal to the Tariff Board respecting value for duty purposes where it is claimed that the importation of goods into Canada may affect prejudicially Canadian manufacturers and producers. Such a reservation has been made by Canada, by an exchange of letters between the Canadian Legation and Secretary Hull, dated, respectively, November 15, 1935, and November 29, 1935.

At the proper time I shall offer an amendment to the act to furnish protection to our manufacturers and producers from imports that may affect them prejudicially. [Applause on the Republican side.]

Mr. DOUGHTON. Mr. Chairman, I yield the remainder of my time to the gentleman from Kentucky [Mr. VINSON].

The CHAIRMAN. The gentleman from Kentucky is recognized for 45 minutes.

Mr. VINSON of Kentucky. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by including certain excerpts from decisions of courts and certain tables.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. VINSON of Kentucky. Mr. Chairman, we have had a treat this morning. It is always most enjoyable to listen to the greatest exponent of high protection that the Congress has. I am happy that the gentleman from New York [Mr. CROWTHER] is able to be here this morning and, in his inimitable manner, carry the fight as he sees it to this side of the aisle. The gentleman from New York, Dr. CROWTHER, is the best that the high protectionists can produce. He is a man of broad experience, he is a profound student, and he is fair. He is the tops. I listened to every word the gentleman had to say. I thought sometime along in his address I would hear some specific reference to some isolated industry or some isolated farming section that had suffered adversely from these trade agreements; but, with all his knowledge, he was silent in that respect. He, as do the other gentlemen who are opposing this proposition, deals in generalities. Their whole opposition is based upon fear—not fear of that which has happened but fear of that which is to come.

The gentleman from Michigan [Mr. ENGEL] talked about sour cherries. A great portion of the opposition that comes to us deals with a commodity known as "sour grapes."

I helped prepare and wholeheartedly join in the majority report urging the adoption of House Joint Resolution 96 extending the President's trade-agreement authority for 3 more years. It is a source of genuine satisfaction to remember that I participated in the preparation and passage of the original bill into law.

Time flies—it seems but yesterday that we were joined in political debate over the passage of the original measure. Fear was the motivating power sought to be used by our Republican friends to defeat it. Fear that harm would come to American agriculture, industry, and labor as a result of embarking upon a trade-agreement policy for the restoration of our foreign trade, which had admittedly disappeared to the vanishing point. Fear that the delegation of power to the President to execute these agreements would drive a hole in the old boat "Constitution" and it would sink before our very eyes.

Fear, fear, fear. Three years ago we listened to the sermons uttered by the prophets of fear. The original act was passed just before the 1934 elections. The prophecies of fear were dire and doleful. Fewer such prophets returned to the Congress. Two more years and we witnessed a campaign in which there was a record broken—more words were used in one form or another than ever before in any campaign. The prophets of fear again preached their sermons. The people gave no heed. Fewer prophets of fear were returned to Congress. I just wonder if folks ever learn a lesson. I hope that my friends on that side of the aisle will open their eyes and see before it is too late. The hands of time run on, and shortly another election will be held. Unless they read the signs of the times—the fact that America and Americans are progressive in their ideals and aspirations—there will be even fewer of our old friends returned to us.

SECRETARY OF STATE

There is a different tune in the wail and lamentations in this political debate from that which we heard 3 years ago. I think that it is due more to the fact that the country has "snapped out of it" than anything else. Conditions today are so much more improved than they were in the spring of 1934 that one simply cannot have the same attitude toward the extension of this law as our friends had toward its enactment. I do not say that you are not sincere today. You have the same right to your views about what proposed legislation will do or will not do as I, but certainly it is fair enough to assume that you were sincere in the position you took in the original consideration of this legislation. Your fears, so sincerely expressed, could not but have effect upon your auditors, and particularly those of us who are intimately associated with you and know your patriotism and devotion to service. Your fears were expressed in doleful terms—at times I would jerk myself up wondering just whether or not there might be something in these fears. I would recall that the congressional elections of 1934 were in the offing and issues were necessary to be had, and all that sort of thing, but, at the same time, your lamentations had effect. Then this thought would come to me and give me solace. I knew that the President of the Unted States would not want to harm agriculture, industry, labor, or people. It just simply is not in his make-up to want to harm anything or anybody. His purpose here on earth, his purpose in life is to be of benefit to the men, women, and children of this country. Of that I have no doubt.

Then I would get to thinking about who would administer the law. I agree with you that the administration of law is almost as important, and in many instances as important, as the law itself. When I would think along that line, of course, I would recall that the Honorable Cordell Hull, Secretary of State, would negotiate these trade agreements. Thinking him over, I knew that no one could successfully question his ability, his patriotism, his purpose to serve his people. Thinking about the elections, I could not fail to recall that he was experienced in the practical affairs of politics and that he certainly had the rural point of view, having been born and reared in the mountain country of Tennessee. Of all persons, he is neither mystic nor dreamer. With this background, I knew that he would have no purpose to injure agriculture, labor, or industry, and, what is more, he would have no purpose or desire to do that which would injure the party which, as he and I believe, serves best the interest of the common man and woman of this country.

Furthermore, the man who was to negotiate these trade agreements had been prepared for this character of service. With 22 years of service as a Member of the House of Representatives, years of service as a member of the Committee on Ways and Means, spending months and months of arduous labor in connection with tax bills and tariff bills, he supplemented his service in the House with service in the Senate of the United States. This service was broadened by the call to the Secretaryship of State. And when I had doubts as to the administration of this law, I would come back to the fact that the courageous, patriotic, able, experienced Cordell Hull would head up this activity and my fears would be wiped away.

My friends, this legislation and its administration is as near bombproof as any legislation sought to be extended since I have been a member of this great body. It is to the credit of the President of the United States—it is to the credit of the Secretary of State—it is to the credit of another great American, Dr. Francis B. Sayre, who has given unstintedly of his time, of his life in making a continual study of trade-agreement matters to keep at his finger tips the most comprehensive array of thought and information on these questions. All that I can say in this respect is that it has been work well done.

No piece of legislation which has come within my knowledge has been more carefully administered than this one. No piece of legislation has received more commendation from the American public. There are no vulnerable points in it—it is bombproof. The few specific items that were brought under attack in the recent campaign cannot stand the light of facts that surrounds them.

THE ISSUES

It is a difficult matter to speak to the position taken by our minority friends. The majority report and the minority report presumably create the issues in the legislative trial now under way, but we find it difficult in the light of the facts to know upon what part of the answer our minority friends rely. The pleadings in the minority report are inconsistent. If it were a court, we would know what to do;

we would promptly move for the minority to elect upon which of the defenses they rest their case.

I have seen many reports, but I do not believe I have ever read a more ingenuous one than that signed by the minority. From the ordinary political viewpoint it is the tops. It boldly states that the Republican Party not only favors reciprocal-trade agreements, but that such has been their policy for many years. We read therefrom:

GENERAL STATEMENT

In opposing the joint resolution, we wish it to be distinctly understood that we are in no way criticizing the doctrine of genuine reciprocity with foreign nations. The Republican Party has actively espoused this policy in previous measures, notably the McKinley tariff of 1890 and the Dingley tariff of 1897.

We feel it necessary to make this statement at the outset, since it has been generally assumed that because we have consistently opposed the methods of administration of the present trade agreements program, we do not favor any reciprocal negotiations whatsoever with foreign countries. Such, however, is not the case. We yield to none in our earnest desire to expand the foreign trade of the United States, whether by reciprocity or otherwise, but our advocacy of the general policy in question does not justify us in approving the present Trade Agreements Act, which presents in fact pseudo-reciprocity, and is open to many serious objections.

So there is no doubt in the minds of counsel for the plaintiff, the Democratic Party, that the opening words of the answer tie the defendant irrevocably to the policy of foreign-trade agreements. Thus, for those in the Republican Party who favor the increasing of our foreign trade, the defendants' plea is that they favor reciprocity and reciprocal-trade agreements—that it is a time-honored policy of the Republican Party; that they initiated the policy under the great McKinley, father of the McKinley Tariff of 1890—that they tried it out and rewrote the policy in the Dingley Act of 1897, and they adhere to such policy of the past.

The defendant, however, does not stop there. They set forth seven specific pleas in opposition to the policy. Three of these pleas would apply with equal force to the trade-agreement portion of the McKinley Act, the Dingley Act, and the flexible tariff provision originally passed in the Fordney-McCumber Act and later reenacted in the Smoot-Hawley Act. The other four pleas are based upon an erroneous impression of the law and its administration; statements which cannot be supported by the facts in the legislative court or any other impartial tribunal.

I assume that if our minority friends were called upon to elect which defense they would rely upon that the political exigencies would require that they would drop their first plea, otherwise there would be no issue presented. So I assume that if forced to elect upon which defense they rely, our minority friends would stand upon what they call a "summary of objections", which we include verbatim herewith:

SUMMARY OF OBJECTIONS

House Joint Resolution 96 continues the present Trade Agreements Act, with all its defects, without change. It is subject to the same criticisms which we interposed with respect to the act when it was originally under consideration, and the results since its enactment have justified our objections at that time.

It continues, first, to delegate to the executive branch of the Government, contrary to the Constitution of the United States, the tariff, taxation, and treaty-making powers of Congress.

Second, to take away from American producers the right which they ordinarily would have had under section 516 (b) of the Tariff Act of 1930, to litigate matters arising out of the trade agreements, including the question of constitutionality.

Third, to deny the Congress an opportunity to approve or reject the trade agreements, however injurious may be their effect upon domestic producers.

Fourth, to ignore the principle of protection for American agriculture, industry, and labor by permitting tariff rates fixed by Congress to be altered without reference to domestic production costs.

Fifth, to deny American producers an adequate opportunity to be heard on the actual terms of the trade agreements before they become effective.

Sixth, to provide for the general extension of the concessions made under a trade agreement with a single country to all other countries in the world, notwithstanding the known existing discriminations against American commerce by many foreign countries.

Seventh, to permit the Executive, in effect, to bind the hands of Congress by "freezing" the existing tariff or excise treatment of articles with respect to which the Congress may, in the exercise of the people, and the confidence of the country must be reposed in the future.

These are among the more important objections to the Trade Agreements Act which preclude us from giving our support to House Joint Resolution 96, providing for its extension for 3 years.

We will take the Summary of Objections as our text and treat in turn each of the seven objections made.

OBJECTION NO. 1

It continues first, to delegate to the executive branch of the Government, contrary to the Constitution of the United States, the tariff, taxation, and treaty-making powers of Congress.

In other words, our minority friends claim that this act unconstitutionally delegates taxing and treaty power. For the life of me, I cannot understand how this defense would be set up at this time, yet seven distinguished gentlemen signed the minority views, three of them are splendid lawyers. This matter is really not debatable. The placing of this discretion in the Chief Executive of the United States is not an unconstitutional delegation of power. Precedent for this policy is found in 1794; it has been in existence in this country from the earliest days of our Republic.

The other day my good friend from Ohio, TOM JENKINS, paid a beautiful tribute to a great Republican leader of yesterday, Hon. William McKinley, Member of the House and President of the United States. It is his name that is affixed to the McKinley Tariff Act of 1890. In this act the power is vested in the President of the United States to execute these trade agreements with foreign countries. This act was passed with Republicans in control of the House, the Senate, and the White House. The same discretionary power was placed in the hands of the President of the United States, the same Honorable William McKinley, under the Dingley Tariff Act of 1897—placed there by a Republican House, a Republican Senate, and a Republican President.

To the end that no one who desires information thereon may have doubt as to the language in the various acts referred to, we set forth, at the end of my remarks, section 3 of the McKinley Tariff Act of 1890; section 3 of the Dingley Tariff Act of 1897, and section 2 of the Payne-Aldrich Act of 1909; and sections 336–338 of the Smoot-Hawley Act of 1930 (flexible tariff), now existing law.

Each one of the foregoing laws was passed by a Republican Congress and signed by a Republican President.

Furthermore, under the power granted to the President by the McKinley Act and the Dingley Act, the then President of the United States entered into 21 agreements plus 5 supplemental and amendatory agreements providing for tariff changes. It is plain that the power granted to the President under these acts is broader in its scope than the powers conferred upon the President under the flexible tariff provision or the Trade Agreements Act. Under the McKinley Act and the Dingley Act power was vested in the President to take articles from the free list and put them on the dutiable list. Criticisms have been made relative to the percentage of tariff changes under the Trade Agreements Act. I merely submit that the difference in percentage between the free list and the dutiable list is only limited by infinity itself.

In addition to the power to take from the free list and make applicable certain tariff rates, the Dingley Act had provision for a reduction in rates to be made by Presidential proclamation.

I restate that, in my opinion, the question of congressional power being unconstitutionally delegated is no longer debatable. In *Field* v. *Clark* (143 U. S. 649) the McKinley Act authorization of tariff changes was before the Court for its constitutionality. It was under attack as a delegation of legislative power and a delegation of treaty-making power. The Court upheld this act in respect of each objection. It held that it was not an unconstitutional delegation of legislative power but that it gave the President the authority to find the existence of certain facts and to make effective the previously declared will of Congress. I quote from that opinion:

It would seem to be unnecessary to make further reference to acts of Congress to show that the authority conferred upon the President by the third section of the act of October 1, 1890, is not

an entirely new feature in the legislation of Congress, but has the sanction of many precedents in legislation. While some of these precedents are stronger than others in their application to the case before us they all show that, in the judgment of the legislative branch of the Government, it is often desirable, if not essential for the protection of the interests of our people, against the unfriendly or discriminating regulations established by foreign governments, in the interests of their people, to invest the President with large discretion in matters arising out of the execution of statutes relating to trade and commerce with other nations. If the decision in the case of the brig *Aurora* had never been rendered, the practical construction of the Constitution, as given by so many acts of Congress, and embracing almost the entire period of our national existence, should not be overruled unless upon a conviction that such legislation was clearly incompatible with the supreme law of the land.

In the same decision the Court said further:

Half the statutes on our books are in the alternative, depending on the discretion of some person or persons to whom is confided the duty of determining whether the proper occasion exists for executing them. But it cannot be said that the exercise of such discretion is the making of the law. So, in Locke's appeal (72 Pa. Stat. 491, 498).

To assert that a law is less than a law because it is made to depend on a future event or act, is to rob the legislature of the power to act wisely for the public welfare whenever a law is passed relating to a state of affairs not yet developed or to things future and impossible to fully know. The proper distinction, the Court said, was this: "The legislature cannot delegate its power to make a law, but it can make a law to delegate a power to determine some fact or state of things upon which the law makes, or intends to make, its own action depend. To deny this would be to stop the wheels of government. There are many things upon which wise and useful legislation must depend which cannot be known to the lawmaking power, and must, therefore, be a subject of inquiry and determination outside of the halls of legislation." What has been said is equally applicable to the objection that the third section of the act invests the President with treaty-making power. The Court is of the opinion that the act of October 1, 1890, is not liable to the objection that it transfers legislative and treaty-making power to the President.

It should be stated that in the Fields case, supra, the Court reviewed nine different acts of Congress, beginning at 1794, in which powers had been conferred upon the President relating to legislation of foreign commerce.

Referring to the Dingley Act and the validity of section 3 thereof. Without the burdening of the RECORD with quotations, we respectfully submit that in nine different decisions of the Federal Court, section 3 has been recognized as valid.

Section 2 of the Payne-Aldrich Act of 1909, providing for minimum-maximum tariff rates, with power vested in the President to proclaim the minimum rate in the event there is no discrimination or burden upon our commerce was not put to court tests. This provision did not call for foreign-trade agreements as the other statutes referred to did, but it gave the President power to secure the removal of discriminations and burdens upon our commerce through vesting him with power to impose added tariff burden upon commerce moving to our country.

Section 336 of the Smoot-Hawley Act is almost identic with section 315 of the Fordney-McCumber Tariff Act of 1922. The Supreme Court in *Hampton & Company* v. *United States* (276 U. S. 394) upheld the constitutionality of section 315 of the Fordney-McCumber Act and sustained the act. I insert an excerpt from this opinion:

The field of Congress involves all and many varieties of legislative action, and Congress has found it frequently necessary to use officers of the executive branch, within defined limits, to secure the exact effect intended by its acts of legislation, by vesting discretion in such officers to make public regulations interpreting a statute and directing the details of its execution, even to the extent of providing for penalizing a breach of such regulations.

The Court also said:

It is conceded by counsel that Congress may use executive officers in the application and enforcement of a policy declared in law by Congress and authorize such officers in the application of the congressional declaration to enforce it by regulation equivalent to law. But it is said that this never has been permitted to be done where Congress has exercised the power to levy taxes and fix customs duties. The authorities make no such distinction. The same principle that permits Congress to exercise its rate-making power in interstate commerce, by declaring the rule which shall prevail in the legislative fixing of rates, and enables it to remit to a rate-making body created in accordance with its provisions the fixing of such rates, justifies a similar provision for the fixing of customs duties on imported merchandise. If Congress shall lay down by legislative act an intelligible principle to which the person or body authorized to fix such rates is directed to conform, such legislative action is not a forbidden delegation of legislative power. If it is thought wise to vary the customs duties according to changing conditions of production at home and abroad, it may authorize the Chief Executive to carry out this purpose with the advisory assistance of a tariff commission appointed under congressional authority. This conclusion is amply sustained by a case in which there was no advisory commission furnished the President—a case to which this Court gave the fullest consideration nearly 40 years ago.

This question of constitutional power was debated over and over again 3 years ago. The late James M. Beck, a great constitutional lawyer, was a Member of this body at that time. It was expected that he would take the bill and tear it to pieces on account of its constitutional weakness. I was instructed to sit at his feet in that debate. I listened to every word that he uttered. He made a marvelous speech—a most pleasing speech; a most persuasive speech. To him who would read it, there is persuasion that 50 years or more ago the Supreme Court of the United States went astray from its moorings, as he saw it, in their holding constitutional acts of Congress delegating discretionary power in the Executive to do the thing that Congress had said shall be done. James Beck was never more eloquent, but he never cited a single opinion of any court that, in my opinion, even squinted in the direction that the Supreme Court, after all these years and all these rulings, would declare this law to be unconstitutional.

In my humble way I so stated upon the floor of the House that no case had been presented by him or any other Member debating the question supporting the invalidity of said measure. If decisions and precedents mean anything, the question is no longer debatable.

Furthermore, this law sought to be extended was placed upon the statute books on the 12th day of June 1934. Almost 3 years have passed, and there has been no court opinion that has held such act to be unconstitutional. On December 7, 1936, the United States Customs Court in New York, in the case of Fletcher against United States, declined to hold the act under discussion unconstitutional. It is fair to say that they did not discuss the constitutional point; the case was dismissed on the ground that the action could not be brought by one who had suffered no injury. The action was brought by an importer, who charged that the Reciprocal Trade Agreements Act of June 12, 1934, was unconstitutional. In the opinion, written by Judge Evans, it was ruled that the protest provisions of the Tariff Act of 1930 did not authorize an importer to protest the constitutionality of rates which he claimed to be too low and which consequently could not have injured him.

We hasten to admit that this case went off on a point other than the constitutionality of the statute, but we would call the attention of the House to the fact that if this statute passed almost 3 years ago had been vulnerable from a constitutional viewpoint, there certainly has been plenty of time in which to have developed a case to the decision point.

It is easy to say that an act is constitutional or unconstitutional. The only difference is just two letters, "un." A person can very easily grunt that. There has been a decision of the Supreme Court of the United States since this matter was debated 3 years ago, to which we call the special attention of the House. It is a decision which was rendered on December 21, 1936, in the case of United States against Curtiss-Wright Export Corporation. This case settled two things: First, that these agreements were not treaties in the sense that they need senatorial confirmation, and, further, that the President of the United States had the power to execute them. It seems to me that even the minority could see this.

THE EVOLUTION OF THE PRESENT TRADE-AGREEMENTS ACT

It occurs to me that the Trade Agreements Act of 1934 has a natural evolution. In 1890 we had the McKinley Tariff Act; in 1897 the Dingley Act. In 1909, while we had no trade-agreement provisions, the results were obtained in a different method. In that act, the Payne-Aldrich bill, passed

by a Republican administration, power was vested in the President to fix minimum or maximum tariff rates based upon whether the particular nation involved had discriminated against this country in the way of tariff duty. There was some 134 proclamations put into execution under the authority granted in that bill. This was a rather arbitrary power—the yardsticks were far more vague than those found in the flexible-tariff provisions or under the statute involved herein, but it was a step in the direction of the flexible-tariff provision, which was put upon the books in 1922 by a Republican Congress and a Republican President over the vigorous protest of Democratic leaders.

Now, what is the Flexible Tariff Act? It provides that the Tariff Commission may, under certain circumstances, make investigations and reports to the President on particular items, and he, in his discretion, may increase or decrease the tariff duty, with an outside limit of 50 percent. The flexible tariff is now the law. I submit that the yardsticks in the Trade Agreements Act are really more definite and comprehensive than the flexible-tariff provision; but the point that I would illustrate is that our Republican friends have empowered the Chief Executive, under their own statute now in effect, to lower or raise the tariff 50 percent. Action under this law could be taken now. Our Republican friends say why do you not operate under the flexible-tariff provisions and do that which you say ought to be done—lower the excessive unusual rates of the Smoot-Hawley bill against which you have so long complained.

The answer to that is that after the passage of the Smoot-Hawley Act the other countries of the world raised tariff barriers in retaliation to the Smoot-Hawley Act. Now, if we proceed to operate on those rates under the flexible tariff we reduce our tariff rates without reducing the retaliatory rates; foreign countries will get the benefit of our reductions, but their tariffs will not have been lowered. Their tariff barriers in the way of restrictions and quota would not be affected and we would get no concessions for the lowering of these tariff rates; whereas, under the Reciprocal Trade Agreements Act, expressing the same constitutional power which is the basis of the flexible-tariff provisions, Congress has passed a Trade Agreement Act vesting the President with the same power that he has under the flexible-tariff provision—to increase or lower tariff rates within the same limits; but coupled with that power and discretion you have the opportunity of trading and bargaining and securing the lowering of tariff barriers against those things which we want to export and, likewise, the removal of tariff restrictions and tariff quotas which have retarded our goods moving into the world markets, all in consideration of our lowering the excessive unreasonable barriers set up in the Smoot-Hawley Tariff Act. Boiled down, the Reciprocal Trade Agreements Act is the flexible-tariff provision exercised for valuable consideration.

In respect of the delegation of power, the courts in an unbroken line of precedents say that we have this authority. I call the attention of my friends on the minority to one sentence in the Hampton case which passed on the flexible-tariff provision:

> If it is thought wise to vary the customs duties according to changing conditions of production at home and abroad, it may authorize the Chief Executive to carry out this purpose with the advisory assistance of a tariff commission appointed under congressional authority.

Now listen to this:

> This conclusion is amply sustained by a case in which there was no advisory commission furnished the President—a case to which this Court gave the fullest consideration nearly 40 years ago.

I take it they were referring to the case of Field against Clark.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Kentucky. Yes.

Mr. REED of New York. Will the gentleman kindly read into the RECORD at this point the standard set out in that bill?

Mr. VINSON of Kentucky. I am going to include in my extension of remarks the McKinley Act, the Dingley Act, the language of the Payne-Aldrich Act, and the flexible tariff provision as it appears in the Smoot-Hawley Act. It speaks for itself.

I submit, as a lawyer, that the standard set up in this legislation is broader and stronger than the standards set up under any preceding statutes. Ah, they upheld the McKinley Act and there was not any advisory commission. Ah, they referred to it when they upheld the flexible-tariff provision; but under this act we require the Chief Executive to get information not only from the Tariff Commission, not only from the State Department, not only from the Department of Commerce, but also from the Department of Agriculture.

OBJECTION NO. 2

> Second, to take away from American producers the right which they ordinarily would have under section 516 (b) of the Tariff Act of 1930 to litigate matters arising out of the trade agreements, including the question of constitutionality.

The minority complain that the right of American producers to litigate matters arising out of the trade agreements, including the question of constitutionality, is denied them under this act.

If any producer is legally injured in any way by the act, he has all the rights to litigate that any other citizen has. If he imports goods and believes he is injured by a trade agreement or by an interpretation of a provision in a trade agreement, he can file a protest under section 514 of the tariff act, just as any other importer.

Of course, no one has the abstract right to litigate for the mere fun of it under our judicial system; that practice is limited to the moot courts of our law schools. This is particularly true of constitutional questions. The Supreme Court has said over and over again that unless a citizen is injured by an act of Congress, he cannot go into court to attack its constitutionality. Under the American system of law and government, if a citizen objects as an abstract matter to a policy of government which does not injure him legally, he goes to the administrative official in charge, or to Congress, or maybe he will write a letter to the editor of his paper—the one thing he would not think of doing would be to go to court about it.

In addition, no one has a "right" to any particular tariff duty. For the benefit of the Republicans, who seem to have misplaced the citation, I wish to quote the exact words of the Supreme Court on this point:

> No one has a legal right to the maintenance of an existing rate or duty (*Norwegian Nitrogen Products Co.* v. *United States*, 288 U. S. 294, 318).

The Trade Agreements Act expressly provides for general public notice before any agreement is included. Producers can—and do—attend the hearings held under this provision of the act. No rights of theirs to state their views as fully as they wish have been infringed in the slightest.

OBJECTION NO. 3

> Third, to deny the Congress an opportunity to approve or reject the trade agreements, however injurious may be their effect upon domestic producers.

The third objection of the minority is that Congress has not insisted on the right to approve or reject the various trade agreements. Remember, the defendant pleads that they are in thorough accord with the McKinley and Dingley Tariff Acts, referred to by them as notable measures, actively espoused by the Republican Party. The Republican Congress and the Republican President who passed and signed these acts, did not insist on approving or rejecting the 26 trade agreements entered into under their terms. Now, there should be no misunderstanding; I am referred to the trade-agreement section of the McKinley Act and, likewise, the trade agreement section of the Dingley Act. It was section 3 of these acts. No congressional approval of the changes proclaimed by the President was required. Section 4 of the Dingley Act provided for the negotiation of general trade agreements and required senatorial ratification and congressional approval. Under this section, section 4 of the Dingley Act, several treaties were negotiated, 13 or 14, as I recall, but not one received the necessary rati-

fication. However, under section 3 of the McKinley Act, and section 3 of the Dingley Act, 26 trade agreements were entered into without congressional approval or senatorial ratification and they remained in effect for several years.

We call attention to the fact that there was nothing required to be done by either the House or Senate after any proclamation that would be issued by the President under the power granted to him by section 2 of the Payne-Aldrich Tariff Act, nor was there any necessity of congressional action after Presidential proclamation of change in tariff duty under section 315 of the Fordney-McCumber Act or section 336 of the Smoot-Hawley Act.

The experience under section 4 of the Dingley Act certainly proves the impracticability of submitting such trade agreements to the Congress. Some favor submitting them for the ratification of both House and the Senate; others favor submitting them to the Senate. With reference to this latter proposal, they are classifying them as treaties, requiring senatorial confirmation. Such position merely indicates that the proponent is not familiar with the fact that they are not classed as treaties. It is very pertinent that if the trade agreements were required to be ratified by the Senate the House would immediately complain of its prerogative being invaded. Assuming the good will and hearty cooperation of all the Members of Congress in passing upon trade agreements, there are several practical objections to this procedure. Congress being in session about one-half the time, the President's hands would be tied about one-half the time. He would be unable to put into effect beneficial agreements while Congress was not in session. Anyone can realize the delay that would be attendant upon approval if these trade agreements were submitted to the House and Senate for ratification. The distinguished keynoter of the Republican Party, Senator STEIWER, suggests that it would be foolish to think that quick approval would be given trade agreements. Certainly it would take about as much time to ratify them if the merits were to be reviewed—and otherwise there would be no need to submit them for congressional ratifications—as it would to pass a tariff bill.

The Constitution gave to the Congress the power to regulate commerce with foreign nations with the intention that the power should be exercised for the benefit of the country as a whole, rather than to aid particular classes or sections. This is abundantly proved by the constitutional inhibitions against preferences to ports and export taxes as well as other provisions. Previous Congresses have shown a tendency to get away from this constitutional intention, having in legislation preferred one section over others, and it is far from certain that this tendency has been cured. In the Reciprocal Trade Agreement Act, Congress is spared the usual pressures applied during tariff legislation. Congress, having declared the legislative policy, leaves to the President the details, whereby he can act through the adequate assistance provided for in the act for the whole people without fear of sectional restraints.

The gentleman from Massachusetts very properly quotes statements from speeches made in the House by folks opposing flexible-tariff provisions. He quotes from a speech I made in 1932 wherein I contended that the delegation of power to the President to fix tariff rates under the flexible tariff provisions was unconstitutional. I frankly admit that I was wrong in my conclusions then, but, even so, on this particular point I feel that I am in no more of an inconsistent position than the distinguished gentleman from Massachusetts [Mr. TREADWAY]. As a matter of fact, we have simply swapped positions. I opposed the granting of this power to the President then; he favored it. I favor the granting of this power to the President now; he opposes it. As a matter of fact, I think that I am in better position than he. What we were really doing then, as I recall it, was holding a post mortem over the flexible-tariff provisions, but I believe that we also had up at that time the question of bringing the matter back to Congress after the President had acted for congressional action. I say frankly that I was in error then. Our Republican friends did not deem it necessary to develop the precedents throughout the years upon matters of this kind. It looked to me like an improper delegation of congressional power. My party had made the fight along that line in vain against what they called the unconstitutional delegation of power—exactly what our Republican friends are doing today—and I thought that my party leaders were right; but 3 years ago, when this matter was presented to our committee for our action, an affirmative action, frankly, I had the same views that I had theretofore held, and I insisted upon having reviewed the precedents upon which they sought this power. In a very comprehensive hearing upon the constitutional phase of it, there was but one thing for me to do and that was to recognize that I had been wrong in the position I had taken about the validity of the flexible tariff, and I do not hesitate to admit my error; but, lo and behold, our friend, Judge TREADWAY, has more to account for than I. Not only throughout the years did he maintain that Congress had the power to vest discretion in the Chief Executive to carry out the wishes of Congress in respect of the flexible tariff, but he is on record in one of his strongest utterances with reference to the necessity, or, rather, the lack of necessity of the action of Congress upon the conclusions reached by the President under the flexible tariff before the findings of the commission of the President would become effective.

As a matter of fact, Judge TREADWAY makes such a strong argument against the interference of the Congress in respect of matters of this kind that I feel that this speech, delivered on May 3, 1930, or, at least a portion thereof, should not remain hidden in the musty cover of a CONGRESSIONAL RECORD but should again be brought to light. On page 8576 of the CONGRESSIONAL RECORD of said May 3, 1930, we find Judge TREADWAY saying this, in his usual vigorous and able manner:

> The most serious defect of the Senate bill is the nature of the language which would require the Tariff Commission to report to the President and to the Congress. There may be no serious objection to having the President transmit the report of the Tariff Commission to Congress, but to require action on the part of Congress in order to make the recommendations of the Commission effective would be a complete overthrow of the purposes of the flexible provision.
>
> In other words, the entire purpose of the Senate amendment is to take from the hands of the President any authority whatsoever other than a recommendation, simply making him a rubber stamp or a transmitting agency to act as the intermediary between the Commission and Congress.
>
> The second paragraph of section 336 (a) of the bill as passed by the Senate reads as follows:
>
> "The President, upon receipt of any such report of the Commission, shall promptly transmit the report to the Congress with his recommendations, if any, with respect to the increase or decrease in duty proposed by the Commission."
>
> We need no better illustration of the fallacy of such a provision as this than the history of the bill we are today considering. The Ways and Means Committee started work on this measure in November 1928. It passed the House on May 28, 1929. It passed the Senate on March 24, 1930. Since March 24 it has been in conference. It is now being taken up for consideration in the House, and after a few days here in this branch it may be interminably discussed in the Senate.
>
> We are frequently asked when, if ever, this bill will become a law. Perhaps you can read the answer in the stars or consult a soothsayer. Certainly no Member of Congress can prophesy with any degree of accuracy when this conference report will be disposed of in the Senate. Items then remaining in disagreement will be again considered in conference and more time will be consumed.
>
> The business of the country has been in an uncertain and chaotic condition for nearly 2 years while this bill has been in the making. Anyone wanting a duplication of such a condition as that should vote for the Senate provision and take from the hands of the President his authority to proclaim, after due consideration, his approval or disapproval of the findings of the Tariff Commission on an application for a change in some rate.
>
> I know our Democratic friends will represent, as they have done in the past, that under the flexible provision we are abrogating the rights of Congress to write tariff rates. This is absolutely incorrect and incapable of proof. Whether a Republican or a Democrat holds the exalted position of President of the United States, he is chosen for that position by the will of the majority of the people, and the confidence of the country must be reposed

in his judgment. To ask him to become simply a transmitting agency to the House of Representatives of the action of the Tariff Commission is a denial of the confidence of the people in his judgment and capacity.

The great clamor has been to get the tariff out of politics and to place it on a scientific basis. The flexible tariff provision is one of the principal instrumentalities toward that end. The House bill contains a provision for a more practical use of the authority vested in the Tariff Commission to make investigations into the cost of production and comparisons of costs of competitive articles. So far, so good. If by the next step we deprive the President of the exercise of his authority under the present law and under the House provision by substituting the Senate idea of a report to Congress, we will more than nullify the merit of the changes the House has suggested in methods of securing comparative prices. Instead of taking the tariff out of politics, the Senate provision puts it into politics 12 months in a year. Just as rapidly as the Commission could make a report and the President transmit the same to Congress, just so fast would the merits of the item be discussed by one or the other of the two branches.

The gentleman from Massachusetts [Mr. TREADWAY] is a man of great persuasive power and influence, and I bespeak his followers to give heed to what he had to say when he was on this end of the singletree.

OBJECTION NO. 4

Fourth, to ignore the principle of protection for American agriculture, industry, and labor by permitting tariff rates fixed by Congress to be altered without reference to domestic production costs.

Apparently when they, the minority, came to this point, they were so discouraged that they did not even bother to look at the act. Section 4 requires the President to consult the one agency in this country that knows more about costs of production than any other—the Tariff Commission. For years the Tariff Commission has been investigating costs, collecting cost figures, writing reports on costs and complaining how hard it was to decide whose costs should be used in fixing average costs.

It just is not true that the Trade Agreements Act permits, or that the administration is entering into, agreements "without reference to domestic production costs." Costs are carefully considered whenever they are available and the protection of American producers has been carefully maintained. Prices have gone up, have they not? Farm income is up. What does the farmer care if a little trickle of cheese comes in from Canada, provided he can sell more of his own cheese and at a better price. A monopoly of a small market is not worth as much as 98 percent of a large and prosperous market.

OBJECTION NO. 5

Fifth, to deny American producers an adequate opportunity to be heard on the actual terms of the trade agreements before they become effective.

The fifth objection is that American producers under the act are denied an adequate opportunity to be heard. That is a strange objection. Section 4 of the Trade Agreements Act expressly requires "reasonable public notice of the intention to negotiate an agreement." This notice has been given and full and open hearings have been held on every trade agreement concluded. No notice of any kind, much less open hearings, was required by law or in fact given when the 26 agreements were entered into under the "notable" McKinley and Dingley Acts. We further point out that no hearing is required under section 338 of the Tariff Act of 1930—the Smoot-Hawley Act—under which the President has potential power of causing great injury to a domestic industry by imposing duties up to 50 percent or even to the extent of excluding from entry merchandise needed for the operation of industries.

Under section 336 of the 1930 act—the flexible tariff—hearings are definitely required, as they are in the Trade Agreements Act, but they are not required by law to be "public." The Tariff Commission, by regulations, has ordained that such hearings be made public, as has the committee for reciprocity information in conducting hearings pursuant to the Trade Agreements Act.

Under the procedure heretofore adopted, notice was given of the articles that were the subject of trade between the two countries. The critics of the bill indicate that this notice is too broad. It has been restricted by recent order, in which the notice hereafter will contain the items which may be involved in the agreements reached between the two countries.

OBJECTION NO. 6

Sixth, to provide for the general extension of the concessions made under a trade agreement with a single country to all other countries in the world, notwithstanding the known existing discriminations against American commerce by many foreign countries.

I suppose the minority will resent my taking seriously their not very serious most-favored-nation objection. After objecting to extending concessions to other countries, they say:

No serious objection could be made to most-favored-nation treatment if American commerce received similar treatment from all foreign countries to whom concessions are extended.

They agree, apparently with some reluctance, that the elimination of foreign discriminations is an important and necessary aim; but they think that a slap in the face to a country seriously trying to stop discriminatory practices which grew up during the depression and panic years is more effective than the gentle but firm statement that unless all due speed is followed in eliminating discriminations we will have to stop extending the benefit of our concessions. So far we have had to do that with but two countries—Germany and Australia. We may have to do it with others; but if we really want to eliminate discrimination, we have got to give the other country a reasonable chance to remove its discriminations.

Anyway, the policy the minority condemns has benefited $265,000,000 of our exports—when hasty retaliation would have encouraged numerous fresh discriminations—while we have extended concessions on only $30,000,000 of imports.

OBJECTION NO. 7

Seventh, to permit the Executive, in effect, to bind the hands of Congress by "freezing" the existing tariff or excise treatment of articles with respect to which the Congress may, in the exercise of its constitutional responsibilities and duties, wish to legislate in the future.

The minority make one final point which interests me as a lawyer and as a legislator with some familiarity with our revenue laws. They object to that part of the act which authorizes the President—

To proclaim * * * such continuance * * * of existing * * * excise treatment of any article covered by foreign-trade agreements, as are required or appropriate to carry out any foreign-trade agreement that the President has entered into hereunder.

The minority—with their customary exactness and conservatism of statement—say (p. 23) of trade agreements using their power:

The effect of these provisions is to tie the hands of Congress with respect to internal taxes.

First, it does not tie the hands of Congress. Second, it affects in a very moderate way, only a minute part of our "internal taxes."

All trade agreements are temporary and terminable by the United States on relatively short notice. If Congress decides that (1) the reciprocal promise—contained in every agreement binding excise treatment—of the other country not to hike up an excise tax on American goods alone, and (2) the general benefits of the agreement are both outbalanced by the domestic revenue needs for a tax on the few specific commodities covered in the Cuban, Colombian, and Brazilian agreements—the only ones containing the provisions so exaggeratedly described by the minority; if that occurs, Congress can direct the termination or amendment of those three agreements at the next expiration date.

Excise taxes bearing more heavily upon goods imported from trade-agreement countries than upon our own similar goods—the only instance where the provisions could be used—are very few in number and supply only a most inconsiderable part of our total revenue. No other taxes are remotely affected by the power referred to. The charge that Congress has tied its own hands "with respect to internal taxes" is absurd.

It seems to me that this is a most far-fetched attack. There is nothing to prevent Congress from refusing to pass the law extending the terms of the act or on any day in any session to repeal the act in its entirety, or to amend the law by striking out the provisions under the existing law which is the authority for the inclusion of language that is objectionable to some. The question of policy in this regard is one thing, the question of power is an entirely different one. Certainly if the Congress of the United States were to determine that such a provision was not conducive to the welfare of our country, we could meet the issue squarely in the face and legislate relative thereto and nothing would come of it other than the termination of the trade agreement in due course.

SANITARY PROVISIONS IN TRADE AGREEMENT

The gentleman from New York [Mr. CULKIN] states that each one of the 15 agreements contains a provision that we will not impose any sanitary measure unless the other country agrees to it. It is true that there have been incorporated in the agreements provisions to the effect that the governments of each country agree to consult respecting sanitary embargoes, and agree to give consideration to representations of the other government concerning the application and endorsement of such sanitary regulations. But there is nothing whatever in the agreements that prevents the United States from carrying out its sanitary laws or from modifying those laws. There is simply a provision to facilitate international good will by giving to the other party a chance to be heard. It must further be pointed out that that provision gives the United States a similar assurance in regard to its own exported products, particularly fruits.

Another gentleman or two in debate have endeavored to muddy the water with the question of sanitation and quarantine. They are expressive of fear as to what result would flow from the proposal now pending in the Senate with reference to a treaty affecting the sanitation and quarantine law. Their attitude today is merely fear of what will happen if certain things are done in regard to this treaty, but we call it to the special attention of the House and the country that this is the tactics that is always used when a person cannot argue to the point at issue. There is no question involved in this discussion with reference to the contents of a treaty pertaining to the future and the results that will flow therefrom is certainly in the future and has no connection with this debate.

Fear is expressed that the importing of foreign products will bring foreign diseases to this country—plant and animal. Why, my friends, there is no change in the law of the land relative to the inspection and effort to prevent such diseases from coming into this country. It seems to me that a child would recognize that it is imperative to guard against any transmission of diseases referred to into our country. The purpose of this law is to benefit agriculture, including the livestock grower. Those administering the act certainly are just as mindful to the dangers of the spread of disease as those who are now in opposition.

The point is that there are no changes through the language of any treaty of the existing law of the land relative to sanitation and quarantine matters. May I repeat, there has not been a single law on the statute books in regard to sanitation that has been changed, has there?

Mr. CULKIN. I will answer the gentleman if he will permit me to do so.

Mr. VINSON of Kentucky. Has there been any change in the law?

Mr. CULKIN. In 14 of these agreements it is provided we cannot make any sanitary regulations without the consent of the other signatories.

Mr. VINSON of Kentucky. It does not say that. It says that this country will give consideration to their desires along that line. But I say now no sanitation law has been changed one iota. Why, these gentlemen get up here and talk about treaties, and my friend the gentleman from Kansas and the gentleman from Nebraska talk about what is going to happen with regard to quarantine and sanitation if a certain treaty is negotiated and ratified. Nothing has been done to injure the livestock dealer. There is not anything that would cause a spread of the hoof-and-mouth disease. Do you not think the men who negotiate these treaties are practical? Do you not think they love their country, and if they are not patriots, do you not think they are good Democrats enough not to want to do anything that would cause a spread of the hoof-and-mouth disease, or any disease to our plant life?

TRADE BALANCE

Anyone who is willing to spend 5 minutes looking at the official figures will see that, whether good or bad, the decrease in our merchandise export surplus has nothing to do with trade agreements. That decrease is not due to a falling off in our exports; on the contrary, exports have increased substantially. The decrease is due to a larger than normal quantity of imports caused by, first, the droughts of recent years that have put much of our agriculture on a net import basis, and, second, to the fact that our domestic recovery is proceeding at a faster pace than is the recovery of the rest of the world—hence we need proportionately more raw materials and luxuries than the rest of the world, generally speaking, can at the moment take of our manufactured goods.

If, apart from the trade-agreements program—which I understand to be the subject before the House—the minority want to discuss our balance of trade now, it is all right with me. The Republicans seem to regard any imported article as a plague germ. The rest of the world owes us money for past loans and for current purchases of our goods. People who have money or credit usually prize it for what they can get with it. The present time certainly does not seem particularly favorable for investing much of our international surplus of payments abroad. We are in the fortunate position of being able to replace some of our drought losses and to acquire raw materials for the factory products our population needs and can buy—giving employment to men and women here in this country, without having to go in debt for it. I, for one, do not object to the exchange of products and commodities, with the benefits consequent to our people from such sale, for useful and needed goods which do not compete in any substantial sense with our own production.

We hardly know just the way the minority is going in the way of trade balance. Upon the floor we heard a very distinguished gentleman of the committee emphasize the fact that in 1936 there was an unfavorable balance of trade, that the imports exceeded exports by more than $4,000,000, and he referred to the fact that this was the first time in 41 years that such a condition had happened. On page 24 of the minority report it is expressly admitted that we still have a favorable balanced trade; that is, that there is an excess of exports over imports to the amount of $34,000,000. I feel certain that my good friend from Michigan was sincere in his statement, but, for the purpose of the record, I would call attention to the fact that there is no issue between the majority and minority reports upon the point that we have a favorable balance of trade in the figure of $34,000,000.

For 1934 and 1935 he has used the usual accepted method of calculating a trade balance which is the difference between United States exports, including reexports, and general imports. On this same basis our 1936 balance of trade amounts to the figure I have just stated, $34,000,000. For 1936, however, he chose to use another method for calculating trade balance, the difference between exports, excluding reexports, which in 1936 amounted to $37,000,000, and imports for consumption. This method gives for 1936 a deficit of $4,529,000.

In my extension of remarks, I am including an analysis of increase in United States imports in 1936 over 1935, prepared by experts in the United States Tariff Commission. The break-down is for items on free list, items upon which there has been no change in duty, and items upon which there has been a change in duty.

This very strong gentleman on the committee, and my good friend, injected for the first time the idea that we had an unfavorable trade balance. He was very careful about

his statement. He is a strong man on the committee. He always keeps his powder dry and when he shoots you can always figure that there is something there at which he is shooting. I wondered about it because in the report it is agreed between the majority and minority—and the gentleman signed the minority report—that the trade balance was $34,000,000 to the good.

Mr. WOODRUFF. Will the gentleman yield?

Mr. VINSON of Kentucky. I believe I can say it just as fast as the gentleman can.

Mr. Chairman, what he did was this: He figured out the amount that comes in here for reexport purposes. He arrives at a figure of something like $37,000,000 and that makes an unfavorable trade balance of $4,000,000, according to his figures. But let me tell you this: He did not tell you that the usual way of figuring trade balances is to include the imports for the purpose of reexport. And I know the gentleman will agree with me that is the normal and usual way to make the computation.

I now yield to the gentleman from Michigan.

Mr. WOODRUFF. I may say to the gentleman and to the members of the committee that I quoted only from a report of the Department of Commerce which was available to the gentleman from Kentucky, and to every other Member of Congress.

Mr. VINSON of Kentucky. I have that, too. It gives both figures, and that is where I got the information. It gives the figures both ways. I say that kindly, because I know the gentleman is always accurate and fair.

Mr. WOODRUFF. Will the gentleman yield?

Mr. VINSON of Kentucky. I decline to yield.

Mr. WOODRUFF. The gentleman should yield when he makes that kind of a statement.

Mr. VINSON of Kentucky. I yield to the gentleman.

Mr. WOODRUFF. If the gentleman will examine the report of the Department of Commerce, he will find it deals only with imports for consumption.

Mr. VINSON of Kentucky. The figure for this item is correct. It is found on page 3 of the report; but on page 2 of the same report you get the imports for reexport purpose included, and that makes $34,000,000 favorable balance. I submit the latter is the usual way of computing it.

SECRETARY WALLACE

The minority report is not quite fair to Secretary Wallace. It is always dangerous to rely on a quotation of one sentence or of several sentences with dots in between; so it is in this case.

I have indicated the faithfulness with which the minority has combined errors with half truths. I want to refer particularly to one. On page 24 they quote Secretary Wallace as saying that perhaps increased importations will lead foreigners to put their resulting purchasing power in our banks or in our securities. They stop quoting right in the middle of a sentence. The rest of the sentence is "or devoted largely to the purchase of nonagricultural goods." Secretary Wallace was talking entirely about farm markets and he was not discussing the benefit of farmers or reduced foreign barriers to their exports. He was referring only to the effect of deliberately increased imports on foreign purchases of our farm products. Here is what he actually said:

Selected goods could be imported liberally into a prosperous America without hurting the American manufacturer. That we know from what happened before the depression. In the calendar year 1929, during the greater part of which business was active in the United States, we imported merchandise to the value of $4,399,000,000. Exports exceeded this figure by $842,000,000. For the great bulk of the exports we took payment in imports and no one complained. Because we did so American industry had more business than it could have had otherwise. In the ensuing depression imports and exports declined together. Thus in 1932 the merchandise imports totaled only $1,323,000,000; but the exports were down also to $1,612,000,000. Buying less abroad did not give us proportionately more business at home. Conversely, an increase in imports now would not cut down but, on the contrary, would increase our total business. The exports would increase with the imports.

But the foreign-trade program would involve the risk of producing results other than those expected. We cannot know in advance the probable effect on prices and employment in industry. Nor can we foretell precisely the compensating benefit to agriculture. Asking industry and labor to make sacrifices for agriculture demands some assurance that the farmer will benefit. The purchasing power which foreigners would obtain in the United States market were they permitted to sell more goods here might be left on deposit or invested in American securities or devoted largely to the purchase of nonagricultural goods. That would leave unchanged the need to regulate agriculture. Formerly, when Europe had the means to do so, it bought farm goods heavily in the United States. Will it do so again?

Note the last statement which the minority did not consider important enough to quote:

Formerly, when Europe had the means to do so, it bought farm goods heavily in the United States.

After the gentleman from Kansas, a very distinguished Member of this body, read this report he got the hearings and found that Secretary Wallace had not appeared before the committee, and he left the inference Friday that because Secretary Wallace had not appeared before the committee, as he had done heretofore, that Secretary Wallace was not in favor of the bill. Of course, to meet that we had to go to work and get a letter from the Secretary of Agriculture which, with permission, I include in the RECORD at this point:

FEBRUARY 8, 1937.

Hon. ROBERT L. DOUGHTON,
House of Representatives.

DEAR MR. DOUGHTON: My attention has been called to the fact that, in connection with the debate on the floor of the House relative to the extension of the Trade Agreements Act of 1934, some significance was attached to the fact that the Department of Agriculture was not represented at the hearings before the Ways and Means Committee. This has apparently been interpreted to mean a lack of sympathy on the part of this Department with the trade-agreements program.

There is no basis for this interpretation. The Department of Agriculture is heartily in accord with the trade-agreements program. We believe that genuine progress has been made in the direction of breaking down trade barriers in foreign countries affecting our agricultural exports and that even greater progress can be expected in the future. We also believe that such actions as have been taken with respect to reductions in duties by the United States on agricultural products have been so carefully considered and safeguarded as to preclude significant injury to our domestic agriculture. As a matter of fact, we are convinced that those branches of agriculture affected by duty reductions made in the trade agreements will gain far more from a successful trade-agreements program than they could possibly lose. This gain will result in two ways: (1) Through keeping down the competition within this country in the areas now producing our export crops, and (2) through increased purchasing power in our urban centers brought about through larger exports of manufactured goods.

The significance of the trade-agreements program to American agriculture has been obscured by the extremely unfavorable weather conditions that have prevailed in this country in recent years, particularly the droughts of 1934 and 1936. It is this unusual weather and not the trade-agreements program that has been primarily responsible for an increase in imports of certain competitive agricultural products into the United States.

With a return of ordinary weather American agriculture is going to be in a position to take full advantage of any reductions in foreign import barriers that are secured in the trade agreements and of the increased purchasing power for our agricultural products that may result in foreign countries by reason of larger shipments of their goods to the United States. In fact, American agriculture is going seriously to need all the assistance that can be gotten from this source in the way of broader export outlets.

Sincerely yours, H. A. WALLACE, *Secretary.*

The Secretary of Agriculture goes on record unequivocally as favoring the extension of trade agreements to benefit the farmers of this country. And let me say, Mr. Chairman, if you increase the value of the gross foreign income from $5,000,000,000 in 1932 to $9,050,000,000 in 1936, or almost 60 percent, do you not think you have helped the farmers some?

PARTICULAR ITEMS

Ah, Mr. Chairman, the weakness of the case they make out when they pick out specific items.

Certain specific items have been centered on in the endeavor to create the impression that agriculture has been adversely affected by this legislation. I hope that I will not be considered partisan when I say that the farmers of this country certainly had an opportunity to say whether they were adversely affected by this act.

In the consideration of the original bill fears and warnings of adversity that would come to the farmers because of the enactment of this legislation were the "Big Berthas" of the opposition. Men were sincere about it; men representing the dairy country, the cattle country, and all other agricultural sections of our Nation painted in luring pictures what might happen to the farmer under this legislation, and, as we have said, the farmers have had two opportunities to determine whether they have been helped or hurt by the administration's policy. When the gross farm income in this country increases from $5,337,000,000 in 1932 to more than $9,050,000,000, excluding benefit payments, in 1936, it seems to me that there can be no argument about it, but I grant that even though these figures show an increase of 58.9 percent between these two periods, yet it is possible that in the operation on certain specific items harm could come. I address myself to the articles referred to by certain gentlemen as having had harmful effect from the operation of these agreements.

CATTLE

You have heard a lot about cattle. I just want to give you this one figure to carry in your minds.

Mr. WOODRUFF. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Kentucky. In just a moment.

Whereas there were 399,000 cattle of all kinds imported in 1936, there were 364,000 cattle of all kinds imported in 1935, before the Canadian agreement. Get that! Thirty-four thousand four hundred and ninety cattle, to be exact. About one-sixth of 1 percent more of the average annual domestic slaughter for the years 28–32. You would think that the tariff on cattle had been eliminated. Do you know that this reduction of the tariff from 3 cents a pound to 2 cents a pound for cattle weighing over 700 pounds, puts it back to the exact rate that was in the Fordney-McCumber Tariff Act. Let them put that in their pipe and smoke it.

It is said, although weakly, that the cattle grower has been adversely affected by the provision in the Canadian agreement whereby a duty reduction, effective January 1, 1936, from 3 to 2 cents per pound was granted in the case of cattle weighing over 700 pounds each. That is not the whole story. There is an expressed limitation on the amount of cattle affected. The quantity affected is that which is equivalent to only three-fourths of 1 percent of the average annual total domestic slaughter, including calves, during the years 1928–32. This tariff quota amounts to only 156,000 head of cattle. Under the agreement, after the quota amount enters this country the rate goes back to 3 cents per pound. To hear our friends on this subject you would think that the tariff had been entirely removed, whereas it was only reduced one-third and upon a limited quantity. It required 10 months last year before this quota was filled. A person might wonder what advantage Canada got. To them it was somewhat important due to the fact that this number of cattle seems to be about 15 percent of the total annual production by them whereas it is only three-fourths of 1 percent of the average annual total domestic slaughter during the 5-year period, 1928–32, three of which were depression years.

It is argued that there was a decline in cattle prices last year. The bulk of the cattle which came in under the agreement last year were what is termed "mediums." The marked decline in cattle prices was for the prime. It seems very apparent to me that the decline in the price for prime cattle was brought about through the forced marketing of the winter-fed cattle, due to the lack of feed occasioned by the drought. Certainly this would force upon the market the prime cattle at the earliest moment in the spring that they could be marketed. It was said by the gentleman from New York [Mr. WADSWORTH] that the market was flooded with Canadian cattle in the first 3 months of 1936. He stated that he saw the cattle coming into the Buffalo market. I do not question for a moment his sincerity in his statement, but here is what the cold figures show as to cattle importations from Canada—this includes quota cattle and cattle not covered by the quota:

Total number of cattle imported from Canada only, year 1936

January	10,592
February	10,603
March	17,844
April	44,445
May	36,051
June	38,387
July	23,725
August	10,171
September	13,606
October	9,876
November	7,738
December	3,617
Total	226,655

We again remind that the quota was not filled until November 1, 1936, which shows conclusively that within the first 10 months there were 59,300 head of nonquota cattle which came from Canada, and upon which the tariff was not reduced.

It is enlightening to have comparative figures of the cattle imports from all sources for the years 1935 and 1936. The table follows:

Imports of cattle (from all sources) by months, years 1935 and 1936

Month	1935	1936
January	5,828	21,410
February	37,737	27,933
March	51,921	51,076
April	49,433	78,333
May	47,061	55,104
June	31,845	46,247
July	17,013	33,306
August	15,250	18,532
September	12,879	22,280
October	31,064	20,027
November	38,502	12,674
December	26,090	12,232
Total	364,623	399,113

We point out that the excess of cattle imported during year 1936 over 1935, from all sources, was 34,490. This figure is 0.0167 of 1 percent of the average annual total domestic slaughter for the 5-year period 1928–32.

CREAM

When I first heard of this item and the claim that the dairy farmer had been injured because of the Canadian agreement, I immediately was reminded of the active effort of the dairy block composed of splendid Representatives who are always alert to take care of this important agricultural product. I could hear them forcefully expressing the fear that injury would come to the dairy country due to the passage of the original Reciprocal Trade Agreements Act. They were sincere in their fears and so I thought at first that probably some mistake had been made and that dairy products were adversely affected, but the facts show beyond chance for argument that no injury has come to the farmer or the dairyman who produces milk, butter, cream, or other prepared milk products.

There is nothing in the trade agreements affecting milk or butter. There is a reduction in the import duty in the Canadian trade agreement, effective January 1, 1936, from 56.6 cents to 35 cents per gallon, which, by the way, is 15 cents per gallon more than the Fordney-McCumber rate. However, there is an expressed limitation to 1,500,000 gallons in any one calendar year. This seems to be a lot of gallons, but it develops that 1,500,000 gallons is about one-tenth of 1 percent of the total annual domestic production of milk in terms of cream, and is eight-tenths of 1 percent of production in the North Atlantic States, the principal area in which Canadian cream competes. This does not seem to be so many gallons now; but, when you hear the whole story, you will learn that the actual imports of cream from Canada in the year 1936 have been negligible—only 43,710 gallons. This is less than 3 percent of the quota of 1,500,000 gallons fixed

by the trade agreement, and figures out to be four one-thousandths of 1 percent—four parts out of 100,000—of our annual domestic production of milk in terms of cream.

CHEDDAR CHEESE

In 1932 Cheddar cheese averaged 10 cents per pound. In that year only 600,000 pounds were imported. In 1936 Cheddar cheese averaged 15.3 cents per pound. There was an estimate of 11,000,000 pounds imported in that year. In 1932 there were 371,000,000 pounds domestically produced; in 1935 this rose to 469,000,000 pounds, and in 1936 to 494,000,000 pounds. The increase, 1936 over 1935, was 25,000,000 pounds. The imports in 1936 were less than 3 percent of the total domestic production. In 1932 the domestic producers received $37,000,000; in 1935, $67,000,000; and in 1936, $75,600,000.

I have not heard any complaint from any Representative of the dairy country that there has been an injury flowing to his constituents as a result of any trade agreement. Butter controls the price of milk and milk products. The significant fact connected with the interests of the dairy farmer is that there was no change in the tariff on butter, milk, or milk products.

BABASSU NUTS AND OIL

Fear is expressed relative to the importations of babassu nuts and mention thereof in some trade agreements. To start with, the tariff situation has not been changed by any reciprocal-trade agreement and it cannot be changed by any future reciprocal-trade agreement. Babassu nuts and babassu oil are on the free list, and, so far as I know, never had any tariff or tax imposed thereon—thus, they have not been affected and cannot be affected by trade agreements as the law itself does not permit the removal of any item from the free to the dutiable or vice versa.

Mr. CULKIN. Mr. Chairman, will the gentleman yield briefly at that point?

Mr. VINSON of Kentucky. Yes.

Mr. CULKIN. Did the Secretary of State in the Brazilian agreement tie babassu nuts on the free list for 3 years?

Mr. VINSON of Kentucky. He did not have to put it on the free list; it is already there.

Mr. CULKIN. I mean did he not tie it, bind it on the free list?

Mr. VINSON of Kentucky. Under this statute nothing can be done to take babassu nuts off the free list, for that is prohibited. No article can be taken from the free list and put on the dutiable list, or vice versa.

Mr. KNUTSON. Will the gentleman yield?

Mr. VINSON of Kentucky. I yield to the gentleman from Minnesota.

Mr. KNUTSON. What the gentleman says is true, but in the Brazilian agreement it was also agreed not to impose an excise tax on babussu nuts.

Mr. VINSON of Kentucky. I have endeavored to treat of that matter heretofore.

Mr. WOODRUFF. Will the gentleman yield?

Mr. VINSON of Kentucky. I yield to the gentleman from Michigan.

Mr. WOODRUFF. The gentleman says, and very properly, that Congress included in the act 3 years ago no provision whereby any article could be taken from the free list.

Mr. VINSON of Kentucky. That is right.

Mr. WOODRUFF. But the gentleman neglects to say that notwithstanding every effort made by the Republican members of the Ways and Means Committee, the majority of that committee did not put that provision into the act.

Mr. VINSON of Kentucky. I feel certain that if my friend says they did, they did it.

TEXTILES

I now want to call the attention of the House to the general attitude that existed here 3 years ago. O, Mr. Chaiman, the gentlewoman from Massachusetts, in her charming manner—oh, the tears that she did shed for her textiles. They had a New England bloc looking out for textiles, for which I find no fault.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Kentucky. I yield.

Mrs. ROGERS of Massachusetts. I think New England and also the southerners are still shedding many tears because you have done nothing to prevent the importation of cotton textiles.

Mr. VINSON of Kentucky. Yes; but, my good woman, as we say down in Kentucky, you cannot blame that on the foreign-trade agreements. There has been no agreement lowering the tariff on textiles.

You cannot blame that to any trade agreement with any foreign country. On the contrary, let me say that which she knows, as well as the other folks representing textile country, instead of lowering any tariff item that affected textiles, the President of the United States—this man who would ruin agriculture, who would ruin the workingman, who would ruin industry—last year provided for increases upon four different commodities produced in Japan in order to help the textile industry. Ah, Mr. Chairman, 3 years ago it was fear of what would happen, but it did not happen. The reverse occurred. They increased the tariff duties, and I will give the figures to you.

Tariff changes under sec. 336 of the Tariff Act of 1930 since June 12, 1934

Subject	Rate changed	New rate	Effective date of change
Cotton cloth:			
Bleached	13 percent ad valorem plus thirty-five one-hundredths of 1 percent for each yarn number.	18½ percent ad valorem plus one-half of 1 percent for each yarn number.	June 20, 1936
Printed, dyed, etc.	16 percent ad valorem plus thirty-five one-hundredths of 1 percent for each yarn number.	22½ percent ad valorem plus one-half of 1 percent for each yarn number.	
Frozen swordfish (reopened).	2 cents per pound	3 cents per pound	Feb. 22, 1936
Wool knit gloves and mittens.	40 cents per pound and 35 percent ad valorem.	40 cents per pound and 35 percent ad valorem on American selling price.	Mar. 22, 1936
Slide fasteners	45 percent ad valorem.	66 percent ad valorem.	July 31, 1936

Each of the above items is a Japanese product, and, excepting swordfish, is in competition with textiles. So much for the injury to textiles under the trade agreements, or any act of the present administration.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Kentucky. I beg your pardon; this time I want the last word. [Laughter.]

INCREASE OF IMPORTS IN 1936

I had an analysis made of the imports for 1936, and it is broken down into three major sections with respect to this increase. I include the analysis at the end of my remarks. I call special attention to the fact that there are three groups which are interesting to examine. Group one represents principally raw materials, mostly free of duty, totaling $139,000,000 (increase in 1936 over 1935). The second group consists of manufactured products mostly dutiable in which no change in duties has been made since the Smoot-Hawley Tariff Act, these items total $83,000,000 increase in 1936 over 1935. The third group is a miscellaneous group of commodities which include the products upon which tariff rates have been changed. The total increase in 1936 over 1935 for this group is $118,000,000. It can be seen at a glance that the increases referred to can be divided into two groups by combining groups one and two, which total $222,000,000, consisting of items which in no way have been affected by trade agreements. That would leave group three affected by trade agreements amounting to $118,000,000.

Further, a matter of real interest to those who desire information is to note that in the items there are $109,000,000 of increase that is taken up with noncompetitive items.

CONCLUSIONS

Again referring to the minority report: After all these wanderings among paths unfamiliar to them, after getting so lost and so far afield, our friends come back to the true faith. After all, as I pointed out when I began and as the first comment of the minority report emphasizes, the Republicans do not dare oppose reciprocal-trade agreements in toto. They have to approve them and hope that the broad smile of welcome will hide the dagger hidden behind the back.

We do not have to take very seriously the objections of a party when their representatives on the Committee on Ways and Means conclude their attack with the following statement:

At the outset, we stated that we were in accord with the general policy of reciprocity, which we understand to mean the exchange of mutually beneficial tariff concessions between nations. According to our conception, protection and reciprocity are not inconsistent, but go hand in hand, the one seeking to secure the home market to domestic producers so far as they can reasonably supply the same, the other seeking, through mutually advantageous tariff concessions, to exchange our surpluses for articles which we need, together with the freedom of our market (through the medium of the free list) for the articles which we do not produce.

This is our philosophy, too. We thank the gentlemen of the minority for "them kind words." [Applause.]

PROVISIONS OF PRIOR ACTS

McKinley Tariff Act—1890

SEC. 3. That with a view to secure reciprocal trade with countries producing the following articles, and for this purpose, on and after the 1st day of January 1892, whenever, and so often as the President shall be satisfied that the government of any country producing and exporting sugars, molasses, coffee, tea, and hides, raw and uncured, or any of such articles, imposes duties or other exactions upon the agricultural or other products of the United States, which in the view of the free introduction of such sugar, molasses, coffee, tea, and hides into the United States he may deem to be reciprocally unequal and unreasonable, he shall have the power and it shall be his duty to suspend, by proclamation to that effect, the provisions of this act relating to the free introduction of such sugar, molasses, coffee, tea, and hides, the production of such country, for such time as he shall deem just, and in such case and during such suspension duties shall be levied, collected, and paid upon sugar, molasses, coffee, tea, and hides, the product of or exported from such designated country, as follows, namely:

The classified items and rates then followed.

Dingley Tariff Act, 1897

SEC. 3. That for the purpose of equalizing trade of the United States with foreign countries and their colonies, producing and exporting to this country the following articles: Argols, or crude tartar, or wine lees, crude; brandies, or other spirits manufactured or distilled from grain or other materials; champagne and all other sparkling wines; still wines and vermouth; paintings and statuary; or any of them, the President be, and he is hereby, authorized, as soon as may be after the passage of this act, and from time to time thereafter, to enter into negotiations with the governments of those countries exporting to the United States the above-mentioned articles, or any of them, with a view to the arrangement of commercial agreements in which reciprocal and equivalent concessions may be secured in favor of the products and manufactures of the United States; and whenever the government of any country, or colony, producing and exporting to the United States the above-mentioned articles, or any of them, shall enter into a commercial agreement with the United States, or make concessions in favor of the products, or manufactures thereof, which, in the judgment of the President, shall be reciprocal and equivalent, he shall be, and he is hereby, authorized and empowered to suspend, during the time of such agreement or concession, by proclamation to that effect, the imposition and collection of the duties mentioned in this act, on such article or articles so exported to the United States from such country or colony, and thereupon and thereafter the duties levied, collected, and paid upon such article or articles shall be as follows, namely:

Here follows list of articles and rates of duties.

The President shall have power, and it shall be his duty, whenever he shall be satisfied that any such agreement in this section mentioned is not being fully executed by the government with which it shall have been made, to revoke such suspension and notify such government thereof.

And it is further provided that with a view to securing reciprocal trade with countries producing the following articles, whenever and so often as the President shall be satisfied that the government of any country, or colony of such government, producing and exporting directly or indirectly into the United States coffee, tea, and tonquin, tonqua, or tonka beans, and vanilla beans, or any of such articles, imposes duties or other exactions upon the agricultural, manufactured, or other products of the United States, which, in view of the introduction of such coffee, tea, and tonquin, tonqua, or tonka beans, and vanilla beans, into the United States, as in this act hereinbefore provided for, he may deem to be reciprocally unequal and unreasonable, he shall have the power and it shall be his duty to suspend, by proclamation to that effect, the provisions of this act relating to the free introduction of such coffee, tea, and tonquin, tonqua, or tonka beans, and vanilla beans, of the products of such country or colony, for such time as he shall deem just; and in such case and during such suspension duties shall be levied, collected, and paid upon coffee, tea, and tonquin, tonqua, or tonka beans, and vanilla beans, the products or exports, direct or indirect, from such designated country, as follows:

Payne-Aldrich Tariff Act, 1909

SEC. 2. Maximum and minimum provision: That from and after March 31, 1910, except as otherwise specially provided for in this section, there shall be levied, collected, and paid on all articles when imported from any foreign country into the United States, or into any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila) the rates of duty prescribed by the schedules and paragraphs of the dutiable list of section 1 of this act, and in addition thereto 25 percent ad valorem; which rates shall constitute the maximum tariff of the United States: *Provided*, That, whenever, after March 31, 1910, and so long thereafter as the President shall be satisfied, in view of the character of the concessions granted by the minimum tariff of the United States, that the government of any foreign country imposes no terms or restrictions, either in the way of tariff rates or provisions, trade or other regulations, charges, exactions, or in any other manner, directly or indirectly, upon the importation into or the sale in such foreign country of any agricultural, manufactured, or other products of the United States, which unduly discriminates against the United States or the products thereof, and that such foreign country pays no export bounty or imposes no export duty or prohibition upon the exportation of any article to the United States which unduly discriminates against the United States or the products thereof, and that such foreign country accords to the agricultural, manufactured, or other products of the United States treatment which is reciprocal and equivalent, thereupon and thereafter, upon proclamation to this effect by the President of the United States, all articles when imported into the United States, or any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila), from such foreign country shall, except as otherwise herein provided, be admitted under the terms of the minimum tariff of the United States as prescribed by section 1 of this act. The proclamation issued by the President under the authority hereby conferred and the application of the minimum tariff thereupon may, in accordance with the facts as found by the President, extend to the whole of any foreign country, or may be confined to or exclude from its effect any dependency, colony, or other political subdivision having authority to adopt and enforce tariff legislation, or to impose restrictions or regulations, or to grant concessions upon the exportation or importation of articles which are, or may be, imported into the United States. Whenever the President shall be satisfied that the conditions which led to the issuance of the proclamation hereinbefore authorized no longer exist, he shall issue a proclamation to this effect, and 90 days thereafter the provisions of the maximum tariff shall be applied to the importation of articles from such country. Whenever the provisions of the maximum tariff of the United States shall be applicable to articles imported from any foreign country they shall be applicable to the products of such country, whether imported directly from the country of production or otherwise.

Smoot-Hawley Tariff Act, 1930

SEC. 336. Equalization of costs of production: (a) Change of classification or duties: In order to put into force and effect the policy of Congress by this act intended, the Commission (1) upon the request of the President, or (2) upon resolution of either or both Houses of Congress, or (3) upon its own motion, or (4) when in the judgment of the Commission there is good and sufficient reason therefor, upon application of any interested party, shall investigate the differences in the costs of production of any domestic article and of any like or similar foreign article. In the course of the investigation the Commission shall hold hearings and give reasonable public notice thereof, and shall afford reasonable opportunity for parties interested to be present, to produce evidence, and to be heard at such hearings. The Commission is authorized to adopt such reasonable procedure and rules and regulations as it deems necessary to execute its functions under this section. The Commission shall report to the President the results of the investigation and its findings with respect to such differences in costs of production. If the Commission finds it shown by the investigation that the duties expressly fixed by statute do not equalize the differences in the costs of production of the domestic article and the like or similar foreign article when produced in the principal competing country, the Commission shall specify in its report such increases or decreases in rates of duty expressly fixed by statute (including any necessary change in classification) as it finds shown by the investigation to be necessary to equalize such differences. In no case shall the total increase or decrease of such rates of duty exceed 50 percent of the rates expressly fixed by statute.

(b) Change to American selling price: If the Commission finds upon any such investigation that such differences cannot be equalized by proceeding as hereinbefore provided, it shall so state

in its report to the President and shall specify therein such ad valorem rates of duty based upon the American selling price (as defined in sec. 402 (g)) of the domestic article as it finds shown by the investigation to be necessary to equalize such differences. In no case shall the total decrease of such rates of duty exceed 50 percent of the rates expressly fixed by statute, and no such rate shall be increased.

(c) Proclamation by the President: The President by proclamation shall approve the rates of duty and changes in classification and in basis of value specified in any report of the Commission under this section, if in his judgment such rates of duty and changes are shown by such investigation of the Commission to be necessary to equalize such differences in costs of production.

(d) Effective date of rates and changes: Commencing 30 days after the date of any Presidential proclamation of approval, the increased or decreased rates of duty and changes in classification or in basis of value specified in the report of the Commission shall take effect.

(e) Ascertainment of differences in costs of production: In ascertaining under this section the differences in costs of production the Commission shall take into consideration, insofar as it finds it practicable:

(1) In the case of a domestic article: (A) The cost of production as hereinafter in this section defined; (B) transportation costs and other costs incident to delivery to the principal market or markets of the United States for the article; and (C) other relevant factors that constitute an advantage or disadvantage in competition.

(2) In the case of a foreign article: (A) The cost of production as hereinafter in this section defined, or, if the Commission finds that such cost is not readily ascertainable, the Commission may accept as evidence thereof, or as supplemental thereto, the weighted average of the invoice prices or values for a representative period and/or the average wholesale selling price for a representative period (which price shall be that at which the article is freely offered for sale to all purchasers in the principal market or markets of the principal competing country or countries in the ordinary course of trade and in the usual wholesale quantities in such market or markets); (B) transportation costs and other costs incident to delivery to the principal market or markets of the United States for the article; (C) other relevant factors that constitute an advantage or disadvantage in competition, including advantages granted to the foreign producers by a government, person, partnership, corporation, or association in a foreign country.

SEC. 338. Discrimination by foreign countries: (a) Additional duties: The President, when he finds that the public interest will be served thereby, shall by proclamation specify and declare new or additional duties as hereinafter provided upon articles wholly or in part the growth or product of, or imported in a vessel of, any foreign country whenever he shall find as a fact that such country—

(1) Imposes, directly or indirectly, upon the disposition in or transportation in transit through or reexportation from such country of any article wholly or in part the growth or product of the United States any unreasonable charge, exaction, regulation, or limitation which is not equally enforced upon the like articles of every foreign country; or

(2) Discriminates in fact against the commerce of the United States, directly or indirectly, by law or administrative regulation or practice, by or in respect to any customs, tonnage, or port duty, fee, charge, exaction, classification, regulation, condition, restriction, or prohibition, in such manner as to place the commerce of the United States at a disadvantage compared with the commerce of any foreign country.

(b) Exclusion from importation: If at any time the President shall find it to be a fact that any foreign country has not only discriminated against the commerce of the United States, as aforesaid, but has, after the issuance of a proclamation as authorized in subdivision (a) of this section, maintained or increased its said discriminations against the commerce of the United States, the President is hereby authorized, if he deems it consistent with the interests of the United States, to issue a further proclamation directing that such products of said country or such articles imported in its vessels as he shall deem consistent with the public interests shall be excluded from importation into the United States.

(3) Application of proclamation: Any proclamation issued by the President under the authority of this section shall, if he deems it consistent with the interests of the United States, extend to the whole of any foreign country or may be confined to any subdivision or subdivisions thereof; and the President shall, whenever he deems the public interests require, suspend, revoke, supplement, or amend any such proclamation.

(d) Duties to offset commercial disadvantages: When the President shall find as a fact that any foreign country places any burden or disadvantage upon the commerce of the United States by any of the unequal impositions or discriminations aforesaid, he shall, when he finds that the public interest will be served thereby, by proclamation specify and declare such new or additional rate or rates of duty as he shall determine will offset such burden or disadvantage, not to exceed 50 percent ad valorem or its equivalent on any products of or on articles imported in a vessel of such foreign country, and 30 days after the date of such proclamation there shall be levied, collected, and paid upon the articles enumerated in such proclamation when imported into the United States from such foreign country such new or additional rate or rates of duty, or, in case of articles declared subject to exclusion from importation into the United States under the provisions of subdivision (b) of this section, such articles shall be excluded from importation.

(e) Duties to offset benefits to third country: Whenever the President shall find as a fact that any foreign country imposes any unequal imposition or discrimination as aforesaid upon the commerce of the United States, or that any benefits accrue or are likely to accrue to any industry in any foreign country by reason of any such imposition or discrimination imposed by any foreign country other than the foreign country in which such industry is located, and when the President shall determine that any new or additional rate or rates of duty or any prohibition hereinbefore provided for do not effectively remove such imposition or discrimination and that any benefits from any such imposition or discrimination accrue or are likely to accrue to any industry in any foreign country, he shall, when he finds that the public interest will be served thereby, by proclamation specify and declare such new or additional rate or rates of duty upon the articles wholly or in part the growth or product of any such industry as he shall determine will offset such benefits, not to exceed 50 percent ad valorem or its equivalent, upon importation from any foreign country into the United States of such articles; and on and after 30 days after the date of any such proclamation such new or additional rate or rates of duty so specified and declared in such proclamation shall be levied, collected, and paid upon such articles.

ANALYSIS OF INCREASE IN UNITED STATES IMPORTS IN 1936 OVER 1935

United States imports for consumption in 1936 totaled $2,421,000,000, an increase of $382,000,000 over imports in the year 1935. This increase may be explained in a number of different ways. One method is to determine the products principally involved and analyze the possible reasons for the increased trade in them. Another method, and the one which is used in this instance, is to segregate the principal items into groups, depending upon the nature of the products and the tariff status, with particular reference to any changes which may have occurred during 1935–36. (The items considered in these groups have been limited to those showing increases of $2,000,000 or more each for the year 1936 and account for $321,000,000, or nearly 90 percent, of the $382,000,000 increase.) On this basis there appears to be three groups: (1) Principally raw materials mostly free of duty, (2) manufactured products mostly dutiable in which no change in duty has been made recently, and (3) a miscellaneous group of commodities including products upon which tariff rates have been changed.

Groups 1 and 2, following, show increases of $222,000,000 and account for nearly 60 percent of the total increase. For these groups, therefore, the changes which have occurred have been due to factors other than the tariff. Rubber, the item showing the most important increase, represents an increase in value rather than an increase in quantity—the value having increased over 33 percent and the quantity less than 5 percent as compared with 1935. The second largest item is undressed furs, which are free of duty, and since these imports go into the manufacture of luxury articles, the increase undoubtedly resulted from increased purchasing power in this country. This may also be said of precious stones, which show an increase of $11,000,000 in 1936. Imports of wheat in 1936 showed an increase in value of $18,000,000 over imports in 1935. Our imports of wheat under normal conditions are neligible except wheat imported for milling in bond and export. There was no marked change in this latter class during 1936, but wheat for human consumption and as feed increased considerably, owing to the lessened production in this country and lessened stocks on hand. The imports of wheat for human consumption consisted principally of hard spring wheat imported from Canada for blending with softer wheats in the milling of bread flour.

Imports of paper base stock, principally wood pulp and pulpwood, and newsprint paper amounted to $196,000,000 in 1936 as compared with $164,000,000 in 1935, an increase of $32,000,000. These products are free of duty, and the rise in imports is accounted for by the increased consumption of paper and paperboard in this country. The larger imports of newsprint supplement domestic production which has been declining for some period. Newsprint and wood pulp were bound on the free list in the trade agreement with Canada, and pulpwood was bound on the free list under the Swedish, Canadian, and Finnish agreements.

As a result of the greatly increased demand for wool in this country without a corresponding increase in domestic

production, and the increase in wool prices, imports of wool in 1936 were $24,000,000 greater than in 1935. Imports of carpet wools, while less in quantity than in 1935, accounted for $5,000,000 of the total increase in the value of wool imports, and combing wools accounted for nearly all of the remainder.

Other items in these two groups which showed substantial increases were: jute, manila, and sisal, principally raw materials which are not produced domestically. Imports of these commodities increased $10,000,000 in 1936, largely as a result of increased demands in this market for the products manufactured from these fibers.

Hides and skins, only about one-third of which are dutiable, increased $9,000,000 in value in 1936. This is attributable principally to the greatly increased production of leather footwear in this country.

Meat products, principally canned beef from South America, increased $6,000,000 in 1936. There is practically no commercial production of canned beef in the United States.

Cocoa beans, the imports of which increased approximately $5,000,000 during 1936, have entered in larger quantities in recent months, probably in anticipation of further increases in prices.

Items comprising groups 1 and 2 are shown in the following tabulations:

GROUP 1.—*Principally raw materials mostly free of duty—increase in 1936 over 1935*

Rubber	$40,000,000
Undressed furs	25,000,000
Paper base stock and newsprint	32,000,000
Jute, manila, sisal, etc., unmanufactured	10,000,000
Hides and skins	9,000,000
Coco beans	5,000,000
Tin	6,000,000
Silk	7,000,000
Fertilizer and fertilizer materials	5,000,000
Total	139,000,000

GROUP 2.—*Manufactured products mostly dutiable in which no change in duty has been made recently—increase in 1936 over 1935*

Meat products	$6,000,000
Petroleum and products	3,000,000
Wheat	18,000,000
Flaxseed	2,000,000
Expressed oils	9,000,000
Unmanufactured cotton	5,000,000
Wool	24,000,000
Precious stones, etc	11,000,000
Nickel metal and alloys	5,000,000
Total	83,000,000

Group 3, following, consists of commodities, the considerable part of which have been subject to changes in rates of duty. The principal items comprising this group are sugar, whisky, and manufactures of wool, these three items alone accounting for more than 50 percent of the $118,000,000 increase in this group.

Imports of whisky increased $31,000,000 in 1936 over the preceding year and were supplied almost entirely by Canada and the United Kingdom. Greater demand in this country for aged whiskies and the reduction in the duty were the principal factors accounting for this increase. The duty on whisky was reduced 50 percent, to $2.50 per proof-gallon under the Canadian agreement.

The duty on sugar was reduced in June 1934 under section 336 and again under the Cuban agreement effective September 1934. Sugar imports increased $23,000,000 in 1936, all of the trade being subject to quota regulations. The increase may be attributed to greater consumption of this commodity in this country.

Manufactures of wool increased $10,000,000 in 1936. Some changes in duties on these products have been made, but the duties on the principal items, including blankets, woolens, and worsteds, overcoats, and wool felt-hat bodies, have remained unchanged, and therefore the increased trade has come about largely because of the revival in business conditions in this country, accompanied by an increase in the demand for high-grade woolens. Manufactures of wool on which there have been duty reductions include: Angora rabbit hair yarn, woven green billiard cloths, paper-makers' felts, knit fabric, knit underwear, and knit hats, but the combined imports of these articles during the first 11 months of 1936 were valued at less than imports during the first 11 months of 1935.

Imports of ferro-alloys and related ores increased $8,000,000 in 1936 and reflect the general increased demand for alloys for use in steel and other metal production. Alloys on which there have been duty reductions include manganese, chromium, and silicon, the imports of which showed only slight increases during the first 11 months of 1936 over a similar period in 1935. The bulk of the increase is accounted for by the larger imports of manganese ore, on which the duty was reduced 50 percent under the Brazilian agreement. The increase in this important raw material is in line with the generally improved conditions in the steel industry.

Cotton manufactures, the imports of which increased about $7,000,000 in 1936 over 1935, comprise principally cotton cloth, cotton floor coverings, and pile fabrics. The increased imports of cotton cloth came in principally during the first 6 months of 1936 before the duty was increased by proclamation of the President under section 336. Imports of cotton floor coverings have also shown a substantial increase in trade. The principal factor probably has been the reduced trade restrictions on imports of imitation oriental rugs upon which the duty was reduced in the Belgian trade agreement, and still further reduced at a later date by removal of the restrictions imposed under section 3 (e) of the National Industrial Recovery Act. Imports of pile fabrics have been particularly heavy this year from Japan, and this matter is now being investigated by the Tariff Commission. There has been relatively little increase in the imports of certain fine cloths upon which the duty was reduced in the trade agreement with Switzerland. However, since this agreement became effective in June, the period is too short upon which to base any conclusions as to the effect of this change.

The commodities discussed above and other items comprising this group are shown in the following tabulation:

GROUP 3.—*Miscellaneous group of commodities, including products upon which tariff rates have been changed—increase in 1936 over 1935*

Whisky	$31,000,000
Sugar	23,000,000
Manufactures of wool	10,000,000
Ferro-alloys	8,000,000
Cotton manufactures	7,000,000
Flax and manufactures	5,000,000
Sawmill products	5,000,000
Iron and steel mill	5,000,000
Machinery and vehicles	4,000,000
Industrial chemicals	3,000,000
Wine	3,000,000
Fish	3,000,000
Fruits and preparations	2,000,000
Tobacco	4,000,000
Coal-tar products	2,000,000
Total	118,000,000

Increased imports in 1936 of principal noncompetitive and/or supplementary products

Principal commodities	Increase in 1936 imports over 1935	Principal commodities	Increase in 1936 imports over 1935
Noncompetitive:		Supplementary:[1]	
Rubber, crude	$40,000,000	Paper base stock	$17,000,000
Undressed furs	25,000,000	Hides and skins	9,000,000
Jute, manila, sisal, etc	10,000,000	Wheat	18,000,000
Cocoa beans	5,000,000	Whisky	31,000,000
Tin	6,000,000	Wines	3,000,000
Raw silk	7,000,000	Sugar	23,000,000
Precious stones	11,000,000	Manganese ore	4,000,000
Nickel	5,000,000		
Subtotal	109,000,000	Subtotal	105,000,000
		Total	[2] 214,000,000

[1] Supplementary to the extent that domestic production is on a deficit basis with respect to these commodities or that imports are of special grades or types.
[2] Equivalent to 56 percent of the total increase of $382,000,000.

The following table shows reductions of duties and restrictions on commodities granted in concessions to the United States, countries granting same, and extent thereof.

Important American export products upon which duty reductions or other

[Countries listed in order of effective dates of agreements, indicated under name. Reductions in duties or other import charges

	Number of countries	Cuba, Sept. 3, 1934	Belgium, May 1, 1935	Haiti, June 3, 1935	Sweden, Aug. 5, 1935	Brazil, Jan. 1, 1936	Canada, Jan. 1, 1936
AGRICULTURAL PRODUCTS							
Canned peaches	12	Duty cut 17 percent.	Duty cut 27 percent.	Duty cut 35 percent.	Duty cut 33 percent.	Duty cut 20 percent.	Duty cut 20 percent.
Canned pears	12	do	do	do	do	do	do
Canned grapefruit	10		do		Duty cut 60 percent.	do	do
Canned pineapples	11		do		do	do	do
Canned fruits for salad	12	Duty cut 17 percent.	do	Duty cut 35 percent.	Duty cut 33 percent.	do	do
Prunes	9	Duty cut 12½ percent.		Duty cut 36 percent.			
Raisins	10	Duty cut 12½ percent; preferential increase, 10 percent.	Duty cut 25 percent.	do	Duty removed		
Dried apples	8	Duty cut 12½ percent.	Duty cut 34 percent.				Duty cut 10 percent.
Dried apricots	10	do	Duty cut 27 percent.	Duty cut 36 percent.			do
Fresh apples	7			Duty cut 40 percent.	Duty cut 50 percent (seasonal).		Duty cut 25 percent; official valuation reduced.
Fresh pears	6		Duty cut 50 percent.	do	do		Duty cut 25 percent; valuation reduced.
Oranges	3						Duty removed (seasonal).
Grapefruit	7		Duty cut 50 percent.		Duty removed		Duty cut 50 percent.
Grapes	3			Duty cut 40 percent.			Duty cut 25 percent; valuation reduced.
Pork and products	9	Duty cut 6 to 38 percent; preferential increase 5 to 10 percent.	Duty cut 25 percent (canned tongue); quota obtained.	Duty cut up to 67 percent.			Duty cut 14 to 65 percent; valuation reduced.
Lard	9	Duty cut 76 percent.	Quota obtained	Duty cut 25 percent (conditionally).			Duty cut 12 percent.
Beef	5	Duty cut 6 percent; preferential increase 5 percent.		Duty cut up to 67 percent.			Duty cut 25 to 50 percent; valuation reduced.
Oleo oil, stock and stearine	2	Duty cut up to 60 percent.					Duty cut 10 percent.
Prepared milk products	8			Duty cut 50 percent.		Duty cut 37½ percent.	
Vegetables, fresh and dried	4	Duty cut up to 50 percent; preferential increase up to 30 percent.					Duty cut 8 to 100 percent; official valuations reduced on most.
Canned vegetables	11	Duty cut up to 14 percent; preferential increase up to 10 percent.			Duty cut 33 percent.	Duty cut 20 percent.	Duty cut 8 to 33 percent; valuation reduced on asparagus.
Leaf tobacco	3	Duty cut 20 percent; preferential increase 20 percent.					
Cigarettes	2	Duty cut 60 percent; preferential increase 20 percent.					
Vegetable fats and oils	3	Duty cut up to 79 percent; preferential increase up to 10 percent.					Duty cut 10 percent.
Oatmeal	7	Duty cut 78 percent.	Duty cut 28 percent.			Duty cut 50 percent.	Duty cut 38 percent.
Crackers and biscuits	5	Duty cut up to 74 percent.					Duty cut 10 to 25 percent.
Breakfast foods	4				Duty cut 25 percent.		Duty cut 12 percent.
Cornstarch	3	Duty cut 7 percent.	Quota increased one-eighth.				
Malt	4	Duty cut 14 percent; preferential increase 10 percent.					Duty cut 33 to 50 percent.
Rye	2						Duty cut 40 percent.
Rye flour	2						Duty cut 10 percent.
Rice	4	Duty cut 17 percent; preferential increase 10 percent.					Duty cut 28 percent.
Oats	3	Duty cut 35 percent; preferential increase 20 percent.					Duty cut 44 percent.

concessions have been obtained in the 15 trade agreements thus far concluded
stated in percentages of former duties; quota increases in fractions of former quotas. In some cases estimates were necessary]

Netherlands, Feb. 1, 1936	Switzerland, Feb. 15, 1936	Honduras, Mar. 2, 1936	Colombia, May 20, 1936	Guatemala, June 15, 1936	France, June 15, 1936	Nicaragua, Oct. 1, 1936	Finland, Nov. 2, 1936	Costa Rica, not yet effective
	Duty cut 20 percent.	Duty cut 73 percent.	Duty cut 50 percent.			Duty cut 33 percent.	Duty cut 35 percent.	Duty cut 33 percent.
	do	do	do			do	do	Do.
	do	do	do			do	do	Do.
	do	do	do		Duty cut 5 percent (unsweetened).	do	do	Do.
	do	do	do			do	do	Do.
Monopoly fee cut 50 percent.	Duty cut 33 percent; quota increased two-thirds.	Duty cut 33 to 75 percent.	do			Duty cut 40 percent.	Duty cut 51 percent.	Duty cut 47 percent.
do		do	do			do	Duty cut 50 percent.	Do.
	Quota increased one-tenth.	do	do			do		Do.
	Duty cut 20 percent; quota increased one-tenth.	do	do			do	Duty cut 50 percent.	Do.
Monopoly fee cut 50 percent (seasonal).			do		Quota increased one-half.		Duty cut 50 to 75 percent (seasonal).	
			do		do			
			do		Quota obtained			
Monopoly fee cut 50 percent.			do		Duty cut 50 percent.		Duty cut 50 percent.	
			do					
		Duty cut 36 to 51 percent.	Duty cut 33 to 37 percent.	Duty cut up to 29 percent.	Duty cut 50 percent (certain cuts).			Duty cut 35 percent.
	Embargo lifted; duty cut 50 percent; quota obtained; 90 percent total imports.		Duty cut 50 percent.			Duty cut 17 percent.	Duty cut 33 percent on quota of 2.2 million pounds.	Duty cut 8 percent.
			Duty cut 33 to 37 percent.	Duty cut up to 29 percent.				
		Duty cut up to 50 percent.	Duty cut 33 percent.	Duty cut up to 33 percent.	Duty cut 50 percent (condensed milk).	Duty cut 17 to 42 percent.		Duty cut 40 percent.
			Duty cut 17 percent.		Duty cut 50 percent (on dried pulse).			
	Quota increased one-half.	Duty cut 66 to 74 percent.	Duty cut 70 percent.		Duty cut up to 45 percent (tomatoes and asparagus).	Duty cut 37 percent.	Duty cut 35 percent (asparagus, pork and beans, tomato juice).	Duty cut 33 percent.
			Duty cut 50 percent.		Purchase undertaking of $3,200,000 or 20.5 million pounds in 1936.			
			do					
				Duty cut 50 percent.				
Monopoly fee cut on sliding scale.		Duty cut 50 percent.		do				
		do	Duty cut 25 percent.		Duty cut 50 percent.			
			do					Duty cut 47 percent.
			do					
			Duty cut 19 percent (on extracts).		Duty cut 50 percent.			
					do			
					do			
Quota obtained					do			
					do			

Important American export products upon which duty reductions or other conces

	Number of countries	Cuba, Sept. 3, 1934	Belgium, May 1, 1935	Haiti, June 3, 1935	Sweden, Aug. 5, 1935	Brazil, Jan. 1, 1936	Canada, Jan. 1, 1936
AGRICULTURE PRODUCTS—Contd.							
Wheat	3						Duty cut 60 percent.
Wheat flour	3	Duty cut 13 percent on flour of all-American wheat; preferential increase 10 percent.					Duty cut 63 percent.
Linseed cake	2	Duty cut 56 percent; preferential increase 20 percent.	Tax cut 25 percent; restraint removed.				
FISH PRODUCTS							
Canned salmon	8	Duty cut 13 percent; preferential increase 10 percent.				Duty cut 60 percent.	Duty cut 8 percent; valuation reduced.
Canned sardines (including pilchards).	10	Duty cut 20 percent; preferential increase 15 percent.	Duty cut 25 percent.			do	Duty cut 29 to 36 percent.
Canned shellfish	7	Duty cut 7 percent; preferential increase 5 percent.					Duty cut 10 to 100 percent.
INDUSTRIAL PRODUCTS							
Passenger automobiles and chassis	6	Duty cut 12 to 50 percent; preferential increase 5 percent.	Duty cut 15 percent.			Duty cut 20 percent.	Duty cut 12 to 25 percent; valuation reduced.
Trucks, busses, and chassis	5	Duty cut 6 to 21 percent; preferential increase 5 to 10 percent.				do	Duty cut 12 to 25 percent; valuation reduced.
Automobile engines, parts, and accessories.	6	Duty cut 6 to 25 percent; preferential increase 5 to 10 percent.	Duty cut 65 to 85 percent.			Duty cut 20 to 33 percent.	Duty cut 8 to 29 percent.
Leather (selected types)	6			Duty cut 38 percent.		Duty cut 25 to 26 percent.	Duty cut 14 to 25 percent.
Rubber tires and inner tubes	8			Duty cut 25 percent.	Duty cut 16⅔ percent.	Duty cut 25 percent.	Duty cut 14 to 18 percent.
Rubber belting	4		Duty cut 13 percent.			Duty cut 10 percent.	Duty cut 18 percent.
Cotton yarn	3	Preferential increase 20 percent.					Duty cut 25 to 50 percent.
Selected cotton fabrics	6	Duty cut 7 to 29 percent; preferential increase 20 percent.					Duty cut 14 to 30 percent; valuation reduced.
Silk hosiery	8	Duty cut 17 percent; preferential increase 10 percent.	Quota increased fourfold.				Duty cut 33 per cent.
Rayon fabrics	4	Duty cut 14 to 43 percent; preferential increase 10 to 30 percent.					Duty cut 10 to 28 percent; valuation reduced.
Lumber and timber	6	Duty cut 60 percent (gumwood).	Duty cut 13 percent (softwood).				Duty cut 20 percent (dressed).
Petroleum products	4						Duty cut 10 to 17 percent.
Iron and steel plates and bars	4	Duty cut 20 to 28 percent; preferential increase 15 to 35 percent.					Duty cut 8 to 25 percent.
Iron and steel wire	4	Duty cut 7 to 28 percent; preferential increase 5 to 15 percent.					Duty cut 8 to 33 percent.
Metal furniture	7	Duty cut 13 to 20 percent; preferential increase 10 to 15 percent.				Duty cut 50 percent.	Duty cut 40 percent.
Cooking and heating equipment	4	do					Duty cut 17 percent.
Tools	4	Duty cut 20 percent; preferential increase 15 percent.				Duty cut 25 percent (files).	Duty cut 25 percent.
Agricultural machinery	3	Duty cut 20 percent; preferential increase 5 percent.					Duty cut 40 to 55 percent.
Industrial machinery	5	Duty cut 11 to 15 percent; preferential increase up to 10 percent.		Duty cut 50 percent (sewing machines).		Duty cut 25 percent (pumps).	Duty cut 9 to 100 percent.

sions have been obtained in the 15 trade agreements thus far concluded—Continued

Netherlands, Feb. 1, 1936	Switzerland, Feb. 15, 1936	Honduras, Mar. 2, 1936	Colombia, May 20, 1936	Guatemala, June 15, 1936	France, June 15, 1936	Nicaragua, Oct. 1, 1936	Finland, Nov. 2, 1936	Costa Rica, not yet effective
Purchase undertaking, 5 percent of Netherland consumption requirements.	Quota obtained							
do								
		Duty cut 67 percent.	Duty cut 33 percent.	Duty cut 50 percent.	Duty cut 75 percent; quota obtained.			Duty cut 33 percent.
	Duty cut 50 percent.	do	do	do	Duty cut 75 percent on limited quantity; quota obtained.			Do.
	Duty cut 45 percent (shrimp).		Duty cut 19 percent.	do	Duty cut 30 percent; quota obtained for crustaceans.			Do.
			Duty cut 20 to 25 percent.		Duty cut 50 percent on limited quantity of chassis; quota increased one-half to 3½.			
	Quota doubled		Duty cut 50 percent.					
			Duty cut 40 percent.		Quota increased one-seventh.			
Quota obtained			Duty cut 20 to 40 percent.		Quota increased one-sixteenth on patent; one-fifth on others.			
	Quota increased one-tenth.			Duty cut 20 percent.	Duty cut 33 percent.		Duty cut 10 percent.	
					Duty cut 22 percent.			
					Duty cut 25 to 75 percent.			
Quota obtained		Duty cut 36 percent (denim).	Duty cut 25 to 30 percent (few).		do			
do	Quota doubled		Duty cut 40 percent.		Quota doubled			Duty cut 32 percent.
do					Duty cut 40 to 70 percent (some).			
	Quota increased one-fifth (softwood).				Quota doubled			Duty cut 50 to 65 percent.
	Quota increased twofold to threefold.		Duty cut 50 percent (paraffin).		Duty cut 11 percent (paraffin wax).			
			Duty cut 33 percent.		Duty cuts up to 35 percent.			
Quota obtained					Duty cuts up to 33 percent.			
			Duty cut 33 percent.	Duty cut 33 percent.			Duty cut 33 percent.	Duty cut 33 percent.
	Duty cut 10 to 20 percent and quota increased two-fifths on oil burners.				Duty cut 25 to 33 percent.			
					Quota increased three-sevenths to 1⅔.			
					Quota increased one-seventh to 1⅔.			
					Duty cuts, varying; quota increased one-sixteenth to one-half.			

Important American export products upon which duty reductions or other conces

	Number of countries	Cuba, Sept. 3, 1934	Belgium, May 1, 1935	Haiti, June 3, 1935	Sweden, Aug. 5, 1935	Brazil, Jan. 1, 1936	Canada, Jan. 1, 1936
INDUSTRIAL PRODUCTS—Contd.							
Radio apparatus	8	Duty cut 7 percent; preferential increase, 5 percent.	Duty cut 15 percent.	Duty cut 50 percent (conditional).		Duty cut 25 percent.	Duty cut 17 percent (valuation reduced).
Electric refrigerators	4	Duty cut 21 percent; preferential increase, 5 to 10 percent.					Duty cut 25 percent
Batteries	4	do				Duty cut 5 to 47 percent (dry).	Duty cut 9 percent.
Electric motors	3	do					Duty cut 20 percent.
Typewriters, cash registers, and business machines	6	Duty cut 15 percent; preferential increase, 5 to 10 percent.	Duty cut 10 to 25 percent.				Duty cut 8 to 20 percent.
Aircraft, parts and accessories	2						Duty cut 18 to 25 percent.
Railway cars and parts	3	Duty cut 7 to 20 percent; preferential increase up to 15 percent.					Duty cut 8 to 25 percent.
Medicinal and pharmaceutical preparations.	7	Duty cut 7 to 14 percent; preferential increase up to 10 percent.					Duty cut 10 to 20 percent.
Paints and varnishes	9	Duty cut 7 to 60 percent; preferential increase up to 10 percent.	Duty cut 28 percent.			Duty cut 16 to 54 percent.	Duty cut 7 to 33 percent.
Chemicals	6	Duty cut 7 to 79 percent.				Duty cut 25 percent (turpentine).	Duty cut 9 to 100 percent.
Soap, cosmetics, and toilet preparations.	8	Duty cut 7 to 21 percent; preferential increase up to 10 percent.			Duty cut 50 percent.	Duty cut 20 percent (soap).	Duty cut 10 to 17 percent.

The CHAIRMAN. The time of the gentleman from Kentucky has expired. All time has expired, and the Clerk will read.

The Clerk read as follows:

Resolved, etc., That the period during which the President is authorized to enter into foreign-trade agreements under section 350 of the Tariff Act of 1930, as amended by the act (Public, No. 316, 73d Cong.) approved June 12, 1934, is hereby extended for a further period of 3 years from June 12, 1937.

Mr. REED of New York. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. REED of New York: Line 8, before the period, insert a colon and the following: "*Provided*, That no foreign trade agreement entered into under the provisions of this act shall become effective until submitted to the Congress by the President and approved by both House and Senate by a majority vote. The vote on such agreement shall be taken within 20 days after the President submits the agreement to the Congress. In the event that Congress shall fail to act within such period of 20 days, then said agreement shall thereupon be in full force and effect."

Mr. RANKIN. Mr. Chairman, I make the point of order that that amendment is not germane to the bill. It entirely changes the object of the bill and for the first time brings back to the House of Representatives an act of the Executive to be ratified, not by the Senate alone, but by the House. I submit that amendment would entirely change the intent of the bill.

The CHAIRMAN. In the opinion of the Chair the amendment submitted by the gentleman from New York places a limitation upon the President. The pending joint resolution proposes a grant of discretionary power to the Executive by the Congress, and, therefore, this limitation in the judgment of the Chair is germane. The point of order is overruled.

Mr. REED of New York. Mr. Chairman, we have delegated vast legislative power to the Executive. We have been doing that for some time. I want to see the people of my district, and I believe you want to see the people of your districts, have every safeguard thrown around their interests that foreign governments insist be thrown around theirs in these trade agreements. I am just wondering how closely the Members of this House have studied the Canadian trade agreement. We are particularly interested in that trade agreement up in New York, especially so in western New York. We are on the border. The whole Canadian line along there is a showcase for foreign goods. Our people can cross the border in a few minutes and each can bring back free of duty $100 worth of purchases in Canada. It runs into the millions of dollars every year. We have entered into a trade agreement to break down these barriers that have been some protection to the people of our districts. The dairy sections and the fruit sections edge up onto the Canadian border, and, contrary to the promise of the President when he was a candidate for office, tariffs on agricultural products have been reduced. When we entered into this trade agreement with Canada, in an exchange of letters between Secretary Hull and the Canadian authorities, Canada reserved the legislative right to her people, if impinged upon by imports, to appeal to the tariff board to grant redress to her people. That is a part of the treaty. That is ratified. It is recognized under the proclamation. They have thrown the mantle of protection around their people who may be injured by imports, and what have we done? We have bartered away every right, even the right of appeal, by delegating our legislative functions to a star-chamber proceeding. All I ask in the amendment offered is that our people shall have the right through their chosen representatives, chosen by them to represent them in legislative matters, to have the same protection that the foreign governments have reserved to their people, and that we permitted them to reserve. I hope that for the protection of our people you will vote for this amendment and give our people a chance to protect themselves from the imports from Canada, just as Canada under this trade agreement is protecting her people by writing it into the treaty. [Applause on the Republican side.]

Mr. COOPER. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York. The gentleman stated that what he wants is a safeguard. The real truth is what he wants is to kill the legislation under consideration. The adoption of this amendment could have only one practical effect, and that is to defeat the entire program sought to be extended by the resolution under

sions have been obtained in the 15 trade agreements thus far concluded—Continued

Netherlands, Feb. 1, 1936	Switzerland, Feb. 15, 1936	Honduras, Mar. 2, 1936	Colombia, May 20, 1936	Guatemala, June 15, 1936	France, June 15, 1936	Nicaragua, Oct. 1, 1936	Finland, Nov. 2, 1936	Costa Rica, not yet effective
	Quota increase, two-thirds.			Duty cut 50 percent.	Quota increase, one-eighth to one-sixth.			
	Quota increase, two-fifths.				Quota increase, one-seventeenth.			
					Duty cut up to 17 percent (dry).			
					Duty cut 20 to 38 percent.			
	Duty cut 20 percent.		Duty cut 60 to 63 percent.		Duty cut 25 percent on heavy cash registers; quota increase, one-half on typewriters.			
					Duty cut, varying.			
					Duty cut 20 to 28 percent (freight cars).			
		Duty cut 33 to 50 percent.	Duty cut 28 to 43 percent.		Duty cut 75 percent.	Duty cut 20 percent.		Duty cut 25 to 50 percent.
			Duty cut 20 percent.	Duty cut 25 to 33 percent.	Duty cut, varying (certain pigments); quota increase one-half.	Duty cut 20 to 40 percent.		Duty cut 25 percent.
Quota obtained					Duty cut, varying.			Duty cut 50 percent (rosin).
		Duty cut 31 to 60 percent.	Duty cut 35 to 50 percent.		Duty cut up to 28 percent (alcoholic products).			Duty cut 33 to 50 percent.

consideration. During the course of my remarks on this measure last Friday I undertook to give the House the benefit of the experience that we have had in this country on the question of treaties and agreements that required ratification and those that did not require ratification, and to very briefly review this experience I invite your attention to the following facts: There were 13 treaties under the general treaty-making power of the President, of which 10 failed. There were 11 treaties negotiated under special statutory provisions of the act of 1897, known as the Dingley Act, and 11 of these failed of ratification. Therefore, we have 24 treaties of that type which required ratification that were negotiated, and 21 out of the 24 failed and never became effective. On the other hand, we negotiated 13 agreements which did not require ratification under the act of 1890, referred to as the McKinley Act. One of these failed by nonratification by the foreign country and the other 12 became effective. Nine agreements were negotiated under special provisions of the act of 1897, known as the Dingley Act, and all became effective. Fifteen agreements have been negotiated under this act which we now seek to extend, and 14 of them have already become effective, and the other will within a short time.

Therefore, we have this score as between agreements or treaties requiring ratification and those not requiring it. Of those that required ratification 21 out of 24 failed and never became effective. On the other hand, 36 out of 37 negotiated which did not require ratification, became effective. Therefore, it will readily be seen that the only purpose to be accomplished by the adoption of such an amendment as that proposed by the gentleman from New York [Mr. REED] is to defeat this program.

Mr. BREWSTER. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I beg the gentleman's pardon. In the limited time I have I cannot yield.

We know that many other countries of the world, by reason of the nature of their parliamentary procedure, are able take quick and prompt action on matters of this kind. The situation is vastly different in this country of ours, where our parliamentary procedure is along very different lines. Those other countries are equipped to give prompt consideration to matters of this kind. One of the underlying reasons which called for the enactment of this legislation in the beginning was the fact that most of the other countries could accomplish results in a very short time, and all kinds of trade barriers were raised against the commerce of this country. Because of the nature of our tariff making in this country, quick action could not be taken. Therefore, our foreign trade was constantly declining and had reached the vanishing point.

So I insist that the adoption of this amendment would have the same practical effect as striking out the enacting clause of this resolution, and I appeal to the House to vote down the amendment.

[Here the gavel fell.]

Mr. MICHENER. Mr. Chairman, I move to strike out the last word. I did not intend to say anything, but I am a little surprised at the argument made by the gentleman from Tennessee [Mr. COOPER], who usually bases his arguments upon reason. Today he has based his argument upon numbers. He concludes that, because a given number of treaties have become effective under the present law, therefore, it is a good law. He concludes that, because a number of treaties under other laws were discarded, therefore those procedural laws were bad. Now, there is certainly no logic in that. We might divide on the treaty on the League of Nations, for instance. The merits of the controversy had nothing to do with the authority of the Senate to consider the treaty. The number of treaties or agreements approved or rejected by the Senate is not a criterion of the wisdom of the laws permitting the Senate to act. The Congress speaks for the people, and the Constitution contemplates that the people shall approve all treaties with foreign nations.

It seems to me that the American people can always be trusted if and when the American people are fully advised. I do not think there are many people in this body today who would ratify the League of Nations if they had an opportunity to do so, yet had it not been necessary for Senate

ratification this country would have joined the League of Nations. To my mind, that is one of the best reasons why these treaties affecting industry in America should be submitted to the representatives of the American people and passed upon in the Senate.

This amendment provides a limitation. The ratifying bodies must vote within 20 days. What material harm can come from this short delay? If the proposed treaty is inimical to our best interest, those to be affected should have the right to say so. This is the American way.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. MICHENER. I yield.

Mr. ANDREWS. Does not the gentleman think just as much could be accomplished along the line of his argument if ratification was left simply to the Senate and not to the House?

Mr. MICHENER. I would be perfectly willing to follow the Constitution and the custom of the past, if you please, and let those matters be discussed and ratified by the Senate, with the limitation that the Senate must come to a vote within 20 days. During that 20 days the American people might be fully advised as to what was taking place.

Now, the gentleman from Tennessee [Mr. COOPER] called attention to the fact that in some countries they could ratify because under their parliamentary situation a vote could be brought speedily. He says here it is interminable; but, with this 20-day limit, surely we meet that requirement, so far as expedition is concerned.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. MICHENER. I yield.

Mr. COOPER. How about the long period of time when Congress is not even in session? How will the 20 days work when Congress is not in session?

Mr. MICHENER. Congress adjourns, let us say, the 1st of June and it meets again in January. I say the President of the United States can so arrange these treaties that 3 or 4 months will make no difference. I think a little deliberation on our part, a little deliberation so far as legislation is concerned, is an almighty good thing always.

Again I call attention to the fact that today we probably would be a member of the League of Nations were it not for the fortitude of a few men in the United States Senate who had the courage, who had the morality, to stand up and make a fight until the American people knew what it was all about, and then the American people spoke. [Applause.]

We all agree that the tariff should be taken out of politics, if possible. When the Democratic convention in Chicago in 1932 accepted the Republican traditional position of a protective tariff, representing the difference between cost of production at home and abroad, I felt that we were making progress. With the flexible provisions of the tariff law, permitting the Tariff Commission to find the facts as to these relative costs, and with the President clothed with the authority to raise or lower the tariff rates fixed by the Congress, it seemed that a practical solution of the problem had been reached. Under that arrangement, the industries to be affected, as well as the consumer who might be taxed, were all given abundant opportunity to be heard.

I think I agree with President McKinley's speech, made in September 1901, when he said:

> By sensible trade agreements which will not interrupt our home production we shall extend the outlets for our increasing surplus. * * * We must not repose in fancied security that we can forever sell everything and buy little or nothing. * * * We should take from our customers such of their products as we can use without harm to our industries and labor.

This excerpt from that splendid tariff speech is often quoted by the advocates of the present reciprocal-trade-agreement law, but I want to call attention that it was the view of President McKinley, as expressed in that speech, that "we should take from our customers such of their products as we can use without harm to our industries and labor." In short, in making these agreements with foreign nations, we should use as trading stock the commodities which we do not produce and which do not come into competition with our industries, our farmers, and, consequently, with our labor.

These trade agreements may be beneficial to both parties, provided we have something to trade, and do not trade away our birthrights. Under the trade agreements that have already been made under this law, it seems to me that the administration has bartered concessions on highly competitive articles, only securing in return concessions on our export commodities. Everybody is for increasing our foreign trade, but what would it benefit this country to increase its foreign trade if by so doing we destroy our basic agricultural industry? A job is a job, and there is nothing gained when you trade away a farmer's job for a factory worker's job.

We who live on our northern border possibly know more about the practical working of the trade agreement with Canada than do many of the other Members of this body. We realize that agricultural exports to Canada increased by $7,809,000 in the first 10 months of 1936 over the corresponding period of 1935. That increase is almost equally divided between agricultural products on which we have received concessions and all other agricultural products. On the other hand, our agricultural imports from Canada in the same period increased by $29,127,000, the increased imports of those on which duties were reduced under the agreement being almost as large as the entire increase in our exports.

No wonder that the farmers in my country object to these concessions to Canadian agriculture, when we realize that under the Canadian treaty we reduced the duties on cattle, cream, corn, lima beans, tomatoes, cucumbers, potatoes, apples, green peas, canned peas, poultry live or dead, to mention but a few items of the increased imports to which the American farmer is subjected.

Now, I know that the tariff is in many instances a local issue and surely the farmers in my locality will in the end pay the price for this Canadian treaty. It is well to think nationally; but too many of our people in the present administration give more attention to international thought. It would be fine if all the world could prosper and have the same standards of living that we enjoy in America. We may talk about the brotherhood of man, and so forth, but, after all, self-preservation is the first law of nature, and we cannot help foreign nations to attain our standards by pulling down those very standards of living.

We have not heard so much about the "iniquitous Smoot-Hawley tariff bill" in this debate. Possibly there is a reason. We were told in the campaign of 1932 that if our Democratic friends came into power, they would immediately get rid of that law. Up to this good hour, although our friends have been in control of the complete Federal Government for more than 4 years, not a single thing has been done to repeal or to get away from the Smoot-Hawley tariff bill, excepting in the agreements made under the reciprocal-trade law.

Yes, things in the country are better than they were. Our exports have increased, but our imports have increased to a much greater degree. In fact, our total imports in the first 11 months of 1936 represented 17-percent increase over the corresponding period of 1934, whereas exports increased only 8 percent over 1934. Dr. Sayre, who appeared before the Ways and Means Committee, representing the Department of State, and asking for the continuance of this legislation, among other things, said:

> In 1935–36 our exports of agricultural commodities accounted, at average yields, for nearly 28,000,000 acres of productive land.

Now, that sounds fine, but Dr. Sayre did not tell the committee that our imports of agricultural commodities in 1935–36 amounted to approximately 30,000,000 acres of productive land. That may be Yankee trading, but I do not see its advantage—to the farmers at least. The hearing discloses that duties on more than 80 farm products have been reduced since this act was put into effect, and in not one case has the duty been increased, and I have been unable to find a single instance where the duty has been increased on products that are imported into this country that compete with the products of agriculture.

Agriculture is represented in Washington by several large organizations. These organizations presume to speak for agriculture on legislative matters, and it is interesting to note that the National Grange, the National Farmers' Union, the National Cooperative Milk Production Federation, the National Cooperative Council, and the National Dairy Union all appeared before the committee and all were diametrically opposed to the renewal of these trade agreements as provided for in this legislation and without amendments. The American Farm Bureau Federation, at its annual conference on December 11, 1936, took a similar position, and I think we all realize that Mr. Edward O'Neal, the president of this organization, is an outstanding supporter and advocate of the present administration. On the other hand, the National Chamber of Commerce appeared before the committee asking a continuance of this power in the President to make these agreements.

One trouble with the tariff in the past has been that it was beneficial to the manufacturer and industry in general, while it did not work and does not work for the benefit of certain farm commodities where there is an exportable surplus. Both political parties have for a number of years been promising to give agriculture parity with other industries; that is, we have promised to make the tariff, which protects the manufacturer, effective as to the farmer. The way the authority granted in this law has been used by the President and the Department of State, so far as agriculture is concerned, has not been in keeping with those promises. The farmer has been traded off, as has been so often the case in the past. We may talk as much as we like, but farm prosperity will not be restored in this country until the farmer receives a fair price for a full crop. In other words, parity price means nothing unless it also includes parity income.

If I read the hearings before the Committee on Ways and Means correctly, the Secretary of State placed more stress on the effect these treaties will have on world peace than on economics. Many industrial authorities—men qualified to speak on such matters—take a different view, however. For instance, Bernard Baruch has stated that in case of war, these treaties would be an instrument of dispute and contention rather than an instrument of conciliation.

I want it understood that I am in no sense objecting to doing any legitimate thing that will advance and increase our foreign trade, but I am just as much opposed to entering into any agreements that violate Washington's farewell address and that directly or indirectly will involve this country in entangling world alliances.

The majority of the people whom I represent are very much opposed to the method of making these treaties. We feel that somewhere, somehow, some place along the line the average man engaged in agriculture or industry should have an opportunity for a free and open hearing in order that he might present his claims, his views, and his necessities, before his Government enters into any agreements or contracts that will destroy him economically. Under existing arrangements there is no such forum. True, a sort of hearing is held before a committee set up by the Department of State, and until the treaty with Ecuador was given consideration it was impossible to have any idea as to what commodities were being discussed by the negotiators on behalf of this country, and we have no assurance that if this law is continued for a period of 3 years the bureaucrats down in the Department of State will even concede that much to American people in the future.

There should be safeguards, and the amendment offered by the gentleman from New York [Mr. REED] will make it possible for all of our people to have some knowledge about what the agreement contains before our country becomes bound. It is serious to contemplate the thought that our Department of State can enter into an agreement with foreign nations, affecting vitally the everyday life of all of our people; that this is done in secret; that no one knows what has been done and has no way of knowing until the President's name is affixed to the contract and we are bound.

It has been said that these agreements have not been in effect long enough so that we know their real purport. Possibly this is true; and if the formula can be changed and modified so that the Senate at least can give consideration for 10 or 20 days to a proposed agreement, then there would be some protection of our people. The world has Hitlers and Mussolinis. They are dictators. In those countries the people need not worry about such things as treaties and government. The dictators will look out for that. And this law, giving the Executive the right to make agreements of this kind, approaches very closely to dictatorial power. I, for one, am not willing to turn over the constitutional functions of government to any President.

The existing law should not be extended for a period of 3 years in its present form. Safeguards should be placed in the law providing that no foreign agricultural commodity should be permitted to enter this country under trade agreements unless the tariff rate is high enough to represent the difference between the cost of production of the commodity in the country from which it comes and the cost of production of the commodity in this country plus a reasonable profit. There should also be provision made in the law for ratification of the agreements by the Senate and that specific notice should be given by the Department of State naming commodities being considered in connection with any proposed trade agreements.

Much good can come out of proper reciprocal-trade agreements based on William McKinley's conception, as previously stated; and again I say, "We should take from our customers such of their products as we can use without harm to our industries and labor."

Mr. DOUGHTON. Mr. Chairman, I rise in opposition to the amendment. The gentleman from Michigan [Mr. MICHENER] was not speaking to the amendment offered by the gentleman from New York [Mr. REED]. The amendment offered by the gentleman from New York proposed ratification by both the House and the Senate. The gentleman from Michigan proposes ratification by the Senate only. So the gentlemen on that side do not seem to be agreed at all as to how they would like to have this matter handled.

It is perfectly evident, and everyone knows that if the matter had been brought back to Congress, hearings would have to be held. It would not be worth anything unless hearings were had and different interests were brought here and testified before the committee. Witnesses come to present their views. There must be a hearing before a committee, for there cannot be hearings before the House. That is not permissible. People would come here from all sections of the country to be heard on the effect of the trade agreement on their section of the country. Suppose a dozen came and wanted to be heard; it would take 2 or 3 days to hear half a dozen. Suppose then a hundred came and wanted to be heard. We could not shut them off; we would have to give them all the same opportunity. Everyone who is familiar with it at all knows that this is only a subtle move to kill the whole bill. The gentleman from Tennessee has shown the effect of attempting ratification by even one body.

What is the use of taking months and months in negotiating treaties whereby we may export our surpluses and import the surpluses of other countries that do not in any way adversely affect our industry or agriculture and then having them nullified by Congress? Everyone knows that in 20 days you could not get started toward ratification.

I am astonished that the gentleman from New York should propose an amendment of this kind. His view of an intelligent handling of the matter is to leave it entirely to the Congress, let Congress negotiate these treaties, let both House and Senate pass on them, get all the information necessary. This would require 20 months instead of 20 days, and would result in absolutely nothing being done.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. MICHENER. I thought it was the contention of the gentleman from North Carolina that a full hearing had

been given, that under your authority to do that a full and complete hearing is given before this board or agency set up for the purpose. The gentleman now is intimating that no hearing has been given and is basing his argument upon the ground that the American people should be entitled to a hearing and that they could not have ample time in 20 days. I do not care whether it takes 20 days or 20 weeks, I feel that the American people are entitled to, and should have, somewhere along the line, a hearing.

Mr. DOUGHTON. Hearings are afforded by those negotiating these agreements. The longer it would take, of course, the better it would suit the gentleman, because his sole purpose is to kill this legislation.

Mr. Chairman, I ask that the amendment be voted down.

Mr. KNUTSON and Mr. McCORMACK rose.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota.

Mr. KNUTSON. Mr. Chairman, the gentleman from North Carolina twits us because we on this side of the aisle are not in full agreement on this subject. We are at a disadvantage because we have no one down at the other end of the Avenue to do our thinking for us. [Applause.] The gentleman seems to be very much concerned because we are trying to protect the rights of the American people instead of delegating power in an un-American way to somebody down at the State Department, we know not whom, to negotiate these treaties in star-chamber sessions. The gentleman objects because we want open covenants, openly arrived at, that we are un-American, that we are trying to kill a beneficial piece of legislation. I say to the gentleman that is not true at all, but we refuse to be rubber stamps. [Applause.]

Mr. McCORMACK. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, my main purpose is to keep the record straight, because of the tendency to refer to past statements. What we say today may be referred to in the future if any legal or other question should arise relating to this bill, and particularly if our Republican colleagues undertake to present to the people erroneous impressions of the true evidence relating to the pending amendment.

When the Dingley bill was passed in the late nineties the Republican Party was in control. This bill provides for Executive treaties and Executive agreements. Under the Executive treaty provision of the law 14 treaties were made. The law required that the treaties be approved by the United States Senate. Thirteen of these treaties were submitted to the Senate, but not one was approved. The fourteenth treaty was never presented by the President, and wisely and properly so, because he knew it would not be ratified. Experience as a result of that law shows us that if an Executive agreement must be confirmed by the Senate it will never be accomplished; and that is what the pending amendment would effectuate. No trade agreement would be ratified.

We are practical men. We realize as a result of that experience confirmation of Executive agreements cannot be accomplished. With such a provision in this bill it would be ineffective and not capable of operation. We are living in a very complex economic era. Changes are rapidly taking place. Other governments are making executive agreements. It is to the advantage, in the emergency of our country, to have a situation existing where Executive agreements can be entered into. To adopt the pending amendment would defeat this bill. As my distinguished friend from Tennessee [Mr. COOPER] has so well and eloquently said, the experience of the Dingley Act clearly shows that where confirmation or ratification is required by the Senate that Executive agreements cannot be made. It would be more difficult under this amendment.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. ANDREWS. Is it not true that in the case of 13 out of the 15 agreements it has been necessary to secure ratification by the legislatures of the foreign governments with which we were dealing?

Mr. McCORMACK. The situation in those governments is somewhat different.

Mr. ANDREWS. Where is there any great difference?

Mr. McCORMACK. Oh, the gentleman knows as well as I do that there is an entirely different situation.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Yes.

Mrs. ROGERS of Massachusetts. Does the gentleman want this country to be like other countries; that is, under the will of a dictator? I do not believe he does. I do not.

Mr. McCORMACK. Of course, I agree with the gentlewoman, and there is no danger of that.

Mr. VINSON of Kentucky. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Kentucky.

Mr. VINSON of Kentucky. It might be pointed out that under the McKinley—the Dingley Act and under the flexible tariff provisions themselves it is not necessary to bring it back to Congress. If anyone wants a good argument against the amendment offered by the gentleman from New York, he should read the strong statement that the gentleman from Massachusetts made on this same subject when the Smoot-Hawley bill was up here for consideration.

THE GENERALIZATION OF THE TRADE-AGREEMENT CONCESSIONS

Mr. McCORMACK. The United States extends the concessions which it grants in a trade agreement with one country to all other countries which, on their part, are not discriminating against American trade. This means that imports into the United States of a certain product from all nondiscriminating countries pay the same rate of duty. The concession is, of course, of chief value to the country to which it was originally given, for concessions in trade agreements are granted, in general, to the principal supplier of the product in question.

The extension of the trade-agreement concessions is a bargain, for the United States insists that it receive in return all favors which the other countries have given or may in future give to all foreign countries; in other words, they must extend their concessions to the United States. The United States has been in the trade-agreement business for only a short time; other countries have been practicing it energetically for decades. Compared to the host of concessions that they have made, we have made relatively few. Hence many countries have now two, or even more, rates of duty for the great majority of the goods which they import; we have two rates for only a small proportion of the goods we import. Yet we have been able, by adherence to the most-favored-nation policy, to swap our relatively few lower rates for their great number of lower rates, which, if they wished, they could withhold from us. It would be hard to find a better bargain than this, from the point of view of the United States.

It makes no difference whether a country has a most-favored-nation treaty or agreement with us. A country does not get our lowest rates unless it in fact gives us its lowest rates. A most-favored-nation agreement is simply a formal pledge to grant nondiscriminatory treatment; it spells out in detail what nondiscriminatory treatment means with respect to the types of trade control applied by the countries entering into the agreement, in order that there may be as few misunderstandings as possible in practice. But if a country is discriminating against us, we can terminate our most-favored-nation obligation with it—as we have done in the case of Germany—and withhold the extension of our concessions to it. And if a country is in fact giving us nondiscriminatory treatment, we must in our own interest extend our concessions to it, whether we have a most-favored-nation agreement with it or not, for if we do not do so, it will probably not continue to extend its concessions to us.

The policy laid down in the Trade Agreements Act excludes any legalistic or formalistic interpretation of discrimination and most-favored-nation treatment, and makes the extension of the trade-agreement concessions dependent

upon the treatment which other countries are in fact granting to the trade of the United States.

The difference between the maximum and minimum tariff rates in foreign countries, as well as the intermediate rates where such exist, is frequently very large. American exports would be seriously affected, and in a substantial part destroyed, if the maximum rates were levied on our goods, as would almost certainly be the case if we did not extend our trade-agreement concessions to these countries; that is to say, if we levied our maximum rates upon their goods.

The following are a few examples chosen at random of the treatment certain of our products now receive in foreign countries compared to the treatment which they probably would receive if we did not extend our concessions to these countries:

Grains and preparations when imported into Belgium are admitted free of duty; if the maximum rates were applied, they would pay 7.50 francs a quintal. Similar products imported into France would have the tariff doubled if the maximum duties were applied. Cotton when imported into Spain pays 1.30 pesetas a kilogram. It would pay 2.50 pesetas, or twice as much, under the maximum tariff. Petroleum and products in most foreign countries would pay duties two to four times higher if the maximum tariffs were applied. The duties on lumber and timber products would be from 8 to 10 times greater under the maximum rates. Machinery and tools would pay three times as much duty in Belgium and various types of machinery would pay four times as much in France under the maximum rates. In general, all products exported to Spain would pay from two to three times as much duty under the maximum rates. These are but examples of the type of benefits we receive through the extension of our concessions to the countries concerned.

Mr. O'CONNOR of Montana. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I cannot let this occasion go by without calling attention to the conditions which exist in the part of the United States that I have the honor to represent in this body. First, I wish to say that I yield to no Member in this House with respect to his confidence in the Chief Executive and his doing the right thing wherever we give him authority, and I am personally willing to give him all the authority that he chooses to exercise in connection with these treaties, or any other matter.

I call attention to the fact, Mr. Chairman, in my part of the country, and in my district, that the only industry we have is the livestock industry, consisting of cattle and sheep, and more particularly cattle. Our cattlemen are broke. We sold cattle during the year 1932 for as low as 2 cents a pound, and beef cattle went over the scales in part of Montana and on to the Chicago market for 3 cents, as fine beef cattle as were ever shipped. Moreover, during the last year we have sold very fine beef cattle over the scales in Montana for as low as 4 cents per pound.

My people have been hit by 7 continuous years of drought, as well as the grasshopper plague. In other words, we in Montana and in my district are up against the cold steel.

Mr. WEARIN. Will the gentleman yield?

Mr. O'CONNOR of Montana. I yield to the gentleman from Iowa.

Mr. WEARIN. Does the gentleman from Montana realize that the price index today and in 1936 of every major agricultural commodity produced is substantially higher under the reciprocal trade agreements than in 1932 under the Smoot-Hawley Act?

Mr. O'CONNOR of Montana. That, of course, is true, but that is not the question.

Mr. Chairman, if the quota that has been agreed to between this country and Canada is permitted to remain as it is, namely, in the neighborhood of 155,000 head of cattle, weighing 700 pounds, it will be disastrous the way it is handled. Remember that in 1934 there were only 68,000 came in. In the first 11 months of 1936, 157,000 came in. That is a small percentage of the number slaughtered throughout the United States. But 70 percent of these cattle came in 4 months.

Mr. Chairman, I am going to ask the Members of the House to help benefit my particular part of the United States. I know what I am talking about, because I am a producer of beef myself. I may say I could not produce beef cattle at the present price, and at prices we have been getting for grass-fed beef during the last 5 years. If I had not had a lucrative law practice I could not have raised cattle. I paid the deficit out of my law practice. The main taxpayers of Montana are the cattle and sheep growers.

I want this protection from the Congress, because the Members are very seriously interested in my part of the country as they are interested in all parts of the United States. I want you to help me secure a restriction of the number of cattle that may be put on the American market by Canada or any other country to so many per month; possibly 10 percent per month of the quota.

Mr. MARTIN of Colorado. Will the gentleman yield?

Mr. O'CONNOR of Montana. I yield to the gentleman from Colorado.

Mr. MARTIN of Colorado. The Canadian treaty is an issue in my State as well as in the State from which the gentleman comes, but 155,000 cattle imported into this country in a year is scarcely 1 percent of the domestic consumption of the United States, which is about 20,000,000, and I therefore cannot comprehend how less than 1 percent can beat down the market value of cattle in this country.

Mr. O'CONNOR of Montana. I will inform the gentleman how it is done.

If the present quota of cattle is to be maintained, they should be imported under a restriction of 10 percent per month. Such importation would not then be so damaging to the stock interests of the Western States. In 1936, 70 percent of the importations from both Canada and Mexico came in during the months of March, April, May, and June, which resulted in a severe depression of the northwestern markets, including St. Paul.

Of course, it is my contention, in view of the plight that the cattlemen of the Northwest are in, that importations of cattle weighing 700 pounds or more should be reduced at least 50 percent. In connection with the treaties with the South American countries, it is my belief that no beef, canned, frozen, or otherwise treated, should be permitted to come into the country until such time as the cattlemen are placed in a financial condition so that they can liquidate at least part of their debts and pay their back taxes.

The position which I am taking with reference to the quota is one taken by the American National Livestock Association, as disclosed by a copy of a memorandum supporting this request prepared by the said association, which I am asking leave to make a part of the CONGRESSIONAL RECORD:

(Memorandum from American National Livestock Association, 515 Cooper Building, Denver, Colo., supporting request that monthly quota should be established to govern the importations of cattle under the Canadian reciprocal trade agreement)

IMPORTS OF CATTLE, BY WEIGHT CLASSES, FROM CANADA TO THE UNITED STATES FOR EACH MONTH OF THE YEAR 1936

[Number of head]

Month	Under 175 pounds	175–700 pounds	Over 700 pounds
January	806	832	8,864
February	1,230	509	8,864
March	2,135	905	14,804
April	6,499	3,250	34,696
May	9,087	2,297	24,667
June	14,337	2,548	21,502
July	14,198	2,406	9,207
August	2,631	4,034	5,870
September	1,354	6,248	8,717
October	849	6,129	3,143
November	1,386	4,495	1,857
December	1,093	1,496	1,028
Year	55,695	35,149	143,219

IMPORTS OF CATTLE INTO THE UNITED STATES FROM MEXICO, 1936

Month	Under 175 pounds	175-700 pounds	Over 700 pounds
January	161	8,338	2,319
February	32	13,819	3,291
March	33	27,195	5,855
April	266	30,372	3,191
May	128	14,727	4,027
June	12	7,096	666
July	881	5,346	1,306
August	93	5,347	557
September	9	5,773	45
October		9,630	178
November		4,298	827
December		8,498	30
Year	1,615	140,439	21,992

Livestock, Meats, and Wool Division, Bureau of Agricultural Economics, U. S. Department of Agriculture.

I call your attention to the fact that in the 4 months, March to June, inclusive, 95,669 cattle, weighing more than 700 pounds each, came from Canada alone. During the same period 13,739 cattle of this class came from Mexico. The combined total for this period was 109,408 head, or 70.2 percent of the entire yearly quota for this class of 155,799 head.

Cattle and calves—Monthly average price per 100 pounds, Chicago, 1936, based on the mean of daily range of quotations

[Slaughter beef steers 900–1,100 pounds]

Month	Choice	Good	Medium
January	$12.50	$10.65	$8.23
February	11.03	9.69	7.88
March	10.62	9.47	8.10
April	10.16	9.04	7.82
May	8.91	8.17	7.39
June	8.62	7.84	7.24
July	8.84	8.17	7.39

I set forth below the average prices received by farmers at local markets, as reported by the Crop Reporting Board of the United States Department of Agriculture, for the 15th day of each month:

1936:	*Per 100 pounds*
January	$6.22
February	6.19
March	6.12
April	6.27
May	6.00
June	5.99
July	5.77

Month	Prices paid by farmers for commodities (1910–14 =100)	Parity price (ratio 1936 price to prices paid by farmers)
January	122	6.15
February	122	6.23
March	121	6.40
April	121	6.66
May	121	6.66
June	120	6.53
July	123	6.56

I call your attention to the fact that the only month in the 7-month period which I have included, when farmers receive parity prices for their cattle, was the month of January, just when the reciprocal trade agreement went into effect, and that the subsequent decline in price with practically no change in prices paid by farmers soon put prices again out of line.

CONDITION ON ST. PAUL MARKET

The following excerpts are taken from official Government reports of the St. Paul market, which, I believe, received more Canadian cattle than any other market:

"Monday, April 6, 1936.—Receipts Canadian cattle about 80 cars, some of these being holdovers from late last week. Trade at a standstill during much of the forenoon, despite decrease in supplies around the midwestern market circle.

"Monday, April 13, 1936.—Canadian receipts some 55 cars, part of these holdovers from Saturday. Market mostly steady on medium grade fed steers; 10 to 15 cents lower on better grades. Many loads still in first hands as afternoon opened.

"Monday, April 20, 1936.—Canadians, about 125 cars on hand, part of these being holdovers. The only question about lower prices was apparently a matter of degree or extent, * * * the greater share of steers and yearlings still unsold about noon. Limited selling was at 25- to 50-cent lower levels.

"Monday, April 27, 1936.—Canadians, about 110 loads, mostly steers, with some she stock. Slaughter steer and yearling trade was slow, but most sales worked out about steady. Undertone weak on the part of big killers, especially for the bulk of medium grade Canadian steers.

"Monday, May 4, 1936.—Canadians, about 90 cars. Most native cattle opened fully steady. Several loads of Canadian steers and a few heifers from the north also moved before noon on a mostly steady basis, but trading was inclined to be slow, with occasional transactions and frequent bids weak to 15 cents or more lower * * *.

"Monday, May 11, 1936.—Canadians, about 60 cars, some of these being holdovers. Buyers were practically without interest in fresh purchases except at material * * * reductions * * *. Bids were frequently as much as 50 cents off on the rank and file of steers and yearlings and the majority still in first hands when the afternoon began.

"Monday, May 25, 1936.—Canadians, about 60 loads, mostly steers of medium quality and finish. Weightier steers, particularly lower quality offerings, were harder to move and many were still unsold around the noon hour, Canadians included, resisting weak to lower bids.

"Monday, June 1, 1936.—Canadians, 78 loads. With supplies running largely to slaughter steers, that part of the trade was very draggy. Limited sales occurred around 25 cents lower * * * and weightier beeves received bids up to about 40 cents off, and the majority of offerings still unsold around 1 p. m.

"Monday, June 15, 1936. Canadians, 75 cars, largely weightier steers. Weights around 1,000 pounds down developed about steady prices, while heavier kinds remained draggy and weak, with bids frequently lower and many still in first hands when the afternoon began."

Anyone familiar with central-market practice knows that a slow, draggy market at any one point exercises a similar effect, although perhaps to a less marked degree, at all other points. It is clearly evident that the large receipts of Canadians at St. Paul kept that market in a draggy condition throughout the period of heavy shipment, and this condition was reported several times each day to all the other central markets.

While a great many of the Canadian cattle entered this country billed as "feeder cattle", this was simply for the purpose of receiving inspection from our Bureau of Animal Industry officials, which would make it possible for them to be reshipped to the country if opportunity offered. As a matter of fact, a large percentage of the cattle received at St. Paul actually went direct to the killers and relatively few went back to the country.

With a concentration of these receipts in one market over a comparatively short period of time, there can be no doubt that the imports of Canadian cattle exercised an influence on market prices throughout the entire country during that period of time out of all proportion to the actual numbers involved.

SITUATION IN NORTHWESTERN MARKETS

The influence of the Canadian cattle on the northwestern-market situation was even more marked than in central-market territory. In that country it is the common practice to ship the bulk of slaughter livestock direct to packing houses. A relatively small percentage is sold on the old markets of Spokane and Portland, which are the two major markets in that section; but the prices paid on these markets are advertised for the purpose of influencing, so far as possible, the price paid on direct shipments. It was therefore a comparatively easy matter for the packers themselves to buy cattle in Canada, ship them on to these small markets, and dominate the price situation thereon. More bitter complaint has come from this territory as to the effect Canadian imports have had on local prices than from any other section of the United States. Whatever practical difficulties may stand in the way of working out monthly quotas, a sincere effort should be made to overcome them in the interest of fair play and stable markets for the protection of both American and Canadian cattle producers.

Respectfully submitted.

AMERICAN NATIONAL LIVESTOCK ASSOCIATION,
By F. E. MOLLIN, *Secretary*.

Subscribed and sworn to before me this 9th day of February 1937.

_____,
Notary Public, District of Columbia.

[Here the gavel fell.]

Mr. O'CONNOR of Montana. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana?

Mr. MARTIN of Massachusetts. Mr. Chairman, reserving the right to object, are we on this side going to have a chance to fully express ourselves?

The CHAIRMAN. The Members on that side have had that opportunity.

Mr. MARTIN of Massachusetts. But what is going to be the policy from now on?

Mr. ANDREWS. Mr. Chairman, I object.

Mr. O'CONNOR of Montana. Mr. Chairman, I ask unanimous consent to include in the RECORD copy of a letter written by the American National Livestock Association, dated February 8, 1937.

The CHAIRMAN. The Chair would suggest to the gentleman from Montana that his request should be made in the House, because it is a request which should properly be made in the House and not in Committee of the Whole.

Mr. MOTT. Mr. Chairman, I rise in opposition to the pro-forma amendment.

Mr. Chairman, I intend to support the amendment offered by the gentleman from New York, but first I want to take this opportunity to accept a challenge hurled at Republican Members by the gentleman from Kentucky [Mr. VINSON] in the course of his lengthy speech on the floor a few minutes ago.

The gentleman from Kentucky challenged Republicans to name an industry that had been injured by a reciprocal trade agreement. He made this challenge very vehemently. He made it not once but three times. Finally, I arose and asked him to yield for the purpose of accepting his challenge naming an industry which had been injured by a foreign-trade agreement. Then the gentleman from Kentucky said that when he made the statement he was not looking at the gentleman from Oregon but that he was looking at some of the Republican members of the Ways and Means Committee who were supposed to know something about tariffs.

Now, Mr. Chairman, I do not know whether the gentleman from Kentucky meant to be rude or whether he was just excited. But the fact remains he did not allow anyone to accept his challenge, and certainly he did not allow me to do so.

I wish to accept that challenge now. If the gentleman from Kentucky will look into the printed record of his own hearings before the Ways and Means Commitee on the pending bill he will find that I inserted there a very exhaustive and learned statement by Mr. C. C. Crowe, editor of the Pacific Coast Lumber Digest. Mr. Crowe is recognized as one of the leading authorities on the subject of lumber. If he will read that statement he will learn in detail how the Canadian trade agreement has injured our lumber industry.

We have been so injured in Oregon in the lumber industry by the reciprocal-trade agreement with Canada that it has almost entirely disrupted both the local and the foreign market. In my own State, which is probably the largest producer of lumber in the United States, 6 percent of all the lumber sold right in my own community is imported from Canada; and that Canadian lumber is made under conditions and upon a scale of wages such as would not be tolerated in America—a wage upon which no American lumber worker could live. I commend the article to the attention of the gentleman from Kentucky. If he will read it, he will find that the Canadian agreement has effectively stopped the recovery of an industry which would otherwise now be prosperous.

The gentleman from Kentucky proceeded for 45 minutes with a general discussion of the tariff. I do not want to appear rude, as it seemed to me the gentleman appeared, but I do want to say that in my humble opinion there have never been heard so many loose or inaccurate statements made about existing and previous tariff laws as were made during this 45 minutes by the gentleman from Kentucky. He said, among other things, or at least I so understood him, that there was no essential difference between the flexible provisions of the 1930 Tariff Act and the provisions of the Reciprocal Trade Agreements Act of 1934 so far as delegation of power to the President is concerned; that both delegated an equal amount and a similar character of power to the President; and that Republican tariff acts had established the precedent in this regard.

Anyone who knows anything about the tariff law of 1930, or any other Republican tariff law, knows that this is not the case. In the Tariff Act of 1930, under the flexible provision of that act, the Tariff Commission was given the right and the authority, upon certain conditions, to make an examination into tariffs and tariff schedules and ascertain whether those tariffs carried out the policy of the Congress of the United States. If the Commission, as a fact-finding body before which any interested party had the right to appear, found upon examination that a particular tariff was not high enough to offset the difference between the cost of production of an article here and abroad, and if the Commission so certified to the President, then the President, under that flexible provision, was authorized to readjust that particular tariff so that it would equal the difference in cost of production. That was the flexible provision of the 1930 Tariff Act, and that is all it was. There is no similarity whatever between that and the blanket discretionary tariff-making power given the President under the Reciprocal Trade Agreement Act, and the gentleman from Kentucky certainly ought to know it.

Now, Mr. Chairman, I oppose the pending resolution, House Joint Resolution 96, extending the life of the so-called Reciprocal Trade Agreements Act of 1934, for the same reasons that I opposed the original act in the Seventy-third Congress.

This act has now been in operation nearly 3 years. All of the original objections made to it when it was first before the Congress and all of the predictions made then in regard to it have been amply sustained and confirmed by the actual operation of the law. A number of treaties or trade agreements have been made with foreign countries under the blanket authority given the President by this act. Each of these trade agreements has reduced existing tariff rates on agricultural products, to the detriment of American agriculture, by giving foreign producers a part of the American market. That is what every opponent of the act in Congress expected and predicted, because that was the plain and obvious purpose of the act from the beginning. This harm to the American producer, in my opinion, must necessarily increase in the future in direct proportion to the number of tariff-reducing trade agreements that are made and the number of additional farm products that are involved in those agreements. Based upon our 3 years' experience under the act, it is not logically possible to draw any other conclusion.

Before discussing this act in any detail we may as well start with the assumption that it is now permanent and not emergency legislation, and that the present extension of the original act for 3 years is but the first of a series of extensions which will make the act permanent. This administration definitely intends it to be permanent.

When the original 1934 act, with its life limited to 3 years, was introduced "as a means", to quote the language of the act, "of assisting in the present emergency in restoring the American standards of living", I ventured to predict then that it was not an emergency measure at all, and that the so-called experts in the executive department who initiated this legislation, and who submitted it ready drafted to the Congress without bothering to consult the legislative branch of the Government on it, had no intention whatever of offering it merely as an emergency measure. Their gesture in this regard was, in my opinion, a subterfuge. I said then, and I repeat now, that the Reciprocal Trade Agreements Act, the life of which the President has now ordered the majority in Congress to extend, was to be the permanent tariff policy of this administration. The Reciprocal Trade Agreements Act was, as it still is, nothing more or less than the vehicle which the Chief Executive selected as the means of permanently reducing the tariff upon American products without the consent and, if he so desired, without even the knowledge of either the Congress or the people.

That very thing has repeatedly and consistently been done in every trade agreement with a foreign country that has been made to date under the act. No emergency is or ever was involved in it. The pending bill purports again to extend the life of an emergency measure for another 3 years. The provision for this limited term, I am convinced, is the merest camouflage. The proposed extension may as well be without limit, for there is no indication whatever that the administration ever intends to abandon this policy as long as it retains its majority in Congress.

My objection to the Reciprocal Trade Agreements Act is based upon three propositions, each of which seems to me to be fundamental.

First. In my opinion, the Reciprocal Trade Agreements Act directly violates not only the spirit but the plain letter of the Constitution, because under it the Congress has transferred its entire effective tariff-making power to the President. The President now, under the blanket authority given him in this measure, actually makes tariff law himself by prescribing in the trade agreements made pursuant to the act what specific tariff duties are to be imposed upon each and all imported articles covered in the trade agreements. The Congress has nothing whatever to do with it. The constitutional question involved here seems to me to be so plain that it is hardly a subject of serious controversy.

The Constitution declares, of course, that Congress shall have the power to lay duties, imposts, and excises, and it imposes upon the Congress the exclusive duty and responsibility in that field of government. The Reciprocal Trade Agreements Act, ignoring this plain provision of the Constitution, declares that the President shall have this power. Since there is no provision in the act requiring ratification by the Senate of any tariff made by the President in negotiating a foreign-trade agreement, and since the act gives the President full authority in that regard without the necessity of consulting Congress at any stage of the proceeding, it is plain that there is absolutely nothing left for the Congress to do in the way of actually making a tariff rate. This power has passed to the President and the President has continuously used it to the total exclusion of the Congress. Since the Reciprocal Trade Agreements Act was passed in June 1934, the Congress has enacted no tariff law whatever. The Ways and Means Committee of the House, which is supposed to have original jurisdiction in this field, has never since that time reported a tariff law nor even considered one. Furthermore, there is no indication at the present that the Ways and Means Committee will ever again consider or report tariff legislation to the House so long as the Reciprocal Trade Agreements Act remains in force. Under the Reciprocal Trade Agreements Act the surrender of this purely legislative function and privilege from the Congress to the President has been 100 percent complete and 100 percent effective.

The question has often been asked why, then, if the Reciprocal Trade Agreements Act is unconstitutional, the question has not been taken to the Supreme Court and the act invalidated. The reason is, of course—and this is the opinion, I believe, of all lawyers who have gone exhaustively into this subject—that under this particular act the constitutional question cannot be raised by a defendant in a court having jurisdiction to determine it. It is one of those rare and peculiar cases where a defendant, no matter how greatly he is injured by an illegal act, cannot show what in law is called legal damages. Under this act, therefore, the President can negotiate a treaty reducing the tariff protection upon a domestic commodity to such an extent that the foreign producer could take the entire domestic market and drive the American producer completely out of business. There is no way under existing law, however, by which an American citizen so injured by an act of this kind may raise in court the question of the constitutionality of the act by which he was injured.

The Reciprocal Trade Agreements Act, in my opinion, was deliberately drafted by its sponsors with this in mind. All of the evidence, internal and external, points directly to the conclusion that they deliberately intended from the beginning to evolve and administer a tariff policy the constitutional validity of which could not under our law be inquired into by any citizen adversely affected by it.

Second. I oppose the act in the second place because under it the trade agreements, and, consequently the tariff rates prescribed in them, are made in an utterly autocratic, arbitrary, and dictatorial manner, without the consent, and often without the knowledge, of citizens of the United States who are most directly and vitally concerned in those tariffs. These citizens, under the act, not only have nothing to do with the selection of those who make the tariff-reducing agreements with foreign nations, but the citizens affected do not even have the right to appear before the tariff makers and present their cases, either personally or through their Representatives in Congress.

As a matter of fact the names of the men who actually decide upon and fix tariff rates on commodities covered in a trade agreement have never even been published. Neither the people themselves nor their Representatives in Congress know who these men are. To date the State Department has persistently refused to disclose the identity of this group of men, which is known as the Committee for Foreign Trade Agreements, and in whom the entire effective tariff-making power, which formerly belonged to the people, is now vested. The reason given for this secrecy is that if the personnel of the Committee for Foreign Trade Agreements were known the interested public would be inclined too much to try to contact them and petition them directly for redress of grievances, and thus interfere with their work. This secrecy as a matter of fact is, of course, unnecessary, so far as protecting the tariff makers from a trouble-making public is concerned, because neither under the Trade Agreements Act itself nor under the regulations made pursuant to it, are the people given any right whatever to present their cases to this committee or to otherwise approach or contact it. As an example of autocratic, unlimited, and uncontrolled power, you may search in vain amongst any of the dictatorships of Europe to find the counterpart of the Committee for Foreign Trade Agreements.

Third. My objection to the Reciprocal Trade Agreements Act is that its sole effective purpose consistently has been, and still is, to reduce tariff rates, so as to give a part of the American market to foreign products of which there is either already an overproduction in the United States, or, in production of which it is impossible for Americans to compete with foreigners. No one I think will contend that the present tariff on any agricultural product is too high. Even the President in his 1932 campaign declared that he did not know of any agricultural tariff which ought to be reduced. On the other hand, most people, regardless of their party affiliation, are of the opinion that the tariffs on many agricultural products are too low and that they ought to be increased. Notwithstanding this, I call attention of the House to the pertinent fact that in all of the trade agreements with foreign nations made to date under the Reciprocal Trade Agreements Act not a single tariff on any agricultural product has been increased. Where there has been a change in rates that change has always been made by lowering the rate. Tariffs under these agreements have been lowered on agricultural products which admittedly did not have enough protection. The reason for this is simply that it is the policy of the present administration to reduce tariffs, regardless of what the Congress or the country may desire in this regard and regardless of the need of a product for tariff protection. The Reciprocal Trade Agreements Act has given the administration complete discretionary power to prosecute this policy and it is simply making complete use of that power. The policy will continue as long as the act is in effect. This policy is a direct reversal of the American system of tariff protection which has long been accepted by the people of the United States, entirely without regard to what political party they belonged to. So fundamentally right has been that American policy that it has never been been changed nor interfered with even by Democratic administrations, when they have been in power, from the time of the Civil War down to the very date of enactment and approval of the Reciprocal Trade Agreements Act on June 12, 1934.

And this brings me to another and a very peculiar phase of the question. The tariff policy of the present administration is not the tariff policy of the people of the United States nor of their Representatives in Congress. It is not even the tariff policy of most of the individual members of the majority party in the national lawmaking body. If anyone doubts this let him ask any majority Member of Congress who has ever appeared before the Committee on Reciprocity Information in a futile endeavor to retain the existing tariff protection on an agriculture commodity produced in his own

State. I say in all sincerity that it is not even a Democratic Party policy. It is a policy evolved and created by the executive department alone. It was determined upon by the Executive without even consulting the Democratic majority in Congress and without disclosing to the majority what the executive department intended to do in the way of reducing tariffs. It came into existence through a blanket grant of legislative authority given to the President by his majority in Congress in response to his demand for discretionary lawmaking power in an alleged emergency. It has always been my opinion that most members of the majority party did not at the time realize the nature and extent of the lawmaking power which they transferred to the President through the passage of the Reciprocal Trade Agreements Act. Certain it is that most of them did not know the length to which this power would be carried by the President. This fact is abundantly revealed in the speeches of majority Members when the original bill was under debate in the House. They should know now, however, after 3 years of experience under this act that the tariff-making power which the Constitution reposes solely and exclusively in the people's representatives in Congress has, through the Reciprocal Trade Agreements Act, been more completely removed from the people than any power that has ever been assumed or exercised by this Government. And knowing that, I think they should now be willing to repeal the act and to recapture the legislative jurisdiction in the field of tariff-making which they have surrendered.

Mr. VINSON of Kentucky. Mr. Chairman, I read from the hearings before the Ways and Means Committee with reference to the attitude of the National Lumber Manufacturers Association in respect of whether they favor or oppose the extension of the present Foreign Trade Agreements Act. On page 354, in a communication addressed to the Committee on Ways and Means, Mr. Wilson Compton, who apparently is speaking for the National Lumber Manufacturers Association, starts off in this wise——

Mr. MOTT. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Kentucky. In just a moment. Let us not get sidetracked. Let us take the printed word. Here is what he says:

> The lumber industry favors the continuance of the reciprocal-trade agreements.

Mr. MOTT. Now will the gentleman yield?

Mr. VINSON of Kentucky (reading):

> Action to that effect by resolution was taken by the governing board of the National Lumber Manufacturers Association representing the entire organized lumber manufacturing industry. The position of this industry was stated in a letter addressed to the Secretary of State on December 14, 1935, following the announcement of the terms of the trade agreement with Canada.

Then they set forth the letter referred to, and it is fair to say that in the statement they say they have not received everything they wanted, but he says here:

> The terms of that agreement affecting lumber were harsh, but it is recognized that under the reciprocal plan there must be both give and take.

They say there has been more give than take, but the lumber industry expects "if the program is carried to its logical conclusion of trade agreements with all important trading nations, a more even balance will be arrived at."

I now yield to the gentleman from Oregon.

Mr. MOTT. As everybody knows, the National Lumbermen's Association did make that statement. Why they made it nobody in my part of the country seems to know, but the fact is that that statement of the head of the National Lumbermen's Association has been repudiated and denounced by practically every manufacturer of lumber and producer of lumber in the Pacific Northwest.

Mr. VINSON of Kentucky. The gentleman is an able Member of this body. Why did he not present that repudiation to the Ways and Means Committee?

Mr. MOTT. I did.

Mr. VINSON of Kentucky. Certainly the gentleman would not be derelict in his duty.

Mr. MOTT. If the gentleman will yield, I did, and that is covered in the statement of Mr. CROWE, which I mentioned in my remarks a few minutes ago.

Mr. VINSON of Kentucky. Let me ask the gentleman this question: Has the National Lumber Manufacturers Association ever repudiated this statement?

Mr. MOTT. No; not the organization controlling the National Lumbermen's Association, and that is just about as representative of the opinion of those engaged in the lumber business, I will say to the gentleman, as the declarations of some of the chambers of commerce in the various communities of the United States reflect the opinion of the people in their own communities.

Mr. VINSON of Kentucky. I just wanted to read the printed word.

Mr. MOTT. And I refer the Members to the article I referred to a moment ago, which will be in the RECORD.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I rise in favor of the amendment. I want Members to realize that I have in common with you the highest respect for the Secretary of State.

Soon after this law went into effect I went to the Secretary of State and pleaded with him to have a full, complete, and open hearing upon every agreement. I asked him at that time to give newspapers notice of the proposed hearings, that every commodity likely to be taken up should be specified when these announcements were made, that manufacturers, farmers, and labor be notified also of these proposed agreements.

He was very courteous and agreed to one part of it, and that was the public announcement to the press, but he did not make the announcement of the commodity affected.

I have felt that the manufacturers and the employees in industry—and when I say industry I mean agriculture as well—should have a voice in the hearing.

I am sent here, you are sent here, to represent your people and to fight with every drop of blood in your body for their interest.

I know my people do not want me to throw away lightly any power that I may have to protect them. I believe in accepting this amendment, the only thing that will insure a complete and full hearing.

I feel very seriously about this. I cannot bear to have my power to help my people taken away, and, frankly, I do not like the letters that have been coming in lately in regard to the courage of Members of the House of Representatives.

I know you, I know your ability. I know your worth. You have more chance to study the needs of your district than has the President of the United States or the Secretary of State. You are the direct representatives of your constituents. I do not believe that in your hearts you want the President to reorganize you. He is reorganizing the executive department; he is trying to reorganize the judiciary; and next he will try to reorganize the Congress, not by indirection but by direction.

There is a very definite and decided feeling not only among our citizens but all over the world that the powers of Congress are being delegated. It is true. At first they slipped away gradually, little by little; but now they are going very fast. Those powers must not be delegated. They are ours by constitutional right and must be guarded jealously. Once lost, they will be most difficult to regain.

I beg of you to consider favorably this amendment in order that your people may be given a chance to have their day in court and to be heard.

Again I repeat that no one can doubt the motives of our Secretary of State, but he should take us and the people of the country into his confidence. He should have confidence in us and we in ourselves. [Applause.]

Mr. DOUGHTON. Mr. Chairman, I ask unanimous consent that all debate upon this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BOILEAU. Mr. Chairman, the gentleman from Kentucky [Mr. VINSON] a moment ago was kind enough to yield to me when he had the floor, but his time expired before I had opportunity to make the observation I desired to make at that time. We were then talking about lumber, and there seemed to be some difference between the gentleman from Kentucky [Mr. VINSON] and the gentleman from Oregon [Mr. MOTT] as to what the attitude of the lumber interests in this country was on the matter of the tariff on lumber. I thought it might be some contribution to that discussion to call the attention of the Members to the fact that a few years ago, when the Committee on Ways and Means was considering an excise tax on imported lumber, I received from a prominent lumberman in my district a lengthy letter in which he explained very fully and convincingly his views to the effect that there should be an excise tax on imported lumber. I immediately replied to him telling him that I was pleased to receive his communication and that I believed his arguments were sound, and I stated that I would support that tax on lumber.

That was in effect a tariff on lumber, although called an excise tax in our revenue bill. This position was compatible with my views, because I have always believed in protecting American industry. A few weeks later, however, just before the bill came up in the House for consideration, I received a telegram from the same gentleman in which he urged me to vote against an excise tax on lumber. I wrote to him and stated that his first argument in his letter was so convincing that he convinced me that I should vote for a tax on lumber and even though he had changed his mind in that respect, I had not. I endeavored to find out what caused him to change his mind and I have not been entirely sure up to this time, but I have learned that in addition to his owning large lumber interests in this country he owned very extensive lumber interests in Canada. Whether rightfully or wrongfully I concluded that after writing his letter to me he finally determined that his lumber interests in Canada were more valuable to him than his lumber interests in the United States, and he thought it to his advantage to change his position. And I agree with the gentleman from Oregon [Mr. MOTT] that men in the lumber industry are not unanimous in their position in regard to this question. It has been my observation, though not the result of any thorough investigation, but merely from general discussion with these men in the lumber business, that the lumberman's position is very often dependent on whether his lumber interests are more extensive here than they are in Canada. I call attention to the fact that many of the large American lumber interests also own extensive lumber interests in Canada. It is a purely selfish proposition with many of our so-called American lumbermen, and as far as I am concerned my vote goes with the lumbermen who are interested in American rather than Canadian timber holdings. [Applause.]

Mr. HILL of Washington. Mr. Chairman, "the proof of the pudding is in the eating thereof." The question is, Have these reciprocal agreements worked for the benefit of the American people or not? I do not believe it is denied, even by the opposition here, that they have benefited the American people. I would not have injected my voice in this debate, except for the fact that two gentlemen have risen here and spoken about the Canadian situation. Just very briefly may I say that in my district there are two sections that produce early soft fruits and early vegetables. Prior to the Smoot-Hawley tariff bill we were shipping into Canada thousands of carloads of vegetables and soft fruits. It was the livelihood of the people of the sections of Walla Walla and Yakima as far as soft fruits and vegetables are concerned. When the Smoot-Hawley tariff bill was passed in 1930, almost immediately—we will say within 3 weeks—the Canadian Government, because it had the power and because of the way they do things now modernly, put a tariff on about 135 of the exports from this country into Canada. The result of that was to destroy entirely our trade with Canada, and those farmers in the Yakima Valley and in the Walla Walla country, who had been Republicans all of their lives, turned on that one issue alone to vote for the man who sits in the White House now. They have continued to do that for the last two elections, and now under these reciprocal-trade agreements our exports into Canada are picking up and growing. We expect them to be not only the same as they were prior to 1932, but to increase.

May I also say to the gentleman from Oregon [Mr. MOTT] that I do not think he represents all of the lumber districts of the great Northwest. It is my opinion that the lumbermen of Washington on the coast—I may be wrong and, if so, I shall ask some one from Washington to correct me, not from Oregon—are well satisfied, just as the gentleman from Kentucky [Mr. VINSON] said, and that although they did not get all they wanted, they are well satisfied with the reciprocal-trade agreements and are willing to stand back of them. There are three things that come from these reciprocal agreements. In the first place it seems to me that we must recognize the fact that we have to deal with foreign countries, and if we want to deal with foreign countries we must have not only exports, but also imports.

Mr. MOTT. Mr. Chairman, will the gentleman yield?

Mr. HILL of Washington. Not now, I have only 5 minutes. The second thing is that we must consider all sections of our country and not just one section. It is true that I stand for the reciprocal-trade agreements because they have helped my section of the country, but I consider that point of view too narrow. I am not only representing my people in the Fourth District of Washington, but I feel that as a Member of the National Congress I am representing the people of the whole United States. Why? Because what is good for the whole United States must be good for the Fourth District of Washington. So let us look at these things from a broad standpoint, from a national standpoint. The gentlemen on the Republican side want to go to the Grundy way of doing it. We want to do it the way they are doing it in other countries. You all know the old game of poker. When you sit down to that game you have to play it the way the others sitting in play it. If you do not you are left out. Now, we have to play the game of international trade as the majority of our partners play it. They leave the making of agreements in the hands of their executive departments, and can and do negotiate these agreements in a few weeks' time. Unless we place this in the hands of our executive department we are left out in the cold entirely. I may say to the gentleman from Minnesota [Mr. KNUTSON] that as far as I am concerned I will rather be guided in this matter by the President of the United States, who stands for all the classes in the country—farmers, laborers, and manufacturers—rather than Mr. Grundy, who represents the manufacturers only.

The CHAIRMAN. The time of the gentleman from Washington has expired.

The pro-forma amendments were withdrawn.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. REED].

The question was taken; and on a division (demanded by Mr. REED of New York) there were—ayes 69, noes 147.

So the amendment was rejected.

Mr. TREADWAY. Mr. Chairman, I offer an amendment, which I have sent to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. TREADWAY: In line 8, before the period, insert a colon and add the following: *"Provided*, That after the enactment of this resolution no proclamation shall be made reducing the duty on articles the growth, produce, or manufacture of any foreign country below the amount necessary to equalize the difference in cost of production, as defined in section 336 of the Tariff Act of 1930, of such articles and like or similar domestic articles if produced in the United States in commercial quantities."

Mr. TREADWAY. Mr. Chairman, the amendment is very plain. It is simply intended to protect the American producer from lower rates on imported goods than will equalize foreign and domestic production costs. It provides that no proclamation shall be made wherein foreign competition is not equalized by a sufficient duty or tariff.

We have been informed by the Secretary of State that the object of this measure is to reduce "excessive" tariffs. If

such is the case, there is no reason I can see why he or the supporters of this measure should object to having tariff rates which merely put the American producer on an equal footing with the foreign producer in the home market.

Of course, the whole spirit of this measure, Mr. Chairman, is in favor of foreign countries and foreign producers. That is not my logic. I have never been able to see the theory under which we, as American legislators, should legislate more favorably for foreign nations than for our home people. That question has been debated up and down the line. Perhaps there is no reason why we should continue to discuss it. I realize, of course, that any amendment offered by this side of the House in the interest of American agriculture, American labor, or American industry will be voted down by the other side because, as the gentleman from Minnesota said a few moments ago, the entire proposition is laid out for them at the other end of Pennsylvania Avenue. [Applause.] We on this side of the aisle have not taken our instructions outside of those that are sent to us by our constituents. Therefore, I feel that in offering this amendment I am doing so in the interest not only of my constituents but of all agriculture, labor, and industry in the United States. There cannot be any question but that we should have a duty sufficient to protect our own people.

This question of granting so much authority to the gentleman in the White House brings to mind an extract from the debate occurring here in March 1934, when Alexander Hamilton was quoted by one of the speakers. I read:

> The President is to have power "by and with the advice and consent of the Senate to make treaties, provided two-thirds of the Senators present concur."
>
> However proper or safe it may be in governments where the executive magistrate is a hereditary monarch to commit to him the entire power to make treaties, it would be utterly unsafe and improper to intrust that power to an elective magistrate for 4 years' duration. * * * An ambitious man might make his own aggrandizement, by the aid of a foreign power, the price of his treachery to his constituents. The history of human conduct does not warrant that exalted opinion of human virtue which would make it wise in a nation to commit interests of so delicate and momentous a kind as those which concern its intercourse with the rest of the world to the sole disposal of a magistrate created and circumstanced as would be a President of the United States.

I think Alexander Hamilton's ideas and remarks in that momentous period of our history could well be copied by our Democratic friends today. We are continuing vast power in the hands of the President of the United States which does not belong there, but which does belong in this legislative body.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. TREADWAY] has expired.

Mr. FULLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think we are agreed, on both sides of the House, that on questions of tariffs and imports we should consider the cost of production in order to take care of American industry and American labor, but if we were to limit this bill to that particular purpose we would kill the effect of any emergency legislation. In fact, arriving at the cost of production in a foreign country is one of the most difficult things that has ever been presented to either the Republican or Democratic Party to ascertain. It takes much time and much money.

This is an emergency matter. We have all lost track of the fact that when our Republican brethren passed tariff laws and when they had reciprocal-trade agreements which they wanted submitted to the Senate for ratification, there were practically no tariff barriers in the foreign markets.

Now they all have them, especially do they have them against America; and they can change them, and do change them, overnight. Not only that but their method of ratification is quick. Their ratifying body consists of a cabinet or governmental agency which is in session all the time and can ratify, in an hour or two, the actions of agents and different arms of the government making reciprocal-trade agreements. Were we to try to put all these would-be safeguards around these reciprocal-trade agreements, we could not get anywhere. I do not believe those who sponsor the proposition that these treaties be ratified by the House and the Senate stop to realize that we are not in session half of the time. This is a proposition where we have got to deal the minute we can.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. FULLER. I yield.

Mr. KNUTSON. I call the gentleman's attention to the fact that the Colombian Congress took from September to May to ratify our trade agreement with that country.

Mr. FULLER. I expect that is true, but it did not take us that long; and nobody doubts that we got just as good a deal as they did in the matter.

But we are in an emergency, as I stated. We have got to deal with 48 nations in the world in order to find a market for our exports. It has taken a long time and strenuous work to get 15 agreements, and we have got to keep working untiringly on agreements of this kind if we expect to continue the progress and wonderful work this commission is doing to bring prosperity back to American trade.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. FULLER. I yield.

Mr. COOPER. I am sure the gentleman will recall that the evidence presented to us showed that it takes from 10 months to a year to ascertain cost of production and the other things to which this amendment applies. It is a further fact that this agency now negotiating these agreements gives consideration to all obtainable evidence of that kind.

Mr. FULLER. Not only that, but we have experts, many of whom are Republicans, of long standing in these departments, men who are familiar with these matters, in the Department of State, the Tariff Commission, the Department of Agriculture, and the Department of Commerce. They are experts on this matter, and their services are used all the time for the purpose of seeing that American industry, agriculture, and labor are taken care of as far as cost of production is concerned.

Our colleagues on the other side of the aisle say they rise to speak for the American people. Why, my friends, we on this side of the House come from every nook and corner of this great Nation; and this was one of the issues in the last campaign. The gentleman at the other end of Pennsylvania Avenue received a wonderful endorsement from all the people of the United States except those in two little States. [Applause.]

[Here the gavel fell.]

Mr. COOPER. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 7 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. CONNERY. Mr. Chairman, I realize, of course, that I am like a lone voice crying in the wilderness as far as my side of the House is concerned on this proposition, except for some of the gentlemen from Florida like Mr. WILCOX, Mr. PETERSON, and Mr. GREEN.

There is only one point on which I disagree in his speech with my friend the gentleman from Massachusetts [Mr. TREADWAY]. I am going to support his amendment. I disagree with him, however, about taking orders from the other end of Pennsylvania Avenue. I have been here 14 years. When we had a Republican President the Republicans took orders from the other end of Pennsylvania Avenue. Now that we have a Democratic President, the Democrats seem to take orders from the other end of Pennsylvania Avenue. So it is 50-50 on that proposition so far as I can judge it.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. CONNERY. I yield.

Mr. RICH. The gentleman is the only man who voted against the proposition in this last vote.

Mr. CONNERY. The same thing has happened on the Republican side under Republican Presidents. This is the only thing in his speech in which I disagree with my colleague the gentleman from Massachusetts [Mr. TREADWAY].

Mr. HILL of Washington. Mr. Chairman, will the gentleman yield?

Mr. CONNERY. I yield.

Mr. HILL of Washington. In the case of the Smoot-Hawley tariff bill, did they not take orders from Grundy?

Mr. CONNERY. I do not know. Perhaps we are taking orders from Grundy on this side in this proposition; I do not know. I am not acquainted with Mr. Grundy. I do not know about that, but I do know that the amendment of the gentleman from Massachusetts does practically what I have tried to do in a bill which is now pending before the Ways and Means Committee, which places a tax on products imported into the United States, either agricultural or manufactured products, so as to equalize the difference between the total landed cost of such products with the cost of production of similar articles in the United States.

What could be more reasonable than to ask that a sufficient duty be put on an article so that by the time it is landed in New York and goes on sale in Macy's, for instance, the cost at that time is equal to the cost of production of a similar American article landed in the port of New York and offered in the same store for sale? For instance, why should we allow the imported article to come in, with all landed costs paid, at $1.50 when it costs to produce a similar American article $1.60 or $1.70, especially when wages in the United States are decent living wages, when American workmen have decent hours and when hours abroad vary from 60 to 70 on the average, and the average pay is from $9 to $11 a week, with average wages in similar industries in the United States $25 a week?

What is there unreasonable about giving to the American manufacturer, the American worker, and the American farmer an even break in the markets of the United States?

Mr. REED of New York. Will the gentleman yield?

Mr. CONNERY. I yield to the gentleman from New York.

Mr. REED of New York. I wish the gentleman would address his remarks to that side of the House. We are convinced over here.

Mr. CONNERY. If I thought I could convince my colleagues on this side of the House, I would direct my remarks over here. I thought I might get a little more sympathy from across the aisle.

Mr. KNUTSON. Does the gentleman believe in sowing the seed in sterile ground?

Mr. CONNERY. No. But I do not think I am on sterile ground over here. Florida and Massachusetts are going along pretty well together today. Mr. Chairman, this amendment offered by the gentleman from Massachusetts [Mr. TREADWAY] is a real amendment. It gives the American workman, the American manufacturer, and the American farmer an even break in the markets of the United States in competition with foreigners. We are raising a great hue and cry here about decent wages and shorter hours. How can we have decent wages and shorter hours and at the same time permit Japan, for instance, to send their products into the United States? Over there they pay girls in the textile mills 4 cents a day. How under those circumstances can the American manufacturers and farmers be prosperous?

Mr. Chairman, I ask my colleagues from the South and West to think this over. I am perhaps a very poor prophet, but I expect in the next 5 years to see you come in here crying aloud for a protective tariff to protect your cotton growers and farmers. Time will tell.

[Here the gavel fell.]

Mr. WEARIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, on Friday of last week a considerable discussion arose over the question of quarantines and whether or not the rules and regulations of the Department of Agriculture were infringed upon by any reciprocal-trade agreements that had been entered into. I think the gentleman from Kentucky handled that situation most excellently today; but, in view of the fact there was considerable discussion on the subject, I wrote the Secretary of Agriculture last Saturday, and I have received a reply from him.

Mr. Chairman, I ask unanimous consent to insert in the RECORD at this point the reply which I received from the Secretary of Agriculture.

The CHAIRMAN. The Chair suggests to the gentleman, if there is any extraneous matter in the request, the gentleman's request should be submitted to the House.

Mr. WEARIN. I intend to submit my request later to the House, Mr. Chairman. I simply desired to call attention to the subject at this point in the discussion.

FEBRUARY 8, 1937.

Hon. OTHA D. WEARIN,
House of Representatives.

DEAR MR. WEARIN: I have your letter of February 6, referring to certain statements that have been made in hearings before the Committee on Ways and Means and in debates on the floor of the House in connection with the proposed renewal of the Trade Agreements Act of 1934, which raise a question as to the effect of provisions in existing trade agreements on sanitary regulations administered by this Department.

The statements to which you refer apparently relate to a standard provision which is included in a number of the trade agreements negotiated to date having to do with consultation between governments as to the operation of sanitary laws and regulations. A specific example is article 10 of the trade agreement with Brazil.

Apparently this provision has been interpreted as meaning that the United States is prohibited from introducing new quarantine or sanitary measures without the consent of the foreign governments with which we have trade agreements which include this particular provision. This interpretation is not correct. The general effect of this provision is simply to formalize and make more specific a practice which has always been pursued by this Government with respect to the application of quarantine and sanitary measures. That is to say, it has always been the practice of this Department, for example, to give consideration to representations made by foreign governments through the appropriate channels with regard to the application of quarantine and sanitary measures for which it is responsible.

The article in question provides for (1) "sympathetic consideration" by each government to representations made by the other government with respect to the application of sanitary laws and regulations for the protection of human, animal, or plant life; (2) consultation between technical experts of each government upon request of one of the governments party to the agreement with respect to the operation of particular sanitary regulations; and (3) consultation between governments, "whenever practicable" before the application of any new measure of a sanitary character.

It is specifically provided that the provisions of this article do not apply to actions affecting individual shipments received in either country under sanitary measures already in effect or actions based on pure food and drug laws.

This provision was drafted in consultation with officials of this Department. We are convinced that it does not deprive the United States Government of the right to take whatever action may be necessary along the line of sanitary quarantines or embargoes on imports of agricultural products whenever there is a sound, scientific basis for such action.

The position of this Department is that the Government of the United States should have complete freedom to act with respect to prohibiting the imports of agricultural products when the scientific evidence indicates that there is a real risk of the introduction of harmful plant and animal diseases and insect pests. We believe that we have such freedom under the terms of the standard sanitary provision in the various trade agreements. This Department does not believe that sanitary import measures should be used as a substitute for economic protection. We believe that the modification of our sanitary regulations should be based on careful and continuing examination of their merits in the light of the purposes for which they were imposed. The consultation provided for in the standard sanitary provision in the trade agreements would constitute a part of such examination.

Sincerely yours,

H. A. WALLACE, *Secretary.*

I would also like to call the attention of the Committee to another very important matter by way of summary in this debate. We have listened to a lot of talk about what the opposition claims to be the adverse effect of reciprocal-trade agreements upon agriculture, but what are the facts? Let us take a look at the wholesale price index of farm products in 1932 under the protection afforded by the Hawley-Smoot bill and to price index of the same products in 1936 under existing trade agreements.

COMPARATIVE PRICES OF FARM PRODUCTS IN 1932 AND 1936

The following table gives representative wholesale prices of farm products in June 1932 and June 1936:

Commodity	Average price	
	June 1932	June 1936
Grains:		
Corn, No. 3, mixed, per bushel, Chicago	$0.304	$0.644
Oats, No. 2, white, per bushel, Chicago	.214	.307
Rye, No. 2, per bushel, Chicago	.527	.640
Wheat, No. 2 Red Winter, per bushel, Chicago	.511	.949
Wheat, No. 1 Northern Spring, per bushel, Minneapolis	.574	1.089
Livestock and poultry:		
Cattle:		
Calves, good to choice, vealers, per 100 pounds, Chicago	6.094	8.950
Cows, good to choice, per 100 pounds, Chicago	4.238	5.870
Steers, good to choice, per 100 pounds, Chicago	7.375	8.505
Hogs, fair to choice, light butchers, per 100 pounds, Chicago	3.931	10.355
Sheep: Ewes, native, fair to best, per 100 pounds, Chicago	1.531	
Poultry, live fowls, per pound, Chicago	.129	.190
Other farm products:		
Cotton, middling, per pound, New Orleans	.052	.121
Eggs, first, per dozen, fresh, Chicago	.125	.208
Hay: Alfalfa, per ton, Kansas City	9.750	11.150
Milk, fluid, per 100 pounds, Chicago	2.110	1.570
Seeds: Flax, per bushel, Minneapolis	1.031	1.740
Potatoes, white, per 100 pounds, Chicago	1.115	2.080
Wool, domestic, Ohio, grease basis, half-blood, per pound, Boston	.154	.374
Butter, cheese, and milk:		
Butter, creamery, extra, per pound, Chicago	.163	.285
Cheese, whole milk, per pound, Chicago	.108	.158
Milk, condensed, per case, New York	4.750	4.850

I selected the above dates because a large number of prices of farm products were readily available in published official sources, namely, the United States Department of Labor Wholesale Prices, June 1933 and June 1936.

It will be noted that in every single instance, except one—fluid milk, which is not included in the trade agreements—the price shows a substantial gain under the present trade policy. It should be obvious to every American citizen that certainly, if you can draw any conclusions at all from figures, and agricultural prices in particular, the farm population has benefited from the Roosevelt-Hull program of reciprocal-trade agreements.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. SNELL) there were—ayes 77, noes 135.

So the amendment was rejected.

Mr. KNUTSON. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. KNUTSON: Line 8, before the period, insert a colon and the following: "*Provided*, That before any such foreign-trade agreement is concluded with any foreign government or instrumentality thereof reasonable notice of the intention to negotiate such agreement shall be given, and a list of the articles which will be considered in the course of such negotiation shall be published, in order that any interested person may have an opportunity publicly to present his views, either in person or in writing, directly to the agency designated by the President to conduct the actual negotiation with such foreign government or instrumentality thereof."

Mr. KNUTSON. Mr. Chairman, under the present law hearings on proposed trade agreements are conducted by one committee, and the agreements are made by a wholly different body. My amendment would give interested persons the opportunity to present their views directly to the body which makes the agreements. I should like to appear before the committee that makes these trade agreements and explain to them how the present method is depriving our farmers of the home market, and how anxious they are to make a reasonable profit that will enable them to carry on, liquidate their indebtedness, and at the same time enjoy American standards of living.

Under past procedure interested parties have never known what items were under consideration and therefore have had to take into consideration in preparing their case all the items of imports from the country with which we were negotiating. In connection with the proposed agreement with Ecuador the administration has modified its past procedure, but we have no assurance, Mr. Chairman, this is going to become a permanent policy in connection with the negotiation of future agreements or in the renewal of present agreements. Personally I think it would be highly desirable to write into the law a provision to protect those who are vitally affected, so that they may appear in person or by representative to protect their interests.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken; and on a division (demanded by Mr. KNUTSON) there were—ayes 60, noes 115.

So the amendment was rejected.

Mr. KNUTSON. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Amendment offered by Mr. KNUTSON: Line 8, before the period, insert a colon and the following: "*Provided*, That after the enactment of this resolution no proclamation shall be made reducing the duty on articles the growth, produce, or manufacture of any foreign country below the amount necessary to protect American agriculture, labor, and industry from unfair foreign competition in the domestic market resulting from differences in American and foreign wage scales, living standards, and production costs; from subsidies paid to foreign producers by foreign governments; from the dumping of foreign products at prices less than the foreign market value; or from any other factor or factors the effect of which is to give to foreign producers an unfair competitive advantage in the domestic market over American producers."

Mr. KNUTSON. Mr. Chairman, this amendment is in line with the suggestion made by the gentleman from Florida [Mr. WILCOX] when he appeared before the Ways and Means Committee and urged that an amendment be incorporated in the law guaranteeing the American producer that duties hereafter fixed in these trade agreements would take into consideration American production costs.

Furthermore, my amendment prohibits the dumping of surplus products onto our markets, and is an insurance to protect the American producer, whether he lives on the farm or in town, whether he toils in the factory or is in business for himself. That is the whole thing in a nutshell, and I do not see how anyone can oppose the amendment.

Mr. WILCOX. Mr. Chairman, I offer a substitute for the amendment offered by the gentleman from Minnesota [Mr. KNUTSON].

The Clerk read as follows:

Substitute amendment offered by Mr. WILCOX: Page 1, line 8, before the period, insert a colon and the following: "*Provided, however*, That in the negotiation of any new agreement or agreements, or in the renewal or extension of any existing agreement or agreements, under the authority of this act, the tariffs or import duties upon all agricultural and horticultural products shall be maintained at a point which will at least equalize the difference in the cost of production of such products in the United States with the cost of production thereof in the country or countries dealt with, as determined by the United States Tariff Commission as of the date any such new or extended agreement becomes effective."

Mr. WILCOX. Mr. Chairman, I offer this amendment as a substitute for the amendment offered by the gentleman from Minnesota [Mr. KNUTSON], because, in my opinion, it is a more direct approach to the subject.

The objection was made by the majority members of the Ways and Means Committee a few moments ago to amendments offered by the minority members of that committee upon the ground that the amendments were offered for the purpose of crippling or killing the legislation. I want to say to the membership of this Committee that this amendment is not offered for the purpose of crippling or interfering with or destroying this legislation. It is offered for the purpose of perfecting the bill and making it possible for some of us to vote for it. I voted for this bill in 1934. I yield to no man in this House in my loyalty to the present occupant of the White House. I will place my record of loyalty to this administration beside the record of any man in Congress, but, Mr. Chairman, I am asking that this amendment be adopted in order that I may again vote for this legislation. I want to keep my record of unqualified support of this administration intact. But I am frank to say to you that I cannot support this bill unless this amendment is adopted. I owe

allegiance to the Democratic Party and to the President as the head of my party, but my first duty and my first loyalty is to the people of the Fourth Congressional District of Florida.

This amendment is necessary, not only for the protection of my people, but for the protection of American agriculture. I do not ask you to limit the jurisdiction of the President of the United States. I do not ask you to hamper the Secretary of State in the negotiation of these agreements, but I do appeal to the membership of this House to accord to the American farmer common, ordinary, everyday justice, and to preserve to the American farmer the American market. I do not ask for him any unfair or undue advantage. I do not ask for him any protective tariff which will guarantee to him a profit, either upon his investment or upon his labor, but I do ask at the hands of this Congress that you preserve the American market for the American farmer and that you guarantee to the American farmer that foreign agricultural interests shall not be permitted to dump agricultural products into the American market for less than it costs the American farmer to produce them.

Mr. DOUGHTON. Mr. Chairman, will the gentleman yield?

Mr. WILCOX. I have not the time to yield. If the gentleman will get me more time, I shall be pleased to yield.

I ask only fair and honest treatment of the American farmer. I ask that you equalize the difference in cost of production so that our competitor comes into the market on a fair and equal basis with our own farmers. That is fair. That is just, and I cannot conceive of any man in this House with agricultural interests in his district voting against it.

Of course, I, the same as you, have the selfish interest of representing the people who elected me to the Congress; not all of us can take the national viewpoint to the exclusion of our local interests as the gentleman from Washington [Mr. HILL] can do; but, after all, Mr. Chairman, there are in the southern end of the State of Florida some 350,000 American citizens who have but one voice in this House, and that is my voice, and it is my duty to represent, preserve, and, so far as it is in my power, protect their interests.

I wish to refute the statement which has been made by many of my Democratic colleagues that in the negotiation of these treaties the cost of production has always been considered. I call your attention to the treaty negotiated with the Republic of Cuba, by which the tariffs upon every product of my district were reduced to a point below the actual cost of production within my district.

[Here the gavel fell.]

Mr. WILCOX. Mr. Chairman, I ask unanimous consent to proceed for 3 more minutes, as I should like to give this Committee some information.

Mr. MOTT. Mr. Chairman, reserving the right to object, may I ask the gentleman whether he knows of any agricultural product in any part of the United States, the tariff on which was reduced by a foreign-trade agreement, where the reduction made was not below the cost of production in any part of the United States?

Mr. WILCOX. No. I am not informed on that subject.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. WILCOX. Of course, I do not know anything about any of the other agreements than the one with Cuba.

Mr. DOUGHTON. Mr. Chairman, will the gentleman yield?

Mr. WILCOX. Yes.

Mr. DOUGHTON. Where would the gentleman find a tribunal that is better qualified or better prepared to ascertain the difference in cost of production in the foreign countries and in this country and to protect the American producer than the Department of Agriculture, the Department of Commerce, and the Tariff Commission?

Mr. WILCOX. We have already the machinery set up to determine the difference in cost of production, and it has actually determined the difference in cost of production as to many of the items of agriculture in the United States. The Tariff Commission has already done this. I listened to the statements of the majority Members who say you cannot possibly determine this question. Mr. Chairman, it is just as ridiculous to say you cannot determine the cost of a bushel of potatoes or a bushel of wheat or a bushel of corn as it is to say that a shoe manufacturer cannot determine what it costs him to manufacture a pair of shoes or to say that an electric-light company cannot tell you how much it costs them to produce a kilowatt of electricity.

I also wish to call your attention to the effect that this treaty has had upon the agriculture of my district. Hundreds of previously prosperous farmers in my congressional district have been forced into bankruptcy as a result of the negotiation of the Cuban treaty, and unless relief is given within the next 2 or 3 years thousands of additional farmers of my district will have to abandon their agricultural pursuits.

The reduced tariffs under the Cuban agreement go into effect at different periods of the year. It so happens that the tariff on green peppers goes into effect each year on the 1st day of January. According to the sworn testimony before the Committee for Reciprocity Information, delivered just 3 weeks ago, the price of green peppers in the United States market in December 1936 was $1.06 a crate. The reduced tariffs went into effect on January 1, and by the 10th of January the price had dropped from $1.06 a crate to 35½ cents a crate. The price of tomatoes had dropped from $1.32 a crate to 49½ cents a crate, and the price of eggplant had dropped from 96 cents a crate to 14 cents a crate within 5 days after this agreement had gone into effect. What has happened in Florida under the Cuban treaty can and will happen in other sections under other agreements unless this amendment is adopted.

I appeal to the membership of this Committee to protect American agriculture from a repetition of this situation. [Applause.]

Mr. VINSON of Kentucky. Mr. Chairman, I wish to say at the outset that I consider the gentleman from Florida one of the strongest advocates in this body. He is a splendid lawyer and one of the strongest men in the House

He complains about adverse conditions of this vegetable market. I believe that in his restricted area he comes nearer to making a case than anybody who appeared before the committee. But there is another side to it. The gentleman was very careful to state only his side. He does not say that the Cuban tomato has always sold at a premium in the American market; that the price of Cuban tomatoes, before the agreements, sold for 40 cents a lug premium; and after the agreements, 50 cents premium per lug.

The gentleman does not tell you that the value of vegetables in 1936 sold from the Florida market is $10,000,000 more than it was in the 1935 preagreement days.

Mr. WILCOX. Will the gentleman yield?

Mr. VINSON of Kentucky. I know the gentleman will say that these figures are totals and do not get down to his bailiwick. The gentleman's people have been benefited and will under the recovery program continue to get more benefit from the Canadian treaty, because it opens a market for their oranges and citrus fruits and many vegetables, including tomatoes.

Mr. WILCOX. Will the gentleman yield?

Mr. VINSON of Kentucky. I yield.

Mr. WILCOX. The gentleman says that I did not say that the market had increased in my district, and the reason I did not say so is because it is not the fact. [Applause.]

Mr. VINSON of Kentucky. I made no reference to that effect. The gentleman appeared before the committee, and the record will show that I asked him whether the acreage was substantially the same for the tomato crop, and, as I recall, he said it was substantially the same acreage.

Mr. WILCOX. I would be very much indebted to the gentleman if he would show me that statement.

Mr. VINSON of Kentucky. I asked the gentleman about the dollar value of Florida crops. As I remember, he admitted there was increased income from Florida crops.

Mr. BUCK. Will the gentleman yield?

Mr. VINSON of Kentucky. I yield.

Mr. BUCK. On page 517 of the hearings the gentleman from Florida [Mr. WILCOX] said, in response to some suggestion I was making at the time, the following:

Mr. WILCOX. Yes; the State Department has complained very bitterly that we increased our acreage.

Mr. WILCOX. Yes. I want to say that the State Department is mistaken, that that is not true.

Mr. VINSON of Kentucky. The gentleman before the committee had to admit that his particular constituents had gained benefits and would continue to secure benefits under the Canadian agreement. I say again that he came nearer to making a case than any witness that appeared before the committee; but when you take Florida as a whole, increasing farm crops $10,000,000 in the agreement years, and increasing the average acreage some 733 acres, with increased production of 53,000 bushels, by lowering tariff barriers in the Canadian agreement and opening this great market, we can easily see why his people have been benefited by the trade-agreement legislation.

Mr. FULLER. Mr. Chairman, I ask unanimous consent that debate upon this amendment and all amendments thereto be closed in 20 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. PETERSON of Florida. Mr. Chairman, ladies, and gentlemen of the Committee, you have heard explained the amendment proposed by my colleague from Florida [Mr. WILCOX]. He has portrayed to you very vividly the situation with reference to the vegetable-growing areas of south Florida. We are practically being forced out of a market that belongs to us. We have encouraged and fostered the raising of fresh vegetables in south Florida, realizing that it is the spring garden of the world. Many farmers on small acreage have made a living and have educated their children, and we believe that this market belongs to them and that they should not be forced out of the market by foreign production. The American farmer should have the right to raise our foodstuff.

I shall not attempt to go into the details of the figures, but I ask you roughly to pay attention to some that I can give. There is in the hearings a record of the shipments as prepared by the Florida Agricultural Association by its secretary, H. T. Bennett, and it shows that Florida has lost 14 percent in the shipment of tomatoes in a given period, while Cuba has gained 53 percent. In the shipment of peppers Florida has lost 21 percent and Cuba has gained 358 percent. In the shipment of eggplant Florida has lost 40 percent and Cuba has gained 105 percent. These comparative statements of loss and gain have been figured in the seasons of 1932–33, 1933–34, 1934–35 and 1935–36.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. PETERSON of Florida. Yes.

Mr. KNUTSON. The gentleman from Kentucky [Mr. VINSON] sought to convey the impression that the Cuban tomato is superior to the Florida tomato in quality. I prefer the Florida tomato myself, not only because it tastes better but because it is raised by Americans.

Mr. PETERSON of Florida. I concur in that statement. Insofar as the price of tomatoes is concerned, a comparison in the markets will show that on some occasions the Cuban tomato sells for a higher price than the Florida tomato, and on other occasions the Florida tomato sells for a higher price than the Cuban.

With reference to cost of production, everyone wants to see a decent wage paid in this country. Everyone has been talking about raising the American standard of living, and that can be done only by having decent wages. So far as the cost of production is concerned in the raising of tomatoes, it figures in this way, 7.79 cents in Florida as compared with a cost of 3.14 cents in Cuba. It costs a little more than twice what it does to produce tomatoes in Cuba. That is because they use cheap labor.

In addition to that I call the attention of gentlemen roughly to some of these figures in pounds. In 1932 the export of eggplant from Cuba to the United States amounted to 3,718,974 pounds, while in 11 months of the past year it amounted to 7,528,332 pounds, more than twice as much shipped in the 11-month period as in a year prior to the agreement. Okra jumped from 248,000 pounds to 1,563,000 pounds, and in addition to that Cuban tomatoes jumped from approximately 25,000,000 pounds in 1932 to approximately 32,000,000 in the past 11 months. These are only a few; beans, lettuce, and avocados are in the same category.

With reference to the Canadian agreement I admit that we get some benefit from that, but not enough to offset the Cuban agreement, and that was only with reference to citrus fruit, and I have a protest from the citrus fruit committee in our State in which they say that while we thought we had secured benefits on canned citrus fruit juices, they find now that they have to pay a tariff on the tin that goes into the canned product, and also on the carton itself that contains the tin. Our farmers are suffering; wages in Cuba are low. Do not force them out of a market that belongs to them. This amendment will give them a fair break. I urge your support of the Wilcox amendment.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. PETERSON of Florida. I ask unanimous consent that my time be extended for 3 minutes.

Mr. DOUGHTON. I object.

Mr. CONNERY. Mr. Chairman, I am very happy to support this substitute amendment of the gentleman from Florida [Mr. WILCOX]. Any time that any one from Massachusetts stands up here and asks anything for New England or Massachusetts, he is immediately accused of appearing for the big manufacturers of the Nation. The people from the farm districts and from the cotton districts say that, and believe that we have no sympathy with their problems. When New England is mentioned they immediately think of big corporations, and forget the thousands of working people of our section of the country. Here is an amendment that has not anything to do with textiles or with shoes. It has not anything to do with manufactured products. It is to protect the American farmer and the citrus producer in Florida, which is a long way from Massachusetts. I am happy to support the amendment. No one can accuse me today of just taking care of New England at the expense of the cotton grower or the far-western farmer. The gentleman from Florida brought out the fact to the House that the Tariff Commission can find easily the difference between the landed cost of a foreign article and the cost of production of similar articles in the United States. We have reached that point, and yet in spite of that the State Department makes treaties and disregards the landed cost of foreign products, what it will cost to produce an article in the United States, as compared with what it costs to produce the same article abroad, including landed costs, and thus give the foreigner the advantage in the American market.

The gentleman from Florida, as I listened to his amendment, is simply trying to give the Florida fruit grower an even break in the American market with the Cuban fruit grower on tomatoes and other commodities produced in Florida coming into the United States. This is similar to the bill which I have offered, not only with reference to the farmer but the manufacturer. We were voted down on the question of taking care of the whole Nation on this matter. Now we are offered an opportunity to protect the farmers in the State of Florida. I want to assure the gentleman from Florida that I hope this amendment will pass. I shall certainly be glad to vote for it. If it is passed and it benefits Florida, as I know it will, I hope it will be an example to our colleagues on the Democratic side of the House, and perhaps they will ultimately take care of Massachusetts as they are going to take care of Florida.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. CONNERY. I yield.

Mr. KNUTSON. I am sure the gentleman would have been a Republican had he not been an Irishman. [Laughter.]

Mr. CONNERY. Irishman or not, I would be a Democrat.

Mr. KNUTSON. The gentleman is one Democrat who is a consistent protectionist for every American interest,

whether it is agriculture or industry. I congratulate the gentleman.

Mr. CONNERY. I want to say to the gentleman that my mother was born in Tipperary, Ireland. My father was born in Lynn, Mass., and his father and mother were born in Ireland. I am just as proud of being a Democrat as I am being an American of Irish descent, and I am intensely proud of my Irish blood. [Laughter and applause.]

Mr. WILCOX. Mr. Chairman, will the gentleman yield?

Mr. CONNERY. I yield.

Mr. WILCOX. No man who knows the record of the gentleman from Massachusetts would ever accuse him of being narrow-minded or undertaking to protect New England interests at the cost of any other section.

Mr. CONNERY. I thank the gentleman.

Mr. WILCOX. I just wanted to correct one probably erroneous impression that the gentleman's argument might have left, and that is that my amendment is designed solely to protect Florida. It protects all American agriculture.

Mr. CONNERY. Yes. I inadvertently said that. It protects the American farmer in general. I am glad. One of the first meetings ever held on Capitol Hill here between the laborers and the farmers was in the Committee on Labor committee room at my request, because I know well neither worker nor farmer can be prosperous without the aid of the other. [Applause.]

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. CONNERY. I yield.

Mr. CRAWFORD. I notice on page 13 of the report it says "after consideration already given to cost data"; then it goes on further and it says, "giving such consideration would prevent the concluding of the agreement and wreck the whole plan." Can the gentleman explain that to me?

Mr. CONNERY. In other words, we know the cost of production, and we know the difference in the cost, but we will not give the benefit to the American farmer, the American worker, and the American manufacturer. That is what I have been fighting for.

Mr. CULKIN. Mr. Chairman, will the gentleman yield?

Mr. CONNERY. I yield.

Mr. CULKIN. Did the gentleman read the radio address delivered by Matthew Woll, first vice president of the American Federation of Labor, on foreign economic trends?

Mr. CONNERY. No; I did not. It is on my desk and I intend to read it, but I know that Mr. Woll is a brilliant gentleman. He is one of the great economic experts of the country and a great champion of labor. There is a committee of the American Federation of Labor, representing 10 international unions, whose sole job it is to protect American workers under the tariff.

Mr. CULKIN. And to create jobs for American workers and buy American-made goods?

Mr. CONNERY. Yes. Protect America first and take care of the world afterward. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. CONNERY] has expired.

Mr. GREEN. Mr. Chairman, for several years prior to 1932 I saw our foreign trade dwindle from $5,000,000,000 down to a billion and a quarter. Then came the reciprocal-trade agreements by our administration. Now, under the reciprocal-trade agreements, our foreign trade has improved about 60 percent. But if the majority party can make reciprocal-trade agreements whereby they are more operative, I believe, as a Member of Congress and a Democrat, it is my duty and your duty to do it.

Now, we have more than 30,000,000 people on the farms of our great land. You know and I know the contention in American economic life for the past three or four generations has been whether or not the farmer class of our people shall have their rights and their standard of living, as compared with employees in the industrial centers. Now, for that 30,000,000 people who live beneath the sun and the bright stars and wring their living from the breast of Mother Earth I plead. They have been neglected in our great tariff-making schemes. True, they have been helped under the reciprocal-trade agreements, but under the amendment offered by my colleague from Florida [Mr. WILCOX], their station in life, their income, will be placed upon a parity with the industrial workers of the Nation. They will receive a break in the markets of America with foreign-grown agricultural commodities. This not only applies to winter-grown vegetables in Florida; it applies to winter-grown vegetables in every part of our country. It applies to wheat, corn, and oats, and all agricultural commodities, even to your beef and mutton out in the western expanses of our great country. Why? Has not Congress the power to direct the tariff-making body and the trade-agreement body in these affairs? It has, and should exert its power.

Our growers in Florida are forced to sacrifice their markets to Cuban production, where the standard of wage is only a few cents a day. I understand that American capital is invested in vegetable production in Cuba and other nearby islands. Naturally these investors desire to see their investments protected. To maintain reciprocal-trade agreements which gives them advantage is placing property rights above human rights. Many of our Florida truck growers are producing at a loss because their market is being absorbed by foreign-produced vegetables. To continue, will force them upon relief rolls and deny them economic independence.

The wage standard and living standard in Cuba is far below the American requirement. We owe protection to our own American farmers. You cannot get our Florida farmers to produce in competition with such odds against them.

The Federal Government is making crop loans in this affected area. Many of our people are unable to pay these crop loans and are now in default because their market has been taken by Cuban importations. Do you mean to tell me that it is economy for the American Congress to appropriate $50,000,000 one week for crop loans and the next week to defeat the purpose of the loan by denying a market to the vegetables to be grown by the loans?

Mr. Chairman, it is time for those of you who represent the farm areas to awake and give our farmers protection as provided under the amendment offered by my colleague [Mr. WILCOX]. I am pleading not only for the growers of my own State but I am pleading also for the consumers of winter-grown vegetables. If Florida is forced out of production, the consumers will be at the mercy of foreign vegetable producers, and the prices paid will be extortionate.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, the facts presented by the gentlemen from Florida are, of course, very interesting and quite logical, in a way; but before we take too much of their advice, before we are too much influenced by their persuasive arguments and their personal charm, we, especially those of us who were here when the Smoot-Hawley bill was under consideration, should reflect upon the iniquity of that bill. That bill brought upon this country the worst economic paralysis, the greatest economic disaster, the most severe economic disaster of any piece of legislation ever placed upon the statute books of the United States in our generation. That piece of legislation caused other countries to erect tariff barriers, embargoes, and restrictions against the surplus commodities of the farms of the United States, factories, mills, shops, and mines. Their markets were alienated and prices of the products of mill and factory, farm and range, went way down below the cost of production, until we had almost a universal paralysis in this country. It is common knowledge that President Hoover himself referred to it as an economic pestilence, and again referred to it as an economic calamity. He described it the most perfectly of any man who has ever attempted to describe the situation.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. McCORMACK. It would be unwise to adopt the amendment, furthermore, because unless the President in this reciprocal trade agreement policy is left with as broad discretion as possible we will not reap the full benefit of this policy. While the situation complained of in Florida is very

unfortunate, nothing is perfect. Florida, moreover, has generally benefited as the result of the passage of the Reciprocal Trade Agreement Act of 3 years ago; and we are confident that in the near future the situation complained of by our distinguished colleagues from Florida, having been forcibly called to the attention of the State Department, will be adjusted to their reasonable satisfaction.

Mr. GREEN. We appreciate the statement of the gentleman from Massachusetts.

Mr. DOUGHTON. Notwithstanding the statement of the gentleman from Florida, that State, since the reciprocal trade agreement policy went into effect, has planted more acres, produced more bushels, and received more money for what she produced than she did before. This statement cannot be disputed, for it is based on facts gathered by the Tariff Commission.

So far as the cost of production argument is concerned, everyone knows that it cannot be ascertained with any degree of certainty. The Tariff Commission is working on that all the time. How can they ascertain the cost of production of Florida vegetables when they have only a 3-months season? They could not get started in 3 months. How could they ascertain cost of production abroad in 3 months? It could not be done. Cost of production varies from year to year, so that the cost of production one year would be no criterion whatever for the cost of production another year. The only purpose of these amendments is to kill the bill; that is all there is to it. We have a tribunal composed of the Secretary of State, the Secretary of Agriculture, the Secretary of Commerce, and the Tariff Commission collecting information all the time for the purpose of comparing cost of production here and abroad. If this tribunal cannot be relied upon to furnish as accurate information as can be obtained, I do not know to what tribunal or source we can turn for aid in this matter.

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from North Caroline has expired. All time has expired.

By unanimous consent, the pro-forma amendment was withdrawn.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Florida to the amendment offered by the gentleman from Minnesota.

The question was taken; and on a division (demanded by Mr. WILCOX) there were—ayes 67, noes 134.

So the substitute amendment was rejected.

The CHAIRMAN. The question recurs upon the amendment offered by the gentleman from Minnesota.

The question was taken; and on a division (demanded by Mr. KNUTSON) there were—ayes 74, noes 136.

So the amendment was rejected.

Mr. DOUGHTON. Mr. Chairman, I move that all debate on this section and all amendments thereto close at 4:30.

The motion was agreed to.

Mr. McCORMACK. Mr. Chairman, I was not going to offer an amendment. If a member of the committee desires to offer an amendment I would not feel warranted in taking the time.

Mr. CROWTHER. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. CROWTHER: Line 8, before the period, insert a colon and the following: "*Provided*, That after the enactment of this resolution no proclamation shall be made reducing the duty on articles the growth, produce, or manufacture of any foreign country below the amount necessary to equalize the difference in the landed cost of such articles in the principal market or markets of the United States and the price at which like or similar domestic articles are freely offered for sale in such markets in the usual wholesale quantities."

Mr. COOPER. Mr. Chairman, I make a point of order against the amendment. The subject matter has already been covered by amendments previously acted upon in the consideration of the bill.

The CHAIRMAN. Does the gentleman from New York desire to be heard?

Mr. CROWTHER. Mr. Chairman, I have no knowledge of anything of the character of my amendment having been offered and acted upon. It may be true in general terms but not in the exact language of my amendment.

In my amendment I ask for the American landed cost, which is a much different thing from ascertaining the cost of production. This has nothing to do with difference in production costs.

Mr. COOPER. Mr. Chairman, there is no substantial difference between the provisions of the amendment offered by the gentleman from New York [Mr. CROWTHER] and amendments heretofore considered. There might be a change of a word here or there, but there is no substantial difference. There is no substantive difference between this amendment and language heretofore incorporated in amendments previously offered and considered.

The CHAIRMAN. The Chair is ready to rule.

In the opinion of the Chair this amendment is not at all identical with amendments of a similar character which have been considered by the Committee this afternoon. There may or may not be a substantial difference, but the Chair has no manner or means of making a decision on that point at this time. The gentleman from New York [Mr. CROWTHER] does not offer an identical amendment to one previously considered; therefore, in the opinion of the Chair, the amendment is in order; and the Chair overrules the point of order of the gentleman from Tennessee [Mr. COOPER].

Mr. CROWTHER. Mr. Chairman, the attempt to levy customs duties upon American landed value is not particularly new. It has been suggested during the consideration of tariff bills over a great number of years. Many of the foreign countries with which we have trade agreements use that method in assessing customs duties. For instance, there is the British landed cost and other countries which I do not think of at this moment use the same method.

Mr. VINSON of Kentucky. Will the gentleman yield?

Mr. CROWTHER. I yield to the gentleman from Kentucky.

Mr. VINSON of Kentucky. The gentleman's amendment has the effect of increasing the tariff rates very materially?

Mr. CROWTHER. I cannot agree to that statement because if you get a higher price base you lower the rate. That was the criticism when we adopted valuation. The Democrats said, "You are going to get more money. You are going to raise the rates." We had a table of rates arranged to lower the ad valorem and specific duties if American valuations had been accepted as the base.

Mr. VINSON of Kentucky. But generally speaking it has the effect of increasing the rates?

Mr. CROWTHER. Possibly, but I do not think so; not if you were to write your tariff bill with landed costs as your original premise. I do not think it would make any difference. You would come to the same conclusion as regards total duties collected.

One of the greatest difficulties, as we all know, is the ascertainment of foreign costs. It is a very difficult thing and creates many disagreeable situations. Let us suppose you were a manufacturer in this country and a couple of foreign representatives came in Monday morning and said, "We are going to stay here about a week and go over the books in your factory and find out what your production costs are."

We would probably invite them to go to a place where it is considerably warmer than it is here. We would not be very eager to consider that proposition at all. It is very difficult to ascertain foreign production costs, as I stated. It is not so hard to secure them at home here. Suppose the gentleman from Virginia were a manufacturer in this country and I am an importer. I am importing the things that he manufactures. Now, he does not care what the production cost of that production is in Germany, England, France, or anywhere else. What interests him, as a businessman or as a domestic manufacturer, is what does Crowther buy those things for landed on the dock at Baltimore, Philadelphia, or New York? That is the business problem that presents itself to him.

Mr. Chairman, to my mind, it is no concern of ours what the foreign production costs are, or their ascertainment. Let us levy the duties on the landed cost—what they cost laid down on the dock in this country. Then we may do away with this disagreeable condition which we sometimes develop with foreign countries.

Mr. CONNERY. Will the gentleman yield?

Mr. CROWTHER. I yield to the gentleman from Massachusetts.

Mr. CONNERY. Furthermore, the foreigners are much smarter than we are. We take their valuation and they take whatever valuation they see fit for the best interests of their country.

Mr. CROWTHER. The gentleman is right, and even that plan does not remove all difficulty, because there is still the trickery and chicanery of shipping foreign goods here under consignment at a very low price and getting the returns after the commodities are sold in this country in the form of what we denominate as refunds.

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, briefly I want to call attention to the fact that the editorial comments throughout the entire country have been very favorable on the reciprocal trade law passed 3 years ago and very favorable on the Canadian pact. For example, take, in New England, the Boston Herald, which is the great Republican organ in New England. It is a fine paper, but it is the outstanding Republican organ of New England. Its opening sentence is:

One concession by Canada is especially welcome.

Then it goes on and praises the pact generally.

The Boston Transcript, another fine, outstanding Republican paper of New England, editorially praises the reciprocal trade agreement with Canada. The Boston Traveler and various other papers throughout New England, most of them Republican editorially, praise the pact we have made with Canada. This is very significant, in view of the position that some of my Republican colleagues from New England have taken on this bill.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

Mr. LORD. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. LORD: At the end of the joint resolution insert: "*Provided*, That no trade agreement affecting existing rates of duty on imports of leather, shoes, and rubber footwear shall become effective until submitted to and approved by Congress."

Mr. LORD. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LORD. Mr. Chairman, my amendment is to insure the shoe industry that if there is any proposal by reciprocal trade agreements to reduce the tariff on leather and rubber footwear that the proposal will have to be submitted to the Congress and be approved by this body before the tariff becomes operative. This will afford the industry an opportunity to be heard on this most important subject, and will not be decided behind closed doors and without the knowledge of the American manufacturer and worker.

I have in my district one of the largest shoe manufacturing companies in the world, the Endicott Johnson Shoe Manufacturing Co. This company furnishes perhaps one-half of industrial employment in the district, and a reduction in the present tariff would be disastrous to this and other shoe factories, not only in my district but in the whole Nation. Therefore, it becomes very important for the industry to know that they are not to be meddled with without notice. I want to include here copy of a telegram that I received from the Endicott Johnson Co. on this measure that we have before us:

ENDICOTT, N. Y., *January 21, 1935.*

Hon. BERT LORD,
House of Representatives, Washington, D. C.:

* * * So there may be no misunderstanding as to our company's position in regard to existing tariff laws on importation of leather shoes and rubber footwear, we should like to have it made clear to the committee that we are opposed to any changes through reciprocal trade agreements that would permit foreign invasion in our market. Existing tariffs are no higher than they need to be to protect American wages and living standards. It is vitally important to our company, as well as all other shoe manufacturers and allied industries, also manufacturers of rubber footwear, that existing protective tariffs are not interfered with.

GEORGE F. JOHNSON.
GEORGE W. JOHNSON.
CHARLES F. JOHNSON, Jr.

The Tariff Act of 1929 saved the shoe industry from being demoralized and should not be interfered with now. The industry wants to know what is ahead of them. When one sees how the sugar-beet and cane farmers have had their crop curtailed and given to Cuba, how the vegetable farmers of the South have lost their trade that has also been given to Cuba, and how the dairy farmer has had the tariff lowered so he has to compete with the low prices of the world market, is it any wonder that the manufacturer is worried about what is in store for him?

Should this resolution pass without amendments to protect these two great industries, they will not be at ease for the next 3 years. Under the star-chamber procedure that has prevailed in the past, no one can know from day to day what may be sprung on the people overnight.

This resolution is un-American and does not so much as leave the Congress the privilege of applying a rubber stamp after the "brain trusters" have made the trade with the foreign powers.

Piecemeal we are passing this bill and another resolution giving the Chief Executive absolute power, and some day the Congress will wake up and it will be "too late", their powers are all gone.

Should the dictates of the gentleman at the other end of Pennsylvania Avenue prevail and he packs the Supreme Court, absolute dictatorship will have been accomplished and our American form of government come to an end. What then?

I hope my amendment prevails.

The amendment was rejected.

Mr. REES of Kansas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. REES of Kansas: Page 1, line 8, after the figures "1937", at the end of the line, insert: "*Provided*, That such authority shall not extend to the reduction of tariffs on livestock and dairy products."

Mr. REES of Kansas. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Chairman, members of the Committee, I wish to speak for a few minutes on the amendment that I have just offered. I believe I realize the futility of making any remarks in support of this amendment. This, in view of the attitude that the House has taken with reference to amendments that have just been considered. Right here I would like to voice my objection to the manner in which debate has been shut off, when there are still additional amendments to be offered to this bill.

I had hoped that the Members of this House would support the amendment that has just been offered by the distinguished Member from Florida, and that was so ably supported by the distinguished Member from Massachusetts [Mr. CONNERY]. This amendment was offered in good faith. It was offered in the interests of agriculture. This amendment was at least entitled to the support of each and every Member on the floor of this House who is interested in the agriculturists and the producers of this country. That

amendment was entitled to the support of every Member on the floor of this House. You have seen fit to turn it down by a big majority. I am glad, however, that quite a number of Democrats supported it.

Since you have seen fit to reject an amendment on behalf of agriculture generally, I am offering this amendment on behalf of the livestock and dairy interests of this country. Both Democrats and Republicans have told us repeatedly that the difference in tariff reductions, under the present trade agreements, is so small that it really does not make any difference. They say that the present tariffs can work no injury insofar as the livestock and dairy producers are concerned. In view of these statements and in view of the fact that the livestock interests and the dairy interests have suffered by reason of the manner in which these agreements have been made, I felt I might gain some support from the Members from the States of Texas, New Mexico, Montana, Oklahoma, Colorado, Idaho, and other Western States, these Members who are familiar with the situation as regards the livestock interests and who are interested in their welfare.

The distinguished veteran member from Kentucky [Mr. VINSON] stated a few minutes ago that I seemed to be unduly concerned with reference to the ratification of the Argentine Sanitary Convention, which would permit the importation of dressed meat products from South American countries, temporarily declared to be free from foot-and-mouth disease. I would like to tell the gentleman from Kentucky that we should be concerned about it, when the National Grange, representing thousands of the farmers of this country, and other farm organizations, have called our attention to this very dangerous situation that is facing the livestock interests of the United States. The Grange has told us that the proposed modification of the foot-and-mouth disease quarantine, should not be allowed. The American National Live Stock Association, at its annual convention in El Paso in January, urged that the ratification of this convention be opposed. This same organization, by resolution, requested that the Reciprocal Trade Act be repealed, or that it be amended so that a two-thirds vote of the United States Senate could ratify any treaties that are made under it.

Members of the House, I would like to say to you again that we are not working for the best interests of the farmers, the stockmen, the dairy interests, and the other producers, when we allow this act to be passed, as we are doing it now, without amendment. On behalf of the livestock men, as well as the dairy interests of this country, I ask you to support this amendment.

As I have said before, this question is not political; it should not be sectional. Let us proceed to amend this bill so that it will help, and not hinder, the progress of that large group of men and women who produce the food of this country, and in turn we will promote the interests of the workingman, as well as the interests of the people generally.

The amendment was rejected.

Mr. CROWTHER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CROWTHER: Line 8, before the period, insert a colon and the following: "*Provided*, That so much of said section 350 as suspends the application of section 516 (b) of the Tariff Act of 1930 (relating to appeal or protest by American producers) to articles with respect to which such foreign-trade agreements have been concluded, or to provisions of such foreign-trade agreements, is hereby repealed."

The amendment was rejected.

Mr. DOUGHTON. Mr. Chairman, I move that the Committee do now rise and report the joint resolution back to the House with the recommendation that the joint resolution do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MEAD, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the joint resolution (H. J. Res. 96) to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, had directed him to report the same back to the House with the recommendation that the joint resolution do pass.

Mr. DOUGHTON. Mr. Speaker, I move the previous question on the joint resolution to final passage.

The previous question was ordered.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

Mr. TREADWAY. Mr. Speaker, I offer a motion to recommit, which I send to the Clerk's desk.

The SPEAKER. Is the gentleman opposed to the joint resolution?

Mr. TREADWAY. I am.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. TREADWAY moves to recommit the joint resolution (H. J. Res. 96) to the Committee on Ways and Means with instructions to that committee to report the same back to the House forthwith with the following amendment: Line 8, before the period, insert a colon and the following: "*Provided*, That after the enactment of this resolution no proclamation shall be made reducing the duty on articles the growth, produce, or manufacture of any foreign country below the amount necessary to equalize the difference in cost of production, as defined in section 336 of the Tariff Act of 1930, of such articles and like or similar domestic articles if produced in the United States in commercial quantities."

Mr. DOUGHTON. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. TREADWAY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 127, nays 262, not voting 44, as follows:

[Roll No. 15]

YEAS—127

Allen, Ill.	Eaton	Kinzer	Robsion, Ky.
Amlie	Edmiston	Knutson	Rogers, Mass.
Andresen, Minn.	Eicher	Lambertson	Rutherford
Andrews	Engel	Leavy	Sauthoff
Arends	Englebright	Lemke	Schneider, Wis.
Bacon	Fish	Lord	Scrugham
Bates	Focht	Luce	Seger
Boileau	Gearhart	McGroarty	Shafer, Mich.
Brewster	Gehrmann	McLaughlin	Short
Buckler, Minn.	Gilchrist	McLean	Smith, Maine
Burdick	Greever	Magnuson	Smith, Wash.
Caldwell	Guyer	Mapes	Snell
Carlson	Gwynne	Martin, Mass.	Stefan
Carter	Halleck	Mason	Taber
Case, S. Dak.	Hancock, N. Y.	Michener	Thomas, N. J.
Church	Harrington	Millard	Thurston
Clark, Idaho	Harter	Mott	Tinkham
Clason	Hartley	O'Connell, Mont.	Tobey
Cluett	Hendricks	Oliver	Treadway
Coffee, Nebr.	Hildebrandt	Parsons	Voorhis
Coffee, Wash.	Hill, Wash.	Patterson	Wadsworth
Cole, N. Y.	Hoffman	Peterson, Fla.	Wallgren
Connery	Holmes	Pierce	Welch
Crawford	Hope	Plumley	White, Ohio
Crowther	Hull	Polk	Wigglesworth
Culkin	Imhoff	Powers	Wilcox
Dempsey	Jacobsen	Reece, Tenn.	Withrow
Ditter	Jarrett	Reed, Ill.	Wolcott
Dockweiler	Jenkins, Ohio	Reed, N. Y.	Wolfenden
Dondero	Jenks, N. H.	Rees, Kans.	Wolverton
Douglas	Johnson, Minn.	Reilly	Woodruff
Dowell	Kenney	Rich	

NAYS—262

Aleshire	Boland, Pa.	Clark, N. C.	Disney
Allen, Del.	Boren	Claypool	Dixon
Allen, La.	Boyer	Cochran	Dorsey
Allen, Pa.	Boylan, N. Y.	Colden	Doughton
Anderson, Mo.	Bradley	Cole, Md.	Doxey
Arnold	Brooks	Collins	Drewry, Va.
Ashbrook	Brown	Colmer	Driver
Atkinson	Buchanan	Cooper	Duncan
Barden	Buck	Costello	Dunn
Barry	Bulwinkle	Cox	Eberharter
Beam	Burch	Cravens	Eckert
Beiter	Byrne	Creal	Ellenbogen
Bell	Cannon, Mo.	Crosby	Evans
Bernard	Cartwright	Crosser	Faddis
Biermann	Casey, Mass.	Crowe	Fernandez
Bigelow	Celler	Cullen	Fitzgerald
Binderup	Champion	Cummings	Fitzpatrick
Bland	Chandler	Curley	Flannagan
Bloom	Chapman	Delaney	Flaherty
Boehne	Citron	DeMuth	Fleger

Fletcher	Kleberg	Murdock, Utah	Shanley
Forand	Kloeb	Nelson	Sheppard
Ford, Miss.	Kniffin	Norton	Sirovich
Frey, Pa.	Kocialkowski	O'Brien, Ill.	Smith, Conn.
Fries, Ill.	Kopplemann	O'Brien, Mich.	Smith, Va.
Fuller	Kramer	O'Connell, R. I.	Smith, W. Va.
Fulmer	Kvale	O'Connor, Mont.	Snyder, Pa.
Garrett	Lambeth	O'Connor, N. Y.	South
Gasque	Lamneck	O'Day	Sparkman
Gavagan	Lanham	O'Leary	Spence
Gingery	Lanzetta	O'Malley	Stack
Goldsborough	Larrabee	O'Neal, Ky.	Starnes
Gray, Ind.	Lea	O'Neill, N. J.	Steagall
Gray, Pa.	Lewis, Colo.	O'Toole	Sumners, Tex.
Green	Long	Pace	Sutphin
Greenwood	Lucas	Palmisano	Swope
Gregory	Luckey, Nebr.	Patman	Tarver
Griffith	Ludlow	Patrick	Taylor, S. C.
Griswold	Luecke, Mich.	Patton	Teigan
Haines	McAndrews	Pearson	Terry
Hamilton	McClellan	Peterson, Ga.	Thom
Hancock, N. C.	McCormack	Pettengill	Thomas, Tex.
Harlan	McFarlane	Peyser	Thomason, Tex.
Hart	McGehee	Pfeifer	Thompson, Ill.
Havenner	McGranery	Phillips	Tolan
Healey	McGrath	Poage	Towey
Hennings	McKeough	Rabaut	Transue
Hill, Okla.	McMillan	Ramsay	Turner
Honeyman	McReynolds	Ramspeck	Umstead
Houston	Mahon, S. C.	Randolph	Vinson, Ga.
Hunter	Mahon, Tex.	Rankin	Vinson, Ky.
Izac	Maloney	Rayburn	Walter
Jarman	Mansfield	Richards	Warren
Jenckes, Ind.	Martin, Colo.	Rigney	Wearin
Johnson, Okla.	Massingale	Robertson	Weaver
Johnson, Tex.	May	Robinson, Utah	Wene
Johnson, W. Va.	Mead	Romjue	West
Jones	Merritt	Ryan	Whelchel
Kee	Miller	Sabath	Whittington
Kelly, Ill.	Mills	Sacks	Williams
Kelly, N. Y.	Mitchell, Ill.	Sanders	Wood
Kennedy, Md.	Mitchell, Tenn.	Schaefer, Ill.	Woodrum
Kennedy, N. Y.	Moser, Pa.	Schuetz	Zimmerman
Keogh	Mosier, Ohio	Schulte	The Speaker
Kirwan	Mouton	Scott	
Kitchens	Murdock, Ariz.	Secrest	

NOT VOTING—44

Boykin	Drew, Pa.	Hook	Quinn
Buckley, N. Y.	Farley	Keller	Rogers, Okla.
Cannon, Wis.	Ferguson	Kerr	Sadowski
Cooley	Ford, Calif.	Lesinski	Shannon
Daly	Gambrill	Lewis, Md.	Somers, N. Y.
Deen	Gifford	McSweeney	Stubbs
DeRouen	Gildea	Maas	Sullivan
Dickstein	Goodwin	Maverick	Sweeney
Dies	Higgins	Meeks	Taylor, Colo.
Dingell	Hill, Ala.	Nichols	Taylor, Tenn.
Dirksen	Hobbs	Owen	White, Idaho

So the motion to recommit was rejected.

The following pairs were announced:

On the vote:

Mr. Gifford (for) with Mr. Sullivan (against).
Mr. Dirksen (for) with Mr. Kerr (against).
Mr. Goodwin (for) with Mr. Dies (against).
Mr. Maas (for) with Mr. Boykin (against).
Mr. Taylor of Tennessee (for) with Mr. Dickstein (against).

General pairs:

Mr. Dingell with Mr. Buckley of New York.
Mr. Hook with Mr. Gambrill.
Mr. Maverick with Mr. Lewis of Maryland.
Mr. Cooley with Mr. Quinn.
Mr. Meeks with Mr. Drew.
Mr. Williams with Mr. Somers of New York.
Mr. Lesinski with Mr. Cannon of Wisconsin.
Mr. Deen with Mr. Ford of California.
Mr. Nichols with Mr. Keller.
Mr. White of Idaho with Mr. Owen.
Mr. DeRouen with Mr. Ferguson.
Mr. Hobbs with Mr. Sweeney.
Mr. Daly with Mr. McSweeney.
Mr. Farley with Mr. Rogers of Oklahoma.
Mr. Higgins with Mr. Shannon.
Mr. Gildea with Mr. Sadowski.
Mr. Stubbs with Mr. Taylor of Colorado.

Mr. CELLER changed his vote from "aye" to "no."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the resolution.

(The text of the resolution will be found printed in full on p. 1044.)

Mr. DOUGHTON and Mr. SNELL asked for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 285, nays 101, not voting 47, as follows:

[Roll No. 16]

YEAS—285

Aleshire	Eckert	Kramer	Rabaut
Allen, Del.	Edmiston	Kvale	Ramsay
Allen, La.	Eicher	Lambeth	Ramspeck
Allen, Pa.	Ellenbogen	Lamneck	Randolph
Anderson, Mo.	Evans	Lanham	Rankin
Arnold	Faddis	Lanzetta	Rayburn
Ashbrook	Fernandez	Lea	Reilly
Atkinson	Fitzgerald	Leavy	Richards
Bacon	Fitzpatrick	Lewis, Colo.	Rigney
Barden	Flannagan	Long	Robertson
Barry	Flannery	Lucas	Robinson, Utah
Beiter	Fleger	Luckey, Nebr.	Romjue
Bell	Fletcher	Ludlow	Ryan
Bernard	Forand	McAndrews	Sabath
Biermann	Ford, Calif.	McClellan	Sacks
Bigelow	Ford, Miss.	McCormack	Sanders
Binderup	Frey, Pa.	McFarlane	Schaefer, Ill.
Bland	Fries, Ill.	McGehee	Schuetz
Bloom	Fuller	McGranery	Schulte
Boehne	Fulmer	McGrath	Scott
Boland, Pa.	Garrett	McKeough	Shanley
Boren	Gasque	McLaughlin	Sheppard
Boyer	Gavagan	McMillan	Sirovich
Boylan, N. Y.	Gingery	McReynolds	Smith, Conn.
Bradley	Goldsborough	Magnuson	Smith, Va.
Brooks	Gray, Pa.	Mahon, S. C.	Smith, Wash.
Brown	Green	Mahon, Tex.	Smith, W. Va.
Buchanan	Greenwood	Maloney	Snyder, Pa
Buck	Greever	Mansfield	Somers, N. Y.
Bulwinkle	Gregory	Martin, Colo.	South
Burch	Griffith	Massingale	Sparkman
Byrne	Griswold	Maverick	Spence
Caldwell	Haines	May	Stack
Cannon, Mo.	Hamilton	Mead	Starnes
Cartwright	Hancock, N. C.	Merritt	Sumners, Tex.
Casey, Mass.	Harlan	Miller	Sutphin
Celler	Harrington	Mills	Swope
Champion	Hart	Mitchell, Ill.	Tarver
Chandler	Harter	Mitchell, Tenn.	Taylor, S. C.
Chapman	Hartley	Moser, Pa.	Teigan
Citron	Havenner	Mosier, Ohio	Terry
Claypool	Healey	Mouton	Thom
Cochran	Hennings	Murdock, Ariz.	Thomas, Tex.
Coffee, Nebr.	Hildebrandt	Murdock, Utah	Thomason, Tex.
Coffee, Wash.	Hill, Ala.	Nelson	Thompson, Ill.
Colden	Hill, Okla.	Nichols	Tolan
Cole, Md.	Hill, Wash.	Norton	Towey
Colmer	Honeyman	O'Brien, Ill.	Transue
Cooper	Houston	O'Brien, Mich.	Turner
Costello	Hunter	O'Connell, R. I.	Umstead
Cox	Imhoff	O'Connor, Mont.	Vinson, Ga.
Cravens	Izac	O'Connor, N. Y.	Vinson, Ky.
Creal	Jarman	O'Day	Voorhis
Crosby	Jenckes, Ind.	O'Leary	Wallgren
Crosser	Johnson, Okla.	O'Malley	Walter
Crowe	Johnson, Tex.	O'Neal, Ky.	Warren
Cullen	Johnson, W. Va.	O'Neill, N. J.	Wearin
Cummings	Jones	O'Toole	Weaver
Curley	Kee	Pace	Welch
Delaney	Kelly, Ill.	Palmisano	Wene
Dempsey	Kelly, N. Y.	Parsons	West
DeMuth	Kennedy, Md.	Patman	Whelchel
Dixon	Kennedy, N. Y.	Patrick	White, Idaho
Dockweiler	Kerney	Patton	Whittington
Dorsey	Keogh	Pearson	Williams
Doughton	Kirwan	Peterson, Ga.	Wood
Doxey	Kitchens	Pettengill	Woodrum
Drewry, Va.	Kleberg	Peyser	Zimmerman
Driver	Kloeb	Pfeifer	The Speaker
Duncan	Kniffin	Phillips	
Dunn	Kocialkowski	Poage	
Eberharter	Kopplemann	Polk	

NAYS—101

Allen, Ill.	Eaton	Luce	Scrugham
Amlie	Engel	McGroarty	Secrest
Andresen, Minn.	Englebright	McLean	Seger
Andrews	Fish	Mapes	Shafer, Mich.
Arends	Focht	Martin, Mass.	Short
Bates	Gearhart	Mason	Smith, Maine
Boileau	Gehrmann	Michener	Snell
Brewster	Gilchrist	Millard	Stefan
Buckler, Minn.	Guyer	Mott	Taber
Burdick	Gwynne	O'Connell, Mont.	Thomas, N. J.
Carlson	Halleck	Oliver	Thurston
Carter	Hancock, N. Y.	Patterson	Tinkham
Case, S. Dak.	Hendricks	Peterson, Fla.	Tobey
Church	Hoffman	Pierce	Treadway
Clark, Idaho	Holmes	Plumley	Wadsworth
Clason	Hope	Powers	White, Ohio
Cluett	Hull	Reece, Tenn.	Wigglesworth
Cole, N. Y.	Jarrett	Reed, Ill.	Wilcox
Connery	Jenkins, Ohio	Reed, N. Y.	Withrow
Crawford	Jenks, N. H.	Rees, Kans.	Wolcott
Crowther	Johnson, Minn.	Rich	Wolfenden
Culkin	Kinzer	Robsion, Ky.	Wolverton
Ditter	Knutson	Rogers, Mass.	Woodruff
Dondero	Lambertson	Rutherford	
Douglas	Lemke	Sauthoff	
Dowell	Lord	Schneider, Wis.	

NOT VOTING—47

Beam	Buckley, N. Y.	Clark, N. C.	Cooley
Boykin	Cannon, Wis.	Collins	Daly

Deen	Gambrill	Kerr	Rogers, Okla.
DeRouen	Gifford	Larrabee	Sadowski
Dickstein	Gildea	Lesinski	Shannon
Dies	Goodwin	Lewis, Md.	Steagall
Dingell	Gray, Ind.	Luecke, Mich.	Stubbs
Dirksen	Higgins	McSweeney	Sullivan
Disney	Hobbs	Maas	Sweeney
Drew, Pa.	Hook	Meeks	Taylor, Colo.
Farley	Jacobsen	Owen	Taylor, Tenn.
Ferguson	Keller	Quinn	

So the resolution was passed.

The Clerk announced the following additional pairs:

On the vote:

Mr. Sullivan (for) with Mr. Gifford (against).
Mr. Kerr (for) with Mr. Dirksen (against).
Mr. Dies (for) with Mr. Goodwin (against).
Mr. Boykin (for) with Mr. Maas (against).
Mr. Dickstein (for) with Mr. Taylor of Tennessee (against).

Additional general pairs:

Mr. Steagall with Mr. Gray of Indiana.
Mr. Beam with Mr. Deen.
Mr. Collins with Mr. Jacobsen.
Mr. Lewis of Maryland with Mr. Larrabee.
Mr. Clark of North Carolina with Mr. Luecke of Michigan.
Mr. Disney with Mr. Owen.

Mr. O'BRIEN of Michigan. Mr. Speaker, my colleague from Michigan, Mr. LUECKE, was obliged to leave this afternoon at 5 o'clock to go to Michigan. If present, he would have voted "yea" on this roll call.

Mr. ROMJUE. Mr. Speaker, my colleague, Mr. HENNINGS, of Missouri, is unavoidably detained, and if he were present he would have voted "no" on the motion to recommit and "yea" on the passage of the resolution.

Mr. McCORMACK. Mr. Speaker, the gentleman from Massachusetts, Mr. HIGGINS, is absent on account of illness. If present, he would have voted "yea" on the passage of the resolution and "no" on the motion to recommit.

The result of the vote was announced as above recorded.

GENERAL LEAVE TO PRINT

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to extend their own remarks in the RECORD upon the resolution just passed.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. HARLAN. Mr. Speaker, at the conclusion of the business on the Speaker's desk on Thursday, after the reading of the Journal, I ask unanimous consent to address the House for 25 minutes.

The SPEAKER. The gentleman from Ohio asks unanimous consent that on Thursday next, after the reading of the Journal and the disposition of matters on the Speaker's desk, he be permitted to address the House for 30 minutes. Is there objection?

There was no objection.

ORDER OF BUSINESS

Mr. SNELL. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SNELL. Mr. Speaker, can the majority leader tell us what the program will be for Thursday?

Mr. RAYBURN. It is my understanding that the Committee on Banking and Currency will bring up a bill for the extension of the housing matter, and that is all that will be considered on that day.

Mr. SNELL. And the probabilities are that no appropriation bill will be brought in this week?

Mr. RAYBURN. That is true. The chairman of the Committee on Rules just informs me that there is a probability that later in the day a resolution to extend the life of the Sabath committee may come up.

Mr. WARREN. Mr. Speaker, will the gentleman yield?

Mr. RAYBURN. Yes.

Mr. WARREN. Is the gentleman talking about Thursday or Friday?

Mr. RAYBURN. Thursday.

Mr. WARREN. Did I understand the gentleman to say that the Sabath matter may come up on Thursday?

Mr. RAYBURN. Yes.

Mr. WARREN. If it does not come up on that day, can the gentleman inform me when it will be brought up?

Mr. RAYBURN. I cannot. On Friday all we have planned is to have the address on Lincoln's Birthday, and then to adjourn.

Mr. SNELL. So far as the matter of the extension of the life of the Sabath committee is concerned, I think we ought to have ample notice of when that is to come up. There will be some objection to it.

Mr. O'CONNOR of New York. Mr. Speaker, there are two rules from the Rules Committee. We do not know when they may come up, but on Thursday it is possible that both those matters may come up for consideration. I refer to the rule bringing in the banking and currency bill and the rule for the extension of the so-called Sabath committee. If we do not call them up Thursday, then, as far as I am concerned, they would not come up until next week.

Mr. WARREN. Mr. Speaker, I think the House would like to know as soon as possible the definite date when the Sabath committee proposition will come up, because a great many of us on the majority side intend to oppose that resolution.

The SPEAKER. The time of the gentleman from New York has expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that after disposition of matters on the Speaker's desk on Thursday and following the special order just made, I may be granted 25 minutes in which to address the House.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. McFARLANE. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a radio address by my colleague from Texas [Mr. MAVERICK].

The SPEAKER. Is there objection?

There was no objection.

Mr. O'CONNOR of Montana. Mr. Speaker, I ask unanimous consent to extend my own remarks made this afternoon and to include a memorandum written by the American National Live Stock Association supporting a request that monthly quota should be established to govern importations of cattle under the Canadian reciprocal agreement.

The SPEAKER. Is there objection?

There was no objection.

Mr. WEARIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including a letter addressed to me by the Secretary of Agriculture.

The SPEAKER. Is there objection?

There was no objection.

PROTECTING RIGHTS OF GOVERNMENT RESULTING FROM RAILROAD LAND GRANTS

Mr. PETERSON of Florida. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the bill (H. R. 1530) to provide for the protection and conservation of equities or rights of the Government resulting from railroad land grants, and that the bill be referred to the Committee on the Public Lands.

I have conferred with the chairmen of both committees. This was reported out by the Public Lands Committee last week.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

EXTENSION OF REMARKS

Mr. ENGEL. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in the Committee of the Whole this afternoon and include three letters between the Secretary of State's office and Members of Congress.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to extend my own remarks by printing in the RECORD a letter from the chairman of the Civil Service Commission to me and a copy of a letter addressed by the chairman to the gentleman from Virginia [Mr. WOODRUM].

The SPEAKER. Is there objection?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD to include an article written by Helen Essary in the Washington Times of Saturday. It is a historical description of the Congressional Cemetery. I ask this permission because I am very anxious that the membership of the House should vote an appropriation for the care of this cemetery. It is nonpolitical.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

Mr. RAYBURN. Reserving the right to object, last year those in charge tried to prevent printing in the RECORD newspaper editorials and articles by special writers in newspapers. I think we are going to have to establish that policy this year. I hope the gentlewoman from Massachusetts will not force me to object to her request, but I must object for the present.

Mr. LORD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and to include a short telegram from one of my few industrial manufacturers on the subject on which I spoke this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. VINSON of Kentucky. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today and include certain excerpts from statutes, court decisions, letters, and tables.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend the remarks I made this afternoon by including therein excerpts from certain editorials.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mrs. ROGERS of Massachusetts. Mr. Speaker, reserving the right to object, I shall not object if I may have permission to extend my remarks to include the newspaper articles to which I referred.

Mr. RAYBURN. Mr. Speaker, I did not understand the request of the gentleman.

Mr. McCORMACK. My request was to extend the remarks I made this afternoon in Committee of the Whole by including excerpts from several editorials.

Mr. RAYBURN. Mr. Speaker, reserving the right to object, the gentleman from Massachusetts puts me in a peculiar spot. I just objected to a newspaper article requested by the gentlewoman from Massachusetts.

Mr. McCORMACK. The gentleman from Massachusetts will not put the gentleman from Texas on a peculiar spot. The gentleman withdraws his request. [Laughter.]

WASHINGTON'S FAREWELL ADDRESS

The SPEAKER. Pursuant to the special order agreed to on January 29, 1937, the Chair appoints the gentleman from New Jersey [Mr. O'NEILL] to read Washington's Farewell Address on February 22, 1937.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. DIES (at the request of Mr. JOHNSON of Texas), for today, on account of important business.

To Mr. MEEKS, indefinitely, on account of illness.

To Mr. POLK, for 1 week, on account of important business in his district.

To Mr. LUECKE of Michigan, for 4 days, on account of business.

To Mr. DEEN, indefinitely, on account of the death of his brother.

To Mr. COOLEY (at the request of Mr. WARREN), indefinitely, on account of a death in his family.

To Mr. HOBBS (at the request of Mr. HILL of Alabama), on account of illness.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 56. An act for the relief of William Frank Lipps; to the Committee on Military Affairs.

S. 113. An act for the relief of Daniel Yates; to the Committee on Military Affairs.

S. 211. An act for the relief of James J. Jordan; to the Committee on Military Affairs.

S. 292. An act for the relief of Thomas Salleng; to the Committee on Military Affairs.

S. 327. An act for the relief of Felix Griego; to the Committee on Military Affairs.

S. 418. An act for the relief of Robert H. Muirhead; to the Committee on Military Affairs.

S. 461. An act to settle claims of farmers whose lands were damaged by waters from Kelly Field, Tex.; to the Committee on Claims.

S. 508. An act to authorize the award of the Purple Heart decoration to Maj. Charles H. Sprague; to the Committee on Military Affairs.

S. 686. An act for the relief of Anthony J. Constantino; to the Committee on Military Affairs.

S. 766. An act to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects destroyed in a fire at the radio-direction-finder station, North Truro, Mass., on December 27, 1934; to the Committee on Claims.

BILL PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 3587. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 36 minutes p. m.) the House adjourned until tomorrow, Wednesday, February 10, 1937, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON NAVAL AFFAIRS

The Committee on Naval Affairs will hold hearings on Wednesday morning, February 10, at 10:30 a. m., for the purpose of considering H. R. 3607, H. R. 3608, House Joint Resolution 43, and H. R. 3598.

COMMITTEE ON THE POST OFFICE AND POST ROADS

The subcommittee of the Committee on the Post Office and Post Roads will hold a hearing on Wednesday, February 10, at 10:30 a. m., in the committee room, no. 213, House Office Building, on the subject of the Star Route Service.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold a hearing on Wednesday, February 10, at 10:30 a. m., in the committee room, no. 445, House Office Building, on the following bills:

H. R. 4275. To correct United States citizenship status of certain persons born in Puerto Rico, and for other purposes.

H. R. 3671. To provide for recognition of valid pardons for immigration law interpretations, and for other purposes.

H. R. 1625. To provide for the naturalization of certain veterans of the World War.

COMMITTEE ON RIVERS AND HARBORS

The Committee on Rivers and Harbors will hold hearings Wednesday, February 10, at 10:30 a. m., on the following projects: Newtown Creek, N. Y.; Manitowoc Harbor, Wis.; Big Saumico River, Wis.; Pensaukee Harbor, Wis.; Green Bay Harbor, Wis.; Washington Island, Wis.

COMMITTEE ON MILITARY AFFAIRS

The Committee on Military Affairs will continue hearings on Wednesday, February 10, at 10:30 a. m., in the committee room, no. 1310, New House Office Building, on H. R. 1954, to prevent profiteering in time of war and to equalize the burdens of war and thus provide for the national defense and promote peace.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

The Committee on Interstate and Foreign Commerce will continue hearings on Wednesday, February 10, at 10 a. m., in the committee room, 1334 House Office Building, on H. R. 1668, long-and-short haul bill. Mr. Eastman, of the Interstate Commerce Commission, will appear.

COMMITTEE ON FLOOD CONTROL

The Committee on Flood Control will hold a hearing on Wednesday morning, February 10, at 11 o'clock, to consider committee resolution requesting Chief of Engineers to review, in the light of the 1937 flood, reservoir reports previously submitted for the Ohio and Mississippi Valleys.

COMMITTEE ON THE CIVIL SERVICE

The Committee on the Civil Service will hold hearings on Thursday, February 11, and continue these hearings on Friday, February 12, and on Tuesday, February 16, Wednesday, February 17, and Thursday, February 18, on the question of extending the classified civil service to include employees of the emergency agencies and employees in the regular establishments of the Government not now classified. Mr. Harry B. Mitchell or a representative of the Civil Service Commission will appear before the committee.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. O'CONNOR of New York: Committee on Rules. House Resolution 113. Resolution providing for the consideration of House Joint Resolution 127. Joint resolution to extend for a period of 2 years the guaranty by the United States of debentures issued by the Federal Housing Administration; without amendment (Rept. No. 208). Referred to the House Calendar.

Mr. O'CONNOR of New York: Committee on Rules. House Resolution 78. Resolution authorizing the Select Committee to Investigate Real Estate Bondholders' Reorganizations to continue the investigation authorized under House Resolution 412 of the Seventy-third Congress, and supplementary resolutions of the Seventy-fourth Congress; without amendment (Rept. No. 209). Referred to House Calendar.

Mr. BLOOM: Committee on Foreign Affairs. House Joint Resolution 193. Joint resolution to authorize an appropriation for the expenses of participation by the United States in the Eleventh International Dairy Congress, Berlin, Germany, in 1937; with amendment (Rept. No. 211). Referred to the Committee of the Whole House on the state of the Union.

Mr. SUMNERS of Texas: Committee on the Judiciary. H. R. 2260. A bill to provide for appearance on behalf of and appeal by the United States in certain cases in which the constitutionality of acts of Congress is involved; with amendment (Rept. No. 212). Referred to the Committee of the Whole House on the state of the Union.

ADVERSE REPORTS

Under clause 2 of rule XIII,

Mr. CONNERY: Committee on Labor. House Resolution 104. Resolution requesting the Secretary of Labor to transmit certain information to the House of Representatives (Rept. No. 210). Laid on the table.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BUCKLER of Minnesota: A bill (H. R. 4539) authorizing a per-capita payment of $25 each to the members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation; to the Committee on Indian Affairs.

Also, a bill (H. R. 4540) authorizing the Red Lake Band of Chippewa Indians in the State of Minnesota to file suit in the Court of Claims, and for other purposes; to the Committee on Indian Affairs.

By Mr. WITHROW: A bill (H. R. 4541) for a survey and examination of the Kickapoo River, Wis., with a view to the control of its floods; to the Committee on Flood Control.

By Mr. GAMBRILL: A bill (H. R. 4542) authorizing the George Washington Memorial Bridge Public Corporation, its successors and assigns, to construct, maintain, and operate a bridge across the Potomac River at or near Dahlgren, Va.; to the Committee on Interstate and Foreign Commerce.

By Mr. COLDEN: A bill (H. R. 4543) to amend the Tariff Act of 1930 to exempt vessels arriving for the purpose of taking on ship's stores and certain sea stores from the requirement of formal entry; to the Committee on Ways and Means.

By Mr. BUCKLER of Minnesota: A bill (H. R. 4544) to divide funds of the Chippewa Indians of Minnesota between the Red Lake Band and the remainder of the Chippewa Indians of Minnesota, organized as the Minnesota Chippewa Tribe; to the Committee on Indian Affairs.

By Mr. SNYDER of Pennsylvania: A bill (H. R. 4545) to amend an act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936; to the Committee on Flood Control.

By Mr. ANDERSON of Missouri: A bill (H. R. 4546) to reduce from 5 to 3½ percent the maximum interest rate on obligations of home owners to the Home Owners' Loan Corporation; to the Committee on Banking and Currency.

By Mr. MILLARD: A bill (H. R. 4547) in relation to lynching; to the Committee on the Judiciary.

By Mr. DEROUEN: A bill (H. R. 4548) to repeal the proviso of, and amend, the act of May 18, 1928 (ch. 626, 45 Stat. 603), making additions to the Absaroka and Gallatin National Forests and improving and extending the winter-feed facilities of the elk, antelope, and other game animals of Yellowstone National Park and adjacent land, and for other purposes; to the Committee on the Public Lands.

By Mr. GEHRMANN: A bill (H. R. 4549) for flood control, improvement of navigation, and development of electric power in the St. Croix River Valley; to the Committee on Flood Control.

By Mr. BOEHNE: A bill (H. R. 4550) to extend the times for commencing and completing the construction of a bridge across the Ohio River between Rockport, Ind., and Owensboro, Ky.; to the Committee on Interstate and Foreign Commerce.

By Mr. CONNERY: A bill (H. R. 4551) to amend section 4426 of the Revised Statutes of the United States, as amended by the act of Congress approved May 16, 1906; to the Committee on Merchant Marine and Fisheries.

By Mr. HENDRICKS: A bill (H. R. 4552) to amend the act entitled "An act to authorize the Secretary of Commerce to dispose of certain portions of Anastasia Island Lighthouse Reservation, Fla., and for other purposes", approved August 27, 1935, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SUTPHIN: A bill (H. R. 4553) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. BACON: A bill (H. R. 4554) providing for the examination and survey of Northport Harbor, Long Island, N. Y.; to the Committee on Rivers and Harbors.

By Mr. LUDLOW: A bill (H. R. 4555) to establish the neutrality of the United States; to the Committee on Foreign Affairs.

By Mr. LORD: A bill (H. R. 4556) to require statistics with respect to salaries, bonuses, and wages paid by certain persons subject to the provisions of the Securities Exchange Act of 1934; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 4557) regulating the sale of literature in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. HOFFMAN: Resolution (H. Res. 114) requesting the President of the United States to protect the people of Flint, Mich.; to the Committee on Labor.

By Mr. TRANSUE: Resolution (H. Res. 115) providing for the appointment of a select committee to investigate present strike conditions in the automobile industry; to the Committee on Rules.

By Mr. SHAFER of Michigan: Resolution (H. Res. 116) to provide an additional clerk for the House of Representatives; to the Committee on Accounts.

By Mr. PARSONS: Joint resolution (H. J. Res. 207) to provide for emergency reconstruction and rehabilitation by Works Progress Administration in the areas devestated by the recent Ohio Valley floods; to the Committee on Appropriations.

By Mr. SHEPPARD: Joint resolution (H. J. Res. 208) to authorize an appropriation to aid in the control and eradication of eye gnats; to the Committee on Agriculture.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to include the Central Valley project in the national program of work relief; to the Committee on Irrigation and Reclamation.

Also, memorial of the Legislature of the State of Illinois, memorializing the Congress of the United States to enact measures without delay insuring the protection of the Ohio River Valley territory from such catastrophic floods as have lately been witnessed; to the Committee on Flood Control.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD: A bill (H. R. 4558) granting an increase of pension to Oscar Fields; to the Committee on Pensions.

By Mr. CASE of South Dakota: A bill (H. R. 4559) for the relief of Frank Fisher; to the Committee on Military Affairs.

By Mr. CASEY of Massachusetts: A bill (H. R. 4560) for the relief of Samuel J. Swain; to the Committee on Military Affairs.

Also, a bill (H. R. 4561) to extend the emergency officers' retirement benefits to William L. Roach, formerly second lieutenant, Three Hundred and Fourteenth Regiment, United States Infantry; to the Committee on Military Affairs.

By Mr. CLUETT: A bill (H. R. 4562) granting an increase of pension to Jennie Everson; to the Committee on Invalid Pensions.

By Mr. ELLENBOGEN: A bill (H. R. 4563) granting a pension to Henrietta F. Lowry; to the Committee on Pensions.

By Mr. GREEN: A bill (H. R. 4564) for the relief of the Floridian Press of Jacksonville, Inc., Jacksonville, Fla.; to the Committee on Claims.

By Mr. HILDEBRANDT: A bill (H. R. 4565) for the relief of George C. Widlon; to the Committee on Claims.

By Mrs. JENCKES of Indiana: A bill (H. R. 4566) granting a pension to Wanneta May Dempsey; to the Committee on Pensions.

Also, a bill (H. R. 4567) to authorize and direct payment of claim of Alden H. Baker, former postmaster at Westfield, Ind., for postage, war savings, and thrift stamps stolen by burglars; to the Committee on Claims.

By Mr. KRAMER: A bill (H. R. 4568) for the relief of Peter Dunsmore; to the Committee on Military Affairs.

By Mr. LANHAM: A bill (H. R. 4569) for the relief of Isador Katz; to the Committee on Immigration and Naturalization.

By Mr. LONG: A bill (H. R. 4570) for the relief of the Illinois Central Railroad Co.; to the Committee on Foreign Affairs.

By Mr. LORD: A bill (H. R. 4571) for the relief of Helen Mahar Johnson; to the Committee on Claims.

By Mr. LUDLOW: A bill (H. R. 4572) granting a pension to Gussie Dawson; to the Committee on Invalid Pensions.

By Mr. McFARLANE: A bill (H. R. 4573) for the relief of George Washington Gilmore; to the Committee on Military Affairs.

By Mr. McGEHEE: A bill (H. R. 4574) for the relief of Ethel Armes; to the Committee on Claims.

Also, a bill (H. R. 4575) for the relief of A. R. Netterville, Sr.; to the Committee on Claims.

Also, a bill (H. R. 4576) for the relief of J. H. Oswalt; to the Committee on Claims.

By Mr. McGRATH: A bill (H. R. 4577) for the relief of Troup Miller and Harvey D. Higley; to the Committee on Claims.

By Mr. MURDOCK of Utah: A bill (H. R. 4578) granting a pension to Jacob A. Tuft; to the Committee on Pensions.

Also, a bill (H. R. 4579) for the relief of Frank Zabkar, whose name appears in the Army records as Frank Hope; to the Committee on Military Affairs.

By Mr. OLIVER: A bill (H. R. 4580) granting a pension to Leonice Viola Cousins; to the Committee on Pensions.

By Mr. O'CONNOR of New York: A bill (H. R. 4581) granting a pension to Denis Keohane; to the Committee on Pensions.

By Mr. O'NEAL of Kentucky: A bill (H. R. 4582) to amend the act, approved August 4, 1919, as amended, providing additional aid for the American Printing House for the Blind; to the Committee on Education.

By Mr. PETERSON of Florida: A bill (H. R. 4583) for the relief of Arthur T. Worley; to the Committee on Claims.

By Mr. REECE of Tennessee: A bill (H. R. 4584) granting an increase of pension to Elizabeth Painter Menoher; to the Committee on Pensions.

Also, a bill (H. R. 4585) granting a pension to Frank L. Bradley; to the Committee on Pensions.

By Mr. SMITH of West Virginia: A bill (H. R. 4586) for the relief of Clark Wiley; to the Committee on Claims.

By Mr. SUTPHIN: A bill (H. R. 4587) for the relief of Nicholas Mecca; to the Committee on Military Affairs.

By Mr. THOM: A bill (H. R. 4588) granting a pension to Anna G. Van Horn; to the Committee on Pensions.

By Mr. THOMAS of Texas: A bill (H. R. 4589) granting a pension to Lula May Lyons; to the Committee on Pensions.

By Mr. WENE: A bill (H. R. 4590) for the relief of Harry Seaman; to the Committee on Military Affairs.

By Mr. WEST: A bill (H. R. 4591) for the relief of Sallie Gillespie; to the Committee on Claims.

Also, a bill (H. R. 4592) granting a pension to Hattie House; to the Committee on Invalid Pensions.

By Mr. WITHROW: A bill (H. R. 4593) granting a pension to Mary E. Hoffman; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

251. By Mr. COLDEN: Resolution passed by the board of directors of the Santa Monica Bay Optimist Club, Santa Monica, Calif., asking consideration by Congress of a war-debt plan adopted and approved by the United States Junior Chamber of Commerce, and that consideration be given to the settlement of the international war-debt question; to the Committee on Foreign Affairs.

252. By Mr. FORAND: Petition of the Newport Historical Society, of Newport, R. I., protesting against the removal of the frigate *Constellation* from the United States Naval Training Station, Coasters Harbor Island, Newport, R. I.; to the Committee on Naval Affairs.

253. By Mr. FORD of California: Resolution of the Senate and Assembly of the State of California, jointly petitioning the President and the Congress of the United States to include the Central Valley project in the national program of work relief, thus affording substantial unemployment relief and lasting benefits to the people of the State of California; to the Committee on Immigration and Reclamation.

254. By Mr. HILDEBRANDT: Petition of the Seventh District Medical Society, Sioux Falls, S. Dak.; to the Committee on the Judiciary.

255. By Mr. HULL: Petition of the Wisconsin Legislature, relating to the ratification of the Great Lakes-St. Lawrence seaway treaty; to the Committee on Interstate and Foreign Commerce.

256. Also, petition of the Wisconsin Legislature, memorializing the Congress of the United States to enact the pending St. Croix Valley Authority Act; to the Committee on Military Affairs.

257. By Mr. JOHNSON of Texas: Petition of Dr. I. R. McCollough, of Hillsboro, Tex., favoring Senate bill 423 to eliminate the causative factor clause from the Emergency Officers' Retirement Act; to the Committee on World War Veterans' Legislation.

258. Also, petition of Dr. F. E. Giesecke, director of Texas Engineering Experiment Station, Agricultural and Mechanical College, College Station, Tex., favoring House bill 3629, to provide for establishing engineering experiment stations at land-grant colleges; to the Committee on Agriculture.

259. By Mr. KING: Resolution of the Honolulu Realty Board, calling attention to the serious situation in Hawaii during the recent maritime strike; to the Committee on Merchant Marine and Fisheries.

260. Also, resolution of the Hawaii Chinese Civic Association, calling attention to the serious situation in Hawaii during the recent maritime strike; to the Committee on Merchant Marine and Fisheries.

261. Also, resolution of the Japanese Chamber of Commerce, calling attention to the serious situation in Hawaii during the recent maritime strike; to the Committee on Merchant Marine and Fisheries.

262. Also, resolution of the Japanese Merchants' Association of Honolulu, calling attention to the serious situation in Hawaii during the recent maritime strike; to the Committee on Merchant Marine and Fisheries.

263. Also, resolution of the Honolulu Automobile Dealers' Association, calling attention to the serious situation in Hawaii during the recent maritime strike; to the Committee on Merchant Marine and Fisheries.

264. Also, resolution of the Chinese Chamber of Commerce of Honolulu, calling attention to the serious situation in Hawaii during the recent maritime strike; to the Committee on Merchant Marine and Fisheries.

265. Also, resolution of the Hawaii Territorial Medical Association, calling attention to the serious situation in Hawaii because of the maritime strike; to the Committee on Merchant Marine and Fisheries.

266. Also, resolution of P. E. O. Sisterhood, Chapter B, calling attention to the serious situation in Hawaii because of the maritime strike; to the Committee on Merchant Marine and Fisheries.

267. Also, resolution of the Representatives Club of Honolulu, calling attention to the serious situation in Hawaii during the recent maritime strike; to the Committee on Merchant Marine and Fisheries.

268. Also, resolution of the American Association of University Women, calling attention to the serious situation in Hawaii during the recent maritime strike; to the Committee on Merchant Marine and Fisheries.

269. Also, resolution of the Engineering Association of Hawaii, calling attention to the serious situation in Hawaii during the recent maritime strike; to the Committee on Merchant Marine and Fisheries.

270. By Mr. MERRITT: Resolution of the American Fruit and Vegetable Shippers Association, in convention assembled, urging that suitable State and National legislation be enacted which will oblige all commercial truck highway users, including those transporting fruits and vegetables, to submit to frequent and regular inspections as to mechanical safety of their vehicles, adhere to maximum hours for their drivers, and carry adequate public liability and property damage insurance; to the Committee on Interstate and Foreign Commerce.

271. Also, resolution of the Atlantic States Shippers Advisory Board, recording its opposition to the passage of such legislation by Congress as being detrimental to the public welfare; to the Committee on the Judiciary.

272. By Mr. THOMASON of Texas: Petition of W. E. Robertson and other citizens of El Paso, Tex., voicing opposition to the proposal to increase the membership of the United States Supreme Court; to the Committee on the Judiciary.

273. Also, petition of C. M. Harvey and other citizens of El Paso, Tex., voicing opposition to the proposal to increase the membership of the United States Supreme Court; to the Committee on the Judiciary.

274. Also, petition of Maurice Schwartz and other citizens of El Paso, Tex., voicing opposition to the proposal to increase the membership of the United States Supreme Court; to the Committee on the Judiciary.

275. Also, petition of W. W. Scott and other citizens of El Paso, Tex., voicing opposition to the proposal to increase membership of the United States Supreme Court; to the Committee on the Judiciary.

276. Also, petition of A. H. Culwell and other citizens of El Paso, Tex., voicing opposition to the proposal to increase membership of the United States Supreme Court; to the Committee on the Judiciary.

277. By Mr. WELCH: Resolution of the California State Senate, relative to memorializing and petitioning the President and the Congress of the United States to include the Central Valley project in the national program of work relief; to the Committee on Irrigation and Reclamation.

278. By Mr. WHITE of Idaho: Memorial of the Legislature of the State of Idaho, protesting against the passage of the Pettengill bill, repealing the so-called "long-and-short haul clause" of the Interstate Commerce Act; to the Committee on Interstate and Foreign Commerce.

279. By the SPEAKER: Petition of the city of Cleveland legislative department, protesting against the removal of persons over 65 years of age from the Works Progress Administration rolls; to the Committee on Appropriations.

SENATE

WEDNESDAY, FEBRUARY 10, 1937

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty and everlasting God, who hatest nothing that Thou hast made, and dost forgive the sins of all those who are penitent: Create and make in us new and contrite hearts, that we, worthily lamenting our sins and acknowledging our wretchedness, may obtain of Thee, the God of all mercy, perfect remission and forgiveness. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of Monday, February 8, 1937, was dispensed with, and the Journal was was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the amendment of the House to the amendment of the Senate no. 9 to the bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes.

The message also announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 148. An act to repeal a proviso relating to teaching or advocating communism in the public schools of the District of Columbia, and appearing in the District of Columbia Appropriation Act for the fiscal year ending June 30, 1936; and

H. J. Res. 96. Joint resolution to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the Vice President:

S. 974. An act to create the Capital Auditorium Commission; and

S. J. Res. 20. Joint resolution authorizing the President to invite the Pan American republics and the Dominion of Canada to participate in the proposed Greater Texas and Pan American Exposition.

SIGNING OF ENROLLED DEFICIENCY BILL

The VICE PRESIDENT announced that under authority of the order of the Senate of the 8th instant, he signed on yesterday (the 9th instant) the enrolled bill (H. R. 3587) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes, which had previously been signed by the Speaker of the House of Representatives.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Connally	Johnson, Calif.	Pittman
Andrews	Copeland	Johnson, Colo.	Pope
Ashurst	Davis	King	Radcliffe
Austin	Dieterich	La Follette	Reynolds
Bachman	Duffy	Lodge	Robinson
Bailey	Ellender	Logan	Russell
Barkley	Frazier	Lonergan	Schwartz
Black	George	Lundeen	Schwellenbach
Bone	Gerry	McAdoo	Sheppard
Borah	Gibson	McCarran	Smith
Bridges	Gillette	McGill	Stelwer
Brown, N. H.	Glass	McKellar	Thomas, Okla.
Bulkley	Green	McNary	Thomas, Utah
Bulow	Guffey	Maloney	Townsend
Burke	Harrison	Minton	Truman
Byrd	Hatch	Moore	Tydings
Byrnes	Hayden	Murray	Vandenberg
Capper	Herring	Neely	Van Nuys
Caraway	Hitchcock	Norris	Wagner
Chavez	Holt	Overton	Walsh
Clark	Hughes	Pepper	White

Mr. MINTON. I announce that the Senator from Ohio [Mr. DONAHEY] and the Senator from Montana [Mr. WHEELER] are absent because of illness; that the Senator from Mississippi [Mr. BILBO], the Senator from Illinois [Mr. LEWIS], the Senator from Oklahoma [Mr. LEE], and the Senator from Wyoming [Mr. O'MAHONEY] are unavoidably detained; and that the Senator from Michigan [Mr. BROWN] is absent in attendance upon the Democratic State convention at Grand Rapids.

Mr. McNARY. I again announce that the senior Senator from Minnesota [Mr. SHIPSTEAD] is absent because of illness.

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present.

THE FUTURE OF THE GREAT PLAINS—REPORT OF GREAT PLAINS COMMITTEE

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Agriculture and Forestry, as follows:

To the Congress of the United States:

I transmit herewith for the information of the Congress the report of the Great Plains Committee under the title "The Future of the Great Plains."

The report indicates clearly that the problem of the Great Plains is not merely one of relief of a courageous and energetic people who have been stricken by several years of drought during a period of economic depression. It is much more fundamental than that. Depression and drought have only accentuated a situation which has been long developing. The problem is one of arresting the decline of an agricultural economy not adapted to the climatic conditions because of lack of information and understanding at the time of settlement, and of readjusting that economy in the light of later experience and of scientific information now available.

The settlers of the plains brought with them agricultural practices developed in the more humid regions from which they came. By historic circumstance the period of settlement was generally one of rainfall above the average, and, although water was known to be scarce, these practices then appeared to be suitable. The long-run experience, however, has disclosed that the rainfall of the area hovers around, and for considerable periods falls below, the critical point at which it is possible to grow crops by the agricultural methods common to humid regions. A new economy must be developed which is based on the conservation and effective utilization of all the water available, especially that which falls as rain and snow; an economy which represents generally a more rational adjustment of the organization of agriculture and cropping plans and methods to natural conditions.

The whole subject of drought on the Great Plains dovetails into the studies made by the National Resources Committee in the larger aspect of public-works planning. Previous and current studies of land and water problems have been undertaken on a Nation-wide basis. In this report they have been reworked and applied by the Great Plains Committee in cooperation with other Federal agencies and with State and regional planning agencies as a component part of our desire to develop a program of constructive action for the drought area.

Whatever program is adopted must be cooperative and will require complementary lines of action by the Federal Government, State governments, and all the citizens of the region individually. Each has material interests at stake and can no longer afford to defer constructive action; each has moral responsibility for unwitting contributions to the causes of the present situation; and especially each has responsibility for undertaking lines of action essential to effectiveness of action by the others.

The problem is one that can be solved, but the solution will take time. Therefore a policy should be determined, a long-run program formulated, and execution begun without undue delay.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *February 10, 1937.*

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the Legislature of the State of California, which was referred to the Committee on Education and Labor:

Senate Concurrent Resolution 4

Relative to the appointment of a commission to foster better race relations and the designation of a Better Race Relations Day

Whereas the people of the State of California are composed of practically all of the great racial groups of the human family; and

Whereas the great State of California, comprising the major portion of the Pacific coast area of the United States of America, is in the strategic position of being practically the greatest point of contact between the civilization of the Atlantic and the new and fast-growing civilization of the Pacific; and

Whereas the entire question of law and order in the State of California, and the preservation and improvement of property, social, cultural, and human values rests upon a happy, free, cooperative, mutually respectful, and sympathetic attitude on the part of the various racial groups to be found in the State of California, which attitude, if it is to resist the age-old assaults of racial prejudices, fear, and intolerance, must be founded upon truth and facts built into the personal lives and experiences of the individual citizens; and

Whereas experience has taught us that mere statutory enactments, decrees of court, or military enforcements cannot by themselves force unwilling hearts to abandon their inherited instincts of racial fears, prejudices, and aversions; and

Whereas if the people of the State of California are to achieve their great destiny of carrying the torch of civilization to new and greater heights, all racial misunderstandings and conflicts must give way to tolerance and mutual endeavor for the universal attainment of all that is best, noblest, and beautiful in human affairs; and

Whereas for more than 12 years last past the citizens of San Diego County and vicinity, through what is known as the San Diego Race Relations Society, have demonstrated the practicability and the extremely beneficial results of a program to foster better race relations in a community: Now, therefore, be it

Resolved by the senate (the assembly concurring), That it is recommended that the Governor appoint a commission of not more than 15 residents of the State of California, which number shall include, as far as practicable, representatives of different racial groups, to act as a permanent committee to foster better race relations, greater racial tolerance, more mutual respect, and more sympathetic cooperation between all racial groups to be found in the State of California. The members of this commission herein authorized to be appointed shall serve without compensation or any expense to the State. The commission shall render an annual written report of its activities to the Governor of this State not later than December 30 of each year; and be it further

Resolved, That it is recommended that the Governor establish by proclamation each year a certain day of that year upon which the citizens of the State of California shall be requested to turn their thoughts and activities, in public as well as private gatherings, and in their daily activities, toward the cultivation of better relations between all races, greater racial tolerance, more mutual respect, and more sympathetic cooperation between all racial groups to be found in the State of California.

Official copy of this concurrent resolution be sent by the Governor of the State of California to the President of the United States, the United States Senate, and United States House of Representatives.

The VICE PRESIDENT also laid before the Senate the following resolution of the Senate of the State of Texas, which was referred to the Committee on the Judiciary:

Whereas the President of these United States on Friday, February 5, 1937, delivered to Congress his message, wherein he proposed that Congress pass legislation which would, in effect, grant unto the President the power to appoint immediately six additional Justices of the Supreme Court of these United States; and

Whereas we believe that such legislation would not be to the best interest of the people of Texas or of these United States: Now, therefore, be it

Resolved by the Senate of Texas, That the Senators and Representative in Congress from the State of Texas are hereby respectfully requested to lend their influence and cast their votes against the passage of such proposed legislation; and be it further

Resolved, That a copy of this resolution be furnished each of our United States Senators and Representatives, and that one copy be mailed to the President of the United States, the Vice President, and Speaker of the House of Representatives, as representative of our reaction to the proposed legislation.

NEUTRALITY LAW—PETITIONS

Mr. PITTMAN. Mr. President, I received a letter the other day inclosing a printed postal card in the nature of a petition which I feel I should present to the Senate. The postal card was made into a petition and therefore I am presenting it.

I should like to advise Senators that there are thousands of letters coming to the Foreign Relations Committee in response to the urge for such petitions, and it is very possible I shall have to call upon the Senate for additional quarters in which to preserve these valuable records. I think it may be necessary to ask the Senate to allow additional clerks to the committee, so that the petitions may be read to individual members of the Foreign Relations Committee. I cannot conceive that the committee will have the time to have them read in open committee meeting.

I ask that the petition to the chairman of the committee be read at the desk before I make any further suggestions.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will read, as requested.

The Chief Clerk read as follows:

The Vandenberg-Nye-Clark-Bone bill, Senate Joint Resolution 60, reenacts the existing neutrality law which places embargoes on arms and munitions to belligerents. In addition this bill:

1. Provides for a "cash and carry" trade policy with all belligerents.

2. Prohibits the issuance of passports to citizens traveling on belligerent ships or on any ships entering war zones.

This bill, therefore, strengthens and supports the President's proclamation on "travel and trade at your own risk."

Write at once to Senator KEY PITTMAN, chairman of the Committee on Foreign Relations, urging that the Foreign Relations Committee approve Senate Joint Resolution 60.

Address your letter to Hon. KEY PITTMAN, chairman of the Committee on Foreign Relations, Senate Office Building, Washington, D. C. (Dear Sir or Dear Senator PITTMAN).

PUBLIC ACTION COMMITTEE,
MRS. SETH MILLIKEN, *Chairman*.

FEBRUARY 6, 1937.

This bill has my support.

MRS. MAURICE STEINBERG.

The VICE PRESIDENT. The petition will be referred to the Committee on Foreign Relations.

Mr. PITTMAN. Mr. President, I do not know who constitutes the so-called Public Action Committee, but I feel that I should personally thank them for the courtesy they have indicated by telling how I should be addressed. I should prefer the intimate form of address of "Dear Senator" rather than "Dear Sir", if it will have any effect on future correspondence that may be forwarded to me. [Laughter.]

I deeply appreciate, as I know every member of the committee does, the valuable advice offered by the two or three thousand people who are writing letters in response to this urge. What I seek to do is not only to have the chairman read this advice but to have every member of the committee do likewise; otherwise the letters will have little value. For that reason I have suggested that it may be necessary for the committee to have additional clerks to read the letters to the various members of the committee and thereby save time.

Petitions of this kind are always very valuable. We all believe in the right of petition. However, I wish to call the attention of those who desire to petition that there are three other measures attempting to preserve the peace of our country, which also have been introduced in the Senate and are pending before the Committee on Foreign Relations. I think those who are so deeply interested in the subject should study all the measures and keep an open mind on the subject until they have read them all.

Mr. BORAH. Mr. President——

Mr. PITTMAN. I yield to the Senator from Idaho.

Mr. BORAH. Is the Senator undertaking to encourage three times the number of petitions already received?

Mr. PITTMAN. No; I am simply talking now to those who have already been advised to petition.

Mr. NORRIS. Mr. President——

Mr. PITTMAN. I yield to the Senator from Nebraska.

Mr. NORRIS. The Senator said he would probably ask for additional help to read the communications to the members of the committee. Does the Senator wish to convey the impression to the Senate that members of the Foreign Relations Committee cannot read? [Laughter.]

Mr. PITTMAN. No; that is not it at all. I am glad the Senator mentions that point because I certainly do not desire to reflect either on the physical or mental qualifications of the members of that committee. None of them are very elderly men and all are possessed of full physical and mental vigor. However, I think it is wise that these valuable petitions should be read not only by the chairman of the committee, but by all members of the committee, and I am seeking some advice as to how the information and advice contained in the petitions may be brought to the individual attention of the various members of the committee.

Mr. President, if there is no objection, I am going to send all these petitions to each individual member of the committee. When he is through with them I shall ask that he return them to me so I may send them to other members of the committee. That possibly may be the most economical way to handle the matter.

Mr. ROBINSON. I object! [Laughter.]

Mr. PITTMAN. I am very sorry the Senator from Arkansas objects. He is a member of the committee and, of course, has the right to object. I invite attention to the fact that if the parties who sent out these particular petitions had studied the proposed legislation pending before our committee their advice might have been more valuable. There are four different sets of suggested amendments to the present so-called neutrality law. Only one of them proposes to repeal the existing law providing for an absolute embargo upon exportations of arms, munitions, and implements of war. The other measures, which are quite similar in their attempted remedies, follow different lines or forms of procedure.

Without urging any committee on behalf of any of the measures to seek to have petitions sent to the Foreign Relations Committee, I think it will be advisable at this point to publish as a part of my remarks a complete composite print of the act as it now exists, together with the other measures which have been introduced in the Senate and are now pending before the Foreign Relations Committee relating to the subject of neutrality.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

(Showing amendments proposed to be made by S. J. Res. 51 and S. J. Res. 60 to the Neutrality Act of Aug. 31, 1935, as amended by the joint resolution of Feb. 29, 1936, and the text of S. J. Res. 47 and S. 1249. Existing law is shown in roman type. Existing law proposed to be eliminated by S. J. Res. 51 and S. J. Res. 60 is shown in black brackets. Matter proposed to be added by S. J. Res. 51 and S. J. Res. 60 is shown in italics)

Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war

Resolved, etc., Whenever the President shall find that there exists a state of war between, or among, two or more foreign states, the President shall proclaim such fact, and it shall thereafter be unlawful to export arms, ammunition, or implements of war from any place in the United States, or possessions of the United States, to any port of such belligerent states, or to any neutral port for transshipment to, or for the use of, a belligerent country.

Whenever the President shall find that a state of civil war exists in a foreign state and that such armed conflict is of a magnitude or is being conducted under conditions that the export of arms, ammunition, and implements of war from the United States to said foreign state would threaten and endanger the peace of the United States, the President shall proclaim such fact, and it shall thereafter be unlawful to export arms, ammunition, or implements of war from any place in the United States, or possessions of the United States, to any port of such state or to any neutral port for transshipment to, or for use in, said state.

The President, by proclamation, shall definitely enumerate the arms, ammunition, or implements of war, the export of which is prohibited by this act.

The President shall, from time to time, by proclamation, extend such embargo upon the export of arms, ammunition, or implements of war to other states as and when they may become involved in such war.

Whoever, in violation of any of the provisions of this section, shall export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from the United States, or any of its possessions, shall be fined not more than $10,000 or imprisoned not more than 5 years, or both, and the property, vessel, or vehicle containing the same shall be subject to the provisions of sections 1 to 8, inclusive, title 6, chapter 30, of the act approved June 15, 1917 (40 Stat. 223–225; U. S. C., title 22, secs. 238–245).

In the case of the forfeiture of any arms, ammunition, or implements of war by reason of a violation of this act, no public or private sale shall be required; but such arms, ammunition, or implements of war shall be delivered to the Secretary of War for such use or disposal thereof as shall be approved by the President of the United States.

When in the judgment of the President the conditions which have caused him to issue his proclamation have ceased to exist he shall revoke the same and the provisions hereof shall thereupon cease to apply.

Except with respect to offenses committed, or forfeitures incurred prior to [May 1, 1937, this section and all proclamations issued thereunder shall not be effective after May 1, 1937] *the revocation of the proclamation or proclamations issued thereunder, said proclamations shall become ineffective after revocation.*

[Except with respect to offenses committed, or forfeitures incurred prior to May 1, 1937, this section and all proclamations issued thereunder shall not be effective after May 1, 1937.]

Sec. 1–A. (a) Whenever the President shall have issued a proclamation or proclamations as provided in section 1 of this act and he shall thereafter find that the placing of restrictions on the shipment of certain articles or materials in addition to arms, ammunition, and implements of war from the United States to said belligerent described in the proclamation issued under said section 1, or to a country wherein civil war has been proclaimed to exist, is deemed necessary to promote the security and preserve the peace or neutrality of the United States or to protect the lives and commerce of nationals of the United States, he shall so proclaim and it shall thereafter be unlawful for any American vessel or airship to carry such articles or materials to any belligerent country, or any country wherein civil war exists, named in said proclamation or proclamations issued under section 1 of this act, or to any neutral country for transshipment to, or for the use of, such belligerent countries or within such country where civil war exists. It shall also be unlawful for any vessel or airship to transport any articles or materials until all title and interest therein and possession thereof shall have been transferred to some foreign government, agency, institution, association, partnership, corporation, or national.

(b) The President shall by proclamation from time to time definitely enumerate said articles and materials which it shall be unlawful for American vessels to transport.

(c) The President shall from time to time by proclamation extend such restrictions as are imposed under this section to other countries as and when they may be declared to become belligerents under proclamations issued under section 1 of this act.

(d) The President may from time to time change, modify, or revoke in whole or in part any proclamations issued by him under this section.

SEC. 1a. Whenever the President shall have issued his proclamation as provided for in section 1 of this act, it shall thereafter during the period of the war be unlawful for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any belligerent country, or of any political subdivision thereof, or of any person acting for or on behalf of such government, issued after the date of such proclamation, or to make any loan or extend any credit to any such government or person: *Provided,* That if the President shall find that such action will serve to protect the commercial or other interests of the United States or its nationals, he may, in his discretion, and to such extent and under such regulation as he may prescribe, except from the operation of this section ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in normal peacetime commercial transactions.

The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of the President's proclamation.

Whoever shall violate the provisions of this section or of any regulations issued hereunder shall, upon conviction thereof, be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a corporation, organization, or association, each officer or agent thereof participating in the violation may be liable to the penalty herein prescribed.

When the President shall have revoked his proclamation as provided for in section 1 of this act, the provisions of this section and of any regulations issued by the President hereunder shall thereupon cease to apply.

SEC. 1b. This act shall not apply to an American republic or republics engaged in war against a non-American state or states, provided the American republic is not cooperating with a non-American state or states in such war.

Sec. 1c. Whenever the President shall find as a fact that there exists in any foreign country a state of civil strife, and that the exportation of arms, ammunition, or implements of war to such foreign country during the continuance of such state of civil strife will endanger the preservation of peace between the United States and foreign countries, the President shall proclaim such facts, and it shall thereafter be unlawful to export any arms, ammunition, or implements of war, from any place in the United States to any place in such foreign country, or to any foreign country for transshipment to, or for the use of either of the opposing forces in, such foreign country. Any license for the exportation of any such arms, ammunition, or implements of war to a foreign country to which any proclamation issued under this subsection relates shall be deemed to be canceled as to all exportations to such foreign country during the period that such proclamation is in effect.

Whenever the President shall find as a fact that such state of civil strife or insurrection in any such foreign country has ceased to exist, the President shall proclaim such fact, and thereafter the proclamation issued under this section with respect to such foreign country shall cease to be in effect and the prohibitions of such subsection shall cease to apply.

Whoever, in violation of any of the provisions of this section, shall export, or attempt to export, or cause to be exported, either directly or indirectly, any such arms, ammunition, or implements of war from the United States shall be fined not more than $10,000 or imprisoned not more than 5 years, or both.

Sec. 1d. Whenever the President shall have issued his proclamation as provided in section 1 of this joint resolution, thereafter it shall be unlawful for any American citizen, partnership, company, association, business trust, or corporation to retain or assert any right, title, or interest in any article or commodity exported by sea from the United States to any port or place which can be reached only by traversing those waters adjacent to a belligerent state which are within the zone of belligerent operations as determined by the President, and no such right, title, or interest shall be recognized by the Government of the United States or by any court or officer of the United States, or of any State, Territory, or possession thereof, or of the District of Columbia, and any contract for the insurance of risks on any article or commodity so exported, or on any American interest therein, or any American vessel carrying such article or commodity, shall be null and void and unenforceable in any court of the United States, or of any State, Territory, or possession thereof, or of the District of Columbia.

SEC. 2. That for the purposes of this act—

(a) The term "Board" means the National Munitions Control Board which is hereby established to carry out the provisions of this act. The Board shall consist of the Secretary of State, who shall be chairman and executive officer of the Board; the Secretary of the Treasury; the Secretary of War; the Secretary of the Navy; and the Secretary of Commerce. Except as otherwise provided in this act, or by other law, the administration of this act is vested in the Department of State;

(b) The term "United States", when used in a geographical sense, includes the several State and Territories, the insular possessions of the United States (including the Philippine Islands), the Canal Zone, and the District of Columbia;

(c) The term "person" includes a partnership, company, association, or corporation, as well as a natural person.

Within 90 days after the effective date of this act, or upon first engaging in business, every person who engages in the business of manufacturing, exporting, or importing any of the arms, ammunition, and implements of war referred to in this act, whether as an exporter, importer, manufacturer, or dealer, shall register with the Secretary of State his name, or business name, principal place of business, and places of business in the United States, and a list of the arms, ammunition, and implements of war which he manufactures, imports, or exports.

Every person required to register under this section shall notify the Secretary of State of any change in the arms, ammunition, and implements of war which he exports, imports, or manufactures; and upon such notification the Secretary of State shall issue to such person an amended certificate of registration, free of charge, which shall remain valid until the date of expiration of the original certificate. Every person required to register under the provisions of this section shall pay a registration fee of $500, and upon receipt of such fee the Secretary of State shall issue a registration certificate valid for 5 years, which shall be renewable for further periods of 5 years upon the payment of each renewal of a fee of $500.

It shall be unlawful for any person to export, or attempt to export, from the United States any of the arms, ammunition, or implements of war referred to in this act to any other country or to import, or attempt to import, to the United States from any other country any of the arms, ammunition, or implements of war referred to in this act without first having obtained a license therefor.

All persons required to register under this section shall maintain, subject to the inspection of the Board, such permanent records of manufacture for export, importation, and exportation of arms, ammunition, and implements of war as the Board shall prescribe.

Licenses shall be issued to persons who have registered as provided for, except in cases of export or import licenses where exportation of arms, ammunition, or implements of war would be in violation of this act or any other law of the United States, or of a treaty to which the United States is a party, in which cases such licenses shall not be issued.

Whenever a proclamation or proclamations are issued, as provided in section 1 of this act, all licenses theretofore issued under the act, shall ipso facto, and immediately upon the issuance of such proclamation or proclamations, cease to grant authority to export arms, ammunition, or implements of war from any place in the United States, or possessions of the United States, to any port in said belligerent states or to such state wherein civil war has been declared by Presidential proclamation to exist or to any neutral port for transshipment to, or for use in, any belligerent country or for use in any country where civil war is proclaimed to exist; and said license or licenses, insofar as the grant of authority to export to such countries named in such proclamation or proclamations of the President, shall be null and void.

The Board shall be called by the chairman and shall hold at least one meeting a year.

No purchase of arms, ammunition, and implements of war shall be made on behalf of the United States by any officer, executive department, or independent establishment of the Government from any person who shall have failed to register under the provisions of this act.

The Board shall make an annual report to Congress, copies of which shall be distributed as are other reports transmitted to Congress. Such reports shall contain such information and data collected by the Board as may be considered of value in the determination of questions connected with the control of trade in arms, ammunition, and implements of war. It shall include a list of all persons required to register under the provisions of this act, and full information concerning the licenses issued hereunder.

The Secretary of State shall promulgate such rules and regulations with regard to the enforcement of this section as he may deem necessary to carry out its provisions.

The President is hereby authorized to proclaim upon recommendation of the Board from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section.

This section shall take effect on the ninetieth day after the date of its enactment.

SEC. 3. Whenever the President shall issue the proclamation provided for in section 1 of this act, thereafter it shall be unlawful for any American vessel to carry any arms, ammunition, or implements of war to any port of the belligerent countries named in such proclamation as being at war, *or to the state where civil war is proclaimed to exist*, or to any neutral port for transshipment to, or for the use of, a belligerent country, *or within the state where civil war is proclaimed to exist.*

Whoever, in violation of the provisions of this section, shall take, attempt to take, or shall authorize, hire, or solicit another to take any such vessel carrying such cargo out of port or from the jurisdiction of the United States shall be fined not more than $10,000 or imprisoned not more than 5 years, or both; and, in addition, such vessel, her tackle, apparel, furniture, equipment, and the arms, ammunition, and implements of war on board shall be forfeited to the United States.

When the President finds the conditions which have caused him to issue his proclamation have ceased to exist he shall revoke his proclamation, and the provisions of this section shall thereupon cease to apply.

SEC. 4. Whenever, during any war in which the United States is neutral, the President, or any person thereunto authorized by him, shall have cause to believe that any vessel, domestic or foreign, whether requiring clearance or not, is about to carry out of a port of the United States, or its possessions, men or fuel, arms, ammunition, implements of war, or other supplies to any warship, tender, or supply ship of a foreign belligerent nation, but the evidence is not deemed sufficient to justify forbidding the departure of the vessel as provided for by section 1, title V, chapter 30, of the act approved June 15, 1917 (40 Stat. —; U. S. C., title 18, sec. 31), and if, in the President's judgment, such action will serve to maintain peace between the United States and foreign nations, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, he shall have the power and it shall be his duty to require the owner, master, or person in command thereof, before departing from a port of the United States, or any of its possessions, for a foreign port, to give a bond to the United States, with sufficient sureties, in such amount as he shall deem proper, conditioned that the vessel will not deliver the men, or the cargo, or any part thereof, to any warship, tender, or supply ship of a belligerent nation; and, if the President, or any person thereunto authorized by him, shall find that a vessel, domestic or foreign, in a port of the United States, or one of its possessions, has previously cleared from such port during such war and delivered its cargo or any part thereof to a warship, tender, or supply ship of a belligerent nation, he may prohibit the departure of such vessel during the duration of the war.

SEC. 5. Whenever, during any war in which the United States is neutral, the President shall find that special restrictions placed on the use of the ports and territorial waters of the United States, or of its possessions, by the submarines *or armed merchant vessels* of a foreign nation will serve to maintain peace between the United States and foreign nations, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, and shall make proclamation thereof, it shall thereafter be unlawful for any such submarine *or any merchant vessel equipped with armament or carrying armament which may be installed on the high seas* to enter a port or the territorial waters of the United States or any of its possessions, or to depart therefrom, except under such conditions and subject to such limitations as the President may prescribe: *Provided, however, That any order made or action taken under authority of this section shall apply without discrimination to all belligerent nations which may be engaged in such war.* When, in his judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply.

SEC. 6. Whenever, during any war in which the United States is neutral, the President shall find that the maintenance of peace between the United States and foreign nations, or the protection of the lives of citizens of the United States, or the protection of the commercial interests of the United States and its citizens, or the security of the United States requires that the American citizens should refrain from traveling as passengers on the vessels of any belligerent nation, he shall so proclaim, [and thereafter no citizen of the United States shall travel on any vessel of any belligerent nation except at his own risk, under such rules and regulations as the President shall prescribe] *and thereafter it shall be unlawful for any citizen of the United States to travel on any vessel of any nation declared in the proclamation provided for in section 1 of this act to be a belligerent or to be a state wherein civil war exists;* and thereafter no citizen of the United States shall travel on any vessel of any belligerent nation [except at his own risk,] *and no passport issued by the Secretary of State or anyone acting under his authority shall be valid for use by any person for travel from the United States on any such vessel* unless in accordance with such rules and regulations as the President shall prescribe: *Provided, however,* That

the provisions of this section shall not apply to a citizen traveling on the vessel of a belligerent whose voyage was begun in advance of the date of the President's proclamation, and who had no opportunity to discontinue his voyage after that date: *And provided further*, That they shall not apply under 90 days after the date of the President's proclamation to a citizen returning from a foreign country to the United States or to any of its possessions. When, in the President's judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply.

SEC. 6–A. Whenever the President shall have issued a proclamation or proclamations as provided in section 1, it shall thereafter be unlawful for any American vessel other than vessels of war engaged in commerce with a belligerent country to be armed or to carry any armament, arms, ammunition, or implements of war except small arms and ammunitions therefor and other weapons as the President may publicly designate to be in possession of the officers of such vessels deemed by the President necessary for the preservation of discipline aboard such vessels and until said proclamation or proclamations are revoked.

SEC. 7. In every case of the violation of any of the provisions of this act where a specific penalty is not herein provided, such violator or violators, upon conviction, shall be fined not more than $10,000 or imprisoned not more than 5 years, or both.

SEC. 8. If any of the provisions of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this act.

SEC. 9. The Secretary of State shall promulgate such rules and regulations not inconsistent with the provisions of this resolution as he shall deem necessary for the administration and enforcement of the provisions of this resolution.

Text of Senate Joint Resolution 47

Resolved, etc., That (a) whenever the President shall find (1) that there exists a state of war between or among two or more foreign countries; (2) that there exists in any foreign country a state of civil strife; or (3) that the declaration of such a state of war or the commencement of such a state of civil strife is imminent, and that the exportation of arms, ammunition, implements of war, or commodities of war to any such foreign country will endanger the neutrality of the United States, the President may proclaim such facts, and it shall thereafter be unlawful to export any arms, ammunition, implements of war, or commodities of war from any place in the United States to any place in any such foreign country, or to any other foreign country for transshipment to, or for the use of, any such foreign country or either of the opposing forces therein, as the case may be.

(b) The President, by proclamation, shall definitely enumerate the arms, ammunition, implements of war, or commodities of war, the export of which is prohibited by this joint resolution.

(c) The President may, from time to time, by proclamation, extend such embargo upon the export of arms, ammunition, implements of war, or commodities of war to other foreign countries as and when they may become involved in such war or civil strife.

(d) Whoever, in violation of any of the provisions of this section, shall export, or attempt to export, or cause to be exported, either directly or indirectly, arms, ammunition, implements of war, or commodities of war from the United States, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than 5 years, or both, and the property, vessel, or vehicle containing the same shall be subject to the provisions of sections 1 to 8, inclusive, title 6, chapter 30, of the act approved June 15, 1917 (40 Stat. 223–225; U. S. C., 1934 ed., title 22, secs. 238–245). Should the violation be by a company, association, or corporation, each officer or agent thereof participating in the violation may be liable to the penalty herein prescribed.

(e) In the case of the forfeiture of any arms, ammunition, implements of war, or commodities of war by reason of a violation of this joint resolution, no public or private sale shall be required; but such arms, ammunition, implements of war, or commodities of war shall be delivered to the Secretary of War for such use or disposal thereof as shall be approved by the President.

(f) When in the judgment of the President the conditions which have caused him to issue any such proclamation have ceased to exist, he shall proclaim such fact, and the prohibitions hereof shall thereupon cease to apply.

(g) Any license for the exportation of any such arms, ammunition, implements of war, or commodities of war to a foreign country to which any proclamation issued under this section relates, shall be deemed to be canceled as to all exportations to such foreign country during the period that such proclamation is in effect.

(h) As used in this joint resolution—

(1) The term "United States", when used in a geographical sense, includes the several States, the Territories, the insular possessions of the United States (including the Philippine Islands), the Canal Zone, and the District of Columbia;

(2) The term "commodities of war" includes, but without limitation, commodities which have been declared to be contraband by any such foreign country or belligerent therein, commodities which the President deems to be essential to the prosecution of a war, and commodities the nonexportation of which would contribute to the cessation of hostilities and the making of warfare more difficult; and

(3) The term "person" includes an individual partnership, company, association, or corporation.

SEC. 2. (a) Whenever the President shall have issued his proclamation as provided for in section 1 of this joint resolution, it shall thereafter during the period of such war or civil strife be unlawful for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any belligerent country, or of any political subdivision thereof, or of any person acting for or on behalf of such government, issued after the date of such proclamation, or to make any loan or extend any credit to any such government or person: *Provided*, That if the President shall find that such action will serve to protect the commercial or other interests of the United States or its nationals, he may, in his discretion, and to such extent and under such regulations as he may prescribe, except from the operation of this section ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in normal peacetime commercial transactions.

(b) The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of the President's proclamation.

(c) Whoever shall violate the provisions of this section or of any regulations issued hereunder shall, upon conviction thereof, be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a company, association, or corporation, each officer or agent thereof participating in the violation may be liable to the penalty herein prescribed.

(d) When the President shall have revoked his proclamation as provided for in section 1 of this joint resolution, the prohibitions of this section and of any regulations issued by the President hereunder shall thereupon cease to apply.

SEC. 3. (a) Whenever the President shall issue the proclamation provided for in section 1 of this joint resolution, thereafter it shall be unlawful for any American vessel to carry any arms, ammunition, implements of war, or commodities of war to any port of any such foreign country named in such proclamation as being at war, or in state of civil strife, or to any neutral port for transshipment to, or for the use of, any such foreign country or either of the opposing forces therein, as the case may be.

(b) Whoever, in violation of the provisions of this section, shall take, attempt to take, or shall authorize, hire, or solicit another to take any such vessel carrying such cargo out of port or from the jurisdiction of the United States shall be fined not more than $10,000 or imprisoned not more than 5 years, or both; and, in addition, such vessel, her tackle, apparel, furniture, equipment, and the arms, ammunition, implements of war, and commodities of war on board shall be forfeited to the United States.

(c) When the President shall have revoked his proclamation, the prohibitions of this section shall thereupon cease to apply.

SEC. 4. Whenever, during any war, including a state of civil strife within a country, in which the United States is neutral, the President, or any person thereunto authorized by him, shall have cause to believe that any vessel, domestic or foreign, whether requiring clearance or not, is about to carry out of a port of the United States, or its possessions, men or fuel, arms, ammunition, implements of war, commodities of war or other supplies to any warship, tender, or supply ship of any such foreign nation, but the evidence is not deemed sufficient to justify forbidding the departure of the vessel as provided for by section 1, title V, chapter 30, of the act approved June 15, 1917 (40 Stat. 221; U. S. C., 1934 ed., title 18, sec. 31), and if, in the President's judgment, such action will serve to maintain peace between the United States and foreign nations, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, he shall have the power and it shall be his duty to require the owner, master, or person in command thereof, before departing from a port of the United States, or any of its possessions, for a foreign port, to give a bond to the United States, with sufficient sureties, in such amount as he shall deem proper, conditioned that the vessel will not deliver the men, or the cargo, or any part thereof, to any warship, tender, or supply ship of any such foreign nation; and, if the President, or any person thereunto authorized by him, shall find that a vessel, domestic or foreign, in a port of the United States, or one of its possessions, has previously cleared from such port during such war, including a state of civil strife within a country, and delivered its cargo or any part thereof to a warship, tender, or supply ship of any such foreign nation, he may prohibit the departure of such vessel during the duration of such war or civil strife.

SEC. 5. Whenever, during any war, including a state of civil strife within a country, in which the United States is neutral, the President shall find that special restrictions placed on the use of the ports and territorial waters of the United States, or of its possessions, by the submarines of a foreign nation will serve to maintain peace between the United States and foreign nations, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, and shall make proclamation thereof, it shall thereafter be unlawful for any such submarine to enter a port or the territorial waters of the United States or any of its possessions, or to depart therefrom, except under such conditions and subject to such limitations as the President may prescribe. When, in his judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the prohibitions of this section shall thereupon cease to apply.

SEC. 6. Whenever, during any war, including a state of civil strife within a country, in which the United States is neutral, the President shall find that the maintenance of peace between the

United States and foreign nations, or the protection of the lives of citizens of the United States, or the protection of the commercial interests of the United States and its citizens, or the security of the United States requires that the American citizens should refrain from traveling as passengers on the vessels of any belligerent nation, he shall so proclaim, and thereafter no citizen of the United States shall travel on any vessel of any belligerent nation except at his own risk, unless in accordance with such rules and regulations as the President shall prescribe: *Provided, however,* That the provisions of this section shall not apply to a citizen traveling on the vessel of a belligerent whose voyage was begun in advance of the date of the President's proclamation, and who had no opportunity to discontinue his voyage after that date: *And provided further,* That they shall not apply under 90 days after the date of the President's proclamation to a citizen returning from a foreign country to the United States or to any of its possessions. When, in the President's judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply.

SEC. 7. This resolution shall not apply to an American republic or republics engaged in war against a non-American state or states, provided the American republic is not cooperating with a non-American state or states in such war.

SEC. 8. (a) In any case where the United States is a party to an international agreement or treaty calling for joint neutral action or consultation before action, the President shall communicate with the countries party to such agreement or treaty prior to the issuance of a proclamation provided for by this joint resolution.

(b) The President shall notify all countries of the action taken by the United States and shall include in such notification a declaration that the neutrality of the United States will be impartially enforced against all countries and factions participating in such war or civil strife.

SEC. 9. Section 2 of the joint resolution (Public Res. No. 67, 74th Cong.) approved August 31, 1935, as amended, is hereby amended by inserting after the words "implements of war" wherever they appear in such section, the words "or commodities of war."

SEC. 10. If any of the provisions of this joint resolution, or the application thereof to any person or circumstance, is held invalid, the remainder of the resolution, and the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 11. This joint resolution shall take effect May 2, 1937.

Text of S. 1249

Be it enacted, etc., That in all conflict, military or political, within or between foreign nations, that does not involve the interests of the United States, the policy of the United States of America shall be complete neutrality.

That to achieve this end the President of the United States is hereby authorized to list and publicly announce such articles of trade and commerce as shall be forbidden to shipment to the warring sections as violation of neutrality.

That the President is hereby authorized to forbid or restrict by Executive order such dealings in finance and such travel of American citizens to war zones as violate neutrality.

That the President is hereby authorized to limit, suspend, or withdraw any part of the lists proclaimed or prohibitions as to finance or travel or add to the list of either whenever the circumstances or conditions from time to time authorize, justify, or call for such action.

That all orders of the President shall be reported to Congress and shall be subject to its supervision and jurisdiction.

That all acts or parts of acts of Congress in conflict with this policy, as expressed, shall be treated as not in force pending the administering of the Executive orders.

ADDITIONAL PETITIONS AND MEMORIALS

Mr. COPELAND presented a concurrent resolution of the Legislature of the State of New York, favoring the immediate enactment of the so-called Wagner bill, providing for slum clearance, which was referred to the Committee on Banking and Currency.

(See resolution printed in full when laid before the Senate by the Vice President on the 2d instant, p. 673, CONGRESSIONAL RECORD.)

Mr. COPELAND also presented a resolution adopted by the common council of the city of Buffalo, N. Y., favoring the enactment of legislation providing an 8-hour day for all employees on tugboats operating in the harbor of Buffalo, which was referred to the Committee on Commerce.

He also presented a resolution adopted by the Broome-Tioga County (N. Y.) Petroleum Industries Committee, at Binghamton, N. Y., favoring the repeal of the Federal gasoline tax, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of East Aurora, N. Y., praying for the enactment of neutrality legislation laying mandatory embargoes on shipments of arms, munitions, and implements of war, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of New York City, N. Y., praying for the enactment of legislation placing embargoes on shipments of arms and munitions to Germany, Italy, and Portugal, and also lifting the embargo on shipments of arms and munitions to the present government of Spain, which was referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the Missionary Society of the Baptist Church, Cooperstown, N. Y., favoring the prompt enactment of legislation providing regulation of the motion-picture industry so as to eliminate unfair trade practices and promote higher moral standards of production, which was referred to the Committee on Interstate Commerce.

He also presented a letter from the secretary of the Home Owners and Taxpayers Association of Staten Island, Inc., Staten Island, N. Y., together with a resolution of that association, which were referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

HOME OWNERS AND TAXPAYERS ASSOCIATION,
OF STATEN ISLAND, INC.,
Staten Island, N. Y., February 5, 1937.

Senator ROYAL S. COPELAND,
Senate Office Building, Washington, D. C.

DEAR SENATOR: Enclosed please find a copy of a resolution which has been drawn up by the association and adopted at our last meeting of February 2, 1937.

As our representative in Washington, we hope you will give this matter your full support, as you have already shown in the past on similar matters.

Yours respectfully,

HOME OWNERS AND TAXPAYERS ASSOCIATION
OF STATEN ISLAND, INC.,
LOUIS BLITZ, *Secretary.*

Whereas this last depression, as well as previous depressions, have wiped out the life savings of millions who had invested their savings in banks, saving loan associations, small business, real estate, and in homes, and due to the fact of such disaster confidence became a thing of the past; and

Whereas our present administration at Washington, realizing if business had to be revived, the first move was to restore confidence by giving proper protection; and

Whereas Congress has already put into law certain Federal insurance to protect certain groups, such as through the bank insurance system, where the depositors' money is insured up to $5,000, and through the F. H. A., where they insure certain percentages of all loans and mortgages made by banks and savings and loan associations; and

Whereas this insurance already allowed to bankers and depositors would not mean much if it was not for the borrowers, for we could not have bankers and depositors if we didn't have the borrowers, and every borrower must have some equity in his business or a home in order to be able to borrow: Now, therefore, be it

Resolved, That if further confidence has to be restored and expect business to improve, and to be put on sound base, the same insurance and protection has to be provided for the millions who would be willing to invest in certain business, and especially in buying homes if some insurance can be given to them, their equity are not going to be jeopardized, as we have experienced in the past; and be it further

Resolved, Congress should immediately put into law in form of a Federal insurance, where the equity of a home owner or a property owner, and also a small businessman, will be protected as much as they have done for the banker and a depositor; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, Franklin D. Roosevelt; Congressman JAMES O'LEARY, Senators ROBERT WAGNER and ROYAL S. COPELAND, and our local newspaper.

I hereby certify that the above resolution was regularly presented and duly adopted at a meeting of the Home Owners and Taxpayers Association of Staten Island, Inc., held February 2, 1937.

ELOI LE BLANC, *Vice President.*
LOUIS BLITZ, *Secretary.*

Mr. COPELAND also presented a letter from the executive vice president of the Rochester (N. Y.) Chamber of Commerce, together with the recommendation of the foreign-trade committee of that chamber, which were referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

THE ROCHESTER CHAMBER OF COMMERCE,
Rochester, N. Y., February 1, 1937.

Hon. ROYAL S. COPELAND,
Senate Office Building, Washington, D. C.

DEAR SENATOR: The enclosed copy of recommendation of the foreign-trade committee of the Rochester Chamber of Commerce is sent with the request that you use your best efforts to secure the increased appropriation asked for.

The recommendation has been submitted to Hon. T. S. McMILLAN, chairman, Subcommittee on Commerce Apropriations, and other members of that committee.

May we count on your assistance?

Very truly yours,

ROLAND B. WOODWARD,
Executive Vice President.

JANUARY 29, 1937.

There is no question but that statistics regarding imports and exports are of vital importance to all business engaged in foreign trade, but these data should be accurate and furnished with the minimum of delay.

In 1933, by act of Congress, the appropriation for the Division of Foreign Trade Statistics of the Department of Commerce was drastically reduced, thereby causing a considerable reduction of the personnel of this very important Division.

Since 1933 the foreign trade of the United States has very materially increased, with a consequent increased demand for statistical data.

With a greatly reduced personnel, the Statistical Division has not been able to function with accuracy or promptness. Figures submitted exporters and importers are found to be incorrect in many instances, and even when correct have been so long delayed as to be of little or no value, thereby placing our foreign trade at a decided disadvantage with foreign competitors.

In addition to the demands of exporters and importers there has been the added burden of supplying data to the State Department for the purpose of negotiating trade agreements.

The Statistical Division compiles figures on about 1,800 export classifications and 4,700 import classifications, but there is an ever-increasing demand for a more detailed classification on the part of manufacturers and others engaged in our foreign trade.

It is not the purpose of this recommendation to offer any criticism of the Statistical Division's efficiency or zeal. It has been most severely handicapped by lack of funds, with a consequent curtailment in personnel, and under such conditions could hardly be expected to supply accurately and promptly data of vital importance to our foreign-trade interests.

The Budget allowance for the Division of Foreign Statistics of the Department of Commerce is placed at $330,000, but it is our opinion that this appropriation should be sufficiently increased to meet the requirements of business, in view of the demands on the Division owing to the increased volume of business covering exports and imports.

Business should have prompt and accurate statistical information on which to base their plans of operation, and it is its right to receive this service.

The foreign-trade committee of the Rochester Chamber of Commerce submits this recommendation, speaking, as it does, for manufacturing interests in this industrial area that in 1929 exported more than $21,855,000 worth of manufactured goods to foreign countries, and data now being compiled for 1936 indicate an amount almost equal to that of 1929.

Respectfully submitted.

FOREIGN TRADE COMMITTEE, ROCHESTER, CHAMBER OF COMMERCE,
GILBERT OWEN, *Chairman.*

Approved:

ROLAND B. WOODWARD,
Executive Vice President,
Rochester Chamber of Commerce.

Mr. COPELAND also presented a resolution adopted by the Harrison (N. Y.) Teachers Association, which was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

HARRISON, N. Y., *January 29, 1937.*

Hon. ROYAL S. COPELAND,
Senate Office Building, Washington, D. C.

DEAR SIR: At its January meeting of 1937 the Harrison Teachers Association adopted the following resolution:

Whereas the poor financial condition of many schools throughout the Nation has necessitated the lowering of educational standards so that many children are unable to receive a satisfactory minimum education; and

Whereas the welfare and training of all the children are matters of concern to the Nation as a whole: Be it

Resolved, That a suitable system be established whereby monetary aid from the Federal Treasury may be distributed on an impartial basis to the individual States to be used for the purposes of education. It is understood that the control of all such funds shall be vested in the State and local school district.

May we expect your support of such legislation?

Very truly yours,

HARRISON TEACHERS ASSOCIATION,
FLORENCE B. HARTH, *President.*

Mr. COPELAND also presented a resolution adopted by the New York Press Association, which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Whereas the unemployment insurance section of the Federal Social Security Act is out of harmony with the New York State unemployment insurance law in that no tax exemption is granted in excess of $2,600 annually; and

Whereas the failure to grant such tax exemption largely nullifies and defeats the purpose of the Federal act to strengthen the State laws by giving credit on the Federal tax for State unemployment insurance payments up to 90 percent of the Federal tax:

Resolved, That the New York Press Association, realizing the situation is such that remedial Federal legislation is imperative, respectfully urges the representatives of the State of New York in the National Senate and House of Representatives to use all honorable means for the enactment of such remedial legislation; and further be it

Resolved, That the secretary of this association transmit to each United States Senator and to each Representative from the State of New York a copy of this resolution.

Mr. COPELAND also presented a resolution adopted at the annual convention held at the Transfiguration Parochial Hall, Maspeth, Long Island, N. Y., under the auspices of the New York and New Jersey Lithuanian Roman Catholic Federation of America, which was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

At the annual convention held on January 31, 1937, at the Transfiguration Parochial Hall, 64–25 Perry Avenue, Maspeth, Long Island, under the auspices of the New York and New Jersey Lithuanian Roman Catholic Federation of America, attended by 168 delegates from 52 organizations representing over 16,000 Lithuanian people, and realizing the intolerant conditions under which the Lithuanians live in the Vilnius territory, the following resolution was adopted:

"Whereas in the Vilnius territory of Lithuania, which was by force unlawfully occupied by the Poles on October 9, 1920, the Lithuanians are being mercilessly and relentlessly persecuted; and

"Whereas during the night on November 25, 26, 27, and 28, 1936, the Polish police made wholesale unlawful raids upon the homes of Lithuanians, frightening, embarrassing, and inconveniencing their families; and

"Whereas during the past 2 months the Polish Government authorities have closed the Lithuanian religious, educational, and cultural institutions maintained by the Society of St. Casimir, thereby causing great moral and material loss to the Lithuanians of the Vilnius territory; and

"Whereas the Polish authorities have wantonly and without just cause liquidated the Lithuanian central committee, whose object is to extend charity and provide education to needy and poor Lithuanians of the Vilnius territory; and

"Whereas radio-receiving sets are being confiscated and taken away from Lithuanian homes and Lithuanian publications suspended without just cause and their editors arrested, fined, and imprisoned without a fair trial; and

"Whereas schools and libraries have been closed and even orphanages are being interfered with by the Polish authorities, with the aid of the local police forces; and

"Whereas leaders of the Lithuanian religious, educational, and cultural institutions are being without cause arrested and prosecuted, thereby terrorizing their families and Lithuanians in general in the Vilnius territory: Therefore be it

"*Resolved*, That we, American citizens of Lithuanian extraction, voice our protest against the inhuman, intolerant, and oppressive acts of the Polish Government toward the Lithuanians in the Vilnius territory, and in the name of humanity and justice appeal to the Congress of the United States and the League of Nations to intercede on behalf of the persecuted people and to take such steps as may be necessary to prevent continuation of such inhuman, intolerant, and oppressive acts of said Government; and be it further

"*Resolved*, That copies of this resolution be sent to the Department of State of the United States, to the Senators of New York State in Washington, to the consul general of Poland in New York, to the League of Nations, and to the press."

Mr. COPELAND also presented a resolution adopted by the Empire State Potato Club, which was referred to the Committee on Irrigation and Reclamation and ordered to be printed in the RECORD, as follows:

WEBSTER, N. Y., *January 20, 1937.*

Senator ROYAL S. COPELAND,
United States Senate, Washington, D. C.

DEAR SENATOR COPELAND: I am quoting below a resolution voted at the annual meeting of the Empire State Potato Club in Syracuse January 6, 7, and 8:

"Whereas the present cultivated acreage in this country is more than ample to supply all the food and forage crops that can be marketed profitably; and

"Whereas, the mineral plant-food elements in the soils of the arid and semiarid regions of the public domain constitute a valuable natural resource for future generations: Be it

"*Resolved*, That the Empire State Potato Club condemns all new irrigation projects and the expansion of any existing projects, and respectfully petitions all New York Congressmen and both New York Senators to work for a sharp reduction in the personnel activities and budget of the Federal Bureau of Reclamation."

The members of our organization, in common with most other farmers in this State, feel that the Government policy of attempting to limit farm production to existing needs, and at the

same time bring into production new lands which are for the most part producing crops of which we already have a surplus, is inconsistent with a well-planned agricultural policy. We feel, too, that it is unsound to do this at public expense, as this is subsidizing one agricultural group at the expense of others.

We hope that in the agricultural planning of the coming year this problem will receive constructive consideration.

Very truly yours,

EMPIRE STATE POTATO CLUB,
EARL D. MERRILL, *Secretary.*

REPORTS OF COMMITTEES

Mr. WALSH, from the Committee on Naval Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 1117. A bill to amend the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902 (Rept. No. 51); and

S. 1118. A bill to amend section 7 of the act approved May 29, 1934, entitled "An act to regulate the distribution, promotion, retirement, and discharge of commissioned officers of the Marine Corps, and for other purposes" (Rept. No. 52).

Mr. RUSSELL, from the Committee on Naval Affairs, to which was referred the bill (S. 1132) to amend the act approved February 15, 1929, entitled "An act to permit certain warrant officers to count all active service rendered under temporary appointments as warrant or commissioned officers in the regular Navy, or as warrant or commissioned officers in the United States Naval Reserve Force, for purpose of promotion to chief warrant rank"; reported it without amendment and submitted a report (No. 50) thereon.

Mr. DIETERICH, from the Committee on Naval Affairs, to which was referred the bill (S. 1114) to prohibit the unauthorized wearing, manufacture, or sale of medals and badges issued by the Navy Department, reported it without amendment and submitted a report (No. 58) thereon.

Mr. BONE, from the Committee on Naval Affairs, to which was referred the bill (S. 1130) to authorize the acceptance of certain lands in the city of San Diego, Calif., by the United States, and the transfer by the Secretary of the Navy of certain other lands to said city of San Diego, reported it without amendment and submitted a report (No. 59) thereon.

Mr. DAVIS, from the Committee on Naval Affairs, to which was referred the bill (S. 1116) to amend section 1860 of the Revised Statutes, as amended, to permit retired officers and enlisted men of the Army, Navy, and Marine Corps to hold civil office in any Territory of the United States, reported it with amendments and submitted a report (No. 61) thereon.

Mr. McGILL, from the Committee on Naval Affairs, to which was referred the bill (S. 1128) authorizing the Secretary of the Navy to accept gifts and bequests for the benefit of the Office of Naval Records and Library, Navy Department, reported it without amendment and submitted a report (No. 62) thereon.

Mr. BROWN of New Hampshire, from the Committee on Naval Affairs, to which was referred the bill (S. 1112) awarding a Navy Cross to John W. Thomason, reported it without amendment and submitted a report (No. 79) thereon.

Mr. SHEPPARD, from the Committee on Commerce, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 466. A bill granting the consent of Congress to the county of Barry, State of Missouri, to construct, maintain, and operate a free highway bridge across the White River at or near Eagle Rock, Mo. (Rept. No. 53); and

S. 715. A bill to extend the time for completing the construction of a bridge across the Delaware River near Trenton, N. J. (Rept. No. 54).

Mr. SHEPPARD also, from the Committee on Commerce, to which were referred the following bills, reported them severally with amendments and submitted reports thereon:

S. 361. A bill to further extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Garrison, N. Dak. (Rept. No. 55);

S. 996. A bill to further extend the times for commencing and completing the construction of a bridge across the Missouri River between the towns of Decatur, Nebr., and Onawa, Iowa (Rept. No. 56); and

S. 997. A bill to further extend the times for commencing and completing the construction of a bridge across the Missouri River at or near the cities of South Sioux City, Nebr., and Sioux City, Iowa (Rept. No. 57).

Mr. SHEPPARD also, from the Committee on Military Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 1280. A bill to repeal an act of March 3, 1933, entitled "An act to provide for the transfer of powder and other explosive materials from deteriorated and unserviceable ammunition under the control of the War Department to the Department of Agriculture for use in land clearing, drainage, road building, and other agricultural purposes" (Rept. No. 63);

S. 1281. A bill to authorize the sale of surplus War Department real property (Rept. No. 64);

S. 1282. A bill to amend articles of war 50½ and 70 (Rept. No. 65);

S. 1283. A bill to increase the extra pay to enlisted men for reporting (Rept. No. 66);

S. 1284. A bill to change the name of the Chemical Warfare Service (Rept. No. 67);

S. 1285. A bill to amend that provision of the act approved March 3, 1879 (20 Stat. L. 412), relating to issue of arms and ammunition for the protection of public money and property (Rept. No. 68); and

S. 1287. A bill to authorize the procurement, without advertising, of certain War Department property, and for other purposes (Rept. No. 69).

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, to which were referred the following bills, reported them each without amendment and submitted a report, as indicated:

S. 832. A bill to amend the act entitled "An act to extend to certain publications the privileges of second-class mail matter as to admission to the mails", approved June 6, 1900; and

H. R. 3112. A bill for the relief of Ralph C. Irwin (Rept. No. 60).

Mr. BRIDGES, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 740) to provide for the issuance of renewable 4-year-term contracts to qualified star-route contractors and subcontractors, and for other purposes, reported it with amendments.

Mr. KING, from the Committee on the Judiciary, to which was referred the bill (S. 709) to amend the act entitled "An act to incorporate the National Education Association of the United States", approved June 30, 1906, as amended, reported it with an amendment and submitted a report (No. 80) thereon.

Mr. FRAZIER, from the Committee on Indian Affairs, to which was referred the bill (S. 95) referring the claims of the Turtle Mountain Band or Bands of Chippewa Indians of North Dakota to the Court of Claims for finding of fact and recommendations to the Congress, reported it with an amendment and submitted a report (No. 70) thereon.

Mr. THOMAS of Oklahoma, from the Committee on Indian Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 149. A bill to refer the claims of the Kiowa, Comanche, and Apache Tribes of Indians to the Court of Claims with the absolute right of appeal to the Supreme Court of the United States (Rept. No. 73);

S. 670. A bill authorizing an appropriation for payment to the Osage Tribe of Indians on account of their lands sold by the United States (Rept. No. 74); and

S. 1253. A bill authorizing an appropriation to carry out the provisions of section 26 of the agreement with the Muskogee or Creek Tribe of Indians, approved March 1, 1901 (Rept. No. 75).

Mr. THOMAS of Oklahoma also, from the Committee on Indian Affairs, to which was referred the bill (S. 68) authorizing the Western Bands of the Shoshone Nation of Indians to sue in the Court of Claims, reported it with amendments and submitted a report (No. 76) thereon.

Mr. THOMAS of Oklahoma (for Mr. WHEELER), from the Committee on Indian Affairs, to which were referred the following bill and joint resolution, reported them each with an amendment and submitted reports thereon:

S. 641. A bill conferring jurisdiction on the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Assiniboine Indians may have against the United States, and for other purposes (Rept. No. 77); and

S. J. Res. 55. Joint resolution to amend the act of July 3, 1926, entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in claims which the Crow Tribe of Indians may have against the United States, and for other purposes" (44 Stat. L. 807) (Rept. No. 78).

INDIAN AFFAIRS—LAWS AND TREATIES

Mr. THOMAS of Oklahoma, from the Committee on Indian Affairs, to which was referred the resolution (S. Res. 60) authorizing a preparation of laws and treaties relating to Indian affairs (submitted by him on Jan. 14, 1937), reported it without amendment and submitted a report (No. 72) thereon.

FIXTURES, EQUIPMENT, AND RENTAL OF POST OFFICES

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, to which was referred the resolution (S. Res. 51) authorizing an examination into the matter of post-office fixtures, equipment, and rentals therefor (submitted by him on Jan. 8, 1937), reported it without amendment; and, under the rule, the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

RESOLUTIONS REPORTED FROM THE COMMITTEE TO AUDIT AND CONTROL THE CONTINGENT EXPENSES OF THE SENATE

Mr. BYRNES. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably, without amendment, Senate Resolutions 66, 71, 72, and 79; also, with amendment, Senate Resolutions 22, 20, 14, 57, 23, and 55, and I ask unanimous consent for their consideration at this time.

The VICE PRESIDENT. Is there objection to the present consideration of the resolutions reported by the Senator from South Carolina? The Chair hears none, and the resolutions will be considered in their order.

HEARINGS BEFORE THE COMMITTEE ON CIVIL SERVICE

The resolution (S. Res. 66) submitted by Mr. BULOW on January 22, 1937, was read, considered, and agreed to, as follows:

Resolved, That the Committee on Civil Service, or any subcommittee thereof, hereby is authorized during the Seventy-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be held in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE THE COMMITTEE ON INTERSTATE COMMERCE

The resolution (S. Res. 71) submitted by Mr. WHEELER on January 27, 1937, was read, considered, and agreed to, as follows:

Resolved, That the Committee on Interstate Commerce, or any subcommittee thereof, is authorized, during the Seventy-fifth Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

DAISY CLARK

The resolution (S. Res. 72) submitted by Mr. DAVIS on January 29, 1937, was read, considered, and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1936, to Daisy Clark, daughter of Noble M. Clark, late an employee of the Senate under supervision of the Sergeant at Arms, a sum equal to 6 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

HEARINGS BEFORE COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

The resolution (S. Res. 79) submitted by Mr. CONNALLY on the 8th instant was read, considered, and agreed to, as follows:

Resolved, That the Committee on Public Buildings and Grounds, or any subcommittee thereof, hereby is authorized, during the Seventy-fifth Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

ASSISTANT CLERK, COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

The Senate proceeded to consider the resolution (S. Res. 22) submitted by Mr. CONNALLY on January 6, 1937.

The amendment reported by the Committee to Audit and Control the Contingent Expenses of the Senate was, on page 1, line 6, to strike out the words "during the Seventy-fifth Congress" and insert in lieu thereof "from the beginning and for the duration of the first session of the Seventy-fifth Congress", so as to make the resolution read:

Resolved, That Senate Resolution 111, Seventy-third Congress, agreed to January 19, 1934, and continued by subsequent resolutions, authorizing the Committee on Public Buildings and Grounds to employ an assistant clerk, to be paid from the contingent fund of the Senate, hereby is continued in full force and effect from the beginning and for the duration of the first session of the Seventy-fifth Congress.

The amendment was agreed to.

The resolution as amended was agreed to.

ASSISTANT CLERK, COMMITTEE ON EDUCATION AND LABOR

The Senate proceeded to consider the resolution (S. Res. 20) submitted by Mr. BLACK on January 6, 1937.

The amendment reported by the Committee to Audit and Control the Contingent Expenses of the Senate was, on page 1, line 5, to strike out the words "during the Seventy-fifth Congress" and insert in lieu thereof the words "from the beginning and for the duration of the first session of the Seventy-fifth Congress", so as to make the resolution read:

Resolved, That Senate Resolution 46, Seventy-fourth Congress, agreed to June 7, 1935, authorizing the Committee on Education and Labor to employ an assistant clerk, to be paid from the contingent fund of the Senate, hereby is continued in full force and effect from the beginning and for the duration of the first session of the Seventy-fifth Congress.

The amendment was agreed to.

The resolution as amended was agreed to.

ASSISTANT CLERK TO COMMITTEE ON PATENTS

The Senate proceeded to consider the resolution (S. Res. 14) submitted by Mr. McADOO January 6, 1937.

The amendment reported by the Committee to Audit and Control the Contingent Expenses of the Senate was, on page 1, line 2, to strike out the words "for the duration of the Seventy-fifth Congress" and insert in lieu thereof the words "from the beginning and for the duration of the first session of the Seventy-fifth Congress", so as to make the resolution read:

Resolved, That the Committee on Patents is hereby authorized to employ from the beginning and for the duration of the first session of the Seventy-fifth Congress an assistant clerk, to be paid from the contingent fund of the Senate at the rate of $2,400 per annum.

The amendment was agreed to.

The resolution as amended was agreed to.

ASSISTANT CLERK TO COMMITTEE ON IMMIGRATION

The Senate proceeded to consider the resolution (S. Res. 57) submitted by Mr. RUSSELL January 11, 1937.

The amendment reported by the Committee to Audit and Control the Contingent Expenses of the Senate was, on page 1, line 2, to strike out the words "for the duration of the Seventy-fifth Congress" and to insert in lieu thereof the

words "from the beginning and for the duration of the first session of the Seventy-fifth Congress", so as to make the resolution read:

Resolved, That the Committee on Immigration is hereby authorized to employ, from the beginning and for the duration of the first session of the Seventy-fifth Congress, an assistant clerk, to be paid from the contingent fund of the Senate at the rate of $2,400 per annum.

The amendment was agreed to.

The resolution as amended was agreed to.

ASSISTANT CLERK, COMMITTEE ON ENROLLED BILLS

The Senate proceeded to consider the resolution (S. Res. 23) submitted by Mrs. CARAWAY on January 6, 1937.

The amendment reported by the Committee to Audit and Control the Contingent Expenses of the Senate was, on page 1, line 2, to strike out the words "until the end of the present session" and to insert in lieu thereof the words "from the beginning and for the duration of the first session of the Seventy-fifth Congress", so as to make the resolution read:

Resolved, That the Committee on Enrolled Bills is hereby authorized to employ, from the beginning and for the duration of the first session of the Seventy-fifth Congress, an assistant clerk, to be paid from the contingent fund of the Senate at the rate of $1,800 per annum.

The amendment was agreed to.

The resolution as amended was agreed to.

ASSISTANT CLERK TO COMMITTEE ON COMMERCE

The Senate proceeded to consider the resolution (S. Res. 55) submitted by Mr. COPELAND on January 11, 1937.

The amendment reported by the Committee to Audit and Control the Contingent Expenses of the Senate was, on page 1, line 2, to strike out the words "for the remainder of the session of the Senate" and insert in lieu thereof the words "from the beginning and for the duration of the first session of the Seventy-fifth Congress", so as to make the resolution read:

Resolved, That the Committee on Commerce is hereby authorized to employ, from the beginning and for the duration of the first session of the Seventy-fifth Congress, an assistant clerk, to be paid from the contingent fund of the Senate at the rate of $1,800 per annum.

The amendment was agreed to.

The resolution as amended was agreed to.

INTERNATIONAL EXPOSITION OF PARIS, 1937

Mr. PITTMAN. From the Committee on Foreign Relations, I report back favorably, with an amendment, Senate Joint Resolution 70, relating to participation by the United States in the International Exposition of Paris, 1937; and I submit a report (No. 71) thereon. I ask unanimous consent for the present consideration of the joint resolution, and request that the report be read at this time.

The VICE PRESIDENT. Without objection, the report will be read.

The Chief Clerk read the report (No. 71), as follows:

The Senate Committee on Foreign Relations, having had under consideration Senate Joint Resolution 70 (75th Cong., 1st sess.), relating to the participation by the United States in the International Exposition of Paris, 1937, respectfully report the same to the Senate favorably and recommend that it do pass, with the following amendment, to wit:

That on page 3, section 4, line 7, strike out the words "authorized to be appropriated" and insert in lieu thereof the words "appropriated, out of any money in the Treasury not otherwise appropriated,".

For the information of the Senate, it is here stated that this resolution, except as herein amended, was submitted to this committee by the Secretary of State on February 8, 1937. The letter of transmittal is as follows:

DEPARTMENT OF STATE,
Washington, February 8, 1937.

Hon. KEY PITTMAN,
Chairman, Foreign Relations Committee,
United States Senate, Washington, D. C.

MY DEAR SENATOR PITTMAN: I understand from Mr. Sterling and Mr. Yeager that you have expressed your willingness to introduce a resolution in the Senate extending authority for this Government to participate in the International Exposition of Paris, and authorizing an appropriation of $150,000 for this purpose. I believe that you asked also that I send you a draft resolution, which I am doing with this letter.

Both the President and I are interested in the early enactment of this legislation and, in an effort to save time, I wish now to express this Department's entire approval of the enclosed draft. Should you require some specific information regarding the text of the resolution, I should be glad to send Mr. Sterling and Mr. Yeager to see you again at your convenience since they are entirely familiar with the situation.

May I express to you my appreciation for your cooperation.

Sincerely yours,

CORDELL HULL.

Attention is called to Senate Report No. 1722, Seventy-fourth Congress, second session, being a report from the Committee on Foreign Relations to accompany House Joint Resolution 305, accepting the invitation of the Government of France to the United States to participate in the International Exposition of Paris—Art and Technique in Modern Life—to be held at Paris, France, in 1937, such report recommending that the joint resolution (H. J. Res. 305) do pass.

The VICE PRESIDENT. The Senator from Nevada asks unanimous consent for the present consideration of the joint resolution, which will be read for the information of the Senate.

The Chief Clerk read the joint resolution, which had been reported from the Committee on Foreign Relations with an amendment, in section 4, page 3, line 7, after the word "hereby", to strike out "authorized to be appropriated" and to insert "appropriated, out of any money in the Treasury not otherwise appropriated", so as to make the joint resolution read:

Resolved, etc., That in addition to the authority heretofore granted by the joint resolution, approved April 10, 1936, relating to the participation by the United States in the International Exposition of Paris, 1937, the Commissioner General and the Commissioner are hereby authorized to make such expenditures as may be necessary for the purpose of purchasing, constructing, or renovating exhibits, for the proper housing of exhibits (including the decoration, operation, and maintenance of buildings by contract without regard to the provisions of section 3709, Revised Statutes, or otherwise, and the payment of any obligations heretofore or hereafter incurred in connection with the employment of architects and engineers and reimbursement of their necessary travel expenses), and for the transportation of material and exhibits from the United States to France, and from France to the United States after the close of such exposition.

SEC. 2. Notwithstanding the provisions of section 3 of such resolution of April 10, 1936, the Commissioner General is authorized, without regard to the civil-service laws, to appoint, and without regard to the Classification Act of 1923, as amended, to fix the reasonable compensation of, such officers and employees as may be necessary to carry out the purposes of this resolution and of such resolution of April 10, 1936. This section shall be effective as of April 10, 1936.

SEC. 3. (a) Any functions granted to the Commissioner General and the Commissioner jointly may be exercised by either of them, and any authority herein granted to the Commissioner General may be delegated to the Commissioner or to any other person that the Commissioner General may designate for the purpose.

(b) The approval and certification of expenditures under this resolution, and the submission of accounts and vouchers, shall be made in the manner prescribed in section 4 of such resolution of April 10, 1936, except that any functions of the Secretary of State under such section may, in his discretion, be delegated, without release of responsibility, to any person he may designate for the purpose.

(c) Nothing in this resolution shall be construed to permit any indebtedness to be incurred in excess of the amount herein authorized to be appropriated.

SEC. 4. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for carrying out the purposes of this resolution and of such resolution of April 10, 1936, the sum of $150,000, and the unexpended and unobligated balance of any sums heretofore appropriated pursuant to the authorization contained in such resolution of April 10, 1936, shall also be available for the purposes of this resolution.

SEC. 5. The Commissioner General and the Commissioner are, with the approval of the Secretary of State, authorized to make available to any governmental agency such part of the sums heretofore or hereafter appropriated for the purposes of this resolution and such resolution of April 10, 1936, as may be effectively used by such agency to aid in carrying out such purposes.

SEC. 6. At the close of the exposition or when the connection of the Government of the United States therewith ceases, the Commissioner General and the Commissioner shall return all borrowed property and exhibits to their points of origin and shall dispose of any portion of the material contributed as may be unused or any property purchased in such manner as the Secretary of State may direct in the best interests of the Government, and account therefor.

Mr. PITTMAN. Mr. President, I desire to state to the Senate why I feel it my duty to ask for the present consideration of this joint resolution.

Mr. GLASS. Mr. President, will the Senator yield for a question?

Mr. PITTMAN. Certainly.

Mr. GLASS. From the reading of the joint resolution I observe that it undertakes to make an appropriation instead of to authorize an appropriation.

Mr. PITTMAN. Yes, Mr. President. It will be observed that the joint resolution as introduced in the Senate followed the regular form of authorizing an appropriation. Those who have a similar measure in charge in the other body are so anxious for the immediate passage of this measure that they suggested that we place in it the appropriation, with the understanding that no point of order will be made in the House, and they desire to take it up on Monday under the Suspension of the Rules Calendar.

Mr. GLASS. I will say to the Senator from Nevada that I have no objection to having the joint resolution considered, but I do not think we should establish such a precedent as would be involved by its passage. I think the joint resolution ought to go to the Appropriations Committee, which will give it immediate attention and report it. I do not think the Senate should establish a precedent of this kind.

Mr. PITTMAN. So far as I am personally concerned, I have never yet admitted that under the Constitution the House has the exclusive right to originate appropriation bills, and I do not think it has.

Mr. GLASS. I do not think it has any such constitutional right.

Mr. PITTMAN. In the Seventy-fourth Congress, however, a similar measure was passed by both branches of Congress; but the appropriation included at that time was only $50,000. Since that time there have been changes, as a result of which the Department thinks $150,000 will be essential to a dignified participation by the United States in the exposition. The committee went into this subject thoroughly in the Seventy-fourth Congress, when the act was passed providing that the United States should participate in the Paris Exposition. This joint resolution is to provide the funds to do it.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield to the Senator from Michigan.

Mr. VANDENBERG. I observe that the joint resolution reappropriates the unexpended balance, as well as adding $150,000. Can the Senator indicate the amount of the unexpended balance?

Mr. PITTMAN. No; I cannot. I conferred with the gentlemen who have charge of the matter, and they stated that most of that fund had been used in the preliminary work looking to the holding of the exposition.

Mr. VANDENBERG. May I ask the Senator also about the language on the first page of the joint resolution which authorizes expenditures of a very substantial nature without any limit to the authorization? Is that the usual form? Might not that provision entail expenditures far beyond the actual appropriation?

Mr. PITTMAN. The joint resolution expressly prohibits any expenditures beyond $150,000.

Mr. VANDENBERG. Very well.

Mr. PITTMAN. I will say, however, that this is the form in which the measure was passed in the Seventy-fourth Congress.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. McNARY. Mr. President, the statement of the Senator from Nevada does not impress me with any conviction that it is necessary to consider this measure today. I am willing at any time to listen to a plea for expedition in legislation. This is an appropriation measure. I should have no objection if it were merely an authorization measure, but it makes a direct appropriation; and, therefore, under the almost universal practice of the Senate, it should go to the Appropriations Committee. In my judgment, we shall probably have a session of the Senate tomorrow or Friday.

Mr. ROBINSON. Mr. President, it is not anticipated that a session of the Senate will be held tomorrow. It is expected that a session will be held on Friday.

Mr. McNARY. Then, Mr. President, in view of that statement of the able leader, I think it is well that the joint resolution be referred to the Committee on Appropriations. They could report it promptly, and action probably could be taken on Friday.

In view of that situation, I think I shall have to object to the immediate consideration of the joint resolution.

Mr. PITTMAN. Mr. President, I will say to the Senator from Oregon that the exposition is to begin in about 3 or 4 weeks; and if we are thinking seriously about taking part in it, we should do something as soon as possible, having accepted the invitation nearly 2 years ago.

Mr. ROBINSON. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield.

Mr. ROBINSON. As I understand, the reason for seeking to dispose of the joint resolution without following the usual form of making an authorization is that if action be deferred longer it will interfere with the proper representation of the United States at the exposition.

Mr. PITTMAN. That is the case.

Mr. ROBINSON. It was first thought that perhaps the matter might not be proceeded with, but a condition arose which made it imperative to carry out the action taken at the last session, and there is a real necessity for haste.

Mr. McNARY. Mr. President, I am not impressed that 2 days will make any great difference in the representation we may have in the exposition at Paris. Let me suggest that the better way of dealing with legislation of this kind would be for the Senator from Nevada to omit from the joint resolution the portion of it which refers to an immediate appropriation and make an authorization. I should have no objection to an authorization measure. Then it could be referred to the Committee on Appropriations for final consideration.

Mr. GLASS. Mr. President, I have already stated to the Senator from Nevada that I should immediately call a session of the Appropriations Committee to deal with the matter; and I think some consideration should be given to regularity of procedure.

Mr. PITTMAN. Under that assurance of the chairman of the Appropriations Committee, I conceive that no time will be lost in the matter; and I am, therefore, perfectly willing to withdraw my request for immediate consideration, and ask that the joint resolution be referred to the Committee on Appropriations.

Mr. McNARY. Very well.

The VICE PRESIDENT. Objection is heard.

Mr. McNARY. I object.

The VICE PRESIDENT. The joint resolution will be placed on the calendar.

Mr. PITTMAN. I ask unanimous consent that the joint resolution be referred immediately to the Committee on Appropriations.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the joint resolution is referred to the Committee on Appropriations.

COLLATERAL FOR FEDERAL RESERVE BANK NOTES

Mr. WAGNER. Mr. President, from the Committee on Banking and Currency I report back favorably, without amendment, the bill (S. 417) to extend the period during which direct obligations of the United States may be used as collateral security for Federal Reserve notes, and I submit a report (no. 49) thereon. I ask for the immediate consideration of the bill, but only because I am certain that there will be no objection to the measure itself. It was unanimously reported by the committee. I am asking that the Senate act on the bill at this time, as a favor to me, because I made an engagement to deliver an address in New York, and I should not be able to be present when consideration would be given to the bill if it were sent to the calendar.

The bill merely extends the time during which direct obligations of the United States may be used as collateral for Federal Reserve bank notes. The law making this provision was originally enacted in 1932, when there was some stringency in the money market, in order to ease that stringency. I am sure the power as given has never been abused. The authority has been extended from time to time by the

Congress, and this measure provides for the further extension of the power until June 1939.

Mr. McNARY. Mr. President, the subject matter of the measure referred to by the Senator from New York was presented to me earlier in the day by the Senator. A similar bill has been passed several times during other sessions. I have conferred with the Republican members of the Committee on Banking and Currency, which committee has jurisdiction of the matter, and they report to me that they favor the proposed legislation. In order to accommodate the Senator from New York, who desires to be away, I shall interpose no objection to the immediate consideration of the measure.

The VICE PRESIDENT. Is there objection to the request of the Senator from New York for the present consideration of the bill?

There being no objection, the bill (S. 417) to extend the period during which direct obligations of the United States may be used as collateral security for Federal Reserve notes was read, considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the second paragraph of section 16 of the Federal Reserve Act, as amended, is amended to read as follows:

"Any Federal Reserve bank may make application to the local Federal Reserve agent for such amount of the Federal Reserve notes hereinbefore provided for as it may require. Such application shall be accompanied with a tender to the local Federal Reserve agent of collateral in amount equal to the sum of the Federal Reserve notes thus applied for and issued pursuant to such application. The collateral security thus offered shall be notes, drafts, bills of exchange, or acceptances acquired under the provisions of section 13 of this act, or bills of exchange endorsed by a member bank of any Federal Reserve district and purchased under the provisions of section 14 of this act, or bankers' acceptances purchased under the provisions of said section 14, or gold certificates: *Provided, however*, That until June 30, 1939, the Board of Governors of the Federal Reserve System may, should it deem it in the public interest, upon the affirmative vote of not less than a majority of its members, authorize the Federal Reserve banks to offer, and the Federal Reserve agents to accept, as such collateral security, direct obligations of the United States. At the close of business on such date, or sooner should the Board of Governors of the Federal Reserve System so decide, such authorization shall terminate and such obligations of the United States be retired as security for Federal Reserve notes. In no event shall such collateral security be less than the amount of Federal Reserve notes applied for. The Federal Reserve agent shall each day notify the Board of Governors of the Federal Reserve System of all issues and withdrawals of Federal Reserve notes to and by the Federal Reserve bank to which he is accredited. The said Board of Governors of the Federal Reserve System may at any time call upon a Federal Reserve bank for additional security to protect the Federal Reserve notes issued to it."

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ROBINSON:

A bill (S. 1429) to amend Public Act No. 325 of the Seventy-Fourth Congress, approved August 24, 1935; to the Committee on Banking and Currency.

A bill (S. 1430) to provide for the construction of a Federal building at Russellville, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. ASHURST (by request):

A bill (S. 1431) limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain cases; to the Committee on the Judiciary.

By Mr. DAVIS:

A bill (S. 1432) to remove discrimination against an Army chief of service; to the Committee on Military Affairs.

By Mr. AUSTIN:

A bill (S. 1433) granting a pension to Ella W. Cleveland; to the Committee on Pensions.

By Mr. WHITE:

A bill (S. 1434) granting an increase of pension to Edward L. Hayes; to the Committee on Pensions.

By Mr. CONNALLY:

A bill (S. 1435) to create a Board of Shorthand Reporting, and for other purposes; and

A bill (S. 1436) providing for the employment of skilled shorthand reporters in the executive branch of the Government; to the Committee on the Judiciary.

By Mr. McKELLAR:

A bill (S. 1437) relating to the disposition of cases in which the validity of acts of Congress is drawn in question; to the Committee on the Judiciary.

By Mr. CAPPER:

A bill (S. 1438) to carry into effect the findings of the Court of Claims in the case of William W. Danenhower; to the Committee on Claims.

By Mr. BARKLEY and Mr. BULKLEY:

A bill (S. 1439) to provide for loans made necessary by floods or other catastrophes in the year 1937; to the Committee on Banking and Currency.

A bill (S. 1440) to provide for the control of the floodwaters of the rivers of the United States, for the improvement of navigability of such rivers, for reforestation and conservation of natural resources, and for other purposes; to the Committee on Commerce.

By Mr. COPELAND:

A bill (S. 1441) to authorize the establishment of a permanent instruction staff at the United States Coast Guard Academy; and

A bill (S. 1442) to enable Coast Guard officers to purchase articles of ordnance property for use in the public service in the same manner as such property may be purchased by officers of the Army, Navy, and Marine Corps; to the Committee on Commerce.

A bill (S. 1443) to designate the month of February in each year as the Month of American Music; to the Committee on Education and Labor.

A bill (S. 1444) granting a pension to Charles Fischer; to the Committee on Pensions.

A bill (S. 1445) for the relief of N. C. Nelson;

A bill (S. 1446) for the relief of Loretta Olsen;

A bill (S. 1447) for the relief of the J. M. Dooley Fireproof Warehouse Corporation, of Brooklyn, N. Y.; and

A bill (S. 1448) for the relief of the Northeastern Piping & Construction Corporation, of North Tonawanda, N. Y.; to the Committee on Claims.

By Mr. GIBSON:

A bill (S. 1449) to provide for establishing and maintaining a public airport for the District of Columbia; to the Committee on the District of Columbia.

By Mr. TYDINGS and Mr. GIBSON:

A bill (S. 1450) to confer United States citizenship upon certain inhabitants of the island of Guam and extend the naturalization laws thereto; to the Committee on Territories and Insular Affairs.

By Mr. SCHWELLENBACH:

A bill (S. 1451) for the relief of Presly Holliday, quartermaster sergeant, Quartermaster Corps, on the retired list, and for other purposes; to the Committee on Military Affairs.

A bill (S. 1452) granting a pension to Leonard Claud Huntington; to the Committee on Pensions.

By Mr. WALSH:

A bill (S. 1453) for the relief of Maude P. Gresham;

A bill (S. 1454) to provide for the reimbursement of certain enlisted men of the Navy for the value of personal effects destroyed in a fire in building no. 125, United States Navy Yard, Washington, D. C., on July 16, 1935; and

A bill (S. 1455) to authorize certain officers of the United States Navy and officers and enlisted men of the Marine Corps to accept such medals, orders, and decorations as have been tendered them by foreign governments in appreciation of services rendered; to the Committee on Naval Affairs.

By Mr. SHEPPARD:

A bill (S. 1456) for the relief of James G. Gott; and

A bill (S. 1457) for the relief of Samuel Richard Mann; to the Committee on Claims.

A bill (S. 1458) to amend the World War Adjusted Compensation Act; and

A bill (S. 1459) for the relief of Berthel Christopher (with accompanying papers); to the Committee on Finance.

A bill (S. 1460) for the relief of Capt. Robert W. Patterson, United States Army, retired; to the Committee on Military Affairs.

By Mr. LUNDEEN:

A bill (S. 1461) to provide for the carrying out of the award of the National War Labor Board of April 11, 1919, and the decision of the Secretary of War of November 30, 1920, in favor of certain employees of the Minneapolis Steel & Machinery Co., Minneapolis, Minn.; of the St. Paul Foundry Co., St. Paul, Minn.; of the American Hoist & Derrick Co., St. Paul, Minn.; and of the Twin City Forge & Foundry Co., Stillwater, Minn.; to the Committee on Claims.

A bill (S. 1462) to provide aid for the operation and maintenance of adequate public-school facilities throughout the country; and

A bill (S. 1463) to provide vocational guidance, vocational training, and employment opportunities for youths between the ages of 16 and 25; to provide for increased educational opportunities for high-school, college, and postgraduate students; and for other purposes; to the Committee on Education and Labor.

By Mr. THOMAS of Oklahoma:

A bill (S. 1464) for the relief of Lena Sumter; to the Committee on Claims.

A bill (S. 1465) for the relief of Beryl M. McHam (with an accompanying paper); to the Committee on Military Affairs.

A bill (S. 1466) granting a pension to Carolyn M. Clawges; and

A bill (S. 1467) granting a pension to Ransom Payne; to the Committee on Pensions.

By Mr. BARKLEY:

A bill (S. 1468) authorizing the erection in the District of Columbia of a suitable terminal marker for the Jefferson Davis National Highway; to the Committee on the Library.

A bill (S. 1469) granting a pension to Phina McCrary; to the Committee on Pensions.

By Mr. McADOO:

A bill (S. 1470) authorizing and empowering the Secretary of the Treasury to sell the old post-office building at Oakland, Calif., and to convey to the city of Oakland portions of the site for street-widening purposes in accordance with the provisions of public act approved August 26, 1935 (49 Stat. 800); to the Committee on Public Buildings and Grounds.

By Mrs. CARAWAY:

A bill (S. 1471) for the relief of Jordan Roberts; to the Committee on Claims.

By Mr. LONERGAN:

A joint resolution (S. J. Res. 72) making the 11th day of November in each year a legal holiday; to the Committee on the Judiciary.

By Mr. CONNALLY (by request):

A joint resolution (S. J. Res. 73) providing for the construction and maintenance of a National Gallery of Art; to the Committee on Public Buildings and Grounds.

By Mr. LUNDEEN:

A joint resolution (S. J. Res. 74) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 96) to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, was read twice by its title and referred to the Committee on Finance.

CHANGE OF REFERENCE

On motion by Mr. McKELLAR, the Committee on Post Offices and Post Roads was discharged from the further consideration of the bill (S. 943) for the relief of Joseph C. Holley, and it was referred to the Committee on Claims.

FLOOD CONTROL—ADDRESS BY SENATOR CLARK

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address on flood control in the Ohio and Mississippi River Valleys, delivered by Senator CLARK on Monday, Feb. 8, 1937, which appears in the Appendix.]

INAUGURAL MESSAGE OF GOVERNOR BENSON, OF MINNESOTA

[Mr. LUNDEEN asked and obtained leave to have printed in the RECORD the first inaugural message of Gov. Elmer A. Benson to the Legislature of Minnesota on Jan. 5, 1937, which appears in the Appendix.]

FIRST ANNIVERSARY OF THE PHILIPPINE COMMONWEALTH

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an address by Hon. P. U. Sevilla in New York on Nov. 15, 1936, at the celebration in commemoration of the first year of the Commonwealth of the Philippine Islands, which appears in the Appendix.]

THE CALENDAR

The VICE PRESIDENT. The morning business is concluded, and the calendar is in order. The clerk will state the first order of business on the calendar.

The resolution (S. Res. 8) limiting debate on general appropriation bills was announced as first in order.

Mr. VANDENBERG. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

CAPT. JAMES W. DARR

The bill (S. 365) for the relief of Capt. James W. Darr was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to appoint James W. Darr, formerly a captain, Infantry, United States Army, a captain of Infantry, United States Army, and to place him upon the retired list of the Army as a captain, with the retired pay of that grade: *Provided*, That no back pay, allowance, or emoluments shall become due because of the passage of this act.

JOINT RESOLUTION PASSED OVER

The joint resolution (S. J. Res. 21) directing the Comptroller General to readjust the account between the United States and the State of Vermont was announced as next in order.

Mr. BURKE. Let that go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

REGULATION OF SALES OF GOODS IN DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 936) to regulate the sales of goods in the District of Columbia.

Mr. CLARK. Mr. President, may we have an explanation of the bill?

Mr. KING. Mr. President, I think perhaps the report from the District Commissioners will explain the measure, and a reading of that report will obviate the necessity of analysis of each provision of the bill. I read from the report:

PROVISIONS OF THE ACT

The bill to regulate the sales of goods in the District of Columbia follows closely the uniform sales law recommended by the Commission on Uniform Sales and by the American Bar Association, with only such modifications as are necessary to adapt the bill to the District of Columbia. The Uniform Sales Act started its development in the United States at the beginning of the century and is now in force under the laws of 42 States. There is no substantial statutory law regulating sales within the District of Columbia and there is considerable confusion in the application of common law to transactions occurring in the District. The development of the metropolitan area surrounding Washington extending into Maryland and Virginia, both of which have adopted the provisions of the uniform sales law, tends toward confusion in commercial transactions to the detriment alike of the merchants and customers.

The provisions of the Uniform Sales Act have been tested by innumerable judicial constructions, the influence of which are reflected in the current draft. The bill, as reported by this committee, defines the rights of vendor, vendee, and third persons in sales and related transactions. It does not cover the field of conditional sales, which is to be treated in separate legislation.

Resolutions in support of the bill were received from the Federal Bar Association and numerous other legal organizations and from representatives of the District bar. The bill was supported by the action of the Federation of Citizens' Associations and by other civic organizations. There follows a communication from the Commissioners of the District of Columbia recommending the adoption of the bill, together with a communication from Mr. William A. Roberts, former people's counsel of the District of Columbia, favoring its adoption:

GOVERNMENT OF THE DISTRICT OF COLUMBIA,
Washington, January 15, 1937.

Hon. WILLIAM H. KING,
Chairman, Committee on the District of Columbia,
United States Senate, Washington, D. C.

MY DEAR SENATOR: There is attached hereto a bill which was known as S. 3450 in the Seventy-fourth Congress, second session, which passed the Senate on February 24, 1936 (calendar day, Mar. 27, 1936), and is designed to regulate the sale of goods in the District of Columbia. The bill is the so-called Uniform Sales Act, and would regulate the sale of goods in the District of Columbia, superseding the existing law on that subject inconsistent with the provisions of the proposed act. The proposed bill follows closely the Uniform Sales Act which is now in effect in 42 States in the Union.

The Commissioners request that the act be reintroduced in the present Congress and urge its passage.

Very truly yours,

M. C. HAZEN,
President, Board of Commissioners, District of Columbia.

P. S.—The proposed draft attached hereto was submitted to the Bureau of the Budget and returned to the Commissioners with the advice that there is no objection on the part of that office to the presentation of the bill to Congress.

DECEMBER 20, 1934.

In re: Uniform Sales Act.

To the Commissioners of the District of Columbia:

There is transmitted herewith a draft of a sales act applicable to the District of Columbia and following closely the Uniform Sales Act. I prepared this draft of bill as a result of growing familiarity with gross abuse of the law of sales in the District of Columbia. I earnestly hope that the Commissioners will undertake to see that this bill is presented at this session of Congress and active effort be made to secure its adoption.

As you know, the District of Columbia has no clear law of sales. Conflicting decisions on numerous matters and the absence of statutory law covering many other types of transactions have been a decided disadvantage to our merchants and to their customers. You will note that the present amount constituting the maximum for an oral transaction under the statute of frauds is $50, whereas in the uniform act the equivalent amount is fixed at $500, in accordance with the practice in innumerable States. Obviously, the limitation inherited from the medieval statute of frauds should not be continued in this day, when oral transactions for amounts far in excess of the maximum here fixed are the regular course of business.

The legislation here proposed has been continuously approved by the National Conference of Commissioners on Uniform State Laws since 1906 and has now been adopted in the following States: Arizona, Connecticut, Idaho, Illinois, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nebraska, Nevada, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Washington, Wisconsin, Wyoming, and Alaska. Our own Commission on Uniform Laws has repeatedly proposed the bill. The present study has been approved by the Federal Bar Association, which is particularly concerned with uniform State laws because of the location of its membership 'n the district attorneys' offices of the several States. I am confident that the measure will receive the high endorsement of the trade and civic organizations of the District of Columbia and will be of material advantage to foreign corporations from all over the United States who desire to do business in the District of Columbia.

It is peculiarly appropriate that the District of Columbia adopt this legislation because of the disadvantage of its citizens through the inapplicability of the diverse citizenship statutes to residents of this jurisdiction. This deprives our merchants of access to the Federal courts under our local law, and makes it desirable for them to negotiate their trade under statutory provisions similar to those prevailing in the other major jurisdictions. You will note that our near neighbor, Maryland, has adopted a uniform sales act of substantially the same form.

Additional draft copies of this bill are now available to Corporation Counsel E. Barrett Prettyman.

RECOMMENDATION

It is recommended that the Commissioners of the District of Columbia be asked to approve this draft of bill and to urge its introduction and passage in the present Congress.

WILLIAM A. ROBERTS,
People's Counsel, District of Columbia.

An identical bill passed the Senate unanimously at the last session of the Congress.

The PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That on and after July 1, 1937, all sales of goods in the District of Columbia shall be made under and in accordance with the following provisions of law:

PART I

FORMATION OF THE CONTRACT

SECTION 1. Contracts to sell and sales: (1) A contract to sell goods is a contract whereby the seller agrees to transfer the property in goods to the buyer for a consideration called the "price."

(2) A sale of goods is an agreement whereby the seller transfers the property in goods to the buyer for a consideration called the "price."

(3) A contract to sell or a sale may be absolute or conditional.

(4) There may be a contract to sell or a sale between one part owner and another.

SEC. 2. Capacity—Liabilities for necessaries: Capacity to buy and sell is regulated by the general law concerning capacity to contract, and to transfer and acquire property.

Where necessaries are sold and delivered to an infant, or to a person who by reason of mental incapacity or drunkenness is incompetent to contract, he must pay a reasonable price therefor.

"Necessaries" in this section means goods suitable to the condition in life of such infant or other person, and to his actual requirements at the time of delivery.

FORMALITIES OF THE CONTRACT

SEC. 3. Form of contract or sale: Subject to the provisions of this act and of any statute in that behalf, a contract to sell or a sale may be made in writing (either with or without seal), or by word of mouth, or partly in writing and partly by word of mouth or may be inferred from the conduct of the parties.

SEC. 4. Statute of frauds: (1) A contract to sell or a sale of any goods or choses in action of the value of $500 or upwards shall not be enforceable by action unless the buyer shall accept part of the goods or choses in action so contracted to be sold or sold, and actually receive the same, or give something in earnest to bind the contract, or in part payment, or unless some note or memorandum in writing of the contract or sale be signed by the party to be charged or his agent in that behalf.

(2) The provisions of this section apply to every such contract or sale, notwithstanding that the goods may be intended to be delivered at some future time or may not at the time of such contract or sale be actually made, procured, or provided, or fit or ready for delivery, or some act may be requisite for the making or completing thereof, or rendering the same fit for delivery; but if the goods are to be manufactured by the seller especially for the buyer and are not suitable for sale to others in the ordinary course of the seller's business, the provisions of this section shall not apply.

(3) There is an acceptance of goods within the meaning of this section when the buyer, either before or after delivery of the goods, expresses by words or conduct his assent to becoming the owner of those specific goods.

SUBJECT MATTER OF CONTRACT

SEC. 5. Existing and future goods: (1) The goods which form the subject of a contract to sell may be either existing goods, owned or possessed by the seller, or goods to be manufactured or acquired by the seller after the making of the contract to sell, in this act called future goods.

(2) There may be a contract to sell goods, the acquisition of which by the seller depends upon a contingency which may or may not happen.

(3) Where the parties purport to effect a present sale of future goods, the agreement operates as a contract to sell the goods.

SEC. 6. Undivided shares: (1) There may be a contract to sell or a sale of an undivided share of goods. If the parties intend to effect a present sale, the buyer, by force of the agreement, becomes an owner in common with the owner or owners of the remaining shares.

(2) In the case of fungible goods, there may be a sale of an undivided share of a specific mass, though the seller purports to sell and the buyer to buy a definite number, weight, or measure of the goods in the mass, and though the number, weight, or measure of the goods in the mass is undetermined. By such a sale the buyer becomes owner in common of such a share of the mass as the number, weight, or measure bought bears to the number, weight, or measure of the mass. If the mass contains less than the number, weight, or measure bought, the buyer becomes the owner of the whole mass and the seller is bound to make good the deficiency from similar goods unless a contrary intent appears.

SEC. 7. Destruction of goods sold: (1) Where the parties purport to sell specific goods, and the goods without the knowledge of the seller have wholly perished at the time when the agreement is made, the agreement is void.

(2) Where the parties purport to sell specific goods, and the goods without the knowledge of the seller have perished in part or have wholly or in a material part so deteriorated in quality as to be substantially changed in character, the buyer may at his option treat the sale—

(a) As avoided; or

(b) As transferring the property in all of the existing goods or in so much thereof as have not deteriorated, and as binding the buyer to pay the full agreed price if the sale was indivisible, or to pay the agreed price for the goods in which the property passes if the sale was divisible.

SEC. 8. Destruction of goods contracted to be sold: (1) Where there is a contract to sell specific goods, and subsequently, but before the risk passes to the buyer, without any fault on the part of the seller or the buyer, the goods wholly perish, the contract is thereby voided.

(2) Where there is a contract to sell specific goods, and subsequently, but before the risk passes to the buyer, without any fault of the seller or the buyer, part of the goods perish or the whole or a material part of the goods so deteriorate in quality as to be substantially changed in character, the buyer may at his option treat the contract—

(a) As avoided; or

(b) As binding the seller to transfer the property in all of the existing goods or in so much thereof as have not deteriorated, and as binding the buyer to pay the full agreed price if the contract was indivisible, or to pay the agreed price for so much of the goods as the seller, by the buyer's option, is bound to transfer if the contract was divisible.

THE PRICE

SEC. 9. Definition and ascertainment of price: (1) The price may be fixed by the contract, or may be left to be fixed in such manner as may be agreed, or it may be determined by the course of dealing between the parties.

(2) The price may be made payable in any personal property.

(3) Where transferring or promising to transfer any interest in real estate constitutes the whole or part of the consideration for transferring or for promising to transfer the property in goods, this act shall not apply.

(4) Where the price is not determined in accordance with the foregoing provisions, the buyer must pay a reasonable price. What is a reasonable price is a question of fact dependent on the circumstances of each particular case.

SEC. 10. Sale at a valuation: (1) Where there is a contract to sell or a sale of goods at a price or on terms to be fixed by a third person, and such third person without fault of the seller or the buyer cannot or does not fix the price or terms, the contract or the sale is thereby avoided; but if the goods or any part thereof have been delivered to and appropriated by the buyer, he must pay a reasonable price therefor.

(2) Where such third person is prevented from fixing the price or terms by fault of the seller or the buyer, the party not in fault may have such remedies against the party in fault as are allowed by parts IV and V of this act.

CONDITIONS AND WARRANTIES

SEC. 11. Effect of conditions: (1) Where the obligation of either party to a contract to sell or a sale is subject to any condition which is not performed, such party may refuse to proceed with the contract or sale or he may waive performance of the condition. If the other party has promised that the condition should happen or be performed, such first-mentioned party may also treat the nonperformance of the condition as a breach of warranty.

(2) Where the property in the goods has not passed, the buyer may treat the fulfillment by the sell of his obligations to furnish goods as described and as warranted expressly or by implication in the contract to sell as a condition of the obligation of the buyer to perform his promise to accept and pay for the goods.

SEC. 12. Definitions of express warranty: Any affirmation of fact or any promise by the seller relating to the goods is an express warranty if the natural tendency of such affirmation or promise is to induce the buyer to purchase the goods, and if the buyer purchases the goods relying thereon. No affirmation of the value of the goods, nor any statement purporting to be a statement of the seller's opinion only, shall be construed as a warranty.

SEC. 13. Implied warranties of title: In a contract to sell or a sale, unless a contrary intention appears, there is—

(1) An implied warranty on the part of the seller that in case of a sale he has a right to sell the goods, and that in case of a contract to sell he will have a right to sell the goods at the time when the property is to pass;

(2) An implied warranty that the buyer shall have and enjoy quiet possession of the goods as against any lawful claims existing at the time of the sale.

(3) An implied warranty that the goods shall be free at the time of the sale from any charge or encumbrance in favor of any third person, not declared or known to the buyer before or at the time when the contract or sale is made.

(4) This section shall not, however, be held to render liable a sheriff, auctioneer, mortgagee, or other person professing to sell by virtue of authority in fact or law, goods in which a third person has a legal or equitable interest.

SEC. 14. Implied warranty in sale by description: Where there is a contract to sell or a sale of goods by description, there is an implied warranty that the goods shall correspond with the description and if the contract or sale be by sample, as well as by description, it is not sufficient that the bulk of the goods corresponds with the sample if the goods do not also correspond with the description.

SEC. 15. Implied warranties of quality: Subject to the provisions of this act and of any statute in that behalf, there is no implied warranty or condition as to the quality or fitness for any particular purpose of goods supplied under a contract to sell or a sale, except as follows:

(1) Where the buyer, expressly or by implication, makes known to the seller the particular purpose for which the goods are required, and it appears that the buyer relies on the seller's skill or judgment (whether he be the grower or manufacturer or not), there is an implied warranty that the goods shall be reasonably fit for such purpose.

(2) Where the goods are bought by description from a seller who deals in goods of that description (whether he be the grower or manufacturer or not), there is an implied warranty that the goods shall be merchantable quality.

(3) If the buyer has examined the goods, there is no implied warranty as regards defects which such examination ought to have revealed.

(4) In the case of a contract to sell or a sale of a specified article under its patent or other trade name, there is no implied warranty as to its fitness for any particular purpose.

(5) An implied warranty or condition as to the quality or fitness for a particular purpose may be annexed by the usage of trade.

(6) An express warranty or condition does not negative a warranty or condition implied under this act unless inconsistent therewith.

SALE BY SAMPLE

SEC. 16. Implied warranties in sale by sample: In the case of a contract to sell or a sale by sample—

(a) There is an implied warranty that the bulk shall correspond with the sample in quality.

(b) There is an implied warranty that the buyer shall have a reasonable opportunity of comparing the bulk with the sample, except so far as otherwise provided in section 47 (3).

(c) If the seller is a dealer in goods of that kind, there is an implied warranty that the goods shall be free from any defect rendering them unmerchantable which would not be apparent on reasonable examination of the sample.

PART II

TRANSFER OF PROPERTY AS BETWEEN SELLER AND BUYER

SEC. 17. No property passes until goods are ascertained: Where there is a contract to sell unascertained goods no property in the goods is transferred to the buyer unless and until the goods are ascertained, but property in an undivided share of ascertained goods may be transferred as provided in section 6.

SEC. 18. Property in specific goods passes when parties so intend: (1) Where there is a contract to sell specific or ascertained goods, the property in them is transferred to the buyer at such time as the parties to the contract intend it to be transferred.

(2) For the purpose of ascertaining the intention of the parties, regard shall be had to the terms of the contract, the conduct of the parties, usages of trade, and the circumstances of the case.

SEC. 19. Rules for ascertaining intention: Unless a different intention appears, the following are rules for ascertaining the intention of the parties as to the time at which the property in the goods is to pass to the buyer:

Rule 1. Where there is an unconditional contract to sell specific goods, in a deliverable state, the property in the goods passes to the buyer when the contract is made and it is immaterial whether the time of payment, or the time of delivery, or both, be postponed.

Rule 2. Where there is a contract to sell specific goods and the seller is bound to do something to the goods, for the purpose of putting them into a deliverable state, the property does not pass until such thing is done.

Rule 3. (1) When goods are delivered to the buyer "on sale or return", or on other terms indicating an intention to make a present sale, but to give the buyer an option to return the goods instead of paying the price, the property passes to the buyer on delivery, but he may revest the property in the seller by returning or tendering the goods within the time fixed in the contract, or, if no time has been fixed, within a reasonable time.

(2) When goods are delivered to the buyer on approval or on trial or on satisfaction, or other similar terms, the property therein passes to the buyer—

(a) When he signifies his approval or acceptance to the seller or does any other act adopting the transaction;

(b) If he does not signify his approval or acceptance to the seller, but retains the goods without giving notice of rejection, then if a time has been fixed for the return of the goods, on the expiration of such time, and, if no time has been fixed, on the expiration of a reasonable time. What is a reasonable time is a question of fact.

Rule 4. (1) Where there is a contract to sell unascertained or future goods by description, and goods of that description and in a deliverable state are unconditionally appropriated to the contract, either by the seller with the assent of the buyer, or by the buyer with the assent of the seller, the property in the goods thereupon passes to the buyer. Such assent may be expressed or implied, and may be given either before or after the appropriation is made.

(2) Where, in pursuance of a contract to sell, the seller delivers the goods to the buyer, or to a carrier or other bailee (whether named by the buyer or not) for the purpose of transmission to or holding for the buyer, he is presumed to have unconditionally appropriated the goods to the contract, except in the cases provided for in the next rule and in section 20. This presumption is applicable, although by the terms of the contract the buyer is to pay the price before receiving delivery of the goods, and the goods are marked with the words "collect on delivery" or their equivalents.

Rule 5. If the contract to sell requires the seller to deliver the goods to the buyer, or at a particular place, or to pay the freight or cost of transportation to the buyer, or to a particular place, the property does not pass until the goods have been delivered to the buyer or reached the place agreed upon.

SEC. 20. Reservation of right of possession or property when goods are shipped: (1) Where there is a contract to sell specific goods, or where goods are subsequently appropriated to the contract, the seller may, by the terms of the contract or appropriation, reserve the right of possession or property in the goods until certain conditions have been fulfilled. The right of possession or property may be thus reserved notwithstanding the delivery of the goods to the buyer or to a carrier or other bailee for the purpose of transmission to the buyer.

(2) Where goods are shipped, and by the bill of lading the goods are deliverable to the seller or his agent, or to the order of the seller or of his agent, the seller thereby reserves the property in the goods. But if, except for the form of the bill of lading, the property would have passed to the buyer on shipment of the goods,

the seller's property in the goods shall be deemed to be only for the purpose of securing performance by the buyer of his obligations under the contract.

(3) Where goods are shipped, and by the bill of lading the goods are deliverable to the order of the buyer or of his agent, but possession of the bill of lading is retained by the seller or his agent, the seller thereby reserves a right to the possession of the goods as against the buyer.

(4) Where the seller of goods draws on the buyer for the price and transmits the bill of exchange and bill of lading together to the buyer to secure acceptance or payment of the bill of exchange, the buyer is bound to return the bill of lading if he does not honor the bill of exchange, and if he wrongfully retains the bill of lading he acquires no added right thereby. If, however, the bill of lading provides that the goods are deliverable to the buyer or to the order of the buyer, or is endorsed in blank, or to the buyer by the consignee named therein, one who purchases in good faith, for value, the bill of lading, or goods from the buyer will obtain the property in the goods, although the bill of exchange has not been honored, provided that such purchaser has received delivery of the bill of lading endorsed by the consignee named therein, or of the goods, without notice of the facts, making the transfer wrongful.

SEC. 21. Sale by auction: In the case of a sale by auction—

(1) Where goods are put up for sale by auction in lots, each lot is the subject of a separate contract of sale.

(2) A sale by auction is complete when the auctioneer announces its completion by the fall of the hammer, or in other customary manner. Until such announcement is made, any bidder may retract his bid; and the auctioneer may withdraw the goods from sale unless the auction has been announced to be without reserve.

(3) A right to bid may be reserved expressly by or on behalf of the seller.

(4) Where notice has not been given that a sale by auction is subject to a right to bid on behalf of the seller, it shall not be lawful for the seller to bid himself or to employ or induce any person to bid at such sale on his behalf, or for the auctioneer to employ or induce any person to bid at such sale on behalf of the seller or knowingly to take any bid from the seller or any person employed by him. Any sale contravening this rule may be treated as fraudulent by the buyer.

SEC. 22. Risk of loss: Unless otherwise agreed, the goods remain at the seller's risk until the property therein is transferred to the buyer, but when the property therein is transferred to the buyer the goods are at the buyer's risk whether delivery has been made or not, except that—

(a) Where delivery of the goods has been made to the buyer or to a bailee for the buyer, in pursuance of the contract and the property in the goods has been retained by the seller merely to secure performance by the buyer of his obligations under the contract, the goods are at the buyer's risk from the time of such delivery.

(b) Where delivery has been delayed through the fault of either the buyer or seller the goods are at the risk of the party in fault as regards any loss which might not have occurred but for such fault.

TRANSFER OF TITLE

SEC. 23. Sale by a person not the owner: (1) Subject to the provisions of this act, where goods are sold by a person who is not the owner thereof, and who does not sell them under the authority or with the consent of the owner, the buyer acquires no better title to the goods than the seller had, unless the owner of the goods is by his conduct precluded from denying the seller's authority to sell.

(2) Nothing in this act, however, shall affect—

(a) The provisions of any factors' acts, recording acts, or any enactment enabling the apparent owner of goods to dispose of them as if he were the true owner thereof.

(b) The validity of any contract to sell or sale under any special common law or statutory power of sale or under the order of a court of competent jurisdiction.

SEC. 24. Sale by one having a voidable title: Where the seller of goods has a voidable title thereto, but his title has not been voided at the time of the sale, the buyer acquires a good title to the goods, provided he buys them in good faith, for value, and without notice of the seller's defect of title.

SEC. 25. Sale by seller in possession of goods already sold: Where a person having sold goods continues in possession of the goods, or of negotiable documents of title to the goods, the delivery or transfer by that person, or by an agent acting for him, of the goods or documents of title under any sale, pledge, or other disposition thereof, to any person receiving and paying value for the same in good faith and without notice of the previous sale, shall have the same effect as if the person making the delivery or transfer were expressly authorized by the owner of the goods to make the same.

SEC. 26. Creditors' rights against sold goods in seller's possession: Where a person having sold goods continues in possession of the goods, or of negotiable documents of title to the goods and such retention of possession is fraudulent in fact or is deemed fraudulent under any rule of law, a creditor or creditors of the seller may treat the sale as void.

SEC. 27. Definition of negotiable documents of title: A document of title in which it is stated that the goods referred to therein will be delivered to the bearer, or to the order of any person named in such document is a negotiable document of title within the meaning of this act.

SEC. 28. Negotiation of negotiable documents by delivery: A negotiable document of title may be negotiated by delivery—

(a) Where by the terms of the document the carrier, warehouseman, or other bailee issuing the same undertakes to deliver the goods to the bearer; or

(b) Where by the terms of the document the carrier, warehouseman, or other bailee issuing the same, undertakes to deliver the goods to the order of a specified person, and such person or a subsequent endorsee of the document has endorsed it in blank or to the bearer.

Where by the terms of a negotiable document of title the goods are deliverable to bearer or where a negotiable document of title has been endorsed in blank or to bearer, any holder may endorse the same to himself or to any specified person, and in such case the document shall thereafter be negotiated only by the endorsement of such endorsee.

SEC. 29. Negotiation of negotiable documents by endorsement: A negotiable document of title may be negotiated by the endorsement of the person to whose offer the goods are by the terms of the document deliverable. Such endorsement may be in blank, to bearer, or to a specified person. If endorsed to a specified person, it may be again negotiated by the endorsement of such person in blank, to bearer, or to another specified person. Subsequent negotiations may be made in like manner.

SEC. 30. Negotiable documents of title marked "not negotiable": If a document of title which contains an undertaking by a carrier, warehouseman, or other bailee to deliver the goods to the bearer, to a specified person or order, or to the order of a specified person, or which contains words of like import, has placed upon it the words "not negotiable", "nonnegotiable", or the like, such a document may nevertheless be negotiated by the holder and is a negotiable document of title within the meaning of this act. But nothing in this act contained shall be construed as limiting or defining the effect upon the obligations of the carrier, warehouseman, or other bailee issuing a document of title or placing thereon the words "not negotiable", "nonnegotiable", or the like.

SEC. 31. Transfer of nonnegotiable documents: A document of title which is not in such form that it can be negotiated by delivery may be transferred by the holder by delivery to a purchaser or donee. A nonnegotiable document cannot be negotiated and the endorsement of such a document gives the transferee no additional right.

SEC. 32. Who may negotiate a document: A negotiable document may be negotiated by any person in possession of the same, however such possession may have been acquired if, by the terms of the document, the bailee issuing it undertakes to deliver the goods to the order of such person, or if at the time of negotiation the document is in such form that it may be negotiated by delivery.

SEC. 33. Rights of person to whom document has been negotiated: A person to whom a negotiable document of title has been duly negotiated acquires thereby—

(a) Such title to the goods as the person negotiating the document to him had or had ability to convey to a purchaser in good faith for value and also such title to the goods as the person to whose order the goods were to be delivered by the terms of the document had or had ability to convey to a purchaser in good faith for value; and

(b) The direct obligation of the bailee issuing the document to hold possession of the goods for him according to the terms of the document as fully as if such bailee had contracted directly with him.

SEC. 34. Rights of person to whom document has been transferred: A person to whom a document of title has been transferred, but not negotiated, acquires thereby, as against the transferor, the title to the goods, subject to the terms of any agreement with the transferor.

If the document is nonnegotiable, such person also acquires the right to notify the bailee who issued the document of the transfer thereof, and thereby to acquire the direct obligation of such bailee to hold possession of the goods for him according to the terms of the document.

Prior to the notification of such bailee by the transferor or transferee of a nonnegotiable document of title, the title of the transferee to the goods and the right to acquire the obligation of such bailee may be defeated by the levy of an attachment or execution upon the goods by a creditor of the transferor, or by a notification to such bailee by the transferor or a subsequent purchaser from the transferor of a subsequent sale of the goods by the transferor.

SEC. 35. Transfer of negotiable document without endorsement: Where a negotiable document of title is transferred for value by delivery, and the endorsement of the transferor is essential for negotiation, the transferee acquires a right against the transferor to compel him to endorse the document unless a contrary intention appears. The negotiation shall take effect as of the time when the endorsement is actually made.

SEC. 36. Warranties on sale of document: A person who for value negotiates or transfers a document of title by endorsement or delivery, including one who assigns for value a claim secured by a document of title, unless a contrary intention appears, warrants:

(a) That the document is genuine;

(b) That he has a legal right to negotiate or transfer it;

(c) That he has knowledge of no fact which would impair the validity or worth of the document; and

(d) That he has a right to transfer the title to the goods and that the goods are merchantable or fit for a particular purpose whenever such warranties would have been implied if the

contract of the parties had been to transfer without a document of title the goods represented thereby.

SEC. 37. Endorser not a guarantor: The endorsement of a document of title shall not make the endorser liable for any failure on the part of the bailee who issued the document or previous endorsers thereof to fulfill their respective obligations.

SEC. 38. When negotiation not impaired by fraud, mistake, or duress: The validity of the negotiation of a negotiable document of title is not impaired by the fact that the negotiation was a breach of duty on the part of the person making the negotiation, or by the fact that the owner of the document was deprived of the possession of the same by loss, theft, fraud, accident, mistake, duress, or conversion, if the person to whom the document was negotiated or a person to whom the document was subsequently negotiated paid value therefor in good faith without notice of the breach of duty, or loss, theft, fraud, accident, mistake, duress, or conversion.

SEC. 39. Attachment or levy upon goods for which a negotiable document has been issued: If goods are delivered to a bailee by the owner or by a person whose act in conveying the title to them to a purchaser in good faith for value would bind the owner and a negotiable document of title is issued for them, they cannot thereafter while in the possession of such bailee be attached by garnishment or otherwise or be levied under an execution unless the document be first surrendered to the bailee or its negotiation enjoined. The bailee shall in no case be compelled to deliver up the actual possession of the goods until the document is surrendered to him or impounded by the court.

SEC. 40. Creditors' remedies to reach negotiable documents: A creditor whose debtor is the owner of a negotiable document of title shall be entitled to such aid from courts of appropriate jurisdiction by injunction and otherwise in attaching such document or in satisfying the claim by means thereof as is allowed at law or in equity in regard to property which cannot readily be attached or levied upon by ordinary legal process.

PART III

PERFORMANCE OF THE CONTRACT

SEC. 41. Seller must deliver and buyer accept goods: It is the duty of the seller to deliver the goods, and of the buyer to accept and pay for them, in accordance with the terms of the contract to sell or sale.

SEC. 42. Delivery and payment are concurrent conditions: Unless otherwise agreed, delivery of the goods and payment of the price are concurrent conditions; that is to say, the seller must be ready and willing to give possession of the goods to the buyer in exchange for the price and the buyer must be ready and willing to pay the price in exchange for possession of the goods.

SEC. 43. Place, time, and manner of delivery: (1) Whether it is for the buyer to take possession of the goods or for the seller to send them to the buyer is a question depending in each case on the contract, express or implied, between the parties. Apart from any such contract, express or implied, or usage of trade to the contrary, the place of delivery is the seller's place of business if he have one, and if not his residence; but in case of a contract to sell or a sale of specific goods, which to the knowledge of the parties when the contract or the sale was made were in some other place, then that place is the place of delivery.

(2) Where by a contract to sell or a sale the seller is bound to send the goods to the buyer, but no time for sending them is fixed, the seller is bound to send them within a reasonable time.

(3) Where the goods at the time of sale are in the possession of a third person, the seller has not fulfilled his obligation to deliver to the buyer unless and until such third person acknowledges to the buyer that he holds the goods on the buyer's behalf; but as against all others than the seller the buyer shall be regarded as having received delivery from the time when such third person first has notice of the sale. Nothing in this section, however, shall affect the operation of the issue or transfer of any document of title to goods.

(4) Demand or tender of delivery may be treated as ineffectual unless made at a reasonable hour. What is a reasonable hour is a question of fact.

(5) Unless otherwise agreed, the expenses of and incidental to putting the goods into a deliverable state must be borne by the seller.

SEC. 44. Delivery of wrong quantity: (1) Where the seller delivers to the buyer a quantity of goods less than he contracted to sell, the buyer may reject them, but if the buyer accepts or retains the goods so delivered, knowing that the seller is not going to perform the contract in full, he must pay for them at the contract rate. If, however, the buyer has used or disposed of the goods delivered before he knows that the seller is not going to perform his contract in full, the buyer shall not be liable for more than the fair value to him of the goods so received.

(2) Where the seller delivers to the buyer a quantity of goods larger than he contracted to sell, the buyer may accept the goods included in the contract and reject the rest, or he may reject the whole. If the buyer accepts the whole of the goods so delivered he must pay for them at the contract rate.

(3) Where the seller delivers to the buyer the goods he contracted to sell mixed with goods of a different description not included in the contract, the buyer may accept the goods which are in accordance with the contract and reject the rest, or he may reject the whole.

(4) The provisions of this section are subject to any usage of trade, special agreement, or course of dealing between the parties.

SEC. 45. Delivery in installments: (1) Unless otherwise agreed, the buyer of goods is not bound to accept delivery thereof by installments.

(2) Where there is a contract to sell goods to be delivered by stated installments, which are to be separately paid for, and the seller makes defective deliveries in respect of one or more installments, or the buyer neglects or refuses to make delivery of or pay for one or more installments, it depends in each case on the terms of the contract and the circumstances of the case, whether the breach of contract is so material as to justify the injured party in refusing to proceed further and suing for damages for breach of the entire contract, or whether the breach is severable, giving rise to a claim for compensation but not to a right to treat the whole contract as broken.

SEC. 46. Delivery to a carrier on behalf of the buyer: (1) Where, in pursuance of a contract to sell or a sale, the seller is authorized or required to send the goods to the buyer, delivery of the goods to a carrier, whether named by the buyer or not, for the purpose of transmission to the buyer is deemed to be a delivery of the goods to the buyer, except in the cases provided for in section 19, rule 5, or unless a contrary intent appears.

(2) Unless authorized by the buyer, the seller must make such contract with the carrier on behalf of the buyer as may be reasonable, having regard to the nature of the goods and the other circumstances of the case. If the seller omit so to do, and the goods are lost or damaged in course of transit, the buyer may decline to treat the delivery to the carrier as a delivery to himself, or may hold the seller responsible in damages.

(3) Unless otherwise agreed, where goods are sent by the seller to the buyer under circumstances in which the seller knows or ought to know that it is usual to insure, the seller must give such notice to the buyer as may enable him to insure them during their transit, and, if the seller fails to do so, the goods shall be deemed to be at his risk during such transit.

SEC. 47. Right to examine the goods: (1) Where goods are delivered to the buyer which he has not previously examined, he is not deemed to have accepted them unless and until he has had a reasonable opportunity of examining them for the purpose of ascertaining whether they are in conformity with the contract.

(2) Unless otherwise agreed, when the seller tenders delivery of goods to the buyer, he is bound, on request, to afford the buyer a reasonable opportunity of examining the goods for the purpose of ascertaining whether they are in conformity with the contract.

(3) Where goods are delivered to a carrier by the seller, in accordance with an order from or agreement with the buyer, upon the terms that the goods shall not be delivered by the carrier to the buyer until he has paid the price, whether such terms are indicated by marking the goods with the words "collect on delivery", or otherwise, the buyer is not entitled to examine the goods before payment of the price in the absence of agreement permitting such examination.

SEC. 48. What constitutes acceptance: The buyer is deemed to have accepted the goods when he intimates to the seller that he has accepted them, or when the goods have been delivered to him, and he does any act in relation to them which is inconsistent with the ownership of the seller, or when, after the lapse of a reasonable time, he retains the goods without intimating to the seller that he has rejected them.

SEC. 49. Acceptance does not bar action for damages: In the absence of express or implied agreement of the parties, acceptance of the goods by the buyer shall not discharge the seller from liability in damages or other legal remedy for breach of any promise or warranty in the contract to sell or the sale. But if, after acceptance of the goods, the buyer fail to give notice to the seller of the breach of any promise or warranty within a reasonable time after the buyer knows or ought to know of such breach, the seller shall not be liable therefor.

SEC. 50. Buyer is not bound to return goods wrongly delivered: Unless otherwise agreed, where goods are delivered to the buyer, and he refused to accept them, having the right so to do, he is not bound to return them to the seller, but it is sufficient if he notifies the seller that he refuses to accept them.

SEC. 51. Buyer's liability for failing to accept delivery: When the seller is ready and willing to deliver the goods, and requests the buyer to take delivery, and the buyer does not within a reasonable time after such request take delivery of the goods, he is liable to the seller for any loss occasioned by his neglect or refusal to take delivery, and also for a reasonable charge for the care and custody of the goods. If the neglect or refusal of the buyer to take delivery amounts to a repudiation or breach of the entire contract, the seller shall have the right against the goods and on the contract hereinafter provided in favor of the seller when the buyer is in default.

PART IV

RIGHTS OF UNPAID SELLER AGAINST THE GOODS

SEC. 52. Definition of unpaid seller: (1) The seller of goods is deemed to be an unpaid seller within the meaning of this act—

(a) When the whole of the price has not been paid or tendered.

(b) When a bill of exchange or other negotiable instrument has been received as conditional payment, and the condition on which it was received has been broken by reason of the dishonor of the instrument, the insolvency of the buyer, or otherwise.

(2) In this part of this act the term "seller" includes an agent of the seller to whom the bill of lading has been endorsed, or a consignor or agent who has himself paid, or is directly responsible for, the price, or any other person who is in the position of a seller.

SEC. 53. Remedies of an unpaid seller: (1) Subject to the provisions of this act, notwithstanding that the property in the goods may have passed to the buyer, the unpaid seller of goods, as such, has—

(a) A lien on the goods or right to retain them for the price while he is in possession of them;

(b) In case of insolvency of the buyer, the right of stopping the goods in transitu after he has parted with the possession of them;

(c) A right of resale as limited by this act; and

(d) A right to rescind the sale as limited by this act.

(2) Where the property in goods has not passed to the buyer, the unpaid seller has, in addition to his other remedies, a right of withholding delivery similar to and coextensive with his rights of lien and stoppage in transitu where the property has passed to the buyer.

UNPAID SELLER'S LIEN

SEC. 54. When right of lien may be exercised: (1) Subject to the provisions of this act, the unpaid seller of goods who is in possession of them is entitled to retain possession of them until payment or tender of the price in the following cases, namely—

(a) Where the goods have been sold without any stipulation as to credit;

(b) Where the goods have been sold on credit, but the term of credit has expired; and

(c) Where the buyer becomes insolvent.

(2) The seller may exercise his right of lien, notwithstanding that he is in possession of the goods as agent or bailee for the buyer.

SEC. 55. Lien after part delivery: Where an unpaid seller has made part delivery of th. goods, he may exercise his right of lien on the remainder, unless such part delivery has been made under such circumstances as to show an intent to waive the lien or right of retention.

SEC. 56. When lien is lost: (1) The unpaid seller of goods loses his lien thereon—

(a) When he delivers the goods to a carrier or other bailee for the purpose of transmission to the buyer without reserving the property in the goods or the right to the possession thereof;

(b) When the buyer or his agent lawfully obtains possession of the goods; and

(c) By waiver thereof.

(2) The unpaid seller of goods, having a lien thereon, does not lose his lien by reason only that he has obtained judgment or decree for the price of the goods.

STOPPAGE IN TRANSIT

SEC. 57. Seller may stop goods on buyer's insolvency: Subject to the provisions of this act, when the buyer of goods is or becomes insolvent, the unpaid seller who has parted with the possession of the goods has the right of stopping them in transitu; that is to say, he may resume possession of the goods at any time while they are in transit, and he will then become entitled to the same rights in regard to the goods as he would have had if he had never parted with the possession.

SEC. 58. When goods are in transit: (1) Goods are in transit within the meaning of section 57—

(a) From the time when they are delivered to a carrier by land or water, or other bailee for the purpose of transmission to the buyer, until the buyer, or his agent in that behalf, takes delivery of them from such carrier or other bailee; and

(b) If the goods are rejected by the buyer, and the carrier or other bailee continues in possession of them, even if the seller has refused to receive them back.

(2) Goods are no longer in transit within the meaning of section 57—

(a) If the buyer, or his agent in that behalf, obtains delivery of the goods before their arrival at the appointed destination;

(b) If, after the arrival of the goods at the appointed destination, the carrier or other bailee acknowledges to the buyer or his agent that he holds the goods on his behalf and continues in possession of them as bailee for the buyer or his agent; and it is immaterial that a further destination for the goods may have been indicated by the buyer; and

(c) If the carrier or other bailee wrongfully refuses to deliver the goods to the buyer or his agent in that behalf.

(3) If goods are delivered to a ship chartered by the buyer, it is a question depending on the circumstances of the particular case, whether they are in the possession of the master as a carrier or as agent of the buyer.

(4) If part delivery of the goods has been made to the buyer, or his agent in that behalf, the remainder of the goods may be stopped in transitu, unless such part delivery has been made under such circumstances as to show an agreement with the buyer to give up possession of the whole of the goods.

SEC. 59. Ways of exercising the right to stop: (1) The unpaid seller may exercise his right of stoppage in transitu either by obtaining actual possession of the goods or by giving notice of his claim to the carrier or other bailee in whose possession the goods are. Such notice may be given either to the person in actual possession of the goods or to his principal. In the latter case the notice, to be effectual, must be given at such time and under such circumstances that the principal, by the exercise of reasonable diligence, may prevent a delivery to the buyer.

(2) When notice of stoppage in transitu is given by the seller to the carrier, or other bailee in possession of the goods, he must redeliver the goods to, or according to the directions of, the seller. The expenses of such delivery must be borne by the seller. If, however, a negotiable document of title representing the goods has been issued by the carrier or other bailee, he shall not be obliged to deliver or justified in delivering the goods to the seller unless such document is first surrendered for cancelation.

RESALE BY THE SELLER

SEC. 60. When and how resale may be made: (1) Where the goods are of perishable nature, or where the seller expressly reserves the right of resale in case the buyer should make default, or where the buyer has been in default in the payment of the price an unreasonable time, an unpaid seller having a right of lien or having stopped the goods in transitu may resell the goods. He shall not thereafter be liable to the original buyer upon the contract to sell or the sale or for any profit made by such resale, but may recover from the buyer damages for any loss occasioned by the breach of the contract or the sale.

(2) Where a resale is made, as authorized in this section, the buyer acquires a good title as against the original buyer.

(3) It is not essential to the validity of a resale that notice of an intention to resell the goods be given by the seller to the original buyer. But where the right to resell is not based on the perishable nature of the goods or upon an express provision of the contract or the sale, the giving or failure to give such notice shall be relevant in any issue involving the question whether the buyer had been in default an unreasonable time before the resale was made.

(4) It is not essential to the validity of a resale that notice of the time and place of such resale should be given by the seller to the original buyer.

(5) The seller is bound to exercise reasonable care and judgment in making a resale, and subject to this requirement may make a resale either by public or private sale.

RECISSION BY THE SELLER

SEC. 61. When and how the seller may rescind the sale: (1) An unpaid seller having the right of lien or having stopped the goods in transitu, may rescind the transfer of title and resume the property in the goods, where he expressly reserved the right to do so in case the buyer should make default, or where the buyer has been in default in the payment of the price an unreasonable time. The seller shall not thereafter be liable to the buyer upon the contract to sell or the sale, but may recover from the buyer damages for any loss occasioned by the breach of the contract or the sale.

(2) The transfer of title shall not be held to have been rescinded by an unpaid seller until he has manifested by notice to the buyer or by some other overt act an intention to rescind. It is not necessary that such overt act should be communicated to the buyer, but the giving or failure to give notice to the buyer of the intention to rescind shall be relevant in any issue involving the question whether the buyer had been in default an unreasonable time before the right of rescission was asserted.

SEC. 62. Effect of sale of goods subject to lien or stoppage in transitu: Subject to the provisions of this act, the unpaid seller's right of lien or stoppage in transitu is not affected by any sale, or other disposition of the goods which the buyer may have made, unless the seller has assented thereto.

If, however, a negotiable document of title has been issued for goods, no seller's lien or right of stoppage in transitu shall defeat the right of any purchaser for value in good faith to whom such document has been negotiated, whether such negotiations be prior or subsequent to the notification to the carrier, or other bailee who issued such document, of the seller's claim to a lien or right of stoppage in transitu.

PART V

ACTION FOR BREACH OF THE CONTRACT; REMEDIES OF THE SELLER

SEC. 63. Action for the price: (1) Where, under a contract to sell or a sale, the property in the goods has passed to the buyer, and the buyer wrongfully neglects or refuses to pay for the goods according to the terms of the contract or the sale, the seller may maintain an action against him for the price of the goods.

(2) Where, under a contract to sell or a sale, the price is payable on a day certain, irrespective of delivery or of transfer of title, and the buyer wrongfully neglects or refuses to pay such price, the seller may maintain an action for the price, although the property in the goods has not passed, and the goods have not been appropriated to the contract. But it shall be a defense to such an action that the seller at any time before judgment in such action has manifested an inability to perform the contract or the sale on his part or an intention not to perform it.

(3) Although the property in the goods has not passed, if they cannot readily be resold for a reasonable price, and if the provisions of section 64 (4) are not applicable, the seller may offer to deliver the goods to the buyer, and, if the buyer refuses to receive them, may notify the buyer that the goods are thereafter held by the seller as bailee for the buyer. Thereafter the seller may treat the goods as the buyer's and may maintain an action for the price.

SEC. 64. Action for damages for nonacceptance of the goods: (1) Where the buyer wrongfully neglects or refuses to accept and pay for the goods, the seller may maintain an action against him for damages for nonacceptance.

(2) The measure of damages is the estimated loss directly and naturally resulting, in the ordinary course of events, from the buyer's breach of contract.

(3) Where there is an available market for the goods in question, the measure of damages is, in the absence of special circumstances, showing proximate damage of a greater amount, the difference between the contract price and the market or current price at the time or times when the goods ought to have been

accepted, or, if no time was fixed for acceptance, then at the time of the refusal to accept.

(4) If, while labor or expense of material amount are necessary on the part of the seller to enable him to fulfill his obligations under the contract to sell or the sale, the buyer repudiates the contract or the sale, or notifies the seller to proceed no further therewith, the buyer shall be liable to the seller for no greater damages than the seller would have suffered if he did nothing toward carrying out the contract or the sale after receiving notice of the buyer's repudiation or countermand. The profit the seller would have made if the contract or the sale had been fully performed shall be considered in estimating such damages.

SEC. 65. When seller may rescind contract or sale: Where the goods have not been delivered to the buyer, and the buyer has repudiated the contract to sell or sale, or has manifested his inability to perform his obligations thereunder, or has committed a material breach thereof, the seller may totally rescind the contract or the sale by giving notice of his election so to do to the buyer.

REMEDIES OF THE BUYER

SEC. 66. Action for converting or detaining goods: Where the property in the goods has passed to the buyer and the seller wrongfully neglects or refuses to deliver the goods, the buyer may maintain any action allowed by law to the owner of goods of similar kind when wrongfully converted or withheld.

SEC. 67. Action for failing to deliver goods: (1) Where the property in the goods has not passed to the buyer, and the seller wrongfully neglects or refuses to deliver the goods, the buyer may maintain an action against the seller for damages for nondelivery.

(2) The measure of damages is the loss directly and naturally resulting in the ordinary course of events from the seller's breach of contract.

(3) Where there is an available market for the goods in question, the measure of damages, in the absence of special circumstances showing proximate damages of a greater amount, is the difference between the contract price and the market or current price of the goods at the time or times when they ought to have been delivered or if no time was fixed, then at the time of the refusal to deliver.

SEC. 68. Specific performance: Where the seller has broken a contract to deliver specific or ascertained goods, a court having the powers of a court of equity may, if it thinks fit, on the application of the buyer, by its judgment or decree direct that the contract shall be performed specifically, without giving the seller the option of retaining the goods on payment of damages. The judgment or decree may be unconditional or upon such terms and conditions as to damages, payment of the price, and otherwise, as to the court may seem just.

SEC. 69. Remedies for breach of warranty: (1) Where there is a breach of warranty by the seller, the buyer may, at his election—

(a) Accept or keep the goods and set up against the seller the breach of warranty by way of recoupment in diminution or extinction of the price;

(b) Accept or keep the goods and maintain an action against the seller for damages for the breach of warranty;

(c) Refuse to accept the goods, if the property therein has not passed, and maintain an action against the seller for damages for the breach of warranty; and

(d) Rescind the contract to sell, or the sale, and refuse to receive the goods; or if the goods have already been received return them or offer to return them to the seller and recover the price or any part thereof which has been paid.

(2) When the buyer has claimed and has been granted a remedy in any one of these ways, no other remedy can thereafter be granted.

(3) Where the goods have been delivered to the buyer, he cannot rescind the sale if he knew of the breach of warranty when he accepted the goods, or if he fails to notify the seller within a reasonable time of the election to rescind, or if he fails to return or to offer to return the goods to the seller in substantially as good condition as they were in at the time the property was transferred to the buyer. But if deterioration or injury of the goods is due to the breach of warranty, such deterioration or injury shall not prevent the buyer from returning or offering to return the goods to the seller and rescinding the sale.

(4) Where the buyer is entitled to rescind the sale and elects to do so, the buyer shall cease to be liable for the price upon returning or offering to return the goods. If the price or any part thereof has already been paid, the seller shall be liable to repay so much thereof as has been paid, concurrently with the return of the goods, or immediately after an offer to return the goods in exchange for repayment of the price.

(5) Where the buyer is entitled to rescind the sale and elects to do so, if the seller refuses to accept an offer of the buyer to return the goods, the buyer shall thereafter be deemed to hold the goods as bailee for the seller, but subject to a lien to secure the repayment of any portion of the price which has been paid, and with the remedies for the enforcement of such lien allowed to an unpaid seller by section 53.

(6) The measure of damages for breach of warranty is the loss directly and naturally resulting, in the ordinary course of events, from the breach of warranty.

(7) In the case of breach of warranty of quality, such loss, in the absence of special circumstances showing proximate damage of a greater amount, is the difference between the value of the goods at the time of delivery to the buyer and the value they would have had if they had answered to the warranty.

SEC. 70. Interest and special damages: Nothing in this act shall affect the right of the buyer or the seller to recover interest or special damages in any case where by law interest or special damages may be recoverable, or to recover money paid where the consideration for the payment of it has failed.

PART VI

INTERPRETATION

SEC. 71. Variation of implied obligations: Where any right, duty, or liability would arise under a contract to sell or a sale by implication of law, it may be negatived or varied by express agreement or by the course of dealing between the parties, or by custom, if the custom be such as to bind both parties to the contract or the sale.

SEC. 72. Rights may be enforced by action: Where any right, duty, or liability is declared by this act, it may, unless otherwise by this act provided, be enforced by action.

SEC. 73. Rule for cases not provided for by this act: In any case not provided for in this act, the rules of law and equity, including the law merchant, and in particular the rules relating to the law of principal and agent and to the effect of fraud, misrepresentation, duress or coercion, mistake, bankruptcy, or other invalidating cause, shall continue to apply to contracts to sell and to sales of goods.

SEC. 74. Interpretation shall give effect to purpose of uniformity: This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the laws of those States which enact it.

SEC. 75. Provisions not applicable to mortgages: The provisions of this act relating to contracts to sell and to sales do not apply, unless so stated, to any transaction in the form of a contract to sell or a sale which is intended to operate by way of mortgage, pledge, charge, or other security.

SEC. 76. Definitions: (1) In this act, unless the context or subject matter otherwise requires—

"Action" includes counterclaim, set-off, and suit in equity.

"Buyer" means a person who buys or agrees to buy goods or any legal successor in interest of such person.

"Defendant" includes a plaintiff against whom a right of set-off or counterclaim is asserted.

"Delivery" means voluntary transfer of possession from one person to another.

"Divisible contract to sell or sale" means a contract to sell or a sale in which by its term the price for a portion or portions of the goods less than the whole is fixed or ascertainable by computation.

"Document of title to goods" includes any bill of lading, dock warrant, warehouse receipt or order for the delivery of goods, or any other document used in the ordinary course of business in the sale or transfer of goods, as proof of the possession or control of the goods, or authorizing or purporting to authorize the possessor of the document to transfer or receive, either by endorsement or by delivery, goods represented by such document.

"Fault" means wrongful act or default.

"Fungible goods" means goods of which any unit is from its nature or by mercantile usage treated as the equivalent of any other unit.

"Future goods" means goods to be manufactured or acquired by the seller after the making of the contract of sale.

"Goods" include all chattels personal other than things in action and money. The term includes emblements, industrial growing crops, and things attached to or forming part of the land which are agreed to be severed before sale or under the contract of sale.

"Order" in sections of this act relating to documents of title means an order by endorsement on the documents.

"Person" includes a corporation or partnership or two or more persons having a joint or common interest.

"Plaintiff" includes defendant asserting a right of set-off or counterclaim.

"Property" means the general property in goods, and not merely a special property.

"Purchaser" includes mortgagee and pledgee.

"Purchases" includes taking as a mortgagee or as a pledgee.

"Quality of goods" includes their state or condition.

"Sale" includes a bargain and sale as well as a sale and delivery.

"Seller" means a person who sells or agrees to sell goods, or any legal successor in the interest of such person.

"Specific goods" means goods identified and agreed upon at the time a contract to sell or a sale is made.

"Value" is any consideration sufficient to support a simple contract. An antecedent or pre-existing claim, whether for money or not, constitutes value where goods or documents of titles are taken either in satisfaction thereof or as security therefor.

(2) A thing is done "in good faith" within the meaning of this act when it is, in fact, done honestly, whether it be done negligently or not.

(3) A person is insolvent within the meaning of this act who either has ceased to pay his debts in the ordinary course of business or cannot pay his debts as they become due, whether he has committed an act of bankruptcy or not, and whether he is insolvent within the meaning of the Federal bankruptcy law or not.

(4) Goods are in a "deliverable state" within the meaning of this act when they are in such a state that the buyer would, under the contract, be bound to take delivery of them.

SEC. 76a. Act does not apply to the existing sales or contracts to sell: None of the provisions of this act shall apply to any sale, or to any contract to sell, made prior to the taking effect of this act.

SEC. 77. Inconsistent legislation repealed: All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 78. Time when the act takes effect: This act shall take effect on the 1st day of July 1937.

SEC. 79. Name of act: This act may be cited as the "Uniform Sales Act."

PRACTICE OF LAW IN THE DISTRICT OF COLUMBIA

The bill (S. 204) relative to the qualifications of practitioners of law in the District of Columbia was announced as next in order.

Mr. COPELAND. Mr. President, may I ask the Senator from Utah whether this bill is identical with one on this subject which was on the calendar last year?

Mr. KING. Yes; it is.

Mr. COPELAND. I personally have no disposition to defer action on the bill, but I recall that last year, for some reason or other, constituents of mine were in opposition to the measure then on the calendar. If the Senator does not mind——

Mr. KING. Mr. President, if the Senator will permit me to make an observation, there was objection to this bill when it was first introduced because there seemed to be provision for the exclusion of attorneys from other States who would come here temporarily for the trial or participation in the trial of a specific case in which they were interested. The Senator from Vermont [Mr. GIBSON] objected to the bill until that matter was corrected by a very proper amendment, namely, a provision that attorneys from other jurisdictions might come to the District of Columbia and be permitted to practice in particular cases in which they were interested.

Mr. COPELAND. Mr. President, I dare say it was exactly that point about which my constituents were critical of the former bill; but, if the Senator does not mind, I should like to have the bill go over for today. I will communicate at once with the persons to whom I have referred, because I have no disposition whatever to have action on the bill deferred.

PENALTIES FOR LOTTERIES IN THE DISTRICT

The bill (S. 711) to amend an act entitled "An act to establish a Code of Law for the District of Columbia", approved March 3, 1901, as amended, and particularly sections 863, 911, and 914 of the said code, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act entitled "An act to establish a Code of Law for the District of Columbia", approved March 3, 1901, and the acts amendatory thereof and supplementary thereto, constituting a Code of Law for the District of Columbia, be, and the same hereby are, amended as follows:

Section 863 of such act is hereby amended to read as follows:

"SEC. 863. If any person shall within the District keep, set up, or promote, or be concerned as owner, agent, or clerk, or in any other manner, in managing, carrying on, promoting, or advertising, directly or indirectly, any policy lottery, policy shop, or any lottery, or shall sell or transfer any chance, right, or interest, tangible or intangible, in any lottery or shall sell or transfer any ticket, certificate, bill, token, or other device, purporting or intended to guarantee or assure to any person or entitle him to a chance of drawing or obtaining a prize, to be drawn in any lottery, or in a game or device commonly known as policy lottery or policy or shall, for himself or another person, sell or transfer, or have in his possession for the purpose of sale or transfer, a chance or ticket in or share of a ticket in any policy lottery or any such bill, certificate, token, or other device, he shall be fined upon conviction of each said offense not more than $1,000 or be imprisoned not more than 3 years, or both. The possession of any such tickets, certificates, bills, slips, tokens, or other device shall be prima-facie evidence of purpose or intent of selling, transferring, exchanging, or negotiating the same."

SEC. 2. There is hereby added to said act a new section to be known as section 863 (a), to read as follows:

"SEC. 863. (a) If any person shall within the District have in his possession, knowingly, any ticket, certificate, bill, slip, token, paper, writing, or other device used, or to be used, or adapted, devised, or designed for the purpose of playing, carrying on, or conducting any lottery, or the game or device commonly known as policy lottery or policy, he shall be fined upon conviction of each said offense not more than $500 or be imprisoned for not more than 6 months, or both."

SEC. 3. Section 911 of such act is hereby amended to read as follows:

"SEC. 911. Upon complaint, under oath, before the police court, or a United States commissioner, setting forth that the affiant believes and has good cause to believe that there are concealed in any house or place articles stolen, taken by robbers, embezzled, or obtained by false pretenses, forged or counterfeited coins, stamps, labels, bank bills, or other instruments, or dies, plates, stamps, or brands for making the same, books or printed papers, drawings, engravings, photographs, or pictures of an indecent or obscene character, or instruments for immoral use, or any gaming table, device, or apparatus kept for the purpose of unlawful gaming, or any lottery tickets or lottery policies, or any book, paper, memorandum, or device for or used in recording any bet or deposit of money or thing or consideration of value received for any share, ticket, certificate, writing, bill, slip, or token in any pool or lottery or as a wager on or in connection with any race, game, contest, election, or other gambling transaction or device of an unlawful nature as defined in sections 863, 864, 865, 866, 868, and 869, of the act of March 3, 1901, as amended and supplemented, particularly describing the house or place to be searched, the things to be seized, substantially alleging the offense in relation thereto, and describing the person to be seized, the said court or United States commissioner may issue a warrant to the marshal or any officer of the Metropolitan Police commanding him to search such house or place for the property or other things, and, if found, to bring the same, together with the person to be seized, before the police court.

"The said warrant shall have annexed to it, or inserted therein, a copy of the affidavit upon which it is issued, and may be substantially in the form following:

"'Whereas there has been filed before ——— an affidavit, of which the following is a copy [here insert]. These are therefore to command you to enter [here describe the place] and there diligently search for the said articles, goods, or chattels in the said affidavit described, and that you bring the same, or any part thereof, found on said search and also the body of ——— before the police court, to be dealt with and disposed of according to law.'"

SEC. 4. Section 914 of such act is hereby amended by adding a new paragraph thereto, the same to read as follows:

"If the property seized be articles, games, devices, or contrivances maintained, kept, set up, or used in violation of sections 863, 863 (a), 864, 865, 866, 867, 868, or 869 of this Code, they shall be ordered destroyed under direction of court, irrespective of any trial or the outcome thereof.

If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

IMPROVEMENTS AT ST. JOSEPHS HARBOR, FLA.

The bill (S. 875) authorizing the construction of improvements at St. Josephs Harbor, Fla., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the improvement of St. Josephs Harbor, Fla., in accordance with plans and conditions set forth in report of the Chief of Engineers dated December 10, 1936, submitted in response to resolution of the Committee on Rivers and Harbors of the House of Represenatives adopted March 20, 1936, is hereby adopted and authorized.

MRS. JACK J. O'CONNELL

The bill (S. 601) for the relief of Mrs. Jack J. O'Connell was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the payment of the 6 months' gratuity under the act of December 17, 1919 (41 Stat. 367), Capt. Jack J. O'Connell, late of the Air Corps, United States Army, who died on December 2, 1934, shall be considered to have been qualified by examination for and to have accepted appointment to the grade of captain on October 1, 1934, the date upon which he was promoted to the grade of captain: *Provided*, That the amount of any gratuity already paid the widow of Captain O'Connell shall be deducted from the gratuity paid under the provisions of this act.

MARINO AMBROGI

The bill (S. 868) for the relief of Marino Ambrogi was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Marino Ambrogi, who was a member of Company B, One Hundred and Fourth Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 20th day of December 1918: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

RELIEF OF SOLDIERS OF SPANISH-AMERICAN WAR

The Senate proceeded to consider the bill (S. 210) for the relief of Walter M. Seesee, which had been reported from the Committee on Military Affairs with an amendment to strike out all after the enacting clause and to insert in lieu thereof the following:

That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers of the United States Army, their widows and dependent children, a soldier who was enlisted between April 21, 1898, and July 4, 1902, both dates inclusive, and who was discharged for fraudulent enlistment on account of minority or misrepresentation of age,

shall hereafter be held and considered to have been discharged honorably from the military service on the date of his actual separation therefrom, if his service otherwise was such as would have entitled him to an honorable discharge: *Provided*, That no back pay or allowance shall accrue by reason of the passage of this act: *Provided further*, That in all such cases the War Department shall, upon request, grant to such men or their widows a discharge certificate showing that the soldiers are held and considered to have been honorably discharged under the provisions of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of soldiers who were discharged from the Army during the Spanish-American War, the Philippine Insurrection, and the Boxer Uprising because of minority or misrepresentation of age."

FRANK I. OTIS

The Senate proceeded to consider the bill (S. 955) for the relief of Frank I. Otis, which had been reported from the Committee on Military Affairs with an amendment, on page 1, line 5, after the name "Otis", to insert "deceased", so as to make the bill read:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers Frank I. Otis, deceased, who was a first lieutenant, Fourth Regiment United States Cavalry, shall hereafter be held and considered to have been honorably discharged from the United States Army as of January 3, 1906: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. SHEPPARD. Mr. President, I move that the committee amendment to the title of Senate bill 955 be amended so as to make the title read: "A bill relative to the military record of Frank I. Otis, deceased."

The PRESIDENT pro tempore. The question is on agreeing to the amendment to the title proposed by the Senator from Texas.

The amendment to the title was agreed to.

DIVISION OF WATERS OF YELLOWSTONE RIVER

The bill (S. 534) granting the consent of Congress to the States of Montana and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That consent of Congress is hereby given to the States of Montana and Wyoming to negotiate and enter into a compact, or agreement, not later than June 1, 1939, providing for an equitable division and apportionment between the States of the water supply of the Yellowstone River and of the streams tributary thereto, upon condition that one suitable person, who shall be appointed by the President of the United States, shall participate in said negotiations as the representative of the United States and shall make report to Congress of proceedings and of any compact or agreement entered into: *Provided*, That such compact or agreement shall not be binding or obligatory upon either of the parties thereto unless and until the same shall have been approved by the legislatures of each of said States and by the Congress of the United States: *Provided further*, That nothing in this act shall apply to any waters within the Yellowstone National Park or shall establish any right or interest in or to any lands within the boundaries thereof.

NATIONAL CEMETERY AT FORT SNELLING MILITARY RESERVATION, MINN.

The bill (S. 1247) to amend the act of June 23, 1936, authorizing the Secretary of War to set apart as a national cemetery certain lands of the Fort Snelling Military Reservation, Minn., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act approved June 23, 1936 (Public, No. 763, 74th Cong.), authorizing the Secretary of War to set apart as a national cemetery certain lands of the Fort Snelling Military Reservation, Minn., is hereby amended by striking out the words "which shall include the existing post cemetery", appearing in the fifth and sixth lines of said act.

CONGRESSIONAL MEDAL OF HONOR FOR PLEAS SANDERS

The bill (S. 296) to authorize the award of the Congressional Medal of Honor for distinguished service to Pleas Sanders was announced as next in order.

Mr. CLARK. Reserving the right to object, I ask the chairman of the Committee on Military Affairs, with regard to this particular bill, what has been the policy of the committee in regard to congressional action concerning particular decorations of soldiers or members of the Military Establishment.

Mr. SHEPPARD. The bill under consideration authorizes the War Department to review the record of Sgt. Pleas Sanders, who received several awards for heroism in action and for brilliant leadership in the World War. Among these awards was the Distinguished Service Cross. Under this bill the War Department is to determine whether he should have received a Congressional Medal of Honor instead of the Distinguished Service Cross.

Mr. CLARK. What I was trying to ascertain from the chairman of the committee is whether it has been the policy of the committee heretofore to advise congressional action upon such individual claims.

I have in mind one particular soldier who was killed under circumstances of the most outstanding gallantry, a man who actually sacrificed himself knowingly for the purpose of evacuating a number of wounded, and who was recommended by his commanding officer for a Distinguished Service Cross or a Congressional Medal of Honor, but who was never awarded the Congressional Medal or the Distinguished Service Cross. Apparently, the records in the War Department do not now show that the recommendation was ever made, although the contention is easily susceptible of proof, because the commanding officer is still alive. I have been extremely reluctant to introduce a measure for the decoration of that man, although I am thoroughly convinced that he should be decorated, because I have been reluctant to open up congressional action on individual cases.

Mr. SHEPPARD. The Committee on Military Affairs will be glad to undertake to correct any injustice that may have been done the man to whom the Senator from Missouri has referred; and I trust the Senator will introduce a bill for that purpose.

Mr. CLARK. Yes; but I have been very reluctant to make such a move.

Mr. WALSH. Mr. President, is it not a fact that the law prevents the issuing of medals of honor, crosses, or bars, or other suitable emblems of various kinds to any person after more than 5 years from the date of the act or service justifying the award?

Mr. CLARK. I understand that to be a fact.

Mr. WALSH. It is the law applicable to the Navy. No decoration can be made or authorized after the expiration of the period of 5 years except by special act of Congress?

Mr. CLARK. I think that is true.

Mr. WALSH. The procedure usually is for the Secretary of War or the Secretary of the Navy to make a recommendation. The Committee on Naval Affairs now has before it a recommendation from the Navy Department suggesting a decoration, notwithstanding the fact that the 5-year period has expired.

Mr. CLARK. I think the general law is altogether too drastic, because I know there are a great many extremely meritorious cases upon which the authorities have not been able to act, by reason of the fact that it is necessary to go through the very cumbersome practice of passing an act of Congress before the decoration can be awarded.

Mr. WALSH. I do not think the Committee on Military Affairs or the Committee on Naval Affairs would take any action recognizing distinguished service without the favorable recommendation of the War Department or the Navy Department.

Mr. LOGAN. Mr. President, in view of the fact that I introduced this bill, I will say for the benefit of the Senator from Missouri [Mr. CLARK], as well as other Senators, that the Committee on Military Affairs has decided in this case,

as well as in all others, that it will not undertake by legislation to confer the Congressional Medal or the Distinguished Service Cross or any other decoration, but that it will remove the bar of limitation and allow the War Department to consider it.

As a part of my remarks, and so that there may be no misunderstanding in the future about the matter, I ask unanimous consent to have printed in the RECORD at this point the report from the Committee on Military Affairs in this particular case, which is Calendar No. 44, Report No. 43.

The PRESIDENT pro tempore. Without objection, the report will be printed in the RECORD.

The report (No. 43) is as follows:

The Committee on Military Affairs, to whom was referred the bill (S. 296) to authorize the award of the Congressional Medal of Honor for distinguished service to Pleas Sanders, having considered the same, report favorably thereon with a recommendation that it do pass.

A measure identical with S. 296 was reported favorably by the Senate Military Affairs Committee during the Seventy-fourth Congress and was passed by the Senate on May 12, 1936. The bill provides for a review by the proper agencies in the War Department of the evidence in Sanders' case, with a view to ascertaining if a Congressional Medal of Honor should have been granted to him instead of the Distinguished Service Cross. If it is determined by such a review that the Congressional Medal of Honor should be awarded, S. 296 authorizes the award.

Sanders was honorably discharged April 28, 1919, as a sergeant, served overseas during the World War from April 2, 1918, until April 15, 1919, and was wounded in action on October 10, 1918. He was cited for gallantry in action and was held to be entitled to wear a Silver Star on the Victory Medal ribbon "for gallantry in action near Jaulgonne, France, July 26, 1918, and for his brilliant leadership of his platoon." He was also awarded the Distinguished Service Cross for extraordinary heroism in action near Cunel, France, October 10, 1918, the date on which he was wounded in action. In view of all the evidence in this case, the committee feels that Sanders is entitled to the hearing provided in S. 296.

Senate Report No. 1969, Seventy-fourth Congress, second session, to accompany S. 4099, follows:

"The Committee on Military Affairs, to whom was referred the bill (S. 4099) to authorize the award of the Congressional Medal of Honor for distinguished service to Pleas Sanders, having considered the same, report favorably thereon with a recommendation that it do pass amended as follows:

"Strike out all after the enacting clause and insert in lieu thereof the following: 'That the President is hereby authorized to cause the evidence on which the award of the Distinguished Service Cross was made to Pleas Sanders, formerly a sergeant, Company F, Thirtieth Infantry, United States Army, American Expeditionary Forces, for bravery in action near Cunel, France, October 10, 1918; for gallantry in action near Jaulgonne, France, July 26, 1918, to be reviewed by the War Department to determine whether or not the award of a Congressional Medal of Honor in lieu of the Distinguished Service Cross should be made, and if it is found that the Congressional Medal of Honor should be awarded then such award is hereby authorized.'

"Pleas Sanders enlisted on May 9, 1917, at Bowling Green, Ky., served overseas from April 2, 1918, until April 15, 1919, and was honorably discharged from the Army on April 28, 1919, a sergeant.

"He received the Purple Heart decoration on account of a wound received in action on October 10, 1918. Under Citation Orders, No. 4, General Headquarters, American Expeditionary Forces, France, June 3, 1919, Sergeant Sanders was cited for gallantry in action and was held to be entitled to wear a Silver Star on the Victory Medal ribbon "for gallantry in action near Jaulgonne, France, July 26, 1918, and for his brilliant leadership of his platoon." Under General Orders, No. 32, War Department, Washington, March 1, 1919, Sergeant Sanders was awarded the Distinguished Service Cross; the order, issued by Gen. Peyton C. March, Chief of Staff, reading as follows:

" 'For extraordinary heroism in action near Cunel, France, October 10, 1918. He attacked an enemy strong point covered by machine-gun fire. Although severely wounded, he continued to direct his platoon from a shell hole until the objective was reached.'

"The Military Affairs Committee has gone into this case carefully; and in view of Sergeant Sanders' outstanding and heroic conduct in combat service, which is a matter of record, it is the opinion of the committee that he is entitled to have his case reviewed by the War Department with a view to ascertaining if a Congressional Medal of Honor should have been granted Sergeant Sanders in lieu of the Distinguished Service Cross. In the event it is found that the Congressional Medal of Honor should be awarded him, S. 4099, as amended, authorizes such an award to be made.

"Report of the War Department on S. 4099 follows:

"MARCH 9, 1936.

"Hon. MORRIS SHEPPARD,
"Chairman, Committee on Military Affairs,
"United States Senate.

"DEAR SENATOR SHEPPARD: Careful consideration has been given to the bill S. 4099, a bill to authorize the award of the Congressional Medal of Honor for distinguished service to Pleas Sanders, which your committee transmitted to the War Department on February 26, 1936, for a report and the views of the Department relative thereto.

"The applicable provision of existing law on this subject is contained in the act of Congress approved July 9, 1918 (40 Stat. 870–872), and reads in part as follows:

" '* * * The President is authorized to present, in the name of the Congress, a medal of honor only to each person who, while an officer or enlisted man of the Army, shall hereafter, in action involving actual conflict with an enemy, distinguish himself conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty.'

"The official records of the War Department show that Pleas Sanders (Army serial no. 546605) enlisted at Bowling Green, Ky., May 9, 1917; was assigned to Company F, Thirtieth Infantry, and served overseas from April 2, 1918, to April 15, 1919, and was honorably discharged at Camp Zachary Taylor, Ky., on April 28, 1919, a sergeant.

"The official records further show that Sergeant Sanders was awarded the Distinguished Service Cross for extraordinary heroism in action near Cunel, France, October 10, 1918; the Silver Star medal on account of his citation in Citation Order No. 4, General Headquarters, American Expeditionary Forces, 1919, for gallantry in action near Jaulgonne, France, July 26, 1918; and the Purple Heart decoration on account of wound received in action October 10, 1918.

"A careful search of the official records fails to show that a recommendation in behalf of Sergeant Sanders for the award of the Congressional Medal of Honor was ever received for consideration, either at General Headquarters, American Expeditionary Forces, or in the War Department.

"Under the regulations of the Department, a recommendation made by a commissioned officer setting forth the distinguished service or act, and accompanied by affidavits of eyewitnesses to the act performed, must have been submitted before consideration can be given any case with a view to the award of a decoration.

"To increase the measure of the reward for heroism by presenting the Medal of Honor through legislative action in cases of this kind would establish a very dangerous precedent, in view of the fact that more than 6,000 Distinguished Service Crosses were awarded for acts of heroism performed during the World War. Only 93 Medals of Honor (Army) have been awarded for acts of gallantry performed during the period of the World War, and all such awards were in strict accordance with the law governing the award of the Medal of Honor, the evidence in all cases being thoroughly investigated by a board of officers, whose recommendations were submitted for final action to the Commanding General, American Expeditionary Forces, or to the Secretary of War.

"It is the view of the War Department that, in general, awards of decorations should be confined to cases recommended by the agencies which have been established to administer the general laws providing for awards, and that awards by special legislation would be inadvisable and prejudicial to good administration of the general laws.

"For the above reasons the War Department does not favor the proposed bill.

"Sincerely yours,

"GEO. H. DERN, *Secretary of War.*"

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President is hereby authorized to cause the evidence on which the award of the Distinguished Service Cross was made to Pleas Sanders, formerly a sergeant, Company F, Thirtieth Infantry, United States Army, American Expeditionary Forces, for bravery in action near Cunel, France, October 10, 1918; for gallantry in action near Jaulgonne, France, July 26, 1918, to be reviewed by the War Department to determine whether or not the award of a Congressional Medal of Honor in lieu of the Distinguished Service Cross should be made, and, if it is found that the Congressional Medal of Honor should be awarded, then such award is hereby authorized.

PURCHASE AND DISTRIBUTION OF FISHING INDUSTRY PRODUCTS

The bill (S. 1258) to authorize the purchase and distribution of products of the fishing industry was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 32 of the act entitled "An act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935, as amended, is amended by inserting at the end thereof the following: "The powers under clause (2) of this section to encourage domestic consumption of commodities by diverting them from the normal channels of trade and commerce shall extend to fish (including shellfish) and the products thereof."

LICENSE TO DR. RALPH CHARLES STUART

The bill (S. 84) to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. Ralph Charles Stuart was announced as next in order.

Mr. McKELLAR. Mr. President, may we have an explanation of that bill, providing for the issuance of a license to practice the healing art?

Mr. WHITE. Mr. President, is that the bill having reference to Dr. Stuart?

Mr. McKELLAR. Yes; it releates to Dr. Ralph Charles Stuart.

Mr. WHITE. Mr. President, Dr. Stuart was admitted to practice medicine here in the District of Columbia, I think in 1921, or possibly in 1922. Along in 1929 an act was passed requiring a practitioner to take out an annual license. In the meantime, Dr. Stuart had gone to Maine. He was there admitted to practice, and his admission to practice was based upon the fact that he was a licensed practitioner here in the District of Columbia.

Mr. McKELLAR. Was he a medical doctor?

Mr. WHITE. Yes; a general practitioner.

Mr. McKELLAR. In the medical profession?

Mr. WHITE. Yes; in the medical profession. He did not know until sometime afterward, until the time in which to relicense had expired, that the act of 1929 had been passed. There have been a great many cases of special acts being passed by Congress in cases where practitioners found themselves in a similar predicament. The bill under consideration simply restores to him the right which he had as the result of his 1921 admission to practice. A great many acts of similar character to the one now under consideration have been passed.

Mr. NORRIS. Mr. President, I notice on the calendar that the next bill is probably the same kind of bill as the one we are now considering. I am wondering how far Congress is going in the matter of issuing individual licenses to practice medicine in the District of Columbia. If we are going to indulge in that kind of business, it seems to me it would lead to untold hardship.

Mr. KING. Mr. President, will the Senator from Maine yield to me?

Mr. WHITE. I yield.

Mr. KING. The Senator from Maine has stated the case substantially correctly. The facts, in brief, are these:

A law was enacted requiring practitioners who had been in the District of Columbia for years to take out a license. They had been licensed in the sense that they had conformed to all the requirements in the District for the purpose of practicing medicine. A number of doctors in high standing, doctors of high repute, were temporarily away from the District at the time. Some had gone to France for a little while; some had gone to Maine for a short period; but they were still, in the main, residents of the District of Columbia, and they were licensed here. That is to say, they had conformed to all the precedent steps necessary to be taken in order to practice their profession in the District of Columbia.

A number of them, when they came back to the District of Columbia, found that the new law had been passed, and it fixed the time limit within which to apply for taking out their licenses, and they found that they were excluded from practicing medicine. So in a number of cases, perhaps six or seven at the outside, the Commisisoners, after full investigation, recommended the issuance of licenses to those who had been practicing here in the District of Columbia, and whose standing was high.

Mr. NORRIS. Mr. President, may I interrupt the Senator at that point?

Mr. KING. I yield.

Mr. NORRIS. Why does not the committee bring in a bill providing for a general rule? I think Senators can easily see that if Congress is going into the business of licensing individual persons to practice medicine, the Congress will not have time to do much else.

Mr. KING. That is a very proper question. The reason why such action was taken is that it was supposed that there would only be three or four or five doctors at the outside regarding whom such action would be necessary to be taken.

Mr. NORRIS. Is the law in the District of Columbia now such that a practicing physician must renew his license every year?

Mr. COPELAND. Mr. President, will the Senator from Utah yield to me?

Mr. KING. I yield.

Mr. COPELAND. When this law went into effect, it excluded from its operations all practitioners who were then in practice in the District of Columbia. The law prescribed that not later than a certain date the practitioners who were then licensed must register with the Board of License. It so happened, as the Senator from Utah has said, that two or three really very eminent physicians——

Mr. NORRIS. Mr. President, I do not think the Senator quite got my point. I asked whether a law now exists providing that a practicing physician must renew his license every year.

Mr. COPELAND. No; that is not the case.

Mr. NORRIS. And the two bills now on the calendar are simply to take care of cases such as the Senator has described?

Mr. COPELAND. That is correct.

Mr. NORRIS. Of persons who did not know that they were required to take such action?

Mr. COPELAND. That is true. In my State there is a provision for annual registration, but that is not provided for in the District. The bill now under consideration and the one immediately following it on the calendar simply recognize practitioners who were practicing here in the District of Columbia and who are legitimate citizens of the District of Columbia.

The PRESIDING OFFICER (Mr. MINTON in the chair). Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 84) to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. Ralph Charles Stuart was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That notwithstanding any limitation relating to the time within which an application for a license must be filed, the Commission on Licensure to Practice the Healing Art in the District of Columbia is hereby authorized and directed to issue a license to practice the healing art in the District of Columbia to Dr. Ralph Charles Stuart, of Sangerville, Maine, in accordance with the provisions of the first paragraph of section 24 of the Healing Arts Practice Act, District of Columbia, 1928.

DR. CLARENCE QUINTON PAIR

The bill (S. 989) to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. Clarence Quinton Pair was announced as next in order.

Mr. KING. Mr. President, this measure is similar to the one which has just been passed, and I ask for its consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That notwithstanding any limitation relating to the time within which an application for a license must be filed, the Commission of Licensure to Practice the Healing Art in the District of Columbia is authorized and directed to issue a license to practice the healing art in the District of Columbia to Dr. Clarence Q. Pair, Washington, D. C., in accordance with the provisions of the first paragraph of section 24 of the Healing Arts Practice Act, District of Columbia, 1928.

The PRESIDING OFFICER. That completes the calendar.

JURISDICTION AND POWER OF UNITED STATES COURTS

Mr. KING. Mr. President, history is replete with examples of oppression by executive or legislative authority, or both. Unsuccessful efforts were made during centuries of oppression to establish judicial tribunals with authority to guard the liberties of the people against the tyranny of executive and legislative branches of the government. Students of government have recognized the imperative necessity of an independent judiciary for the protection of the rights and liberties of individuals. Writers such as Montesquieu contended for a tripartite division of powers; they knew that courts had often been the creatures of autocratic power, and had acquiesced in the execution of policies injurious to the state and harmful to the liberties

and rights of the people. Lord Coke, in Great Britain, struggled to emancipate the courts from the unlimited control of the Crown and the Parliament, and to give to them a dignity and authority which an independent judiciary must possess if the rights and liberties of the people are to be protected.

It is more important that an independent judiciary shall be maintained under our Federal system than in other forms of government. Ours is a dual form of government and the States must be preserved and they must not be robbed of their reserved powers. An independent Federal judiciary is vital if the rights of individuals and States are to be preserved and if the Federal Government shall be restrained within constitutional limits. In other countries where there have been judicial systems they have been attacked, if not destroyed, when plans were put in operation to interfere with the rights of individuals and to concentrate political authority in the hands of a limited number of persons, or of one person. Courts that have been free and independent have proven obstacles to the purposes and plans of groups or individuals who sought unrestricted power. We witness today the degredation of judicial authority in a number of countries and the control of judicial bodies by executive authority.

There are evidences of a movement in our own country which seeks to aggrandize the executive and legislative branches of the Government and to derogate from the authority given by the Constitution of the United States to the judicial branch of the Government.

It is believed by some that this movement to weaken, if not destroy, our dual form of government and to concentrate all governmental authority in the Federal Government, if unchecked, will menace this Republic.

There are some Americans who look to the Federal Government to control the policies of the States and to assume control of all governmental activities, local as well as national, and, in line with this policy, efforts are being made to weaken the courts and to strip them of authority conferred upon them by the Federal Constitution. When decisions are rendered by courts that do not meet the approval of some people, they criticize, and, indeed, often denounce, the courts, and they seek by various means to deprive them of their constitutional authority. In my opinion, if it were not for the courts standing as sentinels for the protection of individuals as well as States, and the Federal Government itself, the centripetal forces would assume such proportions as to jeopardize our form of government. State socialism is being advocated by some Americans, and, as I have stated, there are many who favor conferring upon the Federal Government power which is not granted to it in the Constitution of the United States.

I am submitting these preliminary observations before discussing a measure now before the Senate, introduced by the Senator from Tennessee [Mr. McKELLAR], which provides that—

> No district court or circuit court of appeals shall have jurisdiction of, and no district or circuit judge shall have jurisdiction or power to issue an injunction in, any suit in which it is sought to enjoin, suspend, or restrain the enforcement, operation, or execution of any act of Congress unless and until such act shall have been held finally invalid by the Supreme Court.

I am opposed to this measure, believing that it is not in harmony with the letter and spirit of the Constitution of the United States, and that if enacted into law would prove injurious to the American people.

This measure may be construed as a part of a movement to strip the Federal courts of their power to pass upon the constitutionality of statutes and is in its ultimate consequence a movement to change our Government to one of parliamentary supremacy, wherein any statute passed by the Congress is law without respect to constitutional limitations placed by the people upon the Congress. Certainly, so far as the Supreme Court of the United States is concerned, it would seem that no such drastic withdrawal of judicial power from it and no such change to a parliamentary form of government either ought to be or could be accomplished except through the people by constitutional amendment; and if the judicial power granted the inferior Federal courts is identical with that granted the Supreme Court of the United States, the same would seem to be true with respect to depriving by statute, as distinguished from constitutional amendment, the inferior courts of power to pass upon the constitutionality of statutes. In civilized countries there must be courts competent to protect individual and property rights and to restrain other branches of the Government within prescribed limits. Courts of equity are as much a part of a sound and rational judicial system as are courts which are confined within what is often spoken of as common-law jurisdiction. The Constitution of the United States provides a complete judicial system, consisting of the Supreme Court and inferior courts, and these courts are endowed with complete judicial power.

It is contended by some that district or circuit courts of appeals are mere statutory courts and that judges of these courts are in effect "our employees" and should be restrained from questioning acts of Congress.

I do not concur in this view. It is true that under the Constitution Congress is given the authority and the right to confer jurisdiction upon the inferior courts and that such jurisdiction is conferred with such limitations and exceptions as the Congress may prescribe. But this does not mean that such courts are "statutory courts" or that their judges are "our employees."

The Supreme Court in a number of instances has held that these inferior courts are constitutional courts, that their judges hold their offices during good behavior, and that their salaries cannot by the express terms of the Constitution be diminished during their term of office.

That is very important in the light of the attacks which are now being made in various parts of the United States upon the Supreme Court, upon its jurisdiction, and upon its constitutional functions.

The Supreme Court, in the case of *O'Donohue* v. *The United States* (289 U. S. 531), stated that—

> • • • The anxiety of the framers of the Constitution to preserve the independence especially of the judicial department is manifested by the provision now under review, forbidding the diminution of the compensation of the judges of courts exercising the judicial power of the United States. This requirement was foreshadowed, and its vital character attested, by the Declaration of Independence, which, among the injuries and usurpations recited against the King of Great Britain, declared that he had "made judges dependent on his will alone, for the tenure of their offices, and the payment of their salaries • • •."

The cases of *Evans* v. *Gore* (253 U. S. 245) and *Booth* v. *U. S.* (291 U. S. 339) give support to the views expressed in the O'Donohue case.

As indicative of the fact that the judges of inferior courts are not "our employees", who should do the bidding of Congress or the Executive, but are members of an independent branch, namely, the judiciary, I invite attention to the act of Congress of March 23, 1792, which made it the duty of the United States circuit courts to hear applications for pensions and to decide whether the applicants should be put on the pension list. The judges of the circuit court in the district of Pennsylvania on April 18, 1792, addressed a letter to the President, declining to proceed under the act. Justice Iredell, who was, as Senators know, one of the greatest of lawyers and judges of his day, and Justice Silgreave, district judges of North Carolina, sitting in circuit, also adopted the same view and addressed a letter to the President setting forth their position. On February 17, 1794, the question came before the Supreme Court in a case not reported at the time, but subsequently inserted by Mr. Justice Taney (*U. S.* v. *Yale Todd*, 13 How. 52). The opinion of all the judges was that this was not the exercise of a judicial power, and that under the Constitution they had authority only to exercise judicial powers and perform judicial functions. In fact, with the exception of the courts in the District of Columbia, which operate by virtue of special provisions of the Constitution relating to the District of Columbia, none of our inferior courts can perform functions other than those of a judicial character. It should be added that the Federal courts located in the District of Columbia are the only courts which have authority to deal with matters of a so-called administrative nature, and this only because in addition to

their authority as constitutional courts exercising the judicial power of the United States under article III of the Constitution, they have, unlike the other Federal courts, also powers arising under the authority of Congress to legislate in respect of Territories and the seat of government.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. KING. I yield.

Mr. NORRIS. The Senator has referred to a claim being made by some, at least, that the judges of the inferior courts are "our employees." I do not recall anyone who has so claimed, and I do not think any student of the subject would claim that we could impose on such judges any duty that was not judicial. As a matter of fact, the Senator will not claim, will he, that we could not take any or all of the jurisdiction away from any court except the Supreme Court?

Mr. KING. I agree with the Senator that the judges referred to are not our "employees", but they were so designated by a distinguished Senator, who stated "that we ought to limit and restrict the rights of one of our 'employees', so to speak, because the Federal circuit and district judges are in a sense the employees of Congress and of the President, to declare acts of Congress invalid and void until after the Supreme Court has passed on the matter."

My contention is that when the so-called inferior courts were organized, they were endowed with judicial power of which they may not be deprived. By that I mean that all judicial power was granted to the Supreme Court and the inferior courts, and that any attempt to deny them the authority to exercise full judicial power would, in effect, be a violation of the Constitution and a denial to the people of rights, privileges, and benefits to which they were entitled. The inferior courts are courts of the United States and have full equity power to deal with questions and matters brought within their cognizance.

Mr. NORRIS. Then, the Senator is of the opinion that Congress cannot take away any of the jurisdiction that has been given, for instance, to the United States district courts by statute?

Mr. KING. The Senator possibly confuses—or I may not have understood him—jurisdiction and judicial power.

Mr. NORRIS. Oh, no. I concede that they are judges and that Congress could not give them authority that was not in its nature judicial; they get their authority originally from the Constitution; but it is not imposed on them until Congress passes the requisite act. The Congress, as I understand—and I supposed that was the undisputed rule—may take that jurisdiction away at any time it wants to do so.

That is not, however, claiming that Congress could impose upon them a duty that was not in its nature judicial. Congress could give them any jurisdiction, providing it did not exceed the constitutional limits, or take any part of it away any time it wanted to do so.

Mr. KING. My contention is that they are constitutional courts; when they were created, they were endowed with judicial power, including the power to issue injunctions; that no legislation may be enacted by Congress that would deprive the inferior courts of judicial power; and if we should abolish one court—and there may be some doubt as to whether we could—there must be another that would be endowed with the judicial power. We may not, in other words, deprive the people of the United States of courts in which judicial power may be exercised.

Mr. CONNALLY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Texas?

Mr. KING. I yield.

Mr. CONNALLY. May I suggest to the Senator that jurisdiction is one thing and judicial power is a different thing?

Mr. KING. I have just so stated.

Mr. CONNALLY. The Senator from Utah does not contend, does he, that the Congress cannot limit the jurisdiction of the inferior courts?

Mr. KING. My contention is that if Congress should limit their jurisdiction it could not deprive them of equitable power; in other words, all judicial power, under my view, must exist in the Federal courts, and that means, of course, power to grant equitable relief, including injunctive relief in proper cases. Congress might distribute the judicial power among a number of courts, but my contention is that it must exist in its fullness in some or all of the courts provided under the Constitution.

Mr. CONNALLY. Let me suggest to the Senator——

Mr. KING. If the Senator will permit me to develop my thesis, I think he will more clearly understand my position.

Mr. CONNALLY. I have been listening to the Senator, and that is the reason I want to challenge some of the statements I think he has made. The Senator knows that in the Constitution there is no court mentioned except the Supreme Court.

Mr. KING. And "such inferior courts as the Congress may from time to time ordain and establish." And when Congress creates and establishes them, they are endowed with judicial power, including the power of issuing injunctions.

Mr. CONNALLY. They are endowed with judicial power over matters which Congress commits to them, and no more.

Mr. NORRIS. That is correct.

Mr. CONNALLY. Within the jurisdiction that Congress establishes for them, they have full and complete judicial power; but in setting up a court the creator, which is Congress, may limit the jurisdiction and say, "You may not decide anything except admiralty cases", for instance, or criminal cases, or "you may only consider misdemeanors", or "you may consider felonies"; and when a court's jurisdiction is limited it may not exercise any judicial power except on those subject matters and to the extent that the Congress has provided.

Mr. KING. Mr. President, I am willing to yield for questions, but, learned as my friend is, I should like to proceed with my remarks.

Mr. CONNALLY. I beg the Senator's pardon. I will be very glad to have my suggestions expunged from the RECORD.

Mr. KING. No; they are so illuminating that I want them in the RECORD.

Mr. President, the Constitution specifically provides that—

> the judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish.

After these courts are established the judicial power extends, by the terms of the Constitution—

> to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority—

And so forth. It extends not only to cases in law but also cases in equity. The injunction is a fundamental part of the equity power of a court. These powers, in the case of inferior courts, are derived from article III, section 2, of the Constitution. The jurisprudence of the High Court of Chancery in England furnishes the chancery law applicable to Federal courts sitting in equity.

This may be said to be the common law of chancery, and since the organization of the Government, it has been recognized and observed (*Wheeling* v. *Belmont Bridge Co.*, 13 How. 518–563).

Mr. Zechariah Chafee, Jr., in an article on Injunction, which appears in the Encyclopaedia of Social Sciences, states that injunctions originated in the English court of chancery and that requests for injunction by litigants indicate that they were granted as early as the year 1400. Lawyers are familiar with the controversy between Lord Coke and Ellesmere growing out of the action of the equity courts enjoining proceedings in the common law courts. Under the rules of equity as they were formulated and carried into effect, if there were conflicts between them and the common law, an injunction enabled courts of equity to prevail.

In England, as well as the United States, at an early date there was a consolidation of legal and equitable powers in

the same courts, and the equity powers of the courts were constantly invoked for the benefit of the people and to protect them in many cases against some of the harsh and inequitable provisions of the common law. I might add that some writers have contended that there was a resemblance between the Roman law "Interdict" and the injunctive processes of the courts of equity. At any rate there is much to support the proposition that, notwithstanding the antiquity of the origin of courts of equity in Great Britain, under the Roman law, at a much earlier date, equitable relief was granted litigants which was akin to that later granted and still granted by courts of equity.

The early chancellors were bound by most rigid and settled procedure and the subsequent history of the injunction is bound up with and constitutes a part of the general history of equity.

As the equitable jurisdiction of chancery was extended to new fields, the scope of the injunction necessarily widened, and it was recognized as one of the most effective and powerful instrumentalities for carrying into effect the chancellor's determination of the rights of the litigants. It would seem, therefore, that injunction is one of the essential and, indeed, indispensable attributes of judicial power.

Mr. Justice Story, in the case of *Martin* v. *Hunter's Lessee* (1 Wheaton, 326–328), pointed out that it is the duty of the Congress to vest the whole judicial power of the United States in some court of the United States. This language is employed by this great Judge:

> The first section of the third article declares, "the judicial power of the United States shall be vested in one Supreme Court, and in such other inferior courts as the Congress may, from time to time, ordain and establish." The second section declares that "the judicial power shall extend to all cases in law or equity, arising under this Constitution, the laws of the United States, and the treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States; between a State and citizens of another State; between citizens of different States; between citizens of the same State, claiming lands under the grants of different States; and between a State, or the citizens thereof, and foreign states, citizens, or subjects." It then proceeds to declare, that "in all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as the Congress shall make.

He discussed this point at considerable length and demonstrated that all judicial power, as it was understood and as it existed at the time the Constitution of the United States was formed, must be lodged in judicial tribunals; and the tribunals provided by the Constitution were the Supreme Court and the inferior courts.

The Justice then states that the article creating and defining the judicial power of the United States is "the voice of the whole American people solemnly declared, in establishing one great department of that Government which was, in many respects national, and in all, supreme." He further declared:

> The language of the article throughout is manifestly designed to be mandatory upon the legislature. Its obligatory force is so imperative the Congress could not, without a violation of its duty, have refused to carry it into operation. The judicial power of the United States shall be vested (not may be vested) in one Supreme Court, and in such inferior courts as Congress may, from time to time, ordain and establish. Could Congress have lawfully refused to create a supreme court, or to vest in it the constitutional jurisdiction? "The judges, both of the supreme and inferior courts, shall hold their offices during good behavior and shall, at stated times, receive, for their services, a compensation which shall not be diminished during their continuance in office." Could Congress create or limit any other tenure of the judicial office? Could they refuse to pay, at stated times, the stipulated salary, or diminish it during the continuance in office? But one answer can be given to these questions; it must be in the negative. The object of the Constitution was to establish three great departments of government; the legislative, the executive, and the judicial departments. Without the latter it would be impossible to carry into effect some of the express provisions of the Constitution. The judicial power must therefore be vested in some court by Congress; and to suppose that it was not an obligation binding on them, but might, at their pleasure, be omitted or declined, is to suppose that, under the sanction of the Constitution, they might defeat the Constitution itself; a construction which would lead to such a result cannot be sound.
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> If, then, it is the duty of Congress to vest the judicial power of the United States, it is a duty to vest the whole judicial power. The language, if imperative as to one part, is imperative as to all. If it were otherwise, this anomaly would exist, that Congress might successively refuse to vest the jurisdiction in any one class of cases enumerated in the Constitution, and thereby defeat the jurisdiction as to all; for the Constitution has not singled out any class on which Congress are bound to act in preference to others.

It is further declared in the opinion:

> It would seem, therefore, to follow that Congress are bound to create some inferior courts, in which to vest all that jurisdiction which, under the Constitution, is exclusively vested in the United States, and of which the Supreme Court cannot take original cognizance. They might establish one or more inferior courts; they might parcel out the jurisdiction among such courts, from time to time, at their own pleasure. But the whole judicial power of the United States should be, at all times, vested, either in an original or appellate form, in some courts created under its authority.

If injunction is a part of the judicial power of the Federal Government, then it is the duty of Congress to vest this power in some Federal court. Perhaps one inferior court may from time to time be substituted for another, but the whole judicial power muse be vested in some inferior court and in the Supreme Court.

The bill before the Senate, offered by the Senator from Tennessee, does not do this; indeed, it takes away from any district or circuit court the right to issue injunctions in any suit in which it is sought to enjoin, suspend, or restrain the enforcement, operation, or execution of any act of Congress. This power does not reside in the Supreme Court, as it possesses only such jurisdiction as is conferred by the Constitution.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Tennessee?

Mr. KING. I yield.

Mr. McKELLAR. The wording of the bill is not as the Senator states it. It says "until the Supreme Court has passed" upon it. In other words, it would merely delay the application of the injunction until the Supreme Court has declared the law invalid.

Mr. KING. As I interpret the bill, it is a substantial denial of the injunctive power in all its authority.

Mr. McKELLAR. Oh, no. It is a limitation upon the injunctive power. It amounts to a supersedeas.

Mr. KING. I repeat, all judicial power under the Constitution must be lodged in the Supreme Court and in the inferior courts, which inferior courts having been established, judicial power follows, and that power includes the right to issue injunctions without the restraints which are sought to be imposed by the bill introduced by the Senator from Tennessee. Therefore, if it is taken away, this judicial power will not reside in any Federal court, thus defeating the constitutional mandate.

This view is supported by Justice Hughes in his book published in 1928, on page 24, in which he says:

> For, while the Constitution vests the judicial power of the United States in one Supreme Court and in such inferior courts as shall be established by the Congress, and judicial power cannot be placed elsewhere, still with respect to the jurisdiction of the Supreme Court it is only the original jurisdiction that is completely safeguarded by the Constitution."

It is recognized that State courts may in the exercise of their ordinary, original, and rightful jurisdiction incidentally take cognizance of cases arising under the Constitution, the laws and treaties of the United States and to all these cases the judicial power of the United States does extend by means of its appellate jurisdiction. For this reason it might be argued that the judicial power in original or appellate form is vested in some court of the United States, but this conclusion does not remove the objection of a denial of the power to issue an injunction. The whole effect of the injunctive power is to provide immediate relief from irreparable damage to persons or property. Of course, the irreparable damage might have already taken place by the time the case reaches the Supreme Court of the United States in the exercise of its appellate jurisdiction.

Furthermore, it must be recognized that the State courts have no authority to issue injunctions to restrain Federal officers from the execution of their duties under the laws of the United States, even though a different rule applies in the case of State officers enforcing a State law which violates the Federal Constitution: *Cavanaugh* v. *Looney* (248 U. S. 453). See Pomeroy, Equity Jurisprudence (4th ed., sec. 1747).

As authority for this statement Pomeroy cites the case of *In re Turner* (119 F. 235). In that case the State court had issued an injunction restraining Major Turner, an Army officer acting in obedience of a command by the Secretary of War, pursuant to an act of Congress, from laying a sewer pipe from a United States Army post in Iowa to what is called the North River. In April 1900, Congress passed a statute for the erection of a military post at Des Moines, Iowa. Under this statute the site selected was about 5 miles south of Des Moines, and the sewer in question extended from the site to the North River, a distance of about 2 miles. The State court issued an injunction enjoining the defendant from constructing any part of the sewer in Warren County. On the ground that a Federal question was involved, the case was removed to the district court. In holding that the State court had no authority to issue the injunction in such a case, the Federal court said:

> Next, as to the injunction case in the circuit court. It is claimed that the amount in controversy does not exceed $2,000. But it is the value of the land, and not of the use, that is decisive of this question. That there is a Federal question involved cannot be in doubt. It appears from the face of the petition, filed in the State court, that defendants were executing an act of Congress, and complainant says, in effect and meaning, that the statute is being executed in an unauthorized and unlawful manner, because of that provision of the Constitution which declares, "nor shall private property be taken for public use without just compensation." (Constitutional amendment, article 5.) So that in this case we have not only a Federal statute involved, under which defendants are acting, but we have a provision of the Federal Constitution which defendants are charged by plaintiff, the landowner, with violating; and this all because, not that defendants are taking plaintiff's property for the Government, but that by laying the sewer they are depreciating the value of his property. And whether this is a taking within the meaning of the Constitution I make no ruling. That question is not yet reached. But complainant asserts the proposition, and defendants deny it. Surely we have a Federal question. But that cannot be tried on injunction issued by a State court.
>
> The injunction was improvidently issued, and should be set aside, and the order is accordingly made; and, regardless of the citizenship of the parties, a Federal question being involved, and the amount in controversy being sufficient, the case was properly removed to this court by order of the State court, and the motion to remand is overruled.

In *Abeleman* v. *Booth* (21 How. 506) a warrant for Booth's commitment was made by the United States commission for having aided and abetted in the escape of a fugitive slave from the custody of a United States marshal in violation of the fugitive slave law of September 18, 1850. The State judge on habeas corpus released Booth and his decision was affirmed by the Supreme Court of Wisconsin on the ground that the fugitive slave law was unconstitutional. The Supreme Court of the United States reversed the judgment of the State court on the ground that the State had no jurisdiction of the prisoner. The same rule was applied in *McClung* v. *Silliman* (6 Wheat. 598), in which the Supreme Court held that the State court could not issue a mandamus to the Register of the Land Office of the United States in Ohio commanding him to issue a final certificate of purchase to the plaintiff for certain lands in that State to which the plaintiff claimed under the laws of the United States. In that case it was held that the officers of the United States, employed in disposing of the lands of the United States, can only be controlled by the power that created them, and that no such power to issue a mandamus resulted to the State courts. The reason for such a rule is well expressed in *In re Neagle* (135 U. S. 62), in which the Court pointed out that while the case could be brought into the United States court for review, the officer is withdrawn from the discharge of his duty during the pendency of the proceedings and the exercise of Federal power arrested.

But even assuming for the sake of argument that the State court having acquired jurisdiction of a case could issue an injunction to restrain the operation of a Federal statute it does not follow that in all cases the litigant would be granted injunctive relief. The authorities are unanimous in stating that an injunction is an action in personam, and that to make it effective the court must have jurisdiction over the person. If a Federal officer acting under a Federal statute was about to commit irreparable injury to the property of a resident of the State of Maryland situated in the District of Columbia, the Maryland resident would not be entitled to equitable relief from his State court because the State court would have no jurisdiction to restrain the acts of an officer of the United States performed outside of the State. The litigant could not go into courts of the District of Columbia and request relief for such courts are inferior courts of the United States within the contemplation of the McKellar bill, and therefore could not afford him any relief.

The bill under consideration confuses the distinction recognized by the Constitution between jurisdiction and judicial power. Jurisdiction refers to cases or persons over which the court is to have cognizance, and judicial power refers to the means given to the court to exercise its jurisdiction. The mere fact that the measure refers to the jurisdiction of the district and circuit courts of appeals does not make it a matter of jurisdiction. What the bill really does, or attempts to do, is to interfere with the judicial power of the court. It does not take away from the court its power to take cognizance of the cases and persons affected, but strikes at the inherent power of the court to issue injunctions where a statute of the United States is involved. It is not a legitimate use of the power given to Congress to regulate the jurisdiction of Federal courts, but an unlawful attempt to make inoperative an inherent judicial power vested in the courts of the United States under the Constitution.

The effect of the measure would be to deny a citizen injunctive relief even to prevent irreparable injury to his life, liberty, or property under the fifth amendment.

Suppose litigants believe an act of Congress is unconstitutional and can show that, if put into effect, irreparable damage will result; are they entitled to no relief? Should not the injured person be entitled to present to the nearest Federal court his plea for relief? Should the judicial power of the Federal court to issue injunctions be taken away from it because the court is asked to invoke its power to exercise its authority to determine whether an act of Congress is constitutional?

It has been stated by some that while they recognize the right of the Supreme Court to declare acts of Congress unconstitutional they deny that this power exists in our Federal courts, but the Federal courts are as much a part of our judicial branch as is the Supreme Court. It is a fact that Federal courts were the first to declare acts in conflict with the Constitution invalid following their establishment under the judiciary acts, and it is well known that State courts before the creation of the Federal courts declared acts unconstitutional. There were decisions by our Federal circuit courts in 1791–93 holding State laws invalid when in conflict with the Federal Constitution.

In the reported case of *Van Horne's Lessee* v. *Dorrance* (2 Dall. 304), reported in 1795, Mr. Justice Patterson, at circuit, held an act passed by the Legislature of Pennsylvania invalid as impairing the obligations of a contract. This language of the able justice is worthy of consideration:

> I take it to be a clear position that if a legislative act oppugns a constitutional principle, the former must give way and be rejected on the force of repugnance. I hold it to be a position equally clear and sound that in such case it will be the duty of the court to adhere to the Constitution and to declare the act null and void.

This decision was rendered 6 years before John Marshall's appointment to the Supreme Bench.

Mr. Justice Chase was a little more hesitant in 1796, as shown in the case of *Hylton* v. *United States* (3 Dall. 171), but in 1800, after he had thoroughly considered the question in the case of *United States* v. *Callander* (25 Fed. Cas. 239), he asserted the doctrine as strongly as did Judge Pat-

terson. Since that time, and even before, Federal courts have not hesitated to hold acts of Congress unconstitutional which they believed to be in conflict with the Federal Constitution. This is a fundamental part of their judicial power, and since they have taken an oath to support the Constitution of the United States, it is not only their right, but it is their duty, to exercise this power. Moreover, unless the constitutional question is raised in the inferior courts it will not be considered by the Supreme Court on review.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER (Mr. MALONEY in the chair). Does the Senator from Utah yield to the Senator from Tennessee?

Mr. KING. I yield.

Mr. McKELLAR. The Senator says that this is a fundamental right given the courts in the Constitution. Will the Senator point out a single line or even word in the Constitution that gives in terms to the Supreme Court or any other court the right to declare an act of Congress unconstitutional?

Mr. KING. The Senator asked a similar question when I was discussing, nearly a year ago, the authority of the Supreme Court to declare acts of Congress invalid. He stated then, as I recall, that the origin of the view that the courts might declare acts unconstitutional was found in John Marshall's decision in the Marbury case. I pointed out then that the view announced by Marshall obtained before the Constitution was formed, and that it was entertained by the members of the Constitutional Convention.

Mr. McKELLAR. But that is not the question I am asking. Here is the Constitution right before me. Is there a line in the Constitution that gives the express power to the Supreme Court or any other court to declare an act of Congress unconstitutional?

Mr. KING. The Constitution, which is the supreme law of the land, provides that one of the three coordinate branches of the Government was the judiciary, and also declares in substance that all judicial power of the United States shall be vested in the Supreme Court and such inferior courts as the Congress might ordain and establish. Certainly the judiciary, recognized by all as a vital part of the Federal Government, was not a shadowy form but a vital living organism. The fathers of the Republic knew what judicial power was—they knew that it comprised authority to declare acts unconstitutional, and when they vested all judicial power in the judiciary, that necessarily meant the authority to pass upon the validity of acts of Congress. The members of the Constitutional Convention knew that controversies would arise over interpretations of the Constitution. They knew that the States might differ in the interpretations placed by their courts upon treaties and laws of Congress, and that unless there were some judicial body with authority to reconcile these different views and to determine whether acts were valid or invalid a chaotic condition would result.

Mr. McKELLAR. But surely the Senator will admit there is not an express word or line, or even thought, to that effect stated in the Constitution itself?

Mr. KING. I do not agree with the Senator.

Mr. McKELLAR. I invite the Senator to show where it is so provided in the Constitution.

Mr. KING. I invite attention to the statement which I made on a previous occasion when I discussed the question and cited numerous authorities holding the right of the Supreme Court to challenge the constitutionality of an act of Congress, and I also repeat what is stated in section 1 of article III of the Constitution.

Mr. ASHURST. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Arizona?

Mr. KING. I do.

Mr. ASHURST. I had resolved not to enter this debate, because the able Senator from Utah has a philosophy of his own which he is expounding in a very learned way.

Mr. KING. Not my own, but the philosophy of many.

Mr. ASHURST. And after nearly a score of years of service with the able Senator on the Senate Committee on the Judiciary I have learned to have great respect for his erudition and knowledge of the law.

If the Senator will permit me, it must have been 2 weeks ago or more that the able Senator from Tennessee [Mr. McKELLAR] introduced a bill which I construed to limit not the judicial power of any judge but the jurisdiction.

Mr. McKELLAR. That is true.

Mr. ASHURST. Several Senators today have pointed out the difference between judicial power and jurisdiction. Congress has no authority or power to interfere with the judicial power; but, as I conceive it, we may interpret or change or modify the jurisdiction—not the judicial power—of the inferior courts; that is, the circuit and the district courts.

Mr. KING. I do not differ with the Senator in stating that there is a difference between jurisdiction and judicial power; but, as I have indicated, all judicial power must be invested in some courts, and the Senator knows that under the Constitution of the United States, if inferior courts do not have injunctive power, there is no way by which immediate relief from irreparable damage or injury can be secured as the original jurisdiction of the Supreme Court is limited.

Mr. ASHURST. I am supporting the Senator thus far, if the Senator will permit an interruption. Will the Senator permit it?

Mr. KING. Certainly.

Mr. ASHURST. Whilst I agree that the bill introduced by the able Senator from Tennessee is not at all unconstitutional, and there are many precedents for it, I wish to disagree with the view of the able Senator from Tennessee and agree with the view of the Senator from Utah that there is in the Constitution a mandate upon the judges to declare laws invalid where we have transcended our power.

The able Senator from Tennessee in a most respectful way issued a challenge to anyone to say where the Constitution declares that the Supreme Court has power to declare laws unconstitutional. The Senator from Tennessee is a student of the Constitution. All I need to do is to read this part of article VI:

> This Constitution and the laws of the United States which shall be made in pursuance thereof and all treaties made or which shall be made under the authority of the United States shall be the supreme law of the land.

By a force of reasoning which no one can escape, with the judicial power reposed in the courts under the Constitution, and with the Constitution made the supreme law of the land, it is the duty of the courts, if they are honest men, when an unconstitutional act comes before them, to say so.

Mr. KING. I have just stated that they have not only the power but the duty to say so.

Mr. ASHURST. The Senator has stated it more ably than I could; but in view of a controversy of a sharp nature going on throughout the country, I thought it might be enlightening to say, if the Senator will permit me further, that no man in this body at this time, or who has served heretofore, has ever more inveterately pointed out the right and power of the courts to declare laws unconstitutional; and, so far as I know, no measure would have a conjectural possibility of becoming a law which would seek to deprive the courts of their right and power to declare laws unconstitutional.

Mr. McKELLAR. Mr. President, if the Senator will yield——

Mr. KING. I yield.

Mr. McKELLAR. I desire to say that as the Constitution is now being applied, certainly after long acquiescence by the country, I think the Supreme Court now has the power to declare an act unconstitutional; but certainly that power was not given to the Supreme Court by the Constitution itself. I think it ought to have been given to the Supreme Court by the Constitution itself. It ought to have been given to that Court, and it ought not to have been exercised by the Supreme Court and other courts generally, like the district courts and the circuit courts.

Why, Mr. President, just a year or two ago the Board of Tax Appeals—not even a court, but a board of tax appeals—

deliberately declared, in a published opinion, that an act of Congress was unconstitutional! It will not be long before we shall find justices of the peace throughout the country declaring acts of Congress unconstitutional, and all brought about by the failure, perhaps, of our founding forefathers to put into the Constitution an express provision for declaring acts unconstitutional.

I think the Constitution ought to do it. I think there ought to be a tribunal to pass upon acts of Congress. The Supreme Court has amended the Constitution of the United States by assuming that power, and the country has agreed to it; and I agree with the Senator from Arizona that no bill would get anywhere to take away from the Supreme Court that power which they have assumed.

Mr. KING. Mr. President, the provision of the Constitution just read by the Senator from Arizona is a command to every court to pass upon the constitutionality of acts of Congress brought to its attention in a proper case, and if such acts transcend the authority of Congress, to hold them invalid. As indicative of the intention of the founders of the Republic with respect to the authority of the courts to pass upon the validity of legislative enactments I call attention to the fact that within a few months after the adoption of the Constitution, when there were 25 Members of the House and of the Senate in the Congress who had been members of the Constitutional Convention, the Judiciary Act became a law. Under that act the Federal and State courts were authorized to pass upon the validity of laws and treaties. There was, thus, an interpretation placed upon the Constitution a number of years before John Marshall's decision in the Marbury case, and that interpretation was that the validity of legislation might be determined by the courts.

Sometime ago I examined the constitutions of the 48 States and my recollection is that in each of them the judicial power was conferred in language substantially the same as that found in the Constitution of the United States. There were no express provisions authorizing the courts of the various States to declare acts to be unconstitutional, but the judicial tribunal of the States have held without challenge that they had the right to pass upon the constitutionality of legislative enactments of their respective States. I have made some investigation and find that literally hundreds of State laws have been declared unconstitutional by the courts of the States. The people of the United States from the beginning of our Government recognized the authority and the duty of courts to hold invalid measures that were violative of the Federal and State constitutions. Many of the States and the Colonies before the States were organized held invalid legislative enactments. In the various colonial governments measures adopted by colonial councils were declared by the Privy Council of Great Britain to be unauthorized and therefore invalid. My recollection is that the Colonies and the States before the Constitution was adopted attempted to assimilate to their so-called legislative proceedings the doctrine announced by Lord Coke in his contention that Parliament was not omnipotent.

Mr. BLACK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Alabama?

Mr. KING. I do.

Mr. BLACK. I desire to ask a question with reference to the Senator's statement, as I understood him, that hundreds of laws had been held unconstitutional before the Constitution was adopted.

Mr. KING. No; I said many State laws. Take the Singleton case, in North Carolina, and a number of cases in New Jersey and in the New England States.

Mr. BLACK. I may state to the Senator that I do not claim to have explored the subject completely, but I have read all I could find on it up to this time. I find only seven instances in which such a thing was done, and in each instance the action of the court was met with decided and vigorous protest. In the case in Rhode Island, to which the Senator refers, the judges were summoned before the legislature; and in the case in North Carolina, to which he refers, a member of the Constitutional Convention from that State—the Governor—immediately repudiated the action. On investigation I could find only seven instances in which the power had ever been even remotely asserted up to that time.

Mr. KING. Mr. President, the Senator undoubtedly has been diligent in his examination; but my recollection is that there were other cases than those referred to by the Senator in which legislative enactments were held to be invalid, and I am sure there were a large number of measures adopted or enacted by the Colonies before the States were organized which were declared to be invalid by the Privy Council of Great Britain, which stood in the light of an appellate or supreme court. A short time ago I prepared a memorandum discussing this matter, and I recall that Mr. Charles Warren, in his excellent book, Congress, the Constitution, and the Supreme Court, states in substance that colonial acts, as well as the laws of a number of States before the Constitution was adopted, had been held to be invalid. I do not have the memorandum here, but I ask permission to insert in the RECORD at the conclusion of my remarks excerpts from the same.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLACK. I will simply state to the Senator that, instead of the statement of Warren——

Mr. KING. And others, I said.

Mr. BLACK. If he will do so, I will ask him to put in the RECORD the list of cases, because I have endeavored to find them; and while I find several statements to the effect that there had been such instances, I find that those who have made careful and painstaking study take issue on that point. No one has ever been able to find more than seven such cases, and as to four of those circumstantial proof indicates that they cannot properly fall in such a category, and in the other three there was very vigorous protest, and a meeting was held in New York by the Clintonians vigorously condemning it.

I am not saying this with any idea of getting into an argument or controversy about the matter, because I hope the Senator does have the list, and I shall be glad to see it placed in the RECORD.

Mr. KING. Mr. President, I have been diverted by the interruptions of Senators from the subject which I was discussing, namely, the bill introduced by the Senator from Tennessee, relating to the equitable power of Federal district and circuit courts of appeal. However, I will submit just a few words by way of reply to the Senator from Alabama. There was a controversy between Coke and Lord Ellesmere, with which the Senator is undoubtedly familiar, in which the former asserted the right of the British courts to pass upon parliamentary acts, as well as the acts of the King. The colonists challenged various acts of Parliament, contending that the same were violative of the charters of the Colonies, as well as the rights of the colonists under the spirit of the British unwritten constitution. The Declaration of Independence, as well as the pleas of Otis and Samuel Adams and others, clearly indicate that they believed that legislative enactments or orders of the King might be attacked when they violated the rights of the colonists.

Mr. BLACK. Mr. President, will the Senator yield in connection with his statement that I am familiar with the statement about Lord Coke? I wish to interject a remark, if he will permit.

I am reasonably familiar with the controversy, but, in my judgment, the dictum of Lord Coke in the case to which the Senator refers was never accepted, but was expressly and vehemently repudiated. In addition to that, instead of the tyranny of the King being imposed over the courts, in my reading of history I reached the conclusion that it was a combination of the judges with the King that brought about the protest of the people, on account of the judges supporting the King and usurping the legislative right of the people, and that the Parliament——

Mr. KING. I do not yield for a speech.

Mr. BLACK. I am not trying to make a speech.

Mr. KING. I think it is a speech. I will ask the Senator to please conclude.

Mr. BLACK. The Senator made a speech stating that I was familiar with the history of the controversy, and my familiarity with the history is such that it leads me to believe that it was the combination of the judges acting with the King, when, by a 5-to-4 opinion, the judges held the ship money law to be constitutionally a prerogative of the King, which brought on the Revolution, and the King lost in that very heavily.

Mr. KING. Mr. President, there was a struggle for several centuries in Great Britain between the Crown and the Parliament and the liberal forces who were seeking a larger degree of liberty and a wider field for social and political development. At times the liberal movement manifested itself in a demand for judicial review of legislative and executive acts, and Lord Coke and others, believing that the rights of British subjects, not only in Great Britain but in the New World, were being infringed upon, challenged the supremacy of the Parliament and the unlimited authority of the King. It is also true that many of the laws of the Colonies were held invalid during the period prior to the adoption of the Federal Constitution. My recollection is that Professor Dickinson, in his work, the American Colonial Government, states, in substance, that during the period from 1696 to 1765, approximately 400 different laws from the continental American Colonies alone were disallowed or held to be invalid.

The Privy Council was in effect the final judicial tribunal to pass upon the laws passed by the American Colonies which were disallowed. The Colonies understood that the mother country regarded their legislative bodies as possessing limited authority; and they understood that their laws might be disallowed by the Privy Council. There were cases in which the judgments of colonial courts were set aside merely because of the conflict of law on which they rested, with higher fundamental provisions contained in the instrument by which the colony was founded.

Mr. Meigs, in his work entitled "The American Doctrine of Judicial Power", states that—

> In more than half of the States the doctrine of judicial review had received distinct recognition from leading public men.

And he adds, as I recall, that—

> The evidence is overwhelming that the American doctrine of judicial power originated in no usurpation, but was precisely one of those gradual and well-nigh inevitable growths that formed so great a part of the basis of the governmental system of the Anglo-Saxon people.

In the memorandum to which I have referred I shall direct attention to various writers supporting the position which I have taken, that in the colonial days, and after the States were organized, legislative acts were declared invalid.

Mr. President, I now return to a discussion of the subject to which I first addressed myself. I shall attempt to show that if the so-called inferior courts were denied the power to grant injunctions no relief would be possible. My recollection is that the Supreme Court has repeatedly refused to consider law questions not raised in the lower courts; but under the bill to which I have referred, if they exercise this power, they cannot exercise their judicial power to issue an injunction to prevent irreparable injury to the litigant while the matter is on appeal. Not only is jurisdiction taken away from the court to issue an injunction in case the court holds the statute invalid, but even in those cases where the court construes the statute as not to cover the litigant's case. It might be that the Congress did not intend the litigant's case to be covered by the Federal statute, but due to an erroneous and technical construction of the statute by the executive department the litigant is brought in. Even in such cases the inferior court loses the right to grant an injunction to prevent irreparable injury. I inquire if this is not an arbitrary and unreasonable abuse on the part of Congress of its power to regulate the jurisdiction of inferior courts. Can it be said that Congress was granted this power to nullify other rights and powers or guaranties granted by the Constitution? I think not.

Congress has power to enact laws on the subject of bankruptcy, but it cannot exercise that power so as to deprive persons of property without due process of law (*Louisville Joint Stock Land Bank* v. *Radford* (295 U. S. 555)). Congress has the power to levy taxes, but it cannot use that power to take over functions reserved to the States or to the people under the tenth amendment (*United States* v. *Butler* (297 U. S. 1)).

It is a truism to state that Congress must use the powers granted to it under the Constitution in a legitimate manner. An example of an abuse of power has occurred in connection with the power of States to deny foreign corporations the right to do business within the State. In a certain case one of the conditions of a State statute under which a foreign corporation was permitted to enter and do business within the State was that it surrender its right as a foreign corporation to sue in the Federal courts. The Supreme Court held the statute invalid in this respect, holding that the right of a State to exclude a foreign corporation cannot be used to require a waiver of constitutional rights (*Barron* v. *Burnside* (121 U. S. 186)).

In the case of *Frost Trucking Co.* v. *R. R. Co.* (271 U. S. 595), the Court said:

> It is not necessary to challenge the proposition that, as a general rule, the State having power to deny a privilege altogether, may grant it upon such conditions as it sees fit to impose. But the power of the State in that respect is not unlimited; and one of the limitations is that it may not impose conditions which require the relinquishment of constitutional rights.

I have been contending for the constitutional right of the inferior courts to issue injunctions, under the equity power conferred by the Constitution, and we may not require that in order for citizens to avail themselves of this right they must abandon a constitutional privilege and not seek injunctive relief for the protection of their persons or their property. The Court continued:

> If the State may compel the surrender of one constitutional right as a condition of its favor, it may, in like manner, compel a surrender of all. It is inconceivable that guaranties embedded in the Constitution of the United States may thus be manipulated out of existence.

So I repeat, Mr. President, that the Constitution having granted to the judiciary of the United States equitable powers as well as the usual legal powers, we may not deprive litigants of their right to their remedy, nor courts of their authority to exercise equitable as well as legal power, and to grant equitable as well as legal relief.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER (Mr. TRUMAN in the chair). Does the Senator from Utah yield to the Senator from Tennessee?

Mr. KING. I yield.

Mr. McKELLAR. Does the Senator go to the extent, in that view, of saying that the Congress has no right to limit the time and the measure of injunctive relief which the Court has the right to grant?

Mr. KING. Mr. President, I am not quite sure as to the implications which might follow from the question. I do say—and this is the point for which I am contending primarily—that all judicial power has been conferred by the Constitution upon the courts, the Supreme Court and the inferior courts, and having conferred that power we may not, as in the case to which I have just referred, prevent the exercise of that power by the court by imposing upon litigants restrictions which would result in a denial of their constitutional rights.

I think perhaps a law might be passed providing that the inferior courts granting injunctive relief must pursue a certain course, but that limitation must not be such as to prevent this power from being practically operative, and so restrict the granting of relief in violation of due process of law.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. AUSTIN. I should like to ask the Senator if it is not regarded as a sensible and sound principle in our system of government that judicial power is measured entirely by human rights?

Mr. KING. Not altogether.

Mr. AUSTIN. And that if there is a human right there is a correlative judicial power to save and protect it.

Mr. KING. Absolutely; but the right of the person to have his property rights protected.

Mr. AUSTIN. That being so, all judicial power being vested in the judicial department, Congress cannot remove it. Is not that the necessary step which follows?

Mr. KING. That is the position I take; and the inferior courts having been endowed with judicial power, they may not by legislation of the Congress be deprived of power to protect the citizen, his property, his life, and his liberty.

Mr. AUSTIN. Mr. President, will the Senator yield for a further question?

Mr. KING. I yield.

Mr. AUSTIN. If we should assume that Congress has so much control over this supposedly independent department of the Government that it may limit and regulate that department, if we were to admit that that power existed, could we go a step further and say that Congress has the power entirely to destroy this judicial power and function, or must we, if we limit and curtail one court, open up another tribunal for the people where the same power that corresponds to the human right may be exercised?

Mr. KING. As I have attempted to show, the inferior courts are constitutional courts and are invested with judicial power. In my opinion, to strip the Federal courts of their authority to exercise judicial power would be not only an injustice but a betrayal of the rights of the people. If Congress, in a spirit of resentment, or in utter disregard of its duty, should refuse to provide funds for the maintenance of the Supreme Court of the United States, or should attempt to abolish all inferior courts, the people would be justified in denouncing its course as a violation of the Constitution and a betrayal of the rights of the people.

As I have indicated, it was the duty of Congress to set up a Supreme Court, for which provision was made in the Constitution, and to provide for inferior courts to exercise, in connection with the Supreme Court, the fullness of judicial power. Congress would fail if it provided judicial tribunals in which might be exercised only a portion of such judicial power. The judicial department of the Government is the repository of all judicial power, and to attempt to strip it of any of its power would call for condemnation.

I have referred to bankruptcy cases and cases where corporations were denied rights unless they surrendered the right to sue in Federal courts.

There is a striking analogy between these cases and the measure to which I am referring. It seems to me we cannot justify our position if we say that Federal courts, even if they believe acts of Congress are unconstitutional, cannot exercise their judicial power to enjoin the enforcement of those acts. That would be, in effect, to declare that their hands are tied, and that their undoubted chancery power preserved to them by the Constitution may not be exercised even though the enforcement of an act would certainly result in irreparable injury to the litigant, and would amount to a taking of his property without due process of law. Under that view, the litigant is to be denied any relief whatever; and this may be the case even though Congress did not intend the litigant's case to be covered by the statute, but the statute is made to apply to him by an erroneous and technical construction by the executive department.

It seems to me that we are not justified in forcing the courts to give up one of their constitutional powers. Is this a legitimate exercise of congressional authority to regulate the jurisdiction of the inferior courts? Did the Constitution bestow such a power on the Congress for a purpose of this character? I think not.

In referring to the power to punish for contempt in connection with the provisions of the Clayton Act requiring a trial by jury in such a case upon demand of the accused, the Supreme Court said, in the case of *Michaelson* v. *U. S.* (266 U. S.):

> That the power to punish for contempts is inherent in all courts, has been many times decided and may be regarded as settled law.
>
> It is essential to the administration of justice. The courts of the United States, when called into existence and vested with jurisdiction over any subject, at once became possessed of this power. So far as the inferior Federal courts are concerned, however, it is not beyond the authority of Congress (Ex parte Robinson, 19 Wall. 505, 510–511; *Bessette* v. *W. B. Conkey Co.* (194 U. S. 324, 325)), but the attributes which inhere in that power and are inseparable from it can neither be abrogated nor rendered practically inoperative. That it may be regulated within limits not precisely defined may not be doubted. The statute now under review is of the latter character. It is of narrow scope, dealing with the single class where the act or thing constituting the contempt is also a crime in the ordinary sense.

In reaching this conclusion the Court was careful to point out that contempts of the kind within the statute were in the early law punishable only by the usual criminal procedure, and that in England they still may be and are preferably tried in that way. The Court concluded that the statutory extension of the right to trial by jury to this class of contempts did not invade the power of the courts as conferred by the Constitution; but this decision is no authority for the proposition that Congress can take away the power of injunction from the Federal courts. In fact, it seems to recognize the existence of such a right in the Federal courts, and that it cannot be abrogated or rendered practically inoperative.

Section 20 of the Clayton Act provides that—

> No injunction shall be granted by any court of the United States, or a judge or the judges thereof, in any case between employers and employees * * * or between persons employed and persons seeking employment involving or growing out of a dispute concerning terms or conditions of employment unless necessary to prevent irreparable injury to property, or to a property right of the party making the application, for which injury there is no adequate remedy at law, and such property or property right must be described with particularity in the application, which must be in writing and sworn to by the applicant or by his agent or attorney.

The Congress did not go to the extent of denying the right to grant injunctive relief where irreparable injury and harm would result to the citizen. Where there is no adequate remedy at law, they held that the injunctive power under that statute was properly exercised.

The Supreme Court, in upholding the validity of this section, pointed out that it introduces no new principle into the equity jurisprudence of the courts but is merely declaratory of what was always the best practice, which Congress thought it wise to stabilize and render uniform (*American Foundries* v. *Tri-City Council*, 257 U. S. 184).

It is obvious that there is nothing in this decision which recognizes the right of Congress to abrogate the power of injunction or render it practically inoperative by the Federal courts. It has been suggested that the case of *Smith* v. *Apple* (264 U. S. 274), may be cited as authority for the statement that the power to issue an injunction is not necessarily within the class of inherent attributes belonging to a court. That case, however, does not justify such a conclusion; it related merely to a statute restricting the right of a Federal court in a certain class of cases to issue injunctions staying proceedings in a State court. The constitutionality of such a statute was not raised or considered by the Court.

While the decision of the Circuit Court of Appeals in the case of *Levering & Garrigues Co.* v. *Marvin*, upholding the validity of the Anti-Injunction Act of March 23, 1932, might be regarded as affording some support for the proposition of restricting the power of injunction by the inferior courts, this case did not reach the Supreme Court, and therefore cannot be considered as determining the question. Moreover, the Anti-Injunction Act of March 23, 1932, did not make the power to issue an injunction wholly inoperative in the case of all Federal statutes. The restriction was confined to labor disputes not affecting interstate commerce or diversity of citizenship. But the bill to which I am referring prohibits the lower Federal courts from granting injunctions in all cases where it is sought to enjoin, suspend, or restrain the enforcement, operation, or execution of any act of Congress.

Reference has been made to section 3224 of the Revised Statutes of the United States, which provides that—

* * * no suit for the purpose of restraining the assessment or collection of any tax may be maintained in any court. * * *

The Supreme Court has pointed out that the principal reason for this statute is that—

* * * as courts are without authority to apportion or equalize taxes or to make assessments, such suits would enable those liable for taxes in some amount to delay payment or possibly to escape their lawful burden and so to interfere with and thwart the collection of revenues for the support of the Government. * * *

But certainly no such reason exists in the case of every Federal statute. Moreover, even in tax cases the courts have invoked their equity powers where there existed special and extraordinary circumstances sufficient to bring the case within some acknowledged head of equity jurisprudence (*Miller* v. *Standard Nut Margarine Co.*, 284 U. S. 509).

I respectfully insist that while Congress has the power—and I believe it to be its duty—to create the inferior Federal courts and regulate their jurisdiction within the limits provided for within the Constitution, it cannot exercise this power so as to destroy the rights and guaranties under the Constitution. In *Truax* v. *Corrigan* (257 U. S. 312), the Supreme Court held invalid a statute enacted by the State of Arizona which, as interpreted by the State supreme court, exempted ex-employees, when committing tortious and irreparable injury to the business of their former employers, from restraint by injunction. The Court held that this statute violated the due-process clause of the fourteenth amendment. While it stated that the decision in that case would not invalidate section 20 of the Clayton Act, it was pointed out that the Clayton Act was construed very differently from the construction placed upon the Arizona statute by the State court.

To take away from the litigant the right to equitable relief by way of injunction, of course, amounts to a taking of property without due process of law, and, therefore, is a direct violation of the fifth amendment. To strip inferior Federal courts of their injunctive power, and not give the litigant the power to apply to the State courts for this relief, would be taking away a power necessary to protect life, liberty, and property under the Constitution.

Mr. Justice Brewer, in speaking of the injunction, said:

To take away the equitable power of restraining wrong is a step toward barbarism rather than a step forward to a higher civilization.

The essential independence of the exercise of the judicial power of the United States in the enforcement of constitutional rights requires that the Federal courts shall continue to exercise this judicial power of injunction. Certainly the court will not permit this power to be taken away under an arbitrary and unreasonable abuse of power given the Congress to regulate the jurisdiction of the Federal courts. Its absence would be to sap the judicial power as it exists under the Constitution, and to establish a government of legislative authority under which personal and property rights may be disregarded and abuses perpetrated.

EXCERPTS FROM MEMORANDUM ABOVE REFERRED TO

In the American Doctrine of Judicial Supremacy, Prof. C. G. Haines devotes a chapter to the discussion of cases and precedents before 1789 wherein the doctrine of judicial review of legislative acts was involved. In the chapter referred to he discusses the following cases: *Case of Josiah Philips*, Virginia, 1778; *Holmes* v. *Walton*, New Jersey, 1780; *Commonwealth* v. *Caton*, Virginia, 1782; *Rutgers* v. *Waddington*, New York, 1784; *Symsbury Case*, Connecticut, 1785; *Trevett* v. *Weeden*, Rhode Island, 1786; *Bayard* v. *Singleton*, North Carolina, 1787; and a Massachusetts precedent in 1788.

Professor Haines states that the list of cases referred to "* * * is not intended to be exhaustive—*for historians are still finding data on new cases*—but representative precedents are selected which were known and recognized as instances involving either directly or indirectly the issue of the validity of a legislative act as in conflict with natural law and natural rights or with fundamental law."

He also points out that "The account of early cases is not confined to definite legal precedents, for a number of cases are included in which no act was held invalid, but in which the judges discussed the issue of judicial review in the form of dicta * * *."

Mr. Brinton Coxe, in Judicial Powers and Unconstitutional Legislation, refers to the cases commented upon by Mr. Haines.

Charles Warren, in Congress, the Constitution, and the Supreme Court, refers to the cases of *Trevett* v. *Weeden*, *Holmes* v. *Walton*, and *Bayard* v. *Singleton*, and states:

"In Pennsylvania itself, a Committee of the Council of Censors, reporting in 1784 on breaches of the State constitution, had recorded many 'flagrant' and 'wanton' violations of the 'sacred rights of a citizen to trial by jury.' The legislatures of four other States, prior to the Federal Constitution, had sought to deprive citizens of the right to jury trial; and in each State a State court had decided the State statute to be invalid."

Mr. Warren states that another—

"* * * case has been little referred to by historians; but it appears that inferior courts of New Hampshire, in 1787, held invalid a law of that State depriving citizens of jury trial; and the news of this decision reached New York and Philadelphia and was published in the daily papers while the Federal Convention was sitting, and just at the time when the New Hampshire Delegates arrived at the Convention."

There can be little doubt but that these early cases were known to the framers of the Constitution. Madison undoubtedly referred to Trevett against Weeden when he declared during the course of the Constitutional Convention that—

"* * * In Rhode Island the judges who refused to execute an unconstitutional law were displaced and others substituted by the legislature who would be willing instruments of the wicked and arbitrary plans of their masters * * *."

On June 6, 1787, Gerry said to the framers of the Constitution:

"* * * In some of the States the judges had actually set aside laws as being against the Constitution * * *."

Mr. Warren notes that the Pennsylvania Packet, a newspaper of wide circulation, informed its readers on several days in April and May 1787 that Varnum's famous argument in the case of "Trevett against Weeden on information and complaint for refusing paper bills in payment" of indebtedness could be purchased from book sellers; and also that the Independent Gazeteer (Philadelphia) in June 1787, published a "letter from a gentleman in Virginia to his friend in this city" in which it was stated:

"* * * The majority of the House of Delegates in Rhode Island have lost all character and even shame itself. Yet you see there are honest men in that State. The judges behaved handsomely in the affair of the Tender law."

Professor McLaughlin, in Constitutional History of the United States, referring to the preconvention period, states (p. 312):

"If we examine the decisions of State courts passing upon the construction or the validity of State acts, we find a number of instances in which the principle we are here considering (judicial review) was applied or announced. * * * The early exercise of this power by State courts to declare such State acts void as they believed to be in conflict with the principles of State constitutions is especially impressive because no constitution contained the specific statement that it was law. Pronouncements of the principle which we are considering was made both before and after the Federal Constitution was adopted."

Mr. William M. Meigs, writing in the American Law Review, states:

"It is plain enough, too, from the history of the years about 1787, that the colonial doctrine was not forgotten, and there are several reported decisions in several different States close to that time asserting or enforcing the judicial power. * * * Again, these specific cases were beyond all question in the minds of members of the Convention, when they referred to such decisions by the courts and discussed in general the powers of the judiciary in regard to unconstitutional laws * * *" (40 Am. Law. Rev. 650–651).

Professor McMaster, in his History of the United States (vol. 5, p. 395), informs us that—

"When the struggle for the rights of Englishmen took on the form of a struggle for independence, the same idea of the judicial control of the legislative power was taken up by the leaders and asserted more broadly still. * * * But it was not until the Colonies had become States, with written constitutions of government, that the courts began the continuous practice of controlling legislation by deciding laws unconstitutional."

Prof. Hugh E. Willis, in his recent book on Constitutional Law, declares (pp. 75–76):

"One reason for the fact that the Supreme Court finally took this power to itself was the colonial practice. The colonial courts, and on appeal the Privy Council of England, had the power to declare legislative acts void if in conflict with colonial charters. The colonists, consequently, acquired the habit of seeing colonial laws occasionally declared void by the courts. Hence, upon the adoption of State constitutions it was the natural thing for the State courts tacitly to assume the function of interpreting the new State constitutions; and judges in the States of New Jersey, New York, and Rhode Island rendered decisions declaring legislative acts unconstitutional because in violation of their constitutions; and this action was generally acquiesced in, though not without some opposition. This accustomed the people of the new country to the supremacy of the judiciary over the legislative branch of government."

Professor Dickerson, in his able discussion of the subject of judicial review in American Colonial Government, 1696 to 1765, states (p. 227):

"During the period from 1686 to 1765 nearly 400 different laws from the continental American Colonies alone were disallowed by the Crown. * * *"

Professor Haines, in his American Doctrine of Judicial Supremacy, refers to the extent of judicial review in colonial times, and states (p. 49):

"The extent to which such an administrative review was exercised is shown by the fact that of 8,563 acts submitted by the Colonies, 469, or 5.5 percent, were disallowed by orders in council."

In The Review of American Colonial Legislation by the King in Council, Elmer Beecher Russel observes:

"The power of review exercised by the Privy Council was analogous to that assumed by the Supreme Court of the United States after the formation of the new Government. The Privy Council, it is true, declared acts void upon grounds other than the contravention of a fundamental law; but it frequently did disallow laws because they conflicted with the colonial charters, or with acts of the British Parliament or the common law of England. Under its tutelage, the colonists became accustomed to a limitation upon the power of their legislatures. In this sense the work of the Privy Council constituted at once a precedent and a preparation for the power of judicial annulment upon constitutional grounds now exercised by the State and Federal courts in the United States. * * *"

Professor Dickerson points out that—

"The Declaration of Independence lays the responsibility for the royal vetoes at the door of the King, but probably unjustly. Although every order in council for the disallowance of a law stated that it was done by 'the King in council', the King had nothing to do with the matter personally. The phrase is only one of the numerous fictions of the British Government. The real work of considering colonial laws was done by the board of trade, and the final action was only recorded as done by the King in the presence of and with the advice of his Privy Council. Hence 'disallowed by the King in Council' must be understood to mean by the board of trade on the advice of able legal opinion and finally ratified by the Privy Council. As will be shown later, this action corresponded very closely to that of a careful court of record, rather than to the hasty, arbitrary action of an irresponsible individual * * *."

Mr. Meigs, in The American Doctrine of Judicial Power (47 Am. Law Rev. 689) declares:

"This system prevailed everywhere throughout the country for several generations—about a century and a half—and I think modern history would tell us in convincing tones that such a doctrine, so grown, would not be likely suddenly to die out and disappear from the face of our corner of earth, simply because we broke loose from Great Britain * * *. It certainly did not disappear, but soon began to dovetail with our new system * * *."

Mr. McKELLAR. Mr. President, I shall occupy only a few minutes.

Mr. CONNALLY. Mr. President, will the Senator yield to me for a moment?

Mr. McKELLAR. Yes; I yield.

Mr. CONNALLY. I desire to submit some remarks suggested by the statements made by the Senator from Utah.

Mr. McKELLAR. I shall take only a few minutes in making the remarks I have to make.

Mr. CONNALLY. After the Senator from Texas shall have concluded his remarks, I think the Senator from Tennessee may feel inclined to speak again.

Mr. KING. Mr. President, the Committee on Finance is in session at this moment. I regret that I am not able to remain here to listen to the eloquent remarks of the Senator from Tennessee, as I am obliged to go to the meeting of the Committee on Finance.

Mr. McKELLAR. I am going to take only a few moments. The perfect answer to the Senator from Utah is that my bill does not really affect the judicial power of courts at all. It affects their jurisdiction. I call attention to the provision complained of:

SEC. 264a. No district court or circuit court of appeals shall have jurisdiction of—

Of course, all lawyers know the difference between jurisdiction and power. In my bill I am not discussing power; I am discussing the jurisdiction.

No district court or circuit court of appeals shall have jurisdiction of, and no district or circuit judge shall have jurisdiction or power to issue an injunction in, any suit in which it is sought to enjoin, suspend, or restrain the enforcement, operation, or execution of any act of Congress, or any part or provision thereof, unless and until such act shall have been held finally invalid by the Supreme Court.

Mr. AUSTIN. Mr. President, will the Senator yield to me just for a question?

Mr. McKELLAR. Yes.

Mr. AUSTIN. Does the Senator, in his bill, provide any place to supply the loss of jurisdiction?

Mr. McKELLAR. Why, of course. There is ample jurisdiction in the court to try a case involving the validity or invalidity of an act of Congress. The only thing done by the section of which the Senator complains is to postpone the actual issuance of an injunction until the Supreme Court shall have passed upon the question.

Mr. AUSTIN. Will the Senator yield to me for another question?

Mr. McKELLAR. I yield.

Mr. AUSTIN. In a civil issue involving such a question as confiscation of property, has the Senator provided in his bill some place to which the citizen can go and preserve the status quo during the contest of the civil issue?

Mr. McKELLAR. No; that has not been done. I have examined all the cases which have been held to be unconstitutional by the Supreme Court. I think there were eight cases where an injunction was prayed for and the declaration made in the pleadings that irreparable injury would occur unless the injunction issued. I ask the Senator to examine those eight cases. If he will, I think he will find that in none of the eight could irreparable injury possibly have occurred by the postponement of an injunction until the Supreme Court had passed upon the question in the quick method provided for by the bill introduced by me.

Mr. AUSTIN. Mr. President, will the Senator yield further?

Mr. McKELLAR. Yes; I yield.

Mr. AUSTIN. I ask the Senator whether, in his practice, he has not found, coming within his own observation, many instances where irreparable injury would occur?

Mr. McKELLAR. Oh, yes; but not in connection with the invalidity of an act of Congress. In my practice—and I have had a very active and rather an extensive one—I do not recall where it was necessary for me to allege that an act of Congress was invalid and to ask for an injunction on account of irreparable injury which might ensue.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. CONNALLY. The Senator from Texas always enjoys the addresses and arguments of the eminent and able Senator from Tennessee, but the Senator from Texas wishes to challenge a statement the Senator made a little while ago, and I should like to have him address himself to that question now.

The Senator from Tennessee said that the power exercised by the Supreme Court in declaring acts of Congress unconstitutional was an assumed power, and he evidently based that statement on the fact that there was no express language in the Constitution providing that the Supreme Court may declare acts of Congress to be unconstitutional. Let me say to the Senator, however, that there is nothing in the Constitution to the effect that the Supreme Court can do anything except to exercise jurisdiction in "all cases in law and equity arising under this Constitution", and so on, and so on.

Mr. McKELLAR. That is correct.

Mr. CONNALLY. So one may not, therefore, conclude because the Constitution does not say that the Supreme Court may not declare acts of Congress unconstitutional that it may not do so, for there is no catalog, there is no listing of the powers. On the other hand, does not the Senator from Tennessee know that in a number of the States, under their State constitutions adopted after 1776, State supreme courts have repeatedly held State statutes unconstitutional? Furthermore, does not the Senator know that in the debates in Constitutional Convention it was repeatedly pointed out in arguments that if Congress enacted a law that was not in conformity with the Constitution the courts would hold such action beyond their power? Is not the Senator also aware of the fact that in the Virginia ratifying convention Patrick Henry, George Nicholas, and James Madison pointed out that very thing? Does the Senator not know that in the Federalist Papers, which were issued in support of the adoption of the Constitution by the ratifying conventions, it was repeatedly pointed out by Mr. Hamilton, Mr. Madison, and John Jay that the Supreme

Court did have such power? So how can the Senator say that it was an assumed power?

Mr. McKELLAR. I will undertake to answer the Senator's question. In the first place, so far as State supreme courts declaring acts of Congress unconstitutional is concerned, there have been a few such cases. I think one Senator pointed out there were seven, and I think the Senator from Utah [Mr. KING] said there were more than that, but they were inconsequential. The difference between the two cases is that State legislatures have supreme control over everything arising in their States, but there is a different way of construing what comes before the Supreme Court. In other words, the Supreme Court of the United States has jurisdiction only over those matters concerning which it is given jurisdiction by the Constitution of the United States, and the Supreme Court can exercise its power only in those cases in which it has been granted jurisdiction. That is the difference.

Mr. CONNALLY. Mr. President, will the Senator yield further?

Mr. McKELLAR. Yes.

Mr. CONNALLY. The analogy the Senator draws is an argument against his position, because if a State legislature has complete and plenary power except where limited by the State constitution—and that is the rule—it would require a more aggressive act on the part of a State court to declare the State legislature had acted unconstitutionally than it would in a government of reserved powers where the authority of the Congress is limited by the Constitution, and all the more would reason then arise that the Supreme Court of the United States should have the power to hold acts of Congress unconstitutional if they contravened the fundamental law.

Mr. McKELLAR. The Senator is entitled to that view if he desires. I think there have been but very few State statutes declared to be unconstitutional by State courts. As I pointed out a while ago, the Board of Tax Appeals the other day solemnly declared in a written opinion that an act of Congress was unconstitutional. I presume that some justice of the peace has held that State statutes were unconstitutional, and it may be that a justice of the peace has held that a statute of the United States was unconstitutional; the Senator may find some cases of that kind, but that does not concern——

Mr. BARKLEY. Mr. President——

Mr. McKELLAR. Just a moment. That does not concern what is being put forward by the bill introduced by me. The bill proposes to limit the jurisdiction of courts to issue injunctions in certain cases.

Before I go further, and before I am interrupted any more, will Senators permit me to show the exact authority for the bill?

Mr. CONNALLY. Mr. President, I wish to say that while I am in sympathy with the view of the Senator——

Mr. McKELLAR. I am glad to hear the Senator say so.

Mr. CONNALLY. I am not in sympathy with it for the reasons he gives.

Mr. McKELLAR. Wait a moment. The purpose of the bill is to limit the granting of injunctions. The Senator from Utah [Mr. KING] has just argued very elaborately that the Congress cannot limit the injunctive power; that it cannot take it away, and he declined to answer the question as to whether it could be done even in part. Now let me read from page 1232 of the Judicial Code. Congress passed this act:

> No interlocutory injunction suspending or restraining the enforcement, operation, or execution of, or setting aside, in whole or in part, any order made or entered by the Interstate Commerce Commission shall be issued or granted by any district court of the United States, or by any judge thereof, or by any circuit judge acting as district judge, unless the application for the same shall be presented to a circuit or district judge, and shall be heard and determined by three judges, of whom at least one shall be a circuit judge, and unless a majority of the said three shall concur in granting such application.

Then there are other limitations provided.

There is a distinct limitation on the power of a district judge to issue an injunction in that class of cases; indeed, a district judge cannot issue one at all; he is deprived of jurisdiction or power to issue an injunction at all. That act has gone before the Supreme Court and the Court has upheld it. If it is not a precedent for what I propose by my bill, then I am unable to understand what language means.

If, as the Senator from Utah [Mr. KING] argues, the power to issue an injunction in a case before the district court is a part of the "judicial power" mentioned in the Constitution, of which the district court cannot be deprived by act of Congress, then the Supreme Court could not have upheld the constitutionality of that act. So much for that act.

Mr. CONNALLY. May I say to the Senator—and then I promise not to interrupt him further—that I agree with the Senator in that——

Mr. McKELLAR. I am glad to hear the Senator say so.

Mr. CONNALLY. I think the Congress has the right to limit the jurisdiction of the inferior courts.

Mr. McKELLAR. That is all my bill proposes to do, namely, to limit their jurisdiction.

Mr. CONNALLY. I am not hostile to the purpose of the Senator's bill.

Mr. McKELLAR. I am delighted to hear that statement.

There is one other precedent which I think demonstrates clearly that the Senator from Utah is entirely wrong in his contention about "judicial power." I now read from section 107, on page 1327 of the Code. We all remember the bill there referred to. It was an act passed regulating the issuance of injunctions in labor disputes.

> 107. Issuance of injunctions in labor disputes; hearing, findings of court; notice to affected persons; temporary restraining order; undertakings. No court of the United States shall have jurisdiction to issue a temporary or permanent injunction in any case involving or growing out of a labor dispute, as herein defined, except after hearing the testimony of witnesses in open court (with opportunity for cross-examination) in support of the allegations of a complaint made under oath, and the testimony in opposition thereto, if offered, and except after findings of fact by the court to the effect: (a) That unlawful acts have been threatened and will be committed unless restrained or have been committed and will be continued unless restrained, but no injunction or temporary restraining order shall be issued on account of any threat or unlawful act excepting against the person or persons, association, or organization making the threat or committing the unlawful act or actually authorizing or ratifying the same after actual knowledge thereof;
>
> (b) That substantial and irreparable injury to complainant's property will follow;
>
> (c) That as to each item of relief granted greater injury will be inflicted upon complainant by the denial of relief than will be inflicted upon defendants by the granting of relief;
>
> (d) That complainant has no adequate remedy at law; and
>
> (e) That the public officers charged with the duty to protect complainant's property are unable or unwilling to furnish adequate protection.

In other words, in that case the Congress passed a most stringent act limiting the granting of temporary injunctions, and the Supreme Court has upheld that statute; that is the law of the land; all the amendment offered by me proposes to do is to limit the jurisdiction—in what respect? Limits the jurisdiction of trial judges in injunction cases where the invalidity of an act of Congress is alleged; that is all. Certainly if Congress can limit jurisdiction in the case of labor disputes, if it can limit jurisdiction, for instance, when the Interstate Commerce Commission, which is created by Congress, is involved, if it can limit the granting of injunctions in the case of an order of the Commission, surely Congress can limit the granting of an injunction where the constitutionality of an act of Congress is in question.

A remarkable thing has happened in that 73 acts of Congress have been declared invalid in whole or in part, and the United States Government, which was more interested in the upholding of those acts than any person or institution in the world, was not even made a party. A complainant comes into court and alleges irreparable injury, unless a temporary injunction shall issue, on the theory that an act of Congress is invalid and unconstitutional and void, without even making the Government a party, without the Government even knowing anything about it. A district judge assumes to himself the right to declare the act unconstitutional and issues an injunction against its enforcement. I say we ought to do as much for acts of Congress as we do for a finding of the Interstate Commerce Commission.

Mr. ADAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Colorado?

Mr. McKELLAR. I yield.

Mr. ADAMS. The Senator suggested that there is no possible doubt as to the power of Congress to limit the jurisdiction of Federal courts below the Supreme Court, because they are courts created by the Congress and it is a question as to what jurisdiction Congress shall confer upon them. The question I have in mind is whether the Senator, in order to reach a certain result, has not gone too far.

I am thinking of the type of case involving a small man without means to take his case to the Supreme Court. For instance, he may have a mining claim in a mountainous section, a claim well established and patented. By some inadvertence Congress later may have given the right to some great corporation to trespass upon his property. It may have enacted a subsequent statute violating his mineral rights. The circumstances may be of such character that a trespass for a limited time might involve the loss of the valuable ore within his land and might destroy his rights. It seems to me the small man who could not reach the Supreme Court ought to be able to go into a court of original jurisdiction and have an injunction issued to protect him.

The Senator from Tennessee is largely thinking of the reverse, where a great corporation is taking advantage of the situation, as it did in his State, to suspend the operation of beneficent laws. I am thinking of cases where the rights of an individual have been trespassed upon by acts of Congress. His proposed statute would render the small man helpless, because he could not get to the Supreme Court. It seems to me what the Senator ought to do is to limit somewhat the provisions of his bill so as to accomplish justice on the one side and avoid injustice on the other side.

Mr. McKELLAR. Mr. President, I would not want to do an injustice to any citizen of the United States. There may be some justice in the Senator's contention. If he thinks there is, I wish he would prepare the kind of an amendment to my bill he would like to submit and let it go before the splendid Committee on the Judiciary, presided over by the able Senator from Arizona [Mr. ASHURST]. I am sure that if there is a real right involved in his proposal an amendment can be worked out to meet the situation.

But let me say to the Senator that I have examined most of the cases in which the allegation is made by the complainant that the act involved is invalid and that irreparable injury would come to the complainant unless a temporary injunction should issue immediately. In the cases which have been held unconstitutional by the Supreme Court there is hardly a suggestion of irreparable injury that I have been able to find, except that stated pro forma in the bill of complaint. There may be cases where irreparable injury might be involved. If the Senator will prepare and offer such an amendment, I shall be happy to accept the amendment to bring about what he undoubtedly has in mind.

Mr. ADAMS. May I offer an additional illustration? For instance, Congress, under certain pressure, might enact a law restricting freedom of speech or freedom of the press. Such things have been done; for instance, as the Senator knows, back in 1801. I might be operating a small country newspaper and printing some things which would be thought to be in violation of such a statute. I would be perfectly helpless unless I could stop the officials of the Government from enforcing the law.

I think I heard the Senator read a provision of the statute in reference to certain carefully worded protection about certain injunctions. In the State of Colorado we have a provision that if a man goes into court and asks for a restraining order without notice, he must give a substantial bond and must give notice within not more than 5 days. In other words, he could not tie up a statute or an operation of the Government or of a private individual or corporation for more than a very limited number of days without bringing the interested parties into court and demonstrating that irreparable injury would be done. Then if the allegation in the application for a restraining order that irreparable injury would result is not proven, judgment is to be entered upon the bond.

I think we have rather successfully done away with abuse of the injunctive power. I want to see the injunctive power used where it will protect against the doing of wrong and where it will accomplish justice. I should hate to have the Federal court lose its power to issue an injunction in cases where it is the only available remedy to protect the little fellow.

Mr. McKELLAR. In the first place, the injunctions referred to in my bill are only those which would come within the allegation in the complaint that a statute enacted by the United States Congress is invalid. That is the first thing. As I have said, suits of this kind have been brought without ever making the Government a party or even giving the Government notice. For instance, a district judge is presiding over a court which was created by the Congress. He is appointed by the President and cnfirmed by the Senate. In 10 minutes after he has taken the oath of office, under the present system, whether right or wrong—and I am not passing on that at this moment—he has the authority and power to declare any act of Congress invalid and to issue an injunction restraining its enforcement.

I have today introduced a redrafted bill, Senate bill 1437, containing an amendement requiring any complainant who alleges that an act of Congress is invalid and asks for an injunction on that theory to make the United States Government a party by service on the district attorney of the particular district and by notification to the Attorney General of the United States. I think such a provision will commend itself to Senators as being absolutely fair. Surely the Congress of the United States ought not to permit its acts, solemnly enacted perhaps after years of debate both as to their policy and their validity, to be declared unconstitutional without the Government being made a party and represented.

Mr. ADAMS. I am in entire sympathy with that suggestion.

Mr. McKELLAR. I think that will meet the view of every Senator and every Representative.

Under the terms of the bill which I had the honor to introduce, provision is made not only for limitation of injunction in such cases if the validity of acts of Congress is alleged, but provision is made for speedy determination of such cases. They ought to be determined within at least 60 days after they are filed, and then no irreparable injury would be done even in such cases as the Senator from Colorado has suggested.

Mr. ADAMS. The matter in which I am interested is that we shall not destroy a useful remedy because of abuses that have occurred under it. We should reserve the remedy where it is in the interest of the protection of justice rather than destroy the remedy because it has been abused. We should regulate its use.

Mr. McKELLAR. I think the Senator's views and mine are, generally speaking, along the same line.

Mr. President, in conclusion, let me say something with reference to the T. V. A. Act. The T. V. A. Act was enacted into law after most careful consideration by both the House and the Senate. It has been in operation now for more than 3 years; and, whatever may be its merits, the Government at great expense has been attempting to administer it. Scores of millions of dollars have been spent on it. Last year, as I recall, the Government spent or authorized the spending of $36,000,000 on this proposal.

I am informed the Georgia Power Co. went before a Georgia Federal court, alleged that this act was unconstitutional and void, and asked for an injunction stopping the T. V. A. from proceeding further. If that injunction had been granted it would have cost the Government a great deal of money. The matter was tried in the Georgia court. The Georgia judge denied the relief asked for and the case was dropped right there. Then the Georgia Power Co. went over and joined the Alabama Power Co. and several other power companies in that district, and they filed another bill making the same charges in the district court of

the United States at Birmingham. After doing that they were in doubt about whether they could get a decree favorable to them in that court; so they either dismissed that case or dropped it, and these same people came over into my State, went to the district court at Knoxville, and asked for an inunction. The district judge there found that he was disqualified to hear the matter by reason of ownership of stock by his wife in some power company, and he referred the case to another district judge in an adjoining district of Tennessee, and that district judge came over and issued an injunction which stopped the entire T. V. A., and not only did that but stopped it at the greatest loss to the Government. It is believed by those in charge of the T. V. A. that the issuance of this injunction will mean the loss of millions of dollars. It stopped the whole work.

The United States was not made a party to that suit. It cannot go into that suit and make an argument, except by courtesy. It has no right in that suit. It is not even a party. Of course, the T. V. A. is a party. I think we will all agree that that is not fair and right. That is not the way to attack an act which has been solemnly passed by the Congress of the United States and signed by the President, and been in operation for 3 or more years. I am sure no one will say that that is right; and that is one of the reasons why I am here asking for relief. Let us have an orderly procedure. When a citizen, whether a citizen of one State or another, desires to have an act of Congress declared unconstitutional and to have injunctive relief on it, let us look for a moment at the side of the Government.

Mr. TYDINGS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Maryland?

Mr. McKELLAR. I yield.

Mr. TYDINGS. Does the Senator see any distinction between a suit where the Government is already a party—that is, where the injunction is against some agency of the Government—and a case where the question of constitutional law arises where two individuals are parties, and the Government neither directly nor indirectly is a party?

Mr. McKELLAR. Mr. President, when I see in the reports appearing in the press that the Board of Tax Appeals has declared another act of Congress unconstitutional; when I find that when a corporation has a case it goes to one judge, and if that judge will issue an injunction, all well and good, but if he does not the corporation dismisses the case and goes to another one, and then to another one, and then to a fourth one, what are we coming to? We ought to have some method of procedure which will permit the Government in all cases to be a defendant, and in that way to be able to defend the acts of its Congress. Knowing the Senator from Maryland as I do, I am sure he believes that should be done.

Mr. TYDINGS. Mr. President, what I rose to say—and I am afraid I was not very clear—is that there cannot be any question about the duty and the right of the Federal Government to be at the trial where its agency is attacked. Where the Government's agency is not being attacked, however, but the suit is simply one between two individuals, I asked the Senator whether or not his research and the facts which had come to his attention supported the wisdom of the Government entering such a case, as compared with the Government entering a case where one of its agencies is involved.

Mr. McKELLAR. I am happy to answer the Senator. I believe that in any case where an act of Congress is charged to be unconstitutional and invalid, and relief is sought upon that ground, the Government itself should be notified and should defend the suit through its Attorney General.

Now just one other word.

Mr. TYDINGS. I am not arguing with the Senator.

Mr. McKELLAR. I know that.

Mr. TYDINGS. I am trying to elicit some information. Let me state a situation to the Senator.

Let us suppose that in a criminal case a man is indicted before a Federal court. Let us suppose it is alleged that before the grand jury some improper procedure was taken; namely, that the hearings were not secret, or that the testimony before the grand jury was taken down by a stenographer, and then the transcript was taken over and left in the stenographer's private office, five squares from the grand-jury room, where persons could be put on notice as to what testimony was given before the grand jury, and consequently would be in a position to protect themselves or to testify accordingly. In some jurisdictions a situation of that kind would be held to invalidate the indictment, because the proceeding would be unconstitutional. The actions of grand juries are secret; and, obviously, if what a grand jury is doing is known on the outside by persons likely to be called before it, they can protect themselves, or help to "frame" persons who might be under investigation; and in a number of jurisdictions, as a matter of public policy, action of that kind is held sufficient to invalidate an indictment. A motion to quash the indictment would be filed because the procedure taken before the grand jury was unconstitutional, in that it tended, without due process of law, to deprive a man of his right to life and liberty. In that case would the Attorney General be called upon to enter the proceeding? It would be a clear case of violating a constitutional right or prerogative.

Mr. McKELLAR. He ought to be served with process and notified, so that if, for any reason, the Government's rights were in jeopardy, he could be present.

Mr. ASHURST and Mr. MINTON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Tennessee yield; and if so, to whom?

Mr. McKELLAR. I think the Senator from Arizona rose first. I yield first to him. Then I will yield to the Senator from Indiana.

Mr. ASHURST. Mr. President, I have listened with great interest to the suggestion of the able Senator from Maryland. If the Senator from Tennessee will permit me to reply——

Mr. McKELLAR. Certainly.

Mr. ASHURST. The Attorney General is already in court. Wherever a United States district attorney is asserting any right or power, he is doing it under the jurisdiction of the Attorney General. It is not necessary to notify the Attorney General, because he is already in court through the district attorney.

Mr. McKELLAR. The Senator from Arizona is correct about that.

Mr. TYDINGS. The point I make is that the Senator from Tennessee really means this should be done in civil cases only.

Mr. ASHURST. Yes.

Mr. TYDINGS. I was using that illustration simply to show that there are certain times when the district attorney already acts for the Attorney General, and the Government is on notice. I suggest, then, that the Senator use the words "in civil cases", so as to avoid a construction that does not seem apropos.

Mr. McKELLAR. Perhaps that should be done.

I now yield to the Senator from Indiana.

Mr. MINTON. Mr. President, the observation of the Senator from Maryland would not come within the terms of the measure proposed by the Senator from Tennessee.

Mr. McKELLAR. Oh, no.

Mr. MINTON. The Senator from Tennessee is contemplating an act of Congress, while the circumstance outlined by the Senator from Maryland does not involve an act of Congress at all.

Mr. McKELLAR. Surely.

Mr. TYDINGS. Yes; what I meant to refer to was any act regulating grand jury procedure which envisages the guarantees of the Constitution. The Senator is arguing for this procedure in civil matters; and I am trying to point out that criminal proceedings ought to be excluded, because they are not within the purview of the Senator's objective.

Mr. McKELLAR. Mr. President, in conclusion, I merely wish to quote the absolute power given expressly by the Constitution—not by implication, not by court assumption, but the absolute delegation of power to the Congress—to pass such a bill as I have outlined.

Article III, section 2, of the Constitution, with which we are all familiar, provides as follows. I am quoting it literally for the RECORD:

> The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States; between a State and citizens of another State; between citizens of different States; between citizens of the same State claiming lands under grants of different States; and between a State, or the citizens thereof, and foreign States, citizens, or subjects.

That is the grant of power to the courts—the specification of cases over which the courts shall have jurisdiction; and then this limitation is put on:

> In all cases affecting ambassadors, other public ministers, and consuls, and those in which a State shall be party, the Supreme Court shall have original jurisdiction.

And here is the specific provision to which I desire to call attention:

> In all the other cases before mentioned the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the Congress shall make.

So that I say Congress has perfect authority to make regulations governing the issuance of injunctions, to make regulations as to their suspension, supersession, or to make any regulations limiting jurisdiction or power which the Congress may see fit to make. It is a blanket authority absolutely, and I am sure that cannot be denied by anyone.

Mr. President, I have made this reference merely to show that the argument of my esteemed and very able friend the Senator from Utah [Mr. KING] is not at all well taken, and I do not believe the Senate will uphold it.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. MINTON. As supporting the position of the Senator from Tennessee, I call his attention to the case of the Francis Wright, decided in One Hundred and Fifth United States Reports. The Senator has quoted from the Constitution where it is provided that judicial power shall extend to all questions in law and equity, enumerating among the cases admiralty cases. In the case which I have cited Congress took away the right of appeal where the facts were involved. Although the Constitution provides that the judicial power shall extend to law and fact in admiralty cases, the Congress of the United States took away the right of appeal affecting the facts in admiralty cases, and the Supreme Court of the United States upheld that limitation on the jurisdiction.

Mr. TYDINGS. Mr. President, I did not hear all of the Senator's argument, and I apologize for asking him about something which he may have already covered.

Mr. McKELLAR. The Senator well knows he may ask me any question.

Mr. TYDINGS. Of course, the Senator is not opposed to the granting of injunctions in proper cases.

Mr. McKELLAR. Oh, no.

Mr. TYDINGS. What he desires is to have the Government notified.

Mr. McKELLAR. I desire to have the Government notified, and I want a limitation upon the granting of preliminary or interlocutory injunctions until the Supreme Court can pass upon the matter of constitutionality.

Mr. TYDINGS. I sympathize with the Senator's objective, but let me point out that quite often if the injunction could not be granted until the Supreme Court had an opportunity of passing upon the facts, it would be equivalent to depriving an individual of his rights.

Mr. McKELLAR. While I have not examined all the cases involving injunctions which went to the Supreme Court—I do not think anyone can do that—I have examined most of them, and my recollection is that several of them alleging irreparable injury did not make a case of irreparable injury. The suit involving the Agricultural Adjustment Act, which was brought to recover a processing tax, was, in my judgment, an attack on one of the greatest laws ever passed by the Congress, a law that did more toward relieving the country from the depression and restoring prosperity in the 2 years and a litttle more it was in force than any other law ever passed by the Congress, notwithstanding the fact that it was held unconstitutional.

Mr. TYDINGS. I sympathize with the Senator's objective. I am merely trying to elicit some information. I cannot at the moment cite a case which I would like to present to the Senator, but I will assume one. Let us assume that the Government decreed that it wished to build a Federal highway across the State of Tennessee. Let us suppose that that highway was planned so as to go through the Senator's property in such a way that he would not be compensated, that his property would be taken without due process of law; that men came upon the property and proceeded to tear it up before they had a deed to it. Does the Senator mean to say that in such a case there would be no right of injunction until the Supreme Court of the United States had ruled upon the case, an act of Congress being involved?

Mr. McKELLAR. Mr. President, the Senator has cited a case which touches what was one of the specialties of my practice when I was actively engaged at the bar. I suppose I have tried almost as many condemnation cases as any lawyer has, and I do not recall ever knowing of a condemnation suit where there was any irreparable damage. The damage could always be compensated for. It is a well-understood principle that a citizen cannot stand in the way of a great public work. For instance, I may have a home to which I am greatly attached, but if the Government in its wisdom sees fit to use that home, or a part of that home, for public purposes, it ought to have the right and it does have the right to condemn that home; and all the Constitution requires is that just compensation be given me for my home. The jury can take into consideration, in fixing the damages, that the home has some peculiar value to me as the owner, of course, but the Government may for public purposes take my home.

Mr. TYDINGS. The Senator misunderstood me. I did not mean that the condemnation proceedings had been instituted in the case I presented. I am assuming that agents of the Government are going upon the land and taking possession of it before the condemnation proceedings are begun, and that they are starting to dig on the land. What is my remedy if I do not petition for an injunction?

Mr. McKELLAR. It may be all right for the Senator to get an injunction upon the facts he cites, but it would not be necessary to allege that an act of Congress was unconstitutional and invalid to get such an injunction.

Mr. TYDINGS. Suppose the highway were being constructed in pursuance of an act of Congress; how would I protect my property? The case is not well taken, but I am assuming that there must be hundreds of conditions, which do not come to me for the moment, where the right of injunction might lie. The Senator would want the right preserved in such cases, just as the rest of us would. As I understand the Senator's argument, his primary concern deals with governmental undertakings through agencies of the Federal Government.

Mr. McKELLAR. That is the present case, but I think it should apply to all cases where an act of Congress is alleged to be invalid, and where the prayer of the bill is to set it aside, and in the meantime grant an injunction prohibiting its enforcement.

Mr. TYDINGS. I am afraid that if the complainant had to go to the Supreme Court in such a case as I have suggested, and in the meantime the company or the contractor should go ahead and tear down buildings and dig up land, even if he won in the Supreme Court, that would not restore his buildings.

Mr. McKELLAR. It might not restore the buildings, but the complainant could not keep the Government from taking his building anyway if it desired to use it for a public purpose and the Congress had authorized the taking of it for that purpose.

Mr. TYDINGS. Yes; he could, except under due process of law.

Mr. McKELLAR. The Government would have to take it under due process of law. Let me make this suggestion: I have examined the various cases which have actually been carried to the Supreme Court, and none of them suggested the extreme case to which the Senator refers.

Mr. TYDINGS. There is no doubt in the world that the right of injunction has been greatly abused, and I am with the Senator in desiring to throw safeguards about it; but the Senator from Idaho in his remarks a few days ago made use of an old English saying—that a man's home is his castle, and although the winds can enter it from all four directions, the king cannot enter it without due process of law. I do not wish to vote for a modification of the right to obtain an injunction which will deny to an individual the right to protect his property, and that is the only remedy he has where there is a show of force of a powerful government coming on his land and appropriating it without any reference to due process of law. In such case, the only thing the owner can do is to get an injunction.

Mr. McKELLAR. As I stated to the Senator from Colorado, who brought up the same matter in a little different form, if an amendment will meet the question in the Senator's mind, I should be very glad to accept such an amendment.

Mr. ASHURST. Mr. President, I wish to point out that the able Senator from Tennessee [Mr. McKELLAR] some 2 or 3 weeks ago introduced a bill looking toward remedying the abuse of the injunctive power, and the able Senator from Alabama [Mr. BLACK], not only at this session of Congress but in the last session, introduced a bill to provide that when an inferior court declares some Federal law to be beyond the power of Congress an appeal shall be taken directly to the Supreme Court.

Let me read and show how nearly the minds of those two Senators meet the mind of the President on this subject. In his message of February 5 the President said, among other things:

> I recommend that the Congress provide that no decision, injunction, judgment, or decree on any constitutional question be promulgated by any Federal court without previous and ample notice to the Attorney General and an opportunity for the United States to present evidence and be heard.

Continuing, he said:

> This is to prevent court action on the constitutionality of acts of Congress in suits between private individuals—

As the Senator from Maryland pointed out—

> where the Government is not a party to the suit, without giving opportunity to the Government of the United States to defend the law of the land.

That seems to me to be a statesmanlike proposition for reform. For example, a law is enacted by Congress, and a district court in Tennessee decides that the statute is unconstitutional, while district courts in Arizona, Kentucky, and other States say it is constitutional. There may be 20 courts in various parts of the country deciding the law is unconstitutional; others deciding that it is not. Surely, in the interest of uniformity in the administration and enforcement of the law, the Attorney General should be notified so that he could represent the Government in such a case to the end that there might be uniformity.

Mr. President, what I now say may astonish Senators. Not in our day, but in an earlier time, a proposal was seriously made—and it was not at all ridiculous—that whenever the validity of any law of Congress was challenged the Congress should employ an attorney to represent Congress to defend the act. I do not favor such a procedure. The Department of Justice is the appropriate agency to take such action. Indeed, Mr. President, no longer ago than 10 days a judge, who had been impeached and the order of judgment entered by the Senate, filed an application for a writ of certiorari in the Supreme Court of the United States, and the Senate Committee on the Judiciary instructed their chairman to communicate with the Attorney General and ascertain if the Attorney General intended to resist the motion for writ of certiorari, and further instructed their chairman that if the Attorney General did not resist the motion the Senate would consider employing an attorney for that purpose; whereupon the Department of Justice advised that it was assigning an attorney of the Department to resist that application.

Mr. TYDINGS. Mr. President, as I understand, the recommendation that the Senator read does not deny the right of injunction?

Mr. ASHURST. It does not.

Mr. TYDINGS. It throws proper safeguards around that right?

Mr. ASHURST. Yes.

Mr. McKELLAR. It limits the jurisdiction and power.

Mr. ASHURST. The President makes a further recommendation:

> I also earnestly recommend that in cases in which any court of first instance determines a question of constitutionality the Congress provide that there shall be a direct and immediate appeal to the Supreme Court, and that such cases take precedence over all other matters pending in that Court. Such legislation will, I am convinced, go far to alleviate the inequality, uncertainty, and delay in the disposition of vital questions of constitutionality arising under our fundamental law.

On that point let me say that in the last Congress the able Senator from Alabama [Mr. BLACK] introduced a bill providing almost exactly what the President has now suggested. Indeed the able Senators seem to have horoscoped the situation and introduced the bill before the President made the recommendation. That bill is now before the Senate Committee on the Judiciary and a subcommittee thereof has been appointed to consider it. I do not think it is necessary for me to give assurances, but I take the liberty to say that the Committee on the Judiciary will give attention to these proposed bills.

Mr. McKELLAR. I thank the Senator very much.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. TRUMAN in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

Mr. COPELAND, from the Committee on Commerce, reported favorably the nominations of the following officers in the Coast Guard to be commanders, to rank as such from the dates set opposite their names:

Lt. Comdr. John Trebes, June 14, 1936; and

Lt. Comdr. Lyndon Spencer, December 1, 1936.

Mr. COPELAND also, from the Committee on Commerce, reported favorably the nomination of Capt. (Engineering) Christopher G. Porcher to be commodore, on the retired list, in the Coast Guard, to rank as such from January 1, 1937.

He also, from the same committee, reported favorably the nomination of Lt. Donald G. Jacobs to be lieutenant commander in the Coast Guard, to rank as such from June 1, 1935.

He also, from the same committee, reported favorably the nominations of several officers in the Coast and Geodetic Survey, now holding recess appointments.

He also, from the same committee, reported favorably the nominations of sundry officers in the Coast Guard, now serving under temporary commissions issued during the recess of the Senate.

The PRESIDING OFFICER. The reports will be placed on the Executive Calendar.

If there be no further reports of committees, the clerk will state the first nomination in order on the calendar.

THE JUDICIARY

The Chief Clerk read the nomination of John Biggs, Jr., of Delaware, to be United States circuit judge, third circuit.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

PUBLIC WORKS ADMINISTRATION

The Chief Clerk read the nomination of Sheridan P. Gorman to be State director of the Public Works Administration in Virginia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

RESETTLEMENT ADMINISTRATION

The Chief Clerk read the nomination of George S. Mitchell to be regional director, Resettlement Administration.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

WORKS PROGRESS ADMINISTRATION

The Chief Clerk read the nomination of William R. Lawson to be State administrator for California.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Charles E. Miner to be State administrator for Illinois.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters on the calendar be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

IN THE NAVY

The Chief Clerk proceeded to read sundry nominations in the Navy.

Mr. BARKLEY. I ask unanimous consent that the nominations in the Navy be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Navy are confirmed en bloc.

ADJOURNMENT

The Senate resumed legislative session.

Mr. BARKLEY. I move that the Senate adjourn.

The motion was agreed to; and (at 2 o'clock and 52 minutes p. m.) the Senate adjourned until tomorrow, Thursday, February 11, 1937, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 10, 1937

PUBLIC WORKS ADMINISTRATION

Howard S. Reed, of Arizona, to be State director of the Public Works Administration in Arizona.

PROMOTIONS IN THE NAVY

Lt. Charles F. M. S. Quinby to be a lieutenant commander in the Navy from the 1st day of February 1937.

Lt. (Jr. Gr.) Charles L. Freeman to be a lieutenant in the Navy from the 30th day of June 1936.

Lt. (Jr. Gr.) Edward T. Eves to be a lieutenant in the Navy, from the 1st day of July 1936.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of November 1936:

Idris B. Monahan
Albert J. Walden

Lt. (Jr. Gr.) Leonard F. Freiburghouse to be a lieutenant in the Navy from the 25th day of December 1936.

The following-named dental surgeons to be dental surgeons in the Navy, with the rank of captain, from the 1st day of February 1937:

Eugene H. Tennent	Paul G. White
Joseph A. Mahoney	Cornelius H. Mack
Lucien C. Williams	Ronald Barber

The following-named citizens of the United States to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 11th day of January 1937:

Charles T. Pridgeon	Vernon S. Robinson
Stanley F. Webster	Frank I. Gonzalez, Jr.
James L. Wanger	Edward T. Brennan
Daryl S. McClung	Maurice S. Shortridge
Philip S. Faillo	Miller H. Cosby
John J. Hilt	

Pay Inspector Harold C. Gwynne to be a pay director in the Navy, with the rank of captain, from the 1st day of February 1937.

Gunner Laurence E. Tagtmeyer to be a chief gunner in the Navy, to rank with but after ensign, from the 16th day of October 1936.

Machinist John F. Cravens to be a chief machinist in the Navy, to rank with but after ensign, from the 16th day of October 1936.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 10, 1937

UNITED STATES CIRCUIT JUDGE

John Biggs, Jr., to be United States circuit judge, third circuit.

PUBLIC WORKS ADMINISTRATION

Sheridan P. Gorman to be State director of the Public Works Administration in Virginia.

RESETTLEMENT ADMINISTRATION

George S. Mitchell to be regional director, Resettlement Administration.

WORKS PROGRESS ADMINISTRATION

William R. Lawson to be State administrator in the Works Progress Administration for California.

Charles E. Miner to be State administrator in the Works Progress Administration for Illinois.

PROMOTIONS IN THE NAVY

Harold R. Stark to be rear admiral.
Cary W. Magruder to be captain.
Richard E. Webb to be commander.
Frank R. Talbot to be lieutenant commander.
Joseph C. Cronin to be lieutenant commander.
Carl H. Sanders to be lieutenant commander.
David G. Roberts to be lieutenant.
Edward K. Shanahan to be lieutenant.
Milton A. Nation to be lieutenant.
Curtis A. Myers to be lieutenant.
John T. Brown, Jr., to be lieutenant.
Elwood C. Madsen to be lieutenant.
Myron M. George to be chief radio electrician.
Robert F. Baker to be chief machinist.
Rowland G. Lindsey to be chief machinist.
James W. McLean to be chief machinist.
Herman Miller to be chief machinist.
Bartholomew H. Faherty to be chief machinist.
Charles E. Bell to be chief machinist.
Emmett N. Tuttle to be chief carpenter.
Michael P. Sarcone to be chief carpenter.
James C. Doyle to be chief carpenter.
Roy O. Stratton to be chief pay clerk.
Edward J. Smith to be chief pay clerk.
Thomas C. Kinkaid to be captain.
T. De Witt Carr to be commander.
Gilbert C. Hoover to be commander.
Harold L. Tallman to be lieutenant.
Leonard B. Southerland to be lieutenant.
George A. Lewis to be lieutenant.
Thomas Ashcraft to be lieutenant.
Kenneth R. Miller to be passed assistant paymaster.

POSTMASTERS

ALABAMA

Nell C. Phillips, Eclectic.
James Byron Hull, Lineville.

IDAHO

Mildred Richards, Mackay.
Robert L. Anstine, Nezperce.

KANSAS

Wiley L. Grimsley, Americus.
Charles E. Hanlon, Caney.
Jean V. Stredder, Geneseo.
Florence E. Westgate, Macksville.

MARYLAND

Frederick Mitchell Hopkins, Aberdeen.
John C. Frasch, Edgewood.

MASSACHUSETTS

Richard B. Murphy, Dennis Port.
Thomas Francis Daly, Dodgeville.
James D. Cleary, Feeding Hills.
Michael J. Costello, Franklin.
Elmer A. Rollins, Lincoln.
Edward E. Cooney, Northampton.
Mary L. Dempsey, Williamstown.

MINNESOTA

William Louis Taffe, Beardsley.
Florence Evensen, Bigfork.
John P. Ebert, Brewster.
Elizabeth Wright, Cromwell.
Mathew T. Huss, Fairmont.
Archie Rassmussen, Grand Rapids.
Edwin T. Silver, Granite Falls.
I. Selmer Rolland, Kensington.
John Henry Michaelson, Kettle River.
Winifred E. DeVilliers, Lanesboro.
Paul S. Norelius, Lindstrom.
Ruth E. Wittwer, Remer.

MISSOURI

Ralph D. Holt, Bragg City.
Ernest P. Goggins, Elvins.
Dale S. Vencill, Galt.
Kenneth E. Logan, Hurley.
Charles Welling Medley, Jackson.
Earl Jesse Vinyard, Leadwood.
Edgar Todd, Morehouse.
William Goebel Ray, Purdy.
Martin C. Mikkelsen, St. James.
Genevieve M. Pratte, St. Marys.
Herbert Frank Nelson, Sweet Springs.
Willa B. Dodge, Union Star.

NEVADA

Walter B. Collins, Austin.

OKLAHOMA

Jesse C. James, Antlers.

RHODE ISLAND

Thurman F. Eldridge, Bradford.

SOUTH CAROLINA

Edward D. Sallenger, Florence.
John C. Fowler, Gaffney.
Robert H. Billings, Lancaster.

TENNESSEE

John Crockett Owens, Huntingdon.
William S. Fields, Milan.

UTAH

Elise W. Baker, Magna.
Claude M. Reay, Randolph.

HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 10, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, whose name is Jehovah, on this day of olden time Thou didst hear and consider the penetential prayers of Thy earthly Zion. O Lord, our Father and Redeemer, hear us and let us behold Thy face in loving mercy. Put out all our misdeeds, cast us not away from Thy presence, take not Thy Holy Spirit from us. Let us rejoice in Thy glory and rest in hope eternal. In Thy presence is fullness of joy, at Thy right hand are pleasures for evermore. We rejoice that whatever there is in holiness, in nobility, in patience, and whatever there is in heroism among men cometh from our universal Father. We pray that we may not be fearful to be spent for a life higher than the body and nobler than the flesh. Through Christ our Savior. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries.

REFERENCE OF H. R. 4288

Mr. BLAND. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture be discharged from further consideration of the bill (H. R. 4288) to authorize the purchase and distribution of products of the fishing industry, introduced February 3, 1937, and that the bill be referred to the Committee on Merchant Marine and Fisheries.

This is agreeable to the Committee on Agriculture, I may say; but I promised the gentleman from Texas [Mr. JONES], chairman of that committee, to make the statement that some question of jurisdiction might arise, and that it would be with the understanding that if this request were granted it would not establish a parliamentary precedent.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

THE SUPREME COURT OF THE UNITED STATES

The SPEAKER. Under a special order of the House heretofore made, the gentleman from Ohio [Mr. LAMNECK] is recognized for 45 minutes.

Mr. LAMNECK. Mr. Speaker, ladies and gentlemen of the House, I want you to believe me when I say that the subject I am to present to you is to my way of thinking the most important problem that it has ever been my duty to consider. I further desire to say that I hope and pray that the House of Representatives can consider the subject by forgetting entirely their political affiliations or any other contacts which might interfere with considering the problem on its merits.

We have reached a crossroad in American history. The course we pursue in the very near future, in my humble judgment, will depend on whether or not we are to continue our republican form of Government. If we go one route, it can be preserved. If we go the opposite direction, we may have communism or fascism. Our forefathers fought and died to create and preserve our form of government and the institutions created thereunder. I am sure there is not a Member of the House who would favor any ism, now known in the world, that applies to government.

Our plan has produced a citizenship and a society that has never been equaled in recorded history. Under it we are guaranteed an opportunity for life, liberty, and the pursuit of happiness. We have under it the highest standard of living in the world. We enjoy greater freedom than the citizens of any other nation. We have greater opportunities for development—spiritually and materially. In fact, the men and women of America are kings unto themselves. Why change?

Where is there a form of government that you would prefer to what you now have? Would you want a Hitler, a Mussolini, or a Stalin government? I am sure you would not.

If we permit a destruction of the Supreme Court, along the lines recently suggested, we may have a system similar to what I have referred to and perhaps something worse.

Mr. RICH. Mr. Speaker, I make the point of order that a quorum is not present. I think all the Members of the House should be here to listen to this speech.

Mr. LAMNECK. I would rather not have a call of the House at this time. While I think every Member of the

House ought to hear this, if they are not here, it is not my fault.

Mr. RICH. If the gentleman does not wish to have a quorum here, Mr. Speaker, I withdraw the point of order.

The SPEAKER. The point of order is withdrawn.

Mr. LAMNECK. As I see it, the Supreme Court has been the one branch of Government that has not permitted the legislative or the executive branches of government to take away from the citizen any rights he may possess under the Constitution.

Under our system we are supposed to have an executive, legislative, and judicial branch of government, separate and distinct, each one under the Constitution charged with specific duties. The executive is supposed to enforce the laws, the Congress to make them, and the judiciary to interpret them when called upon to do so.

Let us remove all the camouflage, sweep away the cobwebs, put the cards on the table, face up, so that they can be seen, and consider all the ramifications of the proposal recently made. In doing so let us remember that as Americans we are interested only in preserving this Republic and the institutions which made it great.

Before going into the merits of the proposal I want to ask the Members of the House seriously and in all candor how much you, as individuals, have to do in shaping the legislation passed by the House of Representatives? I will answer by saying that you have absolutely no more to do with passing important legislation than if you were not in Washington. I will say further that no important legislation, except the soldiers' bonus bill, has been passed during my 6 years here that did not have the approval of the Chief Executive, no matter what its merit. I defy contradiction on this statement, and I believe if I had the time I could prove this to you beyond the shadow of a doubt. No doubt those of you who were here in the Seventy-fourth Congress recall the President's letter to the chairman of the subcommittee of the Ways and Means Committee to not permit the question of the constitutionality of a bill to interfere with its passage, or words to that effect. This bill was passed, declared unconstitutional, and is now before the Congress, eager and ready for the second round of its legislative career, and it might amaze you to know that some very substantial Members, who are noted lawyers, are sponsoring its passage.

If all important legislation is prepared, in fact, by the executive branch of the Government, or its representatives and associates, and if no legislation can be passed except with the approval of the Executive, what function do we perform? Why should we have the legislative branch of Government if my statement is true?

Let me ask the new Members, What part have you played in passing the legislation that has been enacted in this Congress? Do you feel in your own heart that you had anything to do with it? If you do, you have a greater imagination than I have. About the only time the new Members are consulted at all—and I dare say a considerable number of the older Members—is when we have a Speaker and a leader to elect. The Speaker and the leader, you know, are important assets to an executive branch of Government, whose desire it is to dominate the framing of legislation and to dictate its passage.

I noticed in the papers a day or two ago, when the Supreme Court proposal was announced, that the leadership of the House and Senate told the President that the bill would pass. Why did they give such a promise? Because they know by past experience that they had been able to deliver on every piece of legislation, with the exception that I noted.

Who is supposed to do the voting on legislation? Is it the leadership or is it the Members of the House representing the people? Think over your legislative experience; ask yourself whether or not you are one four-hundred-and-thirty-fifth part of the legislative branch or whether you are just a figurehead.

As I see it, we have permitted the executive branch, through our leaders, who are subservient to his dictation, to do our voting for us. That is the reason we are called "rubber stamps", and that is why the people of this country have lost their respect for the legislative branch, and I will say it is not without justification.

How long will we permit the executive branch of government to do our legislating for us? I hope the time has arrived when we will meet this challenge to the usurping of our powers and duties and serve notice that we intend to insist that the Executive occupy his position; that the judiciary shall occupy its position, and that the legislative branch of government will do the job the Constitution intended it to do. By taking this firm step we can maintain the American form of government for the future. By doing our job we can balance the Budget. We can decentralize government. We can restore to States their rights, but we cannot do it by permitting the Executive to do our voting when his opinion is not in conformity with ours.

The judicial and executive branches of government are secondary to the legislative, and, in fact, if we did our job as was intended, they would know it at all times. The judiciary is a check on the legislative branch, and when we exceed our authority, they put us in our proper place, and if we pass a bill the President does not like, the Constitution has provided him relief by giving him the veto power. This is as it should be.

One of the great authorities on the Constitution pointed out that the provisions which permitted the Supreme Court Justices to hold office during good behavior was one of its strongest assets. He said:

> In a monarchy, it is an excellent barrier to the despotism of the prince; in a republic, it is a no less excellent barrier to the encroachments and oppressions of the representative body. And it is the best expedient which can be devised in any government, to secure a steady, upright, and impartial administration of laws.
>
> Whoever attentively considers the different departments of power must perceive, that in a government in which they are separated from each other, the judiciary, from the nature of its functions, will always be the least dangerous to the political rights of the Constitution, because it will be least in a capacity to annoy or injure them. The executive not only dispenses the honors but holds the sword of the community. The legislature not only commands the purse but prescribes the rules by which the duties and rights of every citizen are to be regulated. The judiciary, on the contrary, has no influence over either the sword or the purse; no direction either of the strength or of the wealth of the society; and can take no active resolution whatever. It may truly be said to have neither force nor will, but merely judgment; and must ultimately depend upon the aid of the executive arm for the efficacious exercise even of this faculty.
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> It proves that the judiciary is beyond comparison, the weakest of the three departments of power, that it can never attack with success either of the other two, and that all possible care is requisite to enable it to defend itself against their attacks. It equally proves that, though individual oppression may now and then proceed from the courts of justice, the general liberty of the people can never be endangered from that quarter—I mean so long as the judiciary remains truly distinct from both the legislature and executive. For I agreed that "there is no liberty if the power of judging be not separated from the legislative and executive powers." * * * It proves, in the last place, that liberty can have nothing to fear from the judiciary alone, but would have everything to fear from its union with either of the other two departments.
>
> The complete independence of the courts of justice is peculiarly essential in a limited constitution * * *.

There are some who believe that the courts should have no right to pronounce legislative acts void because of the fact that it would show that the judiciary is superior to the legislative branch of government. This does not follow at all, and the only power the Supreme Court has is in declaring an act unconstitutional which is in conflict with the Constitution, and it was never intended that the legislative branch would be enabled to substitute their will in defiance of a constitutional provision.

The Constitution is a fundamental law, and the interpretation of that law is the proper and peculiar province of the Court.

All three branches of the Government have only the powers delegated by the people, and the Constitution prescribes the limitations under which each must act, and it is the function of the Supreme Court to determine whether legislative branches exceed their authority. Therefore, what excuse can we have in attempting to change the Constitution unless we present the change to the people for their consideration and approval. By adopting the Executive pro-

posal we do change the Constitution without public approval, because the objective is to permit legislation to be called constitutional which the Supreme Court has said is not.

Again, may I repeat—and be it to our everlasting shame as elected representatives of the people—that Congress, the only branch of Government possessing the right to initiate and pass legislation, is regarded across the country as a mere "rubber stamp" of the executive branch. We are so pictured by cartoon and by editorial in the public press. We are pictured as a group of spanked schoolboys who are obedient to what they are told to do. This body, coming from the people of the various districts, is expected to reflect their will and legislate for their interests. Instead, we are told by the Central Government how we shall act.

As an American citizen, I protest against a condition which makes us the representatives and tools of the executive department when we are chosen as the agents of the people who are the lawful citizens of our districts. They are the sovereigns of this land, and in a representative government such as ours the legislative, the executive, and the judicial branches of the Government are their agents of expression and action. As Members of Congress, we are the American people assembled here—not to take orders from anybody but to convert the will of the citizens into legislation telling the executive branch of Government what to do. This House is the nearest approach of the National Government to the homes of America. The greatest guaranty of protection to those homes—the castles which no power has the right to invade without due process of law—the greatest guaranty to these homes, I repeat, is the judicial body of this Nation, crowned by the Supreme Court. This great tribunal, which has weathered the storms of a hundred and fifty years, is the one remaining bulwark of the United States of America and of that great document of a government of the people, by the people, and for the people—the Constitution of the United States of America.

It is recognized that during the past quarter of a century changes have come which have shaken the governments of the world. Many of them have fallen, and today millions of intelligent human beings are but the tools and pawns of ambitious dictators. Our own land has experienced many changes, but one branch of our Government has been the keystone of confidence. It has held the arch of our democracy in place. It is the judiciary branch, exemplified by the Supreme Court. This Court has had no selfish ambitions; it has had no campaign plans; it has had one great mission, the interpretation of the truth as set forth in the Constitution. The Supreme Court has been placed in charge of the interpreting of that great charter of our political rights as citizens. No one can successfully contend that the members of the Court have not faithfully endeavored to interpret that document.

Take note, will you please, that the one decision which most upset the executive branch of our Government was a unanimous decision, when all nine of these legal minds, selected because of their repute as great jurists, decided that the National Recovery Act was a violation of the Constitution. Does anyone have facts to show that these nine jurists were wrong or biased? Should these men be scolded or abused or coerced because they did their duty? If anything was wrong, it must have been the law or the Constitution, and therefore one or the other of them should be changed.

But what do we find? The legislative body is not asked to initiate a change in the Constitution, nor are we instructed as to wherein it is wrong. We find instead an attempt to coerce the highest tribunal of the land. At least our public press of the highest repute openly declares that the present move is an attempt to "pack" the Supreme Court. Such an attempt even in the most inferior court of our land would be repudiated by our local citizens as a travesty on justice. Are we to stand here like "fatted oxen fit only for the slaughter" and consent to see the one great bulwark of our democracy toppled over? Will we not resist such an attack, whether it be by a group of anarchists, a communistic party, a group of the aristocracy, or an individual? In the name of all that is American in our blood and ideals, we are called upon to meet a challenge to our national democratic existence. There is no partisan obligation, no class tie, no sectional sentiment, that can silence us as American citizens and representatives of the people at this time of crisis. I rise with deepest conviction for the defense of my country, believing that any move which, by coercion, removal, or packing of the Supreme Court, seeks to defeat the purposes of the Constitution, is as great a challenge as ever came to a soldier of our land in all the noble history of her battles. No court is the seat of justice if its right to free and unbiased interpretation is infringed upon or its decisions influenced by any ulterior motive or personal or partisan objective.

AGE NOT QUESTION AT ISSUE

We find ourselves faced by a peculiar situation. We are told that the advanced age of the members of the Supreme Court is a reason necessitating displacement of the present body. We are also told that there is congestion of the Court's docket and that this is a reason justifying change. The public generally does not accept these assigned reasons as the real reason, for the press has revealed to any who read the underlying factors.

Strange that age should be given as a reason for change in this day when men's lives are of longer average duration than ever before. Look at the history of our Supreme Court and review the names of those who served after 70 years of age. Even among the Chief Justices alone we may recall a distinguished panel beyond the age of 70: John Marshall, 80 years of age; Roger B. Taney, 87; Waite, 72; Fuller, 77; White, 76; Taft, 72.

For further examples of illustrious public service rendered by men of age we might even confine ourselves to the Congress of the United States, noting the Members well past threescore and ten who have come back to House and Senate by overwhelming votes of the people at the polls. It is very evident that the voters do not share the idea respecting the uselessness of our elders as statesmen and jurists.

The argument that there are congested courts indicating need of an immediate increase in the number of Supreme Court Justices seems altogether too thin to receive weight in this body. Only last month the Attorney General and the Solicitor General of the United States, in reports to this body, declared there had been a great improvement in the court calendars. It has also been shown that the calendar of the Supreme Court is in most excellent shape. Furthermore, there has been no evidence to show that more Judges would not impede rather than facilitate the working of the Court. At least it has been argued in this body that a lesser rather than a greater number here would facilitate legislation.

It is further known that there are eight Federal court vacancies at this time, some of which have been vacant for more than a year.

Every Member of this legislative body, and every other well-informed citizen as well, knows why this meddling with the Supreme Court is attempted at this time. To carry out such a policy as is proposed for the purpose of circumventing the spirit of the Constitution will leave an unremovable shadow of doubt as to the sincerity of this administration and in the minds of millions of patriotic citizens it will place a question mark after the name of everyone who supports it.

The words of Dr. Raymond Moley, once an outstanding counselor of the President, should have weight with even the most pronounced of our New Deal friends. Said Dr. Moley, after stating that if he were a Member of Congress, apart from political expediency, he could find no reason for supporting the President's plan:

> Appointment to one of the new memberships will be a very doubtful honor under the circumstances. It will imply that the appointee is chosen not primarily as a statesman capable of wise and independent action, but because of a predetermined acquiescence with whatever the President may in the future propose to an obedient Congress.

Once we who are Members of this Congress—a body which many in every community and even members of the majority party declare to be a Presidential rubber stamp—once we aid in making of the judicial branch of the Government another rubber stamp, the confidence of this Nation will be shaken as never before in its history. Once the American people lose

confidence in the independence and validity of the courts, what have we left?

ATTEMPT UN-AMERICAN

There are, in my opinion, three reasons why the Members of this body, and especially those who belong to the Democratic Party, cannot vote for a measure which will despoil the Supreme Court, as the proposed action surely will do.

First, the method proposed for controlling the Supreme Court is unfair; second, it is undemocratic; third, it is un-American.

There is a provision in the Constitution itself for changing its content, and it is the only fair way—by amendment. If the people of this Nation desire that the independence and integrity of the Supreme Court be changed, if they desire to have the Executive the absolute power in the land, then let them vote upon it. The only fair way of changing the historic practices in a representative democracy is by ascertaining beyond a doubt the will of the people on this, a most fundamental change in our system.

In the following lines from the popular magazine These Times the essence of this issue from the citizen's viewpoint is well stated:

> The one check which the Constitution provides and which has stood as the people's protection against a too powerful Government, has been the Supreme Court. Citizens must not let the Executive overcome that body if we are to remain the free citizens of a democracy.
>
> We must have a Court free and able to interpret according to law and logic the Constitution as written, not bound to interpret it to satisfy any passing sentiment or any individual, however popular he may be at the moment. If there is to be a change in our Government, let it be a constitutional change deliberately passed upon by the citizens to whom the Republic belongs and who possess the right to decide for themselves the kind of government they desire. At the present we have a written Constitution with a Supreme Court whose responsibility it is to interpret that Constitution without fear or favor of Chief Executives, mobs, or any other force. The right to such an interpretation is the surest safeguard of the weakest citizen as it is of the mightiest capitalist. Such an instrument and interpretation furnish the most significant evidence of our freedom as Americans.

Mr. RANKIN. Mr. Speaker, a point of order.

The SPEAKER. The gentleman from Ohio will suspend. The gentleman from Mississippi will state his point of order.

Mr. RANKIN. Mr. Speaker, I make the point of order that the gentleman from Ohio has no right to read a magazine article without the permission of the House.

Mr. LAMNECK. I read only a quotation.

Mr. RANKIN. He should at least tell us what enemies of the administration he is reading from. Now, if the gentleman is going to read these attacks on the administration, I am going to make the point of order. At least he should tell us what magazines they are from and who wrote the articles.

Mr. LAMNECK. I read the name of the magazine from which I quoted.

Mr. RANKIN. I did not hear the gentleman read it. What magazine was it from?

Mr. LAMNECK. From the magazine These Times, published in Washington, D. C.

Mr. RANKIN. Mr. Speaker, I make the point of order against reading that article into the RECORD.

Mr. LAMNECK. I have already read the portion of it I desired.

The SPEAKER. Under the rules and precedents, where an objection is made to the reading of an article such as the gentleman is reading, the matter must be submitted to the House for its determination.

Does the gentleman from Mississippi insist upon his point of order?

Mr. RANKIN. Mr. Speaker, inasmuch as the gentleman from Ohio has already read the article, I withdraw the point of order for the time being.

The SPEAKER. The gentleman from Ohio will proceed.

Mr. LAMNECK. What this Congress is asked to do is undemocratic. We are only a few weeks from the general elections when the President and every Member of this House was elected. Did the President announce a purpose to change the Supreme Court if reelected? He did not. When he was asked if he would make any effort to alter the Supreme Court, he was silent, but those who claimed to speak for him declared that any such inference respecting the candidate was "sinful, sinister, and utterly unfounded." If the President did have such a plan in view, he should have declared it. Thus the people might have had a chance to express an opinion upon it. The Democratic platform did not contain such a proposal. The candidate's acceptance speech did not intimate such a purpose. Now, before the inaugural scaffolding is removed, the President proposes a change which would destroy the very foundation of the faith millions of citizens have in our Government.

The people believe the Chief Executive is confident he can handle the legislative branch to seize control of the judicial branch. Can it be done? If so, then how will our democracy of 1937 differ from the autocracies and dictatorships of the Old World?

In the third place, the program to control the Supreme Court by packing it is thoroughly un-American. What could be more un-American than to give the party having interests at stake before a court power to appoint additional judges to that court? The statutes of our Federal and State Governments hold as a basic principle that no judge shall sit in legal judgment over a matter in which he has a personal interest or relationship or in which the verdict would redound to his own benefit or hurt. This goes down even to our jury system. Yet in the case before us the one who would select the judges already has an interest in the opinions which the judges he selects might pass upon. That is a violation of historic and fundamental Americanism.

This Nation was founded 148 years ago when, on the first Wednesday in March 1789, the Constitution was declared in effect. Despite the storms of the intervening years, the Nation has grown and flourished because of that document, which has been as the plan of the Great Architect for the people of this Republic. Because of its fundamental principles, serving as a guarantee of the rights of the people, they have flourished as has no other national group in all history. With a history such as is ours, have we come to the situation in the year of our Lord 1937 where we, the custodians of that unsurpassed document of government, are asked to mutilate our own birth certificate and turn the powers reserved to the legislative and judicial branches of the Government over to the control of the executive branch? If we, as representatives of a democratic people, can do this, there must be passing from our midst the spirit of George Washington, Rufus King, Robert Morris, Benjamin Franklin, Charles Carroll, James Madison, and their colleagues, who, on September 17, 1787, attached their signatures to the proposed Constitution of the United States of America.

Some things change, but the great principles of truth and human justice are as unchangeable as sun and stars. The basis of fundamental justice has not changed from the days of the Author of the Ten Commandments to this present hour. "Thou shalt not kill." "Thou shall not steal." These are as applicable in the day of the auto and the airplane as in the day of the "horse and buggy", or in the day of the chariot and camel. Likewise has remained the judging of the truth. By what authority are we to justify any act on our part that would cause us to say, "The truth shall change according to the winds that blow, or the party that is in power"? We are Americans and justice is justice, whether one party or the other is in power. As a Member of the Seventy-fifth Congress, a Democrat, elected by the free electors of my district, I cannot—under my oath to support the Constitution of the United States—use my vote in this body to take from my constituents one iota of that protection which the Supreme Court has afforded them and their fathers for 148 years. [Applause.]

Mr. Speaker, in concluding I want to read a short three-line statement of George Washington on this subject:

> The spirit of encroachment tends to consolidate the powers of all departments in one and thus create out of the form of government a real despotism.

Mr. Speaker, I appeal to the Members as citizens, as Americans, and as Members of the House of Representatives, whether Republicans or Democrats, to give this subject of the Supreme Court the greatest consideration, because if you wreck it you are wrecking the American form of government.

Mr. COX. Will the gentleman yield?

Mr. LAMNECK. I yield to the gentleman from Georgia.

Mr. COX. I trust that the membership of this body will examine very carefully the remarks of the gentleman now having the floor. He has yielded to me for the purpose of making a few supporting remarks to his splendid speech.

Mr. Speaker, living within the presence of the fine things which the President has accomplished, it is difficult to withhold from him a power which he wants, but his recommendation that the membership of the Supreme Court be increased from 9 to 15, thereby enabling him, through willing appointees, to change the meaning of our basic laws and our whole form of government, asks for something which no one man in all this world ought to enjoy.

The recommendation constitutes the most terrible threat to constitutional government that has arisen in the entire history of the country. It is nationalism with a vengeance, and, carried into effect, would mean the end of the doctrine of States' rights. In the sense that it makes possible change in the meaning of the Constitution by legislative and executive power, it violates the principle of the sovereignty of the people. It would upset our whole system of checks and balances, establish executive control over the judiciary, and destroy the majesty of the law. A political and terrorized court is no tribunal of justice, and with the independence of the Supreme Court destroyed and it made a pliable tool in the hands of the Executive, ours becomes a government of men instead of a government of laws. My sense of political responsibility and political morality impels me to resist. I pray God that no such calamity may ever befall this country that we all love as the vesting of all power of government in the hands of any one man. [Applause.]

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes. The address of the gentleman from Ohio [Mr. LAMNECK] should be answered. I could probably do so under a question of personal privilege, but I would rather take 5 minutes to answer this vicious attack that has been made on the President of the United States and on the Congress. It should not go unchallenged.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. SUMNERS of Texas. Mr. Speaker, reserving the right to object, this is Calendar Wednesday. I do not know how far this thing will go, but we have two very important bills that the gentleman is interested in, and I believe the rest of the Members of the House are interested in. I do not see how I can refrain from objecting.

Mr. RANKIN. Mr. Speaker, these attacks that have been made on the Congress and on the President of the United States are just as important to the American people as the passage of a law permitting judges to retire at the age of 70. I hope the gentleman will not object. I think I would have the right to address the House under a question of personal privilege. I have never heard such a vicious attack made on the Membership of this House as has been made here today, and I cannot pass by the statement that the gentleman from Georgia [Mr. Cox] intimating that the President of the United States would place "willing appointees" on that bench, "to change the meaning of our basic laws and our whole form of government", as said by the gentleman from Georgia.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. SUMNERS of Texas. Mr. Speaker, I cannot yield on this matter. My friend, the gentleman from Mississippi, will recognize if I yield to him I will have to yield to other gentlemen, and the first thing we know the whole day is gone. Mr. Speaker, I object.

THE FUTURE OF THE GREAT PLAINS—REPORT OF GREAT PLAINS COMMITTEE (H. DOC. NO. 144)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying documents, referred to the Committee on Agriculture and ordered to be printed:

To the Congress of the United States:

I transmit herewith for the information of the Congress the report of the Great Plains Committee under the title "The Future of the Great Plains."

The report indicates clearly that the problem of the Great Plains is not merely one of relief of a courageous and energetic people who have been stricken by several years of drought during a period of economic depression. It is much more fundamental than that. Depression and drought have only accentuated a situation which has been long developing. The problem is one of arresting the decline of an agricultural economy not adapted to the climatic conditions because of lack of information and understanding at the time of settlement, and of readjusting that economy in the light of later experience and of scientific information now available.

The settlers of the Plains brought with them agricultural practices developed in the more humid regions from which they came. By historic circumstance the period of settlement was generally one of rainfall above the average, and, although water was known to be scarce, these practices then appeared to be suitable. The long-run experience, however, has disclosed that the rainfall of the area hovers around, and, for considerable periods, falls below the critical point at which it is possible to grow crops by the agricultural methods common to humid regions. A new economy must be developed which is based on the conservation and effective utilization of all the water available, especially that which falls as rain and snow; an economy which represents generally a more rational adjustment of the organization of agriculture and cropping plans and methods to natural conditions.

The whole subject of drought on the Great Plains dovetails into the studies made by the National Resources Committee in the larger aspect of public works planning. Previous and current studies of land and water problems have been undertaken on a Nation-wide basis. In this report they have been re-worked and applied by the Great Plains Committee in cooperation with other Federal agencies and with State and regional planning agencies as a component part of our desire to develop a program of constructive action for the drought area.

Whatever program is adopted must be cooperative and will require complementary lines of action by the Federal Government, State governments, and all the citizens of the region individually. Each has material interests at stake and can no longer afford to defer constructive action; each has moral responsibility for unwitting contributions to the causes of the present situation; and especially each has responsibility for undertaking lines of action essential to effectiveness of action by the others.

The problem is one that can be solved, but the solution will take time. Therefore a policy should be determined, a long-run program formulated, and execution begun without undue delay.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *February 10, 1937.*

CALENDAR WEDNESDAY

The SPEAKER. Today is Calendar Wednesday. The clerk will call the roll of committees.

RETIREMENT OF JUSTICES OF THE SUPREME COURT

Mr. SUMNERS of Texas (when the Committee on the Judiciary was called). Mr. Speaker, by direction of the Committee on the Judiciary, I call up the bill (H. R. 2518) to provide for retirement of Justices of the Supreme Court.

The Clerk read the title of the bill.

The SPEAKER. Under the rule, the House automatically resolves itself into the Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 2518) to provide for retirement of Justices of the Supreme Court, with Mr. LANHAM in the chair.

The first reading of the bill was dispensed with.

Mr. SUMNERS of Texas. Mr. Chairman, I am going to make a brief statement explanatory of this bill and hope

then to yield myself to questions propounded by Members to whom I may not have made the provisions of the bill clear.

Those of you who have examined the language of the bill have discovered that it proposes to extend to Justices of the Supreme Court the same right to retire, instead of resign, which the Congress in 1919 extended to judges of the circuit courts of appeals and of the district courts.

There are a few matters I think it would be very well to clear up. Many times you read in the papers statements to the effect that it is proposed to retire these judges on full pay or a pension, or similar statements. This bill does not at all deal with the matter of pay of these judges. The matter of pay of a given Federal judge cannot be reduced by Congress. It lies beyond the control of the Congress. The fact that Federal judges shall draw compensation during their life unless removed by impeachment, is fixed in the Constitution, and during their respective lives cannot ever be reduced, and we have nothing to do with it. We will not touch that question today. Congress will never touch that question as long as the provisions of the Constitution remain as they are.

This leaves just one question and that is whether or not when a Justice of the Supreme Court of 10 years' service and who has reached the point in physical condition which requires that he be given lighter work and the public business requires that a more vigorous man be put on the bench, he be permitted to retire from his regular duties and be assigned to such work?

Mr. COX. Mr. Chairman, will the gentleman from Texas yield for a pertinent question at this particular point?

Mr. SUMNERS of Texas. I yield.

Mr. COX. The bill states that the Chief Justice may call upon an inactive Justice to perform such judicial duties as may be assigned to him. In such an instance would the inactive Justice be called upon to sit with the active members of the Supreme Court and have a vote in determining questions before the Court?

Mr. SUMNERS of Texas. I appreciate that question being asked now, if there is any doubt about it. The answer is no. The Justice would retire from the Supreme Court bench and would be subject to assignment only in the circuits, and may serve even as a circuit judge under assignment. I think the language makes it perfectly clear, but in order to be doubly sure that that question would not arise in any future construction, the committee in its report, as the gentleman will observe, states the legislative purpose of the bill.

Mr. O'CONNOR of New York. Mr. Chairman, will the gentleman yield to me to ask a very elementary question and one which I am somewhat ashamed to ask?

Mr. SUMNERS of Texas. I yield to the distinguished gentleman from New York.

Mr. O'CONNOR of New York. What happens to the Justice who reaches 70 and has not served 10 years?

Mr. SUMNERS of Texas. He cannot retire under this bill.

Mr. O'CONNOR of New York. In other words, if by any chance he were appointed at 69, he could serve 10 years without retiring or until he reached the age of 79.

Mr. SUMNERS of Texas. I may suggest to my friend that that difficulty was recognized by the committee, but what we have done, may I say to my friend from New York, is to apply to the Justices of the Supreme Court exactly the arrangement which since 1919 has applied to other Federal judges, which arrangement has been tested in this country since 1919, and apparently not much difficulty has been encountered with it.

Mr. O'CONNOR of New York. Some States do not have as lengthy a requirement as 10 years; for instance, some States have 5 years, and it all depends on whether you are taking the 70 years as the focal point or the 10 years of service and 70 years as the focal point.

Mr. SUMNERS of Texas. That is right. There are some difficulties about it, but the committee thought the best thing to do was to go along with the law as we have it applicable to the other Federal judges.

Mr. COX. Mr. Chairman, will the gentleman yield for one further question?

Mr. SUMNERS of Texas. I yield.

Mr. COX. May I have confirmation from the gentleman of the impression I have as to this measure, that it is something his committee had worked out prior to the committee having any knowledge of the recommendation that came from the President a few days ago?

Mr. SUMNERS of Texas. This bill was first introduced about 2 years ago. As I have explained, we have an unusual situation with regard to the Federal judges. We have an arrangement under which district judges and judges of the circuit court of appeals can be given lighter duties when they have reached the age of 70 and have served 10 years.

By the way, it is purely voluntary retirement proposed here, and that is true with regard to the other judges under existing law.

The reason I did not offer a bill sooner, and I imagine the reason no other Member of Congress did not offer a bill sooner, in an effort to work out an arrangement under which these Justices of the Supreme Court could separate themselves from service on the Supreme Bench and be given lighter service, was the inherent difficulties pertaining to their office. Like everything else, when you work it out you wonder why you did not do it sooner. Two years ago I introduced practically this same bill.

I will not go into the details of how it happened, but it was defeated in the House.

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. JENKINS of Ohio. How does that bill differ from this?

Mr. SUMNERS of Texas. It is practically the same bill, except that this Congress is more intelligent than the last one. [Laughter.]

Mr. JENKINS of Ohio. Can the gentleman tell me offhand the date that that bill was brought in and considered?

Mr. SUMNERS of Texas. I have not that in mind.

Mr. CELLER. It was in 1935.

Mr. MICHENER. March 6, 1935.

Mr. CULKIN. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. CULKIN. In regard to the age of 70, the gentleman recalls that Judge Holmes was 91 and was powerful and alert. Does the gentleman believe that there is any arbitrary rule on longevity?

Mr. SUMNERS of Texas. Would this be an answer to the gentleman? Under this bill retirement is entirely voluntary. If this bill had been in operation at that time it would not have forced Judge Holmes to retire.

Mr. CULKIN. Does not the gentleman think that this legislation should be deferred until promised legislation has been considered?

Mr. SUMNERS of Texas. No; unless somebody wants to gum up the game. We have a concrete proposition here as to whether or not these Justices of the Supreme Court, some of whom are getting along in years and some of them probably not very well, should have the same opportunity of lighter service, given under identical circumstances to all other Federal judges, constitutional judges, and surely should not the Government have the same chance to put a more vigorous man on the job if the Justice voluntarily retires, just as is the case under existing law with reference to all other judges?

Mr. CULKIN. I am compelled to believe that the presentation of this measure at this time is a part of the strategy of the White House for the purpose of working its will on the judiciary of the country.

Mr. SUMNERS of Texas. Then may I help to relieve the gentleman's suspicion. I introduced this bill 2 years ago. I introduced this bill at the beginning of this session. This bill had been reported favorably by the Committee on the Judiciary before the President sent his message. Does that help the gentleman any?

Mr. CULKIN. Oh, I am familiar with the history of it. But I also know the history of the gentleman in the White House.

Mr. WILCOX. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. WILCOX. The gentleman may have covered this before, but if he has it would not do any damage to emphasize it again. Under this bill do I understand that the retirement of the Justices is entirely voluntary and that it could not be forced?

Mr. SUMNERS of Texas. There is no attempt at compulsory retirement.

Mr. WILCOX. It must be voluntary on the part of the Justice.

Mr. SUMNERS of Texas. That is right.

Mr. O'CONNOR of Montana. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. O'CONNOR of Montana. I read from the bill the following language:

> The Justices of the Supreme Court are hereby granted the same rights and privileges with regard to retiring, instead of resigning, granted to judges other than Justices of the Supreme Court by section 260 of the Judicial Code.

I would like to know, and no doubt many Members of the House would like to know, without taking the trouble of looking up the statute referred to, what the retiring privileges of members of the circuit and district courts are.

Mr. SUMNERS of Texas. Under existing law the other judges referred to are privileged to retire instead of resigning when they have reached the age of 70 years and have served 10 years on the bench.

Mr. KELLER. And how about the Supreme Court Justices?

Mr. SUMNERS of Texas. The Supreme Court Justices under this bill will have the same right to retire instead of resigning when they have reached the age of 70 and have served 10 years on the bench.

Mr. KELLER. But now?

Mr. SUMNERS of Texas. They cannot do that now.

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. SPENCE. What effect has this law had on the circuit and district judges with reference to their taking advantage of it?

Mr. SUMNERS of Texas. Quite a number of them have retired, and I understand they are pretty useful in their respective districts and circuits in doing light work. If I may use a homely illustration—and about all I ever learned I learned on the farm—when I was a boy if my father had a horse that he had to feed all of its life anyway, and that horse got too old to do the work of a regular horse cultivating the crop, he would not keep him in the field merely because he had to feed him to the hurt of the crop and the waste of a good hand's time. What he would do, as a man of practical common sense, would be to take that horse which he had to feed anyhow and work him a little around the garden and use him to draw up a little wood and put a good husky horse out there in the field with somebody to work it. That is all that we are asking you to do, and if you have as much sense as a good old-fashioned farmer has, you will do it. [Applause and laughter.]

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. MICHENER. I do not think the gentleman meant that exactly.

Mr. SUMNERS of Texas. What does the gentleman think I meant?

Mr. MICHENER. The gentleman indicated that that is what we are going to do. I am in favor of this bill.

Mr. SUMNERS of Texas. Then, interrupting the gentleman, whatever he thinks I ought to have said, if he is in favor of the bill, then that is what I meant. [Laughter.]

Mr. MICHENER. The gentleman from Texas left the impression that we are going to take some of these men off the bench and retire them and put somebody else in their places. We are not doing anything except one thing, and that is we are giving to the Supreme Court Justices the same right of retirement under exactly the same conditions, that all other Federal judges retire under now.

Mr. SUMNERS of Texas. That is a correct statement.

Mr. MICHENER. There is a lot of difference in that from taking somebody off the bench.

Mr. SUMNERS of Texas. I appreciate the correction of my friend, but the reason I had to make a little variation was that the horses we used to have did not have the sense to make a strong argument and know exactly when they were getting too old. [Laughter.]

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. MAY. I think the gentleman's bill goes a little bit further than the statement of the gentleman from Michigan [Mr. MICHENER]. Under the language of the bill they may retire and then be called upon by the Chief Justice and by him authorized to perform such judicial duties in any judicial circuit, "including those of a circuit justice in such circuit, as such retired Justice may be willing to undertake."

Mr. SUMNERS of Texas. Exactly.

Mr. MAY. Does not that give to the Chief Justice, whoever he may be, additional and dangerous powers to those which he now possesses?

Mr. SUMNERS of Texas. Not at all. The Chief Justice assigns the former Justice to perform such duties in the circuit as the Chief Justice thinks he is able to perform and as the retiring Justice is willing to undertake.

Mr. MAY. That is, he does that now?

Mr. SUMNERS of Texas. He will under this bill. In other words, to make it clear, when a justice shall have retired, instead of having resigned, and there is a situation in a circuit that needs some temporary assistance, and the Chief Justice thinks this retired Justice can do the work, and the retired Justice is willing to undertake it, then the Chief Justice may assign him, and he has a status in that district which enables him to discharge the judicial duties assigned to him.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. HEALEY. The Supreme Court Justices may now perform duties in the circuits?

Mr. SUMNERS of Texas. Yes. That is rather interesting. I appreciate that statement from my colleague from Massachusetts, because, as a matter of fact, the Supreme Court Justices now have two duties, strictly speaking. One is the duty to sit on the Supreme Court bench and the other is the duty to go on circuit, but as the business of the bench has increased, of course, the other business has fallen away.

Mr. O'TOOLE. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. O'TOOLE. The gentleman from Texas mentioned the story of a horse that had grown old in service.

Mr. SUMNERS of Texas. Yes.

Mr. O'TOOLE. Would it not have been more practical to shoot the horse?

Mr. SUMNERS of Texas. The gentleman would not have thought so if he had been the horse. [Laughter.]

Mr. Chairman, I do not desire to use any further time.

The CHAIRMAN. The gentleman may reserve the remainder of his time.

Mr. PARSONS. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. PARSONS. What would be the salary or retirement pay of the Supreme Court Justices? What would be their pay if they were summoned back to work?

Mr. SUMNERS of Texas. It is fixed in the Constitution, and we cannot touch it. It is just the same. In other words, under the Constitution, we employ these men with a contract to give them that salary, at least not less, as long as they live. We cannot touch it. It is not involved in this bill.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. HALLECK. I appreciate the fairness and frankness with which the chairman has explained this bill. There is one thing about it I would like to inquire about, if it is proper. Am I correct in assuming that there is no

implication in this bill, or there would be none in its passage, of a suggestion to any of the members of the Supreme Court that they should retire?

Mr. SUMNERS of Texas. I do not think so.

Mr. HALLECK. There is no such implication?

Mr. SUMNERS of Texas. You cannot force them off.

Mr. HALLECK. I recognize that; but is it the attitude of the chairman that the passage of this bill should not be taken as a suggestion from us that they should retire?

Mr. SUMNERS of Texas. I would not presume to suggest to the Justices of the Supreme Court what implication should be drawn.

Mr. Chairman, I do want to be fair about this matter and make it as clear as I can. I introduced this bill 2 years ago. Why? Because some of these gentlemen were getting older, and the Congress had given to all of the other members of the Federal judiciary the right to retire instead of resigning. These gentlemen over here are as good men, they are as faithful men as district judges and circuit court judges. They like to hold on. They like to be judges. These district judges like to be judges yet. They are permitted to be and to do lighter work. It is unfair to these men on the bench to give a privilege to their colleagues on other benches and deny it to these men who are giving their lives on that bench. Besides, keeping interest must be considered. [Applause.]

Mr. MANSFIELD. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. MANSFIELD. Are district judges paid for life now the same as Supreme Court Judges?

Mr. SUMNERS of Texas. All judges are paid for life. That is fixed by the Constitution. This Congress could legislate from now until doomsday, and it could not disturb that fixation.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. RAYBURN. That is not quite the situation, is it? What my colleague intends to say it would appear to me, is that whatever the salary of a judge is, we cannot change it during his life.

Mr. SUMNERS of Texas. That is what I mean. Congress fixes the salary, but when that salary is fixed, it may not be reduced during the life of that judge.

Mr. RAYBURN. But the Congress does fix the salary.

Mr. SUMNERS of Texas. Yes. That is what I meant.

Mr. HEALEY. Mr. Chairman, will the gentleman yield further?

Mr. SUMNERS of Texas. I yield.

Mr. HEALEY. Section 1, article II, of the Constitution provides that there shall be no diminution in the compensation of a judge.

Mr. SUMNERS of Texas. That is right.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. WHITTINGTON. If a Justice of the Supreme Court resigns, then he would receive no salary after that at all?

Mr. SUMNERS of Texas. He is not a judge. His salary would depend upon a statute instead of upon the Constitution.

Mr. WHITTINGTON. That is right.

Now, is it not true that Congress could not provide for compulsory retirement at 70 or 72 or any other age without a constitutional amendment?

Mr. SUMNERS of Texas. They are judges for life, subject only to the condition of "good behavior."

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. SPENCE. Can the gentleman tell us why the Supreme Court Justices were not included?

Mr. SUMNERS of Texas. I tried to do that awhile ago. The gentleman will excuse me for not repeating, as I must not occupy more time now.

Mr. Chairman, I reserve the balance of my time.

Mr. GUYER rose.

The CHAIRMAN. For what purpose does the gentleman from Kansas rise?

Mr. GUYER. I yield myself 5 minutes.

The CHAIRMAN. Is the gentleman opposed to the measure?

Mr. GUYER. I am.

The CHAIRMAN. The gentleman is recognized for 1 hour and he yields himself 5 minutes.

Mr. GUYER. Mr. Chairman, first I want to take this opportunity to tell the House what a happy family the Committee on the Judiciary is. There is no committee that has less politics, less partisanship, less rancor than the Committee on the Judiciary. That is due to the fact that we have as our chairman one of the most diplomatic, most tactful men there is in this Congress or any place else. [Applause.] For that reason we all love and respect him. He has steered us through "green pastures and by the still waters", through the troubled waters of birth control and rape of the Supreme Court without any commotion whatever.

I voted against this bill 2 years ago. I am not bitterly opposed to it, I do not think it is a vicious bill, but the reason I voted against it 2 years ago, as I said at that time, was that I believed it was an invitation to the Members of the Supreme Court to resign, that it made it easy for them to resign, and I did not want them to do so. I believe that today.

We never had a better balanced Supreme Court in the history of this country than we have at this time [applause], and if there is any inducement to resign, I do not want them to. I remember that a judge of our Supreme Court of Kansas at one time was traveling in the State of Washington. A man approached him and asked: "Mr. Justice, do you drink?"

The judge replied: "That all depends on whether you are gathering statistics or giving an invitation." [Laughter.]

I do not want to give them an invitation to resign. We have a great Supreme Court which has upheld the stainless record of this Court. I want it to remain the way it is.

Mr. Chairman, I reserve the balance of my time.

Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. HANCOCK].

Mr. HANCOCK of New York. Mr. Chairman, I regret very much that this bill comes up so early in the session. I think it is a very unfortunate coincidence that it follows so closely on the heels of the President's message of February 5. As the chairman of the Judiciary Committee has so clearly stated, however, there is only one object in view when this bill is presented to the House, and that is to make it possible for the members of the Supreme Court to retire on exactly the same terms that govern the retirement of other Federal judges. The proposal is not new. It has been considered for several years, and this particular bill was reported to the House before the President's message was read.

It has been the law for a great many years that members of the Supreme Court may resign and draw their full salaries, but other Federal judges may retire and draw their full salaries after serving 10 years and reaching the age of 70. The difference is between resigning and retiring. If a member resigns from the Supreme Court, he is no longer a member of the Court and his salary may be reduced or eliminated entirely by act of Congress. If, however, the judge retires, as provided in this bill, he remains a member of the Court and his salary cannot be disturbed, because section 1 of article III of the Constitution prohibits it.

This is all that is involved in this bill. It may be argued that this is an inducement or an enticement or temptation held out to the Supreme Court to take advantage of retirement. No such inference can legitimately be drawn. All any member of the Court has to gain by the pending bill is the assurance that when, as, and if he of his own volition decides to retire his retirement salary cannot be disturbed. That is all that is accomplished or sought to be accomplished by this bill. Any other implication upon it can only be based on suspicion and coincidence.

If it were a logical inference that this were an attack upon the Court, I would oppose it as strongly as I know how.

Millions of Americans all over this country would protest if that were so. I feel that the public has stated its sentiment unmistakably in the last few days. It fervently hopes that the Members of the Supreme Court will be spared to us for many years, each one of them. They want them to be "tenacious" of their health, bodily and mentally, and of the high offices they now hold. The people have shown very clearly, I believe, that they will not tolerate any move to drive the Supreme Court one inch from the position it now occupies as an independent and coordinate branch of the Government.

The argument that this is a move to enable the President to pack the Supreme Court cannot be sustained. When that issue comes up we will meet it. I am convinced—perhaps the hope is the father of the conviction—that any such attempt will be defeated. This is not an attack, it is a protection to the Court; and I, for one, and I believe most of my colleagues on this side of the aisle, too, feel that the bill should be passed. The members of the Supreme Court are entitled to the same protection that the other Federal judges enjoy. [Applause.]

Mr. McLEAN. Mr. Chairman, will the gentleman yield?

Mr. GUYER. I yield.

Mr. McLEAN. This bill would amend the Judicial Code, title 28, section 375. The second paragraph of that section reads as follows:

> In the event any circuit judge, or district judge, having so held a commission or commissions at least 10 years continuously and having attained the age of 70 years as aforesaid, shall nevertheless remain in office, and not resign or retire as aforesaid, the President, if he finds any such judge is unable to discharge efficiently all the duties of his office by reason of mental or physical disability of permanent character, may, when necessary for the efficient dispatch of business, appoint, by and with the advice and consent of the Senate, an additional circuit judge of the circuit or district judge of the district to which such disabled judge belongs. And the judge so retiring voluntarily, or whose mental or physical condition caused the President to appoint an additional judge shall be held and treated as if junior in commission to the remaining judges of said court, who shall, in the order of the seniority of their respective commissions, exercise such powers and perform such duties as by law may be incident to seniority.

Mr. GUYER. Mr. Chairman, I yielded to the gentleman for a question only.

Mr. McLEAN. I am about to propound my question. I ask the committee whether in their judgment there is any possibility of the paragraph I have read being read into the law if this bill we are now considering is enacted.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. GUYER. I yield.

Mr. SUMNERS of Texas. The section the gentleman just read does not refer to retiring instead of resigning, if the gentleman will notice the language. The next paragraph has to do with retirement instead of resigning; and the gentleman will notice in this connection that this bill merely gives to the Justices of the Supreme Court the same right to retire instead of resign now granted to other Federal judges.

Mr. McLEAN. If the gentleman will permit, I think he has a different paragraph in mind.

I am looking at the second paragraph of section 375, where the following words appear:

> Shall nevertheless remain in office and not resign or retire.

Mr. SUMNERS of Texas. The gentleman has before him title 28 of the Code.

Mr. McLEAN. I have before me the Annotated Code, title 28, chapter 10.

The point is this, if the gentleman will permit: It seems to me this provision is so much like the legislation asked in the recent message of the President that there is the possibility of statutory construction whereby that provision could be read into the bill before us and become the law of the land without direct action by Congress. The reorganization of the United States Supreme Court is of such importance it would be much safer and wiser to allow this matter to go over or postpone its further consideration until such time as we may have determined the matter of enforced retirement and an increase in the personnel of that body.

Mr. SUMNERS of Texas. May I say to the gentleman that the Judiciary Committee carefully examined this matter, and on that particular point, at least, there was not the slightest uncertainty that this bill deals solely with the question of the right to retire instead of resigning, and does not deal with any power on the part of the President.

Mr. McLEAN. It is not the intention of the committee, directly or indirectly, by construction or otherwise, to have read into this law any power to appoint alternate judges to the Supreme Court?

Mr. SUMNERS of Texas. I am very glad to state for the RECORD that no Member of the committee has any such notion, and we do not believe it is in the bill.

[Here the gavel fell.]

Mr. GUYER. Mr. Chairman, I yield 10 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Chairman, it has been very clearly stated, and we all know it to be a fact, that under the Constitution the tenure of our Supreme Court Justices is for life. Congress fixes the salaries of the Justices of the Supreme Court from time to time, but Congress cannot change the salary of any Justice during his tenure of office.

It has been stated here that this bill gives the Justices of the Supreme Court the right to retire instead of resign, and they will continue to be Justices and will continue to draw their full pay for life, but this bill would deny any Justice who retired the right to vote or participate in any of the matters before the Supreme Court. It gives the Chief Justice the authority to designate these retired Justices to perform services in the lower Federal courts. In other words, this bill takes the Justices of the Supreme Court out of the major league and places them in the "bush" or minor league. When one retires he can never play again in the major league—Supreme Court. If he acts at all, it must be in the minor league—circuit courts or district courts.

It has been stated on the floor that this measure is necessary to enable superannuated or disabled Justices of the Supreme Court to retire and still draw their salaries, and the statement has been made that when a Supreme Court Justice resigns he is not only no longer a member of the Court but he forfeits his salary for the balance of his life.

If a Justice resigns, he, of course, is no longer a member of the Court, but he will continue to draw a salary. Therefore I can see no real necessity for this legislation at this time.

An almost identical bill was up before the House for consideration last year. At that time 144 Members of the House voted in favor of this proposition; 210 thought it was unnecessary or perhaps unwise legislation and voted against it and the bill was defeated. No additional reason has been advanced for this legislation. If the Members of the House were opposed to it last year, I cannot see why they should adopt it this year.

The plan offered by the President relating to the Supreme Court and inferior Federal courts would have the members of the Supreme Court retire at the age of 70 years, provided they had attained 10 years of service; and if they failed to retire, the President would appoint an additional Justice to the Supreme Court Bench for each and every Justice that reached the age of 70 years and 6 months and had not retired voluntarily, and in that way build the Court up to 15 members instead of 9, as it is now constituted. The President's plan is to kick them off if they do not get off. I am vigorously against the President's bill. I entertain the same views as now appears to be held by a great majority of the people of our Nation—it is an attempt on the part of the President to pack that great Court and make a "rubber stamp" out of it, subservient to the wishes of the Chief Executive.

It has been urged by the distinguished chairman of our committee [Mr. SUMNERS of Texas] and others that the measure before us has no relation whatever to the President's plan, and that this measure was up in the last Congress and favorably acted upon by the Judiciary Committee in this Congress before anyone knew of the President's plan. I think this legislation is unnecessary, and it is unfortunate for it to come before the Congress at this time.

Mr. COX. Will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to the gentleman from Georgia.

Mr. COX. I agree with the gentleman in that I can see no public necessity for this legislation; still, I see no serious objection to it. It simply provides for qualified retirement of members of the Court at full pay. It is the part of the President's message dealing with the question of enlarging the Supreme Court that chills and frightens me, and not the rest of his recommendations. I think it would be well for us to go along with this bill.

Mr. ROBSION of Kentucky. I have such a high regard for each and every member of that great Court, it seems to me that this measure detracts from them. Boiled down, we assume there are members of that great Court who realize their incapacity to serve the people of this Nation, but they will not resign because when they do so some Congress in the future may reduce their salaries. Let us bear in mind that unless there is a change in the law those who might resign in the future would receive the identical salary as those who would retire under this bill. It is a mere assumption that there will ever be a change in the salaries between those who resign and those who retire. I do not believe there is a single member of the Supreme Court who is so critical of such a probable loss in salary that he would be guided one way or the other in determining whether he would or would not remain as a member of that Court. If there be any such member, may I say that I have less respect for him than I now have.

Mr. COX. Will the gentleman yield further?

Mr. ROBSION of Kentucky. I yield to the gentleman from Georgia.

Mr. COX. There may be members of that Court who are poor, who have worn themselves out in public service, and while able to do the work they would like to retire. This bill would enable them to go upon the inactive list at full pay. I can see no real objection.

Mr. ROBSION of Kentucky. It is true they could do that, but under the law as it now is they can resign and still draw their pay. I cannot conceive of any member of that high Court continuing to act unless he is convinced that he can and is rendering a real service to our country. I cannot believe there is any member remaining on the Court for the salary which attaches to the office. I am inclined to think that it would be just as honorable to resign in case of incapacity as it would be to retire and go to the inferior courts. What member of the Supreme Court desires to leave that great body and go to an inferior court? It requires health and ability to serve on the circuit court, and circuit court of appeals, or district court.

Mr. Chairman, we have gone along for nearly 150 years without this law, and matters have worked out all right. What I deplore is the fact that this bill is shunted into the House at this particular time when there is so much feeling, doubt, and uncertainty in the minds of the people of the country as to the attitude of this administration toward the courts. There is a general feeling that this administration wants to do something to the courts and force the courts to uphold, as many believe, the unconstitutional acts of Congress and the usurpation of power on the part of the Executive.

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. Is it not the gentleman's confirmed opinion if this bill is passed the people of the United States will consider it a part of the President's program?

Mr. ROBSION of Kentucky. If this bill accomplishes anything, it will mean that the members of the Supreme Court will retire, and in that event the President will make appointments to fill their places, and therefore the passage of this bill will accomplish the same thing as proposed in the President's program.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. Does the gentleman oppose the principle of retirement on reaching a certain age limit in the Government service generally?

Mr. ROBSION of Kentucky. No; not generally.

Mr. WHITTINGTON. Why do you make an exception in the case of the judiciary?

Mr. ROBSION of Kentucky. Because the Supreme Court is an exception in itself.

Mr. WHITTINGTON. All of them are in the public service.

Mr. ROBSION of Kentucky. Would the gentleman from Mississippi put the Supreme Court of the United States upon the same footing and deal with it the same as with clerks and subordinate officials in the Government service?

Mr. WHITTINGTON. We are putting them on the footing they deserve; that is, we are giving them the opportunity to retire with full pay while other Federal officials may retire and receive only a part of their former salaries.

Mr. ROBSION of Kentucky. As heretofore pointed out the members of the Supreme Court have got a right to resign and receive their pay and they will receive as much pay as they would receive by retiring under this bill, unless some future Congress should cut the pay down. My friend from Mississippi is deeply concerned over this pay of these Justices of the Supreme Court. There is not one word of evidence that any member of the Supreme Court now or at any other time has asked for this legislation. There has been no demand so far as I have been able to learn for it from any member of that great Court.

Mr. CITRON. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield.

Mr. CITRON. In my State and in several other States there are mandatory provisions in the law requiring the justices of the supreme court to retire at the age of 70. This means that in these States they go even further than this bill provides, and, furthermore, the judges after retiring may act as trial justices or as referees in certain cases, but no one has suggested in these States that the dignity or the honor of the court or the justices has been diminished in any way.

Mr. ROBSION of Kentucky. I look upon the Supreme Court as the greatest Court in all of the history of the world. We require special qualifications for members of that great Court. This Court is the last word in protecting the rights and liberties of the people of this country. This bill fixes a certain age. I do not know how anyone can fix 70 years as a proper age to retire. As a matter of fact, Justice John Marshall, Justice Taney, Justice White, Justice Hughes, and other Chief Justices, as well as members of the Supreme Court, performed most outstanding service to this country after they had reached the age of 70 years. These matters should be settled entirely without any partisanship. The Supreme Court must be kept free from politics or any other influence that would prevent a fair interpretation of our Constitution. From my boyhood I have built up in my own mind an estimation of the Supreme Court as one of the greatest progressive institutions in all the history of the world. This measure has not been asked for by them and, in my judgment, it weakens and cheapens the Supreme Court. I feel strongly that this is not the time to bring up this question. This administration has shown its disapproval of the Supreme Court. This bill is an invitation for them to resign or retire—leave the major league and go back to the bush league and have their places filled by those whose opinions will be in harmony with the President.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield.

Mr. SUMNERS of Texas. If this bill were enacted into law, it would not disturb the tenure of Chief Justice Hughes. He would not avail himself of it unless he became sick or felt that he ought to get off the bench. It is entirely up to him, is it not?

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, I yield the gentleman 1 additional minute. I cannot quite catch the point the gentleman makes. If you give a man who feels he is worn out in the service of his country an opportunity to retire, I do not see how you lessen his dignity or show any lack of affection for him or lack of appreciation of his services.

Mr. ROBSION of Kentucky. These Justices can draw their salaries whether they resign or retire. I feel their salary is not a matter of moment with the nine men who compose the Supreme Court of the United States. I think this would likely be construed by them as an effort on the part of the legislative branch of the Government to either force or induce them to retire.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, I yield the gentleman another minute.

Does the gentleman believe there is a man on the Supreme Court Bench who would go off that bench if he felt he was able to perform his duties, attracted by this offer of a continuation of his salary? That is not a fair question, and I withdraw it.

Mr. ROBSION of Kentucky. I would answer the gentleman's question in a fair way, even if it is not a fair question.

Mr. SUMNERS of Texas. I will take it back, but if the gentleman wants to answer it, go ahead.

Mr. ROBSION of Kentucky. The gentleman from Texas has stated it is not a fair question.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. Yes.

Mr. WHITTINGTON. If we follow the gentleman's argument to its conclusion, we would advocate the Justices of the Supreme Court serving in the first instance without any compensation at all.

Mr. ROBSION of Kentucky. Not at all. I insist that a man who is qualified to go on that great Court must have something in his mind bigger than the matter of salary. He must have and, I assume, in almost every instance his great concern is rendering service to his country, but as pointed out heretofore, if he should resign he would draw his salary just the same as if he retires. No one here will contend that if a Justice had to leave the Supreme Court on account of ill health he would then become active to any material extent in the lower Federal courts.

Mr. GUYER. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Chairman, in the beginning I want it distinctly understood I am not in favor of the President's program in reference to the retirement of Justices from the Supreme Court, packing the Court, or whatever you may call it. On another occasion I shall express my views on that vital matter.

We try to eliminate politics from the Committee on the Judiciary and, unless there is outside interference, I am sure we come very near reaching our objective.

The bill which we are now considering is not a new bill, and in view of the debate and inferences that is a very important fact. More than 2 years ago, this identical bill was introduced by the chairman of the committee. It was given thorough committee consideration, was reported favorably to the House, and was up for consideration before the House on March 6, 1935. The bill was defeated at that time because of spurious arguments made by, let us say, well-meaning but uninformed Members. The gentleman from Texas, Mr. Blanton, then a Member of the House, took an active part in the discussion and many a Member was led to believe that we were creating a new pension law for retiring Supreme Court Justices. In the depression, of course, such action would not only be unwarranted but extremely unpopular. That was not the case, however.

The genesis of this legislation, or the reason behind its introduction, was an interpretation of the Economy Act passed in 1933. Existing law expressly provides that district and circuit Federal judges shall be permitted to retire when reaching the age of 70 years and having served 10 years on the court. The law also provides that their compensation or salary shall continue at the same rate they are receiving at the time of retirement up to their death. The law further provides that these retired judges shall be subject to call for the purpose of performing certain duties under the direction of the presiding judge of the circuit.

The law provides, however, that Supreme Court Justices shall be permitted to resign on retirement pay, which pay is at the same rate the Justice is being compensated at the time of his resignation. So that, as a matter of fact, a Supreme Court Justice is no longer a Justice of the Supreme Court after he resigns, although he draws the retirement annuity. As I recall, there was but one living former Justice of the Supreme Court at the time the Economy Act was passed, and that was former Justice Holmes. It was held by some authority, possibly the Comptroller General, that while the compensation of a district or circuit judge could not be reduced during his lifetime, yet the annuity or pension received by a Justice of the Supreme Court after his resignation from the Court was subject to dimunition by act of Congress. In short, it is the purpose of this bill to place the Supreme Court Justices on exactly the same footing as the circuit and district judges so far as retirement pay is concerned. This bill attempts to and does nothing more or less.

The gentleman from New Jersey [Mr. MCLEAN] calls attention to paragraph 2 of section 375 of the United States Code, and he inquired as to whether or not the President or some other authority might not construe this bill as including said paragraph 2. This matter was considered by the committee and the committee was of the unanimous opinion that the fears of the gentleman from New Jersey are unwarranted. Under this bill the Justices of the Supreme Court are granted the same privileges and rights accorded judges of the district and circuit courts who retire. Paragraph 2, to which the gentleman refers, bestows upon the President certain privileges, but the legislation which we are now considering in no way affects paragraph 2, and paragraph 2 in no way affects this legislation. However, if there is any serious question about the matter, all doubt can be removed by inserting in the proper place an amendment providing that this law shall affect paragraph 1 of section 375 of the United States Code only. To my mind, any such amendment is needless and would be superfluous.

This bill is in no way an invitation to Justices of the Supreme Court to resign. As I have already stated, the bill was conceived more than 2 years ago, and was not born in the manger at the White House or in any of the departments. It saw the light of day in the office of the chairman of the Judiciary Committee, and surely no one had any intimation at that time that the President, 2 years later, was going to advocate changing the personnel of the Supreme Court. Of the justice of the bill there can be no doubt, and I know of no one among us who opposes the bill on its merits. All the opposition seems to be because there is fear in the hearts of some of the timid that the country will misconstrue the action here today as an action prompted by the demand of the President in his recent message. I took an active part in reporting this bill favorably more than 2 years ago, and I voted for it then because I believed then that it was right. I am of the same belief today, and I am not going to change my vote for political purposes. [Applause.] I am guided by the same principles in considering this bill that will guide me if the President's program to change the personnel of the Supreme Court so that it may be composed of men "whose minds run along with" the President comes before the committee and the House. You must believe me when I say that just so soon as politics enters into the making up of our Supreme Court, and just so soon as this body yields to any pressure other than the conscientious judgment of its Members in reference to the Supreme Court, then our form of government is headed toward the end.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. MICHENER. Yes.

Mr. JOHNSON of Texas. Is it not true that the public generally thought that the law governing Supreme Court Justices was the same as that governing district and circuit judges?

Mr. MICHENER. Yes; until the holding under the Economy Act.

Mr. McLAUGHLIN. Will the gentleman yield?

Mr. MICHENER. I yield.

Mr. McLAUGHLIN. This bill under consideration does not in any way change the present existing law as to the amount the Supreme Court judge will receive if he resigns?

Mr. MICHENER. Not in the least. The Supreme Court judge can resign today if he has served 10 years and is 70 years of age and draw the same salary that he would get under this bill. This bill makes it impossible to take that retirement pay away from him.

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. MICHENER. I yield.

Mr. JENKINS of Ohio. Is it not fair to state that when we had the bill up before, the debates indicate strongly that Members brought up the assertion that it was coercing?

Mr. MICHENER. Yes; some Members made the point that the bill was an invitation. There was not so much said about that in the open, but there was sort of a whispering campaign on the floor that this was an effort to get rid of some of the Justices on the Supreme Bench. For my part, there is absolutely nothing to that suggestion. We are all well acquainted with all of the members of the Supreme Court today. All of us do not at all times agree with all of their opinions, yet we must concede to them the honesty and integrity to which they are entitled. And the fact that they do not always agree among themselves is the best evidence that they are independent and each aiming to do the right as he sees it. As the gentleman from Nebraska [Mr. McLAUGHLIN] has just implied, there is not one among us who believes that the passage of this bill would in any way affect the decision of one of the present occupants of the Court to retire. This bill will in no way change the retirement pay that a retiring Justice would receive; that is, he would receive the pay that everybody always thought he was entitled to receive, unless the Congress by future action decreased his retirement pay, as was done under the Economy Act. That would take additional legislation. So let us remember that this bill is a committee bill; that it is nothing new; that it has nothing to do with the program suggested by the President in his recent message, and let us vote in a nonpartisan, judicial way.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. GUYER. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, I am in favor of this bill because I think it is fair and just and equitable. It is true it was defeated in the last Congress, but why was it defeated? Because of a whispering campaign on both sides of the aisle to the effect that if this bill passed it would be in the nature of coercion upon the sitting Justices of the Supreme Court, and would serve notice upon them that they should retire under the provisions of the bill, with full annuities, pensions, and compensation. Since that time a great issue has been raised, a far greater issue, by the President in his message to the Congress, in which he urged and proposed legislation to increase the membership of the Court by six, thereby giving him control of the Court. The proposal of the President transcends all party lines and is a great American issue. I remember the adage that "fools rush in where angels fear to tread"; but I am willing to predict that if this measure goes through, and I hope it will, the Judiciary Committee of the House and the Judiciary Committee of the other body will never report to Congress the legislation proposed by the President to increase the membership of the Court. Therefore, I hope that those who are opposed to the President's proposal giving him control of the judiciary, destroying the three separate and independent branches of our Government and our representative and constitutional form of government, the very structure of our American system, will vote to pass this bill, because it means the end of the attempt of the President to usurp the powers of the Supreme Court.

Mr. DUNN. Mr. Chairman, will the gentleman yield?

Mr. FISH. I would rather not yield.

Mr. DUNN. I wish the gentleman would make that statement again, as I did not quite get it.

Mr. FISH. I said if this bill should pass I anticipate, believe, and am convinced that no legislation increasing the membership of the Court would ever come out of the Judiciary Committee of this House or out of the other body. I believe the gentleman who probably is going to speak next for the majority side will take the same position, because in today's press the gentleman from New York [Mr. CELLER], the ranking member of the Judiciary Committee is quoted as saying:

> I think the House Judiciary Committee has taken all the action it will take when it passes these two bills.

The same kind of statement was made by the Senator from Indiana, Senator VAN NUYS, who likewise is quoted in the press today as saying:

> It is my opinion that the Senate Judiciary Committee, composed as it is of profound students of the Constitution, after careful deliberation and study, will come to the conclusion there is no justification for the enlargement of the Supreme Court.

If Federal judges should be retired at 70, the people ought to pass on the issue through a constitutional amendment. There is no reason why any Justice of the Supreme Court should retire if this bill is enacted into law until he wants to. I further predict that as the Democratic Members of the House and the Senate hear from the people back home that they will not dare to openly stack the Court, circumvent the Constitution, and make the Supreme Court a rubber stamp for the President. I trust that every Member of the House will put his partisanship aside and vote for the bill, because it should not be considered on a partisan basis.

Mr. SUMNERS of Texas. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER rose.

Mr. SIROVICH. Mr. Chairman, before the gentleman begins, will he yield to me for a question?

Mr. CELLER. I yield.

Mr. SIROVICH. Since the enactment of the law in 1919 which provides for the retirement of United States Federal judges at the age of 70, how many such judges have availed themselves of that privilege, up to the present time?

Mr. CELLER. I have not the exact number, but there has been a score or so of circuit and district judges who have availed themselves of that privilege.

Mr. Chairman, I am very sorry the gentleman from New York [Mr. FISH] sought to inject a political note into this debate. The members of the Committee on the Judiciary, Republicans and Democrats, have been more or less in accord on this bill, and I wish to make it clear that we bring this proposition here unallied with and free from any question of politics, and with no relation whatsoever to what the President may or may not have said. This is Calendar Wednesday, and it is just a fortuitous circumstance that it is. The mere fact that the bill comes in on the heels of the President's message has nothing to do with the bill. It is on the calendar; our committee has the call. Therefore it is brought up today; otherwise it might not have been considered for some time to come.

We have wrestled with this proposition for 2 years, and we tackled it originally because of the predicament that the late lamented Mr. Justice Holmes was in when he resigned. With the Economy Act we cut his salary in half, from $20,000 to $10,000. That was an unfortunate circumstance, and that gave rise to the urgent need of according to the Supreme Court Justices the selfsame privilege that we have been according the circuit and district judges since 1919. It became evident that Supreme Court Justices were being discriminated against. They, like the district and circuit judges, could and can resign but unlike those judges they could not retire.

I go further back than 1919. The same privileges have been accorded to district and circuit judges and the Supreme Court Justices since 1889, when we gave the right to those

judges to resign, but a resignation and a retirement are two distinct propositions. What we do by this bill is to cure the defects of the act of 1869 and the act of 1919.

What is the difference between resigning and retiring? There is a considerable difference. When a judge resigns he ceases to be a judge. Although he can resign, under the act of 1869, with full salary, that salary is subject to revision and curtailment by the Congress. When he retires he is still a judge, subject to call. In the case of district and circuit judges, he may be assigned for judicial duties within the circuit or district. He is thus recalled, as it were, from retirement and put to work.

But we never gave this right to retire to the Supreme Court Judges. I have scanned the record of the debates under the act of 1919, but find no basis for this failure to accord this same privilege to the Supreme Court Judges as was accorded to the other judges. Query: Why should there be any distinction?

The Supreme Court judges do not avail themselves of the right to resign, because Congress could then control the salary. If they could retire, on the other hand, they would still be judges, and, under the Constitution, they have a lifetime employment contract at $20,000 per year for Associate Justices and $20,500 per year for the Chief Justice. We allow them to resign. Why not allow them to retire?

The Constitution provides that—

> The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

This bill is simply an optional retirement bill. There is no coercion, there is no compulsion about it. There is no attempt to bludgeon or blackjack the judges into retirement. They can take it or leave it. Furthermore, there is no hidden sting or hidden trick in this bill. We have employed no hidden strategy. It is a clear-cut measure. There is no deliberate attempt to "put over" anything.

Our colleague on our committee, the gentleman from Kentucky [Mr. ROBSION], for who we have the highest regard, says, "This bill cheapens these men." I deny that. This bill honors them. We allow the admission that longevity may sometimes impair their faculties. We allow them, in dignity and fairness, to retire. We remove the element of uncertainty, calculated to deter a judge from surrendering a life salary.

When, on April 7, 1869, the 1869 bill was passed, Senator Charles Sumner, of Massachusetts, stated on the floor of the Senate the following:

> I take it our object is to accomplish both; to give to judges who have earned an honorable retreat what they have earned, and to secure complete efficiency to the courts. If we can accomplish these two results, we shall do much.

However, time has indicated that we have not afforded "honorable retirement" to Supreme Court judges. The 1869 bill only permitted them to resign. The instant bill permits them to retire and earn an honorable retreat.

Under the instant bill we are not free from the constitutional prohibition, the injunction against us, which would prevent us from controlling the judges' salary in whole or in part. Because when they retire and are placed in a position where they may be assigned for duties, they are still judges, and we are still held within the constitutional prohibition or injunction that we cannot diminish their salaries or affect their salaries during their life tenure. We allow retirement. We cannot touch their life salaries. That is all we do by this bill. We allow the Supreme Court Justices, and properly so, in addition to present right to resign, the right to retire with full salary. Certainly, in full justice to them, we should permit them to resign.

I may say to the gentleman from Michigan [Mr. MICHENER] that I do not think his amendment is necessary, because he reads from section 375 of the Judicial Code, and it must be taken into consideration that the first paragraph thereof refers to what is known as optional retirement on the part of district and circuit judges, but the second paragraph thereof refers to something entirely different, namely, compulsory retirement.

The CHAIRMAN. The time of the gentleman from New York [Mr. CELLER] has expired.

Mr. GUYER. Mr. Chairman, I yield the gentleman from New York 5 additional minutes.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. MICHENER. I possibly used unfortunate language. I agree with the gentleman entirely; but I said if there was any question in the minds of anybody, the amendment suggested by me would cure any such idea. I do not think it is necessary at all.

Mr. CELLER. I am glad for the correction. The amendment is absolutely unnecessary, because the second paragraph refers to compulsory retirement, which, you may remember, was adverted to by the President in his message recently. He said concerning this right of the President to retire—compulsorily—district and circuit judges:

> The discretionary and indefinite nature of this legislation has rendered it ineffective. No President should be asked to determine the ability or disability of any particular judge.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. JENKINS of Ohio. I wish to ask a question for my own information. Of course, the Constitution provides for the Supreme Court. Congress fixes the jurisdiction of the other courts and also fixes the salaries. When a Supreme Court Justice retires, what will be his status then? Will he have the status of a circuit judge?

Mr. CELLER. He is now, of course, a circuit judge. He is still a Supreme Court judge and he would be assigned for duty on a circuit. He could not be assigned for duty on the Supreme Court, because the gentleman can well see that might be dangerous. It would give the Chief Justice the right to summon any of these particular retired judges to sit on any particular case; and when we consider the transcendental importance of the cases that come before that Court, no judge, chief judge or otherwise, should have the right to select any particular retired judge to sit with him on a case of such importance. The chief judge could otherwise "hand pick" his court. Danger lurks therein.

Mr. JENKINS of Ohio. The jurisdiction of the Supreme Court justice, when he goes on circuit, is not coextensive with the circuit judge. It is jurisdiction that the Supreme Court justice has that is peculiar to him.

Mr. CELLER. For practical purposes, it will, I suppose, be practically the same as the jurisdiction of the circuit judge. Remember the bill reads, in part, as follows:

> A Justice so retiring may nevertheless be called upon by the Chief Justice and be by him authorized to perform such judicial duties, in any judicial circuit, including those of a circuit justice in such circuit, as such retired Justice may be willing to undertake.

Mr. JENKINS of Ohio. Now, the statute provides that we shall have only nine members of the Supreme Court. If we are going to have a retired member of the Supreme Court, he is not a member of the Supreme Court and he is not a member of the circuit court of appeals, because he can have only the authority he had when he was a Supreme Court Justice. What will the situation be?

Mr. CELLER. My understanding would be that the President would have the right to appoint. The bill reads, lines 11 and 12, page 1, as follows:

> The President shall thereupon be authorized to appoint a successor.

It may be that the passage of this bill will ease a great deal of the tension that exists in the country today because of certain agitation that has arisen following a certain message. I hope that that excitement will die down and the tautness of the situation will disappear. I hope that the Members will vote for this bill and cooperate in its passage to bring about that result, because it is doing the country no good to have this tremendous agitation with reference to the Supreme Court. I think this bill might have a very quieting effect, and for that reason, among other reasons, it is sincerely to be hoped you will give favorable consideration to it.

It may be that the dignity of the Supreme Court Justices has been ruffled somewhat, and, out of self-respect they might not wish to retire. That may be the case now, but I am sure that when calmer moments come to those gentlemen, when they shall have given more mature consideration and reflection to the matter, say, in 6 months or a year, I am quite hopeful one or more Justices of the Supreme Court will retire.

I say this in all confidence—but as Ben Franklin once said, "Three men can keep a secret if two men die"—when we had this bill before the last Congress we were given to understand that the result of the passage of the bill would likely be the retirement of one or more of the Justices. I shall not name them. Perhaps those gentlemen will shortly or comparatively shortly after the bill is passed retire.

The American Bar Association came forward and objected originally to the bill. The American Bar Association today is in favor of the bill. Certain Members of the House felt it was a pension. It is not a pension, as has been explained. Because the American Bar Association is in favor of the bill and in general the sentiment of the country is in favor of the bill now, I think we are in duty bound to vote favorably. [Applause.]

The CHAIRMAN. The time of the gentleman from New York [Mr. CELLER] has expired.

Mr. GUYER. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. CULKIN].

Mr. CULKIN. Mr. Chairman, I have the greatest respect for the distinguished chairman of this committee. I have the greatest respect and affection for the minority members of this committee, but I am going to differ with them on this issue and on this legislation. My judgment is that the timing of this bill is bad. To my mind the fair inference is that the present strategy is to make the unthinking people of the country believe that this House is extending a cordial invitation to the members of the Supreme Court who are over 70 years of age to resign. I think this is unfortunate. I think, irrespective of how this House thinks and how it finally will act in connection with the President's message and the President's proposed legislation, that this procedure at this time is bad. It suggests the build-up and the procedure of other days on other bills of Frankfurter, Corcoran, Cohen, and company.

The issue of the Supreme Court and what shall be done with the Supreme Court in the present historic clash between the Executive and the Supreme Court rests in the future. It is my judgment that passing this legislation at this time, much as I dislike to differ with the gentlemen of the committee, is drawing a red herring across the trail of that historic battle which is now pending. For myself I refuse to aid in beclouding that issue and in throwing dust in the eyes of the American people by passing such legislation at this time.

I regret this strategy. I regret what to my mind is an obvious attempt—innocent, perhaps, but nonetheless obvious—attempt to becloud this issue and encourage the procedure suggested by the President. If our great country is to survive, if our liberties are to be maintained, the proposed merger of the executive and judicial branches of our Government must be stopped. That issue is a tremendous one. It should be debated at length on its merits and not be beclouded by any such parliamentary strategy as is here presented. [Applause.]

Mr. Chairman, I yield back the balance of my time.

Mr. GUYER. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. ANDREWS].

Mr. ANDREWS. Mr. Chairman, I am not a member of the legal fraternity, but I am glad to have a few moments today to place myself on record as wholeheartedly opposed to the Court proposal of the President. It seems to me rather unfortunate that this other proposal of the committee should be brought forth here at this time. It would appear to me that this would be a reasonable piece of legislation to consider in ordinary times; and in spite of certain things which have been said, a multitude of expressions which have appeared in the press, and personal expressions which all of us have received, I am inclined to think that a measure of this kind deserves recognition.

All of us hear a great deal today about the fitness of men at different ages. I know that I would support this measure were the retirement age placed at 75; and if it is agreeable to the committee and if the chairman will recognize me at the proper time, I intend to offer an amendment, in line 7, after the parenthesis, inserting the words "except that the retirement age shall be 75."

I know that there has been a great deal of discussion and consideration by the committee and by the Members of Congress on that feature of any such retirement bill. I have a distinct impression that the membership on the Supreme Court is in many cases a reward for great ability, distinguished and renowned service in lower courts, but I do not believe there has seldom been an appointment by any President of a man without taking into consideration the man's physical ability and his mental caliber. There may in the future be many men whom Presidents would wish to appoint of age 65, 68, or 70; and it seems to me that by raising the retirement age to 75 we will remove a great deal of the personal element which this bill represents because of the ages of the present members of the Supreme Court.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield.

Mr. SUMNERS of Texas. Would the gentleman not be reconciled to the language of the bill when he bears in mind that retirement is purely voluntary, that it cannot be compelled? Does not the gentleman feel that if a judge has been on the bench for 10 years and can retire at age 70, and feels in his own judgment that he ought to have lighter work, that it is fair to him, as well as in the public interest, to let him make this choice?

Mr. ANDREWS. I appreciate the force of the gentleman's argument, but I regard as very important at the present time the removal of any personal element in the situation having to do with the present members of the Supreme Court.

Mr. Chairman, I yield back the balance of my time.

Mr. SUMNERS of Texas. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. HEALEY].

Mr. HEALEY. Mr. Chairman, it does not seem to me that any logical argument has been advanced by the opposition to this bill up to the present time.

A bill of similar purpose came before the Seventy-fourth Congress and was debated on the floor of the House of Representatives on March 15, 1935. The distinguished chairman of the Judiciary Committee introduced this bill very early this session. It was referred to my subcommittee for consideration, and the only question with which the committee was concerned was whether or not this bill justified favorable recommendation on its own merits. It was reported out of the subcommittee without a dissenting voice and was then presented to the full Committee on the Judiciary. After due consideration, the full committee voted to report the legislation to the House with its favorable recommendation for its enactment. I believe there were only two members of the committee who opposed this recommendation.

Mr. Chairman, the issue is clear cut, whether or not we shall extend to members of the United States Supreme Court a privilege already enjoyed by members of the inferior Federal courts, the privilege of retiring after they have reached the age of 70 and completed 10 years of service on that bench.

Section 1, article III, of the Constitution of the United States provides that—

> The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office.

This provision was intended to secure, so far as fixed compensation could do it, the independence of the judicial branch of the Government.

We have provided in the pending bill that any judge of the Supreme Court who exercises the retirement privilege

may still continue with part of his judicial duties by accepting such assignments as he may be called upon to perform by the Chief Justice in any judicial circuit, including those of a circuit justice in such circuit.

Under the terms of this bill, a Supreme Court Judge who retires will still retain his commission and will still perform judicial functions. He will, therefore, retain the constitutional guaranties against diminishment of his compensation, which would be lost to him if he resigned. He will still remain in office within the meaning of article III of the Constitution and his independence of action will be protected by its guaranties.

Existing law—section 260, Judicial Code—makes provision only for resignation of a Supreme Court Justice. Such resignation severs entirely his judicial connection with the Court and removes from him the protection of article III of the Constitution. It is true that this section provides that, on such resignation, if he has reached the age of 70 years and held the office for at least 10 years, he shall, during the residue of his natural life, receive the salary which is payable at the time of his resignation. However, this compensation is statutory and may be diminished by any subsequent act of Congress.

Mr. Chairman, it seems to me it is a matter of simple justice to these gentlemen whose services are so essential to the preservation of our Government that we extend to them the privilege already accorded to inferior court judges.

Mr. COLE of Maryland. Will the gentleman yield?

Mr. HEALEY. I yield to the gentleman from Maryland.

Mr. COLE of Maryland. May I ask the gentleman this question as chairman of the subcommittee: There was a bill, H. R. 5161, before us at the last session, and while it differs in language to some extent from the bill now being considered, in effect is it the same bill?

Mr. HEALEY. I can answer that in the affirmative. It is, in effect, the same bill.

Mr. McCORMACK. Will the gentleman yield?

Mr. HEALEY. I yield to my colleague from Massachusetts.

Mr. McCORMACK. And the fact this bill was considered by the committee during the last session and reported out and introduced by the distinguished chairman of the committee at this session before any recommendation came here from the President clearly shows that the argument of personal reflection is not warranted or justified?

Mr. HEALEY. That is absolutely correct, and I thank the gentleman.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RICH. This bill is being considered at this time without having a report attached stipulating the change which it is intended to make in existing law. In other words, it is not in conformity with the Ramseyer rule, and I therefore make the point of order this bill cannot be considered at the present time.

The CHAIRMAN. The Chair may say in answer to the gentleman's inquiry that the House has already proceeded to a consideration of this measure and debate has been had upon it. Therefore the point of order comes too late.

Mr. RICH. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RICH. The rules of the House strictly prohibit a bill of this kind being considered, and if we have made one mistake, why should we make two?

The CHAIRMAN. Will the gentleman cite the rule to which he refers?

Mr. RICH. The Ramseyer rule.

The CHAIRMAN. The Ramseyer rule would not apply now.

Mr. RICH. The Ramseyer rule makes it subject to a point of order before consideration of the bill commenced.

The CHAIRMAN. No point of order was raised. The measure has been given consideration; therefore the point raised by the gentleman from Pennsylvania comes too late.

Mr. RICH. If it was wrong, why go ahead?

The CHAIRMAN. Of course, the Chair cannot answer that question.

Mr. SUMNERS of Texas. Mr. Chairman, I yield 5 minutes to the gentleman from Nebraska [Mr. McLAUGHLIN].

Mr. McLAUGHLIN. Mr. Chairman, so much debate and discussion has been had upon this measure that I should not presume to rise at this time were it not for the fact I am confident a misunderstanding in reference to the bill exists in the minds of certain members of the Committee. We have had quite an elaborate discussion of the bill, but many things have been mentioned and discussed in debate which have no place in this debate from the standpoint of logic.

Mr. Chairman, a bill similar to this was introduced 2 years ago by the distinguished chairman of the Judiciary Committee. It was favorably reported by the Judiciary Committee and came on to the floor of this House for consideration. That bill was defeated in a roll-call vote 2 years ago. Many Members today are examining the roll call to see how they voted in order that they may not be inconsistent.

The fact is when the bill was under consideration 2 years ago there was injected into the debate matter which had no place in the discussion. There was insinuated in the debate the suggestion that this was a bill to provide a pension for judges leaving the Supreme Court bench. That is not the case.

My reason for propounding an inquiry of my distinguished colleague on the Judiciary Committee, the gentleman from Michigan [Mr. MICHENER], was to bring out the fact that the bill under consideration today does not in any way touch, affect, or concern the amount of money which any judge of a Federal court will receive in the event he resigns. In order to make what I hope may be a contribution in the way of clarity to this debate, I am going to ask the indulgence of the members of the Committee while I read the existing law and the amendment which we have under consideration. I believe it is important, Mr. Chairman, that the law be read as it exists today, and the proposed amendment be read, for the reason that within the past 5 or 10 minutes one of the distinguished Members of the House made the statement, "If a Justice of the United States Supreme Court resigns today, he gets nothing." That is not true. By statute, if a Judge of the Supreme Court resigns today, he receives for life the same salary which he is receiving at the time of his resignation. This bill affects, concerns, and touches only the retirement of a Judge of the Supreme Court.

The law at present reads as follows:

When any judge of any court of the United States appointed to hold his office during good behavior resigns his office after having held a commission or commissions as judge of any such court or courts at least 10 years continuously and having attained the age of 70 years, he shall during the residue of his natural life receive the salary which is payable at the time of his resignation for the office that he held at the time of his resignation.

But instead of resigning, any judge—

Mark this:

other than a Justice of the Supreme Court, who is qualified to resign under the foregoing provisions, may retire upon the salary of which he is then in receipt from regular service on the bench, and the President shall thereupon be authorized to appoint a successor.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. McLAUGHLIN. To continue:

But a judge so retiring may nevertheless be called upon by the senior circuit judge of that circuit and be by him authorized to perform such judicial duties in such circuit as such retired judge may be willing to undertake.

Now, eliminating some features of the existing law that are not important in this discussion, let us proceed to the amendment proposed.

That amendment reads as follows:

Instead of resigning any Justice of the Supreme Court who is qualified to resign under the foregoing provision, may retire upon the salary of which he is then in receipt from regular, active service on the bench, and the President thereupon be authorized to appoint a successor; and the Justice so retiring may nevertheless be called upon by the Chief Justice and be by him authorized

to perform such judicial duties in any judicial circuit, including those of a circuit justice in such circuit, as such retired Justice may be willing to undertake.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. I yield.

Mr. WHITTINGTON. With respect to compensation the difference between retiring and resigning is that in resigning the salary may be eliminated by a subsequent Congress, whereas is cannot be changed after retirement.

Mr. McLAUGHLIN. Yes; and under existing law if a Justice resigns, his compensation may be substantially reduced by an act of Congress, as was illustrated in the case of Mr. Justice Holmes.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. I yield.

Mr. SUMNERS of Texas. There is this additional difference, if a Justice retires instead of resigns, he may be used for some good purpose in connection with the business of the judiciary, whereas under existing law, if he resigns he gets the salary but cannot be used even though he may be able to render some useful service. This bill gives the additional advantage to the Government of being able to use the services of such Supreme Court Justices in the districts instead of simply paying them and not being able to get any service from them whatever.

Mr. McLAUGHLIN. That is exactly true, and I thank the distinguished chairman for his contribution.

[Here the gavel fell.]

Mr. GILCHRIST. Mr. Chairman, I would like to propound an inquiry to the chairman of the Committee on the Judiciary.

Mr. SUMNERS of Texas. Mr. Chairman, I yield myself 1 minute in order that the gentleman may do that.

Mr. GILCHRIST. Is it not true that at the present time if a member of the Supreme Court should resign, the Congress, by statute, could take away his salary altogether?

Mr. SUMNERS of Texas. That is right.

Mr. GILCHRIST. So that is an additional distinction as to what may happen when this bill is passed and present existing law.

Mr. SUMNERS of Texas. But he is not required to resign.

Mr. GILCHRIST. No; but if he does resign, this Congress, or some future Congress, might take away his salary altogether.

Mr. SUMNERS of Texas. That is right.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. SUMNERS of Texas. Mr. Chairman, I yield one-half minute to the gentleman from Pennsylvania [Mr. DUNN].

Mr. DUNN. Mr. Chairman, I intend to vote for this bill, but if I were convinced it was going to obstruct the legislation which President Roosevelt presented to the House on Friday, February 5, I would oppose it, because the legislation the President presented is for the benefit of the laboring people of our country. I hope the Judiciary Committee will report favorably the President's bill, because it is constructive, progressive, and humane. [Applause.]

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, may I inquire of my colleague the gentleman from Kansas whether he desires to use any further time?

Mr. GUYER. Mr. Chairman, I have no further requests for time.

Mr. SUMNERS of Texas. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I want to avail myself of this opportunity to pay a tribute to my colleagues on the Republican side of the House who are members of my committee. I believe that this committee has less partisanship in it than any committee in the House. I doubt that any committee could have brought out a bill on the floor of the House susceptible of so much partisan wrangling and had as high-class, patriotic, and statesmanlike consideration as has been given by my colleagues on the Republican side of the House who are members of this committee.

I want to make this statement to the House. I do not know what the Chair may hold with reference to amendments that may be offered, but the Members of the House know as well as I do that this is the sort of bill that can attract all sorts of amendments, especially at this time. The Committee on the Judiciary carefully examined this matter, and we would like this bill, if enacted, to be a clear-cut, definite proposition of dealing solely with the question of retirement instead of the resignation of the Justices of the Supreme Court.

As has been stated, the lawyers of the country as represented by the American Bar Association agree with reference to this bill. There is practically unanimous agreement on the part of the Democrats and the Republicans on the Judiciary Committee. The President of the United States has been in accord with the bill from its inception. The House is in accord with the bill. I believe the members of the Supreme Court would appreciate the compliment of the bill, and I hope the Members of the House will stand with the committee and defeat every single amendment of any sort that may be offered. [Applause.]

The CHAIRMAN. If there is no further yielding of time, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That Justices of the Supreme Court are hereby granted the same rights and privileges with regard to retiring, instead of resigning, granted to judges other than Justices of the Supreme Court by section 260 of the Judicial Code (U. S. C., title 28, sec. 375), and the President shall be authorized to appoint a successor to any such Justice of the Supreme Court so retiring from regular active service on the bench, but such Justice of the Supreme Court so retired may nevertheless be called upon by the Chief Justice and be by him authorized to perform such judicial duties, in any judicial circuit, including those of a circuit justice in such circuit, as such retired Justice may be willing to undertake.

Mr. ANDREWS. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

After the parenthesis (U. S. C., title 28, sec. 375) insert: "except that the retirement age shall be 75."

Mr. ANDREWS. Mr. Chairman and members of the Committee, I gave you a few moments ago my reasons for proposing this amendment. I hope that no Member on the Republican side of the House will vote for this amendment because I stand on this side of the House, and also that the Members on the Democratic side will vote without regard to party.

Mr. McLAUGHLIN. Will the gentleman yield?

Mr. ANDREWS. I yield.

Mr. McLAUGHLIN. The bill under consideration would permit the Justices to remain on the bench until 75, if the amendment were adopted.

Mr. ANDREWS. Yes. The gentleman from Texas [Mr. SUMNERS] covered that. It would remove the personal element in the present situation, and I think that is something for us to consider today. I think it is unfortunate that we are called upon to act on this bill at the present time.

Mr. RANKIN. Mr. Chairman, I rise in opposition to the amendment. First I want to ask the gentleman from New York if he will vote for the bill if his amendment is carried?

Mr. ANDREWS. Yes; I will.

Mr. RANKIN. Then the gentleman would only postpone for a few months the application of the bill as written, because with the exception of three of the judges they are all over 70 years of age, and in a few months the majority of them will be 75.

Now, a great deal has been said about this measure as compared with the President's proposal. There is not so much difference between the two propositions. If every Justice who is 70 years old would retire at once, it would give the President the right to appoint six judges immediately. That is exactly the number the President could appoint if his proposal were adopted. But under the President's proposal he could not appoint a Member of the House or a Member of the Senate to the Supreme Court, because no Member of the House or the Senate is eligible to be appointed during his term of office to a position created by Congress while he is a Member of either House.

If a judge retires under the provisions of the bill now before the House, the President could appoint a Member of the House or the Senate to succeed him, since this bill is not creating new positions but providing for the creation of vacancies in existing positions.

Another difference is that these retiring judges would be entirely off the Court. Under the President's proposal they would remain on the Court, and would have a voice along with the additional men proposed by the President's recommendation. If this bill does not mean that these men are going to retire, it does not mean anything. If these men are not going to retire under it, then this measure is a waste of paper and of the time of the House. If they are going to retire, if those judges take advantage of it, there will be just as many new appointees under this bill as there would be under the President's proposal.

Mr. Chairman, I propose to vote for this measure, but I want every Member to know just exactly what it means. I, for one, am not attacking the Supreme Court of the United States. I have stated on this floor time and again that I am not in favor of taking away from the Supreme Court the right to pass upon the constitutionality of statutes, but I believe that the President's proposal is sound, and I believe this measure is going in the same direction, but I believe the adoption of the President's proposal would be better than the passage of the present bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Oklahoma: Page 1, line 4, insert after the word "retiring" the words "except that their retired pay shall be subject to taxation under the applicable Federal income-tax law."

Mr. SUMNERS of Texas. Mr. Chairman, I make the point of order against that amendment that it is not germane.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman withhold his point of order for 1 minute?

The CHAIRMAN. Does the gentleman from Texas make the point of order or reserve the point of order?

Mr. SUMNERS of Texas. Mr. Chairman, I reserve the point of order for 1 minute.

Mr. JOHNSON of Oklahoma. Mr. Chairman, members of the Committee, the amendment I have just offered to the pending bill to retire Supreme Court Justices at full salary at the age of 70 years merely seeks to make that retirement pay subject to the income-tax laws and not to permit retired Justices to evade the payment of income tax on retirement gratuities that an overgenerous Congress proposes to give them.

I deeply regret that the distinguished and able chairman of the Judiciary Committee has raised a point of order against the pending amendment. While I thank him for reserving his point of order to give me this brief time to discuss it, I frankly feel that Members of this House should be given an opportunity to vote on this amendment on its merits and not seek to defeat the amendment by a mere technicality. [Applause.]

The sixteenth amendment to the Constitution of the United States was certainly thought to be broad enough by the framers of it to cover all forms of income taxation and all salaries, including the judiciary, as well as Members of Congress. The Constitution says:

That Congress shall have the power to lay and collect taxes on incomes from whatever source derived without apportionment among the several States, and without regard to any census or enumeration.

It will be recalled that in the famous case of Evans against Gore, Mr. Justice Van Devanter, who delivered the opinion of the Court, rendered an opinion that many eminent lawyers as well as others felt was a clear evasion of the sixteenth amendment in declaring that salaries of the Supreme Court Justices were not subject to the income-tax laws of the land. The theory on which the Court based its decision was the constitutional provision that the salaries of members of the Court could not be diminished during their term of office.

Assuming, for the sake of argument, that the reasoning of the Court in that case was sound, I submit that surely the Court would not go so far as to say that after a Justice of the Supreme Court has retired and after the President has appointed his successor, as he is authorized to do in the pending bill, that the retirement pay of such a Justice would still be exempt from income tax. I cannot conceive by what stretch of imagination any court could possibly go that far.

Again, Mr. Chairman, it occurs to me that after a Justice of the Supreme Court has been honored by remaining on the bench for many years and after having received a salary of $20,000 per year without the necessity of making campaigns, or other expenses which Members of Congress must incur, that he would have the temerity to object to paying income tax to this Government that had been so magnanimous to him. [Applause.]

Many Members of this House would like to cut the retirement pay of Federal judges far below their pay while in office; but it is admitted that if such an amendment were inserted in this bill, it would defeat the purpose of the act. Members who have or who may outlive their usefulness simply would refuse to retire; but certainly no patriotic Justice who is now serving or who will in the future serve on the Supreme Court of this land, could in good conscience object to paying the paltry sum of income tax that he would be subject to under the provisions of my amendment.

In the interest of economy and sane government and in an effort to help promote the general welfare of the people of this country, I have offered this pending amendment, and I sincerely hope that the distinguished and able chairman of the Committee on the Judiciary will withdraw his point of order against it. [Applause.]

The CHAIRMAN. Does the gentleman from Texas make the point of order?

Mr. SUMNERS of Texas. I do.

The CHAIRMAN. The bill under consideration deals with the retirement of Justices of the Supreme Court, whereas the amendment offered by the gentleman from Oklahoma deals with the subject of taxation and salaries. In the opinion of the Chair the amendment is not germane, and the Chair sustains the point of order.

Mr. McLEAN. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. McLEAN: Page 1, line 6, after the word "by", insert "the first paragraph of."

Mr. McLEAN. Mr. Chairman, in view of the assurances given by the chairman of the Committee on the Judiciary, for whom I know we all have a great deal of respect and confidence, perhaps this amendment ought not to be presented, but to my mind we are approaching very closely an opportunity and a purpose to ascertain the opinion of Members of the House of Representatives on the recent proposal made for the reconstruction of the Supreme Court. The enactment of this measure at this time will be regarded as a step toward the adoption of the program recently proposed. The second paragraph of the provision of the code which this pending act would amend is in exactly the same language referring to the circuit court and district court judges as in the bill proposed by the Attorney General for carrying into effect the provisions of the President's message. There is not a lawyer on the floor who has not had his experience with statutory construction, and found, after many months of work, that the act did not mean exactly what it was intended to mean, and that very often additional powers and authority have been read into the law. For example, will administration spokesmen tell me whence came the authority to create corporations as Federal agencies under the laws of the State of Delaware, the District of Columbia, Maryland, and other States? The

answer is that it came from the National Recovery Act. It was a stretch of the imagination, and an entirely illegal process that was followed. And there are many other instances wherein violence has been done to the intention of Congress by statutory construction. This is a simple amendment and will leave no doubt in the minds of others to whom this act may come. We should expressly limit the operation of the act to the first paragraph of the section of the code we intend to amend, so that the country will know that in the enactment of this law we had in mind a very high humanitarian purpose, and that the action on this bill is not to be construed in any way as having the slightest bearing on the controversy now raging over the reconstruction of the Supreme Court.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. McLEAN. Yes.

Mr. SUMNERS of Texas. May I direct the attention of my friend to the fact that the code referred to deals with district and circuit judges.

May I further direct the attention of the gentleman to the fact that all this pending bill does is to give these Justices of the Supreme Court the same right to retire instead of resigning now given to other judges, and gives to the Government, which pays their salaries, the opportunity to continue to have the benefit of some service from them. That is the whole scope of the bill.

Mr. McLEAN. Under the first paragraph of the new provision?

Mr. SUMNERS of Texas. No; under the bill.

Mr. McLEAN. It is the chairman's purpose that the second paragraph shall not apply?

Mr. SUMNERS of Texas. It does not apply at all.

Mr. McLEAN. Then why not accept my amendment?

Mr. SUMNERS of Texas. The gentleman does not want to do a thing that is perfectly obviously not necessary. It is not required. The gentleman would not want to put in a provision that nothing else in the code is to be amended. I hope the gentleman will not press the amendment, because it confuses things. There are some good lawyers on the gentleman's side of the House who have studied this bill, and I am sure not one of them has any doubt about it.

Mr. McLEAN. There may not be any doubt, but why not adopt the amendment and make it definite, so that the country will know we did not have in mind the controversy that is now existing?

Mr. SUMNERS of Texas. I guess we will have to vote on the amendment, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. McLEAN].

The amendment was rejected.

Mr. SUMNERS of Texas. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. LANHAM, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 2518) to provide for retirement of Justices of the Supreme Court, had directed him to report the same back to the House with the recommendation that the bill do pass.

Mr. SUMNERS of Texas. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

(The text of the bill will be found printed in full on p. 1124.)

Mr. JENKINS of Ohio. Mr. Speaker, I demand the yeas and nays on the final passage of the bill.

The yeas and nays were ordered.

The question was taken; and there were—yeas 315, nays 76, not voting 42, as follows:

[Roll No. 17]

YEAS—315

Aleshire	Drew, Pa.	Kirwan	Pierce
Allen, Del.	Drewry, Va.	Kitchens	Poage
Allen, La.	Driver	Kleberg	Quinn
Allen, Pa.	Duncan	Kloeb	Rabaut
Amlie	Dunn	Kniffin	Ramsay
Anderson, Mo.	Eberharter	Knutson	Ramspeck
Andresen, Minn.	Eckert	Kocialkowski	Randolph
Arnold	Edmiston	Kopplemann	Rankin
Atkinson	Eicher	Kramer	Rayburn
Barden	Ellenbogen	Kvale	Reed, Ill.
Barry	Englebright	Lambertson	Reilly
Beiter	Evans	Lambeth	Richards
Bell	Faddis	Lanham	Rigney
Bernard	Fernandez	Lanzetta	Robertson
Biermann	Fish	Larrabee	Robinson, Utah
Bigelow	Fitzgerald	Lea	Romjue
Binderup	Fitzpatrick	Leavy	Ryan
Bland	Flannagan	Lemke	Sabath
Bloom	Flannery	Lewis, Colo.	Sanders
Boileau	Fleger	Long	Sauthoff
Boland, Pa.	Fletcher	Lucas	Schaefer, Ill.
Boren	Forand	Luce	Schneider, Wis.
Boyer	Ford, Calif.	Luckey, Nebr.	Schuetz
Boykin	Frey, Pa.	Ludlow	Schulte
Boylan, N. Y.	Fries, Ill.	McAndrews	Scott
Bradley	Fuller	McCormack	Scrugham
Brooks	Fulmer	McFarlane	Secrest
Brown	Gambrill	McGehee	Shanley
Buck	Garrett	McGranery	Sheppard
Buckler, Minn.	Gasque	McGrath	Sirovich
Bulwinkle	Gavagan	McGroarty	Smith, Conn.
Burch	Gehrmann	McKeough	Smith, Va.
Burdick	Gilchrist	McLaughlin	Smith, Wash.
Byrne	Gildea	McMillan	Smith, W. Va.
Caldwell	Gingery	McReynolds	Snyder, Pa.
Cannon, Mo.	Goldsborough	McSweeney	Somers, N. Y.
Carter	Gray, Ind.	Magnuson	South
Cartwright	Green	Mahon, S. C.	Sparkman
Case, S. Dak.	Greenwood	Maloney	Spence
Casey, Mass.	Grecver	Mansfield	Stack
Celler	Gregory	Martin, Colo.	Starnes
Champion	Griffith	Massingale	Steagall
Chandler	Gwynne	Maverick	Sumners, Tex.
Chapman	Haines	Mead	Swope
Citron	Hamilton	Merritt	Tarver
Clark, Idaho	Hancock, N. Y.	Michener	Taylor, S. C.
Clark, N. C.	Hancock, N. C.	Mitchell, Ill.	Terry
Clason	Harlan	Mitchell, Tenn.	Thom
Claypool	Harrington	Moser, Pa.	Thomas, Tex.
Cochran	Hart	Mosier, Ohio	Thomason, Tex.
Coffee, Nebr.	Harter	Mouton	Thompson, Ill.
Coffee, Wash.	Havenner	Murdock, Ariz.	Thurston
Colden	Healey	Murdock, Utah	Tolan
Cole, Md.	Hendricks	Nelson	Towey
Cole, N. Y.	Hennings	Nichols	Transue
Collins	Higgins	Norton	Turner
Colmer	Hildebrandt	O'Brien, Ill.	Umstead
Connery	Hill, Ala.	O'Brien, Mich.	Vinson, Ga.
Cooper	Hill, Okla.	O'Connell, R. I.	Vinson, Ky.
Costello	Hill, Wash.	O'Connor, Mont.	Voorhis
Cox	Hobbs	O'Connor, N. Y.	Wallgren
Cravens	Honeyman	O'Day	Walter
Creal	Hope	O'Leary	Warren
Crosby	Houston	O'Neal, Ky.	Wearin
Crosser	Hull	O'Neill, N. J.	Weaver
Crowe	Hunter	O'Toole	Welch
Cullen	Imhoff	Oliver	Wene
Cummings	Izac	Owen	West
Curley	Jarman	Palmisano	Whelchel
Delaney	Johnson, Minn.	Parsons	White, Idaho
Dempsey	Johnson, Okla.	Patman	Whittington
DeMuth	Johnson, Tex.	Patrick	Wilcox
DeRouen	Johnson, W. Va.	Pearson	Williams
Dickstein	Keller	Peterson, Fla.	Withrow
Disney	Kelly, Ill.	Peterson, Ga.	Wolverton
Dixon	Kelly, N. Y.	Pettengill	Woodrum
Dockweiler	Kennedy, Md.	Peyser	Zimmerman
Dorsey	Kennedy, N. Y.	Pfeifer	The Speaker
Doughton	Keogh	Phillips	

NAYS—76

Andrews	Ford, Miss.	McClellan	Rich
Arends	Gearhart	McLean	Robsion, Ky.
Bacon	Gray, Pa.	Maas	Rogers, Mass.
Bates	Griswold	Mahon, Tex.	Rutherford
Boehne	Guyer	Mapes	Seger
Brewster	Halleck	Martin, Mass.	Shafer, Mich.
Carlson	Hartley	Mason	Short
Church	Hoffman	May	Snell
Cluett	Holmes	Millard	Stefan
Crawford	Jacobsen	Mills	Sutphin
Crowther	Jarrett	Mott	Taber
Culkin	Jenckes, Ind.	O'Malley	Thomas, N. J.
Ditter	Jenkins, Ohio	Pace	Tobey
Dondero	Jenks, N. H.	Patterson	Wadsworth
Douglas	Jones	Plumley	White, Ohio
Doxey	Kenney	Powers	Wigglesworth
Eaton	Kinzer	Reece, Tenn.	Wolcott
Engel	Lamneck	Reed, N. Y.	Wolfenden
Focht	Lord	Rees, Kans.	Woodruff

NOT VOTING—42

Allen, Ill.	Dirksen	Luecke, Mich.	Stubbs
Ashbrook	Dowell	Meeks	Sullivan
Beam	Farley	Miller	Sweeney
Buchanan	Ferguson	O'Connell, Mont.	Taylor, Colo.
Buckley, N. Y.	Gifford	Patton	Taylor, Tenn
Cannon, Wis.	Goodwin	Polk	Teigan
Cooley	Hook	Rogers, Okla.	Tinkham
Daly	Kee	Sacks	Treadway
Deen	Kerr	Sadowski	Wood
Dies	Lesinski	Shannon	
Dingell	Lewis, Md.	Smith, Maine	

So the bill was passed.

The Clerk announced the following pairs:

General pairs:

Mr. Sullivan with Mr. Treadway.
Mr. Buchanan with Mr. Dowell.
Mr. Taylor of Colorado with Mr. Gifford.
Mr. Kerr with Mr. Allen of Illinois.
Mr. Patton with Mr. Tinkham.
Mr. Dingell with Mr. Goodwin.
Mr. Cooley with Mr. Dirksen.
Mr. Polk with Mr. Englebright.
Mr. Dies with Mr. Smith of Maine.
Mr. Beam with Mr. Taylor of Tennessee.
Mr. Meeks with Mr. Wood.
Mr. Shannon with Mr. Sacks.
Mr. Ashbrook with Mr. Daly.
Mr. Sweeney with Mr. Hook.
Mr. Lesinski with Mr. O'Connell of Montana.
Mr. Stubbs with Mr. Cannon of Wisconsin.
Mr. Lewis of Maryland with Mr. Buckley of New York.
Mr. Miller with Mr. Ferguson.
Mr. Deen with Mr. Luecke of Michigan.
Mr. Rogers of Oklahoma with Mr. Sadowski.
Mr. Farley with Mr. Kee.

The SPEAKER. The Clerk will call my name.

The Clerk called the name of Mr. BANKHEAD, and he voted "aye."

Mr. MAAS changed his vote from "aye" to "no."

Mr. MOTT changed his vote from "aye" to "no."

Mr. McGRANERY. Mr. Speaker, the gentleman from Pennsylvania, Mr. SACKS, if present, would vote "aye."

Mr. KNIFFIN. Mr. Speaker, my colleague from Ohio, Mr. POLK, is unavoidably absent. If present, he would have voted "aye."

The result of the vote was announced as above recorded.

A motion to reconsider the vote by which the bill was passed was laid on the table.

MINORITY CONFERENCE

Mr. SNELL. Mr. Speaker, I ask unanimous consent to address the House for one-half minute to make an announcement.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SNELL. I wish to announce to the minority Members that the conference called for this afternoon has been indefinitely postponed, subject to the call of the chairman.

EXTENSION OF REMARKS

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their own remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BRADLEY, for Thursday, February 11, on account of attending funeral.

To Mr. FADDIS, for 3 days, on account of important business.

To Mr. LEWIS of Maryland, indefinitely, on account of illness.

To Mr. DIES (at the request of Mr. JOHNSON of Texas), on account of important business.

To Mr. ASHBROOK, indefinitely, on account of illness.

PERMISSION TO ADDRESS THE HOUSE

Mr. SNELL. Mr. Speaker, I ask unanimous consent that on tomorrow, after the conclusion of business on the Speaker's table and whatever other special orders there may be, that the gentleman from Illinois [Mr. MASON] be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

ORDER OF BUSINESS

Mr. SNELL. Mr. Speaker, may I make inquiry of the majority leader with regard to the business for tomorrow? It has been rumored around the House there has been some change in the program for tomorrow, and that the probabilities are the bill extending the life of the so-called Sabath committee will not be called up tomorrow. Can the gentleman inform us?

Mr. RAYBURN. The agreement was that it would be taken up tomorrow. The gentleman from Illinois wanted to bring up the resolution tomorrow, and the chairman of the Rules Committee agreed that it would follow the Committee on Banking and Currency, but I am informed that it will not be taken up tomorrow.

Mr. SNELL. What will be the program for tomorrow, aside from the bill from the Committee on Banking and Currency?

Mr. RAYBURN. That is all, aside from the special orders.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 22 minutes p. m.) the House adjourned until tomorrow, Thursday, February 11, 1937, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON RIVERS AND HARBORS

The Committee on Rivers and Harbors will meet Thursday, February 11, 1937, at 10:30 a. m., to hold hearing on the following projects: Ashtabula Harbor, Ohio; Pensaukee Harbor, Wis.; waterway between Savannah, Ga., and Fernandina, Fla.

COMMITTEE ON THE CIVIL SERVICE

The Committee on the Civil Service will hold hearings on Thursday, February 11, and continue these hearings on Friday, February 12, and on Tuesday, February 16, Wednesday, February 17, and Thursday, February 18, on the question of extending the classified civil service to include employees of the emergency agencies and employees in the regular establishments of the Government not now classified. Mr. Harry B. Mitchell, or a representative of the Civil Service Commission, will appear before the committee.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

The Committee on Interstate and Foreign Commerce will hold continuation of hearings on H. R. 1668, long-and-short haul bill, at 10 a. m., February 11, 1937.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

355. A communication from the President of the United States, transmitting a supplemental estimate for the legislative establishment, House of Representatives, for the fiscal year 1938, in the sum of $3,480 (H. Doc. No. 145); to the Committee on Appropriations and ordered to be printed.

356. A letter from the Secretary of War, transmitting a draft of a bill to prohibit the making of photographs, sketches, or maps of vital military and naval defensive installations and equipment, and for other purposes; to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. STEAGALL: Committee on Banking and Currency. Senate Joint Resolution 38. Joint resolution to extend for a period of 2 years the guarantee by the United States of debentures issued by the Federal Housing Administrator; without amendment (Rept. No. 213). Referred to the Committee of the Whole House on the state of the Union.

Mr. HILL of Alabama: Committee on Military Affairs. H. R. 2291. A bill to amend the act of May 25, 1933 (48 Stat. 73); without amendment (Rept. No. 214). Referred to the House Calendar.

Mr. KRAMER: Committee on Immigration and Naturalization. H. R. 2305. A bill to extend the time for applying for and receiving benefits under the act entitled "An act to provide means by which certain Filipinos can emigrate from the United States", approved July 10, 1935; with amendment (Rept. No. 216). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOLVERTON: Committee on Interstate and Foreign Commerce. H. R. 2895. A bill to extend the time for completing the construction of a bridge across the Delaware River near Trenton, N. J.; without amendment (Rept. No. 217). Referred to the House Calendar.

Mr. PEARSON: Committee on Interstate and Foreign Commerce. H. R. 3675. A bill to extend the times for commencing and completing the construction of a bridge across the Savannah River at or near Lincolnton, Ga.; with amendment (Rept. No. 218). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. MASSINGALE: Committee on Immigration and Naturalization. House Joint Resolution 101. Joint resolution for the relief of Dr. M. Kellogg Mookerjee; without amendment (Rept. No. 215). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BEITER (by request): A bill (H. R. 4594) to amend the Revenue Act of 1936 with respect to the surtax on undistributed profits; to the Committee on Ways and Means.

By Mr. BLAND: A bill (H. R. 4595) authorizing the use of condemned Government vessels for breakwater purposes; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 4596) to authorize the establishment of a permanent instruction staff at the United States Coast Guard Academy; to the Committee on Merchant Marine and Fisheries.

Also (by request), a bill (H. R. 4597) to amend the Canal Zone Code; to the Committee on Merchant Marine and Fisheries.

By Mr. CELLER: A bill (H. R. 4598) making it unlawful to sell certain spirits containing alcohol produced from materials other than cereal grains, and for other purposes; to the Committee on the Judiciary.

By Mr. EDMISTON: A bill (H. R. 4599) to grant United States mail franking privilege to Reserve officers in official correspondence; to the Committee on the Post Office and Post Roads.

By Mr. ELLENBOGEN: A bill (H. R. 4600) to amend the Interstate Commerce Act, as amended, by providing for the regulation of the transportation of passengers and property by aircraft in interstate commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOBBS: A bill (H. R. 4601) to provide for the transfer of a site, and the construction of an adequate building for a post-office station at Schofield Barracks, Hawaii, including its furniture and equipment; to the Commitee on Public Buildings and Grounds.

By Mr. McKEOUGH: A bill (H R. 4602) to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever", approved February 28, 1929, by including therein the name of Gustaf E. Lambert; to the Committee on Military Affairs.

By Mr. SECREST: A bill (H. R. 4603) to provide for the control of the flood waters of the rivers of the United States, for the improvement of navigability of such rivers, for reforestation and conservation of natural resources, and for other purposes; to the Committee on Flood Control.

By Mrs. ROGERS of Massachusetts: A bill (H. R. 4604) authorizing appropriation for purchase of land at Fort Devens, Mass.; to the Committee on Military Affairs.

By Mr. BOREN: A bill (H. R. 4605) relating to the accommodations for holding court at Shawnee, Okla.; to the Committee on the Judiciary.

By Mr. IZAC: A bill (H. R. 4606) to grant double-time credit for retirement purposes to enlisted men of the Army, Navy, Marine Corps, or Coast Guard for certain service during the World War; to the Committee on Military Affairs.

By Mrs. NORTON: A bill (H. R. 4607) to prohibit in the District of Columbia the operation, by means of slugs, spurious coins, tricks, or devices, not lawfully authorized by the owner, lessee, or licensee, of any automatic vending machine, slot machine, turnstile, coin box, telephone, or other receptacle designed to receive or be operated by lawful coin of the United States of America, in connection with the sale, use, or enjoyment of property or service, and to prohibit in the District of Columbia the manufacture, sale, offering for sale, advertising for sale, distribution, or possession for such use of any token, slug, false or counterfeited coin, or any device or substance whatsoever, and providing a penalty for violation thereof; to the Committee on the District of Columbia.

By Mr. KING: A bill (H. R. 4608) to authorize the erection of a Veterans' Administration home in the Territory of Hawaii, and to authorize an appropriation therefor, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. McCORMACK: A bill (H. R. 4609) to authorize the purchase and distribution of products of the fishing industry; to the Committee on Merchant Marine and Fisheries.

By Mr. HOPE: A bill (H. R. 4610) to provide annuities for certain widows of employees and retired employees of the United States and the District of Columbia; to the Committee on the Civil Service.

By Mr. VOORHIS: A bill (H. R. 4611) to provide vocational guidance, vocational training, and employment opportunities for youth between the ages of 16 and 25; to provide for increased educational opportunities for high-school, college, and postgraduate students; and for other purposes; to the Committee on Education.

By Mr. KEE: Joint resolution (H. J. Res. 209) to authorize acquisition of land for the Bluestone Reservoir project, and for other purposes; to the Committee on Flood Control.

By Mr. BOREN: Joint resolution (H. J. Res. 211) proposing an amendment to the Constitution of the United States fixing the terms of office of Representatives in Congress; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. DOUGHTON: Joint resolution (H. J. Res. 212) to amend the act entitled "An act to levy an excise tax upon carriers and an income tax upon their employees, and for other purposes", approved August 29, 1935; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND: A bill (H. R. 4612) for the relief of Edward Francis Wood; to the Committee on Claims.

Also, a bill (H. R. 4613) to provide for the advancement on the retired list of the Navy of Russell H. Quynn, lieutenant, United States Navy, retired; to the Committee on Naval Affairs.

By Mr. BOREN: A bill (H. R. 4614) for the relief of Lena Sumter; to the Committee on Claims.

Also, a bill (H. R. 4615) for the relief of Beryl M. McHam; to the Committee on Military Affairs.

By Mr. DIMOND: A bill (H. R. 4616) authorizing payment to the heirs of Edward Mather, deceased, late of Ketchikan, Alaska, for services rendered as native policeman in Alaska; to the Committee on Indian Affairs.

Also, a bill (H. R. 4617) for the relief of Dr. Hugh G. Nicholson; to the Committee on Claims.

By Mr. FERNANDEZ: A bill (H. R. 4618) to authorize the United States Court of Claims to hear and adjudicate the claim of the survivors of John M. Kelly, arising out of contract with the Navy Department, and for other purposes; to the Committee on Claims.

By Mr. HARTLEY: A bill (H. R. 4619) for the relief of Gil Bernardino Costa; to the Committee on Immigration and Naturalization.

By Mr. IZAC: A bill (H. R. 4620) for the relief of Verne B. Bennett; to the Committee on Claims.

By Mr. KITCHENS: A bill (H. R. 4621) for the relief of R. K. Garfield; to the Committee on Claims.

Also, a bill (H. R. 4622) for the relief of Henry Clay Gibson; to the Committee on Claims.

By Mr. KNIFFIN: A bill (H. R. 4623) for the relief of C. O. Eastman; to the Committee on Claims.

By Mr. LARRABEE: A bill (H. R. 4624) granting a pension to Hannah Lawson; to the Committee on Invalid Pensions.

By Mr. LUCE: A bill (H. R. 4625) granting a pension to Cora M. Higgins; to the Committee on Invalid Pensions.

By Mr. LUCKEY of Nebraska: A bill (H. R. 4626) for the relief of Frank R. E. Elstun; to the Committee on Military Affairs.

By Mr. McANDREWS: A bill (H. R. 4627) authorizing the President to present in the name of Congress a Medal of Honor to Floyd Gibbons; to the Committee on Military Affairs.

By Mr. NELSON: A bill (H. R. 4628) granting a pension to Ethel Forbes; to the Committee on Invalid Pensions.

By Mr. RIGNEY: A bill (H. R. 4629) granting a pension to Emma Temple; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4630) granting a pension to Annie L. Sanders; to the Committee on Invalid Pensions.

By Mr. THOMAS of Texas: A bill (H. R. 4631) to correct the naval record of John Edward Anderson; to the Committee on Naval Affairs.

By Mr. WITHROW: A bill (H. R. 4632) for the relief of Frank H. Coleman: to the Committee on Claims.

By Mr. HARTLEY: Joint resolution (H. J. Res. 210) for the relief of Nicholas Casale; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

280. By Mr. BURDICK: House Resolution F of the Twenty-fifth Legislative Assembly, State of North Dakota; to the Committee on Agriculture.

281. Also, Senate Resolution K of the Twenty-fifth Legislative Assembly, State of North Dakota; to the Committee on Agriculture.

282. By Mr. COFFEE of Washington: Petition of the United Brotherhood of Carpenters and Joiners of America, Lumber and Saw Mill Workers Local Union, No. 2665, Tacoma, Wash.; to the Committee on Labor.

283. By Mr. GOODWIN: Petition of the Women's Republican Club, Coxsackie, Greene County, N. Y., protesting against the addition of six new members to the Supreme Court; also any change in present membership; to the Committee on the Judiciary.

284. Also, petition of the New Jersey State Bar Association, opposing the enactment of the bill for the reorganization of the Federal judiciary proposed by the President of the United States February 5, 1937; to the Committee on the Judiciary.

285. By Mr. HAVENNER: Petition of the Legislature of the State of California, memorializing the President and the Congress of the United States to consider their senate joint resolution no. 5; to the Committee on Naval Affairs.

286. Also, petition of the Legislature of the State of California, memorializing the President and the Congress of the United States to include the Central Valley project in the national program of work relief; to the Committee on Irrigation and Reclamation.

287. By Mr. KENNEY: Petition of the New Jersey Motor Truck Association, opposing Federal tax on gasoline; to the Committee on Interstate and Foreign Commerce.

288. By Mr. McLEAN: Petition of the Roselle Park Unit, American Legion Auxiliary, regarding House bill 1954; to the Committee on Military Affairs.

289. By Mr. PFEIFER: Petition of the New York Press Association, Syracuse, N. Y., concerning unemployment insurance; to the Committee on Ways and Means.

290. Also, petition of the National Association of Post Office Laborers, Branch No. 39, Brooklyn, N. Y., concerning House bill 3150; to the Committee on the Post Office and Post Roads.

291. Also, petition of the Brooklyn Letter Carriers' Association, S. S. Cox Branch, No. 41, Brooklyn, N. Y., concerning House bill 1996, the Lamneck 40-hour-week bill; to the Committee on the Post Office and Post Roads.

292. By Mr. SEGER: Resolutions of the Board of Commissioners of the City of Passaic, N. J., urging that Works Progress Administration appropriations be maintained and that no reductions be made; to the Committee on Ways and Means.

293. Also, resolutions of the New Jersey Farm Bureau, favoring the soil-conservation method used in 1936 and opposed to proposed set-up for 1937; also opposing lowered standards of mail service for the rural population; also opposing future Federal gasoline and oil taxes, such taxation to be left to the States; to the Committee on Agriculture.

294. Also, resolutions of the New Jersey State Bar Association, opposing the enactment of the bill for the reorganization of the Federal judiciary submitted with the message of the President on February 5, or any other bill to increase number of Justices on Supreme Court, or otherwise to interfere with the independent action of the Federal courts and judges thereof; to the Committee on the Judiciary.

295. By Mr. TEIGAN: Petition of the Northwestern Lumbermen's Association of Minneapolis, requesting Congress to provide legislation which will insure the continuance of the Federal housing program; to the Committee on Agriculture.

296. Also, petition of the Northwestern Lumbermen's Association, requesting Congress to provide plans for storage of surpluses, etc.; to the Committee on Agriculture.

297. By Mr. THOMASON of Texas: Petition of Grover Casselberry and other citizens of El Paso, Tex., voicing opposition to the proposal to increase the membership of the United States Supreme Court; to the Committee on the Judiciary.

298. Also, petition of Winchester Cooley and other citizens of El Paso, Tex., voicing opposition to the proposal to increase the membership of the United States Supreme Court; to the Committee on the Judiciary.

SENATE

THURSDAY, FEBRUARY 11, 1937

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God and Heavenly Father, who out of Thy treasure bringest things both new and old for our instruction: Let the voices of the past persuade us to repentance and faith; those of the present to amendment and hope; those of the revealed future to holiness and charity.

Enlighten, we beseech Thee, this erring, groping world, that ignorance and sin, injustice and oppression, misery and crime, strife and war, and all the deeds of darkness may at length be vanquished, and cease to hide Thee from Thy children's eyes.

Help us, during our brief sojourn on earth, to concentrate our little strength on life and love and duty as we find them here, and follow in the blessed steps of Him who is the true and living way, Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday,

February 10, 1937, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed a bill (H. R. 2518) to provide for retirement of Justices of the Supreme Court, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Connally	Johnson, Colo.	Pope
Andrews	Copeland	King	Radcliffe
Ashurst	Davis	La Follette	Reynolds
Austin	Dieterich	Lodge	Robinson
Bachman	Duffy	Logan	Russell
Bailey	Ellender	Lonergan	Schwartz
Barkley	Frazier	Lundeen	Schwellenbach
Black	George	McAdoo	Sheppard
Bone	Gerry	McCarran	Smith
Borah	Gillette	McGill	Steiwer
Bridges	Glass	McKellar	Thomas, Okla.
Brown, N. H.	Green	McNary	Thomas, Utah
Bulkley	Hale	Maloney	Townsend
Bulow	Harrison	Minton	Truman
Burke	Hatch	Moore	Tydings
Byrd	Hayden	Murray	Vandenberg
Byrnes	Herring	Neely	Van Nuys
Capper	Hitchcock	Norris	Wagner
Caraway	Holt	Overton	Walsh
Chavez	Hughes	Pepper	White
Clark	Johnson, Calif.	Pittman	

Mr. MINTON. I announce that the Senator from Ohio [Mr. DONAHEY] and the Senator from Montana [Mr. WHEELER] are absent because of illness; that the Senator from Mississippi [Mr. BILBO], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Oklahoma [Mr. LEE], the Senator from Illinois [Mr. LEWIS], and the Senator from Wyoming [Mr. O'MAHONEY] are unavoidably detained from the Senate; and that the Senator from Michigan [Mr. BROWN] is absent in attendance on the Democratic State convention in Michigan.

Mr. AUSTIN. I announce that the senior Senator from Minnesota [Mr. SHIPSTEAD] is absent because of illness.

The VICE PRESIDENT. Eighty-three Senators have answered to their names. A quorum is present.

CONFERENCE OF INTERNATIONAL LABOR ORGANIZATION

The VICE PRESIDENT. The Chair lays before the Senate a communication from the President of the United States which is dated January 29, 1937, but which was not received in the Vice President's office until this morning. The clerk will read the communication.

The Chief Clerk read as follows:

THE WHITE HOUSE,
Washington, January 29, 1937.

The Honorable JOHN N. GARNER,
Vice President of the United States,
Washington, D. C.

MY DEAR MR. VICE PRESIDENT: I am sending you herewith a draft of a resolution which I should appreciate your submitting to the Senate. It concerns the participation of the United States Government in a conference that has been called by the International Labor Organization, of which we are a member. I am also sending a copy of this draft to the Speaker of the House of Representatives.

You will note from the resolution that the International Labor Organization is to hold a meeting in April to discuss the problems of the textile industries. This meeting, which will be attended by representatives of the governments, employers, and workers of all of the leading textile-producing nations, is the outgrowth of a proposal made by the United States delegate to the twentieth session of the International Labor Conference in June 1936. This proposal was made by our delegate, upon my instruction, as a result of an investigation made by a special Cabinet committee.

This Cabinet committee was appointed at the request of Members of both Houses of Congress from textile-producing States. Its report, which was submitted to the Congress on August 21, 1935, convinced me that a thorough survey of all aspects of the textile industries in all parts of the world was essential to the development of any policy which seeks to bring stability to textile workers and employers.

In view of the importance of the textile industries to American investors and to the 600,000 American workers who derive their living from the industry, I have felt that we would have much to gain by having the International Labor Organization hold its textile conference in the United States. Accordingly, upon instruction, such a recommendation was made to the governing body of the organization and was accepted by them.

To hold the conference in the United States will involve the expenditure by the International Labor Organization of approximately $30,000 more than if the conference were held in Geneva. It is my belief that the United States Government should bear part of that extraordinary expenditure. Accordingly, the resolution I am hereby submitting calls for an authorization to pay part of the cost of these extraordinary expenditures, up to the maximum of $15,000.

May I also call to your attention the fact that if Congress authorizes a contribution of $15,000 this sum will not mean an increase in expenditure equal to that amount. If the conference were held in Geneva, it would be necessary for us to send to Geneva a delegation made up of representatives of the United States Government, the textile employers, and the textile workers. Each of these delegates would have to be accompanied by advisers who are specialists in various aspects of the textile industries. It is estimated that the total cost of sending such a delegation to Geneva would aggregate approximately $8,000. By holding the conference in Washington we would be relieved of most of that expense.

I am sure that the Honorable John G. Winant, who as United States delegate to the twentieth session of the International Labor Conference made the proposal for the calling of the textile conference, and the Secretary of Labor will be most pleased to make available to your committee any further information bearing upon the conference that it may desire.

Very cordially yours,

FRANKLIN D. ROOSEVELT.

The VICE PRESIDENT. The Chair refers the communication, with the accompanying proposed joint resolution, to the Committee on Education and Labor.

LANDS FOR INDIANS OF FORT MOHAVE RESERVATION

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting a draft of proposed legislation to reserve certain lands on the public domain in California and Nevada for the use and benefit of Indians of the Fort Mohave Reservation, which, with the accompanying papers, was referred to the Committee on Indian Affairs.

PAYMENT OF CREEK EQUALIZATION CLAIMS

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting a draft of proposed legislation providing for the payment of certain Creek equalization claims and repealing a provision contained in the Deficiency Appropriation Act of June 19, 1934, relative to a judgment rendered by the Court of Claims in favor of the Creek Nation, which, with the accompanying paper, was referred to the Committee on Indian Affairs.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following memorial of the House of Representatives of the State of Arkansas, which was referred to the Committee on Commerce:

Whereas our whole Nation has been stirred to sympathetic activity by the unprecedented catastrophe visited upon so great a portion of our Nation in the form of devastating floods; and

Whereas our own beloved State is suffering in the present crisis on account of inadequate protection, and thousands of our citizens are being left homeless, disease is being spread, and hundreds are perishing on account of the present floodwaters; and

Whereas we feel that if the proper authorities would take cognizance of the flood conditions which are now imperiling our State and its citizenship conditions could be remedied: Now, therefore, be it

Resolved by the House of Representatives of the Fifty-first General Assembly of the State of Arkansas, That we memorialize the Congress of the United States now in session to expedite the passage of the "flood relief" bill, and that legislation be speedily enacted providing for permanent flood relief by a spillway from the Arkansas River to the Gulf of Mexico, beginning near Yanco-pin, Ark., and extending through the lowlands of eastern Arkansas, and through the State of Louisiana to the Gulf of Mexico, in order that the present suffering citizens of this great Nation have some present relief and be assured of some adequate, permanent protection, to the end that some assurance could be given that the terrible conditions of 1927 and the horrible events of 1937 would not be repeated, and that our great Government would protect its loyal people.

The VICE PRESIDENT also laid before the Senate the following joint resolution of the Legislature of the State of California, which was referred to the Committee on Public Lands and Surveys:

Senate Joint Resolution 5

Senate joint resolution relative to memorializing and petitioning the Congress to enact legislation distributing the revenues obtained from naval petroleum reserves on the same basis as the revenues from other public lands leased under the provisions of the Mineral Leasing Act

Whereas section 35 of the act of Congress approved February 25, 1920 (41 Stat. 437), known as the Mineral Leasing Act, provides that 52½ percent of all amounts derived by the United States from bonuses, royalties, and rentals from leased oil or gas lands shall be paid into, reserved, and appropriated as a part of the reclamation fund created by act of Congress approved June 17, 1902, and that 37½ percent of all amounts so derived shall be paid to the State within the boundaries of which such leased lands are located; and

Whereas this method of distribution of revenues received from this limited, exhaustible, and nonrecurring natural resource does recognize and does establish the fair and equitable policy, which is in the national interest, that the area of origin should participate in the revenue received therefrom as a measure of compensation for the permanent loss of such natural resources and for the exemption from taxation which occurs due to continued ownership of such lands by the United States; and

Whereas nearly all of the revenues from such leases is from lands in the Western States, where water development is a paramount necessity; and

Whereas the distribution of the revenues from this source to the Bureau of Reclamation to be expended in upbuilding the permanent agricultural resources by the construction of water stabilization and control projects, thereby making water available for irrigation and hydroelectric power; the control of floods, improvement of navigation, and other purposes is sound and just public policy; and

Whereas naval petroleum reserves are created by Executive order of the President from public lands of the United States, and leases thereon are made under the provisions of said Mineral Leasing Act; and

Whereas section 35 of said act further provides "that all moneys which may accrue to the United States under the provisions of the act from lands within naval petroleum reserves shall be deposited in the Treasury as 'miscellaneous receipts' ", so that neither the State in which such lands are located nor the Navy Department of the United States nor the Bureau of Reclamation receives any benefit from the bonuses, royalties, or rentals, as the petroleum or gas produced from said lands is such that it can only be used by the Navy for purposes of sale; and

Whereas the total revenues from oil and gas leases under the Mineral Leasing Act since February 25, 1920, have been approximately $131,000,000, of which more than $32,000,000, or more than 25 percent of such revenues, have been from naval petroleum reserves; and

Whereas if the State of California had received 37½ percent of the revenues from lands within naval petroleum reserves situate in California since the adoption of said act up to June 30, 1936, the State of California would have received an additional $11,906,209.39; and

Whereas if the Bureau of Reclamation had received 52½ percent of the revenues from the lands within naval petroleum reserves since the adoption of said act up to June 30, 1936, the Bureau of Reclamation would have received an additional $17,114,390.79; and

Whereas naval petroleum reserves in addition to those now existing may be created at any time, which, under existing law, would deprive the Bureau of Reclamation and the respective States of revenues now being received or which otherwise would be received; and

Whereas it is not equitable that the oil reserves for the Navy be obtained in a few States to the material detriment of such States, without affording participation in the revenues from leases in such reserves in line with the fair division recognized and provided for in the Mineral Leasing Act as applying to the public domain: Now, therefore, be it

Resolved by the Senate and Assembly of the State of California jointly, That the Legislature of the State of California hereby memorializes and petitions the Congress to enact legislation which will provide that the revenues heretofore or hereafter received from bonuses, royalties, and rentals under the Mineral Leasing Act approved February 25, 1920 (41 Stat. 437), from lands within naval petroleum reserves, 52½ percent shall be paid into, reserved, and appropriated as a part of the reclamation fund created by act of Congress, known as the Reclamation Act, approved June 17, 1902, and 37½ percent of the revenues received from such bonuses, royalties, and rentals shall be paid by the Secretary of the Treasury, after the expiration of each fiscal year, to the State within the boundaries of which the leased lands or deposits are located.

Resolved, That a copy of this joint resolution be transmitted to the President of the United States, to the Vice President of the United States, and to each Member of the Senate and the House of Representatives of the United States.

The VICE PRESIDENT also laid before the Senate the memorial of the Baltimore (Md.) Branch of the National Association for the Advancement of Colored People, remonstrating against the enactment of the bill (S. 419) to promote the general welfare through the appropriation of funds to assist the States and Territories in providing more effective programs of public education in its present form, and favoring the making of amendments thereto so as to provide safeguards against race discrimination, which was referred to the Committee on Education and Labor.

Mr. LONERGAN. Mr. President, I present for appropriate reference and printing in the RECORD a resolution adopted by the House of Representatives of the State of Connecticut concerning the proposed change in the Supreme Court of the United States.

The VICE PRESIDENT. The resolution will be received, referred to the Committee on the Judiciary, and, under the rule, printed in the RECORD.

The resolution is as follows:

Resolution concerning the proposed change in the Supreme Court

Resolved by this house, That we urge the Senators and Representatives of Connecticut, the Constitution State, in the Congress of the United States to oppose the astounding proposal of the President of the United States with regard to the United States Supreme Court. The adoption of the President's plan would make the Court subservient to the will of the Executive.

The life of the Federal Government is threatened by anything which tends to break down the independence of any of the three great departments—executive, legislative, and judicial.

The Declaration of Independence itself puts forth as a prominent grievance justifying the Revolution the subservience of judges to the British Crown.

An independent judiciary is the sole protector of the people against illegal or unconstitutional acts. Whatever attacks that strikes against the very citadel of popular liberty and the temple of private justice.

We look to our Senators and Representatives in Congress to keep faith and to "preserve, protect, and defend the Constitution of the United States"; be it further

Resolved, That the secretary of state is directed to immediately send a certified copy of this resolution to each Senator and Representative in the Congress of the United States from Connecticut.

Mr. HUGHES presented the following resolution of the House of Representatives of the State of Delaware, which was referred to the Committee on the Judiciary:

Whereas the President of these United States, Franklin Delano Roosevelt, has recommended to the Congress certain reforms in the Federal judiciary; and

Whereas there is great need of expediting the business before the said judiciary: Therefore be it

Resolved, That the members of the House of Representatives of the State of Delaware do hereby endorse each and all of the reforms recommended and suggested by our President, Franklin Delano Roosevelt; be it further

Resolved, That the members of the House of Representatives of the State of Delaware request United States Senators JAMES H. HUGHES and JOHN G. TOWNSEND, JR., and Representative WILLIAM F. ALLEN to lend their full support to the recommendations of the President; be it further

Resolved, That a copy of this resolution be forwarded to the said Senators and Representative.

Mr. MALONEY presented a resolution of the House of Representatives of the State of Connecticut, protesting against the enactment of pending legislation, recommended by the President, proposing to enlarge the membership of the Supreme Court of the United States, which was referred to the Committee on the Judiciary.

(See resolution printed in full when presented today by Mr. LONERGAN.)

Mr. MALONEY also presented a resolution adopted by the Central Committee of United Polish Lodges of Torrington, Conn., favoring the naming of a United States battleship in honor of Count Casimir Pulaski, brigadier general in the Continental Army, which was referred to the Committee on Naval Affairs.

REFUND OF CERTAIN PROCESSING TAXES

Mr. COPELAND. Mr. President, I present a letter from the president of the Manufacturing Retail Bakers Association of the Eastern States, together with resolutions adopted by that association at a meeting in New York City, which I ask may be printed in the RECORD and appropriately referred.

There being no objection, the letter and accompanying resolutions were referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

BROOKLYN, N. Y., *February 5, 1937.*

HON. ROYAL S. COPELAND,
United States Senator, Capitol, Washington, D. C.

HONORABLE SIR: In order to bring to your attention an unbearable situation and to appeal to you for aid in clearing this situation by appropriate legislation, a mass meeting was held at the Hotel Astor, New York, on January 5, and resolutions passed to forward to you with our most respectful request to give same your kind consideration with a view to straighten out our unfortunate situation.

In hope that the existing inequities may be removed by your activities in behalf of the oppressed who passed the attached resolutions, we are,

Respectfully yours,

MANUFACTURING RETAIL BAKERS ASSOCIATION OF THE EASTERN STATES,
WILLIAM STEINMETZ, *President.*

Resolution adopted at mass meeting at Hotel Astor, January 5, 1937

Whereas, pursuant to Federal laws subsequently declared unconstitutional, the processors of grain and the manufacturers of flour collected on behalf of the Government millions of dollars in processing taxes from hundreds of retail bakers, either directly or through jobbers; and

Whereas a great part of the funds so collected was never turned over to the Government as intended, but was impounded in court or held by the processors pending the judicial determination of the constitutionality of said taxes; and

Whereas after the said taxes were declared illegal, all funds impounded were ordered returned to the processors; and

Whereas these processors now hold in trust and are duty-bound to return such funds to their rightful owners, the purchasers of the flour, who paid the processing tax; and

Whereas numerous processors, though professing their desire to return said funds, refuse to do so because the present "windfall or unjust enrichment" tax prohibits them from doing so; and

Whereas said "windfall" tax provides, in essence, that (a) processors shall be taxed 80 percent of the amount so collected and retained by them and never turned over to the Government, (b) but exempts those processors from said tax who shall have returned such funds to their vendees, pursuant to bona-fide contracts between themselves and their vendees, entered into on or before March 3, 1936, (c) in which case said vendees shall be subject to the "windfall" tax (d) unless they can show that they did not pass on that tax to the public but sustained it as a business loss; and

Whereas the processors were able to pass on the tax to the vendees, the retail bakers, thereby sustaining no loss and the vendees did not and could not pass the tax on to their customers, the consuming public, thereby sustaining great loss, running into millions of dollars; and

Whereas the retail bakers, not having passed on the tax, but having sustained it as business loss, would be exempted from the operation of the "windfall" tax were the funds now held in trust for them returned by the processors; and

Whereas the retail bakers face the loss of millions of dollars due to the arbitrary provision of the said "windfall" tax in that it penalizes the baker who paid his tax to the processor without a written contract and thereby prevents the processors from returning said funds to the vendees: Now, therefore, it is

Resolved, That the Manufacturing Retail Bakers' Association of the Eastern States petition Congress to amend the said "windfall" tax provision so as to provide that processors holding funds collected pursuant to the Agricultural Adjustment Act be authorized to return said funds to their respective vendees without regard to whether said taxes were collected pursuant to a written contract, or, in the alternative, extending the time within which refunds may be made without regard to any written contract from June 1, 1936, to March 15, 1937, and permitting amendment of returns filed prior to such extended date to show such refunds; and it is further

Resolved, That this association appoint a committee to consult with Congressmen and Senators of the Eastern States, or any other Federal officers or agencies, on any and all matters contained within this resolution, and to prepare any and all memoranda, briefs, and documentary data to effectuate such purpose; and it is further

Resolved, That a copy of this resolution be forwarded to all Federal officials and agencies concerned.

REPORTS OF COMMITTEES

Mr. BULKLEY, from the Committee on Banking and Currency, to which was referred the bill (S. 1228) to amend the National Housing Act, reported it without amendment and submitted a report (No. 81) thereon.

Mr. COPELAND (for himself and Mr. VANDENBERG), from the Committee on Commerce, to which was referred the bill (S. 3) to regulate commerce in firearms, reported it without amendment and submitted a report (No. 82) thereon.

Mr. COPELAND, from the Committee on Commerce, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 1441. A bill to authorize the establishment of a permanent instruction staff at the United States Coast Guard Academy (Rept. No. 85); and

S. 1442. A bill to enable Coast Guard officers to purchase articles of ordnance property for use in the public service in the same manner as such property may be purchased by officers of the Army, Navy, and Marine Corps (Rept. No. 86).

Mr. COPELAND (for Mr. DONAHEY), from the Committee on Commerce, to which was referred the joint resolution (S. J. Res. 53) providing for a continuance of the participation of the United States in the Great Lakes Exposition in the State of Ohio in 1937, and for other purposes, reported it without amendment and submitted a report (No. 87) thereon.

Mr. GUFFEY, from the Committee on Commerce, to which was referred the bill (S. 1173) to amend an act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, reported it without amendment and submitted a report (No. 83) thereon.

Mr. WHITE, from the Committee on Commerce, to which was referred the bill (S. 1406) to authorize distribution of products of the fishing industry, reported it without amendment and submitted a report (No. 84) thereon.

Mr. BRIDGES, from the Committee on Post Offices and Post Roads, submitted a report (No. 88) to accompany the bill (S. 740) to provide for the issuance of renewable 4-year-term contracts to qualified star-route contractors and subcontractors, and for other purposes, heretofore reported by him from that committee with amendments.

FLOOD RELIEF LOANS—REPORT OF THE BANKING AND CURRENCY COMMITTEE

Mr. BARKLEY. Mr. President, on behalf of the Senator from Ohio [Mr. BULKLEY] and myself, from the Committee on Banking and Currency, I report back favorably, with amendments, the bill (S. 1439) to provide for loans made necessary by floods or other catastrophes in the year 1937. I desire to state that a little later in the day I shall ask unanimous consent for the immediate consideration of the bill.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. COPELAND:

A bill (S. 1472) to authorize the Secretary of War to dispose of material to the National Council of the Boy Scouts of America; and

A bill (S. 1473) to authorize the Secretary of War to lend War Department equipment for use at the world jamboree to the Boy Scouts of America; and to authorize the Commissioner of Internal Revenue to remit the tax on steamship tickets; and further to authorize the Secretary of State to issue passports to bona-fide Scouts and Scouters without fee for the application or the issuance of said passports; to the Committee on Military Affairs.

By Mr. DUFFY:

A bill (S. 1474) to provide for the advancement on the retired list of the Navy of Clyde J. Nesser, a lieutenant (junior grade) United States Navy, retired; to the Committee on Naval Affairs.

By Mr. ANDREWS:

A bill (S. 1475) to provide for the retirement of Justices of the Supreme Court; to the Committee on the Judiciary.

By Mr. BACHMAN:

A bill (S. 1476) authorizing a preliminary examination and survey of the Skagway River in the vicinity of Skagway, Alaska; to the Committee on Commerce.

A bill (S. 1477) granting a pension to Mary L. Harper; to the Committee on Pensions.

By Mr. CONNALLY:

A bill (S. 1478) conferring jurisdiction on the Court of Claims to hear and determine the claims of the Choctaw Indians of the State of Mississippi; to the Committee on Indian Affairs.

By Mr. STEIWER:

A bill (S. 1479) for the relief of the estate of Charles White; to the Committee on Claims.

A bill (S. 1480) to amend section 724 of the Revised Statutes; to the Committee on the Judiciary.

A bill (S. 1481) authorizing the Secretary of War to lend certain Army equipment to Klamath Post, No. 8, American Legion, Klamath Falls, Oreg., for use on camping trips for boys; to the Committee on Military Affairs.

By Mr. VAN NUYS:

A bill (S. 1482) granting a pension to Lucinda M. Warner (with accompanying papers); and

A bill (S. 1483) granting an increase in pension to Jacob Ellis (with accompanying papers); to the Committee on Pensions.

By Mr. KING:

A bill (S. 1484) to grant the right to cut timber in national forests for the construction of a railroad from Craig, Colo., or from Springville, Utah, to Ouray, Utah, or to a point on Green River, near Ouray, Utah, or from Craig, Colo., to Springville, Utah; to the Committee on Public Lands and Surveys.

By Mr. WALSH and Mr. SHEPPARD:

A bill (S. 1485) to prohibit the making of photographs, sketches, or maps of vital military and naval defensive installations and equipment, and for other purposes (with accompanying papers); to the Committee on Naval Affairs.

By Mr. BONE:

A bill (S. 1486) for the relief of Harry J. Tucker; to the Committee on Civil Service.

A bill (S. 1487) for the relief of Shafer Schwartz; and

A bill (S. 1488) to place C. P. Gammon, formerly a major in the Medical Corps, United States Army, on the emergency officers' retired list; to the Committee on Military Affairs.

A bill (S. 1489) for the relief of Charles M. Perkins; to the Committee on Claims.

A bill (S. 1490) to provide that all naval vessels and their main engines, ordnance, and armament shall be constructed or manufactured in Government establishments; to the Committee on Naval Affairs.

A bill (S. 1491) granting a pension to Theresa Elizabeth Mapes; to the Committee on Pensions.

By Mr. NEELY:

A bill (S. 1492) to limit the hours of service of train dispatchers employed by carriers engaged in interstate commerce to 6 hours in any 24-hour period, to establish a 6-hour day for such train dispatchers, and for other purposes; to the Committee on Interstate Commerce.

A bill (S. 1493) to amend the military record of William E. Bennett, Jr.; and

A bill (S. 1494) for the relief of George Presley Rhodes; to the Committee on Military Affairs.

A bill (S. 1495) granting a pension to Zattoo C. Adkins;

A bill (S. 1496) granting a pension to Herbert B. Halloway; and

A bill (S. 1497) granting an increase of pension to Mariah Lamb; to the Committee on Pensions.

By Mr. WALSH:

A bill (S. 1498) to authorize the purchase and distribution of products of the fishing industry; and

A bill (S. 1499) to amend section 704 of the Merchant Marine Act of 1936 (49 U. S. Stat. 2008–2009); to the Committee on Commerce.

By Mr. SMITH:

A bill (S. 1500) authorizing the Secretary of Agriculture to provide for the classification of cotton, to furnish information on market supply, demand, location, condition, and market prices for cotton, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. GILLETTE:

A joint resolution (S. J. Res. 75) making funds available for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinchbugs; to the Committee on Agriculture and Forestry.

By Mr. PITTMAN:

A joint resolution (S. J. Res. 76) to authorize an appropriation for the expenses of participation by the United States in the Eleventh International Dairy Congress, Berlin, Germany, in 1937; to the Committee on Foreign Relations.

HOUSE BILL REFERRED

The bill (H. R. 2518) to provide for retirement of Justices of the Supreme Court was read twice by its title and referred to the Committee on the Judiciary.

PERMISSION TO PRINT BILL IN PERMANENT RECORD

Mr. COPELAND. Mr. President, I ask the indulgence of the Senate, out of order, to make a request. I ask that there may be printed in the permanent RECORD when it is prepared, on page 776, at the end of some remarks I there made, Senate bill 1355.

The PRESIDENT pro tempore. Without objection, the bill will be printed in the RECORD at the place indicated by the Senator from New York.

LINCOLN THE LAWYER—ARTICLE BY EMANUEL HERTZ

[Mr. COPELAND asked and obtained leave to have printed in the RECORD an article entitled "When Lincoln the Lawyer Rode the Circuit", published in the New York Times magazine of Feb. 7, 1937, which appears in the Appendix.]

DRAINAGE BASINS—REPORT OF WATER RESOURCES COMMITTEE

[Mr. COPELAND asked and obtained leave to have printed in the RECORD an analysis of the drainage basin report of the Water Resources Committee of the National Resources Committee, which appears in the Appendix.]

THE CALENDAR

The VICE PRESIDENT. Morning business is closed. The calendar, under rule VIII, is in order, and the first order of business will be stated.

The resolution (S. Res. 8) limiting debate on general appropriation bills was announced as first in order.

Mr. VANDENBERG. Over.

The VICE PRESIDENT. The resolution will be passed over.

The joint resolution (S. J. Res. 21) directing the Comptroller General to readjust the account between the United States and the State of Vermont was announced as next in order.

Mr. BURKE. Over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 204) relative to the qualifications of practitioners of law in the District of Columbia was announced as next in order.

Mr. McCARRAN. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

SERVICE OF WARRANT OFFICERS OF NAVY

The bill (S. 1132) to amend the act approved February 15, 1929, entitled "An act to permit certain warrant officers to count all active service rendered under temporary appointments as warrant or commissioned officers in the Regular Navy, or as warrant or commissioned officers in the United States Naval Reserve Force, for purpose of promotion to chief warrant rank" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of February 15, 1929 (45 Stat. 1180; U. S. C., title 34, sec. 331a), is hereby amended to read as follows:

"That for the purpose of computing the 6 years' service required for promotion from warrant to chief warrant rank, all active service, for purposes other than training heretofore rendered during the period from April 6, 1917, to December 31, 1921, under a temporary appointment as a warrant or commissioned officer in the United States Navy, or as a warrant or commissioned officer in the United States Naval Reserve Force, or as a commissioned or warrant officer of the National Naval Volunteers shall be counted: *Provided*, That officers who have heretofore been commissioned chief warrant officers shall for all purposes be regarded as having been so commissioned from the date of completion of such 6 years' service including the service authorized to be counted by this act: *Provided further*, That no back pay or allowances shall be held to have accrued prior to the passage of this act."

PAY OF CIVILIAN EMPLOYEES IN PHILIPPINE ISLANDS, ETC.

The bill (S. 1117) to amend the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That so much of the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902 (32 Stat. 663; U. S. C., title 34, sec. 506), as provides:

"The Secretary of the Navy, in his discretion, is authorized to pay all civilian employees appointed for duty in the Philippine, Hawaiian, and Samoan Islands, the island of Guam, and the island of Porto Rico, from the date of their sailing from the United States until they report for duty to the officer under whom they are to serve, and while returning to the United States by the most direct route and with due expedition, a per-diem compensation corresponding to their pay while actually employed; and in cases where the appointee is not to fill an existing vacancy his pay while traveling may be charged to the annual appropriation of the bureau concerned", is hereby amended to read as follows:

"That the Secretary of the Navy, in his discretion, is authorized to pay all civilian employees appointed for duty beyond the continental limits of the United States, and in Alaska, from the date of their sailing from the United States until they report for duty to the officer under whom they are to serve, and while returning to the United States by the most direct route and with due expedition, compensation at a rate corresponding to their rate of pay while actually employed."

SELECTION BOARDS FOR PROMOTIONS IN MARINE CORPS

The Senate proceeded to consider the bill (S. 1118) to amend section 7 of the act approved May 29, 1934, entitled "An act to regulate the distribution, promotion, retirement, and discharge of commissioned officers of the Marine Corps, and for other purposes."

Mr. McNARY rose.

The VICE PRESIDENT. Senators will please be in order so business may be transacted in orderly fashion.

Mr. McNARY. Mr. President, I rose to inquire about the nature of the bill just reported by the clerk. I could not understand it because of the confusion in the Chamber.

Mr. ROBINSON. Mr. President, apparently this is an important measure. I suggest that the Senator from Massachusetts [Mr. WALSH] explain its purpose.

Mr. WALSH. Mr. President, the highest rank in the Marine Corps is major general. The next highest rank is brigadier general. In the consideration of promotions from the grade of brigadier general to that of major general, there being only three major generals in the Marine Corps, there is not a sufficient number of major generals in the Marine Corps to pass upon the qualifications of brigadier generals in line for promotion. Under the present law the line officers of the Navy are alone eligible to be appointed to the selection board for promotions in the Marine Corps from brigadier general to major general. The number of officers selected for the selection board may be nine and not less than six.

As we have always three major generals in the Marine Corps, it is thought desirable that those major generals, who have special knowledge of the brigadier generals, namely, the men in the rank just below their own rank, should be members of the selection board, as well as some of the line officers of the Regular Navy of the grade of rear admiral.

The bill would give authority to the Secretary of the Navy to name two or three of the major generals of the Marine Corps to the selection board for the consideration of promotions from brigadier general to major general in the Marine Corps. The bill was sent to us and recommended by the Navy Department. If enacted into law, we will be able to have on this special selection board in the Marine Corps not only line officers of the Navy but also some of the highest ranking Marine Corps officers. In the opinion of the Naval Affairs Committee, the bill has much merit.

The VICE PRESIDENT. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 7 of the act entitled "An act to regulate the distribution, promotion, retirement, and discharge of commissioned officers of the Marine Corps, and for other purposes", approved May 29, 1934 (48 Stat. 812), is hereby amended by inserting after the word *"Provided"*, the words "That the selection boards appointed to recommend brigadier generals of the line for selection for promotion to major general of the line shall be composed of officers of the permanent rank of major general on the active list of the Marine Corps deemed available for such duty by the Secretary of the Navy and officers of the line of the Navy on the active list with the permanent rank of rear admiral: *Provided further,"*, so that the said section as amended will read as follows:

"SEC. 7. That selection boards shall consist of not less than six officers on the active list of the Marine Corps, the composition and procedure of the boards to be determined by the Secretary of the Navy: *Provided*, That the selection boards appointed to recommend brigadier generals of the line for selection for promotion to major general of the line shall be composed of officers of the permanent rank of major general on the active list of the Marine Corps, deemed available for such duty by the Secretary of the Navy and officers of the line of the Navy on the active list with the permanent rank of rear admiral: *Provided further*, That no officer shall be recommended for advancement unless he shall have received the recommendation of not less than two-thirds of the members of the board."

WHITE RIVER BRIDGE, EAGLE ROCK, MO.

The bill (S. 466) granting the consent of Congress to the county of Barry, State of Missouri, to construct, maintain, and operate a free highway bridge across the White River at or near Eagle Rock, Mo., was considered, order to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county of Barry, State of Missouri, to construct, maintain, and operate a free highway bridge and approaches thereto across the White River, at a point suitable to the interests of navigation, at or near Eagle Rock, Mo., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

DELAWARE RIVER BRIDGE, NEW JERSEY

The bill (S. 715) to extend the time for completing the construction of a bridge across the Delaware River near Trenton, N. J., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the time for completing the construction of the bridge authorized by act of Congress approved August 24, 1912, to be built by the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co. across the Delaware River near the city of Trenton, N. J., which has heretofore been extended by Congress to August 24, 1937, is hereby extended for a further period of 3 years from the last-named date: *Provided*, That it shall not be lawful to complete or commence the completion of said bridge until plans thereof shall again be submitted to and approved by the Chief of Engineers and by the Secretary of War.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

MISSOURI RIVER BRIDGE, NORTH DAKOTA

The Senate proceeded to consider the bill (S. 361) to further extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Garrison, N. Dak., which had been reported from the Committee on Commerce, with amendments, on page 1, line 7, after the word "and", to insert the words "heretofore extended by acts of Congress approved"; in line 8, after the numerals "1934", to insert "May 24, 1935, and June 5, 1936"; and on page 2, line 2, to strike out the numerals "1936" and insert the numerals "1937", so as to make the bill read:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Missouri River, at or near Garrison, N. Dak., authorized to be built by the State of North Dakota, by the acts of Congress approved February 10, 1932, and heretofore extended by acts of Congress approved February 14, 1933, and June 12, 1934, May 24, 1935, and June 5, 1936, are hereby further extended 1 and 3 years, respectively, from June 12, 1937.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MISSOURI RIVER BRIDGE, NEBRASKA-IOWA

The Senate proceeded to consider the bill (S. 996) to further extend the times for commencing and completing the construction of a bridge across the Missouri River between the towns of Decatur, Nebr., and Onawa, Iowa, which had been reported from the Committee on Commerce, with amendments, on page 1, line 8, after the numerals "1935", to insert the words "heretofore extended by act of Congress approved June 9, 1936", and on page 2, line 1, after the word "hereby", to insert the word "further", so as to make the bill read:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Missouri River, between the towns of Decatur, Nebr., and Onawa, Iowa, authorized to be built by the county of Burt, State of Nebraska, by section 29 of the act of Congress approved August 30, 1935, heretofore ex-

tended by act of Congress approved June 19, 1936, are hereby further extended 1 and 3 years, respectively, from August 30, 1937.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MISSOURI RIVER BRIDGE, NEBRASKA-IOWA

The Senate proceeded to consider the bill (S. 997) to further extend the times for commencing and completing the construction of a bridge across the Missouri River at or near the cities of South Sioux City, Nebr., and Sioux City, Iowa, which had been reported from the Committee on Commerce, with amendments, on page 1, line 8, after the numerals "1935", to insert the words "heretofore extended by act of Congress approved June 19, 1936"; in line 9, after the word "hereby", to insert the word "further"; and on page 2, line 1, after the word "from", to strike out "June 19, 1937" and insert "August 30, 1937", so as to make the bill read:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge across the Missouri River, at or near the cities of South Sioux City, Nebr., and Sioux City, Iowa, authorized to be built by the county of Dakota, State of Nebraska, by section 30 of the act of Congress approved August 30, 1935, heretofore extended by act of Congress approved June 19, 1936, are hereby further extended 1 and 3 years, respectively, from August 30, 1937.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NAVY MEDALS AND BADGES

The Senate proceeded to consider the bill (S. 1114) to prohibit the unauthorized wearing, manufacture, or sale of medals and badges issued by the Navy Department, which was read, as follows:

Be it enacted, etc., That any person who knowingly wears, manufactures, or sells any decoration or medal authorized by the Congress for the naval forces of the United States, and service medal or badge awarded by the Navy Department, and ribbon, button, or rosette of any of the said medals, badges, or decorations issued by the Secretary of the Navy, or any colorable imitation or miniature of any of them, except when authorized to do so under regulations prescribed by the Secretary of the Navy, shall upon conviction be fined not more than $250 or imprisoned not longer than 6 months, or both.

Mr. ROBINSON. Mr. President, I think we should have an explanation of the bill.

Mr. WALSH. Mr. President, the bill merely applies to the Navy a law which now applies to the Army. It would prohibit the wearing, manufacture, or sale of medals and badges awarded by the Navy Department except under naval regulations. The Navy has had attention called to the fact that medals and insignia are manufactured and offered for sale to anyone who will pay a few dollars therefor. This would give the Navy Department the same authority with reference to such matters that the Army now has.

Mr. BORAH. Mr. President, the bill apparently applies to the manufacture of medals and badges. I can understand why Congress should prohibit the wearing of unauthorized badges and medals.

Mr. WALSH. The bill prohibits the manufacture unless authorized under regulations issued by the Navy Department.

Mr. BORAH. I have not read the details of the bill. I merely read the title.

Mr. ROBINSON. Mr. President, may I ask the Senator from Massachusetts if a business has grown up in which persons or corporations manufacture medals and badges and sell them to anyone who will buy them? What is the extent of the wrong that is sought to be corrected?

Mr. WALSH. Frankly, I cannot inform the Senator except that the Navy Department states there is such a wrong and that the Army has authority to prohibit the manufacture and sale of badges and medals without authority, and that the Navy ought to have the same authority. It has come to be an abuse that the Department considers should be suppressed by law.

Mr. BORAH. Mr. President, I can well understand why we should prohibit wearing them unless authorized, but when we undertake to prohibit their manufacture it would seem to me there might be business institutions which lawfully manufacture these articles, and I would not assume that we should give the Army or the Navy the authority to say whether or not they might manufacture them. Of course, I am assuming that manufacturing these things is a general business.

Mr. WALSH. The bill would prohibit the manufacture except when authorized "under regulations prescribed by the Secretary of the Navy." It would not prohibit the manufacture of badges or decorations, but it would prohibit it unless done under regulations of the Navy Department.

Mr. BORAH. It would leave to the Army and the Navy exclusively the authority to say who should manufacture them.

Mr. ROBINSON. Mr. President, the reason for that appears in the report which has just been brought to my attention. On page 1 of the report accompanying the bill is this statement:

There has come to the attention of the Navy Department the fact that specimens of Navy service or campaign medals and insignia in regulation sizes are offered for sale to any person who will pay a few dollars therefor.

Mr. WALSH. That is the fact.

Mr. ROBINSON. The report further states:

It appears that the purchaser's authority to wear such medals or insignia is not questioned, and that certain stores are in a position to furnish replicas of these various medals, badges, and insignia as desired.

That, I think, implies the reason for limiting the manufacture of these articles. It appears that there has grown up the business of manufacturing these medals and soliciting persons to purchase them without regard to whether they are entitled to possess them or to use them. If a medal or badge issued by the Navy Department has any value, if it confers any distinction, it is necessary to prevent its sale to persons who are not authorized to receive and display it.

Mr. WALSH. And impositions have been made upon the public by persons displaying these badges who have not any authority to wear them.

Mr. ROBINSON. Naturally, if one sees another wearing a naval badge, he assumes that it is a mark of distinction conferred for some service or because of the demonstration of some special ability; and if the sale of these badges and medals is to be promiscuous, there can be no regulation of their use.

Mr. BORAH. Mr. President, what I should like to know is whether or not there are manufacturing establishments which manufacture these badges, and so forth.

Mr. WALSH. I suppose some of them could be made by individuals.

Mr. BORAH. It seems to me the purpose desired to be accomplished would be served by making it illegal or criminal to wear badges when the wearer is not entitled to them.

Mr. ROBINSON. That would not be effective for the simple reason that there is no one to go around and take note of the persons who would be abusing that kind of privilege. Persons who attend public receptions where such badges are worn see many individuals wearing them. No one has a disposition to inquire into the right of the individual to wear or display the badge. These are comparatively few in number; and encouragement ought not to be given to the business of manufacturing and selling such badges. If that is done, the badges themselves lose their character and lose their merit, if they have any merit.

Mr. WALSH. Why should not the Secretary of the Navy have authority to regulate the material and making of badges and insignia of the Navy Department?

Mr. BORAH. That is all right. There is no objection whatever to that.

Mr. WALSH. That is all this bill proposes to do. It provides that if a person manufactures these badges, he must comply with the regulations of the Navy.

Mr. BORAH. But the man who is wearing the badge, who is not entitled to do so, knows it, and he should be made responsible.

Mr. PITTMAN. Mr. President, I will ask the Senator from Idaho if there is not another phase of the matter. I think nearly all American citizens have a very high respect and regard for ex-service men who have won the Distinguished Service Cross. A man wearing that insignia probably appeals to the charity or aid or other support of any citizen. It is rarely that a person would ask him to display the card of promotion that accompanies the award of the Distinguished Service Cross. I think the proposed legislation is not only a protection of the honor of the decoration but it is a protection against fraud upon a community; and I do not see how we can guard against the illegal distribution of these decorations unless there is a pretty good control over their manufacture.

Mr. BORAH. It would be much more difficult to control the manufacture than to control the man who wears the decoration when he ought not to do so.

The VICE PRESIDENT. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INTERNATIONAL EXPOSITION OF PARIS, 1937

Mr. GLASS. Mr. President, I ask unanimous consent to return for a moment to the order of reports of committees, in order that I may report from the Committee on Appropriations, without further amendment, Senate Joint Resolution 70, relating to the participation by the United States in the International Exposition of Paris, 1937, for which the Senator from Nevada [Mr. PITTMAN] yesterday sought to obtain consideration.

The VICE PRESIDENT. Is there objection? The Chair hears none. The report will be received and placed on the calendar.

Mr. PITTMAN. Mr. President, because of the emergency which I stated yesterday, and the desire of the House of Representatives, as I am informed, to act upon this joint resolution on Monday under suspension of the rules, I ask unanimous consent for the consideration of the joint resolution at this time.

The VICE PRESIDENT. The Senator from Nevada asks unanimous consent for the present consideration of the joint resolution. Is there objection?

Mr. McNARY. Mr. President, it will be recalled that I objected to the consideration of the joint resolution when it was brought forward yesterday, because, while proposing an appropriation, it had been reported from a committee other than the one having general jurisdiction of appropriations. I should like to ask if the Appropriations Committee has acted favorably upon the joint resolution.

Mr. GLASS. It has.

Mr. McNARY. Unanimously?

Mr. GLASS. I should not say unanimously. The Appropriations Committee was polled in order to avoid the necessity of having a meeting; and 16 members of the committee, which is much more than a majority, have joined in agreeing to a favorable report upon it.

Mr. McNARY. In view of that statement, I shall withhold any opposition.

There being no objection, the Senate proceeded to consider the joint resolution, which had been reported from the Committee on Foreign Relations on the 10th instant with an amendment, on page 3, line 7, after the word "hereby", to strike out "authorized to be appropriated" and insert "appropriated out of any money in the Treasury not otherwise appropriated", so as to make the joint resolution read:

Resolved, etc., That in addition to the authority heretofore granted by the joint resolution, approved April 10, 1936, relating to the participation by the United States in the International Exposition of Paris, 1937, the Commissioner General and the Commissioner are hereby authorized to make such expenditures as may be necessary for the purpose of purchasing, constructing, or renovating exhibits, for the proper housing of exhibits (including the decoration, operation, and maintenance of buildings by contract without regard to the provisions of section 3709, Revised Statutes, or otherwise, and the payment of any obligations heretofore or hereafter incurred in connection with the employment of architects and engineers and reimbursement of their necessary travel expenses), and for the transportation of material and exhibits from the United States to France, and from France to the United States after the close of such exposition.

SEC. 2. Notwithstanding the provisions of section 3 of such resolution of April 10, 1936, the Commissioner General is authorized, without regard to the civil-service laws, to appoint, and without regard to the Classification Act of 1923, as amended, to fix the reasonable compensation of, such officers and employees as may be necessary to carry out the purposes of this resolution and of such resolution of April 10, 1936. This section shall be effective as of April 10, 1936.

SEC. 3. (a) Any functions granted to the Commissioner General and the Commissioner jointly may be exercised by either of them, and any authority herein granted to the Commissioner General may be delegated to the Commissioner or to any other person that the Commissioner General may designate for the purpose.

(b) The approval and certification of expenditures under this resolution, and the submission of accounts and vouchers, shall be made in the manner prescribed in section 4 of such resolution of April 10, 1936, except that any functions of the Secretary of State under such section may, in his discretion, be delegated, without release of responsibility, to any person he may designate for the purpose.

(c) Nothing in this resolution shall be construed to permit any indebtedness to be incurred in excess of the amount herein authorized to be appropriated.

SEC. 4. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for carrying out the purposes of this resolution and of such resolution of April 10, 1936, the sum of $150,000, and the unexpended and unobligated balance of any sums heretofore appropriated pursuant to the authorization contained in such resolution of April 10, 1936, shall also be available for the purposes of this resolution.

SEC. 5. The Commissioner General and the Commissioner are, with the approval of the Secretary of State, authorized to make available to any governmental agency such part of the sums heretofore or hereafter appropriated for the purposes of this resolution and such resolution of April 10, 1936, as may be effectively used by such agency to aid in carrying out such purposes.

SEC. 6. At the close of the exposition or when the connection of the Government of the United States therewith ceases, the Commissioner General and the Commissioner shall return all borrowed property and exhibits to their points of origin and shall dispose of any portion of the material contributed as may be unused or any property purchased in such manner as the Secretary of State may direct in the best interests of the Government, and account therefor.

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

LANDS IN SAN DIEGO, CALIF.

The bill (S. 1130) to authorize the acceptance of certain lands in the city of San Diego, Calif., by the United States, and the transfer by the Secretary of the Navy of certain other lands to said city of San Diego was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized on behalf of the United States to accept from the city of San Diego, Calif., free from all encumbrances and without cost to the United States, all right, title, and interest in and to the lands contained within the following-described area: Beginning at the intersection of the southeasterly line of Harasthy Street with mean high-tide line of the Bay of San Diego, as said mean high-tide line was established by that certain superior court action no. 35473; thence southwesterly along the southwesterly prolongation of the southeasterly line of Harasthy Street a distance of 159.66 feet to an intersection with the northeasterly marine base boundary line; thence north 60°34'59" W. along the said marine base boundary line a distance of 1,929.11 feet to its intersection with the said mean high-tide line of the Bay of San Diego; thence in a general southeasterly direction, following along the said mean high-tide line to the point or place of beginning, containing 5.2474 acres of land; also approximately 544 acres of pueblo lands, owned by the city of San Diego, more particularly described as follows: The easterly half of pueblo lot 1300; all of pueblo lot 1309; all of pueblo lot 1310; all of that portion of pueblo lot 1311 lying easterly of Pacific Highway and southerly of Miramar Road; all of that portion of pueblo lot 1314 lying southerly of Miramar Road; all of that portion of pueblo lot 1315 lying southerly of Miramar Road; all of that portion of the westerly half of pueblo lot 1316 lying southerly of Miramar Road; said pueblo lands being according to the map thereof made by James Pascoe in 1870, a certified copy of which map is filed as miscellaneous map no. 36 in the office of the county recorder of San Diego County, Calif.; said lands being desired by the Navy Department for national defense, and particularly for the purpose of establishing and maintaining thereon a rifle range, together with barracks and other structures incident thereto.

The said Secretary of the Navy is also authorized hereby to transfer to the city of San Diego, Calif., free from all encumbrances and without cost to said city of San Diego all rights, title, and

interest of the United States in and to the lands contained within that part of the Marine Corps Base, San Diego, Calif., containing 60.1605 acres, more particularly described as follows: Beginning at the point of intersection of the southwesterly prolongation of the northwesterly line of Bean Street with the combined United States pierhead and bulkhead line, as said combined United States pierhead and bulkhead line was established in 1929; thence north 83° west a distance of 729.62 feet along the said combined pierhead and bulkhead line to an intersection with the southwesterly prolongation of the southeasterly line of Harasthy Street; thence north 28°49'40" east along the southwesterly prolongation of the southeasterly line of Harasthy Street, a distance of 4,008.27 feet to an intersection with the existing Marine Base boundary line; thence south 60°34'59" east along the said Marine Base boundary line a distance of 677.88 feet to an insection with the southwesterly prolongation of the northwesterly line of Bean Street; thence south 28°50'10" west along the southwesterly prolongation of the northwesterly line of Bean Street a distance of 3,730.02 feet to the point or place of beginning containing 60.1605 acres of bay area.

EXTENSION OF PRIVILEGES OF SECOND-CLASS MAIL MATTER

The Senate proceeded to consider the bill (S. 832) to amend the act entitled "An act to extend to certain publications the privileges of second-class mail matter as to admission to the mails", approved June 6, 1900, which was read as follows:

Be it enacted, etc., That the act entitled "An act to extend to certain publications the privileges of second-class mail matter as to admission to the mails", approved June 6, 1900, is amended by inserting after the words "State departments of agriculture" the words "or by State departments of conservation (including any State agencies performing functions similar to those of State departments of conservation)."

Mr. ROBINSON. Mr. President, I should like to have an explanation of that bill.

Mr. McKELLAR. Mr. President, the bill was introduced by the Senator from Wisconsin [Mr. LA FOLLETTE]. It seems that in 1900 the Congress passed an act allowing the privileges of second-class mail matter to State departments of agriculture. This bill merely adds to those enjoying that privilege State departments of conservation. On the theory that it was a proper grant of privilege to State departments of agriculture, the Committee on Post Offices and Post Roads believed that the same privilege should be extended to State departments of conservation. They therefore reported the bill favorably, and I think it should pass.

Mr. KING. Mr. President, if this bill becomes a law, I ask the Senator whether application may not be made by all departments of State and municipal governments which have to deal with what may be denominated public or quasi-public matters to have the same privilege?

Mr. McKELLAR. Yes; that is possible, of course. Here is a law which was passed in 1900, however; and the first application to extend it at all—and it is in the interest of conservation—is made 37 years afterward. I do not believe certain other departments suggested by the Senator could obtain the privilege. I think it is proper for State departments of agriculture to have it, and I think it is proper for State departments of conservation to have it.

Mr. KING. I shall not oppose the passage of the bill; but I believe it will be the entering wedge to demands for a like privilege by many agencies in municipalities and in States and in various organizations of the Federal Government; and I believe we shall have a very heavy financial burden to meet through additional appropriations.

Mr. McKELLAR. I am quite sure that will not be the case; but, if it is, the Senator from Utah and I will both undertake to stop it.

The PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RALPH C. IRWIN

The bill (H. R. 3112) for the relief of Ralph C. Irwin was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the appointment of Ralph C. Irwin as regular village letter carrier at Brea, Calif., on the 16th day of March 1929, shall hereafter be held to have been regularly and duly made as of that date, and he shall be entitled to compensation from that date in accordance with the laws and postal regulations governing appointments and promotions for length of service.

RENEWABLE 4-YEAR-TERM STAR-ROUTE CONTRACTS

The bill (S. 740) to provide for the issuance of renewable 4-year-term contracts to qualified star-route contractors and subcontractors, and for other purposes, was announced as next in order.

Mr. McCARRAN. Let the bill go over.

Mr. POPE. Mr. President, I desire to ask the Senator from Nevada a question about the bill before it goes over. Is there a report from the committee on the bill?

Mr. McKELLAR. Yes; there is a report.

Mr. McCARRAN. Apparently, there is no report.

Mr. POPE. I have not been able to find any report.

Mr. McCARRAN. The committee has made a change by way of amendment.

SEVERAL SENATORS. Regular order.

Mr. McKELLAR. The consideration of the bill has been objected to. I do not know whether or not the Senator has sent in a report.

Mr. BRIDGES. Mr. President, a report was made, but for some reason it was not printed.

Mr. McKELLAR. The author of the bill has asked to have it go over, and by the next call of the calendar we shall have the report.

Mr. POPE. I think I am favorably disposed toward the bill, but I should like to see the report.

The PRESIDENT pro tempore. Objection having been made, the bill will be passed over.

HOLDING OF CIVIL OFFICE BY CERTAIN RETIRED OFFICERS

The bill (S. 1116) to amend section 1860 of the Revised Statutes, as amended, to permit retired officers and enlisted men of the Army, Navy, and Marine Corps to hold civil office in any Territory of the United States was announced as next in order.

Mr. WALSH. Mr. President, at the request of the senior Senator from Iowa [Mr. GILLETTE], I am going to ask that that bill go over, as he desires to make some inquiry regarding it; but before the bill goes over I should like to make a brief statement about it.

The Revised Statutes originally stated that no person belonging to the Army or the Navy could be "elected to or hold any civil office or appointment in any Territory." Later, in 1882, the Revised Statutes were changed by adding at the end of the clause the words "except officers of the Army on the retired list."

At that time all the Territories of the United States were within the continental limits of the United States, except Alaska. At present there are no Territories within the continental limits of the United States, and with the exception of Alaska, all the possessions of the United States that are not within the regularly admitted States are insular. Obviously, retired naval personnel are as well fitted for civil office in outlying islands as are Army officers. In fact, naval officers now hold civil office in certain possessions that are not organized and incorporated Territories, such as Guam and Samoa, the Governors of which are officers of the Navy.

In view of the present provisions of section 1860, Revised Statutes, as amended, retired personnel of the Navy and Marine Corps cannot now hold civil office in Alaska, Hawaii, or Puerto Rico.

In order to permit retired naval and Marine Corps personnel, both officers and enlisted men, to hold civil office in present organized Territories, in the same manner in which retired officers of the Army may now hold such offices, the Navy Department recommends that existing law be amended to read as indicated in the bill. It is the opinion of your committee that the same law ought to apply to naval officers as to Army officers, and that is the purpose of the bill, which is introduced at the request of the Navy Department. However, at the request of the senior Senator from Iowa, I ask that the bill may be passed over for the present.

The PRESIDENT pro tempore. The bill will be passed over.

GIFTS AND BEQUESTS TO THE NAVY DEPARTMENT

The bill (S. 1123) authorizing the Secretary of the Navy to accept gifts and bequests for the benefit of the Office of Naval Records and Library, Navy Department, was

considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to accept, receive, hold, and administer gifts and bequests of personal property, and loans of personal property other than money, from individuals or others for the benefit of the Office of Naval Records and Library, Navy Department, its collection or its services. Gifts or bequests of money shall be deposited in the Treasury of the United States as trust funds under the title "Office of Naval Records and Library Fund."

SEC. 2. Gifts or bequests for the benefit of the Office of Naval Records and Library, Navy Department, its collection or its services, shall be exempt from all Federal taxes.

SEC. 3. The Secretary of the Treasury is authorized, upon the request of the Secretary of the Navy, to invest or reinvest the trust funds, or any part thereof, deposited in the Treasury pursuant to section 1 of this act in securities of the United States Government or in securities guaranteed by the United States Government. The interest accruing from such securities shall be deposited to the credit of the Office of Naval Records and Library Fund.

JOHN W. THOMASON

The bill (S. 1112) awarding a Navy Cross to John W. Thomason was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That John W. Thomason, major, United States Marine Corps, be awarded, and he is hereby authorized to receive, a Navy Cross, to be prepared under the direction of the Secretary of the Navy, for extraordinary heroism in the battle of Soissons on July 18, 1918, in destroying a machine-gun nest and capturing two machine guns.

BILL PASSED OVER

The bill (S. 1280) to repeal an act of March 3, 1933, entitled "An act to provide for the transfer of powder and other explosive materials from deteriorated and unserviceable ammunition under the control of the War Department to the Department of Agriculture for use in land clearing, drainage, road building, and other agricultural purposes", was announced as next in order.

Mr. SHEPPARD. Mr. President, this bill may go over.

The PRESIDENT pro tempore. The bill will be passed over.

SALE OF WAR DEPARTMENT REAL PROPERTY

The Senate proceeded to consider the bill (S. 1281) to authorize the sale of surplus War Department real property, which was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to sell or cause to be sold, in the manner and upon such terms as he shall deem expedient, the cemetery properties hereinafter designated and to execute and deliver in the name of the United States of America and in its behalf any and all contracts, conveyances, or other instruments necessary to affectuate such sale and conveyance, and that the expense of sale shall be paid from the proceeds thereof, and the net proceeds deposited in the Treasury to the credit of miscellaneous receipts:

Laurel Hill Cemetery, Baltimore, Md., approximate area, five-tenths of an acre.

Confederate lot, Greenlawn Cemetery, Indianapolis, Ind., approximate area, five-tenths of an acre.

Point Lookout, Confederate Cemetery, Md. (tracts nos. 1 and 2), approximate area, 5.5 acres.

Camp Dennison Cemetery, near Cincinnati, Ohio, approximate area, six hundred and twenty-eight one-thousandths of an acre.

Cave Hill National Cemetery, Louisville, Ky. (site of superintendent's lodge), approximate area, twenty-two one-hundredths of an acre.

Mobile National Cemetery, Mobile, Ala. (Freedman's lot), approximate area, 1.5 acres.

Mr. McKELLAR. I should like to have the Senator from Texas explain this bill.

Mr. SHEPPARD. Mr. President, the bill relates only to small pieces of property in various cemeteries when such pieces of property are no longer necessary for use by the War Department.

Mr. McKELLAR. I have no objection.

The PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF ARTICLES OF WAR

The Senate proceeded to consider the bill (S. 1282) to amend articles of war 50½ and 70, which was read, as follows:

Be it enacted, etc., That the third and fifth paragraphs of article of war 50½ (41 Stat. 797–799) be amended by adding to each of said paragraphs the following: *"Provided*, That the functions prescribed in this paragraph to be performed by the President may be performed by the Secretary of War or Acting Secretary of War."

SEC. 2. That article of war 70 (41 Stat. 802) is hereby amended by inserting in the first line of the second paragraph after the word "referred" the words "to a general court martial", so that the first sentence of said paragraph will read as follows: "No charge will be referred to a general court martial for trial until after a thorough and impartial investigation thereof shall have been made."

Mr. DUFFY. Mr. President, will not the chairman of the Committee on Military Affairs give some explanation of the change in the court-martial procedure called for by this bill? I understand that the President will not be required to take action which he is now required to take if this amendment to the Articles of War shall be enacted.

Mr. SHEPPARD. Mr. President, this bill proposes to amend Articles of War 50½ and 70. As to article 50½ the purpose of the bill is to relieve the President from the burden now imposed upon him by that article to take action in the course of a court-martial case which would not require Executive action except for defects in the proceedings found to exist upon review by the Judge Advocate General and when this finding is questioned by the board of review. As to article 70, the bill simplifies procedure in minor cases which are tried by summary and special courts martial.

Mr. DUFFY. But the Secretary of War would have the last word?

Mr. SHEPPARD. The Secretary of War would have the last word, except as to the minor cases where the last word rests with the reviewing and confirming authority.

Mr. DUFFY. In the main, the court-martial procedure would not be changed?

Mr. SHEPPARD. The regular court-martial procedure would be unchanged, except, as stated above, where the Judge Advocate General and the board of review differ on procedure.

Mr. DUFFY. I have no objection.

The PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REPORTING OF COURTS MARTIAL BY ENLISTED MEN

The Senate proceeded to consider the bill (S. 1283) to increase the extra pay of enlisted men for reporting, which was read, as follows:

Be it enacted, etc., That hereafter enlisted men detailed to serve as stenographic reporters for general courts martial, courts of inquiry, military commissions, and retiring boards, while so serving, shall receive extra pay at the rate of not exceeding 10 cents for each 100 words taken in shorthand and transcribed, such extra pay to be met from the annual appropriation for expenses of courts martial, etc.

Mr. McKELLAR. Mr. President, I should like to have the Senator from Texas explain this measure.

Mr. SHEPPARD. Mr. President, at the present time an enlisted man who is a stenographer, or who is studying stenography, and can be utilized in a court-martial case, may be detailed for such purpose, but receives only 5 cents a folio of 100 words for his transcript. In order to encourage men to study for this class of work, this measure provides that they shall receive 10 cents a folio, whereas if the Army authorities employ outside reporters they have to pay them 25 cents a folio.

The PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHANGE OF NAME OF THE CHEMICAL WARFARE SERVICE

The Senate proceeded to consider the bill (S. 1284) to change the name of the Chemical Warfare Service, which was read, as follows:

Be it enacted, etc., That the Chemical Warfare Service, created by the act of June 4, 1920 (41 Stat. 768), shall hereafter be known as the Chemical Service.

Mr. ROBINSON. Mr. President, why should the name be changed?

Mr. SHEPPARD. Mr. President, under this bill the title will be "Chemical Service, War Department." At present it is called "Chemical Warfare Service, War Department", involving a redundant use of the word "war", and suggests a more martial significance for a laboratory and research service than the character of the service justifies, exciting outbursts of pacifist indignation.

The PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ISSUE OF ARMS FOR PROTECTION OF PUBLIC PROPERTY

The Senate proceeded to consider the bill (S. 1285) to amend that provision of the act approved March 3, 1879 (20 Stat. L. 412), relating to issue of arms and ammunition for the protection of public money and property, which was read, as follows:

Be it enacted, etc., That the provision relating to issue by the Secretary of War of arms and ammunition for protection of public money and property, contained in the act of March 3, 1879 (20 Stat. L. 412), be, and the same is hereby, amended to read as follows:

"That upon the request of the head of any department or independent agency of the Government, the Secretary of War be, and he is hereby, authorized to issue arms, suitable accouterments for use therewith, and ammunition whenever they may be required for the protection of the public money and property, and they may be delivered to any officer of the department or independent agency designated by the head of such department or independent agency, to be accounted for to the Secretary of War, and to be returned when the necessity for their use has expired: *Provided, however*, That hereafter the cost of all ammunition issued, the cost of replacing borrowed arms and accouterments which are lost or destroyed or are irreparable, the cost of repairing arms and accouterments returned to the War Department, and the cost to the War Department of making and receiving shipments under the authority of this act shall be covered by transfer of funds from the department or independent agency concerned to the credit of War Department funds."

Mr. KING. Mr. President, I inquire of the Senator from Texas whether this bill applies to those having charge of public moneys in municipalities and in States.

Mr. SHEPPARD. Oh, no; it applies merely to other departments of the Government. At present the War Department must lend the other departments all the arms and ammunition they request, and without pay for damage or loss, in the event any other department requires ammunition and arms for guarding public property under its jurisdiction. This measure provides that the other departments will have to take care of the loss, damage, and transportation expense in such cases out of their own appropriations.

The PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PROCUREMENT OF SUPPLIES WITHOUT ADVERTISING

The Senate proceeded to consider the bill (S. 1287) to authorize the procurement, without advertising, of certain War Department property, and for other purposes, which was read, as follows:

Be it enacted, etc., That whenever proposals are invited for furnishing articles of military supply, the character or ingredients of which, in the opinion of the Secretary of War, are of such a nature that the interests of the public service would be injured by publicly divulging them, the chief of the supply service concerned is authorized to purchase such articles in such manner as he may deem most economical and efficient: *Provided*, That this act will not be construed as in any way amending the act of July 2, 1926 (44 Stat. 780), or as authorizing the open market purchase of airplanes for purposes other than as provided in that act. All laws and parts of laws which are inconsistent herewith or in conflict with the provisions hereof are hereby repealed.

Mr. KING. Mr. President, I should like to have an explanation of this bill. Why should there not be advertisement?

Mr. SHEPPARD. Mr. President, this bill would apply where the property is of a confidential nature, and where it is to the interest of the Government that it be not known publicly what property is being purchased.

Mr. KING. What property would fall into that category, if the Senator feels like imparting the information?

Mr. SHEPPARD. I shall be glad to give the Senator what information I think can properly be disclosed.

This measure provides that whenever proposals are invited for articles of military supply the character or ingredients of which, in the opinion of the Secretary of War, are of such a nature that the interests of the public service would be injured by publicly divulging them, the chief of the supply service concerned is authorized to purchase such articles in such manner as he may deem most economical and efficient.

The bill carries a provision to the effect that its provisions will not be construed as in any way amending the act of July 2, 1926, relative to the procurement of aircraft, or as authorizing the open-market purchase of airplanes for purposes other than as provided in the act of July 2, 1926.

Congress has heretofore granted authority to the Chiefs of Ordnance, the Chemical Warfare Service, and the Signal Corps to make purchases without advertising in instances where the character of the materials concerned requires secrecy. The War Department advises that it desires to extend this authorization to other War Department supply services. It seems that proper safeguards are thrown around the matter.

Mr. KING. Mr. President, it seems to me it is a rather serious departure from the existing law, and may involve great expense to the Government, because it will deny competition and tend to monopolistic control of commodities which the Government may desire to acquire.

Mr. SHEPPARD. Permit me to say to the Senator further that, in view of the fact that the Secretary of War must pass upon the need for the purchases, and in view of the further fact that the accounting agencies of the Government will still have opportunity to check disbursements for such purchases, we feel that ample safeguards are provided.

The PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FLOOD-RELIEF LOANS

Mr. BARKLEY. Mr. President, I hesitate to interrupt the call of the calendar, but, on account of the emergency and the desire to get the bill to the other House of Congress as soon as possible, I am going to ask unanimous consent for the present consideration of Senate bill 1439, to provide for loans made necessary by floods or other catastrophes in the year 1937, reported earlier today from the Committee on Banking and Currency, with amendments, by the Senator from Ohio [Mr. BULKLEY] and myself.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Kentucky?

Mr. McNARY. Mr. President, let the bill be read, and then let the Senator from Kentucky make a statement showing the emergency, if one exists.

The PRESIDENT pro tempore. The clerk will read the bill as proposed to be amended.

The legislative clerk read the bill, which had been reported from the Committee on Banking and Currency with amendments, on page 1, beginning in line 3, to strike out "That the Reconstruction Finance Corporation is hereby authorized and directed to create, in such manner as it may determine, a Disaster Loan Corporation, and to subscribe to its nonassessable capital stock in an amount not to exceed $20,000,000, and to pay therefor out of the unexpended balance of the $50,000,000 which Reconstruction Finance Corporation was authorized to lend for catastrophe relief by section 1 of the act of April 17, 1936 (Public, No. 525, 74th Cong.)" and in lieu thereof to insert "That there is hereby created a Disaster Loan Corporation with nonassessable capital stock in an amount not to exceed $20,000,000. The Reconstruction Finance Corporation is authorized and directed to subscribe for such stock and to make payment therefor from time to time as called out of the unexpended balance of the $50,000,000 which the Reconstruction Finance Corporation was authorized to lend for catastrophe relief by section 1 of the act of April 17, 1936 (Public, No. 525, 74th Cong.). Such Disaster Loan Corporation shall be managed by officers and agents

to be appointed by the Reconstruction Finance Corporation under such rules and regulations as its board of directors may prescribe"; and on page 2, after line 7, to insert "The Disaster Loan Corporation shall have succession until dissolved by act of Congress; shall have power to sue and be sued in any court, to adopt and use a corporate seal, to make contracts, and to acquire, hold, and dispose of real and personal property necessary and incident to the conduct of its business; and shall have such other powers as may be necessary and incident to carrying out its powers and duties under this act", so as to make the bill read:

Be it enacted, etc., That there is hereby created a Disaster Loan Corporation with nonassessable capital stock in an amount not to exceed $20,000,000. The Reconstruction Finance Corporation is authorized and directed to subscribe for such stock and to make payment therefor from time to time as called, out of the unexpended balance of the $50,000,000 which the Reconstruction Finance Corporation was authorized to lend for catastrophe relief by section 1 of the act of April 17, 1936 (Public, No. 525, 74th Cong.). Such Disaster Loan Corporation shall be managed by officers and agents to be appointed by the Reconstruction Finance Corporation under such rules and regulations as its board of directors may prescribe.

Such Disaster Loan Corporation shall be empowered to make, upon such terms and conditions and in such manner as it may prescribe, such loans as it may determine to be necessary or appropriate because of floods or other catastrophes in the year 1937. Such Disaster Loan Corporation may use all its assets, including capital and net earnings therefrom, in the exercise of its functions.

The Disaster Loan Corporation shall have succession until dissolved by act of Congress; shall have power to sue and be sued in any court, to adopt and use a corporate seal, to make contracts, and to acquire, hold, and dispose of real and personal property necessary and incident to the conduct of its business; and shall have such other powers as may be necessary and incident to carrying out its powers and duties under this act.

Mr. BARKLEY. Mr. President, this bill is one made necessary by the floods which have recently occurred in the Ohio and Mississippi and other valleys, and which have not yet completely subsided.

There was a conference a few days ago among all the agencies which have any authority either to lend or grant funds for the relief of flood sufferers and those who have lost their property as the result of this greatest national disaster. The consensus at the conference was that, with the possible exception of the Home Owners' Loan Corporation, which is not involved, all the agencies have all of the authority they need and sufficient funds to enable them to grant relief except the Reconstruction Finance Corporation. The Reconstruction Finance Corporation has under its general authority now full power to make loans for industrial purposes, in which event they are required to exact adequate security. They are making loans of that sort, and can still make them, and they have ample funds available now for that purpose. We do not touch that phase of their activity.

Following the floods of last year in New England and in Pennsylvania Congress appropriated $50,000,000 to the Reconstruction Finance Corporation for the purpose of making loans to those who suffered in those areas affected by the floods of last year, and that appropriation was limited to floods and other disasters occurring in the year 1936.

So no part of that fund is now available for relief, or for loans, or for any other purpose, as the result of floods occurring in 1937. Out of that $50,000,000 the Reconstruction Finance Corporation made some $8,000,000 in loans, and has practically $42,000,000 left of that fund. The Reconstruction Finance Corporation is still receiving applications from persons located in the area flooded in 1936, and is still making loans to such persons.

The bill now under consideration proposes to create within the Reconstruction Finance Corporation a Disaster Loan Corporation; and out of the $42,000,000 the R. F. C. still has left of the fund made available last year it is authoried and directed to subscribe to the stock of the new corporation proposed to be set up by the bill, in order that it may differentiate the loans proposed to be made under the terms of the bill under consideration from industrial loans, in connection with which there is some exactness required as to security, and even from the loans made last year, in connection with which it is provided that such security may be required as may reasonably be expected to insure repayment.

The terms of this bill are such as to give the Reconstruction Finance Corporation, through the new corporation proposed to be set up within it, more liberal authority and broader power to make loans of a certain character and nature without demanding such security as has been required in connection with the making of previous loans.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. McNARY. As I understand, there is no restrictive language in the bill providing for security of any kind.

Mr. BARKLEY. That is correct.

Mr. McNARY. Money can be given the applicant in the nature of a grant?

Mr. BARKLEY. No; it cannot be in the nature of a grant. It has to be in the nature of a loan; but the character of the security, of course, will be left to the discretion of the new corporation formed under the Reconstruction Finance Corporation.

As the Senator from Oregon knows, many thousand persons have had all their property swept away; their homes have been damaged; in many cases their entire businesses have been ruined and the furnishings in their houses washed away or destroyed. Many of those persons are unable to go to a bank and make what is called a bankable note by putting up the exact security which a bank requires. Many of them do not desire to depend upon the Red Cross or some charitable organization in order that they may obtain $200, $300, $500, $600, or $1,000 in order to rehabilitate their homes or their businesses. The object of this bill is to make it possible for such citizens, whose cases are equally meritorious with the cases of others, to obtain loans under such terms as they may be able to meet and based upon such security as they may be able to give, if they can give any, all of it being left to the discretion and judgment of the proposed new organization.

Mr. ROBINSON. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to the Senator from Arkansas.

Mr. ROBINSON. It is to be noted that there is a limitation of $20,000,000 as the aggregate amount which may be loaned by the corporation. Had the committee information, or has the Senator from Kentucky information, as to the extent to which these loans will be applied for? In other words, how far will $20,000,000 go toward providing the funds that may be used in accordance with the terms of the proposed act?

Mr. BARKLEY. I will say to the Senator that when we first sought to frame this legislation our idea was to make available the entire unexpended balance of the $50,000,000, amounting to something like $42,000,000; but after further conference with the Reconstruction Finance Corporation and with others interested in the passage of the measure it was thought not desirable to tie up that entire fund in these particular loans, and it was also thought that $20,000,000, which is somewhat in the nature of a revolving fund, will be sufficient; but if it is not sufficient, we may at any time authorize the corporation to subscribe for more of the stock up to the limit of the unexpended balance.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. COPELAND. Is there any limitation upon the amount which may be loaned to one individual?

Mr. BARKLEY. There is no limitation in the bill as to the amount which may be loaned to one individual.

Mr. COPELAND. That is left wholly to the corporation to determine?

Mr. BARKLEY. Yes. It is impossible to foresee what situations may arise. The loans involved will all be small ones, because anyone who is qualified to obtain a large loan may make application for it under existing law under which the Reconstruction Finance Corporation is authorized to operate.

Mr. McNARY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Oregon?

Mr. BARKLEY. I yield.

Mr. McNARY. I have attempted hastily to peruse the bill in order to learn its nature. I have not concluded my read-

ing of the bill. Does the bill limit the applications for loans to those suffering from the present disaster due to the floods in the Mississippi River and tributary rivers?

Mr. BARKLEY. It limits the applications for loans only to persons suffering from a flood or other catastrophe during 1937, but not to the present particular flood disaster on the Mississippi River and its tributary rivers.

Mr. McNARY. The bill has universal application to catastrophes occurring during the year 1937?

Mr. BARKLEY. Yes.

Mr. McNARY. I am not going to oppose the bill. The bill is probably commendable. The method proposed is somewhat different from the method under which similar situations have heretofore been handled. There is no effort to obtain adequate security under the terms of the bill, or to secure the best security obtainable. What is done is more or less in the nature of a grant. Later we are to pass a flood bill which will take care of the flood situation without any attempt to take money out of the funds of the Reconstruction Finance Corporation. I do not know what purpose the bill now under consideration has as distinguished from an actual distress bill, a bill carrying a sufficient appropriation, and one that is based more or less upon an agency of the Government which loans money upon some form of security.

Mr. BARKLEY. I do not know to just what bill the Senator from Oregon has reference, which is coming later, to provide for relief out of funds otherwise than through the Reconstruction Finance Corporation. We have just passed a bill appropriating money for the relief of flood sufferers; and later, of course, it is contemplated to enact permanent legislation dealing with flood control, which will be a long-time program.

The bill now under consideration is intended to afford relief to a very large class of worthy persons who do not desire to ask for charity, but who cannot make loans at banks and give what would be called adequate security for such loans. The bill under consideration liberalizes the power of the Reconstruction Finance Corporation to make loans on such security as it may, in its judgment, require.

Mr. McNARY. Under the language of the bill, is any security whatever required beyond the personal application of the applicant?

Mr. BARKLEY. The language does not describe the sort of security to be required.

Mr. McNARY. That was just a supposition entertained by the distinguished Senator from Kentucky.

Mr. BARKLEY. In view of the record of the Reconstruction Finance Corporation, I think we may not anticipate that it is going to exempt anyone who can provide security from the requirement that he give security for a loan. However, as the Senator knows, there are thousands of persons who could not meet any requirement for security that would be regarded as ample.

Mr. McNARY. Mr. President, in view of the very able statement made by the distinguished Senator from Kentucky, I shall not interpose any objection.

Mr. MALONEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Connecticut?

Mr. BARKLEY. I yield.

Mr. MALONEY. I should like to make an observation and to ask the Senator from Kentucky a question.

I am a member of the committee which considered the bill now under discussion. The question now in my mind did not arise in the committee hearing, due, I think, to the fact that we were unanimously in sympathy with the great effort of the Senator from Kentucky [Mr. BARKLEY] and the Senator from Ohio [Mr. BULKLEY] to have this bill acted upon and to afford relief to the people in the stricken area.

We understood in the committee—or, at least, I did, and I think it was the general understanding—that the purpose of creating the Disaster Loan Corporation was better to provide quick and more liberal relief. Heretofore, when floods have occurred—and some of them have been serious—since the creation of the Reconstruction Finance Corporation, the Corporation itself, with its regular organization, has handled relief loans in its regular course of business dealing with loans. Does not the Senator think it was the sense of the committee that the creation of the proposed corporation was just for the purposes I have stated, and that we did not expect that there would be any additional administrative expense in connection with the new corporation?

Mr. BARKLEY. The Senator is correct on that point. The only additional administrative expense would possibly be due to the necessity of having the Reconstruction Finance Corporation, or the new corporation proposed to be formed within the Reconstruction Finance Corporation, send to the stricken communities someone who represented the corporation in order that needy persons might make application on the ground, without having to come to the State headquarters of the organization, at some expense to themselves. Furthermore, it was felt that the formation of the proposed corporation was advisable in order that these loans might be set apart as different in type from the regular loans that are being made by the Reconstruction Finance Corporation through its ordinary agencies.

For instance, there may be in some flooded city an industrial plant which has already made application to the Reconstruction Finance Corporation for a loan, and has already put up such security as it has been able to put up, or has otherwise satisfied the Reconstruction Finance Corporation, and has received a loan at a rate of interest agreed upon by the parties. If the Reconstruction Finance Corporation, through its regular agencies, went into that community at this time to make loans on a different basis, with a different rate of interest, and providing for a different type of security, if indeed any security at all were required, it might create some misunderstanding as between citizens in the same community as to why certain applicants could not obtain loans on bases similar to those upon which other citizens received loans.

Mr. MALONEY. Mr. President, I understand how such matters are handled. A serious flood occurred in my section of the country last year, so I know how the Reconstruction Finance Corporation sends its representatives into the stricken areas. One thing disturbs me, though not to a great extent; but I think that I, as a member of the committee, should say to the Senator from Kentucky and to the Senate itself that I am a little bit fearful that in providing that something shall be done which is intended only to meet an acute situation, a new agency or bureau may be created. I do not think a flood administrator should be appointed or a group of highly paid persons employed simply to administer the provisions of the bill under consideration.

Mr. BARKLEY. I will say to the Senator that it is contemplated that this entire organization will be set up out of the personnel of the Reconstruction Finance Corporation.

Mr. MALONEY. I was sure that was the Senator's thought, and I felt certain it was the feeling of the committee.

Mr. BARKLEY. Any additional cost will be so nominal as to be of no great importance.

Mr. LOGAN. Mr. President, will the Senator yield to me?

Mr. BARKLEY. I yield.

Mr. LOGAN. Recently a number of requests have come to me dealing with the subject of loans of money to those whose homes or businesses have been damaged by the present flood. Some of them are large business concerns. Some have lost $100,000. Some have lost as high as $500,000. They are hard-pressed for money. They would not come under the terms of the bill now under consideration, but the Reconstruction Finance Corporation could take care of their applications.

Mr. BARKLEY. Yes; the Reconstruction Finance Corporation can take care of their application now.

Mr. LOGAN. Then there is another class of small-business men, men owning grocery stores, men owning drug stores, who have lost their stock of goods. Perhaps the damage in individual cases of that kind runs from $5,000 to $15,000. Suppose such a concern were a going concern, it could still come to the Reconstruction Finance

Corporation and apply to the Reconstruction Finance Corporation under the law as it now exists?

Mr. BARKLEY. It could, but it might also apply under the provisions of the bill now under consideration. For instance, let us assume that the owner of a little corner grocery in any of the flooded towns had his entire stock washed away, so that he had nothing left. If he has good credit, such as would appeal to a bank, he may go to his local bank and borrow money and set up a new store; or, in some instances, it might be possible for the wholesaler to advance the stock and allow it to be paid for over a term of months or years.

However, if that person is serving a good cause in the community, supplying food and other necessary commodities or facilities to the people, and his entire stock has been washed away and he is not in a position to make what would be called a bankable loan, and might not be able to give what is called adequate security, he may borrow money under this bill for the purpose of restocking his store if the R. F. C., through the proposed corporation, should feel that, in its judgment, such a loan ought to be made. Of course, however, the bill does not interfere with the present authority of the R. F. C. to make all loans it now can make or heretofore could make under the authority to make industrial loans.

Mr. LOGAN. The third class, which is much more numerous, is comprised of those who lost their household goods, in whose houses the paper has come off the walls, the plastering has fallen, or the plumbing fixtures are out of repair and they have no property to offer the bank as collateral. I presume that this bill is intended primarily for that large class that need immediate relief.

Mr. BARKLEY. I will say to my colleague that the Home Owners' Loan Corporation now has authority to advance money in addition to what it has already advanced on property on which it holds mortgages. It would, of course, have to do that in order to protect its own mortgages. The Farm Credit Administration has power to do the same thing. So that class probably will not be among those who will make application for loans under this proposed act.

Mr. LOGAN. What about the Housing Administration?

Mr. BARKLEY. The Federal Housing Administration only comes into the picture by guaranteeing the loans of a certain type over a certain period. Today the Banking and Currency Committee have reported a bill extending the authority of the Federal Housing Administration to make such guarantees up to 20 percent until 1939; but no actual Government money goes into a loan under the Housing Administration.

There is a large class of people who are not connected in any way with the Home Owners' Loan Corporation or the Farm Credit Administration or the Housing Administration, who have no loans and have borrowed no money from those organizations, and whose property has been damaged, whose furniture has been entirely destroyed, and who need a sort of credit that they may obtain upon liberal terms. This bill is intended to make it possible for that class and other similar classes to borrow money and to pay it back over a term of months or years. I may say to my colleague that the lendings of the R. F. C. in the flood areas in 1936 have resulted in a most satisfactory ratio of repayments. The borrowers are now paying back at the rate of $5, $10, $15, or $20 a month the money they borrowed, and collections are really very creditable to those who obtained the loans.

Mr. LOGAN. One other question, and I will finish. I am not asking it because I myself do not know, but because the people in the flooded area are watching everything that goes into the RECORD and they desire information. If any one seeks a loan under this bill, if it shall pass, say, in the cities of Louisville or Paducah or Cincinnati, would he go to the representative of the Reconstruction Finance Corporation and make his application there?

Mr. BARKLEY. Of course, in Louisville he would go to the State director's office, which is in Louisville. The R. F. C., however, have no office in Paducah or Owensboro or any other city in Kentucky, but they have cooperated with the Home Owners' Loan Corporation, which does have a branch office in Paducah and in Owensboro, on the Ohio River. Where they have no office at all, they have sent their representatives in order that prospective borrowers may make application on the ground without having to travel to headquarters.

Mr. LOGAN. There is one objection only to that, and that will be soon cleared up, perhaps, and that is there are now some parts of Kentucky and some cities where a representative cannot be sent because he cannot get there, and the need now is fairly great. I do not know how cases of that kind would be handled.

Mr. BARKLEY. I am not able to say how soon, either before or after the complete subsidence of the waters in the cities, the representatives of the R. F. C. will be able to get on the ground, but I think we may depend upon it that as soon as it is practicable there will be somebody in the community who will be authorized to advise those who may want to make these loans and to provide for the filing of the applications.

Mr. LOGAN. I thank the Senator.

Mr. BULKLEY. Mr. President——

Mr. BARKLEY. I yield.

Mr. BULKLEY. I merely wish to confirm what I think the Senator has already very well said; that the legislation now proposed is intended to be interpreted by the Reconstruction Finance Corporation very liberally; that it is advisedly that we leave the question of security entirely to their discretion; and that, in making these loans, they are to have regard rather to the need of the borrowers that has been created by the disaster than to the amount of security that can be given, although, of course, character and ability to repay are to be taken into consideration.

Mr. BARKLEY. The Senator is correct about that. If that were not so, this proposed legislation would not be necessary, because anybody who can meet the requirements of credit can already obtain a loan from a bank or from the R. F. C. under its present authority; but this is an exceptional situation, and the bill is intended to create an exceptional type of credit under exceptional security provisions, in the judgment of the corporation.

Mr. POPE. Mr. President——

Mr. BARKLEY. I yield to the Senator.

Mr. POPE. In the creation of this new corporation to make this class of loans to many potential beneficiaries, would there be any additional expense in the way of administration of the corporation?

Mr. BARKLEY. The Senator from Connecticut [Mr. MALONEY] just asked me that question a moment ago, and I replied that the additional expense would only be nominal. No new employees are proposed; the corporation is to be set up within the R. F. C. and is to be officered by it, and it will make these loans through its regular facilities. The only additional expense that I can anticipate is the possibility of having to send some representatives into territory where they do not now go in order to make these loans available immediately in the community.

Mr. POPE. There will be no more expense in that case than if we amended the original act and should give the power directly to the R. F. C.?

Mr. BARKLEY. None whatever.

The PRESIDENT pro tempore. The question is on agreeing to the amendments reported by the Committee on Banking and Currency.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CLAIMS OF TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS

The PRESIDENT pro tempore. The clerk will state the next bill in order on the calendar.

The Senate proceeded to consider the bill (S. 95) referring the claims of the Turtle Mountain Band or Bands of Chippewa Indians of North Dakota to the Court of Claims for finding of fact and recommendations to the Congress, which had been reported from the Committee on Indian Affairs with an amendment, in section 1, page 2, line 3, after the word "rights", to strike out "as recognized by the officials of the United States", so as to make the bill read:

Be it enacted, etc., That the claims of the Turtle Mountain Band or Bands of Chippewa Indians of North Dakota, including the band

of Chief or Thomas Little Shell and other isolated bands of Chippewa Indians of North Dakota and Montana, of whatsoever nature, not heretofore determined and adjudicated on their merits by the Court of Claims or the Supreme Court of the United States, arising under or as the result of violation of any treaty, act of Congress, agreement, Executive order, or treaty with any other tribes or nations of Indians, or relating to, affecting, or otherwise violating the land occupancy or other rights of said band or bands of Indians are hereby referred to the Court of Claims, and jurisdiction is hereby conferred upon said Court of Claims to proceed, according to the principles of law and equity, to find the facts with reference to any claim or claims presented hereunder and report the same to the Congress, together with recommendations hereinafter referred to. The said court shall consider all such claims de novo, without regard to any decision, finding, or settlement heretofore had in respect of any of such claims.

SEC. 2. That any and all claims against the United States under this act shall be forever barred unless the said Turtle Mountain Band or Bands of Indians shall within 3 years from the date of the approval of this act file a petition or petitions in said court setting forth said claims. The claim or claims of the band or bands aforementioned may be presented separately or jointly by petition or petitions, subject, however, to amendment in the discretion of the court at any time prior to final hearing in the matter. The petition or petitions shall be verified by the respective attorney or attorneys employed to prosecute such claim or claims under contract with the Turtle Mountain Band or Bands of Chippewa Indians, approved by the Commissioner of Indian Affairs and the Secretary of the Interior, as provided by law. Official letters, papers, documents, reports, and records, or certified copies thereof, may be used in evidence; and the departments of the Government shall give access to the attorney or attorneys of said Turtle Mountain Band or Bands to such treaties, agreements, papers, reports, correspondence, or records as may be needed by the attorney or attorneys of said band or bands of Indians.

SEC. 3. That said court shall determine the facts as to all claims submitted hereunder, and shall make findings of fact and recommendations to the Congress thereon, notwithstanding lapse of time or statutes of limitation; any payment which may have been made by the United States upon any claim so submitted shall not be pleaded as an estoppel, but may be pleaded as a set-off; and the United States shall be allowed credit for any sum or sums proved to have been heretofore paid or expended directly for said band or bands of Indians subsequent to the date of any law, treaty, agreement, or Executive order under which the claims arise.

SEC. 4. That said court is hereby authorized and empowered to make findings of fact and to report the same to the Congress of the United States, together with recommendations, (1) relative to any loss sustained by said Indians by reason of the delay in ratification of the agreement of 1892 (33 Stat. 189); (2) as to the acceptance of the amendments made by Congress to said agreement of 1892, whether the acceptance of said amendments by the Indians was voluntary or whether made under compulsion or duress, and as to the loss or damage sustained by said Indians by reason of any action on the part of the United States in securing said acceptance; (3) whether said agreement of 1892 was consented to and ratified by the band of Chief or Thomas Little Shell and the amount of any loss to said band resulting from actions taken under said agreement without the consent of said band; (4) whether said lands to which the band of Chief or Thomas Little Shell had title by occupancy were taken from it without the consent of said band and the value thereof; (5) as to any losses, as near in amount as can be determined, sustained by said Indians by reason of the appropriation of lands ceded by said agreement of 1892 prior to its ratification, and the failure of the United States to reserve sufficient lands to enable the said Indians, including the band of Chief or Thomas Little Shell, to obtain suitable and adequate allotments as provided in said agreement; (6) the costs incurred by said Indians in acquiring allotments on the public domain as a result of any violation of said agreement; (7) as to whether, under said agreement of 1892, the said band or bands of Indians by mistake or otherwise ceded lands which were intended to be retained as a reservation, in particular an area lying about 30 miles west of Red River, being 15 miles in width, for a distance of 65 miles along the Canadian border, and the value of said tract at the time of said cession; (8) as to whether the United States, by Executive order, set aside approximately 1,000,000 acres of the territory occupied by said Indians as a reservation for any other Indian tribe or tribes, without compensating said Indians for the land so taken; (9) whether said Indians had legal or equitable title to said lands so set aside for any other tribe or tribes of Indians, and the reasonable value of said lands at the time of the issuance of the said Executive order; (10) as to the negotiation and execution of said agreement of 1892, and whether the United States obtained cessions of land thereunder from said band or bands of Indians in violation of or contrary to the terms of said agreement authorizing said cessions of lands; (11) whether the United States obtained lands from said Indians under mistake of fact; (12) whether the consideration paid by the United States under said agreement of 1892 was adequate and whether any lands were taken from said band or bands of Indians without paying any consideration therefor. Said court shall make its findings with respect to all claims presented hereunder, including any and all other claims which may be presented to the court by said band or bands of Indians not specifically hereinabove set forth, and shall report said findings to the Congress, and shall determine the value of said lands under said claims at the time they were ceded to or taken from said Indians by the United States, and shall recommend to the Congress such amount as may appeal to the conscience of said court under the principles of equity and justice as proper to be paid to said band or bands of Indians in payment for the lands so taken, and damages suffered, including interest thereon from the date of such taking, and in full satisfaction of all claims determined pursuant to this act.

SEC. 5. Upon the final determination of such suit or suits the Court of Claims shall have jurisdiction to recommend a reasonable fee, not to exceed 10 percent of the recovery in each instance, together with all necessary and proper expenses incurred in preparation and prosecution of the suit or suits, to be paid to the respective attorneys employed by the said band or bands of Indians under contracts approved by the Commissioner of Indian Affairs and the Secretary of the Interior as provided by law, and the same shall be included in the findings of said court and shall be paid out of any sum or sums appropriated by the Congress pursuant to this act. The court shall have jurisdiction and is hereby further authorized to determine and recommend to the Congress what amounts, if any, shall be awarded to the respective bands who bring suit or suits hereunder.

SEC. 6. The Court of Claims shall have full authority by proper orders and process to bring in and make parties to such suit or suits any other tribe or band of Indians deemed by it necessary or proper to the final determination of the matters in controversy. A copy of the petition or petitions shall, in such case, be served upon the Attorney General of the United States, and he, or some attorney from the Department of Justice to be designated by him, is hereby directed to appear and represent the interests of the United States in such case.

SEC. 7. The proceeds of all amounts, if any, found to be due said Indians and duly appropriated by the Congress, less fees and expenses, shall, upon said appropriation, be deposited in the Treasury of the United States to the credit of the said band or bands of Indians as found by said court to be entitled thereto.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CLAIMS OF CROW TRIBE OF INDIANS

The Senate proceeded to consider the joint resolution (S. J. Res. 55) to amend the act of July 3, 1926, entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in claims which the Crow Tribe of Indians may have against the United States, and for other purposes" (44 Stat. L. 807), which had been reported from the Committee on Indian Affairs with an amendment, on page 3, line 3, after the word "such", to strike out "treaty" and insert "treaty,", so as to make the joint resolution read:

Resolved, etc., That section 1 of the act of July 3, 1926, entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in claims which the Crow Tribe of Indians may have against the United States, and for other purposes" (44 Stat. L. 807), be, and the same is hereby, amended so as to read as follows: "That jurisdiction be, and is hereby, conferred upon the Court of Claims, with right of appeal (not by writ of certiorari) to the Supreme Court of the United States by either party, notwithstanding lapse of time or statutes of limitations, to hear, adjudicate, and render judgment on the merits in any and all claims arising under or growing out of the treaty of Fort Laramie, dated September 17, 1851 (Fourth Kappler, p. 1065), between the United States and the Crow Indian Nation, and the treaty dated May 7, 1868 (15 Stat. 649), between the United States and the Crow Indians of Montana, or arising under or growing out of the agreement between the River Crow Tribe of Indians and the United States, dated July 15, 1868 (Third Kappler, p. 714); the Executive order dated July 2, 1873 (First Kappler, p. 855), or any subsequent Executive order; the act of Congress approved April 15, 1874 (18 Stat. 28), or any subsequent act of Congress or agreement with said Crow Indian Nation, including claims growing out of any cessions of land by said Indians to the United States for an inadequate consideration under mistake of fact, irrespective of any treaty stipulation entered into under such mistake of fact, which said Crow Indian Nation or any branch thereof may have against the United States, which claims have not heretofore been determined and adjudicated on their merits by the Court of Claims or the Supreme Court of the United States. Jurisdiction also is hereby conferred upon the said courts to determine whether or not any provision in any such treaty, agreement, Executive order, or act of Congress above set forth has been violated or breached by any act or acts of Congress or by any treaty made by the United States with any other Indian tribe or nation, and to render judgment for the damages resulting therefrom: *Provided*, That for complying with the terms of this joint resolution, case no. H-248, in the Court of Claims, entitled '*The Crow Nation or Tribe of Indians of Montana* v. *the United States*', decided on March 4, 1935, is hereby reinstated."

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

CLAIMS OF ASSINIBOINE INDIANS

The Senate proceeded to consider the bill (S. 641) conferring jurisdiction on the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Assiniboine Indians may have against the United States, and for other purposes, which had been reported from the Committee on Indian Affairs with an amendment, in section 1, on page 2, line 12, after the word "provision", to strike out "on" and insert "in", so as to make the bill read:

Be it enacted etc. That jurisdiction be and is hereby conferred upon the Court of Claims, with the right of appeal to the Supreme Court of the United States by either party, notwithstanding anything in the Judicial Code of the United States to the contrary and without regard to the lapse of time, former adjudication, or statutes of limitation, to hear, examine, adjudicate, and render judgment in any and all claims arising under or growing out of the treaty of Fort Laramie of September 17, 1851 (11 Stat. L. 749), between the Government of the United States and the Assiniboine Indian Nation and other Indian nations therein specified, or any subsequent act of Congress, treaty, agreement, or Executive order or treaty with any other Indian tribe, or any nation that violates any of the rights of the Assiniboine Indian Nation arising under or growing out of the said treaty, which said Assiniboine Nation or Tribe may have against the United States; and jurisdiction is hereby conferred upon the said court to determine whether or not any provision in such treaty has been violated or breached by the Government of the United States by acts of Congress or otherwise; and if so, to render judgment for the damages resulting therefrom.

SEC. 2. Any and all claims against the United States within the purview of this act shall be forever barred unless suit be instituted or petition filed as herein provided in the Court of Claims within 5 years from the date of the approval of this act such suit shall make the Assiniboine Nation or Tribe party plaintiff and the United States party defendant. The petition shall be verified by the attorney or attorneys employed to prosecute such claim or claims under contract with the Assiniboines, approved by the Commissioner of Indian Affairs and the Secretary of the Interior.

Official papers, letters, documents, records, including records of evidence heretofore taken before the Court of Claims pertaining to the subject matter of the suits herein authorized, or certified copies thereof, may be used in evidence, and the departments of the Government shall give access to the attorney or attorneys of such Indian nation to such treaties, papers, correspondence, or records as may be needed by the attorney or attorneys of said Indian nation.

SEC. 3. That if any claim or claims be submitted to said court, it shall determine the rights of the parties thereto, notwithstanding lapse of time or statutes of limitation or former adjudication, and any payment which may have been made by the United States upon any claim so submitted shall not be pleaded as an estoppel but may be pleaded as a set-off in any suit, and the United States shall be allowed credit subsequent to the date of any Executive order, law, treaty, or agreement under which the claims arise for any sum or sums paid or expended for the benefit of said Indians prior to March 2, 1927, including gratuities: *Provided, however,* That there shall not be set off or credited any sum or sums of money paid by the United States to or for the benefit of the Assiniboine Indian Nation for lands lying north of the Missouri River; nor any sum or sums of money received by the Assiniboine Nation or members thereof for surplus lands in the Fort Peck or Fort Belknap Reservations; nor any lands, nor the value thereof, allotted to the Assiniboine Nation or members thereof in the Fort Peck or Fort Belknap Reservations; nor any land, nor the value thereof, still held undisposed of in those reservations; nor shall there be set off or credited disbursements for agency building and repairs, miscellaneous agency expenses, pay of miscellaneous employees, pay of superintendents and agents, expenses of delegations, or pay of interpreters or Indian police.

SEC. 4. That if it be determined by the court that the United States, in violation of the terms and provisions of any Executive order, law, treaty, or agreement set forth and referred to in section 1, has unlawfully appropriated or disposed of any money or other property belonging to the Indians, damages therefor shall be confined to the value of the money or other property at the time of such appropriation or disposal, with a minimum value of lands at 93 cents per acre. With reference to all claims which may be the subject matter of the suits herein authorized, the decree of the court shall be in full settlement of all damages, if any, committed by the Government of the United States and shall annul and cancel all claim, right, and title of the said Assiniboine Indians in and to such money or other property.

SEC. 5. Upon final determination of such suit or suits, the Court of Claims shall have jurisdiction to fix and determine a reasonable fee for services heretofore or hereafter rendered the Assiniboine Nation, not to exceed 10 percent of the recovery, together with all necessary and proper expenses heretofore or hereafter incurred in preparation and prosecution of the claims and suits, to be paid to the attorneys employed by said tribe or nation of Indians who have heretofore prosecuted and shall hereafter prosecute said claims and suits, and the same shall be included in the decree and shall be paid out of any sum or sums found to be due said tribe.

SEC. 6. A copy of the petition shall, in such case, be served upon the Attorney General of the United States, and he, or some attorney from the Department of Justice to be designated by him, is hereby directed to appear and defend the interests of the United States in such case.

SEC. 7. The proceeds of all amounts, if any, recovered from said Indians shall be deposited in the Treasury of the United States to the credit of the Indians decreed by said court to be entitled thereto, and shall draw interest at the rate of 4 percent per annum from the date of the judgment or decree, and shall be thereafter subject to appropriation by Congress for the benefit of said Indians, including the purchase of land and building of homes, and no part of said judgment shall be paid out in per-capita payments to said Indians. The costs incurred in any suit hereunder shall be taxed against the losing party; if against the United States such costs shall be included in the amount of the judgment or decree, and if against said Indians shall be paid by the Secretary of the Treasury out of the funds standing to their credit in the Treasury of the United States: *Provided,* That actual costs necessary to be incurred by the Assiniboine Indians as required by the rules of court in the prosecution of this suit shall be paid out of the funds of the Assiniboine Tribe in the Treasury of the United States.

SEC. 8. All laws and parts of laws inconsistent with the provisions of this act are hereby repealed.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INDIAN AFFAIRS—LAWS AND TREATIES

The resolution (S. Res. 60) authorizing a preparation of laws and treaties relating to Indian affairs was read, considered and agreed to, as follows:

Resolved, That the Committee on Indian Affairs is hereby authorized to have prepared for the use of the Senate a compilation of the laws, agreements, Executive orders, proclamations, and so forth, relating to Indian affairs passed and proclaimed since March 4, 1927, including the Seventy-fifth Congress, to be known as Laws and Treaties Relating to Indian Affairs, Volume 5.

CLAIMS OF KIOWA, COMANCHE, AND APACHE TRIBES

The Senate proceeded to consider the bill (S. 149) to refer the claims of the Kiowa, Comanche, and Apache Tribes of Indians to the Court of Claims, with the absolute right of appeal to the Supreme Court of the United States.

Mr. ROBINSON. Mr. President, in connection with the title of the bill it will be noted that the bill carries what is termed in the title as an "absolute right of appeal to the Supreme Court of the United States." Will the Senator from Oklahoma, the chairman of the Committee on Indian Affairs, give an explanation of the necessity for that provision?

Mr. THOMAS of Oklahoma. An identical bill passed the Senate last year and went to the House, where it died for want of attention. The pending bill is a copy of the bill passed by the Senate last year. I will be very glad to have it passed over, if the Senator desires.

Mr. ROBINSON. I do not care to ask that it go over. I think there should be a right of appeal, but the language that is used is somewhat unusual.

Mr. THOMAS of Oklahoma. The word "absolute" is probably superfluous.

Mr. ROBINSON. Very well; I have no objection to the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred on the Court of Claims to hear, determine, adjudicate, and render final judgment on all legal or equitable claims of whatsoever nature which the Kiowa, Comanche, and Apache Tribes of Indians may have against the United States, arising under or growing out of any treaties, agreements, or the enactment of laws by Congress, or the taking of any lands of said tribes by the United States without the payment to said tribes of adequate compensation therefor, or out of any maladministration or wrongful handling of any of the funds, land, or other property belonging to said tribes or held in trust for them by the United States, or otherwise; including, but without limiting the generality of the foregoing, (1) a claim for additional compensation to said tribes for the taking, by the United States of certain tribal lands ceded to them by treaty or treaties with the United States but taken from them by the United States under the act of June 6, 1900 (31 Stat. 677, ch. 313), allegedly without compliance with the terms of the treaty or treaties under which such lands were ceded to such tribes, and taken for a compensation allegedly below the value of the lands so taken; (2) claims for the replacement of certain tribal trust funds allegedly improperly or unlawfully expended by the United States in its management of the said funds of said tribes.

SEC. 2. The Kiowa, Comanche, and Apache Tribes of Indians are hereby empowered to bring such suit, as parties plaintiff, against the United States, as party defendant, by filing their petition in the Court of Claims and serving a copy thereof on the Attorney General of the United States. Such petition shall set forth the

facts on which the claim for recovery is based and shall be verified by the attorneys employed by said tribes of Indians in accordance with existing law to prosecute such claims, which may be made upon information and belief and no other verification shall be necessary. Suit shall be instituted within 2 years from the date of this act by the filing of a petition in the Court of Claims in behalf of the Kiowa, Comanche, and Apache Tribes of Indians.

SEC. 3. At the trial of said suit the court shall apply, as respects the United States, the same principles of law as would be applied to any ordinary, private person, and as would be applied to an ordinary fiduciary, and shall settle and determine the rights thereon, both legal and equitable, of said tribes against the United States, notwithstanding lapse of time or statute of limitations. No payment or payments which have been made by the United States to or for the said tribes, nor any gratuities paid to or expended for said tribes or members thereof, shall apply as an estoppel against said suit, but may be pleaded as offsets.

SEC. 4. At the trial of such action so instituted in the Court of Claims, any letter, paper, document, map, or record in the possession of any officer or department of the United States (or a certified copy thereof), or any of the officially printed documents, or records, of the Senate and House of Representatives of the United States (of any session of the Congress) may be used in evidence, and the departments of the Government of the United States shall give full and free access to the attorneys for said tribes to such letters, papers, documents, or records, as may be useful to said attorneys, in the preparation for trial or trials of such action and shall afford facilities for the examination of the same and the making of copies thereof.

SEC. 5. Either party shall have the absolute right of appeal (not by writ of certiorari) from any final judgment entered by the Court of Claims to the Supreme Court of the United States and the Supreme Court of the United States is hereby invested with jurisdiction of such appeal.

SEC. 6. (a) If it shall be determined by the Court of Claims that the United States did receive the tribal lands described in the act of June 6, 1900 (31 Stat. 677, ch. 813), and that the sum paid by the United States to said tribes was less than the reasonable value thereof, the court shall render judgment in favor of the Kiowa, Comanche, and Apache Tribes of Indians for a sum equal to the reasonable value of said lands, less such sums paid by the United States to said tribes under said act of Congress, with interest at the rate of 4 percent per annum from the date of approval of said act of Congress: *Provided, however,* That the United States may, in lieu of such payment, acquire and hold in trust for said tribes in accordance with existing laws relating to trust lands of said tribes, lands of a value equal to the amount of such judgment.

(b) If it shall be determined by the court that the United States has improperly or unlawfully expended or misappropriated tribal funds of said tribes of Indians, the court shall render judgment against the United States for an amount equal to such funds so found to have been improperly or unlawfully expended or misappropriated with interest thereon at the rate of 4 percent per annum from the date of the said expenditures or misappropriations.

SEC. 7. Upon the final determination of such suit, cause, or action, whether by judgment, compromise, or otherwise, the Court of claims shall decree such fees as it shall find have been agreed to be paid to the attorneys employed therein by said tribes of Indians under contracts negotiated and approved as provided by existing law. The fees decreed by the said Court of Claims to the said attorneys shall be paid out of any sum or sums recovered in such suit or action, or received by compromise, and not otherwise. The expenses of said attorneys, and the expenses in connection with the preparation and prosecution of such action or suit shall be paid out of funds, heretofore appropriated for such purposes, and not otherwise. The net amount of any judgment recovered shall be placed in the Treasury of the United States to the credit of the said tribes of Indians, and shall draw interest at the rate of 4 percent per annum, and shall thereafter be subject to appropriation by Congress for the benefit of said Indians.

SEC. 8. A copy of the petition in any suit instituted under this act shall be served upon the Attorney General of the United States and he, or some attorney from the Department of Justice to be designated by him, is hereby directed to appear and defend the interests of the United States.

PAYMENT TO OSAGE INDIANS FOR LANDS SOLD

The Senate proceeded to consider the bill (S. 670) authorizing an appropriation for payment to the Osage Tribe of Indians on account of their lands sold by the United States, which was read, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated the sum of $776,742.03, being the net amount received by the United States from the sale of land of the Osage Tribe of Indians in the State of Kansas under article I of the treaty of September 29, 1865 (14 Stat. L. 687), credited to the "civilization fund" on the books of the Treasury of the United States and used for the benefit of Indian tribes other than the Osage, said Osage Tribe of Indians referred to herein now residing in the State of Oklahoma, as found by the Court of Claims in its opinion of May 28, 1928 (66 Ct. Cl. 64), in a case known as B–38, entitled "Osage Nation of Indians against United States of America", instituted under act of February 6, 1921 (41 Stat. L. 1097).

SEC. 2. Said amount, when appropriated, shall be placed in the Treasury of the United States to the credit of the Osage Tribe of Indians and distributed in accordance with the rules and regulations governing payment of moneys accruing to members of the Osage Tribe of Indians.

SEC. 3. Said appropriations shall be in full, complete, and final settlement of the claim of the Osage Tribe of Indians against the United States arising under the treaty of 1865 above cited.

SEC. 4. The Secretary of the Interior is hereby authorized and directed to pay, out of said appropriation when made, the fees and expenses of the attorneys of record, in accordance with provisions and percentages in their contract as approved by the Secretary of the Interior May 5, 1931.

Mr. KING. Mr. President, I should like to ask the Senator from Oklahoma if the bill provides an appropriation or merely an authorization?

Mr. THOMAS of Oklahoma. The bill provides merely an authorization. It has passed either the House or the Senate time and time again. It passed the Senate last year but died in the other body. It is simply an authorization to cover the amount and is not an appropriation.

Mr. ROBINSON. What is the amount?

Mr. THOMAS of Oklahoma. It is about $700,000, as I remember.

Mr. KING. Mr. President, may I inquire of the Senator whether that amount has been found to be due by any court or any administrative body of the Government?

Mr. THOMAS of Oklahoma. Mr. President, if I may I will make a very brief statement as to the purpose of the bill.

Years ago the Osage Indians had a large tract of land which was sold by the Government. The proceeds were presumed to be used, and under the terms of the sale they were authorized to be used, for the civilization of the Osage Indians. The Bureau of Indian Affairs has spent that money, not for the benefit of the Osage Indians, but of all Indians. The money so spent for Indians other than Osages was expended without the authority or consent of the Osages. For many years they have made claim asking reimbursement of such moneys as have been spent for the civilization of other Indians than the Osages. The Department has considered their claim and have found it to be just and equitable, and recommend the passage of the bill.

The PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MUSKOGEE OR CREEK TRIBE OF INDIANS

The bill (S. 1253) authorizing an appropriation to carry out the provisions of section 26 of the agreement with the Muskogee or Creek Tribe of Indians, approved March 1, 1901, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $600,000 to carry out the provisions of section 26 of the act to ratify and confirm an agreement with the Muskogee or Creek Tribe of Indians, approved March 1, 1901 (31 Stat. 861), and said sum shall be in payment of the balance due on the award made by the Senate of the United States in accordance with said section 26 of said act of March 1, 1901.

SEC. 2. Upon appropriation being made and available, the Secretary of the Interior shall pay to the Loyal Creek Indians and freedmen, or their heirs, whose names appear in the list of awards made in their behalf by W. B. Hazen and F. A. Field, as commissioners on behalf of the United States to ascertain the losses of said Indians and freedmen as provided by articles 3 and 4 of the treaty with the Creek Nation of Indians of date June 14, 1866 (14 Stat. 785), and such payment shall be made in proportion to the awards set out in said list, and such payment shall be in full settlement and satisfaction of all claims under said articles 3 and 4.

SEC. 3. That out of the appropriation hereby authorized the Secretary of the Interior shall pay to the attorneys for said Loyal Creek Indians and freedmen, who are now employed under contract with said Indians and freedmen, such compensation as he may determine to be fair and reasonable for services rendered and expenses incurred by such attorneys under said contract: *Provided,* That such payment shall not exceed 10 percent of the amount appropriated under the authority of this act; and, in addition thereto, the said Secretary shall correspondingly pay William Yarhola and Joseph Bruner for services heretofore rendered and expenses incurred in connection with these claims, such compensation as he may determine to be reasonable and just, not to exceed,

however, 5 percent of each separate claim presented and settled under the terms of this act.

CLAIM OF SHOSHONE NATION OF INDIANS

The Senate proceeded to consider the bill (S. 68) authorizing the Western Bands of the Shoshone Nation of Indians to sue in the Court of Claims, which had been reported from the Committee on Indian Affairs, with amendments, on page 1, line 5, after the words "United States", to strike out the words "as in other cases", and on page 2, line 5, after the word "acre", to insert the words "from which shall be deducted the estimated expense of surveying and sale, including fees, commissions, and overhead", so as to make the bill read:

Be it enacted, etc., That jurisdiction be, and the same is hereby, conferred on the United States Court of Claims, with the right of either party to appeal to the Supreme Court of the United States, anything in the Judicial Code of the United States and amendments thereto to the contrary notwithstanding, regardless of the lapse of time and the statute of limitations, to hear, examine, adjudicate, and render judgment for such net amount as may be found due on all legal and equitable claims of the Western Bands of the Shoshone Nation of Indians, and the court shall determine and fix as near as may be, from such evidence as may be submitted, the boundaries and acreage of the lands described in article 5, of the treaty of October 1, 1863 (18 Stat. L. 689), and shall compute the value thereof at $1.25 per acre, from which shall be deducted the estimated expense of surveying and sale, including fees, commissions, and overhead, and the court shall also determine and fix the set-offs, if any, under the terms of section 2 of the Second Deficiency Act of 1935 (49 Stat. 596), to determine the net amount due the said Indians.

SEC. 2. The claims of the said Indians under the provisions of this act shall be presented by petition or petitions setting out fully and distinctly all claims of the Western Bands of the Shoshone Indians against the United States within 5 years after the passage of this act, or shall be thereafter forever barred. The petition or petitions may be verified by the attorney or attorneys employed by said Indians under contract executed in accordance with existing law. The departments of the Government shall give access to the attorneys so employed to the records pertaining to said Indians on file thereon.

SEC. 3. The net proceeds of any judgment recovered shall be placed on deposit in the Treasury to the credit of said Indians at 4-percent interest per annum and shall be thereafter subject to appropriation by Congress for the benefit of said Indians, including the purchase of lands and building of homes, and no part of said judgment shall be paid out in per-capita payments to said Indians: *Provided*, That the court in rendering judgment shall determine and set apart a reasonable fee for and to the attorney or attorneys of said Indians employed in the prosecution of said claims, including the preparation of said claims and the services rendered before the committees of Congress, not to exceed 10 percent of such judgment, if any, and shall also determine the sum to cover all reasonable and proper expenses incurred by the said attorney or attorneys in the preparation and prosecution of said claims, which sums shall be paid by the Secretary of the Treasury when an appropriation is made by Congress to pay such judgment.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NATIONAL EDUCATION ASSOCIATION

The Senate proceeded to consider the bill (S. 709) to amend the act entitled "An act to incorporate the National Education Association of the United States", approved June 30, 1906, as amended, which had been reported from the Committee on the Judiciary with an amendment, on page 3, line 5, after the word "National", to strike out the word "Education" and insert the words "Educational", so as to make the bill read:

Be it enacted, etc., That section 5 of the act entitled "An act to incorporate the National Education Association of the United States", approved June 30, 1906, as amended, is amended to read as follows:

"SEC. 5. The qualifications, classifications, rights, and obligations of members of said corporation shall be prescribed in the bylaws of the corporation."

SEC. 2. Section 6 of such act is amended to read as follows:

"SEC. 6. (a) The officers of the corporation shall be a president, one or more vice presidents, a secretary, a treasurer, a board of directors, an executive committee, a board of trustees, and such boards, councils, committees, and other officers as shall be prescribed in the bylaws.

"(b) Except as limited by this act, as amended, the bylaws of the corporation shall prescribe the powers, duties, terms of office, and the manner of election or appointment of the said officers, boards, councils, and committees; and the said corporation may by its bylaws make other and different provisions as to the numbers and names of the officers, boards, councils, and committees."

SEC. 3. Section 7 of such act is amended to read as follows:

"SEC. 7. (a) The board of trustees shall consist of four members elected by the board of directors for a term of 4 years, and the president of the association, who shall be a member ex officio during his term of office. At the first meeting of the board of directors held during the annual meeting of the association at which they were elected, they shall elect one trustee for the term of 4 years. All vacancies occurring in said board of trustees, whether by resignation or otherwise, shall be filled by the board of directors for the unexpired term; and the absence of a trustee from two successive annual meetings of the board shall forfeit his membership.

"(b) The invested fund now known as the 'Permanent fund of the National Educational Association', when transferred to the corporation hereby created shall be held by such corporation as a permanent fund and shall be in charge of the board of trustees, who shall provide for the safekeeping and investment of such fund, and of all other funds which the corporation may receive by donation, bequest, or devise. No part of the principal of such permanent fund or its accretions shall be expended, except by a two-thirds vote of the representative assembly, after the proposed expenditure has been approved by the board of trustees and the board of directors, and after printed notice of the proposed expenditure has been printed in the Journal of the National Education Association at least 2 months prior to the meeting of the representative assembly.

"(c) The income of the permanent fund shall be used only to meet the cost of maintaining the organization of the association and of publishing its annual volume of proceedings, unless the terms of the donation, bequest, or devise shall otherwise specify, or the bylaws of the corporation shall otherwise provide.

"(d) The board of trustees shall elect the secretary of the association, who shall be secretary of the executive committee and shall fix the compensation of the term of his office for a period of not to exceed 4 years."

SEC. 4. Section 8 of such act is amended by striking out in the proviso thereof the following: "by the board of directors, or otherwise."

Mr. ROBINSON. Mr. President, I should like to have the Senator in charge of the bill, who is also the author of it, the Senator from Utah [Mr. KING], explain the nature of the amendment of the existing law.

Mr. KING. Mr. President, this bill illustrates the unwisdom, if I may use that expression, of granting Federal charters for private corporations. In 1906 Congress enacted a law to incorporate the National Education Association, and the law provided the number of officers—president, vice presidents, and so forth. The law is found to be unworkable. The organization now has several hundred thousand members, scattered all over the United States. It is their desire to have the act amended, and the bill now before us is unanimously approved by their organization. I have letters from the organization in every State of the Union approving it. This bill is desired so they will not have to elect the same officers without change. They want authority to have their committee on bylaws make such changes in the personnel of the organization, the number of committees, and so forth, as may be necessary for the proper administration of the business of the organization.

The bill is unanimously reported by the committee and is approved by the organization in every State in the Union.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Committee on the Judiciary.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDENT pro tempore. That completes the calendar.

AUTHORITY TO SIGN BILLS

Mr. ROBINSON. Mr. President, I ask unanimous consent that during the recess or adjournment of the Senate to follow the session of today the Vice President be authorized to sign enrolled bills.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

ANNIVERSARY OF BIRTH OF THOMAS A. EDISON

Mr. BULKLEY. Mr. President, today is the anniversary of the birth of that outstanding inventor, Thomas A. Edison, a native of Ohio. In the city of Cleveland has been organized a national inventors' day committee for the purpose of securing national observation of February 11 as National Inventors' Day in recognition of the great contributions which the inventors of America have made to our civilization.

I ask leave to have printed in the RECORD at this point a resolution adopted by the Legislature of Ohio relating to this

subject. I ask further leave to have printed certain documents explanatory of the movement.

There being no objection, the resolution and documents were ordered to be printed in the RECORD, as follows:

Resolution

Resolved, That the Governor of Ohio, at a reasonable time before the 11th day of February of each and every year, shall by proclamation request that the people of the State of Ohio join with the Nation in the regular annual observance of National Inventors' Day, on February 11, the birth date of Thomas Alva Edison, one of Ohio's most noted sons, for the purpose of paying honor to this great man, and to fittingly pay honor to the many outstanding inventors of Ohio and of the Nation, and thereby also give appreciative recognition and active encouragement to the inventors of the present and of the future who by their creations will continue to enrich living in the present and in the future; and be it further

Resolved, That during the calendar week in which National Inventors' Day occurs the teachers in the schools of Ohio shall be requested to place special study and emphasis upon the lives of outstanding inventors and upon their inventions which have contributed so much to the progress, prosperity, and to the better living of all; and be it further

Resolved, That either on National Inventors' Day or during the calendar week in which February 11 occurs, at a special or the regular meeting time, civic, business, religious, and fraternal organizations be asked to observe, appraise, and to express appreciation for the many inventions which have contributed so largely to national progress, to prosperity, and to better and happier living conditions for all.

THE NATIONAL INVENTORS' DAY COMMITTEE OF AMERICA,
Cleveland, Ohio, February 1, 1937.

The Honorable ROBERT J. BULKLEY,
United States Senator from Ohio,
Washington, D. C.

MY DEAR MR. BULKLEY: May I call your attention to National Inventors' Day, which had its origin in Cleveland in 1935 (another "first" for Cleveland).

I believe you know of the plan of the Rotary Club of Cleveland to hold a National Inventors' Day Edison program at their meeting on February 11, the birth date of Thomas A. Edison, which, to my knowledge, will be the first National Inventors' Day observance by any club of national prominence in the Nation.

* * * * * * *

I think that you will agree that no one can accuse inventors, as a class, of receiving more than a just share from their inventive efforts, although these have been the basis upon which the greater part of our American progress, prosperity, and better living have been attained. In fact, inventions have been the basis through which a new age has been born. This new age demands an appreciation day for progressive, national inventor's days.

In Thanksgiving Day we have handed down to us the harvest festivities which have been observed by various peoples since the dawn of civilization. In this new-age appreciation day—National Inventors' Day—we have a time in which to more fully appreciate the inventive blessings which the Father has provided for us through the creative visions materialized for our use and enjoyment by inventors and creative engineers.

May I add that we are doing all possible through National Inventors' Day to resell America to Americans—a much-needed activity, if American ideals are to be retained and our Nation is to continue to grow forward to greater progress, prosperity, and a more abundant and satisfying life for all.

I am also enclosing a copy of a resolution which we hope to have passed by the Ohio Legislature. Inasmuch as Ohio was the birthplace of the Nation's most-revered and outstanding inventive genius, we hope that Ohio will be the first State to so honor her illustrious son, Thomas A. Edison.

Should you feel impelled to call National Inventors' Day to the attention of the Members of the Senate and the Nation on February 11, we will be most grateful for your cooperation with us in our efforts to resell America to Americans—a much-needed activity, if America is to grow forward to increased progress, prosperity, and to better and happier living for all.

We want to thank you for your interest and any cooperation you may be able to give.

Most sincerely yours,

FREDERICK J. ROOT,
Executive Chairman.

STATEMENT BY NATIONAL INVENTORS' DAY COMMITTEE

National Inventors' Day is a perpetual memorial to Thomas A. Edison and other inventors of the present and of the future, whose inventive creations will continue to "make" the America of the future, as have those of the present and of the past—a day of public observance, appraisal, and appreciation for our many inventive blessings and a day of hope for better, happier, and more prosperous living for all.

RADIO ADDRESS OF DR. WILLIAM E. WICKENDEN, PRESIDENT OF CASE SCHOOL OF APPLIED SCIENCE, ON THE SUBJECT "THE NATION'S DEBT TO THOMAS A. EDISON, CHARLES BRUSH, AND OTHER AMERICAN INVENTORS" ON NATIONAL INVENTORS' DAY PROGRAM, FEBRUARY 11, 1936

It is particularly fitting that Cleveland should recognize the birthday of Thomas Alva Edison as Inventors' Day, for Cleveland is the lighting capital of the world. It is here that Charles F. Brush perfected his system of electric arc lighting in 1876 and it is here at Nela Park today that Edison's unforgettable work on the incandescent lamp is being carried forward to higher and higher achievements. What Brush and Edison did was to bring electricity out of the laboratory and harness it to the work of the world. High honor was paid to the scientific importance of their work, but its social significance is only beginning to be appreciated. Putting electricity to work was one of the revolutionary events of history. It did for industrial production what the introduction of money back at the early dawn of civilization did for commerce. In our uses of power before Brush and Edison we were back at the barter age. We could use power only where it was produced, and we could change it into only one other form. But electricity became the money of energy. It is not energy itself, but a medium of circulation and exchange. With electricity we could accumulate energy and make it instantly available; we could store it up today and spend it tomorrow or next week, as slowly or as quickly as we wished; we could produce it at one place and spend it at another with very little loss on the way; we could concentrate it enough to melt tons of iron, or subdivide as finely as a whisper in the telephone; finally, we could exchange it for any form of work we desired. Electricity—the money of energy.

Edison, Brush, and their fellow inventors have helped men incalculably in their struggle to get more bread with less sweat. Primitive man toiled single-handed. In 1870 one worker with a machine to help him was equal to about four or five unassisted men. In 1900 the worker and his machine with electric power could match 14 unaided men, in 1930, 60 men. Producing capacity per worker in industry doubled in the 1920's.

Our debt to the great inventors is not merely material, it is cultural and spiritual as well. This is beautifully exemplified in the art of lighting to which Brush and Edison contributed so much.

For most of us the daylight hours are the hours of work and the hours of darkness are the hours of leisure, when learning and culture are possible. So long as there were no dependable sources of artificial light, learning had to be made a special business—something for clerks who could give their daylight hours to it. Until about 500 years ago education was just a thin little trickle in the stream of human experience. For long centuries most men, even kings and princes, were quite illiterate and learning had to be kept alive in monasteries. Books and writings had to be copied by hand, which was terribly tedious and expensive. The great mass of men found living so poor and so hard to get that they had neither time nor means to be anything but ignorant. We call these centuries the dark ages. Then two very significant things happened. Men learned to print books from type, and they learned to make reasonably cheap and efficient artificial lights. These were the work of simple practical men, probably without thought for the refinements of culture, but the results were incalculable.

Immediately the dam which had so long held back the streams of learning began to give way. Books became cheap enough so that many people might have them, and leisure hours were redeemed from gloom and darkness so that men who had to work for a living by day could share in the riches of learning and culture by night. Printing and lighting, two technical arts which we owe to the inventive urge of the modern age, have been the greatest forces in changing education and culture from a tiny trickle to a mighty stream. How blind to think of the inventor as a mere Philistine, an enemy of the human spirit and its culture.

But long after books and periodicals had become cheap and abundant, good light remained dear and scarce. The trouble has been that we know how to produce light only as a byproduct of wasted heat. A candle or a wick dipped in oil could give us only one unit of light for three or four hundred units of power. The kerosene lamp, the gas flame of the Welsbach mantle of our childhood were a little better, but only electricity has been able to give us safe, convenient and inexpensive light. Even at that our more modern lamps give us back as light only 10 or 12 percent of the energy they consume, and it has taken 50 years of the most intensive effort, starting with Brush and Edison, to learn how to do that well. Only the firefly seems to know the secret of cold pure light, and he is holding out on us. Until we learn that secret, the work of Edison and Brush will remain unfinished.

Mr. Roosevelt is trying to reduce the costs of electric light and current to the consumer through political pressure. He may accomplish something, but think how much more the public has at stake in encouraging more research and invention than in any possible legislation. With our best power plants turning only 50 percent of the heat units in their coal piles into electric power and our best lamps turning perhaps only one-tenth of that power into useful light, the possibilities we are not using for lack of knowledge are 30 times as great as our best results. Money spent in training and encouraging future Edisons and Brushes is the best investment society can make.

What great difficulties these pioneers of lighting had to overcome. Picture in your mind a little frame building in New Jersey in 1878. This is the laboratory of an unschooled Ohio boy who has just succeeded in making a machine to reproduce the human voice and is now tackling what the scientists of his day have called the impossible problem of creating a small and interchangeable electric lamp. His method was to try every imaginable possibility in search of a filament that could survive the heat of incandescence. Thirty-six hundred experiments failed; he even tried carbonized hairs pulled from the beard of a fellow worker; at last an experiment, suggested by the merest chance, succeeded.

A carbonized filament of bamboo, stripped from a fan dropped carelessly by a lady visitor, supplied the answer. Edison had to wrestle with Nature and compel her to yield her secrets by main force, because he was trying to leap far ahead of the science of his day. Men knew a great deal about electricity, but they knew very little about light production. The modern inventor does not wrestle with Nature; he wooes her like a lover. He can do this because he works from a solid base of scientific knowledge. The effect of this change in strategy has been to speed the pace of invention almost unbelievably. It took the scientists a thousand years to invent the art of writing. It took the men of James Watt's day 100 years to perfect the steam engine. Fifty years after Faraday produced a dynamo in his laboratory Brush took it out and put it to work. Radio needed 11 years from Hertz to Marconi, and the vacuum tube 7 years from Richardson to deForest. Each year the gaps grow shorter, and it is literally true that yesterday's research is today's invention and tomorrow's necessity for living.

The cure of our economic ills depends on our ability to produce more, better, and cheaper goods. We will honor the pioneers not by halting where they laid down their work but by pushing on where they would have gone.

EXECUTIVE SESSION

Mr. ROBINSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

He also, from the Committee on Appropriations, reported favorably the nomination of Howard S. Reed, of Arizona, to be State director of the Public Works Administration in Arizona.

The PRESIDENT pro tempore. The reports will be placed on the Executive Calendar.

If there be no further reports of committees, the clerk will state the first nomination in order on the calendar.

COAST GUARD

The legislative clerk proceeded to read certain nominations for promotions in the Coast Guard.

Mr. ROBINSON. Mr. President, I ask unanimous consent that nominations in the Coast Guard may be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the Coast Guard nominations are confirmed en bloc.

COAST AND GEODETIC SURVEY

The legislative clerk proceeded to read sundry nominations in the Coast and Geodetic Survey.

Mr. ROBINSON. I ask unanimous consent that nominations in the Coast and Geodetic Survey may be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. Mr. President, I ask unanimous consent that nominations of postmasters may be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, it is so ordered. The post-office nominations are confirmed en bloc. That completes the calendar.

ADJOURNMENT TO MONDAY

Mr. ROBINSON. I move that the Senate adjourn until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 1 o'clock and 17 minutes p. m.) the Senate adjourned until Monday, February 15, 1937, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 11, 1937

PROMOTIONS IN THE COAST AND GEODETIC SURVEY

Fair Jones Bryant to be aide (with relative rank of ensign in the Navy).

Charles Wallace Clark to be aide (with relative rank of ensign in the Navy).

John Clifton Tribble, Jr., to be junior hydrographic and geodetic engineer (with relative rank of lieutenant, junior grade, in the Navy).

Samuel Barker Grenell to be hydrographic and geodetic engineer (with relative rank of lieutenant in the Navy).

PROMOTIONS IN THE COAST GUARD OF THE UNITED STATES

Theodore LeBlanc to be chief pharmacist.

Frederick J. Birkett to be commander.

Charles T. Henley, Jr., to be commander (engineering).

Edward F. Palmer to be commander (engineering).

John N. Heiner to be commander (engineering).

Christopher J. Sullivan to be district commander, with the rank of lieutenant commander.

Albert J. Carpenter to be lieutenant (junior grade).

Emmet T. Calahan to be lieutenant (junior grade).

John H. Forney to be lieutenant (junior grade).

Eugene A. Coffin, Jr., to be lieutenant (junior grade).

David O. Reed to be lieutenant (junior grade).

Peter J. Smenton to be lieutenant (junior grade).

Harry E. Davis, Jr., to be lieutenant (junior grade).

Willard J. Smith to be lieutenant (junior grade).

Joseph F. McCue to be lieutenant (junior grade).

Clarence Herbert to be lieutenant(junior grade).

George O. Olson to be lieutenant (junior grade).

Hubert R. Chaffee to be lieutenant (junior grade).

Thomas R. Midtlyng to be lieutenant (junior grade).

John B. Oren to be lieutenant (junior grade).

Joseph Howe to be lieutenant (junior grade).

William W. Childress to be lieutenant (junior grade).

John J. Hutson, Jr., to be lieutenant (junior grade).

Albert E. Harned to be lieutenant (junior grade).

Quentin R. Walsh to be lieutenant (junior grade).

Richard F. Rea to be lieutenant (junior grade).

Louis M. Thayer, Jr., to be lieutenant (junior grade).

George W. Holtzman to be lieutenant (junior grade).

John H. Wagline to be lieutenant (junior grade).

Robert E. McCaffery to be lieutenant (junior grade).

David H. Bartlett to be lieutenant (junior grade).

Vaino O. Johnson to be lieutenant (junior grade).

Warren L. David to be lieutenant (junior grade).

Paul B. Cronk to be lieutenant commander.

Charles B. Arrington to be lieutenant.

Robert T. Alexander to be lieutenant.

Edward A. Eve, Jr., to be lieutenant.

Howard A. Morrison to be lieutenant.

Eric A. Anderson to be lieutenant.

Marion Amos to be lieutenant.

Halmar J. Webb to be lieutenant.

William D. Shields to be lieutenant.

Chester L. Harding to be lieutenant.

Richard E. Morell to be lieutenant.

Clarence C. Paden to be lieutenant commander.

Donald G. Jacobs to be lieutenant commander.

Christopher G. Porcher to be commodore, on the retired list.

John Trebes to be commander.

Lyndon Spencer to be commander.

POSTMASTERS

CONNECTICUT

Joanna Madeline Clifford, Colchester.

Thomas J. Quish, Manchester.

Everett F. Wilson, Mystic.

Joseph M. Halloran, New Britain.

William J. Devine, Norwalk.

FLORIDA

James A. Williams, Alachua.

Thomas West Gary, Bartow.

Osceola Upthegrove, Canal Point.

Thomas C. Cain, Chipley.

John H. Bowman, Coronado Beach.

George W. Shuman, Dunnellon.

Leslie A. Sherouse, Hawthorn.

William J. Bulloch, Monticello.
Sion C. Stalls, Moore Haven.

INDIANA

Ozro Latshaw, Carlisle.
Harry O. Storm, Clay City.
Lucille E. Hoffman, Dyer.
Ethel L. Swihart, Howe.
Sherard Theodore Henry, Lowell.
Herbert G. Shearer, Roanoke.
Michael Edward Callahan, St. Mary-of-the-Woods.
Dawson M. Liggett, Spiceland.

KENTUCKY

Fulton Louis Gosney, Alexandria.
Edna Earl Dees, Calvert City.
Polk L. McGraw, Clay.
Ninion M. Medley, Columbus.
Sanford C. Veatch, Corydon.
John J. Sheehan, La Grange.
Mary R. Meredith, Mammoth Cave.
George M. Beasley, Russellville.

LOUISIANA

George E. Johnson, Boyce.
Texie S. Heard, Converse.
Surry Dupree Hunter, Coushatta.
Mrs. Henry M. Brock, Franklinton.
Leon D. Schilling, Greensburg.
Mary Reynolds Howry, Ida.
James C. Howell, Jackson.
Conrad Bourgeois, Lockport.
Henry J. Smith, Mandeville.
John G. Hewitt, Mansfield.
Emile J. Lefebvre, Plaquemine.
Eugenie M. Daigle, Raceland.
Rosa V. Shipes, St. Francisville.
Dewey W. Payne, Springhill.
Lowery L. Matthews, Vidalia.
Thelma M. Fleming, Westlake.
Edward J. Templet, White Castle.

MICHIGAN

Clair McOmber, Allegan.
Irene Couture, Bruce Crossing.
William W. Wentela, Champion.
Clarence S. Goodrich, Elsie.
Paul E. Bolin, Grand Junction.
Ida Mae Pipp, Kalkaska.
John B. Harrington, L'Anse.
Frank M. Gierke, Sr., Manistique.
Marguerite M. Ryan, Mattawan.
Ethel A. Hruska, Nahma.

NEBRASKA

Robert E. Fenton, Lincoln.

NEW MEXICO

Byron F. Hughes, Eunice.

NORTH CAROLINA

Robert A. Whitaker, Enfield.
Ada G. Badgett, Pilot Mountain.
William R. Holmes, Shallotte.

NORTH DAKOTA

George Knauss, Hannaford.

OHIO

Clayton G. Roshon, Reynoldsburg.

OKLAHOMA

John E. Gwynn, Butler.
Thomas A. Holland, Cushing.
James E. Terrell, Elmore City.
Eddie A. Ratzlaff, Fairview.
Roy L. Knecht, Heavener.
Lafayette F. George, Henryetta.
Herbert H. Wileman, Mangum.
Edwin N. Clow, Mulhall.
Ernest B. Willis, Noble.
Myrtle Lee Autrey, Norman.
Guy E. McClain, Perkins.
Lyle H. Talbert, Shidler.
Carlos E. Shepherd, Stigler.
Hal A. McNutt, Stillwater.
Robert H. Greenlee, Stonewall.
Irvin H. Gist, Texhoma.
William H. Webster, Tuttle.
Charles R. Murphey, Tyrone.
George W. Blair, Yale.

PENNSYLVANIA

George N. Horlacher, Allentown.
John J. McMurray, Brookville.
Stuart H. Hauser, Catasauqua.
Ruberta E. Murphy, Christiana.
Milton M. Brooks, Confluence.
William G. Walker, Coplay.
Margaret M. Wink, Eddington.
Joseph E. Burnside, Emporium.
Daniel J. O'Brien, Everson.
Charles M. McLaughlin, Freeport.
Walter E. Schell, Grindstone.
Michael Moroff, Harmarville.
Dillinger H. Shaffer, Jeannette.
Carl E. Reisch, Lemoyne.
John M. Hartman, Millersville.
Clark Queer, Mount Pleasant.
Michael P. Koomar, Nesquehoning.
Alvah J. Lenox, New Albany.
Horace H. Cornell, Newtown.
J. Alvin Byers, Perryopolis.
Rose W. McDevitt, Saint Benedict.
John Cassidy, Shiremanstown.
Clara C. Braum, West Elizabeth.
Kenneth J. Gaffney, Youngwood.

SOUTH CAROLINA

Carl W. Reeves, Gray Court.
Annie T. Elvington, Nichols.

WISCONSIN

Bertrand E. Sands, Eleva.
Royal E. Reckord, Evansville.
Harris E. Lauber, Glenwood City.
Allen E. Houle, Soperton.
Alfred H. Bernhard, Waupun.
Oscar L. Ringle, Wausau.

HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 11, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Lord and Master, look down and behold from Thy habitation of holiness and restrain not Thy mercy toward us. It is blessed to live, yet it is more blessed to live well, for our works do follow us. We make confession: We need more of the sense of divine; Thy covenant Thou wilt not break. Direct this honorable assembly by Thy counsels and give wisdom to all deliberations; make the path of vision plain. Heavenly Father, help us to stand strong in the might of virtue, intelligence, and in that faith wherewith we are made free.

O God of Israel, sound forth through our land, and may our people live in peace and in contentment because they have heard Thy voice, the music of heaven, which is the message of an all-redeeming Father. In our Savior's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed bills of the

following titles, in which the concurrence of the House is requested:

S. 84. An act to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. Ralph Charles Stuart;

S. 210. An act for the relief of soldiers who were discharged from the Army during the Spanish-American War, the Philippine Insurrection, and the Boxer Uprising because of minority or misrepresentation of age;

S. 296. An act to authorize the award of the Congressional Medal of Honor for distinguished service to Pleas Sanders;

S. 365. An act for the relief of Capt. James W. Darr;

S. 417. An act to extend the period during which direct obligations of the United States may be used as collateral security for Federal Reserve notes;

S. 534. An act granting the consent of Congress to the States of Montana and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River;

S. 601. An act for the relief of Mrs. Jack J. O'Connell;

S. 711. An act to amend an act entitled "An act to establish a Code of Law for the District of Columbia", approved March 3, 1901, as amended, and particularly sections 863, 911, and 914 of the said code;

S. 868. An act for the relief of Marino Ambrogi;

S. 875. An act authorizing the construction of improvements at St. Josephs Harbor, Fla.;

S. 936. An act to regulate the sales of goods in the District of Columbia;

S. 955. An act relative to the military record of Frank I. Otis, deceased;

S. 989. An act to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. Clarence Quinton Pair;

S. 1247. An act to amend the act of June 23, 1936, authorizing the Secretary of War to set apart as a national cemetery certain lands of the Fort Snelling Military Reservation, Minn.; and

S. 1258. An act to authorize the purchase and distribution of products of the fishing industry.

EXTENSION OF REMARKS

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the foreign trade-zone bill, and to include excerpts from a speech made on the same subject by the comptroller of the city of New York.

Mr. RICH. Mr. Speaker, reserving the right to object, how much space will these excerpts take?

Mr. CELLER. About a column and a half.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. VOORHIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a radio address delivered by the gentleman from Texas [Mr. MAVERICK].

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

(Mr. ALLEN of Pennsylvania asked and was given permission to extend his remarks in the RECORD.)

PERMISSION TO ADDRESS THE HOUSE

Mr. BINDERUP. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes on next Tuesday after the reading of the Journal and the disposition of business on the Speaker's table.

Mr. TABER. Mr. Speaker, reserving the right to object, I understand that the Treasury-Post Office appropriation bill is scheduled to come up at that time. I supposed that on occasions when we had general debate on an appropriation bill that Members instead of asking for special orders, were expected to get their time during the debate. I wonder if the gentleman would not do that, if he wants to speak on that day.

Mr. BINDERUP. I am very anxious to comply with all the rules, regulations, and precedents of the House, but I am also very anxious to speak next Tuesday morning if it can possibly be arranged.

Mr. TABER. I think if the gentleman will see the gentleman from Indiana [Mr. LUDLOW] that it can be arranged. The gentleman from Indiana is right here.

Mr. LUDLOW. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. LUDLOW. Mr. Speaker, I have no question but what if the gentleman from Nebraska desires time on the Treasury-Post Office bill it can easily be arranged.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

Mr. TABER. I feel obliged to object under the circumstances.

The SPEAKER. Objection is heard.

Mr. BINDERUP. Mr. Speaker, I withdraw my request.

EXTENSION OF REMARKS

Mr. MAHON of South Carolina. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include therein a resolution passed yesterday by the faculty of the University of South Carolina relating to the late John J. McSwain.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

THE SUPREME COURT OF THE UNITED STATES

The SPEAKER. Under the special order of the House heretofore made, the gentleman from Ohio [Mr. HARLAN] is recognized for 30 minutes.

Mr. HARLAN. Mr. Speaker, those interests that sought defeat of President Roosevelt last November are again on the warpath to wreck his plan for the reorganization of the Federal courts. The volume of their initial howl has undoubtedly frightened the timid and attracted many whose natural inclination is to seek the halcyon days always in the past. The battle cry is: "If you must fortify your New Deal, amend the Constitution; do not pack the courts." Constitutional amendment is proposed because it is almost impossible, needless, and dilatory. Packing the courts is a convenient phrase to crystallize prejudice and escape the necessity of thought. No one is attempting to pack the courts, the real effort being made is to unpack them. To hear these gentlemen with assumed profundity discuss our sacred Constitution and the New Deal program, one would assume that the legislative branch of the Government is embarked upon a campaign of constitutional defiance, and the judicial branch of the Government wholly above human emotion, free from all influence of background, training, and environment, is preserving the document given us by our fathers. Nothing is farther from the truth.

There is no branch of this Government that has attempted to violate the Constitution. The issue between the legislative and the judicial branch of the Government is simply one of the definition of common words in the English language. The Executive is attempting to settle this dispute with as little change in our present machinery as possible. Nothing is advocated by him that the next session of this Congress cannot change. Not a proposal is being made that has not adequate precedent in our history. The problem before him is simply this: Two branches of the Government disagree as to what the constitutional phrase "Commerce among the States" means. The legislative branch contends that it includes all direct steps of production, transportation, and distribution. The judicial branch, at least in its last decision, says that commerce as used in the Constitution means transportation only. The President represents the people. He is their elected official. He was given a mandate by them to carry out the purpose of the New Deal. What should he do under these circumstances? Shall he sit quietly by and watch one branch of the Government exercise an absolute veto over another branch, when he knows that the vetoed branch is carrying out the desires of the people, and the vetoing branch is expressing the ideals of an age that is passed?

The voice of exploitation beseeches us, "Do not destroy the balance of power established in our Government." But

where can one find a balance of power when the two elected divisions of our Government have their purposes wholly frustrated by a third nonelected branch, because of a disagreement over the meaning of the phrase "commerce among the States"?

I am not one of those who believe that Congress should have an absolutely free hand in interpreting the constitutionality of its own laws. The history of this body, combined with my 6 years' experience here, has taught me that the influence of organized lobbies is decidedly too powerful in controlling legislation to permit a Congress wholly unchecked by the judiciary.

Even in England, where the cabinet system makes the operation of lobbies almost an impossibility, and where there is no written constitution to guide the action of Parliament, the House of Lords, which in many respects acts more like a judicial body than as a legislative one, has the power to delay legislation long enough to make its operation or defeat a matter of popular will.

While the courts in France do not exercise a control over their legislative branch directly, they do control the activities of their administrative agencies, which has much the same effect.

But there is a long distance between some reasonable control or veto and the absolute veto exercised by our courts. Yet our courts have taken to themselves this power without constitutional grant, and after 150 years it is too late to change that power by anything less than a constitutional amendment.

Assuming then that judicial veto rightfully exists, the Constitution has expressly given the legislative branch a slight counteracting check on this judicial veto. That check is the power of Congress to control the personnel of the courts, and the number of judges. It is this expressly provided constitutional power that the President asks us to exercise. The check which the courts have on Congress is not provided for in the Constitution. The check which Congress has on the courts is provided for, and those who are fearful of creating an unbalance of power by the exercise of this legislative prerogative, which we have frequently exercised in the past, are speaking, I submit, out of their fear of the dark rather than of any substantial danger.

The failure of the legislative and the judicial branches to agree on this question is no greater than is the disagreement between many of the decisions of the Court itself on the same subject. At the time the National Industrial Recovery Act was passed there was adequate foundation in the decisions of the Supreme Court to establish every provision contained therein, excepting possibly the one delegating power to the President. There were also, of course, adequate decisions coming from the same Court to justify the overthrow of the N. R. A. Prior to the Schechter case, 23 Federal, district, and circuit courts had held the act constitutional; and 25 similar courts had held it unconstitutional. I may add that an overwhelming majority of Democratic Congressmen thought it constitutional and just half of the Republican Congressmen and Senators. In effect, we had two constitutions on this subject, and the decision as to which one of these documents should control our future program rested in the emotional slant, the educational background, and the environment of the individual members of the Supreme Court sitting at the time of the decision.

In the case of *Burns Baking Co.* v. *Bryan* (264 U. S. 533), Justice Brandeis says concerning the Supreme Court's decision setting aside an act of a State regulating the sale of bread:

> To decide, as a fact, that the prohibition of excess weights "is not necessary for the protection of the purchasers against imposition and fraud by short weights", that is "is not calculated to effectuate that purpose", and that it "subjects bakers and sellers of bread" to heavy burdens is, in my opinion, an exercise of the powers of a superlegislature—not the performance of the constitutional function of judicial review.

Again, in the *Standard Oil case* (221 U. S. 1), Justice Harlan comments on the fact that the Court is legislating and not construing law by its so-called rule of reason:

> Now the Court, in accordance with what it denominates the "rule of reason", in effect inserts in the act the word "undue", which means the same as "unreasonable", and thereby makes Congress say what it did not say; what, as I think, it plainly did not intend to say; and what, since the passage of the act, it has explicitly refused to say. It has steadily refused to amend the act so as to tolerate a restraint of interstate commerce even where such restraint could be said to be "reasonable" or "due." In short, the Court now, by judicial legislation, in effect amends an act of Congress. * * *

Justice Holmes, criticizing the doctrine of the Court in the child-labor cases, which was the doctrine relied upon to defeat the N. R. A., says in a dissenting opinion (*Hammer* v. *Dagenhart*, 247 U. S. 251):

> But I had thought that the propriety of the exercise of a power admitted to exist in some cases was for the consideration of Congress alone, and that this Court always had disavowed the right to intrude its judgment upon questions of policy or morals. It is not for this Court to pronounce when prohibition is necessary to regulation, if it ever may be necessary—to say that it is permissible as against strong drink, but not as against the product of ruined lives.

Let us look at some of the remarks of the members of the Supreme Court themselves concerning the attitude and motivation of the Court in declaring congressional acts unconstitutional. In the case of *Pollock* v. *Farmers Loan & Trust Co.* (158 U. S. 601) the Court set aside an income-tax law on the ground that it was unconstitutional. Justice Harlan, dissenting from that decision, said:

> With the policy of legislation of this character (socialism) the Court has nothing to do. That is for the legislative branch of the Government. * * * The safety and permanency of our institutions demand that each department of government shall keep within its legitimate sphere as defined by the supreme law of the land * * * (*Pollock* v. *Farmers Loan & Trust Co.*, 158 U. S. 601, 674).
>
> * * * Is it to be understood that the courts may annul an act of Congress whenever, in their judgment, such legislation is not demanded by any public emergency or pressing necessity? Is a tax on income permissible in time of war but unconstitutional in a time of peace? Is the judiciary to supervise the action of the legislative branch of the government upon questions of public policy? * * * The decree now passed dislocates—principally for reasons of an economic nature—a sovereign power expressly granted to the General Government and long recognized and fully established by judicial decisions and legislative action. It so interprets constitutional provisions, originally designed to protect slave property against oppressive taxation, as to give privileges and immunities never contemplated by the founders of the Government. * * *

Justice Moody, in the *Employers' Liability Cases* (207 U. S. 463), in commenting upon the infallibility of the economic opinions of the Court, says as follows:

> The Court has never exercised the mighty power of declaring the acts of a coordinate branch of the Government void except where there is no possible and sensible construction of the act which is consistent with the fundamental organic law. The presumption that other branches of the Government will restrain themselves within the scope of their authority and the respect which is due to them and their acts admit of no other attitude from this Court. * * * But the economic opinions of the Judges and their views of the requirements of justice and public policy, even when crystallized into well-settled doctrines of law, have no constitutional sanctity. They are binding upon succeeding Judges; but while they may influence, they cannot control legislators. Legislators have their own economic theories, their views of justice and public policy, and their views when embodied in written law must prevail.

The above statement regarding the obligation of the Supreme Court to declare every act of Congress constitutional unless the contrary is shown beyond a reasonable doubt is a repetition of a long line of decisions. Yet we have many cases where three or four judges have declared an act constitutional and the other five or six have said it is unconstitutional. Is such a thing humanly conceivable as that an act of Congress be unconstitutional beyond a reasonable doubt when three or four men, learned in the law and sincere in their work, declare that it is constitutional, reading the same briefs and hearing the same arguments? On their very face such decisions show that the courts are not following their own precedent and that their actions are not motivated by the constitutionality or unconstitutionality of the law but by what the majority conceived to be more for the general welfare of the United States than did the majority of Congress.

Justice Holmes again commenting on the tendency of the Federal Court to override State police power and declaring such decisions to be nothing but the opinion of the Court as to public policy and judicial lawmaking says, in *Tyson* v. *Banton* (273 U. S. 418):

> I think the proper course is to recognize that a State legislature can do whatever it sees fit to do unless it is restrained by some express prohibition in the Constitution of the United States or of the State, and they should be careful not to extend such prohibitions beyond their obvious meaning by reading into them conceptions of public policy that the particular court may happen to entertain.

See also the remarks of Justice Stone in *United States* v. *Butler* (297 U. S. 1):

> Congress and the courts both unhappily may falter or be mistaken in the performance of their constitutional duty. But interpretation of our great charter of government which proceeds on any assumption that the responsibility for the preservation of our institutions is the exclusive concern of any one of the three branches of government, or that it alone can save them from destruction, is far more likely, in the long run, "to obliterate the constituent members" of "an indestructible union of indestructible States" than the frank recognition that language, even of a constitution, may mean what it says—that the power to tax and spend includes the power to relieve a Nation-wide economic maladjustment by conditional gifts of money."

The remarks of Mr. Francis B. Sayre generally supporting the thesis we are considering today to the effect that the decisions of the Court represent their economic ideas rather than profound legal principle are very interesting. They appear in the Survey for May of 1923:

> The gravity of the adverse decision of the United States Supreme Court in the minimum wage case strikes deep. The fundamental principle upon which our constitutional structure was built was that of a government composed of three separate and coordinate departments—the legislative, the executive, and the judicial. Upon a perfect equilibrium between these three our Government was poised; the undue encroachment of any one upon the other endangers all. * * * If the fifth and the fourteenth amendments are to be so interpreted that henceforth legislation is to be declared unconstitutional whenever it is out of accord with the economic and social theories of five members of the Supreme Court, a blow is struck at one of the most fundamental principles of our Government. The legislature then becomes not an independent and supreme body framing policies into law; it becomes subordinate to the Supreme Court, which becomes virtually a house of lords, exercising an actual veto power over such laws as fail to accord with the social theories of five of its members.

What, then, is the present problem before us? Is it one of endangering the Constitution? Or is it one of controlling the emotional slant, the intellectual background and environment of the interpreting branch of the Government? The answer is obvious. There is no objection, of course, to a constitutional amendment, but the proponents of that measure know only too well that such a step is practically impossible, and if possible, would create a delay that would tie the President's hands until we are again in another crash probably more destructive than the last. Certainly it would hold our hands until President Roosevelt is out of office.

For 13 years we have been trying to get the child-labor amendment adopted, an obviously just amendment to protect helpless childhood from the greedy hands of the exploiters, and we have not succeeded. What chance is there against the opposition of all the organized selfishness in this country, to pass through an amendment to protect the hours and working conditions of adult laborers? None at all, and the people who are proposing this method know it full well. They now shout, "Let us proceed by amendment." Before November their cry was, "Do not tinker with the Constitution." If they want to play around with this amendment, no one would object, of course, but during the 15 or 20 years intervening let us see if we cannot do something to improve the emotional make-up of the courts. Let us exercise our present constitutional power. Let us endeavor, if possible, to appoint on that body men whose background has enabled them to think in terms of the common good and general welfare; not predominantly from the vantage point of property rights.

There is no one in this House with a greater respect for our Supreme Court than I. They are all fine men, doing what they conceive to be their public duty, but, even as you and I, they are the product of their environment which, in almost every case, has been many years in the practice of the law representing property rights. When these property rights come into conflict with the rights of human beings to a living wage, or with the rights of a democracy to plan its own economy, their decisions are almost a foregone conclusion, not from any corrupt motives; quite the contrary, from the very highest motives; but their emotions, just like yours and mine, are the outgrowth of their training and experience.

This phrase, "commerce among the States", is one of a group known as the india rubber phrases, because the courts by interpretation have stretched them in about every conceivable direction. Up until 1830, under Chief Justice Marshall, these phrases, when interpreted, were so read as to enlarge the powers of the Federal Government. From that time until 1885, with few minor variations, they were interpreted so as to enlarge the powers of the States. With this newly acquired power, the States then embarked upon a rampage of trust busting and railroad rate legislation, and property rushed to the Federal Government for refuge. Then this Congress, reflecting the popular will, passed the Sherman Anti-Trust Act, and the Supreme Court, true to the emotional background and environment of its members, produced the rule of reason, which, according to Justice Day, was described as a method of judicial lawmaking, and Justice Harlan said that we must now tolerate a "reasonable violation of the law."

From 1885 on about the only judicial consistency that one can find is that the india-rubber phrases have been interpreted to enlarge Federal powers when property was trying to escape State control, and to enlarge State powers when property was trying to avoid the Federal Government.

One of these phrases, warped out of all connection with its original meaning, is "due process of law."

In Hurtado against California a man condemned to death for murder actually complained to the Supreme Court that his trial and prosecution had not been according to the conception of due process of law, as was contemplated by the constitutional fathers. The Court says: "It is too late to deny that they"—the words "due process of law"—"have been given a more extended signification."

Prof. Edwin S. Corwin says:

> The present-day meaning of this phrase is any State law which meets the approval of the Supreme Court.

The late Justice Holmes says that when the Supreme Court attempts to define "due process of law"—

> There is now hardly any limit but the sky.

The interpretation by the courts of these two phrases give us this very interesting result; the State of New York attempts to control the hours and conditions of labor. "Desist", says the Supreme Court, "you are violating the freedom of contract and depriving the employers of this valuable right without due process of law." The Federal Government, in the N. I. R. A., attempted the same thing. Again the Court says, "Desist; you are violating the sacred rights of the States to control their own industry and commerce." Thus, they tell us, the States do not have this right; yet the Federal Government must not violate it.

This Government then is called upon to function in this complex industrial world, where democracies are tottering on all sides, with a great vacuum in its sovereign powers.

Nine million of our citizens are still out of employment. Every 10 years we are experiencing recurring panics, where most of our savings are wiped out, and most of that left corraled into the hands of a few people. Our number of aged dependents is constantly on the increase and yet this Congress is told that we should spend our time for the next 15 years playing with a constitutional amendment that will certainly be opposed by 90 percent of those who are advocating this procedure.

During every period of prosperity the records of our Labor and Revenue Departments show that out of our national income the proportion going to interest, dividends, and administrative salaries has always increased at a very much greater ratio than the income going to wages. For example,

from 1926 to 1929 the dividend and interest fund increased $9,000,000,000. The general wage fund increased one-half billion dollars. The wage fund went almost wholly to purchase the products of industry. A very large part of the interest and dividend fund went by investment to increase our industrial debt, and when this debt became so large that industry could no longer carry it, the crash came.

Without doubt, a very active factor in restoring our present prosperity has been the money distributed by the Government in the form of relief work. This money has gone to increase the wage fund and to maintain parity between that and the interest and dividend income, and ultimately, by taxation, will decrease the dividend fund. In a way, this accomplishes one of the basic purposes of the N. R. A., but who is there that likes the method? Yet if our courts prevent Congress from scientific, economic planning, and if we reject the President's proposal, there is no plan open to us other than to continue our efforts to spend ourselves into prosperity. Nobody likes that, but without it 9,000,000 workers face starvation; and where is there a political party that will ever have the temerity to meet that situation? Governor Landon attempted it in the beginning of his campaign, but before he got through he was outbidding President Roosevelt.

Without Government aid there is no chance of solving the problems of industry that are now confronting us. Labor alone can never solve our problems. Adequate resources and unity of leadership is lacking. Capital cannot accomplish it, because, no matter how public spirited and high minded the great majority of their leaders may be, there are always a few chiselers who, in our era of capitalism and competition, are bound to receive the reward of their own exploiting tactics. Industrialists cannot survive and compete with chiselers. What is needed is for industrial leaders to gather around the table, accept the advice of labor and the help of the Government, and agree among themselves as to proper working conditions and a wage scale that will supply a sufficient fund to keep the industrial machine in operation, providing at the same time a proper return to capital in the nature of administrative salaries, interest, and dividends, so as to reasonably reward investors and at the same time not unduly increase the industrial debt. This was the N. R. A.

The President has aptly said:

> The statute of N. I. R. A. has been outlawed; the problems have not; they are still with us.

There are other effective legislative methods of approach to this problem, but as long as the mental and emotional slant of the Supreme Court is as it is today there is no hope of success. We are not complaining today of the decision of the court in the Schechter case, but we are complaining of the mental attitude of a court which conceives all such efforts to be in violation of what they believe to be the general welfare of the United States. We need a court content to let Congress make the laws. The President's method of approach and solution is the only practical way out. Let us give it a trial, anyway, and if the people by their vote at the next election say they do not like that trial, the next Congress can very quickly change the situation, or Congress can do so without an expressed mandate from the people if they so desire.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. HARLAN. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman his 9 minutes remaining.

Mr. HARLAN. I yield, briefly.

Mr. COX. If I understood the gentleman correctly, he said, in effect, that if this course were adopted, the legislation that has been recommended passed, and if the membership of the Supreme Court should be increased to 15 that the next Congress could undo that and reduce the membership to 9.

Mr. HARLAN. I did not say that.

Mr. COX. The gentleman did not mean that, did he?

Mr. HARLAN. No; I did not say that. In the first place, there is no intention to increase the membership of the Court to 15, except as a possibility.

Mr. COX. Mr. Speaker, will the gentleman yield further?

Mr. HARLAN. Yes.

Mr. COX. Has the gentleman any doubt whatever in his mind but that the membership would be increased to 15?

Mr. HARLAN. I have considerable doubt; very much doubt.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. HARLAN. Yes; for a brief question.

Mr. KNUTSON. If I misunderstood the gentleman I would like to be corrected; but I understood the gentleman to say that if we in this Congress voted to increase the membership of the Supreme Court to 15, or to increase it, and we subsequently found that that was not the thing to do, we could change it in the next session. How are we to get rid of the Justices of the Supreme Court who are appointed in the interim?

Mr. HARLAN. That could not be done. Any judges appointed under this law in the next 2 years would, of course, be there for life, for that is provided by the Constitution.

However, with six of these judges well over 70, if Congress decides that it wants to return to a smaller Court, natural law, without doubt, will shortly remove those men who are over 70 and Congress could refuse to appoint their successors until the number of nine is again reestablished. In ordinary expectation a period of 5 or 6 years would probably suffice, just about long enough to carry out the Roosevelt program.

Mr. KNUTSON. The gentleman, of course, has no idea but what these positions would be filled as soon as Congress grants the necessary power.

Mr. HARLAN. I have very grave doubt about that.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. HARLAN. I have very limited time. I do not want to be unkind, but I do not see how I can yield.

Mr. MICHENER. Just for one question?

Mr. HARLAN. Yes.

Mr. MICHENER. The gentleman stated that there is very grave doubt about filling the positions. I think the gentleman is probably justified in his statement because we were told last June that we needed emergency judges. We passed a bill providing for the appointment of eight. Some of them, of course, have not been appointed yet, although the positions have been available for over a year.

Mr. HARLAN. That is not a question, I would remind the gentleman from Michigan with all due respect; that is a speech.

Mr. COX. Mr. Speaker, will the gentleman yield at that point?

Mr. HARLAN. I cannot yield. I wish I could.

What administration has ever gone into power that has not packed the courts to make them contain men of their own economic slant? When President Taft was in office he jumped over two or three liberals already on the Supreme Court and picked out Justice White to become Chief Justice, because he wanted a man who would decide such a case as the Child Labor case the way he wanted it decided. [Applause.]

When Hoover came into office he attempted to appoint J. J. Parker, but his appointee was rejected by the Senate.

Why did he appoint him? Because he was the type of man that President Hoover wanted. Then he appointed Judge Roberts, one of the outstanding conservatives on the bench, because that is what he wanted. The bench at the present time is largely controlled by men expressing the economic and political desires of Presidents Harding, Hoover, and Coolidge. The two outstanding conservatives are Harding hold-overs. [Applause.]

Mr. Speaker, what good is there in having an election in which the people say they do not want certain economic ideas, in which they say they want the Government to have the power to plan its own economies, and then have those laws set aside by judges speaking for two Presidents that are dead and a third that is politically buried? Does anyone believe that if Landon had been elected last November he would not have packed the Court with appointees of his economic thought?

Mr. COX. Will the gentleman yield?

Mr. HARLAN. I cannot yield at this time. The gentleman from Georgia on the floor yesterday stated:

Why, if this occurs, all of our State rights are going to be taken away.

I would suggest that he read the case of People against Lockner, the Adkins case, and the recent Minnesota Tax case, in which, through an interpretation of the due-process-of-law provision, important rights that the States have to exercise their police and taxing powers when it comes in conflict with property have been set aside by the Supreme Court. [Applause.]

The Constitution or State rights is not in danger in this controversy. It is simply the right of an administration, just as all administrations have done in the past, to have a Supreme Court that will at least be somewhat sympathetic with the policies that administration has submitted to the people and which the people have stated they want put into effect. There is no packing of the Court here. There is nothing revolutionary about it. Why, President Grant packed the Supreme Court with two new judges.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein excerpts from some of these decisions which bear out the remarks which I have made.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the request of the gentleman from Ohio?

Mr. MICHENER. Mr. Speaker, reserving the right to object, may I suggest to the gentleman that he also call attention in his remarks to the fact that President Hoover also appointed Mr. Justice Cardozo?

Mr. HARLAN. I think that was in a moment of mental aberration. That occurred during the closing years of his term when things were slipping pretty badly. He wanted New York against Roosevelt and he wanted to appear liberal. The Court was then safely packed conservative.

Mr. MICHENER. I did not want the gentleman to forget.

Mr. McFARLANE. Mr. Speaker, reserving the right to object, may I suggest to the gentleman that President Hoover appointed Cardozo after the Senate had refused to confirm a gentleman by the name of Parker of the very conservative type of Mr. Hoover, and after the unfavorable reaction to the appointment of Roberts.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HARLAN. My good friend and colleague [Mr. LAMNECK] yesterday in his remarks accused this body of being a rubber-stamp Congress because it followed the leadership of the Executive.

I was in this Congress when it did not follow the leadership of the Executive. It was the last 2 years of the Hoover administration, when 500 lobbies controlled our every act and thwarted every effort that President Hoover made with his feeble powers of leadership to do something to help the country. For the decade prior to that time we were not disturbed by Executive domination. The forces that then told Congress when to jump through the loop were the Anti-Saloon League, the Manufacturers' Association, the United States Chamber of Commerce, and the tariff racketeers.

Who is it that started this phrase of "rubber-stamp Congress" shortly after President Roosevelt took office? It was a motley bunch of grafting, thieving lobbies that had been accustomed to fatten themselves out of Uncle Sam's pockets, and they were very much surprised and frightened when an Executive stepped into power who told them that he was going to take a hand in the Government for a while.

My friend from Ohio has been almost consistently against the program that the President has put through Congress to thwart these interests. He vigorously opposed the reciprocity agreement, and his letter on that subject, wherein he attempted to organize a bloc to tie the President's hands, has frequently been read into the RECORD by the enemies of the administration from the left side of this Hall.

He is absolutely sincere and honest in his efforts and believes the things he is doing are right, just as the conservative judges on the Supreme Court. But when it comes to following leadership, as for me, I would much prefer to follow the leadership of the elected President of the United States, whose constitutional duty it is to advise Congress, than to jump at the behest of the Manufacturers' Association and the tariff grabbers.

Many of the Members of this House who profess to have an undying adoration of our Federal courts supported the Retirement Act yesterday, and contended that that would relieve the pressure for the President's proposal. I cannot conceive it to be possible for any intelligent human being, and especially a lawyer, to express unintentionally that much contempt for the membership of the Federal bench. Those men who are wrecking the program of Congress believe that they are performing a duty for the salvation of their country. They are speaking out of their emotional slant, their educational background, and their environment. Now we say to those men, "You just desist from your crusade of righteousness; Congress is not satisfied with what you have been doing. Just step out of the picture and take your salary and run along."

What would any Member of this body think if some force outside of Congress, dissatisfied with his legislative record, would come to him with the proposition, "Well, now, you just resign from Congress and cut out making yourself objectionable, and we will pay you your salary from here out." There are none of us venal enough to be affected by such a proposition, and it is my prophecy that none of the judges who now conceived themselves to be holding the New Deal in check will do anything else than continue on their jobs until they are called by the Angel Gabriel. [Applause.]

[Here the gavel fell.]

The SPEAKER pro tempore. Under a special order heretofore entered, the gentleman from Michigan [Mr. HOFFMAN] was to be recognized for 25 minutes, but he has informed the Chair he does not now desire to occupy that time.

Under a further special order previously entered the gentleman from Illinois [Mr. MASON] is recognized for 20 minutes.

Mr. MASON. Mr. Speaker, perhaps in beginning my maiden speech in this House we should come to a distinct understanding that limited time is precious time, and therefore I do not care to be interrupted during my remarks, and will not yield.

Kipling in his Law of the Jungle gave this excellent advice to the wolf cub:

When Pack meets Pack in the Jungle
And neither will go from the trail,
Lie down till the leaders have spoken—
It may be fair words shall prevail.

As a new Member of Congress I have tried to keep that advice in mind because I felt it was applicable to me, a cub lost amid the trails, the bypaths, and the rules of this congressional jungle.

Our leaders on both sides of the aisle have spoken. The gage of battle has been thrown down. Fair words are not going to prevail, and therefore each cub in this jungle should be prepared to support his leaders with every ounce of power and skill he may possess.

I had intended, and had prepared to speak on the subject Economic Royalists Versus Labor Royalists. I had prepared to show that labor royalists today are much more inimical and dangerous to the interest and welfare of organized labor itself, as well as the general welfare of the people, than economic royalists. I had intended to show that John L. Lewis is the greatest labor royalist in the country today, which, in the words of the street, means labor racketeer, and that as such he is much more dangerous and inimical to the interest of labor than all the economic royalists put together, on the basis that enemies within are more dangerous than enemies without.

I had intended to point out that the historic statement, "United we stand, divided we fall", is peculiarly applicable to labor in this day and age.

Mr. FLETCHER. Mr. Speaker, does the gentleman mean to say that John L. Lewis is a racketeer?

The SPEAKER pro tempore (Mr. COOPER). The gentleman from Illinois announced at the beginning of his remarks that he would decline to yield and the Chair hopes that all Members will bear in mind the gentleman's request.

Mr. MASON. Any man who will divide the ranks of labor into two hostile camps is not a friend of labor and is not the kind of leader that labor should follow in this day and age. However, Mr. Speaker, when the President's message on the reorganization of the courts came before us like a bolt out of a clear sky, I pushed aside my labor speech and I decided to speak upon the subject, America at the Crossroads, or, if you prefer, Congress on the Spot.

The President's message has thrown into the lap of Congress the greatest, the most fundamental question that Congress has had to face since the Civil War. His message places before Congress a choice between two paths. Shall we follow the path that was blazed by our ancestors, the path that we have followed for 150 years, the path that has led forward to a greater progress and a higher standard of living for the American people than any other nation enjoys, the path that has insured freedom of speech, freedom of the press, freedom of religion, and has given greater opportunities to our people than any other nation has offered; and I can safely say that without these opportunities the great majority of the Members here would not be here.

The other alternative being, shall we turn directly to the left, shall we follow the path that the Italians and the Germans are following today in their countries, shall we follow the path that means centralized government in the hands of one man with a subservient legislative body and a subservient judicial body? This is the path that is the alternative. Ultimately, this path must in the process of time, rob us of all the liberties that we as Americans enjoy and cherish so much.

This is the decision that is before the Congress as a result of this message. No wonder I say, "America at the crossroads—Congress on the spot."

If we pass this tailor-made bill that accompanied the President's message, we will be doing two things:

First, we will be announcing to the world that the Congress of the United States continues to be subservient to and controlled by the Executive, and, second, we will be forcing the Supreme Court to bow its neck to the yoke of the Executive.

Now, Mr. Speaker, in the debates I have listened to since coming to this Congress I have noticed two schools of thought concerning the Constitution and what should be done about it that have been coming constantly into head-on collision. These schools of thought do not differ much, if any, as to what needs to be done, but they differ definitely as to how to go about it.

Mr. FORD of California. Mr. Speaker, will the gentleman yield for a question?

Mr. MASON. The one school of thought, led by the President, considers our Constitution has become a strait jacket that prevents the Government from doing what is necessary to be done in this day and age, a strait jacket that will not allow the Congress or the Executive to pass legislation and put it into effect to take care properly of the complicated industrial situation of the society that we live in, and this school of thought proposes the following plan for amending or enlarging or expanding the Constitution to meet the present-day needs. This is the plan:

First, the President shall recommend to the Congress necessary legislation regardless of whether it conforms to the plain provisions of the Constitution, if, in his judgment, it is within the spirit of the Constitution.

Second, the Congress shall, when it receives such legislation and such recommendation from the President, hold in abeyance its own judgment in the matter, shall ignore the plain provisions of the Constitution, shall accept the judgment of the President as to the spirit of the Constitution, and then shall pass the legislation.

Third, the Supreme Court, in its turn, shall ignore the plain provisions of the Constitution; shall look to and be guided by the general welfare of the people; shall even take into consideration the vote that was cast at the last general election; and then, in view of those things, shall place its stamp of approval upon the legislation, regardless of the constitutional questions that may arise because, in the opinion of one man, it comes within the spirit of the Constitution.

This, stripped of all the wonderful phraseology, is the plan that confronts us today.

The other school of thought contends that the Constitution is the supreme law of the land; that it is, if you please, a set of bylaws adopted by the people, after due deliberation and debate, that shall direct, shall guide, shall control, yes, and shall limit, the actions of each of the three branches of the Government.

This school of thought contends that whenever the Executive or the Congress shall decide that the Constitution is not flexible enough to meet present-day needs, then it is the duty of the Congress to submit a resolution to amend to the people for their consideration and their action.

This school of thought insists that the power to amend the Constitution is inherent in the people and cannot be exercised by any branch of the Government.

This position was wonderfully well set forth a week or so ago by the gentleman from Georgia [Mr. COX], who in a magnificent and scholarly address pointed out clearly, to my mind, how absurd it would be for Congress or for the Executive or for the Supreme Court, or for all three put together, for that matter, to amend the Constitution by evasion or subterfuge. That would mean assuming powers they do not possess. It would mean setting themselves up above and supreme to both the Constitution and the people.

This position was admirably well expressed again yesterday by the gentleman from Ohio [Mr. LAMNECK] in an extended address both scholarly and masterful.

Our President is a popular leader. Our President is a colorful leader. Our President is a dynamic leader. [Applause.] Our President is a great leader. [Applause.] And as such he is entitled to the loyal support and the intelligent cooperation—with the accent on intelligent—of the Members of the majority party in Congress.

As such he is also entitled to the intelligent cooperation—with the accent still on intelligent—and to the friendly criticism of the minority Members of Congress.

Personally, I stand ready to the best of my ability to give the President that kind of cooperation and that kind of criticism.

But I am not ready to say—paraphrasing Stephen Decatur—I am not ready to say, "My President, may he always be right; but right or wrong, my President."

I consider that statement epitomizes the attitude of some Members of Congress.

I want, in the face of this tremendous decision that we must make, to remind you of the words of Thomas Paine, uttered 150 years ago, during the first great national crisis, a crisis that made necessary the Constitutional Convention, which after much labor and travail produced the greatest charter of human liberty this world has ever known, our Federal Constitution. Listen to the words of Paine:

> These are times that try men's souls. The summer soldier and the sunshine patriot will in this crisis shrink from his duty, but he that stands it now deserves the love and praise of men and women.

Pray God, that the majority on both sides of this aisle shall not be summer soldiers or sunshine patriots when the time comes to make our decision.

Mr. Speaker, in conclusion I wish to leave with the Members of Congress this word picture. It is a picture of Andy Jackson, one of the greatest Democrats that ever lived—a real American; a southern gentleman; a man's man if there ever was one. In some respects, in many respects, the occupant of the White House today is like unto Andy Jackson. In one respect he is altogether different from Andy Jackson. The scene is a banquet hall, a banquet that has been prepared by Jackson's friends, his neighbors, and his political associates. Many toasts have been proposed and drunk, all

leading in one direction. The psychological moment has arrived. Jackson is invited to propose a toast. Jackson stands. Stretching that tall, gaunt, fever-wracked form to its fullest height, he pauses. In front of him are the friends of his lifetime, his neighbors, the men whose political principles have always been his. The men in front of him have their heartstrings wrapped around the same things that his heartstrings are wrapped around, and Jackson holds up his glass and says:

Gentlemen, our Federal Union; it must be preserved.

Mr. Speaker, from the letters coming to Members of Congress, and telegrams from all over this great land of ours today—north and south, east and west—I am convinced that from pulpit, from banquet halls, from legislative halls, from the streets, figuratively speaking, the patriots of this Nation of both parties are proposing and drinking to the great toast "Our Federal Constitution; it must be preserved." [Applause.] That is our task.

Mr. O'CONNOR of Montana. Mr. Speaker, will the gentleman yield?

Mr. MASON. I yield for a question.

Mr. O'CONNOR of Montana. Will the gentleman kindly inform Members of the House what constitutional provision would be violated were the Members of the Congress to increase the number of Justices on the Supreme Court?

Mr. MASON. I shall answer that in this way, that no constitutional provision will be violated by this Congress acting upon the proposal that the President has placed before us, but it is not a constitutional question involved there. It is the question of the supremacy, it is the question of the independence, it is the question of our whole form of government being at stake. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

EXCISE TAX ON CARRIERS

Mr. DOUGHTON, from the Committee on Ways and Means, presented a privileged report on House Joint Resolution 212, to amend an act entitled "An act to levy an excise tax upon carriers and an income tax upon their employees, and for other purposes", approved August 29, 1935, which was referred to the Union Calendar and ordered printed.

RESOLUTION OF GENERAL ASSEMBLY, CONNECTICUT

Mr. PHILLIPS. Mr. Speaker, I ask unanimous consent to address the House for 7 minutes and to read into the RECORD a message from the General Assembly of the State of Connecticut.

The SPEAKER pro tempore. The gentleman from Connecticut asks unanimous consent to proceed for 7 minutes, and to read a message from the General Assembly of the State of Connecticut. Is there objection?

There was no objection.

Mr. PHILLIPS. Mr. Speaker and Members of the House of Representatives, I received the following letter today with the attached communication from the Secretary of State of the State of Connecticut, together with the enclosures, which read as follows:

STATE OF CONNECTICUT,
SECRETARY'S OFFICE,
Hartford, February 10, 1937.

Hon. ALFRED N. PHILLIPS, Jr., M. C.,
House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN: Pursuant to House Resolution No. 30, I am enclosing herewith certified copy of same.

Copies of House Journal for February 9 have been forwarded for your convenience.

Very truly yours,

C. JOHN SATTI, *Secretary.*
By J. WALTER DARLEY,
Deputy Secretary.

Resolution concerning the proposed change in the Supreme Court

Resolved by this house, That we urge the Senators and Representatives of Connecticut, the Constitution State, in the Congress of the United States to oppose the astounding proposal of the President of the United States with regard to the United States Supreme Court. The adoption of the President's plan would make the Court subservient to the will of the Executive.

The life of the Federal Government is threatened by anything which tends to break down the independence of any of the three great departments—executive, legislative, and judicial.

The Declaration of Independence itself puts forth as a prominent grievance justifying the Revolution the subservience of judges to the British Crown.

An independent judiciary is the sole protector of the people against illegal or unconstitutional acts. Whatever attacks that strikes against the very citadel of popular liberty and the temple of private justice.

We look to our Senators and Representatives in Congress to keep faith and to "preserve, protect, and defend the Constitution of the United States"; be it further

Resolved, That the secretary of state is directed to immediately send a certified copy of this resolution to each Senator and Representative in the Congress of the United States from Connecticut.

Mr. Speaker, ladies and gentlemen, regarding the vote of the Connecticut House of Representatives against the President's court reorganization proposal (Feb. 9, 1937), the vote was, with three exceptions, on a strictly partisan basis.

I wish to point out that under our "rotten borough system" of apportionment in the Connecticut House of Representatives 167 Republican representatives represent 368,833 citizens, whereas the Democratic minority of 100 representatives represent 1,212,265 citizens. In this connection allow me to present a few interesting and, in my humble opinion, odious comparisons. The city of Hartford, with a population of 164,072, has two representatives in the lower house, whereas the town of Hartland, with a population of 296, also has two representatives. I wish further to point out that the Hartland representatives are as influential and have equal privileges with the Hartford representatives. If we add the two members representing the town of Granby, which has a population of 1,388, these two delegations can outvote populous Hartford by a ratio of 2 to 1. Let us go down through the other counties—seven—in the State. New Haven, with a population of 162,655, has two representatives, as has Guilford, with 3,117 inhabitants. These two towns are in New Haven County. In New London County the city of New London, with a population of 29,640, has the same representation in the lower house as the town of Lyme, with 546 people. In Fairfield, my own county, and congressional district, Bridgeport, with a population of 146,716, and Stamford, my native town, with a population of 56,765, have two representatives each, whereas the beautiful but comparatively small towns of Redding, with 1,599 inhabitants, and Newtown, with 2,635, also have two representatives each. In Windham County the town of Windham has a population of 13,773 and two representatives. Little Canterbury, in the same county, with a population of 942, also has two representatives. In Litchfield County, Torrington, with 26,040 inhabitants, and Colebrook, with 564 people, and Goshen, with 683 people, all three have two representatives each. In Middlesex County, the county seat of Middletown has a population of 24,554 and two representatives, whereas the near-by small community of Killingworth, with a population of 482 souls, also has two representatives. Vernon, in Tolland County, has 8,703 people and two representatives; while Union, the smallest town in Connecticut, numbering within its borders 196 souls, also has two representatives. In every instance legislators representing the larger communities are Democrats and those representing the smaller communities are Republicans.

Listed statistically, the table is as follows:

County	Representation, lower house			
	Republicans		Democrats	
	Legislators	Population	Legislators	Population
Hartford	20	71,325	27	349,775
New Haven	22	66,286	19	371,355
New London	21	42,859	10	76,107
Fairfield	26	101,525	11	285,177
Windham	12	12,391	12	41,695
Litchfield	38	49,893	5	32,603
Middlesex	14	14,641	8	36,747
Tolland	14	9,913	8	18,746
Total	167	368,833	100	1,212,265

It is quite apparent from the foregoing that while the President's recommendations to improve the efficiency of all

the Federal courts failed to win the approval of the majority of representatives in the lower Connecticut House, those voting in favor of our President's recommendations represent over 1,200,000 of the people of my State, whereas the partisan opposition represents less than 400,000 of my fellow citizens. [Applause.]

Mr. KOPPLEMANN. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. Yes.

Mr. KOPPLEMANN. Does the gentleman from Connecticut have the vote of the Senate of the State of Connecticut on that proposition?

Mr. PHILLIPS. No; I have not.

Mr. KOPPLEMANN. I am wondering by what reason the lower branch of the Connecticut Legislature sent the vote, but did not send any reflection of the attitude of the other body, which is a Democratic body.

Mr. PHILLIPS. Mr. Speaker, answering the question, I assume from my study of this matter at long range that it is purely a partisan action on the part of the Republican Assembly of the State of Connecticut, directed against the proposals of the President of the United States. The gentleman from Connecticut very well points out that the senate in Connecticut is a Democratic body, by political control, and we have heard nothing from the Senate of the State of Connecticut in opposition to the plan of the President of the United States.

The SPEAKER pro tempore. The time of the gentleman from Connecticut has expired.

THE RECORD

Mr. O'CONNOR of New York. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. O'CONNOR of New York. Mr. Speaker, the remarks made by the gentleman from Connecticut [Mr. PHILLIPS] cause me to make these few remarks:

There has grown up a custom in this House of filling the RECORD with resolutions and memorials adopted by State legislatures. There is a definite method, under the rules, by which they can be inserted or recorded in the RECORD, by merely filing them with an attached slip and not having them printed in full.

During the last Congress the legislature of one State in particular seemed to pass a few every day. How that legislature ever attended to the business of its own State was of some concern to some of us. Of course, we like to hear from these State legislatures. We like to have them take an interest in national affairs. Some of us have been members of those august bodies. We like to have the members come down and see how we operate once in a while. But if there is to grow up a practice of inserting at length or reading from the floor ideas and conceptions at long range, without having the problem before them that these legislatures have in mind, perhaps we will be doing nothing, like some of them appear to be doing. Surely in these times the State legislatures have plenty to do in taking care of their own people and their own problems. [Applause.] A part of our problem has been because they either have not taken care of their own people or were unable to do so, and they have been knocking at our doors for years to take care of the people back in their own States, interfere with their State prerogatives, and then in the next breath we get from them an elaborate, gold-sealed memorial as to what we should do here. We will hear more of these.

I read in the newspapers of other States which are going to decide this problem which is before us and which is not yet conceived. On whichever side of this great question which we have not yet gone into, these legislatures shall stand, may be interesting reading back home in their own Commonwealths, but I submit to them that some people here, eliminating myself, may feel fairly competent to handle this great problem and to arrive at some conclusion, perhaps not on one side or the other side, as it is being discussed today. Perhaps some compromise may be worked out. In the interim, I respectfully suggest to the great legislatures of the 48 States—we may hear from the Territories later—that if they want to mail a memorial to us it will be heartily received, and if some stalwart representative from that State desires to drop it in the hopper, he may do so; but if I am on the floor I am going to be bold enough from now on to object to the insertion in full or reading from the floor of any gratuitous memorial from any one of the great 48 States of the Union. [Applause.]

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR of New York. I yield.

Mr. RICH. I was going to ask the gentleman, since he has served in a legislature, what improvement Congress is over the various State legislatures?

Mr. O'CONNOR of New York. Why, this is the greatest deliberative body in the world [applause and laughter], accent on the "deliberative" part, and I hope we have deliberation on some of the questions which are before us now. [Applause.]

Mr. RICH. I hope so, too.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. O'CONNOR of Montana rose.

The SPEAKER pro tempore. For what purpose does the gentleman from Montana rise?

Mr. O'CONNOR of Montana. In a way, Mr. Speaker, it is a question of personal privilege on account of some remarks made by the gentleman yesterday morning concerning new Members of the House, but I wish to ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, may we have an understanding about this. There is one Member on the Republican side who would like to have 5 minutes after the gentleman from Montana concludes. If we are not going to transact any business, I will not object, but otherwise I would like our Republican friend to have the same chance, too.

Mr. O'CONNOR of Montana. I will not object.

Mr. STEAGALL. Mr. Speaker, reserving the right to object, there is a special order here. As far as I am personally concerned, I do not care, but it involves the convenience of Members who relied upon action under the special order at this time. For that reason, I hope the gentleman will defer his request until the special orders are out of the way, and then I certainly will not object.

Mr. O'CONNOR of Montana. Mr. Speaker, I withdraw the request at the present time.

GUARANTY OF DEBENTURES ISSUED BY FEDERAL HOUSING ADMINISTRATION

Mr. GREENWOOD. Mr. Speaker, I call up House Resolution 113, and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 113

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of House Joint Resolution 127, a joint resolution to extend for a period of 2 years the guaranty by the United States of debentures issued by the Federal Housing Administration. That after general debate, which shall be confined to the joint resolution and shall continue not to exceed one-half hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the joint resolution for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

Mr. GREENWOOD. Mr. Speaker, this is a resolution from the Committee on Rules, providing for the consideration of House Joint Resolution 127, to extend for the period of 2 years the guaranty by the United States of the debentures outstanding by the Federal Housing Administration.

Under the Federal Housing Act the guaranty of these debentures would expire the 1st of next July. The Department

is of the opinion that it has not been in operation long enough to fulfill all of the demands and necessities of the Federal Housing Act, and it should be extended for 2 years in order to promote the activities of the Federal Housing Administration and carry it on with the full guaranty of these debentures in order to still further extend the program and to take care of the loans that have already been made. As far as I know, there is no objection whatever on the part of anyone to the extension of this guaranty under this resolution. The Department desires it. The Senate has already passed it. It has been reported from the Committee on Banking and Currency, as I understand, unanimously.

We are asking unanimous consent to substitute the Senate resolution for the House resolution, because there is a difference of date, the House resolution having said June 30, whereas the Senate resolution makes it July 1, which they have concluded is the correct date.

Mr. Speaker, I ask unanimous consent to amend the rule by striking out, in line 4, "H. J. Res. 127" and inserting in lieu thereof "S. J. Res. 38", substituting the Senate resolution for the House resolution.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object; as I understand, there is no material difference between these resolutions.

Mr. GREENWOOD. There is no difference whatever except the matter of the date, and the committee concluded that the Senate resolution making the date July 1 provided the correct date to have in the resolution.

Mr. MARTIN of Massachusetts. Mr. Speaker, I have no objection to the request.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. GREENWOOD. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. STEAGALL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of Senate Joint Resolution 38, to extend for a period of 2 years the guaranty by the United States of debentures issued by the Federal Housing Administrator.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of Senate Joint Resolution 38, to extend for a period of 2 years the guaranty by the United States of debentures issued by the Federal Housing Administrator, with Mr. LEWIS of Colorado in the chair.

The Clerk read the title of the Senate joint resolution.

By unanimous consent, the first reading of the joint resolution was dispensed with.

Mr. STEAGALL. Mr. Chairman, this is a resolution that extends for 2 years the time within which the Housing Administration may insure debentures that are exchanged for insured mortgages that are foreclosed.

Mr. Chairman, the purpose of taking care of these foreclosures by the substitution of debentures for cash is to economize in the matter of the actual money required in these transactions. The Mutual Insurance Corporation fund was only $10,000,000 as originally provided, although it now has grown to $15,000,000.

Only 12 properties have been taken over and, of these, 3 have been finally disposed of. Taking the three transactions as a whole there has been no substantial loss. Operations have extended over a period of nearly 2 years. It is desired that this extension be granted now. Authority exists for insuring these debentures on any mortgages that are insured prior to the 1st day of July 1937; but contracts for construction are constantly being made and negotiated, and unless this authority is extended there will be interference with business now under negotiation and curtailment of activities that have been under way.

This resolution comes before the House with the unanimous report of the Committee on Banking and Currency. It simply renews and extends legislation which the Congress has formally passed and which has been in operation very satisfactorily for nearly 2 years.

Mr. Chairman, I feel that I should not take the time of the House in any extended discussion of the resolution.

Mr. TABER. Mr. Chairman, will the gentleman yield for a question?

Mr. STEAGALL. Certainly.

Mr. TABER. As I understand it, the procedure through which these debentures are issued is something like this—and if I am wrong I wish to be corrected: If a default is made by the mortgagor and foreclosure has to be made, the Federal Housing Administration takes over the property and issues debentures.

Mr. STEAGALL. That is right; debentures that are guaranteed by the Government.

Mr. TABER. Guaranteed to the mortgagee.

Mr. STEAGALL. That is right.

Mr. TABER. And these debentures are a liability of the Government.

Mr. STEAGALL. That is right; they are guaranteed by the Government. The fund now amounts to $15,000,000, but in case the fund should be exhausted these debentures stand guaranteed by the Treasury of the United States for the time indicated in the resolution.

Mr. TABER. And any of them that are issued in exchange for mortgages insured prior to June 30, 1939, would be fully guaranteed as to principal and interest by the United States.

Mr. STEAGALL. That is the debentures?

Mr. TABER. Yes; any of those debentures.

Mr. STEAGALL. That is right.

Mr. TABER. Is there a recovery to the Federal Government out of this?

Mr. STEAGALL. Oh, absolutely. Down to this time the original fund of $10,000,000 which was supplied to the Mutual Mortgage Corporation has been increased to $15,000,000. Only 12 properties have been taken over and there have been but three completed foreclosures. Taking these three foreclosures together there is no substantial loss.

Only $37,000 of debentures are now outstanding after operating nearly 2 years. In this connection I may say that $637,000,000 has been insured under this title.

Mr. TABER. Guaranteed?

Mr. STEAGALL. Insured under this title—insured or approved under applications pending.

Mr. TABER. What I was trying to get at particularly is this: Are these items cleaned up, as a general rule, when these debentures are issued—that is, is the liability of the fund or the Government finally determined when these debentures are issued, or is it still contingent upon recovery—that is, is there a sale of the property under foreclosure, and following that a definite loss established which the mortgagee sustains?

Mr. STEAGALL. Absolutely.

Mr. TABER. And the amount of the loss is covered by debentures guaranteed by the Government?

Mr. STEAGALL. The mortgagee proceeds in the regular way, forecloses the mortgage and ascertains all that is due under it; and then the fund takes care of the entire obligation to the mortgagee and takes over the property. They have taken over three properties, down to this time, as I have indicated, with the results stated.

Mr. TABER. My reaction to it is whether it would not be better policy to pay out of this $15,000,000 the established losses instead of issuing debentures.

Mr. STEAGALL. Probably, as operations have been conducted, and from the results that have been attained down to this time, that might be true; but, of course, we are undertaking to anticipate possibilities. In view of the fact the fund is very small it was regarded as better to take care of any debentures by a Government guaranty, which makes it the same as cash and prevents any possible exhaustion of the fund. These debentures are only outstanding for 3 years.

Mr. TABER. I understand that; but that does make it an exceedingly involved system of accounting, and does it not create a situation in which it is exceedingly difficult to determine the fiscal position of the Government?

Mr. STEAGALL. No.

Mr. TABER. Would it not be better for these people to come to Congress and receive the funds that are required to meet these losses rather than go about it in the way sought here?

Mr. STEAGALL. There is no difficulty in keeping the accounts in these transactions; the record shows this to be true. The reason for the substitution of debentures for cash is because the established fund was only $10,000,000, and no one could tell how much cash would be required. Naturally it was the desire to use as little as possible. The results down to this time show the cash supply has been more than sufficient to take care of any purchases under mortgages foreclosed; but for the time being and until we see how it works out further, we think it is better to use debentures, and as this fund increases if our experience is the same, unquestionably it will only be a short time until the debentures may be abandoned and cash used to take care of foreclosures.

Mr. TABER. How long has this been running?

Mr. STEAGALL. About a year and a half or nearly 2 years. I cannot give exact dates.

Mr. TABER. With that experience and with only 37,000 of these outstanding it would seem to me that experience has already established it would be better tactics to go ahead and pay cash and have the obligations written off.

Mr. STEAGALL. As soon as it develops that this experience is an adequate safeguard for the future, undoubtedly the plan which the gentleman has in mind will be adopted.

Mr. COCHRAN. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Missouri.

Mr. COCHRAN. I am receiving many letters in reference to title I of the Housing Act. Does the passage of this bill mean title I will not be extended?

Mr. STEAGALL. May I say title I is not involved in this proposition. This relates to the extension of time in which the Government may guarantee debentures that are exchanged for property foreclosed under insured mortgages.

Mr. COCHRAN. Will another bill be presented which will give us an opportunity to consider the other matters, including title I.

Mr. STEAGALL. I think I can assure the gentleman that legislation will be brought in at not too distant a day that will open up the questions which the gentleman has in mind.

Mr. COCHRAN. With that explanation I am satisfied. I hope, however, that the legislation will soon be considered.

Mr. BIERMANN. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Iowa.

Mr. BIERMANN. Did I understand the gentleman to say that when a property is foreclosed, the F. H. A. issues debentures to cover the entire amount of the mortgage?

Mr. STEAGALL. This is the mutual insurance fund. They issue debentures which discharge the obligation on the mortgage in full to the mortgagee. The property is taken over, and then, of course, is disposed of in the best possible way.

Mr. BIERMANN. The F. H. A. insures only to the extent of 20 percent?

Mr. STEAGALL. It insures to the extent of 80 percent of the value of the property.

Mr. BIERMANN. That is news to me. I thought the F. H. A. insured to only 20 percent of the value.

Mr. STEAGALL. That is under title I. This is title II.

Mr. BIERMANN. If the F. H. A. insures to the extent of 80 percent of the value, what becomes of the other 20 percent?

Mr. STEAGALL. The mortgagor is supposed to have some equity and some margin of value to begin with.

Mr. BIERMANN. When the property is disposed of, how are the proceeds divided?

Mr. STEAGALL. The proceeds are turned over to the mortgagee and whatever is left goes back to the mortgagor for his equity.

Mr. BIERMANN. The mortgagee is reimbursed up to the extent of 80 percent?

Mr. STEAGALL. The mortgagee gets all his money; that is what his mortgage calls for. He is reimbursed by delivery of the debentures.

Mr. BIERMANN. Suppose the mortgaged property brought only 70 percent of the amount of the mortgage; then the mortgagee would get that 70 percent and 10 percent more?

Mr. STEAGALL. That is all he can get.

Mr. WILLIAMS. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Missouri.

Mr. WILLIAMS. The gentleman from Iowa is evidently confused about the 80 percent. That 80 percent is 80 percent of the value of the property on which the mortgage is issued, not the mortgage. The mortgage itself is insured in full. Is that clear?

Mr. BIERMANN. Yes.

Mr. WILLIAMS. The 80 percent refers to 80 percent of the appraised value of the property on which the mortgage is given.

Mr. BIERMANN. If a bank issued a mortgage to the extent of 85 percent of the value of the mortgaged property, then the additional 5 percent is not included?

Mr. WILLIAMS. It would not be eligible for insurance.

Mr. BIERMANN. They could not insure that at all?

Mr. WILLIAMS. No; they are limited to 80 percent of the value of the property on which the mortgage is given.

Mr. MARTIN of Colorado. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield.

Mr. MARTIN of Colorado. May I say to the gentleman from Alabama that there is a great deal of interest in my State in behalf of the extension of title I. I have received a good many letters about it and I have been informed by two or three Members from other States during the last few minutes that the same interest is manifested in their States favoring the extension of title I.

Mr. STEAGALL. Of course, this legislation relates only to title II, but as I stated to the gentleman from Missouri, I am confident there is going to be further housing legislation dealing with the matter in a broad way before the session ends.

Mr. FERGUSON. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield.

Mr. FERGUSON. As I understand it, the main reason for the success of this legislation has been the fact that the banks are insured a rediscounting agency in case during the long life of the loan they get in a position where they have to cash in the loan. This keeps them in a liquid condition, and what I want to know is this: When the time expires on the issuance of these debentures and, for instance, if Congress were to refuse to extend this power and they should dip into their cash reserve and exhaust it, is that the extent of the liability of the Federal Government on the guaranteeing of these loans?

Mr. STEAGALL. As to the guaranteeing of debentures, that would be the limit.

Mr. WOLCOTT. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. WHITE], and ask unanimous consent that the gentleman from Ohio may be allowed to proceed for the 5 minutes out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WHITE of Ohio. Mr. Chairman, I appreciate this opportunity to proceed out of order for a few minutes for the purpose of paying a brief tribute to the memory of Thomas A. Edison.

About 15 or 20 minutes before I came over I received a telegram, which might be classified as a memorial from

another legislature, but hardly of the same kind as referred to a few moments ago by the gentleman from New York [Mr. O'CONNOR]. This was an advice to the effect that the Ohio Legislature had taken action designating February 11 as National Inventors' Day in the Buckeye State. They have chosen February 11 because this is the anniversary of the birth of probably the greatest inventor of all times—Thomas A Edison.

I must at this point express acknowledgment of the activity and interest in work along this line by the gentleman from West Virginia [Mr. RANDOLPH] and my colleague the gentleman from Ohio [Mr. FLETCHER].

During the Revolutionary War the British General Tryon and the traitor Benedict Arnold conducted a series of raids in the State of Connecticut and set fire to many colonial homes. As a result of the fire losses, and to indemnify the property owners, the Continental Congress awarded a half million acres of land in the Ohio western reserve, which became known as the "fire sufferers' land." These half million acres comprise what is today the counties of Huron and Erie and one or two other townships in the northern part of the State. In this community, with this typical American background, is the little town of Milan, Ohio, just 4 miles from my home. Many of you possibly have driven through this town. If you have, it would probably be difficult for you to realize today, as you gaze upon this peaceful, beautiful little village of 695 inhabitants, that it was once the second largest grain-shipping center in the world, second only to Odessa, Russia. In this village there was born just 90 years ago this great American figure, Thomas A. Edison.

It seems to me very appropriate that in view of the action taken by the Ohio Legislature in making this birthday of Thomas A. Edison National Inventors' Day in that State and in view of the services rendered by this great American citizen to the progress and advancement of civilization, not only in America but throughout the world, that some remarks be made on the floor of the House in recognition of the day.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. WHITE of Ohio. A similar step is being taken in the Senate today by Senator ROBERT J. BULKLEY. I think most of us are familiar with the work accomplished by Edison, but it was rather interesting to me, as familiar as I thought I was with it, living just 3 or 4 miles from the place of his birth, to note some of the things had escaped my mind.

In glancing over this list I would like to mention quickly a few of them.

Edison invented the typewriter which is today known as the Remington. He invented the quadruple telegraph repeater for simultaneously dispatching several messages over a single wire. He invented the device which became known as the mimeograph. He invented the talking machine, the electric dynamo, the ore separator, the electric locomotive, the railway signal system, the process for making plate glass, the camera which makes possible motion pictures, the process for constructing concrete buildings, and the underlying devices necessary for radio, television, sound pictures, and the X-ray. Probably his greatest service to mankind was his invention of the electric light.

When we examine this list of the inventions of Thomas A. Edison we see that they march hand in hand with the development and progress of our own country and, in fact, the advancement of civilization during the last half century.

On the morning following his death the New York Times, in its striking editorial entitled "Prospero Is Dead", echoed a sentiment of countless Americans in the following words:

> The Eskimo on Bering Strait, the Kirghiz of the steppes, East Indians in remote villages, Moors of the town, and Bedouins of the desert—east, west, north, south—all the tribes of men owe a harmless pleasure, a quickening of the imaginative pulse, to this incomparable magician. He is the god of safety to seamen and riders of the air. He is the universal lamplighter. Multitudinous homes and buildings and streets shine every night in his praise. • • • How many men and women he has set to work in the industries sprung from his brain is beyond estimation. Between the time of our grandfathers and our own he has transformed the world. He has added immeasurably to the comfort, enjoyment, and productivity of mankind.

Mr. FOCHT. Will the gentleman yield?

Mr. WHITE of Ohio. I will yield.

Mr. FOCHT. With the permission of the gentleman, I would like to state in connection with this tribute to Thomas A. Edison that the first application made for driving a street car was made by Thomas A. Edison in the city of Sunbury, Pa., and the citizens of that town are raising a fund to erect a museum to contain a number of relics that it has acquired.

Mr. WHITE of Ohio. I thank the gentleman, and I think that is a proper thing to do.

This, gentlemen, is my tribute in behalf of the State of Ohio to Thomas A. Edison on the ninetieth anniversary of his birth. [Applause.]

Mr. STEAGALL. Mr. Chairman, I ask that all debate on this resolution be now closed and the bill be read for amendment.

There was no objection.

The Clerk read as follows:

Resolved, etc., That section 204 (b) of the National Housing Act, as amended, is amended by striking out "July 1, 1937", and inserting in lieu thereof "July 1, 1939."

Mr. BIERMANN. Mr. Chairman, I move to strike out the last word. I rise to ask the chairman of the Committee on Banking and Currency a question. This bill does not cover the same matter as title I.

Mr. STEAGALL. No.

Mr. BIERMANN. We have received a good deal of correspondence about title I, and that is an entirely different thing.

Mr. STEAGALL. Absolutely. The bill covers insurance of mortgages.

Mr. BIERMANN. Does this cover the case where a man borrows money to build a house?

Mr. STEAGALL. It provides only for the guaranty of debentures issued to mortgagees in case of foreclosures. If a foreclosure takes place, debentures pay the mortgagee, and they are guaranteed by the Government.

Mr. BIERMANN. Under title I the line of credit is insured to the extent of 20 percent. I would like to ask the gentleman what is the difference between title I and this bill?

Mr. STEAGALL. This bill does not cover any of the provisions of title I. It only deals with the manner by which the insurance fund meets its obligations to the mortgagee. If the mortgage is insured and foreclosed, it is taken care of by debentures guaranteed by the Government.

Mr. REILLY. Will the gentleman yield?

Mr. BIERMANN. I yield.

Mr. REILLY. Title I pertains to the repairing and remodeling of houses, where the Government guarantees 20 percent, and which was afterward cut down to 10 percent. This bill covers nothing but insurance of mortgages.

Mr. BIERMANN. By what organization?

Mr. REILLY. In 9,000 organizations—some building and loan people and some banks and insurance companies. They have 150,000 mortgage loans insured.

Mr. McLAUGHLIN. Will the gentleman yield?

Mr. BIERMANN. I yield.

Mr. McLAUGHLIN. We have assurance from the committee that a bill later will be put before Congress extending title I.

Mr. REILLY. If any Member wants to bring that matter up he can introduce a bill for the extension of title I.

Mr. McLAUGHLIN. Is there now any prospective legislation pertaining to that subject?

Mr. REILLY. Not that I know of.

Mr. GOLDSBOROUGH. Mr. Chairman, will the gentleman yield?

Mr. BIERMANN. I yield to the gentleman.

Mr. GOLDSBOROUGH. For the gentleman's information, the authorities of the Housing Commission have told our committee several times that in their judgment the purposes of title I have been fully accomplished.

Mr. BIERMANN. In other words, we are not likely to get any legislation extending title I?

Mr. GOLDSBOROUGH. Not as far as I am concerned.

The CHAIRMAN. The time of the gentleman from Iowa has expired. Under the rule, the Committee will rise.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. COOPER] having resumed the chair, Mr. LEWIS of Colorado, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration Senate Joint Resolution 38, and, under the rule, he reported the joint resolution back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered. The question is on the third reading of the joint resolution.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

A similar House joint resolution was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Crockett, its Chief Clerk, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1439. An act to provide for loans made necessary by floods or other catastrophes in the year 1937.

BOARD OF EDUCATION, DISTRICT OF COLUMBIA

Mrs. JENCKES of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mrs. JENCKES of Indiana. Mr. Speaker, I desire officially to place some most vital information before this House of Representatives, and I respectfully request that I am not interrupted until I have finished. I will finish within my allotted time.

During the sessions of the Seventy-fourth Congress I, as a Member of Congress, made serious charges against the Board of Education of the District of Columbia.

I charged the Board of Education of the District of Columbia with not handling the funds which the Congress appropriated for educational purposes in the Nation's Capital in an efficient manner. I produced written proof of my charges, which the Board of Education has not been able to answer. I proved that the Board of Education ordered the destruction of the Tenley School on Wisconsin Avenue, in Washington, D. C., and refused to lease or sell it to St. Ann's Roman Catholic Parish, notwithstanding it had been abandoned by the Board of Education.

The Board of Education lobbied against the bills which were introduced in the House and Senate and attempted to get the President of the United States to refuse to sign the bill authorizing the selling of this abandoned school building to St. Ann's Roman Catholic Parish in Washington, D. C.

The bill was signed and the District of Columbia taxpayers and the Government were saved many thousands of dollars annually, in spite of the lobbying activities of the Board of Education.

I charge the Board of Education with permitting the use of books which directly and indirectly advocated communism. The Board of Education first denied this, and then later removed these books. This proves their incompetence.

I charged the Board of Education with permitting the circulation among teachers and pupils of a magazine containing the advertisement of a vile, filthy, lascivious storybook, totally unfit for young schoolboys and young schoolgirls. The Board of Education first denied this, but later on, under another pretext, removed this magazine, carrying the advertisement of this book, from circulation among the teachers and students. This proves the careless indifference of the Board of Education.

I testified before meetings of a subcommittee of this House of Representatives that I would vote for the repeal of the "red rider" when and if this situation was satisfactorily explained by the Board of Education.

The Board of Education of the District of Columbia, notwithstanding the action of the House of Representatives, which recently adopted the McCormack amendment, are directly and indirectly propagandizing on a national scale to have legislation passed which would permit the advocacy of communism to pupils in the schoolrooms of the public schools in the District of Columbia, in the Nation's Capital.

I ask the Members of this House of Representatives to arouse yourselves to a full realization of what is happening. This affects your congressional districts.

Do not be deceived by the statements of the Board of Education that the McCormack amendment is an insult to the rank-and-file teachers.

The Board of Education of the District of Columbia have not been outstanding in their fight to get better working conditions and better wages for the rank-and-file teachers of the District of Columbia; instead, the Board of Education hired, at $50 a day, a professor, identified with the University of Moscow, Russia, to teach "character education" to our teachers and children.

It seems strange that the Board of Education has to get a professor identified with the University of Moscow in Russia to teach character to our school children. What is wrong with our own professors and teachers?

Washington is the hotbed of international propagandists. Foreign propaganda and influence of a communistic character has already removed the flagpoles and the American flags from the tops of our Federal buildings along Pennsylvania Avenue in our Nation's Capital.

If the Congress permits the Board of Education of the District of Columbia to legalize the advocacy of communism in public schools in the Nation's Capital, then communistic propaganda will quickly be in every public school in America, and it will not be long before this same communistic influence will remove the crosses from the steeples of our churches in every city in America.

Great sacrifices and much American blood has been spilled in the preservation of our American ideals and in the protection of religion here in the United States; Communists say "religion is opium"; communism destroys religion.

I call upon our American women and our patriotic American men to rise up against this dastardly attempt to legalize the advocacy of the vile philosophies of communism in the public schools of our Nation's Capital, which, if they are successful, will be accomplished under the false guise of "academic freedom."

We, Members of this Congress, have a great responsibility resting upon us. The American people will be interested in knowing how we will measure up to it.

I appeal to the Congress to prevent this attempt on the part of the Board of Education of the District of Columbia to legalize the advocacy of communism in the public schools in Washington, our Nation's Capital, which will be quickly followed by the communistic propagandists who will force the advocacy of communism in every public school in America.

I desire to pay tribute to the rank and file of our American school teachers. I know that they stand with me. I know that they do not want nor have ever asked for the alleged "academic freedom" to permit the advocacy of communism in public schools. I hope my appeal will be heard by the Congress. [Applause.]

DISASTER LOAN CORPORATION

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent for the present consideration in the House as in Committee of the Whole of the bill (S. 1439) to provide for loans made necessary by floods or other catastrophes in the year 1937; and pending that, I ask to have the bill read from the desk for the information of the House.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent to take from the Speaker's table the bill S. 1439, for its present consideration in the House as in the Committee of the Whole, and pending that asks unanimous consent that the bill be read. Is there objection to the reading of the bill?

Mr. WOLCOTT. Mr. Speaker, I reserve the right to object to ask the gentleman if he will not request that there be 30 minutes of debate, to be divided equally between the gentleman and myself?

Mr. STEAGALL. I shall be very happy to make that a part of my request.

The SPEAKER pro tempore. Is there objection to the request that the bill be read?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That there is hereby created a Disaster Loan Corporation with nonassessable capital stock in an amount not to exceed $20,000,000. The Reconstruction Finance Corporation is authorized and directed to subscribe for such stock and to make payment therefor from time to time as called out of the unexpended balance of the $50,000,000 which the Reconstruction Finance Corporation was authorized to lend for catastrophe relief by section 1 of the act of April 17, 1936 (Public, No. 525, 74th Cong.). Such Disaster Loan Corporation shall be managed by officers and agents to be appointed by the Reconstruction Finance Corporation under such rules and regulations as its board of directors may prescribe.

Such Disaster Loan Corporation shall be empowered to make, upon such terms and conditions and in such manner as it may prescribe, such loans as it may determine to be necessary or appropriate because of floods or other catastrophes in the year 1937. Such Disaster Loan Corporation may use all its assets, including capital and net earnings therefrom, in the exercise of its functions.

The Disaster Loan Corporation shall have succession until dissolved by act of Congress; shall have power to sue and be sued in any court, to adopt and use a corporate seal, to make contracts, and to acquire, hold, and dispose of real and personal property necessary and incident to the conduct of its business; and shall have such other powers as may be necessary and incident to carrying out its powers and duties under this act.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent for the present consideration of the bill S. 1439 in the House as in Committee of the Whole, and that debate thereon be confined to the bill for not to exceed 30 minutes, to be controlled equally by himself and the gentleman from Michigan [Mr. WOLCOTT]. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object. As I understand it, this bill does not call for any new money.

Mr. STEAGALL. It does not.

Mr. MARTIN of Massachusetts. It is to be taken out of a fund already available, but it does create a new corporation.

Mr. STEAGALL. Instead of using the funds by the corporation as such, it permits the Reconstruction Finance Corporation to set up a new corporation, provide for its officers, and subscribe its capital, the amount being $20,000,000. The $20,000,000 capital is to be taken out of a fund that was made available to the Reconstruction Finance Corporation under legislation which operated to afford loans for relief growing out of floods during the year 1936, and a fund of $50,000,000 set aside for that purpose.

The language of the bill provides for assistance made necessary by "floods or other catastrophes during the year 1937."

Mr. MARTIN of Massachusetts. This will not require any new personnel?

Mr. STEAGALL. This will not require any new personnel. It is to be set up under the Reconstruction Finance Corporation, and the Corporation will supply necessary personnel.

Mr. NICHOLS. Reserving the right to object, Mr. Speaker, I would like to ask the chairman of the Committee on Banking and Currency if, in his opinion, the provisions of this bill are broad enough to furnish relief to people suffering from extreme drought, if the provisions of the bill are such that loans could be made to drought sufferers?

Mr. STEAGALL. I think the answer is in the affirmative. The bill has just come over from the Senate. Of course, the purpose of it is to deal with conditions that have resulted from the recent floods, with which the gentleman is familiar. Under the language of the bill, "floods and other catastrophes in the year 1937", I think the answer I made is correct. It is all limited to disasters in 1 year. The relief is limited to distress resulting from floods or other catastrophes during the year 1937.

Mr. NICHOLS. Then I take it the chairman of the committee will state for the RECORD, for the purpose of interpretation of the act if it comes up for discussion after it reaches the executive department, that it is the intent that the scope of the act is broad enough to include drought sufferers, if it were desired by the Corporation to go into that field?

Mr. STEAGALL. I should answer that in the affirmative.

Mr. MARTIN of Massachusetts. Mr. Speaker I yield to the gentleman from Michigan [Mr. WOLCOTT].

Mr. WOLCOTT. In answer to the gentleman from Oklahoma [Mr. NICHOLS] I want to add that I think the original authorization of $50,000,000 is broad enough to include drought catastrophes as well as flood catastrophes, although there might be some question whether this particular bill would cover a drought catastrophe. There is no question, I believe, but that the original authorization of $50,000,000 would empower the Reconstruction Finance Corporation to cover situations such as the gentleman has in his territory as the result of a drought.

Mr. STEAGALL. Undoubtedly there is very clear intent to direct the relief afforded by this measure along the same line and for the same purpose as intended in the former act. The language employed is "floods or other catastrophes in the year 1937."

Mr. MICHENER. Mr. Speaker, reserving the right to object, this bill deals with a catastrophe, it seems, and only a catastrophe would prevent me from objecting today. We are setting up a new corporation in Congress. We are granting a charter. We are embarking upon a new policy of Federal incorporation. We are going in a direction in which we have never gone before.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I yield.

Mr. WOLCOTT. I may say this is one of the few instances in which the Congress has reserved to itself the right to set up a corporation to give relief. In most other instances they have been set up as Delaware corporations, over which the Congress has no control.

Mr. MICHENER. Yes. The procedure has been that under a general act to do something the agencies created have assumed authority to take out charters under State laws.

Mr. STEAGALL. But there is no such provision as that in this bill.

Mr. MICHENER. Now we are going a step farther, and, for the first time in history, you are bringing in a bill before Congress at a time when no one expected any legislation to come up, when there is not a quorum present, and asking for a Federal corporation, a corporation with really unlimited powers, if what the gentleman said in answer to the inquiry of the gentleman from Oklahoma is true. I cannot be put in the position of standing alone and objecting to the consideration of flood sufferers; but I beseech the leadership to stop this thing and not to bring in legislation at a time like this and embarrass Members who believe in orderly procedure. Bring it in in the ordinary way. We have plenty of time. We will adjourn over tomorrow, but here you bring in something that no one knows anything about, except that the Chairman requested it be read from the Clerk's desk. But we should be thankful for that concession. I cannot object if relief is needed, but God knows we must stop this method of legislating.

Mr. STEAGALL. Let me say to the gentleman that the Reconstruction Finance Corporation is already in existence, and has been since 1932. This relief is to be afforded by the Reconstruction Finance Corporation, and the creation of a subsidiary corporation by them is simply a method by which they simplify bookkeeping covering their transactions, and leave the Corporation to pursue its regular methods of passing upon security. This bill is for the purpose of meeting unprecedented distress and suffering, and to that end the rules under which loans may be made are liberalized to meet the necessities of the situation. But it is limited to $20,000,000 for 1 year.

Mr. MICHENER. But it embodies the principle of the holding company. We have had a fight in the last year, and many of you people made a lot of trouble about holding companies. Here you are setting up a subsidiary, another agency. You are going on down the line. I want to hear

some of you people who are opposed to holding companies arise and say something. No one knows anything about the bill.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. Certainly.

Mr. RAYBURN. I can say something about holding companies; I have had a little experience with them.

Mr. MICHENER. Yes; I am sure the gentleman has.

Mr. RAYBURN. And if the gentleman will remember, the holding-company bill that we passed permitted holding companies in the second degree. This cannot be a holding company in more than the second degree.

Mr. MICHENER. This bill does not violate the holding-company law because it does not go far enough, but under this procedure you can bring in another bill next week with another holding company. You are indulging in the principle.

Mr. STEAGALL. It is fair, of course, to say that this plan has none of the earmarks of a holding company, such as was involved in the legislation to which the gentleman refers.

Mr. VINSON of Kentucky. Mr. Speaker, reserving the right to object, and, of course, I do not intend to object, let us see what we have here. Under existing law passed last year to meet the flood situation in New England and Pennsylvania, to afford relief to the flood sufferers in those sections, there was authorized and appropriated to the Reconstruction Finance Corporation $50,000,000 for it to make loans to the flood sufferers in those sections.

The language of that act gave the Reconstruction Finance Corporation the power to make loans. Eight million dollars were loaned to the flood sufferers under that act by the Reconstruction Finance Corporation. As we know, the Reconstruction Finance Corporation is primarily a loaning corporation. Under the original R. F. C. Act, loans are made upon adequate security.

Mr. STEAGALL. Full and adequate security.

Mr. VINSON of Kentucky. Full and adequate security was required. However, under the flood-loan amendment last year, the term "reasonable" security was used. Congress called for security—reasonable security. Many who needed loans because of flood losses were unable to furnish such security. Consequently, the very purpose of Congress to aid people in distress, to aid small storekeepers getting back into business, to aid poor people in rehabilitating themselves, was frustrated by the language in that act. It is the purpose here to avoid that situation. It is the purpose here to aid those in need of loans without furnishing reasonable or any security for the loan.

This legislation creates a corporation by Congress itself. The language of the bill, in respect to loans, is liberalized. Loans are not to be made upon full, adequate, or reasonable security. People who could meet the qualifications of the Reconstruction Finance Corporation under the other act relative to security, could get money from banking institutions; and I know that Members from the districts last year affected will bear witness that the restricted language in last year's act was not effective, and did not accomplish the purpose of Congress in rendering aid to the flood sufferers to rehabilitate themselves.

The pending bill would permit the making of character loans. Nothing is said in respect of security. It may be loans of one kind and another; there is no restriction as to the kind of loan that can be made; they may be made to individuals, partnerships, or corporations, or they may be made to municipalities; and if Congress adjourns this week without the passage of this bill, it just means that such delay postpones by that many days relief to the people in the flood areas that comes to them hereunder.

I was glad to hear my friend from Michigan [Mr. MICHENER] say that even though he might not like it he was not going to object.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Kentucky. I yield.

Mr. JENKINS of Ohio. In line with what the gentleman is saying, is not this a fact, that last year when we had the catastrophe we authorized the R. F. C. to lend money; this year, under this set-up, if we pass this bill, the R. F. C., the Federal Government, will own all the stock of this corporation, and the R. F. C. will lend the money just exactly as it did last year, but with the exception that this time we do not require full and adequate security?

Mr. CITRON. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Kentucky. I yield.

Mr. CITRON. As I remember the act we passed last year for the flood sufferers of Pennsylvania and New England, we changed the language of the act to require only reasonable security, instead of full and adequate security.

Mr. VINSON of Kentucky. But even that evidently was not sufficient.

Mr. CITRON. Was it because the language of the act was not sufficiently explicit that liberal loans were not granted?

Mr. VINSON of Kentucky. According to my information, the language was thought to require the granting of loans upon reasonable security. Thus they did not grant the liberal loans Congress intended when they passed that law.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Kentucky. I yield.

Mr. CRAWFORD. I ask the gentleman seriously if he agrees with the chairman of the Committee on Banking and Currency who seems to convey the idea that the language of this bill is broad enough to make loans to farmers who have a crop failure in the year 1937 only? Let us assume for the moment a farmer who has had no crop failures in the last 4 or 5 years, but that in 1937 he should have a crop failure. Does the gentleman mean to say that that, under the language of the pending bill, would be construed as a catastrophe and that the R. F. C., if it saw fit, could make a loan to this farmer?

Mr. VINSON of Kentucky. I refer the gentleman to the language of the bill:

> Floods or other catastrophes in the year 1937.

I may say to the gentleman that this is not the only relief bill passed or to be passed by this Congress. In the matter of relief to farmers, we are told that the Resettlement Administration will make loans and grants, and that they have $10,000,000 available for such purposes; that loans alone can be made; that grants alone can be made; and that grants and loans together can be made. We are also told that the Home Owners' Loan Corporation is going to make loans for repair and rehabilitation to people whose property is mortgaged to the Home Owners' Loan Corporation. We are also told that the Red Cross is going to repair and reconstruct homes and provide furnishings for same, and that the Works Progress Administration is going to assist in repairing and replacing streets, roads, municipal properties, schoolhouses, and things of that kind.

The pending bill is an effort to provide for the making of character loans to people in all walks of life who cannot get loans. It will include the small store owner and other businessman who cannot furnish security for the loan. It is broad enough, of course, to extend to most every activity.

Mr. CITRON. What is the need for another corporation?

Mr. VINSON of Kentucky. We are going to profit by the experience of you folks in New England and Pennsylvania under the 1936 act. A Disaster Loan Corporation set up under special authority of Congress certainly ought to be more liberal than the R. F. C., whose primary thought has been security, under the law.

Mr. MICHENER. As I get it, as a matter of fact, here is the situation: The R. F. C. is a splendid corporation. It has functioned well. It has done a good job. It has good securities in its vaults, and it has been careful. Now the gentleman wants to do something that you cannot do under the R. F. C., because the loans will not be backed up by good security. You are setting up a subsidiary or a child corporation to take the bad paper. Am I right?

Mr. VINSON of Kentucky. The gentleman may call it bad paper if he likes. He may call it bad paper if he calls paper given by people who have had their homes washed away and their stock of goods and other property destroyed bad paper. It certainly is not bankable paper.

Mr. MICHENER. I do not mean to get into the sentimentality of the matter.

Mr. VINSON of Kentucky. But sentiment is there. If the gentleman uses the term in the sense of not being secured, he is correct. It is paper that may not be secured in conformity with the ordinary rules and regulations of the Reconstruction Finance Corporation under other acts.

Mr. MICHENER. I just want to discover the real purpose of the corporation. The real purpose of the corporation is to make insecure loans which the R. F. C. itself cannot make?

Mr. VINSON of Kentucky. To make loans without the full and adequate security, or reasonable security, required under existing law; that is correct. I hope and trust that no one will interpose an objection that will kill this bill.

Mr. STEAGALL. May I say to the gentleman from Michigan I do not think he will contend that the same rule as to security should be applied to a citizen and his family who have suffered from these floods or other disasters as would be applied to a bank, insurance company, railroad, or business institution, and that should apply to the R. F. C. in making loans in other directions.

Mr. GRISWOLD. Mr. Speaker, I suggest the absence of a quorum.

The SPEAKER pro tempore. The Chair will count.

Mr. GRISWOLD. Mr. Speaker, I withdraw the point of no quorum.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

Mr. BOILEAU. Mr. Speaker, reserving the right to object, may I ask the gentleman whether or not it is possible to make the same type of loan referred to in this bill under existing law out of money appropriated for relief? In other words, the Resettlement Administration has been set up which has been making loans to farmers in the drought area and farmers elsewhere for rehabilitation purposes. Those loans have been made out of funds appropriated under an emergency relief act. Is it not possible to make the same type of loan referred to here out of the funds appropriated for the Resettlement Administration?

Mr. STEAGALL. I do not think so under existing law. The practical situation, may I say to the gentleman, is that these people are suffering, and that is the only reason the legislation is offered at this time, without having been considered by a committee of the House. It would not be brought in as is proposed except to meet the necessities of the situation that exists, due to the recent floods.

Mr. BOILEAU. When we had up for consideration the other day a bill making appropriations for relief, it was stated on the floor that one of the purposes of the appropriation would be to take care of the situation in the Ohio River flood area. It has been stated very freely by administration officials and in the press since that time that the money is available now to the President of the United States to help the situation in this flood area. As I stated, that money is available, and it has been available in the past for relief purposes and could be lent to the class of people you are attempting to aid under the provisions of this bill, just as has been the situation in the past where money was lent to farmers in the drought areas. Therefore, I do not see why we should set up this additional corporation. If there is an emergency that must be taken care of in the next few days, it may be taken care of under existing law and with existing appropriations. If I am not correct, I would like to have someone point out wherein those funds are not available for this purpose.

Mr. STEAGALL. I do not know of any funds that are available for that purpose.

Mr. GREENWOOD. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Indiana.

Mr. GREENWOOD. The Resettlement Administration will try to take care of the situation in the flood area; in fact, all governmental agencies are going to do that. But you cannot use the Resettlement Administration money to go into the cities and towns in order to make loans to businessmen, to small corporations, and to church people who may be responsible as character loans. This corporation will make every type of loan in the flood area that could not be taken care of by the Resettlement Administration. The provisions of this bill are much more liberal than the provisions of the basic law underlying the Reconstruction Finance Corporation. This is based to some extent on character loans. Loans may be made to churches, based on their capacity to pay, their membership, and so forth. Loans may be made to municipalities to build schoolhouses. Loans may be made to storekeepers, for instance, who may not have adequate security.

Mr. BOILEAU. I am in accord with the views expressed by the gentleman from Indiana, except I am not sure in my own mind that we cannot do these very things under existing law. I believe if we are going to pass a permanent law here we should have more time to consider it. The matter should be considered by a committee of the House so that the membership of the House would have all the necessary information.

Mr. GREENWOOD. Let me say further in answer to the gentleman that the purpose of setting up this corporation is to take care of an emergency which cannot be handled by present agencies. Under existing law the Resettlement Administration, which was created for the purpose of taking care of other matters, cannot go into the cities, for instance.

Mr. BOILEAU. The Resettlement Administration was created by Executive order.

Mr. GREENWOOD. I am not arguing how it was created.

Mr. BOILEAU. If the President could create that organization by Executive order, why can he not by Executive order extend their lending powers to take care of the type of loans the gentleman is now referring to and use emergency funds for the time being?

Mr. GREENWOOD. Forty-two million dollars of flood-relief money appropriated last year is still available in the hands of the Reconstruction Finance Corporation for the purpose of taking care of flood sufferers.

Mr. BOILEAU. I grant the difficulty of getting money out of that fund.

Mr. GREENWOOD. The basic law of the Reconstruction Finance Corporation will not permit them making this kind of a loan, but if we set up this corporation to operate on character loans it may use that money, and in addition to that the Resettlement Administration can go into other fields.

Mr. BOILEAU. I grant to the gentleman that under existing law the R. F. C. could not make the type of loans referred to here, and which I believe to be desirable in this instance.

I am of the opinion, although I may be wrong, that this type of loan could be made out of money appropriated for relief. A part of the $789,000,000 we appropriated the other day, in my opinion, could be used to make this type of loan. If I am wrong, I shall not object to the present consideration of this bill, because I believe it is important that something should be done immediately.

Mr. GREENWOOD. I think the gentleman is in error. I am sure the gentleman understands that they are going to use the Resettlement Administration to make all loans on farms where money is available. They are going to use the W. P. A., the Red Cross, and every other agency in furnishing relief, but in order to use the money now in the hands of the Reconstruction Finance Corporation we must empower them to do so under the language of this bill.

Mr. BOILEAU. I want to have a definite statement, if I may, from the gentleman from Indiana or the chairman of the committee sponsoring the legislation, as to whether or not under existing law it is possible to make this type of loan out of money appropriated for emergency relief. We have been making this type of loan in the drought area out of emergency relief funds, and in view of that fact why can we not make the same type of loan in the area the gentleman is referring to?

Mr. STEAGALL. The thing we are trying to do is to leave the relief agencies the job of relief and where loans are to be made we are trying to set up at the same time a liberal system by which such loans may be made.

Mr. BOILEAU. The gentleman is not consistent in that respect because we have been making loans right along through the Resettlement Administration and they are loans that are of the same general character as the ones we are referring to now.

Mr. VINSON of Kentucky. Mr. Speaker, if the gentleman will permit, as I understand, loans will continue in the rural sections under Resettlement. I have not positive knowledge about it, but my information is that they have not the authority under existing law in Resettlement or in the other existing agencies to make loans upon these terms.

Mr. BOILEAU. That is just the point I have in mind. The gentleman is not sure about it, and the gentleman from Indiana is not sure about it. The chairman of the committee ought to be positive about it one way or the other.

Mr. GREENWOOD. I stated that I thought the gentleman was in error, because we are proposing to make a different type of loan.

Mr. BOILEAU. It may be a different type of loan, but it anticipates the same type of security.

Mr. VINSON of Kentucky. I may say to the gentleman that we were definitely informed there was no authority of law to make loans of this character outside of the rural areas where Resettlement operates.

Mr. BOILEAU. If the gentleman wants to take the responsibility of making that statement to the House, I shall be satisfied.

Mr. VINSON of Kentucky. I may say to the gentleman that that information came to a group of us yesterday afternoon.

Mr. BOILEAU. I assume the information came from a source that is reliable, and I assume further that the gentleman is speaking with authority, and therefore I shall not object.

The regular order was demanded.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the request of the gentleman from Alabama?

Mr. GRAY of Pennsylvania. Mr. Speaker, not having anything in writing before the House, I object.

Mr. Speaker, I withdraw the objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. STEAGALL. Mr. Speaker, I want to use a moment or two, and I do not care to yield, because the time is limited and there has been already considerable discussion of the matter before the House. This is not a relief measure in the same sense that relief is sought to be accomplished by relief agencies heretofore established. There is no agency upon which authority has been conferred by the Congress to make loans such as are provided in this bill. The only way that such relief may be accomplished is under some kind of new legislation. The Reconstruction Finance Corporation, under its general rules, is restricted to loans that are fully and adequately secured. There have been at times amendments to the law for specific purposes changing the rule, but that is the general rule.

This bill undertakes to liberalize the rules under which the Reconstruction Finance Corporation may make loans. Under the provisions of this bill the Corporation will set up a subsidiary corporation and supply necessary officers. These officials will make rules and regulations under which loans for relief due to floods and other catastrophes in 1937 may be available. The subsidiary corporation would have authority to take each community or each situation into consideration and apply liberal, sympathetic administrative methods in lending the funds made available. This is the only way now practicable by which Congress may afford this kind of relief to the people in this unprecedented distress.

This is the reason the bill has been offered in the hasty manner in which we are undertaking to proceed. I do not believe any Member can fail to understand just what is before the House and just what is intended to be accomplished.

Mr. Speaker, I reserve the balance of my time.

Mr. MICHENER. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MICHENER. Is there any possible way whereby a man can get 5 minutes to discuss a bill not printed, never been before the committee, a typewritten copy read from the rostrum, and we do not know what it is? A Member cannot get 5 minutes to talk about it, and if that is not railroading I would like to know what it is.

Mr. PARSONS. Mr. Speaker, I ask unanimous consent that the time for debate be extended 5 minutes and the gentleman from Michigan be given that time.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that the time for debate be extended 5 minutes and that that 5 minutes be given to the gentleman from Michigan [Mr. MICHENER]. Is there objection?

Mr. WOLCOTT. And that 5 minutes is not to be taken out of the time for this side?

The SPEAKER pro tempore. The gentleman is correct. Is there objection?

There was no objection.

Mr. MICHENER. Mr. Speaker, the gentleman from Kentucky [Mr. VINSON], who is very reliable in all matters and very courteous, handed me a page and a half of typewritten matter and says that he will not vouch for it but to the best of his knowledge it is a true copy of the bill that was read by the Clerk.

Mr. VINSON of Kentucky. Will the gentleman yield?

Mr. MICHENER. I yield.

Mr. VINSON of Kentucky. I said it was a copy presented to me by the legislative counsel of the Senate and purported to be an identical copy of the bill reported by the Senate committee and passed by the Senate. I have not checked it word for word, period for period, comma for comma, but I take it as a copy on reliable information.

Mr. MICHENER. That is what I said. The gentleman has only amplified and enforced what I said.

As I said a while ago, it is difficult to make a fight against the consideration of this measure, because we are told that there are people in sections of the United States who need immediate relief. God knows we want to help them. But we ought not to pass a bill of such far-reaching importance in a few minutes without knowing what is in it. We ought not knowingly to permit Congress to pass legislation without Congress knowing what it is.

Here we are setting up a subsidiary corporation for the Reconstruction Finance Corporation. That is, the R. F. C. is to become a holding company. We are incorporating a $50,000,000 corporation responsible only to its parent. We are giving birth to this new agency and the only limit on its life is possibility of Congress passing legislation in future years winding up its affairs. Another agency to spend money. Those here with experience know that is to be a permanent creation. Who ever heard of one of these spending instrumentalities being willing to close up? No, my colleagues, its powers and functions will be enlarged. It will be the agency of the Government authorized to make loans, many of which will be indirect grants. He is an optimist, indeed, who believes that all of these loans will be repaid.

Only those Members whose constituents are to borrow this money ever heard of this bill. The majority floor leader never read the bill. He thought that it was some minor matter. The bill has never been before a committee. Like Topsy, it comes from nowhere, but it has the usual "emergency" label, and for that reason it is to be rushed through without debate and with but a few of the faithful on the floor. From whom are we to get any information? The chairman of the Banking and Currency Committee is in charge of the bill, but he is acting without committee authority.

The committees of the House are created for a purpose, and that is the only orderly way to consider legislation. The House is entitled to the report of the committee, and not the report of a few individual Members whose districts are to be the beneficiaries under the law. I am not criticizing the measure, because we know nothing about it; but I most

sincerely criticize the majority leadership for bringing in such important a matter at such an inopportune time. Before our adjournment on yesterday it was stated that no important legislation other than that designated would be called up today. Many Members are not present, and I am opposed to this small group breaking all precedents and granting a Federal charter permitting a corporation to make such indefinite loans.

During the last 4 years, legislation has been passed through this Congress without even being printed before considered, and I have asserted that I would not permit this practice to be followed if I could help it. But we all know that we have just gone through a great flood; we are told that people are hungry and that this bill will bring them relief. As a matter of fact, those familiar with the situation know that this bill could just as well be passed tomorrow as today; but if the consideration is delayed, possibly more questions might be asked and more safeguards placed about the Treasury of the United States.

I undoubtedly am responsible for holding up the consideration for the last few minutes, and I am ready to assume that responsibility. If it does nothing more, let us hope that it will make for orderly procedure and commonsense deliberation in the future.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. Yes.

Mr. CRAWFORD. In the gentleman's opinion, would a person who suffers a fruit-crop loss as the result of a hard frost be able to get a character loan under this resolution?

Mr. MICHENER. Great Caesar! Man, I have not had time to read the resolution, and no one else has, except a few people who happened to know about it.

Mr. GREENWOOD. If one man should lose a fruit crop, that would not be any test.

Mr. CRAWFORD. Then let us assume that 80 percent of the crop is lost.

Mr. GREENWOOD. If a drought should come along or a frost that would destroy a whole crop or a large portion of it, that would be considered broad enough to be covered by this resolution; but it is not for one man or two men or a half dozen but something growing out of a general disaster.

Mr. MICHENER. Then if there was another grasshopper scourge in the Middle West this summer, there could be a loan made for that; or if we had a little windstorm in my district, this corporation would be permitted to loan under those circumstances. There is no limitation as to the extent of the disaster or the size of the loan. We are just setting up another corporation without limit on its authority to loan money out of the Treasury of the United States. Believe me, there will be plenty applicants. Already those about me are preparing amendments to make the law retroactive and to increase the capital. This new corporation will eventually mean more personnel. We are establishing a precedent that will come back to plague us. This relief, if necessary, should be provided without Congress granting a Federal charter.

Mr. WOLCOTT. Mr. Speaker, I yield myself 3 minutes.

Mr. KOPPLEMANN. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. Yes.

Mr. KOPPLEMANN. I thank the gentleman from Michigan, the ranking minority member of the Committee on Banking and Currency. This measure proposes to make small loans to people who suffered because of the flood or other causes; but that is possible under the law today, or it would be if the venerable Jesse Jones, Chairman of the R. F. C., would administer the law in accordance with the intent of Congress. Am I correct in assuming that the passage of this measure will make such loans more easily accessible to the people who need them?

Mr. WOLCOTT. I cannot speak for the Chairman of the R. F. C., but I would assume that the granting of loans under this bill might establish a precedent by which the R. F. C. might be more liberal with its loan policy concerning loans to small industry.

Mr. VINSON of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I have yielded myself only 3 minutes.

Mr. KOPPLEMANN. Mr. Speaker, I appreciate the courtesy of the gentleman from Michigan. At least the expected passage of this bill will evidence to Mr. Jones and the R. F. C. that it is the will of Congress that these loans be made. Up to the present time he has disregarded our will.

Mr. WOLCOTT. At least it will as to flood relief.

Mr. STEAGALL. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. Yes; though I have only 3 minutes.

Mr. STEAGALL. I will yield the gentleman 2 minutes. I just want to interject this one remark in answer to the gentleman from Connecticut [Mr. KOPPLEMANN], who charged the R. F. C. with having disregard of the law of Congress. I think almost everybody except the gentleman from Connecticut believes that that Corporation has followed the law.

Mr. KOPPLEMANN. There are many Members on this floor who will agree with me.

The purpose of the measure before us is without question laudable. I am in complete sympathy with its provisions. I do not oppose the measure, but I question the wisdom of placing its administration in the hands of the Reconstruction Finance Corporation, an agency to which has been entrusted, in more than one respect, the duty of rehabilitating certain groups in our economic life which have been adversely affected by the depression and by emergencies.

Last year the Congress passed the Kopplemann-Walsh Act, allocating $50,000,000 for the rehabilitation and relief of business and industry crippled by the floods. The measure was considered so important that within a month after its introduction it was signed into law. There was no delay in discussion either in committee or in the House and Senate. The entire Nation had been shocked and alarmed by the unprecedented disaster and everyone in any way connected with the matter urged the speedy passage of the law and were for it.

Fifty million dollars was allocated to the Reconstruction Finance Corporation last April; $8,000,000 has been disbursed; $42,000,000 remains idle in the coffers; and business and industry, severely hit by the floods of last spring, have yet been unable to secure the help provided under this law.

Now, this measure calls for a more lenient and sympathetic consideration of applicants pleading for help. It goes so far as to suggest that no collateral be required in instances where the damage was extreme.

Small business and industry, the type which most sorely needs the help intended by this measure, has had previous experience with the Reconstruction Finance Corporation. That body prides itself on its hard-boiled attitude and refuses to invoke the powers given it by Congress to help the needy.

In June 1934 there was incorporated in the Banking Act a provision giving the Reconstruction Finance Corporation the power to loan $300,000,000 to small business and industry seriously handicapped by the lack of credit and loans from their local banks.

This money was supposed to have been disbursed within 6 months following enactment of the law. That period was very critical for the small businesses and industries, and it was hoped that Government aid available to them—as it was to the banks, railroads, insurance companies, and other large corporations—would give them the necessary operating capital and the funds to take advantage of increased business, which was beginning to flow.

Sad to relate, by far the greater amount of this money also is still idle. Restrictions and requirements imposed upon the applicants who sought Government aid as a last refuge were such that had they been able to meet them they would not have had to apply to anyone for help.

Time and again criticism has been launched against the policies of the Reconstruction Finance Corporation. Time and again complaint has been raised that the agency empowered to do a vast amount of good stunts its power

through a "glass eye" interpretation of the law which Congress passed.

The concerns applying for help under the Emergency Flood Rehabilitation Act were likewise in bad shape—very bad shape. Their stocks had been ruined, plants and equipment had been damaged. Here was the opportunity for the Reconstruction Finance Corporation to prove itself sympathetic with the plight of those upon whom disaster had been inflicted. Here was its opportunity to extend a helping hand, as Congress intended, to those whose misfortune could not have been avoided by no matter what amount of business acumen and foresight.

My own district was one of those most severely hit. Yes; the Reconstruction Finance Corporation made a great show by establishing temporary emergency offices in the localities hit by the flood, so that a personal touch could be given their work—a personal contact with the applicant seeking aid. But again most of these applicants were denied. The hard restrictions imposed on applicants were such that even when loans were finally authorized by the R. F. C. the applicants withdrew or canceled their applications in disgust.

With its past record, how can we expect continued or further cooperation on the part of the R. F. C. with those in acute distress? There have been other emergency agencies established for the purpose of giving help, ordinarily available through private sources, but withdrawn during the depression. Except in rare cases these have fully complied with the letter of the law and their contribution toward the rehabilitation of America and the American people will go down in history. Except for help given to big business, and financial institutions, I am ashamed of the record of the Reconstruction Finance Corporation. It has conclusively proven that the little fellow can expect no sympathy from that agency.

Another disaster has been inflicted upon the country. Its victims cannot be counted. Its damage cannot be estimated. Relief is needed. Rehabilitation is needed. But both rehabilitation and relief must be administered, with sympathy combined with dispatch, which alone can bring our victimized States, our suffering people out of the despondency into which they have been submerged, and back to the comfort and hope in the future which has been the underlying motive of this administration, which is the right of every American citizen.

Mr. WOLCOTT. Mr. Speaker, if I have been correctly informed, my understanding is that it is absolutely necessary to pass this bill today, otherwise we will place ourselves in the position of denying to thousands of flood sufferers that relief which I believe every Member of this Congress wants to give to them. If that was not my understanding, I would not advocate the passage of this act, because we should give more consideration to it than is permissible under the present procedure. I ask the sponsors of this bill whether or not there is money available today by which the President might give the relief which is sought under this bill? If there is money available under the $790,000,000 relief bill which we have passed, or what is left of the $4,800,000,000 bill of 2 years ago, or the $1,241,000,000 bill which we passed last year, or the $3,300,000,000 relief bill we passed in 1934, then we should oppose this with all the vigor at our command, so that we might give ourselves an opportunity to determine whether it is to be the policy of this Congress that the R. F. C. must again be called upon to allocate further money for relief.

It is my understanding that the Reconstruction Finance Corporation today shows a paper profit of something like $150,000,000. That does not take into consideration, as I understand, about $3,000,000,000 which the Reconstruction Finance Corporation has, up to the present time, allocated for relief purposes for which there is no opportunity of reimbursement to the Reconstruction Finance Corporation.

The Reconstruction Finance Corporation was not set up originally for this purpose, but we have constantly used it for this purpose. I am going to ask the gentleman from Alabama [Mr. STEAGALL] or anyone who has authority to speak on behalf of the administration, whether anyone will suffer within the next week if this House does not pass this bill today?

The SPEAKER pro tempore. The time of the gentleman from Michigan has again expired.

Mr. WOLCOTT. Mr. Speaker, I yield myself 2 additional minutes.

Mr. GREENWOOD I have no authority to speak for the gentleman from Alabama or the administration, but it has occurred to me that the emergency is so great, with this floodwater going out of stores, lumber yards, and various small businesses in the cities, and they are waiting for just such loans as these.

Mr. WOLCOTT. It is my understanding that the President has recently said in substance that he would not see anyone suffer in the flood regions, even if he had to use the whole of the $790,000,000. If that is true, it is evidence that he thinks he has authority to use immediately the $790,000,000 which we authorized the other day; and if that is true, why is it necessary to set up this corporation today?

Mr. GREENWOOD. He has authority to use that for certain purposes, but there is in the hands of the Reconstruction Finance Corporation $42,000,000 carried over from last year, and we are liberalizing the law of a year ago so that they can use that for the specific purpose that Congress intended in this emergency.

Mr. WOLCOTT. Now, to shorten it up, will the gentleman on his own responsibility tell me that anyone is going to suffer within the next week unless we pass this bill?

Mr. GREENWOOD. In a conference with Mr. Hopkins yesterday, who had surveyed the whole situation, he said this was the best way to get this relief—to use this money that was available.

Mr. WOLCOTT. The point is, it is necessary?

Mr. GREENWOOD. He said so.

Mr. WOLCOTT. I will take the gentleman's word for it and go along with him on that understanding.

Mr. GREENWOOD. He was in conference with the President.

The SPEAKER pro tempore. The time of the gentleman from Michigan has again expired.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that I be allowed 2 minutes in addition to that originally allotted to me.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WOLCOTT. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Speaker, we have already consumed quite a little time in discussing matters which have to do with the mechanics of this bill and with the possible objections that may be made to it, but I hope we can now get down to the serious phases of this bill, because it is a very serious matter to those of us who live in the flooded districts.

The Ohio River washes past my district for more than 150 miles, and about 75,000 of my people are just now sadly working their way through the mud back into their homes. I appreciate the objection raised by the gentleman from Michigan [Mr. MICHENER], and I think his contribution was very timely and very much worth while. It tended to clarify the matter so that the real purposes of the bill can be understood. I also appreciate the very important question asked by the other gentleman from Michigan [Mr. WOLCOTT]. He is trying to clear the atmosphere also. I cannot give him any authentic assurance as to what the administration will do, for, of course, I cannot speak for the administration. I am the only Republican Congressman in this whole flooded district from the source of the Allegheny to the mouth of the Mississippi, but nevertheless you know the flood reaches the just the same as it reaches the unjust.

I think, however, there is a very marked distinction between this bill and some of the other bills we have been talking about, and that is this: The President is not a lending agency.

The President has this $790,000,000 at his disposal, but the President of the United States does not make it a business to loan money. The President of the United States should not be a money lender. What we propose to do by this law is to loan some money. We are going to have four great agencies at work in this great program of rehabilitation. Each of these agencies is doing fine work. One of them is the Red Cross. Another is the W. P. A. Another is the Resettlement Division, and another is this agency which we are seeking to establish in this bill, and which will do what neither of the other three can do. The Red Cross has been busily at work ever since the beginning of the flood. This great organization is essentially a relief organization. It is a charitable organization. It runs readily on errands of mercy. It reaches all parts of the world, but it does not lend money. They do not lend money to anybody, but the Red Cross is going to put people back into their homes. It is going to take poor people whose homes have been seriously damaged or completely damaged and completely rehabilitate them. It will say to those whose houses have not washed away but are in such bad condition that they are not fit for occupancy that the owner should rehabilitate himself if he can. But if he cannot do so, the Red Cross will consider his case and will give him such assistance as their representatives think he should have, taking into consideration his loss, the number in his family, his earning capacity, and such other factors as will enable them to determine his just needs. The Red Cross will in some instances no doubt make material repairs to dwellings and give financial assistance to small business concerns. It will do the same class of work which it has always done and which has given it the wonderful reputation which it enjoys around the world.

Another great agency that is going to operate is the W. P. A. Up until this time this organization has operated with relief labor exclusively, and it has operated only on public land, except when public health has been involved. But these regulations have been changed so any man who wants to work can be employed by W. P. A. if his work is needed, and this without regard to whether he is or has been on relief. This will enable W. P. A. to give employment to a man who has lost all he has and thereby give him an opportunity to earn money with which to rehabilitate himself. The W. P. A. men will also be enabled to work on private property in clean-up programs. They will be enabled to help people clean out their homes and their premises and they will also be empowered to repair roads and bridges and to clean and repair streets. Also to clean and repair schoolhouses and public buildings and churches. All the W. P. A. does will be done free of cost. The Red Cross and the W. P. A. will render charitable work and will not lend money.

And this act is not intended for the benefit of the farmers, for they will be expected to be taken care of under the Resettlement Division. I am advising the farmers of my district that they should make arrangements to apply to the Resettlement—and if I am wrong about this I want to be corrected. Resettlement, as I understand, can give grants to people that are destitute and they can also lend money. If this is the case, the farmers in our territory who have suffered from the flood must, if they seek relief, make application to the Resettlement. If they are destitute and without any credit, they will be eligible to receive a gift or grant to help them along. If they have credit, they might be assisted to some extent by a grant, but they will be assisted also to get a loan.

Mr. VINSON of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. JENKINS of Ohio. Yes; I am glad to yield to my distinguished friend and neighbor.

Mr. VINSON of Kentucky. And the Resettlement Administration has something like $10,000,000 available for this purpose?

Mr. JENKINS of Ohio. Yes. I am advising my farmers to contact Resettlement, telling them that Resettlement will give them money to buy a horse or a team if their horses have been carried away by the flood and if they have no money or credit to replace them. Likewise, the Resettlement will do what it usually does by way of resettling the farmer on his farm. It will also lend the farmer money on favorable terms. They are primarily a lending agency and not a charitable agency. The Red Cross will also operate among the rural people and will do as much to rehabilitate a rural man as a city man.

But what are we going to do about the city man, about the small businessman? In my home city of Ironton, Ohio, practically every plate-glass window was broken. The fronts of most of the stores were torn out. The counters, the furniture, and showcases in practically every store were completely destroyed. The population of this city is 20,000. Ninety-five percent of it was under water. In some places the water was over the top of large two-story houses and in the second story of most of the business houses. What are we going to do for the small-business man? We have helped the drought sufferers. I voted to help them. Yes; we have helped everybody else, and now we must help the small-business man. What kind of help is he asking?

Under this bill he is not asking for a gift or a grant as the farmer has been allowed under Resettlement. I repeat, he is not asking for a gift out of this; he will not get a gift out of this. What he wants is a chance to borrow quickly at a cheap rate and on easy terms. The Red Cross will help him to get cleaned up and may help him some financially, but only in exceptional cases. He owes some money, we will say, to the bank, or to some mortgage company, and there is a mortgage on his property. Neither bank nor mortgage company will stand aside; he cannot say to the banker or the mortgage company, "Stand back and let me put a mortgage ahead of yours." They will not do that; no, of course they will not. All that we are asking is that the R. F. C., or this new corporation founded in this bill, lend money to this man. We do not need to worry about this new corporation opening wide some great door. Why? Because they have only $20,000,000 to spend. In these days of billions this is a small amount, and they have got to spend it in 1937; it is limited all around. It will be loaned only to flood sufferers from the floods of 1937. This is the only way we can get money for these small-business men. If you know of any other way by which the Government can help meet the immediate needs of thousands of our small-business men and some of our larger concerns, which employ large numbers of laboring men, then we would be glad to have you come forward with such a plan.

The Red Cross comes into these flood districts and moves people's goods, gives them food, supplies, dishes, and may give small sums of money to those in immediate need. The Red Cross will do that much for them, but it cannot do much to help the little-business man or the home owner in a financial way. The businessman is generally a pretty good fellow. He may owe a little money; he may have a mortgage on his home, but he says, "Now, if I could get a little money, I could put my house in shape and I could go back in business. I do not want it as a gift; I want to borrow it and pay it back."

Mr. Speaker, this is the reason why we are insisting on this bill, because we want these four fronts to move together: W. P. A., Red Cross, the Resettlement, and the Reconstruction Finance Corporation.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. MAY. The gentleman will remember, touching the flood of last year, that we put in that bill a provision that the R. F. C. was to lend on reasonable security, not adequate security, intending to suggest to them that it make it possible for men to get money, whether they ever paid it back, in those circumstances. Unless we make it mandatory are we going to get anything?

Mr. JENKINS of Ohio. I do not think it would be necessary to make it mandatory because that would encourage those who might not be deserving to cause a lot of trouble in pushing their demands. We must trust to the humanity and sympathy of those who are to administer this law to do justly and deal fairly.

When the Red Cross goes through these flooded areas it will give the people first-aid relief. They will give everything they think is necessary within the limit of their

operations. They will put the people in their homes. The Red Cross may in most cases furnish all that is necessary by way of gifts. Then the W. P. A. will do the clean-up work for them. If this is not sufficient, then this new corporation will be available for furnishing additional money by way of a loan to city people and small-town people, while the Resettlement will deal primarily with farmers. Not a dollar of this will be handed out as a gift; it will be loaned with the understanding it will be repaid. Most of it will be repaid. But what if some of it or all of it should not be repaid, what is $20,000,000 as a contribution by this great Government when the rest of the people all over this country have already given the Red Cross more than $20,000,000 in money as well as the great quantities of food and clothing that have poured into the flooded areas from the sympathetic people all over the country? The people of the United States will absolutely ratify what we do today because they have already done so from their own pockets by contributions to the Red Cross.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. RANDOLPH. I am in sympathy with reasonable loans. I am very sorry that the language of the Flood Relief Act we passed last year was not sufficiently clear and mandatory to secure loans upon the reasonable basis we intended; and I have records from my own district substantiating my statement.

Mr. JENKINS of Ohio. I am sorry to know that that seems to be the universal experience of those who suffered in last year's floods. I hope we will profit by that experience and let the lending agency know that we are not requiring the caution of a Shylock when dealing with these people who are fighting their way back with valor that is an honor to them as American citizens.

From what the gentleman from West Virginia says, and from what I hear from others, the Reconstruction Finance Corporation has been extremely careful with its loans to flood sufferers. They were bound by certain regulations, and that might be the reason why the money was not more easily available. I am sorry for that, and I hope the limitations here will be more liberal, not because I want my people to have something for nothing but I want them to get an opportunity to come back. You must remember that when you give a poor person a little help or when you lend him a little money you are not compensating him for all his loss; you are not giving him anything for his tragic experiences in trying to save his home from the cold, merciless water; you are not compensating him for the risks he took to save the lives of his family and himself; you are not compensating him for sleeping on the schoolhouse floor for a week or two and standing in the bread line for his soup and coffee; you are not compensating him for the loss of all his life's savings and the loss by his family of all their earthly possessions; you are only helping him to help himself. I know this bill will pass today. There will not be an opposing vote. We will appreciate it, for we want to move immediately on every front with these four armies of relief—the Red Cross, the W. P. A., the Resettlement, and the R. F. C. When a man wants to get back to his home, he wants to get back right away. They want to go back now. These people are going back and they should be helped. Relief next week will be too late for many. Relief next month will be too late for most. Relief in 3 months will be no relief at all.

Mr. KRAMER. Will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from California.

Mr. KRAMER. May I say that California and the States on the Pacific coast have contributed largely through the Red Cross to the sufferers in this area. The States on the Pacific coast, and, in fact, all States in the Union, have not objected to the loans being made because these people have lost their property. It has gone down the river.

Mr. JENKINS of Ohio. I appreciate the gentleman's contribution. We have lost heavily. What you do by passing this bill will not in any measure adequately compensate them for their losses, but it will once more show to the world that sympathy and charity are yet live virtues with the American people. It will hearten a people whose distress sorely tried them when the waters of the mighty river threatened their very existence, and it will encourage them as they courageously advance to the task of rebuilding again their homes and places of business. Ours is a great country. Our misfortunes are great, as are our resources; we must repair the damages and set ourselves to the task of seeing to it that future generations may not suffer from these disastrous floods. "Old Man River" must be harnessed and kept in his place. [Applause.]

Mr. STEAGALL. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana [Mr. GREENWOOD].

Mr. GREENWOOD. Mr. Speaker, I want to compliment the gentleman from Ohio for making a very sensible and generous speech in interpreting the purposes of this act. Of course, he is in a flood area like some of the rest of us, and knows of the great necessity for acting and acting at once to furnish this avenue of credit to people who would not have any other opportunity to borrow. We want all of these Government agencies to move at once. The others are moving. The Red Cross and other agencies of the country have subscribed some $12,000,000. There will probably be a $400,000,000 loss in this flood area. This appropriation of $20,000,000 is not out of proportion to what a Federal contribution should be, in view of the fact that people all over the country have contributed generally for the very purpose we are now proposing.

Furthermore, there was $42,000,000 left over from a fund last year which was specifically prescribed by the Congress for use for flood relief. The Reconstruction Finance Corporation had its hands tied under the previous law in connection with making character loans. They could lend on reasonable security, but the act was interpreted that loans to be made by this Corporation had to have perhaps adequate security. These loans will be based upon the honor of the borrowers who are in need and who are confronted by an emergency. For instance, if a church in a community wants to rebuild its pipe organ, or pews, or replace carpets, it can borrow the money. A municipal corporation to cover immediate pay rolls, or a school corporation desiring to pay teachers or remodel or mend the losses in connection with a school building, can get the money and get it at once. Small-business men, storekeepers, lumber yards, small factories, and others will have the opportunity to borrow out of this fund.

Mr. PARSONS. Will the gentleman yield?

Mr. GREENWOOD. I yield to the gentleman from Illinois.

Mr. PARSONS. It was stated a while ago we ought to take this money out of the emergency-relief appropriation which was passed a few days ago. But it is absolutely necessary to pass this legislation in order that we may use the balance the R. F. C. has available at this time?

Mr. GREENWOOD. That is right. Besides, there is already allocated these funds and W. P. A. money for projects all over the country. If these funds are shifted, they will have to be reimbursed, and this will act as a reinforcement of those funds.

Mr. CITRON. Will the gentleman yield?

Mr. GREENWOOD. I yield to the gentleman from Connecticut.

Mr. CITRON. Would the gentleman object to an amendment providing for relieving the flood sufferers of 1936, because many of them applied for loans but were refused?

Mr. GREENWOOD. I would not have any objection, but I think the Members of the House would, because this is intended to cover catastrophe relief for the year 1937, and is not intended to be retroactive in any sense.

Mr. CITRON. I do not suppose this bill refers to any one particular area?

Mr. GREENWOOD. No; this covers any catastrophe that may come up in 1937 in any portion of the country.

Mr. RANDOLPH. Will the gentleman yield?

Mr. GREENWOOD. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. I think the gentleman from Connecticut [Mr. CITRON] has raised a proper point. A part of the money was made available last year. Nineteen thirty-six should be included with 1937.

Mr. GREENWOOD. I would have no objection, but it was not intended that this measure should reach back and become retroactive, but only to take care of the emergency that has recently risen.

Mr. CITRON. The reason for my suggestion is that the R. F. C. refused the applications of many people in my section. Most of these applicants were for small loans. I favor helping the needy, and in emergencies I believe our Federal Government should. That is why we amended the R. F. C. Act, for flood sufferers last year, in a spirit of human kindness.

Mr. GREENWOOD. I may say this is a Senate bill that has already passed the Senate.

Mr. CITRON. I shall certainly be glad to vote for this measure, but I hope the gentleman will allow an amendment to provide for the 1936 sufferers. My amendment is fair and necessary. While we passed humane legislation last year, I sometimes wonder if those who administer the same appreciate the intent of Congress to aid and assist.

Mr. GREENWOOD. There are $42,000,000 of that fund left from last year.

Mr. CITRON. Let us add $20,000,000 more to the $20,000,000 this bill proposes and if there are any people in New England, or in the Ohio River Valley or other sections entitled to receive assistance, let us give it to them. Let us give the same benefits to last year's sufferers, to those whose applications were turned down, the benefit of this measure, which I admit is just and humane. [Applause.]

[Here the gavel fell.]

Mr. STEAGALL. Mr. Speaker, I yield 4 minutes to the gentleman from Kentucky [Mr. SPENCE].

Mr. SPENCE. Mr. Speaker, I would indeed be remiss in my duty to my constituents and to every natural instinct if I did not take a deep interest in this legislation. I represent nine counties, eight of which border on the Ohio River, and the people of those eight counties have been sorely afflicted by the recent flood that has visited that area.

The Disaster Relief Corporation, I believe, can furnish great relief to these people. I hope and trust it will be administered in the liberal spirit in which the Congress of the United States expects it to be administered. This is not a holding company. It is a humanitarian agency of the Government to carry forward a great purpose, namely the relief of distressed people. We need not worry about setting up holding companies this afternoon, nor do I think the technical rules of the House should stand in the way of furnishing the immediate means of relief through this newly constructed agency.

I trust I may say with perfect propriety that yesterday afternoon we had a conference with Mr. Hopkins, who stated that if this bill were passed today and this corporation created, he expected it to be operating in the stricken area by the end of the week. When expedition is needed so much we certainly cannot afford to delay the passage of this measure.

Of course, the farmer can receive relief from the Farm Credit Administration, and we have been told they will increase the loans to the farmers. The Home Owners' Loan Corporation will increase loans to the people in the cities, and the Resettlement Administration will continue to function, but none of these agencies can exercise the functions of this corporation. The Disaster Relief Corporation will occupy a peculiar place in the relief program. The $790,000,000 which is at the disposal of the President of the United States will not be loaned to the people of America. This will be distributed as grants for reemployment. I hope and trust that not only will the Disaster Relief Corporation exercise a very useful function but that it will be supplemented by the other agencies of the Government in affording relief which even this corporation will not be able to give, because many of the people in the stricken areas not only need loans but they need direct grants to retain their homes and to reestablish themselves as useful citizens in the communities where they live.

I have no doubt the House will pass this bill unanimously, because it will serve a purpose which I know is dear to the hearts of all the people. We in the Ohio Valley have a peculiar interest in it today, because our people are stricken. But tomorrow you on the Pacific coast or you in the Northwest or the Northeast or you in some other section of the country may meet with some catastrophe and you will then need the help of the Government of the United States, and we Representatives of the present stricken area will certainly come to your rescue, as we hope you will come to ours today. [Applause.]

(Mr. SPENCE, Mr. JENKINS of Ohio, Mr. WHITE of Ohio, Mr. O'NEAL of Kentucky, Mr. KRAMER, Mr. WHITE of Idaho, Mr. KOPPLEMANN, Mr. CITRON, Mr. CROWE, Mr. MICHENER, Mr. CHAPMAN, Mr. FOCHT, and Mr. GREGORY asked and were given permission to revise and extend their remarks in the RECORD.)

Mr. TABER. Mr. Speaker, may I ask a question of the gentleman from Alabama with reference to this bill?

Mr. STEAGALL. I yield to the gentleman from New York.

Mr. TABER. I notice that this bill is so drawn that 20 years from now the corporation could make a loan on account of any disaster that occurred during 1937. I think the measure ought to be tightened up in that respect, so that this lending power should only extend through the current year of 1937 at any rate.

Mr. STEAGALL. Of course, the corporation can be dissolved at any time by the Congress; and, of course, any amendment to the bill would mean delay and would jeopardize the purpose we are seeking to accomplish by calling this matter up in the hurried manner in which we have.

Of course, as a practical proposition the gentleman will agree, I am sure, there is no likelihood there would be any abuse of any such power as he has in mind, assuming his view of the matter is correct.

Mr. TABER. I understand there is agitation right now which suggests that loans should be made now on account of the 1936 floods.

Mr. STEAGALL. Oh, that is in the immediate past; 1936 has just gone into history, and it is not at all unthinkable that applications may be still pending and may be granted under the authority of the 1936 act.

Mr. GREENWOOD. If the gentleman will permit, this bill covers any catastrophe of 1937 only, and if there are any applications for loans due to what may have happened in 1936, they could not be considered under this bill.

Mr. TABER. That is true, of course; but loans could be made as far off as 20 years from now under this bill.

Mr. GREENWOOD. The affairs of the Reconstruction Finance Corporation are going to be under consideration here from time to time, and Congress at any time can provide any such limitation.

Mr. TABER. Would it not be better to amend this bill so that the power would only continue perhaps 3 months beyond 1937, or something of that kind?

Mr. STEAGALL. Of course, the corporation could be dissolved at any time, and it certainly would be dissolved if it abused its authority in any such manner as the gentleman seems to fear.

Mr. TABER. But no one could know about it at the time.

The SPEAKER pro tempore. The time of the gentleman has expired. All time has expired, and the Clerk will read.

The Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby created a Disaster Loan Corporation, with nonassessable capital stock in an amount not to exceed $20,000,000. The Reconstruction Finance Corporation is authorized and directed to subscribe for such stock and to make payment therefor from time to time, as called, out of the unexpended balance of the $50,000,000 which the Reconstruction Finance Corporation was authorized to lend for catastrophe relief by section 1 of the act of April 17, 1936 (Public, no. 525, 74th Cong.). Such Disaster Loan Corporation shall be managed by officers and agents to be appointed by the Reconstruction Finance

Corporation under such rules and regulations as its board of directors may prescribe.

Such Disaster Loan Corporation shall be empowered to make, upon such terms and conditions and in such manner as it may prescribe, such loans as it may determine to be necessary or appropriate because of floods or other catastrophes in the year 1937. Such Disaster Loan Corporation may use all its assets, including capital and net earnings therefrom, in the exercise of its functions.

The Disaster Loan Corporation shall have succession until dissolved by act of Congress; shall have power to sue and be sued in any court, to adopt and use a corporate seal, to make contracts, and to acquire, hold, and dispose of real and personal property necessary and incident to the conduct of its business; and shall have such other powers as may be necessary and incident to carrying out its powers and duties under this act.

Mr. WOLCOTT. Mr. Speaker, I offer the amendment which I have sent to the desk.

The Clerk read as follows:

Page 2, line 4, after the word "functions", strike out the period, insert a semicolon and the following: "*Provided*, That the Disaster Loan Corporation shall make no loans under the provisions of this act or the regulations provided herein in excess of $25,000."

Mr. WOLCOTT. Mr. Speaker, it occurs to me that in all the corporations we have set up or that have been set up there has been a limit to the size of the loans which have been made. Inasmuch as we have kept the amount down to $20,000,000, I assume that it is the intention of the President and the corporation and the intention of this Congress to spread out the relief as widely as possible.

It is proposed to give relief to local institutions, which are capitalized at a very small amount of money and which will probably need no more than fifteen or twenty thousand dollars.

And so, in keeping with the policy of the Congress restricting the Finance Corporation throughout the history of this relief legislation, I have offered this amendment to limit the amount of the loan to these corporations, associations, or individuals to $25,000 as a guaranty to the people who are vitally affected that they will get relief under this act.

Perhaps some may say that we should leave the amount to the discretion of the board of directors. I am of the opinion that we should follow the same procedure in this respect that we have been following in limiting the amount of the loan to any individual or corporation, having in mind the bill under which the Reconstruction Finance Corporation provides loans to industry.

At first the limitation was $25,000, as reported by the committee. In the House the limit was raised to $50,000. I do not see any particular reason why we should have a limit as large as $50,000 in this bill, because it is presumed that the relief will be given to home owners and men of very small means.

Mr. GREENWOOD. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. Yes.

Mr. GREENWOOD. The purpose is not only to give relief to small-business men and home owners but to give relief to municipalities, many of whose credit is somewhat impaired. They could use this fund for the purpose of maintaining the schools or their fire department. I do not think such a limitation as that should be put into the bill. The matter ought to be left to the discretion of the corporation.

Mr. WOLCOTT. I believe that under the general provisions of the Reconstruction Finance Corporation Act the Reconstruction Finance Corporation already has authority to grant loans to municipalities for that purpose, and it is to prevent half of this amount or the whole of this amount being loaned to one municipality or to one business or to one industry to the prejudice of many hundreds of others that I think this limitation should be incorporated in the bill.

Mr. GREENWOOD. There is no desire to prejudice any borrower. Certain municipalities, in endeavoring to maintain schools or the fire department or the other agencies of government, should not be limited to $25,000 under the law. I think the matter should be left to the discretion of the Corporation.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. STEAGALL. Mr. Speaker, of course, the purpose of this legislation is to relieve distress which is general, but the benefits will inure in the main to people who would only expect to ask for a loan. There might be occasional cases of a municipality, an armory, a soldiers' memorial, possibly a church or a hospital in some instance where a loan should be made in excess of $25,000, and in such case, of course, it should be done, but the relief that will result from the lending of these funds, even though the loans might be made in larger amounts, will not be limited to those directly concerned, but any funds that are loaned in any way to anybody, whether large or small, will, in one way or another prove beneficial to the entire community involved. I share very largely the views expressed by the gentleman from Michigan, and I have not the slightest doubt that the business of the corporation will be conducted as a general rule, according to those views in making loans. The chief difficulty is we face a practical situation. The Senate has passed the bill and sent it over here. Of course, a dire emergency confronts us. Any delay means continued suffering and distress, which may be immediately relieved if we act expeditiously on this legislation. If the bill is amended, it must go back to the Senate. The practical situation is such that several days of delay are likely to result. I hope the amendment will not be agreed to.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. STEAGALL. Yes.

Mr. WOLCOTT. I call the gentleman's attention to the fact that in the case of municipalities, they can get relief through two agencies which have already been set up—the Public Works Administration and the W. P. A.—both of which are available to make loans or grants to municipalities and one of which has new money to the extent of $790,000,000 for the express purpose of giving work relief, and that work relief may be given by municipal building, so that if a municipality or a school district must borrow for the purpose of rebuilding, it can get this relief from the W. P. A. or the P. W. A. The situation resolves itself into this only, that this bill should be designed to give relief only to those agencies which cannot effectively get relief from the agencies which have already been established.

Mr. GREENWOOD. Mr. Speaker, will the gentleman yield?

Mr. STEAGALL. Yes.

Mr. GREENWOOD. The gentleman from Michigan [Mr. WOLCOTT] is in error if he thinks that the W. P. A. can loan to a municipality.

Mr. WOLCOTT. It can grant money.

Mr. GREENWOOD. To maintain its current expenses. It can build a bridge or building or build a sewage system, and then the municipalities need to borrow money to carry on their schools and other agencies, and there could be no allocation of W. P. A. funds for that purpose.

Mr. WOLCOTT. In saying that the gentleman means that we are expected under this bill to substitute loans through this corporation for the tax money which the municipalities usually get from the taxpayers.

Mr. GREENWOOD. It is no substitute at all. It is to take care of whole cities.

Mr. McCORMACK. Mr. Speaker, I move to strike out the last word. I do this for the purpose of obtaining information. I tried to get a copy of the bill in order to attempt to acquaint myself with its provisions, but was unable to obtain one. I have to rely on the scanty debate which I have heard today. However, my mind goes back to last year when Pennsylvania, New England and New York, and other sections of the country had serious floods.

As a result of that flood there was intense human suffering. There was great loss of property. We tried to get a bill passed to allow the victims of that flood condition to obtain loans upon character. It was my recollection the bill finally passed required reasonable security. Now, I am in agreement with this bill. It is a proper and a humane measure. I think we can rely upon these people to pay

back to the Government what they borrow, but what is good for one is good for the other. If we pass this bill without including the sufferers of the flood of last year we are in a very, very embarrassing position. We are sending out from this Chamber a bill, as far as the victims of the present floods are concerned, who receive one legislative consideration, and as far as the victims of the floods of last year are concerned receive another legislative consideration.

Mr. BOILEAU. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. BOILEAU. It seems to me if there are some of the flood sufferers of last year who would be benefited, that is in conflict with the argument that it is necessary to pass this bill today.

Mr. McCORMACK. I think it is an important situation. We have to try to give assistance when the pain exists; that is, when it hurts. I am in favor of the bill, but I hope the proponents of the bill will include last year and increase the amount. I realize that to confine it to $20,000,000 will not meet the present purpose and include the sufferers of last year's floods, but all we have to do is to amend it to include 1936 and increase the amount to about $42,000,000.

Mr. BOILEAU. In the gentleman's opinion, do some of the people who suffered in the flood of last year need assistance now?

Mr. McCORMACK. There is no question about it.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. RANDOLPH. Is it not a fact that the funds appropriated last year would be used under the proposed legislation?

Mr. McCORMACK. I so understand.

Mr. RANDOLPH. And is it not a fact that we have been unable under the old act to get the necessary loans for our people in rehabilitation?

Mr. McCORMACK. Exactly. It is not the fault of Congress. I am not going to criticize those who administer the law. It is easy to criticize other people, but they have their responsibilities. They had to obtain reasonable security, and they have to keep in mind all the requirements of the law. I was one of those who fought for character loans last year. I am for it this year. In the emergency, let us recognize the call of humanity. These loans will be made to property owners who have suffered, and we can rely upon their character.

Mr. PARSONS. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. PARSONS. The gentleman realizes the dire necessity at this present time. The parliamentary procedure is such that I understand if this bill is amended in any form, it will be next week before it can be approved. I am willing to vote with the gentleman if he will bring in a House joint resolution to amend this act when it is established, so that it will be retroactive to the 1936 flood, but I hope the gentleman will not hold up the measure today, so that it can be approved by both the House and Senate today and signed tonight.

Mr. McCORMACK. Certainly, these is no such emergency but what it can wait until Monday. This is Thursday. There will be no loans made between now and Monday.

Mr. PARSONS. Will the gentleman yield further?

Mr. McCORMACK. Gladly.

Mr. PARSONS. There is not such an emergency obtaining for the 1936 flood sufferers at the present moment. It can go over for a week or 10 days, but if the gentleman will bring in a resolution, I will be glad to support it as an amendment to this act, so that it can be made retroactive to 1936.

Mr. McCORMACK. I know the gentleman will support it, but the gentleman from Massachusetts can bring in a resolution and my distinguished friend can support it, but we might not get it passed.

Now, this is urgent in a sense, but it is not so urgent but what we can prescribe the same policy for both. I am for this bill. If an amendment were defeated I would not let my feelings interfere with voting for the passage of the bill. If an amendment is offered and it is defeated, I am going to vote for the bill, because I would not let my feelings expressed today interfere with the passage of a bill that I am wholeheartedly in support of.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for 2 additional minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. McCORMACK. This is the time to do it, in my opinion. This concerns loss to property and a few days will not make any difference. If the Senate has not adjourned, then it is simply a question of going back to the Senate and the Senate concurring in the amendment.

Mr. GRISWOLD. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. GRISWOLD. Is it not true that under the provisions of this bill loans can only be granted for catastrophes in 1937, and under the old law, under this administration when they had a right to make loans they did not make them as they should have been made, and they will construe the mandatory provision in this bill to make it even harder for the 1936 people to get loans?

Mr. McCORMACK. There is a great deal to what the gentleman says.

Mr. CITRON. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. CITRON. What will be the situation if there is a flood along some river and there are flood sufferers on that same river from last year who have made application for loans and have been turned down, and then their neighbors come along after a flood this year and obtain a loan?

Mr. McCORMACK. It seems to me that the situation is so apparent that argument is not necessary. In any event, many Members of this Congress will be placed in an embarrassing position, coming from States afflicted with floods last year, having their people say, "You prescribe one policy for us and you prescribe another policy for the unfortunate victims of the present flood." We ought to have one policy for everybody.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. RANDOLPH. That is particularly true in the State of West Virginia. One section of the State is devastated this year, another was devastated last year. The gentleman's point is well taken. I am for this bill, because I know how badly action is needed at once. I had hoped we might include the flood sufferers of 1936 under provisions of this new legislation but we can perhaps do that later. It should be done.

Mr. McCORMACK. I have expressed myself. If an amendment is offered and rejected I still intend to vote for the bill, but I urge the proponents of this measure to look at it in its broad, equitable, and honest sense, honest legislatively, and to offer an amendment to make the same policy apply to all flood sufferers.

Mr. FOCHT. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. If I have any time left I gladly yield.

Mr. FOCHT. I just want to supplement the gentleman's statement as to the rehabilitation policy. There are innumerable instances in the Susquehanna and Juniata Valleys, and on the north fork of the Susquehanna River, where distress still prevails, but nothing has been done to relieve the distress of last year.

Mr. STEAGALL. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. STEAGALL. Has the gentleman from Pennsylvania introduced a bill? Has any attempt been made to amend existing law to accomplish the relief sought, to accomplish what the gentleman has in mind?

Mr. FOCHT. It was understood that it would be done under the law we passed last year.

Mr. STEAGALL. On behalf of the members of the Banking and Currency Committee, I feel impelled to say, in view of the statements and assertions that have been made here

this afternoon, that there has been no proposal presented to our committee looking to further relief for sufferers of the flood of 1936.

[Here the gavel fell.]

Mr. LUCE. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, like my colleague from Massachusetts, I knew nothing about this bill until I came on the floor this afternoon. Had the Committee on Banking and Currency, of which I have the honor to be a member, had even a few hours in which to consider this matter, much of this debate might have been saved. This committee, furthermore, might have had its attention brought to other considerations that have not been broached here. I would lay one of them before the House.

I had some part—small, indeed, but enough to know what was going on—in the creation of the Reconstruction Finance Corporation. It was never conceived that it should have more than brief life. There was never discussion of permanence for it. It was a temporary measure, to be dispensed with as soon as the emergency was over. We are told by high authority, the highest in the United States, that the emergency is over, that the depression has passed, that good times have come. If we accept this authority, then we might foresee the speedy extinguishment of the Reconstruction Finance Corporation, but you are here creating an agency that is to last 20 years more, based upon the Reconstruction Finance Corporation. Now, nobody would be so cruel as to wish to put the parent to death while the child was living. It is hardly to be conceived that anybody would consent to the destruction of this parent under such circumstances. We may, therefore, expect that this is introduced with the probability, surely the possibility, that the Reconstruction Finance Corporation shall continue beyond the lives of many, perhaps most, of us now here.

Certainly your committee, if it had been given a chance to consider these matters, would have faced the situation. Sir, there has been no reliance upon the orderly processes of the House. We are asked to leap before we look, we are asked to ignore the implications of this measure before we have studied and reflected.

For these reasons I remonstrate, sir. It seems to me wise to pursue always the orderly procedure in this House, a procedure based upon many, many years of experience, under which procedure there has been study of proposals before they are brought on the floor. It seems to me, sir, there should be a chance for those to whom has been entrusted the consideration of these things to study this bill so they could bring to the House a perfected measure. Because we have not had that chance, because men on the committee did not even know of the proposal in any way, shape, or manner, they were unable to give it the study that was needed.

For these reasons, sir, I believe that we ought at least to refer this matter back to the committee with instructions, if you choose, that we report tomorrow. Thus, we would give the men whom you have ordered to study these things an opportunity to do their sworn duty. [Applause.]

[Here the gavel fell.]

Mr. DOCKWEILER. Mr. Speaker, I move to strike out the last three words.

Mr. Speaker, I rise for a single purpose; that is, to ask the chairman of the Committee on Banking and Currency whether or not the disaster corporation that is to be set up under the terms of this bill will be given jurisdiction to make loans for such a catastrophe as has befallen my State of California in this year 1937; to wit, the catastrophe of a great frost that destroyed practically $60,000,000 worth of citrus fruits? May the orange and citrus fruit growers of California make application to the disaster corporation set up under the terms of this bill? May they make application in the same manner as would a flood sufferer along the Ohio River or in the Midwest?

Mr. STEAGALL. I would not undertake to talk about the situation in California. I would say that would be a matter for the construction of the courts.

That is a matter for construction, of course. The gentleman's interpretation, of course, is as good as mine. He knows full well this measure was drawn primarily to take care of the situation resulting from the recent distressing flood. I am not prepared to say whether under existing law the distress to which the gentleman calls attention can be taken care of or not. I think it could under relief measures that have been afforded to agricultural pursuits.

Mr. DOCKWEILER. Does the gentleman believe in the event a catastrophe occurred in the year 1937, such catastrophe being an unlooked for freeze destroying trees and crops, that it would come under the definition of this measure?

Mr. STEAGALL. I think provision already exists for such catastrophe to which the gentleman refers, but I may refer him to the language of the bill which says, "floods and other catastrophes occurring in 1937."

Mr. DOCKWEILER. Was it the intention of the committee in preparing this resolution that it should cover other catastrophes that occurred in 1937?

Mr. STEAGALL. The gentleman is aware of the fact this resolution was not considered by the committee. It was taken up by unanimous consent immediately upon receipt by the House, so that there cannot be an answer to the gentleman's inquiry so far as giving the view of the Committee on Banking and Currency is concerned. The gentleman understands, of course, the circumstances full well.

Mr. KOPPLEMANN. Will the gentleman yield?

Mr. DOCKWEILER. I yield to the gentleman from Connecticut.

Mr. KOPPLEMANN. I did not hear the reply of the distinguished chairman of the Banking and Currency Committee, and whether it was yes or no, but I may say to the gentleman from my knowledge of laws passed during the present administration, there is sufficient authority at the present time to make loans to the gentleman's distressed farmers and those whose industries have been destroyed by freezes, provided the laws were administered as written on the books today.

Mr. DOCKWEILER. Has the gentleman in mind the Farm Credit Corporation and such lending agencies?

Mr. KOPPLEMANN. I have in mind the Reconstruction Finance Corporation.

[Here the gavel fell.]

Mr. DOCKWEILER. Mr. Speaker, I ask unanimous consent to proceed for 1 additional minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS. Will the gentleman yield?

Mr. DOCKWEILER. I yield to the gentleman from California.

Mr. VOORHIS. I may say I have been in touch with many of our people in California, as I suppose my colleague from California [Mr. DOCKWEILER] has, and I understand the growers and other people in that State have taken this matter up rather definitely and clearly and have some assurance that they can get assistance through the Farm Credit Administration. Further, they have made a recommendation that there be a considerable sum, I believe $25,000,000, made available through the Resettlement Administration for assistance to those farmers and growers throughout the Nation who are not in a position to offer adequate security for loans. Like my colleague [Mr. DOCKWEILER], I would be very glad to know positively and surely that some of the funds concerning which we are now debating may be made available to California. At the same time, I feel the main purpose in passing this legislation is to deal with an existing emergency in the Ohio River Valley. I thank the gentleman from California [Mr. DOCKWEILER] for asking the question about which he is concerned, and I hope the answer to it is yes, but at the same time I would not want to press it to the point where we would hold up the pending legislation in any way, especially in view of the arrangements which California growers are making on their own behalf.

Mr. DOCKWEILER. I thank the gentleman for his contribution.

Mr. BEITER. Will the gentleman yield?

Mr. DOCKWEILER. I yield to the gentleman from New York.

Mr. BEITER. May I say to the gentleman from California, who asked the direct question of the other gentleman from California, that the money is available, but you cannot get it?

[Here the gavel fell.]

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Michigan [Mr. WOLCOTT].

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent to have the amendment read again by the Clerk.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Wolcott amendment was read, as follows:

Page 2, line 4, after "function", strike out the period, insert a semicolon and the following: "*Provided*, That the Disaster Loan Corporation shall make no loan under the provisions of this act or regulations provided herein in excess of $25,000."

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Michigan [Mr. WOLCOTT].

The amendment was rejected.

Mr. CITRON. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. CITRON: Page 1, lines 4 and 5, strike out "$20,000,000" and insert in lieu thereof "$40,000,000."

Mr. CITRON. Mr. Speaker, I offer this amendment because I have not seen any figures here to show that $20,000,000 will be sufficient to take care of flood sufferers. Those who have read the newspapers know that the amount of damage has been tremendous. It is my desire to increase the amount to take care of the people who have suffered or who may suffer from floods that may come in the next few months in other sections and areas of this country.

Mr. McCORMACK. Will the gentleman yield?

Mr. CITRON. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. And also this amendment is offered with the understanding that an amendment will be offered to include in this bill provisions for the flood sufferers of 1936?

Mr. CITRON. That is correct. I do not know what the number of applications of flood sufferers of 1936 for loans from the R. F. C. were. I believe we should amend the present bill by increasing the amount and subsequently amend the date in this bill to include the flood sufferers of 1936.

Mr. GRISWOLD. Will the gentleman yield?

Mr. CITRON. I yield to the gentleman from Indiana.

Mr. GRISWOLD. The money the gentleman would make available, $40,000,000, is now available, having been left over from 1936; is that correct?

Mr. CITRON. I understand there is money enough to take care of the proposed amendment which I have offered.

Mr. SPENCE. Will the gentleman yield?

Mr. CITRON. I yield to the gentleman from Kentucky.

Mr. SPENCE. We had a conference, and the conferees did not seem to want to deplete the whole fund that is now available to the Reconstruction Finance Corporation. This is a revolving fund, and it was felt that $20,000,000 was sufficient to meet any immediate needs. Of course, in the future it may be necessary to appropriate more money.

Mr. CITRON. According to the reports in the newspapers, the amount of damage in the flooded sections of our country in the past few weeks exceeds a half billion dollars. I have offered an amendment to make it $40,000,000 in order to take care of sufferers from any future floods in 1937, as well as those of 1936.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield so that I may ask my friend the gentleman from Kentucky [Mr. SPENCE] a question?

Mr. CITRON. I yield.

Mr. McCORMACK. In all justice and equity, does not the gentleman feel that the provisions of this bill should apply to the sufferers of the floods of last year?

Mr. SPENCE. I think it should have applied at the time the act was passed.

Mr. McCORMACK. Can we not take care of it now by a simple amendment to this measure?

Mr. SPENCE. Whether it would be advisable to do that now or not is another matter. They say that expedition means a great deal with reference to this particular piece of legislation. Mr. Hopkins told us he thought they would get to work under this bill the latter part of this week.

Mr. McCORMACK. The water is not down yet.

Mr. SPENCE. Oh, yes; it is.

Mr. McCORMACK. Nobody has more heartfelt sympathy for these people than I have; and, as I have stated, if these amendments are defeated I am going to vote for the bill.

Mr. SPENCE. And if the gentleman will propose a measure to take care of his people on the same basis that we are now trying to take care of ours, I will be pleased to go along with him.

Mr. McCORMACK. What assurance have we that it will come out of the gentleman's committee?

Mr. STEAGALL. Mr. Speaker, if the gentleman will permit, I think I can answer that question.

Mr. McCORMACK. I would like to have the gentleman answer it.

Mr. STEAGALL. The implication would seem to be that the situation to which the gentleman has just referred has not received sympathetic consideration or would not receive sympathetic consideration at the hands of the committee of this House that has charge of such legislation.

Mr. McCORMACK. I am not making that implication at all.

Mr. STEAGALL. I know the gentleman does not intend that.

Mr. McCORMACK. Of course I do not.

Mr. STEAGALL. But someone might so infer, and I want to explain to the gentleman and to the House that when the legislation covering the distress following the catastrophe, say, of 1936, to which he alludes, was before our committee——

[Here the gavel fell.]

Mr. STEAGALL. Mr. Speaker, when that measure was before our committee we passed it as was desired, and as it was proposed by the gentlemen interested directly as representatives of the sections that were in distress.

Let me say to my good friend that our committee has had no request for any further legislation for the relief of sufferers of 1936; neither has our notice been called to the inadequacy of that legislation or its administration until this bill was brought in here today.

I insist that this measure should not be delayed or its passage imperiled or this relief postponed in order that we may cure a difficulty that has existed, evidently, for many months, and which should have been corrected, but I respectfully insist that the Banking and Currency Committee of the House was not called upon to deal with that situation until Members directly interested called the matter to our attention; and I want to pledge the gentleman, and I am sure I can speak for every member of the committee, and, for that matter, I am sure I can speak for the House, as the gentleman knows, if that situation is shown to be distressing and one that demands relief, just as the situation for which this legislation is intended, I can assure the gentleman, and I think he will not doubt, that the Banking and Currency Committee will give immediate consideration to any legislation he may propose or that may be proposed that will take care of the situation resulting from the distress in 1936. If there has been an oversight, we will try to correct it; but do not delay this bill at this time because of our former neglect to take care of another situation.

Mr. McCORMACK. The gentleman's statement, so far as I am concerned, has clarified the situation. The gentleman's word is known in this House. The gentleman has said that if a bill is introduced relating to the 1936 flood sufferers and

seeking the same kind of legislation, the gentleman's committee will report out the bill if it is shown that the situation warrants it.

Mr. STEAGALL. I cannot say that we will report it, as I think the gentleman can well appreciate, but I think I can say, and I have no doubt the gentleman will agree, it will receive most serious and sympathetic consideration.

Mr. McCORMACK. Of course, the gentleman cannot speak for the rest of the committee, but if the gentleman gives us his assurance that he will be favorable to it——

Mr. STEAGALL. We will go as far for your people or for the 1936 sufferers, according to the necessities of the situation, as we are trying to go now.

Mr. McCORMACK. I have not a sufferer in my district, but I am trying to apply the rule of equity to all, and, so far as I am concerned, the gentleman's word is absolutely acceptable to me. It clarifies the matter so far as I am concerned, and I am willing to go along with the bill, and I hope my friend will withdraw the amendment and I hope such amendment will not be offered, but that we will go before the Banking and Currency Committee and have them bring out another bill correcting the situation.

Mr. WOLCOTT. Mr. Speaker, I move to strike out the last figure of the amendment.

Mr. Speaker, a short time ago we had a bill before the House of an emergency character and we considered it under just about the same conditions we have this afternoon. We were very much surprised that night to be advised by the press that the Senate had adjourned over the week end without granting authority to the President of the Senate to sign the bill. I see now on the floor a distinguished Member of the other body and I am going to ask the chairman of the committee whether he can determine for us whether the Senate has granted authority to the President of the Senate to sign this bill while the Senate is not in session.

Mr. STEAGALL. I am not informed.

Mr. WOLCOTT. If we do not find that to be the fact, there is no reason why we should rush this through this afternoon. If the Senate has adjourned until Monday, we might as well adjourn ourselves and consider this later.

Mr. PARSONS. Will the gentleman yield?

Mr. WOLCOTT. I will yield if the gentleman can give me any information.

Mr. PARSONS. I cannot give the gentleman the exact information.

Mr. WOLCOTT. Then I do not yield.

Mr. PARSONS. I did hear the majority leader in the Senate say he was going to ask that the Vice President be empowered to sign the bill before the Senate adjourned today.

Mr. WOLCOTT. But I think we should determine that fact before we proceed further with this discussion.

Mr. PARSONS. I heard the majority leader say that he would ask for that consent to be given.

Mr. WOLCOTT. A distinguished Member of the other body is on the floor and he might advise the chairman of the Committee on Banking and Currency, who then could advise us, whether such consent has been given. If it has not, I presume the Senate will be called into extraordinary session tomorrow, if that is possible.

Mr. RANDOLPH. If the gentleman will yield, the present legislation does not provide for loans to be made to sufferers from floods in 1936.

Mr. WOLCOTT. I am not arguing the merits of the bill. I am trying to find out whether it can be enacted into law within 48 hours. If it cannot—if the Vice President has not been given authority to sign the bill—I see no reason why we should rush this through at this time.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. WOLCOTT. I yield.

Mrs. ROGERS of Massachusetts. I am in favor of the amendment to cover the flood sufferers of 1936, many of whom are in my own district.

Mr. WOLCOTT. I might say to the lady that, on the merits of the bill, I am heartily in favor of it, and I hope the Banking and Currency Committee are given opportunity to consider this bill, so that an amendment may be offered in an orderly manner to give that relief.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. CITRON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. CITRON. Mr. Speaker, I believe the statement made a few minutes ago by the chairman of the committee that he would support a bill similar to this one for the 1936 flood sufferers is a fair and honorable statement; and upon that statement and the suggestions of other members of the committee that they will cooperate with him in that respect, I am willing to withdraw my amendment, and I now withdraw it. I shall introduce as soon as possible a similar bill to aid the victims of the 1936 floods. [Applause.]

The SPEAKER pro tempore. Without objection, the amendment will be withdrawn. [After a pause.] The Chair hears no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I reserve the right to object. I do not feel it is fair to withdraw that amendment.

The SPEAKER pro tempore. With all due deference to the lady, the Chair thinks her objection comes too late. The Chair had already put the matter to the House and had asked if there was objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, the lady from Massachusetts was on her feet.

Mrs. ROGERS of Massachusetts. I was on my feet.

Mr. MARTIN of Massachusetts. I make the point of order that there is no quorum here, if that is the way that we are to run the matter.

The SPEAKER pro tempore. In further answer, we are in the House as in Committee of the Whole, and it would be in order for the gentleman to withdraw his amendment in any event as a matter of right. Does the gentleman from Massachusetts insist upon his point of order of no quorum?

Mrs. ROGERS of Massachusetts. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentlewoman from Massachusetts makes the point of order that there is no quorum present. The Chair will count.

Mr. RAYBURN. Mr. Speaker, will the gentlewoman withhold that for a moment?

Mrs. ROGERS of Massachusetts. Yes.

Mr. RAYBURN. Mr. Speaker, I have checked with the Senate Journal and find that the Vice President has been given authority by unanimous consent to sign the bill at any time it comes to him.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I withdraw the point of no quorum and offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mrs. ROGERS of Massachusetts: Page 1, lines 4 and 5, after the word "exceed", strike out "$20,000,000" and insert in lieu thereof "$40,000,000."

Mrs. ROGERS of Massachusetts. Mr. Speaker, I am intensely interested in having the recent flood sufferers taken care of. I know very well what they are going through and what they have gone through, because we had very serious floods in my district. I do not feel that in any way their interest will be interfered with if my amendment is agreed to. I ask for a vote on my amendment.

The SPEAKER pro tempore. The question is on the amendment offered by the gentlewoman from Massachusetts.

The amendment was rejected.

Mr. GRISWOLD. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. GRISWOLD: Page 2, line 2, after the word "the", strike out "year 1937" and insert in lieu thereof "years 1936 and 1937."

Mr. O'NEAL of Kentucky. Mr. Speaker, I make the point of order that that is not germane, according to the precedents of the House.

The SPEAKER pro tempore. Does the gentleman from Indiana desire to be heard upon the point of order?

Mr. GRISWOLD. Yes. Mr. Speaker, this is not an appropriation bill or any legislation such as that. It is a bill containing general legislation under which a corporation is established. These words limiting the years would certainly be germane when we are going into legislation where we establish an entirely new corporation. It does not limit anything in the nature of the establishment of the corporation which is the primary purpose of the bill.

The SPEAKER pro tempore. Does the gentleman from Kentucky desire to be heard further?

Mr. O'NEAL of Kentucky. No.

The SPEAKER pro tempore. The Chair is prepared to rule. The amendment offered by the gentleman from Indiana has for its purpose the adding of the year 1936 to the year 1937 as provided in the pending bill. The Chair has rather hurriedly, but he feels adequately, examined the decisions and precedents of the House and is of opinion that section 2913 of Cannon's Precedents, volume 8, provides a decision in point on the question here raised. That is to the effect—

To a proposition to appropriate for a general increase in salaries for 1 year, an amendment to extend the increase to another year was held not to be germane.

Because of the precedent to which the Chair has referred, he is of opinion that the amendment offered by the gentleman from Indiana is not germane and, therefore, sustains the point of order.

Mr. MICHENER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MICHENER. May I ask the Chair if he took into consideration the fact that this is not an appropriation bill, that the primary purpose of this bill is to create a corporation, and that one of the incidents of the corporation is loaning money? The primary purpose being the establishment of an agency, and not specifically providing for one thing, it seems to me it would be clearly in order to permit this amendment.

The SPEAKER pro tempore. The Chair has already ruled and is sorry that the gentleman did not give the Chair the benefit of his argument on the point before the decision was made. However, it might be stated that sections 2914 and 2915 also related to the same subject. There are quite a number of precedents directly in point. Many of them relate to legislation other than appropriation bills, and the Chair is constrained to follow the precedents of the House. It was upon those precedents that the decision was made.

Mr. GRAY of Pennsylvania. Mr. Speaker, I appeal from the decision of the Chair, and I desire to be heard on the appeal.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House. Does the gentleman desire to be heard?

Mr. GRAY of Pennsylvania. I do.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. GRAY of Pennsylvania. Mr. Speaker, I do this largely to get across to the Members of the House the condition in which you put Members of this House who come from districts which were flooded last year. Speaking about the consideration that was given to those Members last year, I remember that I presented a bill for some money to be used by municipalities of the districts in order to carry them across for the time they could not collect any taxes. The result was I got about 2 or 3 minutes' time at a hearing before one of the committees. Nothing ever happened to that legislation. The people in the district were taken care of by the Red Cross and by W. P. A. funds, Presidential allocation, insofar as they were taken care of. Of all those who came to me to get Reconstruction Finance Corporation loans I can say to you that not one individual case do I know of where application was made for an R. F. C. loan, where the loan was granted.

Now, you are dealing today with an emergency. For the life of me I cannot quite understand that expediency should govern our action today. I wonder how many applications have been made for loans by flood sufferers in the recent flood. The flood is still going on. I wonder how many applications have been made for loans since that flood. In 1936 we were devastated in some of the other districts of the country. We could not get legislation passed to give relief that the people needed. Now, we propose to set up a corporation which can grant the necessary relief. Then those of us who represent districts which were flooded last year are in the position of having our constituents say to us, "You are now relieving part of the country. You could not relieve us last year." We are in the predicament of being accused of being negligent in our duty as Representatives, or else in the position of granting special privilege to certain classes of our population. That is the situation in which we are.

I am sorry that a point of order was made against the amendment offered by the gentleman from Indiana [Mr. GRISWOLD]. I cannot see why, if this legislation were acted on in this House today and the amendment were adopted, it would seriously interfere with any of the people who need relief. I do not see how they would be handicapped in any way, because the relief organizations are working there and have been and will continue to do so. The gentleman from Massachusetts was right. The gentleman from Indiana, in his amendment, certainly has the right position. Why should we be accused of giving special privilege to one part of the population and withholding it from another?

I hope that in some way this thing can be adjusted, in order that those of us who represent districts who are now put in this peculiar and uncomfortable position by the alleged emergency character of this legislation can resolve ourselves to the point where the people will understand that we tried last year to do our duty by our constituents.

Mr. Speaker, I withdraw my appeal.

Mr. TABER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: Page 2, line 4, after the word "functions", insert a colon and the following: "*Provided*, That no loan shall be made after July 1, 1938."

Mr. TABER. Mr. Speaker, this resolution is in such shape that loans can be made under it for any disaster occurring in 1937, just so long as the $20,000,000 holds out, regardless of how long it is after 1937 that the loan is made. Everyone in Congress is familiar with the fact that these things are never wound up and these powers are never ended except by affirmative action by the Congress, and that affirmative action is almost impossible to get.

I have offered this amendment with the idea that it should be upon a reasonable and fair basis so that disasters that require loans may be taken care of, but that the thing cannot hang on forever. I can see absolutely no reason why we should not protect the Treasury by this kind of amendment. I do not believe that any delay will result which will in any way embarrass the situation in the Ohio Valley or the way in which it will be handled. It will be only a couple of days before the Senate can act on it, and we might better pass a resolution in proper form and in decent shape than to let it go through with a lot of loose ends on it and not taking care of a lot of circumstances that should be met.

I hope the House will adopt this amendment.

Mr. KOPPLEMANN. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. KOPPLEMANN. May I suggest to the gentleman that his amendment is not necessary because practically no loans are being made.

Mr. TABER. If no loans are being made, or if no loans are to be made, then we ought not to be bothered spending our time all this afternoon on it. If the gentleman makes that kind of indictment against his administration, what the people ought to think of it is perfectly apparent.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

Mr. WOLCOTT. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. WOLCOTT moves that the bill be committed to the Committee on Banking and Currency with instructions to report the same to the House by 1:30 o'clock p. m., Friday, February 12, 1937.

Mr. WOLCOTT. Mr. Speaker, it is plain from the discussion this afternoon that we are considering something about which we know very little.

Mr. Speaker, the reason why this House has divided itself into standing committees is so that the House may be informed as a result of hearings and discussions in those committees concerning legislation which is brought out on the floor for consideration.

Touching the pending bill, Mr. Speaker, in the first place, we set up a corporation as an emergency, and we are told that we must do this today, otherwise there is going to be a great deal of suffering in the flood regions. No one has as yet told us that there are only 1½ fiscal days between now and next Monday and that it would be absolutely impossible to set up an effective corporation and authorize a loan even if they could get the Board of Directors of the Reconstruction Finance Corporation together in this short time before Monday. Now, there is no particular reason why the Reconstruction Finance Corporation cannot go ahead, knowing that this bill is eventually going to pass in some form or other and lay out a plan of procedure, get the details together so that when we do pass this bill next week their preliminary work will be done. This is the first point I want to make.

Another point is that of extending relief to sufferers from the floods of 1936. Why should not these localities that suffered as they did in 1936 be given the same quality of relief we are giving under this bill to the 1937 flood sufferers?

A third point, and one which has been considered here, is whether we want in this indirect manner to perpetuate the Reconstruction Finance Corporation, because there is no limitation whatsoever upon the life of the Corporation which we establish by the pending bill and no limitation upon the time in which this corporation can make loans to flood sufferers.

These are vital questions; they are fundamental questions; they should be considered by the standing committee having jurisdiction over this legislation. I am sure this discussion this afternoon has been most helpful in crystallizing these issues; and so tomorrow, after full consideration by the committee, we can consider this in very short order, having something definite before us.

Mr. Speaker, I move the previous question on my motion to commit the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan.

The question was taken; and on a division (demanded by Mr. WOLCOTT) there were—ayes 36, noes 103.

So the motion was rejected.

Mr. STEAGALL. Mr. Speaker, I move the previous question on the passage of the bill.

The previous question was ordered.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill S. 1439, an act to provide for loans made necessary by floods or other catastrophes in the year 1937.

The bill was passed, and a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that, notwithstanding the adjournment of the House, the Speaker be authorized to sign the enrolled bill S. 1439

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

EXTENSION OF REMARKS

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HAINES. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD a radio address delivered by my colleague the gentleman from Pennsylvania [Mr. FREY].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. CONNERY (at the request of Mr. MCCORMACK), for 2 days, on account of official business.

To Mr. WEARIN, indefinitely, on account of illness.

To Mr. MILLER (at the request of Mr. DRIVER), for the balance of the week, on account of important business.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow it adjourn to meet on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RAYBURN. Mr. Speaker, may I say to the Members of the House I have been somewhat embarrassed during the debate this afternoon. I thought the matter would be one involving no controversy. Frankly, I thought it was a simple joint resolution about which there would be no particular controversy. I will not be here tomorrow, but I will have someone in my place who will object to any business being transacted except the making of this speech on Mr. Lincoln.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 210. An act for the relief of soldiers who were discharged from the Army during the Spanish-American War, the Philippine Insurrection, and the Boxer uprising because of minority or misrepresentation of age; to the Committee on Military Affairs.

S. 296. An act to authorize the award of the Congressional Medal of Honor for distinguished service to Pleas Sanders; to the Committee on Military Affairs.

S. 365. An act for the relief of Capt. James W. Darr; to the Committee on Military Affairs.

S. 417. An act to extend the period during which direct obligations of the United States may be used as collateral security for Federal Reserve notes; to the Committee on Banking and Currency.

S. 534. An act granting the consent of Congress to the States of Montana and Wyoming to negotiate and enter into

a compact or agreement for division of the waters of the Yellowstone River; to the Committee on Irrigation and Reclamation.

S. 601. An act for the relief of Mrs. Jack J. O'Connell; to the Committee on Military Affairs.

S. 711. An act to amend an act entitled "An act to establish a Code of Law for the District of Columbia", approved March 3, 1901, as amended, and particularly sections 863, 911, and 914 of the said Code; to the Committee on the District of Columbia.

S. 868. An act for the relief of Marino Ambrogi; to the Committee on Military Affairs.

S. 875. An act authorizing the construction of improvements at St. Josephs Harbor, Fla.; to the Committee on Rivers and Harbors.

S. 936. An act to regulate the sales of goods in the District of Columbia; to the Committee on the District of Columbia.

S. 955. An act relative to the military record of Frank I. Otis, deceased; to the Committee on Military Affairs.

S. 989. An act to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. Clarence Quinton Pair; to the Committee on the District of Columbia.

S. 1247. An act to amend the act of June 23, 1936, authorizing the Secretary of War to set apart as a national cemetery certain lands of the Fort Snelling Military Reservation, Minn.; to the Committee on Military Affairs.

S. 1258. An act to authorize the purchase and distribution of products of the fishing industry; to the Committee on Agriculture.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 33 minutes p. m.) the House adjourned until tomorrow, Friday, February 12, 1937, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

The Committee on Interstate and Foreign Commerce will continue hearings on Friday morning, February 12, at 10 a. m., in the committee room, 1334 House Office Building, on H. R. 1668, long-and-short haul bill.

COMMITTEE ON RIVERS AND HARBORS

The Committee on Rivers and Harbors will hold a hearing at 10:30 a. m. Friday, February 12, 1937, on the following projects: Columbia River, Oreg. and Wash.; Westport Slough, Oreg.; Elokomin Slough, Wash.; Olympia Harbor, Wash.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

357. A communication from the President of the United States, transmitting a draft of a resolution in connection with the participation of the United States Government in a conference that has been called by the International Labor Organization (H. Doc. No. 146); to the Committee on Appropriations and ordered to be printed.

358. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill to reserve certain public-domain lands in California and Nevada for addition to the Fort Mohave Indian Reservation; to the Committee on Indian Affairs.

359. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill for the relief of Capt. Benjamin Dutton, Jr., Capt. C. H. J. Keppler, Commander Leo H. Thebaud, and Lt. Comdr. Gordon S. Bower, Supply Corps, United States Navy; to the Committee on Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. DOUGHTON: Committee on Ways and Means. House Joint Resolution 212. Joint resolution to amend the act entitled "An act to levy an excise tax upon carriers and an income tax upon their employees, and for other purposes", approved August 29, 1935; without amendment (Rept. No. 219). Referred to the Committee of the Whole House on the state of the Union.

Mr. DREWRY of Virginia: Committee on Naval Affairs. House Joint Resolution 43. Joint resolution to amend Public Law No. 780, Seventy-fourth Congress, authorizing the acquisition of land in the city of Alameda, county of Alameda, State of California, as a site for a naval air station, and for other purposes; with amendment (Rept. No. 220). Referred to the House Calendar.

Mr. KNIFFIN: Committee on Naval Affairs. H. R. 3598. A bill authorizing the Secretary of the Navy to accept gifts and bequests for the benefit of the Office of Naval Records and Library, Navy Department; without amendment (Rept. No. 221). Referred to the Committee of the Whole House on the state of the Union.

Mr. McFARLANE: Committee on Naval Affairs. H. R. 3607. A bill to authorize the acceptance of certain lands in the city of San Diego, Calif., by the United States and the transfer by the Secretary of the Navy of certain other lands to said city of San Diego; without amendment (Rept. No. 222). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on Merchant Marine and Fisheries. H. R. 4609. A bill to authorize the purchase and distribution of products of the fishing industry; with amendment (Rept. No. 223). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROMJUE: Committee on the Post Office and Post Roads. H. R. 4285. A bill to increase the salaries of letter carriers in the Village Delivery Service; without amendment (Rept. No. 224). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROMJUE: Committee on the Post Office and Post Roads. H. R. 2723. A bill granting equipment allowance to third-class postmasters; without amendment (Rept. No. 225). Referred to the Committee of the Whole House on the state of the Union.

Mr. MEAD: Committee on the Post Office and Post Roads. H. R. 4286. A bill to provide special rates of postage on matter for the blind; without amendment (Rept. No. 226.) Referred to the Committee of the Whole House on the state of the Union.

Mr. CHANDLER: Committee on the Judiciary. H. R. 137. A bill to amend section 64 of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto; without amendment (Rept. No. 230). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mrs. O'DAY: Committee on Immigration and Naturalization. H. R. 3382. A bill for the relief of Philipina Baca Klemencic; without amendment (Rept. No. 227). Referred to the Committee of the Whole House.

Mrs. O'DAY: Committee on Immigration and Naturalization. H. R. 3969. A bill for the relief of Joseph Harris (Joseph Hersh); without amendment (Rept. No. 228). Referred to the Committee of the Whole House.

Mr. KRAMER: Committee on Immigration and Naturalization. H. R. 1731. A bill for the relief of Angelo and Auro Cattaneo; without amendment (Rept. No. 229). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 4487) granting a pension to Louise Eberle, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LANZETTA: A bill (H. R. 4633) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 4634) for the admission to citizenship of aliens who came into this country prior to February 5, 1917; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 4635) to clarify the status of certain citizens who derived naturalization from parent or husband, and for other purposes; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 4636) to extend the validity of declarations of intention beyond 7 years; to the Committee on Immigration and Naturalization.

By Mr. MALONEY: A bill (H. R. 4637) to prohibit the importation of direct-consumption sugar; to the Committee on Ways and Means.

By Mr. O'MALLEY: A bill (H. R. 4638) to repeal that portion of Public Act No. 383, Seventy-third Congress, authorizing the Secretary of the Interior to give preference to Indians in appointment to positions maintained by the Indian Office of the Bureau of Indian Affairs of the Department of the Interior; to the Committee on Indian Affairs.

By Mr. STEAGALL: A bill (H. R. 4639) to provide for loans made necessary by floods or other catastrophes in the year 1937; to the Committee on Banking and Currency.

By Mr. SECREST: A bill (H. R. 4640) to authorize the coinage of 50-cent pieces in commemoration of the one hundred and fiftieth anniversary of the establishment of the Northwest Territory; to the Committee on Coinage, Weights, and Measures.

By Mr. WALTER: A bill (H. R. 4641) to authorize the coinage of 50-cent pieces in commemoration of the one hundred and eighty-fifth anniversary of the founding of the city of Easton, Pa.; to the Committee on Coinage, Weights, and Measures.

By Mr. McMILLAN: A bill (H. R. 4642) to provide for the conveyance by the United States to the county of Beaufort, S. C., of the Hunting Island Lighthouse Reservation; to the Committee on Merchant Marine and Fisheries.

By Mr. O'NEILL of New Jersey: A bill (H. R. 4643) to amend title I of the National Housing Act to authorize the insurance of loans for housing renovation and modernization made on or after April 1, 1937, and prior to April 1, 1938, to reduce the percentage of loss insured against, and for other purposes; to the Committee on Banking and Currency.

By Mr. LUDLOW: A bill (H. R. 4644) to provide commutation of quarters in cases of certain World War officers, and for other purposes; to the Committee on Military Affairs.

By Mr. KEOGH: A bill (H. R. 4645) granting holidays to postal employees in States where holidays are a State law; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 4646) granting leave of absence to postal employees on account of death in family; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 4647) to provide study periods for post-office clerks, terminal and transfer clerks; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 4648) granting annual and sick leave to postal employees; to the Committee on the Post Office and Post Roads.

By Mr. CROSSER: A bill (H. R. 4649) to authorize the coinage of 50-cent pieces in commemoration of the great flood of 1937, of the Ohio and Mississippi Rivers and their tributaries, and to secure funds for flood relief; to the Committee on Coinage, Weights, and Measures.

By Mr. DREW of Pennsylvania: A bill (H. R. 4650) to amend section 40 of the United States Employees' Compensation Act, as amended; to the Committee on the Judiciary.

By Mr. MILLARD: A bill (H. R. 4651) to divest the products of child labor of their interstate character and to prohibit the interstate transportation of such products; to the Committee on Labor.

By Mr. CROSSER: A bill (H. R. 4652) to promote the safety of scheduled air transportation; to the Committee on Interstate and Foreign Commerce.

By Mr. CITRON: A bill (H. R. 4653) to provide for the construction of 10 vessels for the Coast Guard designed for ice-breaking and assistance work, and one of which is to be stationed at New London, Conn.; to the Committee on Merchant Marine and Fisheries.

By Mr. HOLMES: A bill (H. R. 4654) authorizing the Postmaster General of the United States to issue a series of special postage stamps in commemoration of the three hundredth anniversary, in 1938, of the first permanent settlement of Swedish colonists in the Delaware River Valley; to the Committee on the Post Office and Post Roads.

By Mr. McCLELLAN: A bill (H. R. 4655) to accept the cession by the State of Arkansas of jurisdiction over all lands now or hereafter included within the Hot Springs National Park, Ark., and for other purposes; to the Committee on the Public Lands.

By Mr. PETERSON of Georgia: A bill (H. R. 4656) to provide for the establishment of a Coast Guard station on the coast of Georgia at or near Tybee Island; to the Committee on Merchant Marine and Fisheries.

By Mr. RUTHERFORD: A bill (H. R. 4657) to authorize the coinage of 50-cent pieces in commemoration of the one hundred and fifty-third anniversary of the original land grant upon which the borough of Berwick, Pa., is located, the one hundred and fiftieth anniversary of the founding of Berwick by its first settlers, and the one hundred and eighteenth anniversary of the establishment of Berwick as a borough; to the Committee on Coinage, Weights, and Measures.

By Mr. SUTPHIN: A bill (H. R. 4658) relating to the eligibility of certain persons for admission to the civil service; to the Committee on the Civil Service.

By Mr. HILL of Alabama: A bill (H. R. 4659) to authorize the Secretary of War to lend War Department equipment for use at the world jamboree to the Boy Scouts of America, and to authorize the Commissioner of Internal Revenue to remit the tax on steamship tickets, and, further, to authorize the Secretary of State to issue passports to bona-fide Scouts and Scouters without fee for the application of the issuance of said passports; to the Committee on Military Affairs.

Also, a bill (H. R. 4660) to authorize the Secretary of War to dispose of material to the National Council of the Boy Scouts of America; to the Committee on Military Affairs.

By Mr. STEAGALL: A bill (H. R. 4661) to provide for loans made necessary by floods or other catastrophes in the year 1937; to the Committee on Banking and Currency.

By Mr. CRAWFORD: A bill (H. R. 4662) for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. SHAFER of Michigan: A bill (H. R. 4663) to amend title I of the National Housing Act to authorize the insurance of loans for housing renovation and modernization made on or after April 1, 1937, and prior to April 1, 1940; to the Committee on Banking and Currency.

By Mr. SNYDER of Pennsylvania: A bill (H. R. 4664) to complete the survey of Stoney Creek watershed, Somerset County, Pa., and build three flood-control dams; to the Committee on Flood Control.

By Mr. ALLEN of Delaware: Joint resolution (H. J. Res. 213) authorizing the issuance of a special stamp commemorating the three hundredth anniversary of the first permanent settlement in the Delaware River Valley; to the Committee on the Post Office and Post Roads.

By Mr. BLOOM: Joint resolution (H. J. Res. 214) relating to objects of expenditure by the United States Constitution Sesquicentennial Commission; to the Committee on Appropriations.

By Mr. NELSON: Joint resolution (H. J. Res. 215) making funds available for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs; to the Committee on Appropriations.

By Mr. HILL of Alabama: Concurrent resolution (H. Con. Res. 4) to recognize April 6 as Army Day; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing Congress to consider their Senate Concurrent Resolution No. 4, dated February 5, 1937; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Arkansas, memorializing Congress of the United States to expedite the passage of the flood-relief bill; to the Committee on Flood Control.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOEHNE: A bill (H. R. 4665) granting an increase of pension to Mary C. Turpin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4666) granting a pension to Helen H. Sly; to the Committee on World War Veterans' Legislation.

By Mr. CARLSON: A bill (H. R. 4667) for the relief of Maj. Wilbur Rogers; to the Committee on Claims.

By Mr. CASEY of Massachusetts: A bill (H. R. 4668) for the relief of James Shimkunas; to the Committee on Claims.

Also, a bill (H. R. 4669) for the relief of John Inkinen; to the Committee on Claims.

By Mr. CLUETT: A bill (H. R. 4670) granting an increase of pension to Eliza V. Stevens; to the Committee on Invalid Pensions.

By Mr. DISNEY: A bill (H. R. 4671) for the relief of the heirs of George Sypbuck, deceased; to the Committee on Claims.

Also, a bill (H. R. 4672) for the relief of Mrs. Charles R. Warner; to the Committee on Claims.

By Mr. FITZPATRICK: A bill (H. R. 4673) for the relief of Felice Musci; to the Committee on Immigration and Naturalization.

By Mr. GRAY of Indiana: A bill (H. R. 4674) granting a pension to Doris H. McKeeman; to the Committee on Pensions.

Also, a bill (H. R. 4675) granting a pension to Zack Pool; to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 4676) to provide for the reimbursement of certain civilian employees of the Navy for the value of personal effects destroyed in fire at the naval air station, Hampton Roads, Va., May 15, 1936; to the Committee on Naval Affairs.

By Mr. KENNEDY of Maryland: A bill (H. R. 4677) for the relief of Lt. Comdr. Chester B. Peake, Supply Corps, United States Navy; to the Committee on Claims.

Also, a bill (H. R. 4678) for the relief of Victor M. Ruiz C and Luz Elena Robles; to the Committee on Claims.

Also, a bill (H. R. 4679) for the relief of John L. Summers, former disbursing clerk, Treasury Department, and Frank White, G. F. Allen, H. T. Tate, and W. O. Woods, former Treasurers of the United States; to the Committee on Claims.

Also, a bill (H. R. 4680) for the relief of Norman Hildebrand; to the Committee on Claims.

Also, a bill (H. R. 4681) for the relief of Edward C. Paxton; to the Committee on Claims.

Also, a bill (H. R. 4682) for the relief of W. R. Fuchs; to the Committee on Claims.

Also, a bill (H. R. 4683) to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects destroyed in a fire at the naval radio station, Libugon, Guam, on April 15, 1932; to the Committee on Claims.

Also, a bill (H. R. 4684) to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects lost, damaged, or destroyed by fire at the naval radio station, Eureka, Calif., on January 17, 1930; to the Committee on Claims.

Also, a bill (H. R. 4685) to provide for the reimbursement of certain civilian employees of the naval operating base, Hampton Roads, Va., for the value of tools lost in a fire at pier no. 7 at the naval operating base on May 4, 1930; to the Committee on Claims.

Also, a bill (H. R. 4686) to provide for the reimbursement of certain enlisted men and former enlisted men of the Marine Corps for the value of personal effects lost, damaged, or destroyed by fire at the marine barracks, Quantico, Va., on October 5, 1930; to the Committee on Claims.

Also, a bill (H. R. 4687) to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects lost, damaged, or destroyed by fire at the naval training station, Hampton Roads, Va., on February 21, 1927; to the Committee on Claims.

Also, a bill (H. R. 4688) to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects lost, damaged, or destroyed during a hurricane in Samoa on January 15, 1931; to the Committee on Claims.

Also, a bill (H. R. 4689) to provide an additional sum for the payment of claims under the act entitled "An act to provide for the reimbursement of certain officers and enlisted men or former officers and enlisted men of the Navy and Marine Corps for personal property lost, damaged, or destroyed as a result of the earthquake which occurred at Managua, Nicaragua, on March 31, 1931", approved January 21, 1936 (49 Stat. 2212); to the Committee on Claims.

Also, a bill (H. R. 4690) to provide for the reimbursement of certain enlisted men of the Navy for the value of personal effects destroyed in a fire in building no. 125, United States Navy Yard, Washington, D. C., on July 16, 1935; to the Committee on Claims.

Also, a bill (H. R. 4691) for the relief of Pompeo Ercolano; to the Committee on Immigration and Naturalization.

By Mr. LUDLOW: A bill (H. R. 4692) to correct the military record of Edward W. Beyer; to the Committee on Military Affairs.

Also, a bill (H. R. 4693) granting a pension to Norah D. Neal; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4694) granting a pension to Emma Clark; to the Committee on Invalid Pensions.

By Mr. RICHARDS: A bill (H. R. 4695) for the relief of Wade J. Robinson; to the Committee on Military Affairs.

By Mr. ROMJUE: A bill (H. R. 4696) granting an increase of pension to Ada McMasters; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4697) granting an increase of pension to Fannie Davis; to the Committee on Invalid Pensions.

By Mr. SCHNEIDER of Wisconsin: A bill (H. R. 4698) for the relief of Willard Collins; to the Committee on Claims.

By Mr. SHANLEY: A bill (H. R. 4699) to allow the Distinguished Service Cross for service in the World War to be awarded to Corp. Charles L. Boucher, Corp. George Gritzback, Pvt. George H. Cooper, and Pvt. Arthur M. Hubbard; to the Committee on Military Affairs.

By Mr. SHEPPARD: A bill (H. R. 4700) for the relief of John A. Watson; to the Committee on Military Affairs.

By Mr. SOMERS of New York: A bill (H. R. 4701) for the relief of William S. Wrynn; to the Committee on Claims.

Also, a bill (H. R. 4702) for the relief of Edward Lasky; to the Committee on Military Affairs.

By Mr. WHITE of Ohio: A bill (H. R. 4703) granting a pension to Elizabeth Davis; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

299. By Mr. ALLEN of Delaware: Resolution of the House of Representatives of the State of Delaware, endorsing each and all of the reforms recommended and suggested by President Franklin Delano Roosevelt concerning the Federal judiciary; to the Committee on the Judiciary.

300. By Mr. BURDICK: Resolution F of the Twenty-fifth Legislative Assembly, State of North Dakota; to the Committee on Ways and Means.

301. By Mr. COLDEN: Senate Joint Resolution 4, chapter 24, and passed by the Legislature of California, and submitted by the Governor of California, memorializing and petitioning the President and the Congress of the United States to include the Central Valley project in the national program of work relief; to the Committee on Ways and Means.

302. By Mr. CULLEN: Petition of the New York Press Association, expressing its opinion that the unemployment insurance section of the Federal Social Security Act is out of harmony with the New York State unemployment insurance law in that no tax exemption is granted in excess of $2,600 annually and therefore urges Congress to enact remedial legislation; to the Committee on Ways and Means.

303. By Mr. DIXON: Petition of the Ninety-second General Assembly of Columbus, Ohio; to the Committee on Flood Control.

304. By Mr. GOODWIN: Petition of 43 residents and taxpayers of the States of New York and New Jersey, opposing any legislation which in its effect places a still greater power in the hands of the Executive; to the Committee on the Judiciary.

305. By Mr. HART: Memorial of the New Jersey Bar Association, opposing enactment of the bill for the reorganization of the Federal judiciary as submitted by the President; to the Committee on the Judiciary.

306. Also, memorial of the Catholic Central Verein of New Jersey and the Catholic Women's Union, opposing enactment of legislation to increase membership of the Supreme Court; to the Committee on the Judiciary.

307. By Mr. HILDEBRANDT: Petition concerning the Works Progress Administration project of snow removal in Clark County, S. Dak.; to the Committee on Ways and Means.

308. Also, petition regarding the extension of the boundary of the Harney National Forest in Fall River County, S. Dak.; to the Committee on the Public Lands.

309. Also, petition of R. C. Davison; to the Committee on the Public Lands.

310. By Mr. KRAMER: Senate Joint Resolution No. 5, Sacramento, Calif., relative to memorializing and petitioning the Congress to enact legislation distributing the revenues obtained from naval petroleum reserves on the same basis as the revenues from other public lands leased under the provisions of the Mineral Leasing Act, etc.; to the Committee on Naval Affairs.

311. By Mr. O'CONNOR of New York: Petition of the Assembly, State of New York; to the Committee on Banking and Currency.

312. By Mr. PFEIFER: Petition of the One Hundred and Sixth Infantry Post, Brooklyn, N. Y., concerning the purchase of additional land for their armory; to the Committee on Military Affairs.

313. By Mr. ROMJUE: Petition of the Women's Union of St. Paul's Evangelical Church, Kahoka, Mo., advocating world peace; to the Committee on Foreign Affairs.

314. By Mr. SABATH: Petition of the Illinois Livestock Marketing Association, protesting against approval of proposed sanitary convention or any agreement which would prohibit importation of livestock or meat products from Argentina or any other country where foot-and-mouth disease exists; to the Committee on Foreign Affairs.

315. By the SPEAKER: Petition of C. E. Caton and seven others, requesting the enactment of a Federal law to eliminate competitive bidding on star mail routes; to the Committee on the Post Office and Post Roads.

HOUSE OF REPRESENTATIVES

FRIDAY, FEBRUARY 12, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God of the ages, author of every blessing and giver of every perfect gift, truly our soul waiteth on Thee. Behold, the Lord's hand is not shortened that it cannot save, neither is His ear heavy that it cannot hear. With Thee the night shineth as the day and the darkness as the light. The Lord God bless every section of our Republic. Hear us for our Union, strong and great, and for our glorious ship of state. With malice toward none, with charity for all, may our national ensign continue in peace and unity to float over a great people dedicated to the sacred rights of human freedom. Dwell in us, our Father; sanctify all sorrows, all strugglings, and make recovery from every misfortune. Hold in Thy merciful remembrance, O God, our Speaker and the Congress. May they ever register their patriotic devotion on the side of truth, purity, and justice. Through Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Crockett, its Chief Clerk, announced that the Senate had passed, without amendment, a bill of the House of the following title:

H. R. 3112. An act for the relief of Ralph C. Irwin.

The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 68. An act authorizing the Western Bands of the Shoshone Nation of Indians to sue in the Court of Claims;

S. 95. An act referring the claims of the Turtle Mountain Band or Bands of Chippewa Indians of North Dakota to the Court of Claims for finding of fact and recommendations to the Congress;

S. 149. An act to refer the claims of the Kiowa, Comanche, and Apache Tribes of Indians to the Court of Claims with the absolute right of appeal to the Supreme Court of the United States;

S. 361. An act to further extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Garrison, N. Dak.;

S. 466. An act granting the consent of Congress to the county of Barry, State of Missouri, to construct, maintain,

and operate a free highway bridge across the White River at or near Eagle Rock, Mo.;

S. 641. An act conferring jurisdiction on the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Assiniboine Indians may have against the United States, and for other purposes;

S. 670. An act authorizing an appropriation for payment to the Osage Tribe of Indians on account of their lands sold by the United States;

S. 709. An act to amend the act entitled "An act to incorporate the National Education Association of the United States", approved June 30, 1906, as amended;

S. 715. An act to extend the time for completing the construction of a bridge across the Delaware River near Trenton, N. J.;

S. 832. An act to amend the act entitled "An act to extend to certain publications the privileges of second-class mail matter as to admission to the mails", approved June 6, 1900;

S. 996. An act to further extend the times for commencing and completing the construction of a bridge across the Missouri River between the towns of Decatur, Nebr., and Onawa, Iowa;

S. 997. An act to further extend the times for commencing and completing the construction of a bridge across the Missouri River at or near the cities of South Sioux City, Nebr., and Sioux City, Iowa;

S. 1112. An act awarding a Navy Cross to John W. Thomason;

S. 1114. An act to prohibit the unauthorized wearing, manufacture, or sale of medals and badges issued by the Navy Department;

S. 1117. An act to amend the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902;

S. 1118. An act to amend section 7 of the act approved May 29, 1934, entitled "An act to regulate the distribution, promotion, retirement, and discharge of commissioned officers of the Marine Corps, and for other purposes";

S. 1128. An act authorizing the Secretary of the Navy to accept gifts and bequests for the benefit of the Office of Naval Records and Library, Navy Department;

S. 1130. An act to authorize the acceptance of certain lands in the city of San Diego, Calif., by the United States, and the transfer by the Secretary of the Navy of certain other lands to said city of San Diego;

S. 1132. An act to amend the act approved February 15, 1929, entitled "An act to permit certain warrant officers to count all active service rendered under temporary appointments as warrant or commissioned officers in the Regular Navy, or as warrant or commissioned officers in the United States Naval Reserve Force, for purpose of promotion to chief warrant rank";

S. 1253. An act authorizing an appropriation to carry out the provisions of section 26 of the agreement with the Muskogee or Creek Tribe of Indians, approved March 1, 1901;

S. 1281. An act to authorize the sale of surplus War Department real property;

S. 1282. An act to amend articles of war 50½ and 70;

S. 1283. An act to increase the extra pay to enlisted men for reporting;

S. 1284. An act to change the name of the Chemical Warfare Service;

S. 1285. An act to amend that provision of the act approved March 3, 1879 (20 Stat. L. 412), relating to issue of arms and ammunition for the protection of public money and property;

S. 1287. An act to authorize the procurement, without advertising, of certain War Department property, and for other purposes;

S. J. Res. 55. Joint resolution to amend the act of July 3, 1926, entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in claims which the Crow Tribe of Indians may have against the United States, and for other purposes" (44 Stat. L. 807); and

S. J. Res. 70. Joint resolution relating to the participation by the United States in the International Exposition of Paris, 1937.

EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to insert therein an address which I delivered over the radio last evening.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

ENROLLED BILL SIGNED

The SPEAKER announced that pursuant to the authority granted him, he did on yesterday sign the enrolled bill of the Senate (S. 1439) to provide for loans made necessary by floods or other catastrophes in the year 1937.

ABRAHAM LINCOLN

The SPEAKER. Under the previous order of the House, the gentleman from Kentucky [Mr. ROBSION] is recognized for 30 minutes.

Mr. ROBSION of Kentucky. Mr. Speaker, I may not use all of my 30 minutes, but in order that I may not be interrupted, may I ask unanimous consent to proceed for an additional 10 minutes, if necessary?

The SPEAKER. The gentleman from Kentucky asks unanimous consent that, if necessary to conclude his remarks, he may be allowed to proceed for 40 minutes instead of 30 minutes. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ROBSION of Kentucky. I thank you, Mr. Speaker, and the ladies and gentlemen of the House, for your unanimous consent to address you at this time on the life and character of one of our great Americans.

We have many men who have served our country unselfishly and with great distinction. I would not say any word that might detract from the high places they occupy in the esteem of the American people. Many times opinions of men prove erroneous when formed in the heat of great controversial debates. Just appraisals of their characters and accomplishments can only be made long after their careers have ended. The fullness of time is the safest judge. When our judgments are so made they are never overruled or reversed.

Such judgments have been formed of Washington, Jefferson, Lincoln, and many others. I doubt if there is any Member of this House who holds in higher esteem the memory of Thomas Jefferson than I do. I have said many times, and I wish to repeat here, that Thomas Jefferson rendered to this country many great services, any one of which entitles him to the gratitude of this Republic so long as it shall exist. For instance, his great charter of human freedom, the Declaration of Independence; the proposition that governments derive their just powers from the consent of the governed and exist for the benefit of the governed and not the government; the Louisiana Purchase; the establishment of public education through a system of State universities and public schools; as well as others.

I shall avoid reference in my remarks to present-day partisan or political controversial issues; and although I speak to you of one most intimately connected with the great struggle of '61 to '65, it is not my purpose to fight over again that great war, and I shall only refer to some of the matters connected therewith in their historical relations. The genius, courage, and devotion to ideals manifested on land and sea through that great struggle by those who wore the gray as well as those who wore the blue is ample glory to satisfy the sons and daughters of both. I am sure that every loyal

American is grateful that Jehovah so guided the affairs of our Nation in that trying hour that we are today a united and not a divided people and Negro slavery is no longer sanctioned in this country.

FASCINATING HUMAN STORY

I do not flatter myself that I can bring anything new to you in relation to this great man. I have heard many eloquent eulogies delivered on the floor of the House and Senate by those from the South as well as the North. Tens of thousands of books and pamphlets have been written; eloquent eulogies have been delivered on every platform and in every forum; teachers, biographers, and historians throughout the world have debated and discussed him; the genius of our great poets, painters, and sculptors have been exhausted. The genealogists have delved deep into his ancestry; the psychologists and moralists have penetrated his innermost mind and laid bare his very soul in their efforts to find the secret of his power and greatness. Perhaps the unborn decades will be necessary to make a full disclosure of this secret and a complete appraisal of his life and character. The fact remains, however, that no human story surpasses in fascination and inspiration the life of Abraham Lincoln.

It is the great human story of the wilderness, of poverty, of disappointment and defeat. It is a story of romance, of pathos, of tragedy, and of greatness crowned with matchless success.

Washington has a place of his own in our minds and hearts as the Father of his Country; Grant, Lee, Sumner, Douglas, Breckinridge, Seward, and others of Lincoln's time, Jefferson, Hamilton, Jackson, Calhoun, Webster, Clay, and others of other times tower like mighty peaks across the years of our history; but Abraham Lincoln, the log cabin boy of the Kentucky hills and the Illinois frontier, in my humble opinion, arises in majestic grandeur above them all, and like the snow-covered and storm-swept crest of Mount Everest, defies all human agencies to explore his heights. He and Washington are the most colossal figures in American life and the most influential on our history.

COWORKER WITH GOD

The great Apostle Paul speaks of us as being colaborers with God. With this thought in mind, cannot we think of Lincoln as one of the great coworkers with God?

God, looking out upon the world in the early morning of the nineteenth century, heard the baying of the bloodhound as he pursued through forest and swamp the fugitive slave; He heard the cries from the pain of the lash; thousands of prayers ascended from the humble cabins to the great white throne; He heard the wail of the black mother when the golden cord of mother and child was rudely broken by the slave trader; He saw the suffering of oppressed millions; He likewise saw the most beautiful flower of his handiwork, your country and mine, in peril; He needed a man to free a race and to save this country.

He did not go to the mansions of the rich, nor to the palaces of the mighty; He went to the hills in the wilderness of old Kentucky and found a mother, noble, pure, and true, and brought forth a son from a log cabin in which there was no floor except the earth; He cradled him in want; He trained him in the hard school of adversity; He taught him the lessons of humanity, tenderness, and love by touching his heart with sorrow; He chastened his mind and soul with defeat and disappointment; He kept him close to Nature and brought him in direct contact with the common people; He placed on his brow the mark of destiny and guided his footsteps in the ways of the infinite.

Was Lincoln not like the Man of Galilee in the surroundings of his birth; like Him in his contacts with the humble and the poor; like Him in disappointment, pain, and suffering; like Him in being a blood sacrifice; and like Him in winning his sublime victory in death?

I speak of him as Kentucky's most distinguished son, the Nation's first and greatest commoner, the world's mightiest champion of freedom, the masterful man of the ages—Abraham Lincoln!

THE MAN OF SORROW AND DISAPPOINTMENT

Abraham Lincoln is remarkable for the sorrows and disappointments he experienced in his life. He was born under most adverse conditions. His father was never able to make a go of life. The family suffered the pangs of poverty. His mother died when he was 9 years of age and his only sister when he was 17 years of age. Think of young Lincoln assisting his father in making a rude coffin for his own dead mother.

After removing to the State of Illinois Lincoln met a beautiful girl by the name of Ann Rutledge. She died before the marriage could take place. Lincoln's grief was so great that many of his friends were fearful he would lose his reason. He said at her grave in after years that her epitaph should read:

Here lies the body of Ann Rutledge
And the heart of Abraham Lincoln.

This characteristic of Abraham Lincoln must be some consolation to all those who have been bereft of a good mother and have loved passionately a gentle, pure, and beautiful woman.

Lincoln was a farmer, rail splitter, surveyor, and merchant. It is said he failed in all of his business ventures.

He knew, too, the sting of political defeat. He lost in his first race for the State legislature, although subsequently he served his district for three terms in that body. He was defeated in his first race for Congress, but later served one term in the National House of Representatives. His record for those 2 years was so out of harmony with the people of his district that when he returned home it was necessary for him to conceal himself for some time to avoid personal violence. He and many of his friends believed that his political career had abruptly come to a close.

He applied for many positions under the Federal Government—Land Office, Governor, secretary of a Territory. He was defeated as the Whig candidate for United States Senator in 1855. He was refused the Republican nomination for Vice President in 1856, and again lost the United States Senatorship in 1858 to that brilliant orator and statesman, Stephen A. Douglas.

For many years he was oppressed by debt. This weighed upon his mind so heavily that he often spoke of it as "the national debt." He did not become relieved of it until he was approaching 50 years of age.

The withdrawal of the South from the Union, the bloodshed, carnage, and grief filled Lincoln's cup of sorrow to overflowing, yet he never wavered in his great purposes. His tragic death was the culmination of nearly 50 years of disappointments and heartaches.

THE MASTER OF ADVERSITY

What an inspiration the life of Abraham Lincoln has been and will continue to be to the struggling ambitious youth of our land! His achievements, compared with his opportunities, fill us with amazement. He had to be content with a few brief months in the primitive rural schools of those days; yet he came to be one of the greatest masters of logic that ever appeared on any American platform. Our country has produced many great masters of oratory—Webster, Calhoun, Clay, Bryan, and others—yet Lincoln is the only American whose speeches have been written in brass and in stone; and one of these speeches adorns the walls of one of Europe's oldest and greatest universities.

It is a far step from the log cabin and poverty in the wilderness in Kentucky to one of the outstanding figures in the 50 centuries of the world's history. From whence did he gather this knowledge and eloquence which made him a master of logic and of speech?

We are told in sacred writ that the truth will make us free. His great soul and mind sought the truth and the light. This led him to be a close student of the Bible, Shakespeare,

Bunyan's Pilgrim's Progress, and the Life of Washington. Here he drank at the fountain of eloquence. Here he found some of the finest and best in science, art, and literature. Above all, here he learned the lessons of righteousness, courage, honesty, patriotism, and nobility of character. He learned true success is service to our Maker and to mankind.

God intended to unite greatness and goodness in men. While the agnostic and the infidel have tried to claim Lincoln for themselves, as a matter of fact, his speeches and his every act disclose that he was a man of deepest religious convictions. It is true that he never united with any church, but he did say:

Show me the church which writes over its portals "Thou shalt love thy God with all thy strength and heart and mind and thy neighbor as thyself", and I will walk a hundred miles to join that church.

Did not the Savior of mankind declare that this is the great commandment? It at once proclaims the fatherhood of God and the brotherhood of man.

I would earnestly commend to the youth of our land a careful study of all of our great men and women, but this study cannot be complete without mastering the story of Abraham Lincoln. Such study will enlarge their horizon, widen their vision, and strengthen their patriotism. In what other land is it possible for its youth under such handicaps as were met and overcome by Lincoln to reach the high pinnacle of fame and opportunities for service to mankind?

TWO MEN AND TWO SHIPS

In the year 1619 there was landed on the Virginia coast a ship loaded with black men to become slaves, and thus there was planted on our shores the institution of Negro slavery. In the year 1620 another ship, the *Mayflower*, landed on the rock-bound coast of Massachusetts. It was loaded with oppressed people coming to these shores to seek and establish freedom. Through the years these two mighty opposing institutions and forces spread to other sections—the one over the south and to the west, the other to the north and west.

About the same time that Abraham Lincoln was born in the hills of Kentucky in a log cabin a son was born to a well-to-do family in a more favored section of Kentucky, but not far from the place of Lincoln's birth. Lincoln's father carried him to Indiana and later to the free soil of Illinois. His surroundings developed and strengthened his opposition to Negro slavery. The father of Jefferson Davis carried him to the cotton fields and cane plantations of the South. He was one of the most brilliant men of his time, and he early became the champion of States' rights and Negro slavery. He was the logical leader of the southern Confederacy; and thus Kentucky furnished Abraham Lincoln, the champion of freedom and the Union, and Jefferson Davis, the champion of States' rights and slavery. Those in the hills of Kentucky adhered to the Union; the people of the valleys and plains, the slaveholders, supported the Confederacy.

Webster, Calhoun, Clay, and others with their logic and eloquence for many years attempted to pacify the fears of the Nation, compose the conflicting elements, and check the rising storm, but they could only postpone the day. There came upon the stage others. They knew no compromise. There was no neutral ground. The clouds of discontent, distrust, and discord grew thicker and thicker; the roar of the coming storm could be heard everywhere. Mortal combats occurred in many parts of the Union. There were many great minds arrayed on each side, but no one seemed to be able to diagnose the Nation's disease and point to the remedy. The hour had come for divine Providence's leader, Abraham Lincoln. This giant, gaunt figure arose on the frontier of Illinois, and amid the clash of conflicting interests, the clouds of doubt and uncertainty, and the roar of the passions of angry men diagnosed the Nation's disease and pointed to the remedy when he declared—

A house divided against itself cannot stand. This Nation cannot long endure half slave and half free. I do not expect the house to fall. But I do expect it to cease to be divided.

Lincoln's great mind and great heart worked in unison. He could see the needs of the Nation and at the same time could hear the very heart throbs and the cries of the humble and the poor. He recognized that the great peril to this country was African slavery. He knew human slavery had been indicted by the civilization of the times. We would have to destroy slavery or it would destroy us.

For beauty of diction and compelling oratory the speech of Jefferson Davis on the floor of the United States Senate in defense of States' rights and African slavery has rarely ever been equaled, but he was out of step with American ideals. He was forced to be the special pleader against human rights. On the other hand, Lincoln declared for a great ideal. He voiced the hopes of a new civilization. He became the champion of humanity, freedom, and the Union.

TENDER AND COURAGEOUS

Abraham Lincoln displayed his tenderness, kindly nature, and the bigness of his heart in thousands of instances. His appeal for union and peace in his first inaugural address is one of the finest expressions of magnanimity in the history of the world. He did not appeal to fear but to the higher and nobler sentiments of the leaders of the South. It was like a father to his son who was about to leave the old homestead in anger when he said:

We are not enemies, but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection. The mystic chords of memory stretching from every battlefield and patriot grave to every living heart and hearthstone all over this broad land will yet swell the chorus of the Union when again touched, as surely they will be, by the better angels of our nature.

In one wonderful sweep he carried the minds of the southern leaders through the years of sacrifice and suffering from Lexington to Yorktown, over the years of struggle in the second war of independence, to the battlefields of far-off Mexico—yes, to the hundreds of battlefields and countless thousands of patriot graves, in all of which the South gave unstintedly of her treasure and her blood. Would all this suffering, heroism, and sacrifice be in vain? Would they now destroy that which they had contributed so much to create and maintain?

And, again, in that inaugural address:

In your hands, my dissatisfied fellow countrymen, and not in mine is the momentous issue of civil war. The Government will not assail you. You can have no oath registered in heaven to destroy this Government, while I shall have the most solemn one to preserve, protect, and defend it.

Should we not all feel as Lincoln felt, the oath we take as a Member of Congress is registered in heaven. Our hindsight is always better than our foresight. It was most unfortunate that President Lincoln's proposal to give to the slave owners just compensation for their slaves was not adopted and the issue settled around the conference table rather than on the field of battle.

No man who has occupied the White House has been assailed with more bitterness than Abraham Lincoln, and so far as I have been able to learn he never replied in kind. In his second inaugural address he spoke feelingly the words:

With malice toward none and charity for all, let us join together to bind up the Nation's wounds.

There are some who have been led to believe that because of Lincoln's kindness he might be weak and would permit maudlin sentiment to overthrow sound judgment and reason. When right and justice were involved and great issues were at stake Lincoln was bold and as firm as the rock of ages. When warned that his opposition to the extension of slavery and the abolition of slavery would destroy his career, he replied:

Broken by it, I, too, may be; bow to it I never will. The probability that we may fall in a worthy cause is not a sufficient justification for our refusing to support it.

Who ever expressed a faith, courage, and determination more sublime than when Lincoln declared in his second inaugural address?—

Fondly do we hope, fervently do we pray that this scourge of war may speedily pass away. Yet if God will that it continue until all the wealth piled up by the bondman's 250 years of unrequited toil shall be sunk and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said 3,000 years ago, still it must be said that "the judgments of the Lord are true and righteous altogether."

On another occasion he said he must stand by those who are right and as long as they are right, and forsake those who are wrong, it matters not how large the majority might be.

LIGHTS AND SHADOWS

The great Civil War had dragged through its long and weary 4 years of carnage and bloodshed, with its hate and bitterness. The mystic chords of memory, reaching from every patriot grave, were beginning to touch that finer and better nature of those of the North and of the South. The silver lining of the clouds could be seen. Appomattox had come. General Lee and his men had laid down their arms and were returning to their homes. President Lincoln was happy in his program of conciliation. His uppermost thought was to bring the South back into her former happy relation with the Union at the earliest date possible. He was ready to forgive and to forget. But passion and hate had not entirely spent themselves. They demanded another victim. The cause of freedom and union required another sacrifice—the blood sacrifice of the Emancipator himself. While he was surrounded by friends in the Ford Theater on the night of April 14, 1865, John Wilkes Booth, a half-mad actor, shot him. He was carried to a room across the street, and there, in a small, bare room, amid surroundings not unlike those of his early days, the soul of the Great Emancipator, on the morning of the next day, returned to its Maker and forever sealed the fate of slavery and disunion. Perhaps it took the broken body of Abraham Lincoln to write the thirteenth, fourteenth, and fifteenth amendments into the organic law of our land. His dead body bridged the yawning chasm between the North and South. We know now that the malicious charge made by some partisans of the North that the death of Lincoln was the result of a conspiracy among southern leaders was a slander and a libel. Jefferson Davis himself declared "that next to the fall of the Confederacy, the death of Lincoln was the greatest blow the South had received."

It was a calamity to the South as well as to the Nation, and but for the action of this half-crazed actor no doubt this Nation would have been spared the ignominy of the reconstruction days.

On this, the one hundred and twenty-eighth anniversary of his birth, there is naught but love and admiration for the Great Emancipator. His memory is wreathed with the flowers of love, affection, and gratitude of every true American of every creed, of every race and condition of life. He is today—north, east, south, and west—hailed as the deliverer and savior of this Republic in that trying hour. His image is enshrined in the hearts of men and women everywhere who love freedom, justice, and righteousness. Can it not be truthfully said at his grave?—

O Death, where is thy sting;
O Grave, where is thy victory?

The sting of death has been healed with the love and the affection of mankind. His matchless success snatched victory from the grave itself.

JOY IN HEAVEN

If it be true that we live again and the spirits of the departed take note of the affairs of men, can we not vision the martyred President looking out over the battlements of heaven and his unspeakable joy over the progress of our great country? When he took over the reins of this Government on March 4, 1861, there were only 33 States, and these were torn with malice and civil strife, much of it directed against him, and later these States were devastated by war. Today he sees 48 great sovereign States, bound together not merely by the bonds and ties of the Constitution but by the union of the hearts and minds of 125,000,000 Americans, with one flag and one country. He sees our possessions extended far beyond the seas; he sees us the most powerful and the richest country on the earth. The world has never seen another country like ours. It can never see another like it. There is no place on the entire globe out of which there can be carved such another country. There cannot be found the diversity of climate, of soil, of natural resources, of beauty, and, above all, its cultured, peace-loving, and God-fearing people. In the place of envy, malace, and bitterness toward him, he sees today naught but admiration, love, and affection. Cities, counties, highways, avenues, universities, and some part of every conceivable form of honest human activity proudly bear his name. He sees statues, memorials, and monuments erected in his honor in almost every city and town and village, not only in our own land but in every civilized country of the world. His Gettysburg speech, which he believed would not long be remembered, he now sees written in stone on the walls of the magnificent memorial built for him on the banks of the Potomac facing Washington's Monument and the Nation's Capitol. He sees it written in brass on the walls of one of the greatest and oldest universities in a foreign land.

So the world did note and the world did not forget what he said at Gettysburg, because it sets forth the great fundamental principle of free democracy, and he said it with simple, earnest, and burning eloquence that will live forever. He sees the roof of that great memorial supported by 36 pillars representing the 36 sovereign States of the Union at the time of his death. He sees the beautiful statue in Lincoln Park in the Nation's Capital erected by the meager earnings of those from whose limbs he struck the shackles of slavery. The American people contributed of their substance to purchase the original Lincoln farm near Hodgenville, Ky., and to build a great marble memorial over his humble cabin in order to protect it from the ravages of time, so that it might be preserved as an inspiration to the youth of our land.

He saw the President of the United States, the distinguished Senator, John Sharp Williams, from the home State of Jefferson Davis, Secretary of War Newton D. Baker, and Governor Folk, of Missouri, all great Democrats, journey to Kentucky to receive in the presence of a great throng that fine memorial on behalf of the United States, and in most eloquent words pay tribute to one who was born there and later reached the highest pinnacle of fame.

He, too, must see some of the great issues and problems that confront you and me and our country. There are wrongs to be righted, the weak to be defended and protected against the selfish powerful, the great army of unemployed to be found useful work for their hands to do, great industrial and economic problems to be solved, the rich resources and potential wealth of this Nation to be coordinated with the advancement in science so that they may work together as instruments for the welfare of the people of our land, the orderly processes of free government to be upheld, the enemies of our country to be driven from our shores.

These are some of the great tasks for us of the living. Washington, Jefferson, Lincoln, and others lived full and noble lives, and by and through their courage, devotion to duty, and sacrifices have bequeathed to us a most priceless heritage. Let us cherish and preserve it. We see the world divided into two great camps—communism on the one hand and fascism on the other. They both mean violence, oppression, and dictatorships. They are both the enemies of free government. Our country is the great hope of democracy in the world. May we all, and especially the youth of our land, make a new study of the life of Washington, Jefferson, and Lincoln. If we fail to preserve the fundamental principles of freedom as laid down by Washington, Jefferson, and Lincoln, the millions of wonderful men on land and sea, in the air, and under the seas, from Lexington to Flanders Field, will have shed their blood in vain; therefore let us hand down this

priceless heritage to our sons and daughters enriched by our own courage, patriotism, and sacrifices, so that in the language of the immortal Emancipator, "under God, government of the people, by the people, and for the people" shall at least not perish from your country and mine. [Applause, the Members rising.]

PERMISSION TO ADDRESS THE HOUSE

Mr. HEALEY. Mr. Speaker, I ask unanimous consent that I may address the House for 5 minutes.

Mr. COX. Mr. Speaker, I very much regret to have to object to the gentleman's request, but it has been previously determined that there would be no business transacted other than the oration of the gentleman who has just left the floor. I have no objection to the gentleman extending his remarks, but to his request to address the House I must object.

The SPEAKER. Objection is heard.

Mr. CHURCH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point with reference to a resolution I have introduced today providing for the permanent preservation of the historic American flag that decorated the President's box at Ford's Theater when President Lincoln was assassinated.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CHURCH. Mr. Speaker, today we commemorate the birthday of Abraham Lincoln. It seems proper that I should call the attention of the House to a resolution which I have just introduced, inasmuch as it has to do with a historic American flag intimately connected with the life of this great American President, whom we all love and respect.

It is an undisputed historic fact that when J. Wilkes Booth fired the fatal assassin's bullet he jumped from the President's box to the stage of Ford's Theater to make his escape, and in so doing he caught his spur on an American flag which decorated the President's box, thereby sustaining a fractured leg. There is not a Member here who will not agree that that flag should be permanently preserved for posterity and that it should be displayed where those who frequent memorials to Lincoln may readily see it.

I was really astounded when I saw this flag in the Treasury Department Building. I seriously doubt if many of you know that it is there. Nothing has been done for its permanent preservation, and it is displayed in a quite ordinary wooden case on the wall of the north corridor.

The purpose of this resolution, Mr. Speaker, is to authorize and direct the Committee on the Library to inquire into what may be done for the preservation of this famous flag and as to what may be done for having it placed in some shrine, memorial, or museum containing other cherished objects and effects connected with the life of Abraham Lincoln. Every American should know where the flag is located and it should be displayed where all can readily see it.

I feel certain this House will unanimously approve the resolution I have introduced.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. HARRINGTON, for 1 week, on account of important business.

To Mr. BOEHNE, on account of urgent official business in his district.

ADJOURNMENT

Mr. COX. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 55 minutes p. m.) the House, in accordance with its previous order, adjourned to meet on Monday, February 15, 1937, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE CIVIL SERVICE

The Committee on the Civil Service will continue hearings on Tuesday, February 16, Wednesday, February 17, and Thursday, February 18, on the question of extending the classified civil service to include employees of the emergency agencies and employees in the regular establishments of the Government not now classified. Mr. Harry B. Mitchell, or a representative of the Civil Service Commission, will appear before the committee.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

360. A letter from the Attorney General, transmitting the draft of a proposed bill to amend the Criminal Code (U. S. C., title 18, sec, 246); to the Committee on the Judiciary.

361. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment, Library of Congress, for the fiscal year 1937 in the sum of $7,500 (H. Doc. No. 148); to the Committee on Appropriations and ordered to be printed.

362. A letter from the Secretary of the Interior, transmitting a draft of a bill to authorize the payment of certain unpaid Creek equalization claims and to repeal a provision contained in the Deficiency Appropriation Act of June 19, 1934 (48 Stat. 1021–1033); to the Committee on Indian Affairs.

363. A letter from the Chairman of the Federal Trade Commission, transmitting a report of the textile industries and a press statement; to the Committee on Interstate and Foreign Commerce.

364. A letter from the Chairman of the Social Security Board, transmitting the First Annual Report of the Social Security Board for the fiscal year ended June 30, 1936 (H. Doc. No. 147); to the Committee on Ways and Means and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. RAMSPECK: Committee on the Civil Service. H. R. 2928. A bill to amend the law relating to residence requirements of applicants for examinations before the Civil Service Commission; without amendment (Rept. No. 251). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 1377. A bill conferring jurisdiction upon the United States District Court for the Southern District of Ohio to hear, determine, and render judgment upon the claims of Walter T. Karshner, Katherine Karshner, Anne M. Karshner, and Mrs. James E. McShane; without amendment (Rept. No. 231). Referred to the Committee of the Whole House.

Mr. RAMSPECK: Committee on Claims. H. R. 2093. A bill for the relief of Marion Shober Phillips; with amendment (Rept. No. 232). Referred to the Committee of the Whole House.

Mr. RYAN: Committee on Claims. H. R. 2781. A bill for the relief of Rev. Harry J. Hill; with amendment (Rept. No. 233). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H R. 2801. A bill for the relief of Claude Curteman; with amendment (Rept. No. 234). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 2628. A bill for the relief of F. E. Hall; without amendment (Rept. No. 235). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 2936. A bill for the relief of E. B. Gray; without amendment (Rept. No. 236). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 2940. A bill for the relief of Marie B. Neale; without amendment (Rept. No. 237). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 3055. A bill for the relief of the estate of John E. Callaway; without amendment (Rept. No. 238). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 3067. A bill for the relief of John Edgar White, a minor; with amendment (Rept. No. 239). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 3190. A bill for the relief of Grier-Lowrance Construction Co., Inc.; without amendment (Rept. No. 240). Referred to the Committee of the Whole House.

Mr. SMITH of Washington: Committee on Claims. H. R. 3201. A bill for the relief of Bertha M. Harris; with amendment (Rept. No. 241). Referred to the Committee of the Whole House.

Mr. CARLSON: Committee on Claims. H. R. 3203. A bill for the relief of Rosalie Rose; with amendment (Rept. No. 242). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 3251. A bill for the relief of Joseph A. Rudy; without amendment (Rept. No. 243). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 3268. A bill for the relief of William Randolph Cason; with amendment (Rept. No. 244). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 3354. A bill for the relief of the Great Northern Railway Co.; with amendment (Rept. No. 245). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 3395. A bill for the relief of J. H. Knott; with amendment (Rept. No. 246). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 3451. A bill for the relief of F. M. Loeffler; with amendment (Rept. No. 247). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 3573. A bill for the relief of D. B. Carter; without amendment (Rept. No. 248). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 3575. A bill conferring jurisdiction upon the United States District Court for the Eastern District of New York to hear, determine, and render judgment upon the claims of Achille Ratallato and Albert Ratallato; with amendment (Rept. No. 249). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 3630. A bill for the relief of E. C. Willis, father of the late Charles R. Willis, a minor; with amendment (Rept. No. 250). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. McSWEENEY: A bill (H. R. 4704) to reimburse officers and enlisted men of the United States Army, and for other purposes; to the Committee on Military Affairs.

By Mr. CREAL: A bill (H. R. 4705) to authorize the transfer of a certain piece of land in Breckinridge County, Ky., to the Commonwealth of Kentucky; to the Committee on Military Affairs.

By Mr. LEWIS of Maryland: A bill (H. R. 4706) authorizing the State Roads Commission of the State of Maryland and the State Highway Department of the State of Virginia to construct, maintain, and operate a free highway bridge across the Potomac River at or near a point in the vicinity of Point of Rocks, in Frederick County, and a point near the south end of Loudoun County, to take the place of a bridge destroyed by flood in 1936; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Virginia: A bill (H. R. 4707) authorizing the State Roads Commission of the State of Maryland and the State Highway Department of the State of Virginia to construct, maintain, and operate a free highway bridge across the Potomac River at or near a point in the vicinity of Point of Rocks, in Frederick County, and a point near the south end of Loudoun County, to take the place of a bridge destroyed by flood in 1936; to the Committee on Interstate and Foreign Commerce.

By Mr. LAMNECK: A bill (H. R. 4708) to authorize a preliminary examination and survey of the Scioto and Sandusky Rivers and their tributaries in the State of Ohio, with a view to the control of their floods; to the Committee on Flood Control.

By Mr. O'CONNOR of Montana: A bill (H. R. 4709) to credit the Crow Indian tribal funds with certain amounts heretofore expended from tribal funds on irrigation works of the Crow Reservation, Mont.; to the Committee on Indian Affairs.

By Mr. PHILLIPS: A bill (H. R. 4710) to further the neutrality policy of the United States; to the Committee on Immigration and Naturalization.

By Mr. COFFEE of Washington: A bill (H. R. 4711) to extend the time for the construction of a bridge across Puget Sound at or near a point commonly known as The Narrows, in the State of Washington, approved May 28, 1934; to the Committee on Interstate and Foreign Commerce.

By Mr. HARRINGTON: A bill (H. R. 4712) to authorize the purchase and distribution of livestock feed to farmers and stock growers in the drought area; to the Committee on Agriculture.

By Mr. PALMISANO: A bill (H. R. 4713) to amend the act entitled "An act to incorporate the National Education Association of the United States", approved June 30, 1906, as amended; to the Committee on Education.

By Mr. TERRY: A bill (H. R. 4714) to provide for a preliminary examination and survey of Illinois Bayou, Pope County, Ark., to determine the feasibility of cleaning out the channel and repairing the banks, constructing dams and reservoirs when needed, and the cost of such improvement, with a view to the controlling of floods; to the Committee on Flood Control.

Also, a bill (H. R. 4715) to provide for a preliminary examination and survey of Big Piney Creek, in Pope and Johnson Counties, Ark., to determine the feasibility of cleaning out the channel and repairing the banks, constructing dams and reservoirs where needed, and the cost of such improvements, with a view to the controlling of floods; to the Committee on Flood Control.

By Mr. PETERSON of Florida: A bill (H. R. 4716) authorizing the construction and equipment of a marine hospital in the State of Florida; to the Committee on Merchant Marine and Fisheries.

By Mr. CHURCH: Resolution (H. Res. 117) requesting that an investigation be made into the history and ownership of the American flag now located in the north corridor of the Treasury Department Building, Washington, D. C.; to the Committee on Rules.

By Mr. GRAY of Pennsylvania: Joint resolution (H. J. Res. 216) proposing an amendment to the Constitution of

the United States relating to the Commander in Chief of the Army and Navy of the United States and of the militia of the several States when called into the actual service of the United States; to the Committee on the Judiciary.

By Mr. KELLER: Joint resolution (H. J. Res. 217) providing for the construction and maintenance of a National Gallery of Art; to the Committee on the Library.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM: A bill (H. R. 4717) for the relief of Bernard Knopp; to the Committee on Claims.

By Mr. CREAL: A bill (H. R. 4718) for the relief of the estate of James M. Hook, deceased; to the Committee on Claims.

By Mr. DELANEY: A bill (H. R. 4719) for the relief of Vladimir N. Halabi; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

316. By Mr. COLDEN: Resolution adopted by the Deep Sea and Purse Seine Fishermen's Union of California on January 27, 1937, urging the appropriation of $250,000 for the continuation of the investigation begun by the La Follette committee of antilabor activities on the part of certain interests, and that such investigation may include investigation of the Pacific maritime situation; to the Committee on Merchant Marine and Fisheries.

317. By Mr. KING: Petition of the Honolulu Business and Professional Women's Club, calling the attention of the Congress of the United States to the seriousness of the situation in Hawaii during the recent maritime strike; to the Committee on Merchant Marine and Fisheries.

318. Also, petition of the Pineapple Producers Cooperative Association, Ltd., calling attention to the serious situation in Hawaii during the recent maritime strike; to the Committee on Merchant Marine and Fisheries.

319. Also, petition of the Outdoor Circle, calling the attention of the Congress of the United States to the serious situation in Hawaii during the recent maritime strike; to the Committee on Merchant Marine and Fisheries.

320. Also, petition of the Hawaiian Civic Club of Honolulu, Hawaii, requesting the Congress of the United States to adopt legislation to end the interruptions in shipping caused by the martime strike and to make a recurrence thereof impossible; to the Committee on Merchant Marine and Fisheries.

321. By Mr. LEA: Petition of 52 registered voters of Petaluma, Sonoma County, Calif., protesting against the proposed changes in our United States Supreme Court; to the Committee on the Judiciary.

322. By Mr. RIGNEY: Memorial of the State of Illinois, Sixtieth General Assembly, House Joint Resolution No. 5, adopted February 2, 1937; to the Committee on Flood Control.